

Canyonville, OR Municipal Code

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Chapter 17.04 PURPOSE--SCOPE

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17.04.010 Purpose of title.

This title is enacted to establish procedures and standards for the partitioning and subdivision of land within the city. These regulations prescribe the proper width and arrangement of streets, provisions for installation of public utilities, and provisions of adequate open space (for recreation and community facilities) with the aim of accomplishing:

- A. The creation of satisfactory living conditions in new subdivisions;
- B. A population density which is neither undue nor excessive;
- C. The protection, conservation and proper use of land;
- D. The extension of public utilities without excessive expenditures;
- E. The simplification and increased accuracy of land description;
- F. The protection of land purchasers from excessive assessment for further utility installations;
- G. The protection of the health, safety and general welfare of the public. (Ord. 344 § 1, 1980)

17.04.020 Scope of regulations.

All subdivision plats and all streets or ways created for the purpose of partitioning land must be approved by the planning commission or the city council in accordance with these regulations. A person desiring to subdivide land, desiring to partition land by creation of a street or way or desiring to sell any portion not the whole of a parcel of land shall submit preliminary plans and final documents for approval as provided in this title and the state law. (Ord. 344 § 3, 1980)

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Chapter 17.08 DEFINITIONS

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17.08.010 Definitions generally.

As used in this title the masculine includes the feminine and neuter and the singular includes the plural. The words and phrases set out in this chapter shall have the following meanings, unless it is apparent from the context that different meanings are intended. (Ord. 344 § 2 (part), 1980)

17.08.020 Alley.

“Alley” means a narrow street through a block primarily for access by service vehicles to the back or side of properties fronting on another street. (Ord. 344 § 2 (13) (a), 1980)

17.08.030 Arterial.

“Arterial” means a street of considerable continuity which is primarily a traffic artery for intercommunication among large areas. (Ord. 344 § 2 (13) (b), 1980)

17.08.040 Building line.

“Building line” means a line on a plat indicating the limit beyond which buildings or structures may not be erected. (Ord. 344 § 2 (1), 1980)

17.08.050 Chairperson.

“Chairperson” means the chairperson of the planning commission. (Ord. 344 § 2 (8), 1980)

17.08.060 Collector.

“Collector” means a street supplementary to the arterial street system and a means of intercommunication between this system and smaller areas. It is used partly by through traffic and partly for access to abutting properties. (Ord. 344 § 2 (13) (c), 1980)

17.08.070 Commission.

“Commission” means the planning commission of the city. (Ord. 344 § 2 (7), 1980)

17.08.080 Comprehensive plan.

“Comprehensive plan” means the plan adopted by the planning commission for guidance of growth and improvement of the city, including modifications or refinements which may be made from time to time. (Ord. 344 § 2 (2), 1980)

17.08.090 Cul-de-sac.

“Cul-de-sac” (dead-end street) means a short street with one end open to traffic and the other terminated by a vehicle turnaround. (Ord. 344 § 2 (13) (d), 1980)

17.08.100 Easement.

“Easement” means a grant of the right to use a strip of land for specific purposes. (Ord. 344 § 2 (3), 1980)

17.08.110 Half street.

“Half street” means a portion of the width of a street, usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision. (Ord. 344 § 2 (13) (e), 1980)

17.08.120 Local street.

“Local street” means a street intended primarily for access and service to abutting properties. (Ord. 344 § 2 (13) (g), 1980)

17.08.130 Lot.

“Lot” means a parcel of land intended as a unit for transfer of ownership of for development. (Ord. 344 § 2 (4), 1980)

17.08.140 Marginal access street.

“Marginal access street” means a minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic. (Ord. 344 § 2 (13) (f), 1980)

17.08.150 Parcel of land.

“Parcel of land” means either a tract or a contiguous unit of land which has not been officially platted or subdivided in accordance with the laws of the state or one lot or smallest single unit of platted or subdivided land. (Ord. 344 § 2 (21), 1980)

17.08.160 Partition land.

“Partition land” means 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 unit of land under single ownership at the beginning of such year. “Major partition” means a partition which includes the creation of a road or street. “Minor partition” means a partition that does not include the creation of a road or street. (Ord. 345 § 1 (part), 1980; Ord. 344 § 2 (19), 1980)

17.08.170 Partitioned parcel of land.

“Partitioned parcel of land” means any tract or unit of land which is a product or result of the division or partition of land defined in this chapter. (Ord. 344 § 2 (20), 1980)

17.08.180 Pedestrian way.

“Pedestrian way” means a right-of-way for pedestrian traffic. (Ord. 344 § 2 (5), 1980)

17.08.190 Person.

“Person” means an individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, and including any trustee, receiver, assignee, or other similar representative thereof. (Ord. 344 § 2 (6), 1980)

17.08.200 Plat.

“Plat” means the map or plan of the subdivision that is presented for approval. (Ord. 344 § 2 (9), 1980)

17.08.210 Reserve strip.

“Reserve strip” means a parcel of land, usually one foot in width, running the length of a half-street along the centerline which, when deeded to the city, instead of dedicated for public use, prevents an abutting property owner from using the street for access without first making the appropriate dedication from his land. (Ord. 344 § 2 (14), 1980)

17.08.220 Reversed corner lot.

“Reversed corner lot” means a corner lot, the side street line of which is substantially a continuation of the front lot line of the first lot to its rear. (Ord. 344 § 2 (13) (a), 1980)

17.08.230 Right-of-way.

“Right-of-way” means the area between boundary lines of a street or other easement. (Ord. 344 § 2 (10), 1980)

17.08.240 Roadway.

“Roadway” means the portion or portions of a street right-of-way developed for vehicular traffic. (Ord. 344 § 2 (11), 1980)

17.08.250 Sidewalk.

“Sidewalk” means a pedestrian way with permanent surfacing to city standards. (Ord. 344 § 2 (12), 1980)

17.08.260 Street.

“Street” means the entire width between the boundary lines of every public way provided for public use for vehicular or pedestrian traffic, and the placement of utilities, and including “road,” “highway,” “lane,” “place,” “avenue,” “alley,” or similar designations. (Ord. 344 § 2 (13) (part), 1980)

17.08.270 Street plug.

“Street plug” means a parcel of land, usually one foot in width, running across the end of a street which, when deeded to the city, rather than dedicated for a public use, prevents gaining legal access to the street and ensures that a continuation of the street will be made when abutting property is subdivided. (Ord. 344 § 2 (15), 1980)

17.08.280 Subdivide land.

“Subdivide land” means to partition a parcel of land into four or more parcels for the purpose of transfer of ownership or building development, whether immediate or future, when such parcel exists as a unit or contiguous units under a single ownership. (Ord. 345 § 1 (part), 1980: Ord. 344 § 2 (16), 1980)

17.08.290 Subdivider.

“Subdivider” means any person who undertakes the subdividing of a parcel of land, including changes in street or lot lines, for the purpose of transfer of ownership or development. (Ord. 344 § 2 (18), 1980)

17.08.300 Subdivision.

“Subdivision” means either an act of subdividing land or a tract of land subdivided in this chapter. (Ord. 344 § 2 (17), 1980)

17.08.310 Through lot.

“Through lot” means a lot having frontage on two parallel or approximately parallel streets other than alleys. (Ord. 344 § 2 (13) (b), 1980)

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Chapter 17.10 GENERAL PROCEDURES AND PROCESSING

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17.10.010 Application procedures and time limits.

A. Application Submittal. Application for preliminary plat, final plat, minor land partition, and variances to this title shall be checked by the city recorder for completeness, who shall notify the applicant of any missing materials within thirty days of receipt of the application. The application shall be deemed complete when all required materials are received, when one hundred eighty days have expired since the applicant was notified of the missing material(s), or on the thirty-first day after submittal of any incomplete application if the applicant has submitted a written statement that missing materials will not be submitted.

B. Concurrent Processing. Any application for discretionary permits applied for under this title or under Ordinance 343-Z for one development, at the applicants request shall be processed concurrently.

C. Time Limit on Decisions. The final decision including any appeals to the city council, on any applications for discretionary permits applied for under this title or Ordinance 343-Z or any combination thereof, shall be made within one hundred twenty days of the date the application(s) is (are) deemed complete. The one hundred twenty days applies only to the decisions wholly within the authority and control of the city and not to plan and land use regulation decisions required to be forwarded to the Director of the Department of Land Conservation and Development under ORS 197.610(1). The one-hundred-twenty-day period may be extended at the request of the applicant.

D. Review. Approval or denial for an application shall be based upon the comprehensive plan and the standards and criteria that were applicable for that land use regulation at the time the application was first submitted.

E. An applicant whose application has not been acted upon finally within the one hundred twenty days after the application was deemed complete by the city recorder may seek a writ of mandamus to compel issuance of the permit or a determination that the appeal would violate the city's plan or land use regulations. (Ord. 436 § 1, 1988).

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17.12.010 Preparation and filing.

- A. The subdivider shall prepare a preliminary plat together with supplementary material as may be required to indicate the general program and objectives of the project. The preliminary plat should not be a finished drawing, but it should show all pertinent information to scale in order that the planning commission can properly review the proposed development.
- B. Two complete sets of the preliminary plat, together with supplementary material, shall be filed with the city recorder who will review the application for completeness according to Section 17.10.010 of this title. When the application is filed, the applicant shall pay the city a processing fee and an engineering review fee as established by resolutions of the city council. When the application is deemed complete, it shall be forwarded to the city engineer for review. Included with the filing must be an agreement between the applicant and the city stating the applicant will pay all costs above the engineering review fee incurred by the city engineer in his review of the subdivision. (Ord. 527 § 1, 1996; Ord. 436 § 2, 1988; Ord. 344 § 4, 1980)

17.12.020 Scale of drawing.

The preliminary plat shall be drawn at a scale of one inch equals fifty feet. The scale may be increased or decreased if necessary in order to fit the drawing on the legal sized plat of eighteen inches by twenty-four inches but in all cases the scale to be used shall be in multiples of ten. (Ord. 344 § 5, 1980)

17.12.030 Information required.

The preliminary plat should include the following information:

- A. Proposed name of subdivision (this name must not duplicate or resemble the name of another subdivision in the county);
- B. Date, north point, scale of drawing and sufficient description to define the location and boundaries of the proposed tract;
- C. Names and addresses of owner, subdivider and engineer or surveyor;
- D. Location, names and present widths of streets and easements;
- E. Location of official plan lines or other projected streets, if any, as shown on the city's comprehensive plan;
- F. The location, names, widths and approximate grades of streets in the proposed subdivision which are to be offered for dedication. In cases in which street grades exceed six percent, such grades shall be shown by centerline profiles;
- G. Contour lines based upon U.S.G.S. datum having the following intervals:
 - 1. Two-foot contour intervals for ground slopes up to eighteen percent, and
 - 2. Five-foot contour intervals for ground slopes greater than eighteen percent;
- H. The elevation and location of all points used to determine the contours;
- I. The approximate width and location of all easements for drainage or public utilities;
- J. Approximate radii of all curves;
- K. Approximate dimensions of all lots;
- L. Approximate location of areas subject to inundation of stormwater overflow, other areas covered by water, and the location, width and direction of flow of all watercourses;
- M. The location of existing structures to remain on the property;
- N. Public areas proposed;
- O. The location of:
 - 1. Slopes eighteen percent or less, and
 - 2. Slopes greater than eighteen percent;
- P. The location of any rivers or streams on or adjacent to the site, their respective tops-of-bank, and the location and area of the riparian corridor within the site boundaries, as defined in Sections 18.70.020 through 18.70.040;
- Q. The location, area and delineated boundaries of any wetlands located on the site that may be affected by development;
- R. A traffic impact study, if required by ODOT or the city;
- S. A geotechnical study per Chapter 18.68, where development is proposed within steeply sloped or potential landslide areas, as defined on the Canyonville buildable lands inventory map. (Ord. 535 § 3 Exh. A (part), 1997; Ord. 344 § 6, 1980)

17.12.040 Partial development.

If the area to be subdivided contains only part of the tract owned or controlled by the subdivider, the planning commission may require a sketch of a tentative layout for streets in the unsubdivided portion. (Ord. 344 § 7, 1980)

17.12.050 Accompanying statement.

A statement containing the following information shall accompany each preliminary plat:

- A. Existing use or uses of property;
- B. Proposed uses of the property and present zoning;
- C. Outline of existing and proposed deed restrictions, if any;
- D. Statement of the improvements proposed to be made or installed and the time such improvements are proposed to be made or completed, and the procedures the subdivider wishes to use as outlined in Section 17.16.040;
- E. General outline of the proposed water supply, gas, electrical, streetlighting, telephone and television services;
- F. Provisions for sewage disposal, drainage and flood control which are proposed;
- G. Proposed building setback lines, if any, are to be made a part of plat records;
- H. Statement as to tree planting plan, if any;
- I. Reasons and justifications for exceptions, if any, to provisions to this title;
- J. A statement outlining plans for making improvements which must be made prior to the approval of the final plat by the planning commission so as to provide the following services:
 - 1. Water supply adequate for both domestic use and fire protection, per adopted water master plans,
 - 2. Sewer and drainage adequate to serve the site and designed to be extended to neighboring properties, per adopted sanitary sewer and water master plans,
 - 3. Streets, curbs, gutters, sidewalks and pedestrian ways and bicycle facilities adequate to serve the site and connecting to neighboring properties, per the Canyonville transportation system plan (TSP),
 - 4. Fire hydrants,
 - 5. Street lighting. (Ord. 535 § 3 Exh. A (part), 197; Ord. 344 § 8, 1980)

17.12.060 Review of tentative plan--Appeal of planning commission decision.

- A. The city planning commission will review the tentative plan, accompanying data, and agency reports. The planning commission shall approve the tentative plan as submitted, as it may be modified or conditioned, or deny the tentative plan.
- B. The decision of the planning commission shall state the reason for the decision based upon compliance with this title, adopted public facilities master plans, the transportation system plan, city specifications and standards, and the recommendations of required impact studies.
- C. In order to be approved by the planning commission, the applicant shall demonstrate in the tentative plan and through a written statement that each of the following approval criteria has been considered and satisfied:
 - 1. All applicable standards of the underlying zone and any applicable special district;
 - 2. All applicable general and design standards of this title;
 - 3. Development shall avoid slopes of greater than twenty-five percent and riparian corridors, as required by Chapters 18.68 and 18.70, respectively;
 - 4. The street system has been designed in a grid pattern that efficiently serves the proposed development and neighboring properties, minimizes out-of-direction travel and maximizes emergency vehicle access;
 - 5. The use of cul-de-sacs has been minimized and in no case shall a cul-de-sac street exceed four hundred feet in length; where cul-de-sacs must be created due to topographic or access constraints, pedestrian and bicycle connections shall be required from cul-de-sacs to neighboring properties;
 - 6. All public facilities projects identified in adopted public facility master plans which serve the area where the land division is proposed have been constructed; or the applicant can demonstrate that the required public facilities improvements will be in place and operational prior to sale of any lot

within the subdivision;

7. Sanitary sewer, water and storm drainage collection and distribution systems are adequate to handle the increased loads required by each phase of the proposed land division, based on master facilities plans and as determined by the city engineer;

8. Streets and intersections serving the proposed land division are adequate to accommodate increased vehicular, bicycle and pedestrian traffic safely and efficiently, and provide direct connections to neighboring properties. To make this determination, the city may require that the applicant prepare a transportation impact study which demonstrates, at a minimum, that no street link or intersection serving the proposed land division will exceed LOS (level-of-service) D during peak morning or evening demand periods or LOS C during non-peak demand periods; and

9. Where bicycle paths or lanes, or pedestrian ways, will benefit the proposed land division and are required by the transportation system plan, they shall be installed at the developer's expense. (Ord. 535 § 3 Exh. A (part), 1997: Ord. 344 § 10, 1980)

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Chapter 17.16 FINAL PLAT

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17.16.010 Preparation and submittal.

- A. Within one year after approval or conditional approval of the preliminary plat, the subdivider may cause the subdivision, or any part thereof, to be accurately surveyed and monumented, and a final plat to be prepared by a licensed surveyor, and improvement plans to be prepared by a registered civil engineer and submitted to the city recorder in accordance with the preliminary plat as approved. The city recorder shall review the submitted material for completeness according to Sections 17.10.010 and 17.16.020 of this title and, if deemed complete, send it to the planning commission.
- B. Failure of the subdivider to prepare and submit a final plat within one year from the date of approval or conditional approval of the preliminary plat or any extension of time granted, shall terminate all proceedings. In such an event, before a final plat may thereafter be approved, a new preliminary plat must be submitted. (Ord. 436 § 3, 1988; Ord. 344 § 11, 1980)

17.16.020 Information on final plat.

- A. Drafting of Plat. The official plat shall be drawn in black India ink on good quality, white cold pressed, double-mounted drawing paper eighteen inches by twenty-four inches with a muslin extending three inches at the left end for binding purposes. No part of the drawing shall be nearer to the edge of the sheet than one inch. All of the drawing shall be on one side of the sheet but

dedication or other written matter may be on the other side.

B. Tracing Cloth Duplicate. An exact duplication of the official plat must be drawn in India ink on a good quality tracing cloth, or in lieu thereof, a statement that a photocopy suitable for making prints will be filed with the county surveyor after all approvals are obtained.

C. Information Required. The official plat shall include the following information:

1. The length of arcs and radii of curves, points of curvatures, lengths and bearing of tangents and cords;
 2. Lot lines with dimensions in feet and hundredths and with bearings and angles to minutes if other than right angles to street and alley lines;
 3. Blocks numbered consecutively throughout and lots numbered throughout each block;
 4. The accurate location and description of property which is to be conveyed to the city for public use with the purpose indicated;
 5. Minimum building setback lines if more restrictive than city ordinance;
 6. Description and location of all permanent reference monuments, set or found;
 7. Certification by an engineer or surveyor registered in the state;
 8. Written legal description of the plat boundaries;
 9. Dedication by the property owners with their signatures;
 10. Notary seal on the dedication;
 11. Protective covenants or restrictions either shown on the plat or in a document suitable for recording;
 12. Easements to utility companies, other persons, organizations or the city, and their purpose;
 13. Length and tangent bearings of ties to adjacent property;
 14. Tie, by bearing and distance, to the nearest established government corner;
 15. The name of the subdivision;
 16. Date, north point and scale of plat;
 17. Names of the owners, an engineer or surveyor;
 18. Location, names and present width of streets;
 19. Space for signatures of planning commission chairperson, mayor and county officers.
- D. A certificate signed and acknowledged by all parties having any record titled interest in the land subdivided, consenting to the preparation and recordation of the map. (Ord. 344 § 12, 1980)

17.16.030 Supplemental information.

The following data shall accompany the final plat:

- A. A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interests in the premises;
- B. A copy of any protective covenants or restrictions applicable to the subdivision;
- C. Written proof that taxes and assessments on the tract are paid to date;
- D. A certificate by:
 1. The city engineer or superintendent certifying that the subdivider has installed improvements in accordance with the requirements of these regulations, the city engineer's office and with the action of the planning commission giving conditional approval of the preliminary plat, or
 2. A certificate by the city recorder that an agreement has been executed as provided in Sections 17.16.040 and 17.16.050 to assure completion of required improvements;
- E. A good and sufficient warranty deed executed to the city, free from all outstanding liens and encumbrances, conveying property, if any, for public use. (Ord. 344 § 13, 1980)

17.16.040 Improvements requisite to final plat approval.

- A. Before planning commission approval is certified on the final plat, the subdivider shall enter into an agreement with the city specifying improvements to be made by the subdivider within one year from the date of the agreement, which agreement shall also provide that final approval of the plat shall not be given by the city council until all the engineering work for the required improvements has been done and plans and specifications therefor have been filed with and approved by the city engineer and the county surveyor has approved the plat; and further providing for the making of such public record of the agreement as the city reasonably may require as notice thereof to all who may be concerned. Upon such approval by the city engineer and county surveyor, he shall so advise the city council in writing and it shall then, but only then, be authorized to certify approval on the final plat.
- B. The required improvements and repair of existing streets and other public facilities shall be made in accordance with the requirements of city "Standard Specifications for Street, Water, Storm Drainage and Sanitary Sewer Improvements."
- C. When improvements are to be installed by the subdivider under the terms of an agreement:
1. A subdivision bond is required;
 2. Construction of the improvements may be made in units under conditions therein specified;
 3. Extension of the time limit may be made under conditions therein specified. (Ord. 344 § 14, 1980)

17.16.050 Subdivision bond.

- A. The subdivider shall file with the agreement, to assure his full and faithful performance thereof, one of the following:
1. A surety bond executed by a surety company authorized to transact business in the state;
 2. Cash or certified check.
- B. Such assurance of full and faithful performance shall be for a sum approved by the city engineer and sufficient to cover the cost of the improvements and repairs, including related engineering, legal, inspection and incidental expenses.
- C. In the event the subdivider shall fail to carry out provisions of the agreement, the city shall:
1. Call on the surety company for full and faithful performance; or
 2. Use the cash or certified check to complete the work.
- D. If the amount of the bond or cash deposit shall exceed the cost of completing the work, the city shall release the remainder. If the amount of the bond or cash deposit shall be less than the cost of completing the work, the subdivider shall be liable for the difference. (Ord. 344 § 15, 1980)

17.16.060 Review of final plat.

- A. The official plat for final approval shall be delivered to the city recorder at least ten days before the planning commission meeting at which the plat is to be reviewed. The city recorder will review the material according to Section 17.10.010 of this title and if deemed complete shall cause the final map and other data to be reviewed by the city engineer and other appropriate agencies and officials who shall examine them to determine that the subdivision, as shown, substantially conforms to the approved preliminary plat as conditionally approved. Reports of such officials and agencies, the plat, and other data shall be submitted to the planning commission to determine if there is substantial conformity to the preliminary plat as approved.
- B. If the planning commission determines that substantial conformity to the preliminary plat as

approved has not been made, the subdivider shall be so advised and shall be afforded an opportunity to make such changes or additions necessary to comply with the preliminary plat as approved. (Ord. 436 § 4, 1988; Ord. 344 § 16, 1980)

17.16.070 Approval.

- A. If the planning commission determines that the final plat is in substantial conformance with the preliminary plat as conditionally approved, the matter shall be placed on the next agenda of the city council. When submitted to the planning commission, approval of the final plat shall be by the majority of those present. Upon approval, the plat shall be signed by the chairperson and the mayor.
- B. Following approval by the city council, the subdivider shall obtain the signatures from the following offices in the order named: county surveyor, county assessor, county clerk. (Ord. 344 § 17, 1980)

17.16.080 Filing.

- A. After obtaining the approvals and signatures required the subdivider shall file the plat in the county clerk's office with an exact copy of the original plat drawn on tracing cloth, or a photocopy. Approval of the final plat shall be null and void if the plat is not filed within thirty days after the date the last required approving signature has been obtained.
- B. Upon the filing of the final plat, the subdivider shall furnish the city recorder with three prints of the final plat. The city recorder shall then pass the information on to the planning commission members. (Ord. 436 § 5, 1988; Ord. 344 § 18, 1980)

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Title 17 SUBDIVISIONS

Chapter 17.20 STREETS AND WAYS

17.20.010 Creation of streets.

17.20.020 Creation of ways.

17.20.010 Creation of streets.

A. The creation of streets outside of a subdivision shall be in conformance with the requirements for subdivision except, however, the planning commission shall recommend to the council as to the creation of a street to be established by deed if any of the following conditions exist:

1. The establishment of the street as initiated by the city council or county commission and is declared essential by that body for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street;
2. The tract in which the street is to be dedicated is an isolated ownership of one acre or less;
3. The tract in which the street is to be dedicated is an isolated ownership of such size and condition as to make it impractical to develop more than three lots.

B. In those cases where approval of a street may be given without full compliance with the regulations applicable to subdivision, a copy of the proposed deed shall be submitted to the chairperson of the planning commission at least five days prior to the planning commission meeting at which consideration is desired. The deed and such information as may be submitted shall be reviewed by the planning commission and, if not in conflict with the standards of Chapter 17.28 shall be approved with such conditions as are necessary to preserve these standards. (Ord. 344 § 19, 1980)

17.20.020 Creation of ways.

Any easement of way providing access to property, or which is created in order to allow the partitioning of land for the purpose of transfer of ownership or building development, whether immediate or future, shall meet the requirements of a street in a subdivision or where applicable as provided in Section 17.20.010, except that a private easement or way to be established by deed without full compliance with these regulations shall be approved by the planning commission if it is the only reasonable method by which the rear portion of an unusually deep lot large enough to warrant partitioning into two parcels may be provided with access, or if it is in a rural area and is related to farm or forest land uses in which no land parcel is less than five acres. A copy of the proposed document to create the easement shall be submitted to the city recorder at least ten days prior to the planning commission meeting at which consideration is requested. The document and such information as may be submitted shall be reviewed by the planning commission and, if assurance of adequate utility access as well as vehicular access is indicated, shall be approved.

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Chapter 17.24 MINOR LAND PARTITIONING

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17.24.010 Procedure.

Land partitioning other than subdivision or the creation of a street or way shall be known as “minor land partitioning.” Whenever any person desires to partition any parcel of land within the territorial limits of the city he shall file written application therefor with the commission in as many counterparts, not exceeding six, as may be required by the commission. The application shall include such information as may be required by the commission to permit it, with the advice of other public officers and agencies who may be interested, to determine:

- A. If the proposed partition is in conformity with existing city development plans and zoning and building ordinances and regulations;
- B. That adequate provisions have or will be made for the physical means of providing public utilities, such as water, sewers, power, telephones, etc.;
- C. That streets or easements have been or will be provided for ingress and egress both for the owner or prospective owners of the partitioned property and the public. (Ord. 344 § 21, 1980)

17.24.020 Information to be submitted.

There shall be submitted to the city recorder, not less than seven days prior to the planning commission meeting at which action is desired, the following information:

- A. A vicinity map (minimum eight and one-half inches by eleven inches) locating the proposed partition area in relation to the adjacent area.
- B. A map of the proposed partitioning to be submitted in the original and two prints containing the following:
 - 1. Map size: fifteen inches by eighteen inches;

2. Map quality: inked black copy to allow for microfilming;
 3. Written legal description of property, all lot lines with dimensions in feet and hundredths and with bearings and angles to minutes, description and location of all permanent reference monuments set by the surveyor;
 4. Names of existing and proposed streets and those which are to be dedicated to the public;
 5. The name and address of the applicant and all other persons interested in the lands in question and the name or names of the engineers or surveyors employed to make the necessary surveys and do the necessary engineering work;
 6. Outline and location of existing buildings on the property;
 7. A statement describing the existing or contemplated provisions for utilities;
 8. Space for planning commission chairperson and mayor signatures and date;
 9. Date, north point, scale of drawing and title point;
 10. Approximate acreage of the parcel under a single ownership or, if more than one ownership is involved, the total contiguous acreage of all landowners directly involved in the minor land partitioning;
 11. For land adjacent and within the parcel to be partitioned, the locations, names and existing widths of all streets; location, width and purpose of all other existing easements; and location and size of sewer and water lines and drainage ways and location of power poles, where in the opinion of the planning commission such information is useful for review and approval.
- C. The planning commission may define the circumstances under which an application for minor land partitioning may be given routine administrative review and approval. Under this procedure the chairperson of the planning commission shall check the proposal against the comprehensive plan and may approve the partitioning without submitting it to the entire planning commission.
- D. If the location or type of land is not such as has been defined for routine administrative approval or if the proposed minor land partitioning does not appear to comply with the requirements for routine administrative approval, or if the partitioner does not agree with the administration's requirements, the sketch map shall be submitted for planning commission review and determination that the proposal will be compatible with the development plan. The planning commission may require dedication of land and easements and may specify conditions or modifications in the sketch plan necessary to carry out the development plan. In no event, however, shall the planning commission require greater dedications or conditions than could be required if the parcel were subdivided.
- E. If the parcel of land to be partitioned exceeds five acres and within a year is being partitioned into more than two parcels any one of which is less than one acre, full compliance with all requirements for subdivision may be required if the planning commission should determine, in its judgment, that the entire parcel being partitioned is in the process of being divided into small parcels. (Ord. 436 § 7, 1988; Ord. 344 § 22, 1980)

17.24.022 Lot line adjustments.

- A. An application for a lot line adjustment may be submitted to the city recorder under this section rather than to the planning commission under Section 17.24.010 if the following conditions are met:
1. All resulting lots must be no more nonconforming than the original lots with respect to minimum lot area, dimensions and building setback requirements for the given zone.
 2. All adjustments will occur within a given zone and are not permitted among differing zones.
 3. The lot line adjustment must result in either the new lot line boundary being no further than ten feet from the old property line or the lot line adjustment must effectively eliminate one or more lot lines between lots.

4. Lot line adjustments shall not alter or impede the public right-of-way or any recorded easement.
- B. The applicant for a lot line adjustment shall submit the following information to the city recorder:
 1. Letters of consent between involved parties and written legal descriptions of properties;
 2. Zoning map of properties (minimum eight and one-half by eleven inches);
 3. Letter of intent for the lot line adjustment which will include:
 - a. Reasoning behind the change,
 - b. Square feet of area involved in the adjustment,
 - c. Dimensions (in feet) of the adjustment,
 - d. Area for city recorder to sign if approval is granted;
 4. Vicinity map (minimum eight and one-half by eleven inches) locating the proposed boundary change;
 5. Map showing the location of utilities (gas, sewer, water and electricity) with appropriate dimensions;
 6. Map of existing structures on properties with dimensions.
- C. The city recorder shall grant the application for a lot line adjustment if the clerk determines that the conditions set forth in subsection A of this section are met. If the city recorder determines that all the conditions are not met, the city recorder shall submit the application to the planning commission for review under Section 17.24.010. (Ord. 418 § 1, 1987)

17.24.030 Filing fee.

An applicant for a subdivision shall pay a nonrefundable filing fee in the amount of two hundred dollars to the city recorder. The applicant shall also pay all costs of recording and intergovernmental fees required by the city, Douglas County or the state of Oregon. After the subdivision plat is approved, the applicant will pay to the city recorder a nonrefundable fee of one hundred dollars per approved subdivision lot. (Ord. 499, 1994: Ord. 436 § 8, 1988: Ord. 418 § 2, 1987: Ord. 344 § 23, 1980)

17.24.040 Filing of map.

Upon approval of any application to partition, the applicant shall furnish to the commission a map or drawing of the partitioned parcel or parcels of land in seven counterparts, on each of which the commission shall cause to be endorsed its approval of the same over the signatures either of the chairperson and the secretary or two members of the commission. The commission shall retain one copy for its files and distribute one copy to each of the following: city engineer, recorder, county surveyor, county assessor, county health officer and county clerk. (Ord. 344 § 24, 1980)

17.24.050 Prohibition on sale.

No person shall dispose of, transfer, sell or agree, offer or negotiate to sell any partitioned parcel of land within the city before the partition creating the same has been approved by the commission as is provided in this title. (Ord. 344 § 25, 1980)

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[Title 17 SUBDIVISIONS](#)

Chapter 17.30 CLUSTERED SUBDIVISIONS*

[17.30.010 Intent.](#)

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* Editor's note: Ordinance 552 contained a typographical error, indicating the provisions to be codified as Section 16.20.060 of the subdivision ordinance. By direction of the city planner, Ordinance 552 is codified in this Ch. 17.30.

17.30.010 Intent.

The intent of allowing a clustered subdivision is to permit the transfer of development density within a subdivision plat in order to facilitate flexibility in the planning, design and development of residential subdivisions; to promote the efficient use of land in accordance with the comprehensive plan; to protect certain land resources from inappropriate types and densities of development; and, to avoid development on land which may have topographic restraints or which may otherwise be subject to natural or man-made hazards. (Ord. 552 § 1 (part), 1999)

17.30.020 General provisions.

- A. Clustered subdivisions may be permitted in any residential zone.
- B. The total number of dwelling units within a clustered subdivision shall not exceed the maximum density of the land use designation prescribed by the comprehensive plan.
- C. All land use and development standards set forth in the Canyonville zoning ordinance and the Canyonville subdivision ordinance shall be applicable to clustered subdivisions, except that the minimum lot area requirements of the applicable zoning district may be reduced within a clustered subdivision pursuant to the provisions of this section.
- D. Density transfer within a clustered subdivision may be accomplished as follows:
 - 1. By creating residential lots which contain less than the minimum area allowed by the applicable zone while at the same time creating other residential lots which contain more than the minimum area allowed by the applicable zone; provided, however, that the total number of residential lots within the subdivision does not exceed the number of residential lots that would otherwise be allowed in a conventional subdivision in the same zone; or

2. By creating one or more nonresidential lots designated as “common open space” which serve to restrict the overall residential development density within the subdivision to the density that would otherwise be allowed in a conventional subdivision in the same zone; or

3. By a combination of subsections (d)(1) and (d)(2) of this section.

E. In no case shall a residential lot within a clustered subdivision contain less than six thousand square feet, or sixty percent of the minimum lot size prescribed by the applicable zone, whichever is the greater. Nonresidential lots designated as common open space may be any size provided such lots are capable, as a practical matter, of serving their intended purpose. (Ord. 552 § 1 (part), 1999)

17.30.030 Common open space.

A. Open space areas resulting from a clustered subdivision shall be entirely within the plat boundary and shall be clearly identified as “Common Open Space” on both the preliminary and final subdivision plat map. No portion of the common open space shall extend to land outside the city limits or urban growth boundary, or to land that is not in a residential zone.

B. The location, size, use and control of all common open space shall be described in a restrictive deed covenant which shall be recorded in the deed records of Douglas County at the time the plat is recorded. The restrictive covenant shall run with the land, shall be permanent, and shall become part of the deed to each lot within the subdivision. The restrictive covenant shall also describe:

1. The method of assessing property owners within the clustered subdivision for payment of taxes, assessments, insurance and maintenance of the common open space;
2. The responsibility for, and the means of, maintaining the common open space; and
3. Any special conditions or restrictions imposed on the common open space by the city in the course of approving the clustered subdivision.

C. Owners of lots within the clustered subdivision shall jointly own and be responsible for the perpetuation and maintenance of the common open space, including any commonly-owned facilities located in the common open space area.

D. To achieve common ownership of the open space area, the land and any common facilities thereon may be conveyed by title (including beneficial ownership) to a corporation, homeowners association, or other appropriate legal entity. The instrument of conveyance shall contain provisions that guarantee:

1. The continuation of the land in common open space use;
2. The continuity of common ownership and property maintenance, including the necessary financial arrangements for such maintenance; and
3. That the legal entity formed by the joint ownership for maintenance of the common open space will not be dissolved, nor will it dispose of any common open space, by sale or otherwise, except to another legal entity which has been organized for the purpose of maintaining the common open space.

E. Except to the extent that the use of the common open space may be limited by applicable land use regulations or special conditions imposed by the city in the course of approving the clustered subdivision, common open space may be improved for open space uses beneficial to the subdivision and its residents.

F. Neither residential lots nor common open space lots shall be further divided for residential development purposes; however, adjustments to common property lines may be permitted in accordance with the standards and procedures applicable to boundary line adjustments; provided that, such adjustments do not reduce the size of any lot in the subdivision below the minimum permitted size or result in a net decrease in the total amount of common open space within the

subdivision. (Ord. 552 § 1 (part), 1999)

17.30.040 Approval standards.

A. Except to the extent that this section requires otherwise, a clustered subdivision shall be subject to the same review procedures and platting standards applicable to residential subdivisions in the city of Canyonville.

B. In approving a clustered subdivision, the planning commission shall find:

1. That the total number of residential lots does not exceed the density standards of the applicable zone;
2. That the design of the subdivision, including the location, size and configuration of any common open space area, is consistent with the intent of this section with respect to allowing flexibility in its planning, design and development; promotion of the efficient use of land in accordance with the comprehensive plan; provides protection to land resources from inappropriate types and densities of development; and helps avoid development on lands which may be subject to natural or man-made hazards and development constraints including, but not limited to, steep slopes, unstable soils and geology, flood hazards and wetlands; and
3. That adequate and appropriate provisions have been made to assure that the clustered subdivision, including any common open space and common facilities within the subdivision will be developed, used and maintained in a manner consistent with the purpose and intent for which the cluster subdivision was approved by the city, and to further assure that any common open space and common facilities will not become a burden to the subsequent lot owners and residents within the subdivision, nor to the general public or the city of Canyonville. The proposed means of providing such assurance shall be submitted as part of the subdivision application; however, the adequacy of such provisions shall be determined at the sole discretion of the city. (Ord. 552 § 1 (part), 1999)

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Chapter 17.32 IMPROVEMENTS

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17.32.010 Procedures.

In addition to other requirements, the improvements specified in this chapter shall conform to the requirements of this title and improvement standards or specifications adopted by the city and appropriate state agency and shall be installed in accordance with the following procedures:

- A. Work shall not be commenced until plans have been reviewed for adequacy by the city and the appropriate state agency, if any. To the extent necessary for evaluation of the subdivision proposal, the plans may be required before approval of the final map. All final plans shall be prepared on tracing cloth in accordance with requirements of the city.
- B. Work shall not be commenced until the city has been notified in advance, and if work has been discontinued for any reason it shall not be resumed until the city has been notified.
- C. Required improvements shall be inspected by and constructed to the satisfaction of the city. The city may require changes in typical sections and details if unusual conditions arising during construction warrant such change in the public interest.
- D. Underground utilities, sanitary sewers and storm drains installed in streets by the subdivider shall

be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to lengths that will obviate the necessity for disturbing street improvements when service connections are made.

E. A map showing public improvements as built shall be filed with the city engineer upon completion of the improvements.

F. After the complete plans have been approved the officiating bodies and commencement of subdivision construction begins, subdivisions may be completed in sections if necessary. In other words, the paving of the streets and installation of curbs and gutters can be done section by section as lots are sold. If a lot is sold beyond the section being worked on, the improvements on the first section (paved streets, installation of curbs, gutters, etc.) must be completed before starting construction on the second section and so on using the domino effect. (Ord. 508-S § 1, 1995; Ord. 344 § 32, 1980)

17.32.020 Requirements generally.

Improvements to be installed at the expense of the subdivider shall be as set out in this chapter. (Ord. 344 § 33 (part), 1980)

17.32.030 Streets.

Streets, except alleys, within or partially within the subdivision, and the extension of such streets to the paving line of existing streets with which such streets intersect shall be improved to the following minimum standards:

A. The street shall be brought to proper grade, including portions outside the roadway where necessary to serve pedestrians, to protect the roadway, or to serve abutting property.

B. Standard city concrete curbs and gutters shall be constructed along the edge of the roadway.

C. Roadway base and concrete or asphaltic-concrete surfacing of sufficient width to meet local street design shall be installed to the design standards adopted by the city.

D. Sidewalks five feet wide shall be constructed at locations which reasonably may be required by the planning commission for pedestrian safety. (Ord. 344 § 33 (1), 1980)

17.32.040 Monuments.

A. Permanent iron pipe monuments of a type approved by the city shall be set at each boundary corner of the subdivision, along exterior boundaries at intervals of not over five hundred feet, at the beginning and end of property line curves and at other points as may be required by the city.

B. Concrete monuments depressed below street grade, of a type approved by the city, shall be set at intersections of street centerline tangents or offsets therefrom, and where such intersect on private property, at the beginning and end of the centerline curve or offsets therefrom. The exact location of all monuments shall be shown on the final map before approval is requested.

C. Any monument required by this title that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider.

D. Complete field notes in a form satisfactory to the city showing references, ties, locations, elevations and other necessary data relating to monuments and bench marks set in accordance with the requirements of this title, shall be submitted to and retained by the city as a permanent record.

(Ord. 344 § 33 (2), 1980)

17.32.050 Storm drains.

Excepting as is hereinafter provided, storm sewers shall be constructed in the easement or drainage right-of-way areas specified in Section 17.28.030 (C) (2) or in dedicated streets, and in such locations thereon and of such pipe size not exceeding twenty-four inches in diameter as may be necessary within the discretion of the city engineer to provide reasonable drainage for the subdivision. If the city engineer shall determine that pipe of larger size in any given location is required for such drainage, and if the city shall agree to pay the difference in cost of the pipe cost only, between the required size and the twenty-four-inch size, the larger size shall then be constructed with the subdivider paying all costs excepting those assumed by the city. Otherwise, the subdivider shall have no obligation to construct storm sewers. (Ord. 344 § 33 (3), 1980)

17.32.060 Sanitary sewers.

In all cases sanitary sewer lines up to and including eight-inch pipe size shall be installed. If the city engineer shall determine that a larger pipe size is advisable and the city shall agree to pay the difference in pipe cost only between the larger size and the eight-inch size, the larger size shall be installed, with the subdivider paying all costs excepting those assumed by the city. (Ord. 344 § 33 (4), 1980)

17.32.070 Water system.

Water lines with valves and fire hydrants to serve the subdivision and to connect the subdivision to existing mains shall be installed. The system shall be designed and installed according to requirements of the water utility serving the area. (Ord. 344 § 33 (5), 1980)

17.32.080 Street signs.

The subdivider shall deposit with the city a sum of money determined by the city to be sufficient to cover the cost of street sign installations; street signs shall be installed by the city. (Ord. 344 § 33 (6), 1980)

17.32.090 Streetlights.

When the subdivider elects to provide electrical service, he shall also enter into an agreement with the electric utility for the installation of streetlight standards by the utility company at such locations as determined by the city engineer. (Ord. 344 § 33 (7), 1980)

17.32.100 Utilities.

Electricity, telephone, television and any other will be required to be installed underground. (Ord. 344 § 33 (8), 1980)

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Chapter 17.36 EXCEPTIONS AND VARIANCES

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17.36.010 Exception in case of larger scale development.

The planning commission may modify the standards and requirements of this title if the subdivision plat comprises a complete neighborhood unit, a large-scale shopping center, or a planned industrial area. The planning commission shall determine that such modifications are not detrimental to the public health, safety and welfare and that adequate provision is made within the development for traffic circulation, open space, and other features that may be required in the public interest. (Ord. 344 § 34, 1980)

17.36.020 Variance application.

A. Authorization. The commission may authorize a variance of any requirements set forth in these standards.

B. Basic Considerations for a Variance. The basic reason for granting a variance will be proof that:

1. Special conditions or circumstances peculiar to the property under consideration make a variance necessary for the proper development of the subdivision and the preservation of property rights and values;
2. The variance will not at present or hereafter be detrimental to the public welfare or injurious to other properties adjacent to or in the vicinity of the proposed subdivision. (Ord. 344 § 35, 1980)

17.36.030 Planning commission action on variances.

In granting a variance, the planning commission shall make a written record of its findings and shall specifically describe the variance and any conditions which the commission may designate. The city shall keep the findings on file as a matter of public record. (Ord. 344 § 36, 1980)

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Chapter 17.38 PUBLIC HEARING AND NOTIFICATION

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17.38.010 Hearing by planning commission.

- A. The planning commission shall hold at least one public hearing for a preliminary plat, final plat, or minor land partition within thirty days after the filing of the application is deemed complete under subsection E of Section 17.10.010 of this title.
- B. Before approval for a preliminary plat, final plat, or minor land partition is approved or denied the application must be considered at a public hearing by the planning commission. (Ord. 436 § 9 (part), 1988)

17.38.020 Notification.

Notice of the time, place, and purpose of the hearing shall be given by one publication in a newspaper of general circulation and in the official gazette, if any, at least ten days before the hearing. Similar notice shall be given by mailing a written notice not less than ten days prior to the date of the hearing to all property owners who reside within one hundred feet of the applicant's property. Notice shall also be mailed to the applicant. (Ord. 436 § 9 (part), 1988)

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Chapter 17.40 APPEALS

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17.40.010 Procedure.

Any person may appeal to the city council from any decision or requirement made by the planning commission. Written notice of the appeal must be filed with the city recorder and within ten days after written notice to the subdivider of the decision or requirement. The notice of appeal shall state the nature of the decision or requirement and the grounds for the appeal (i.e., the procedures or applicable approval standards that were allegedly violated by the planning commission in making its decision). (Ord. 535 § 3 Exh. A (part), 1997; Ord. 344 § 37 (1), 1980)

17.40.020 Hearing by council.

The city council shall hold a hearing on the appeal within forty days from the time the appeal is filed. The council may continue the hearing for good cause. (Ord. 344 § 37 (2), 1980)

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Chapter 17.44 VIOLATION--PENALTY

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17.44.010 Designated.

In addition to penalties provided by state law, any person who violates or fails to comply with any provisions of this title shall, upon conviction thereof, be punished by a fine of not more than three hundred dollars, or by imprisonment for not more than ninety days, or both, for each day during which the violation continues. (Ord. 344 § 39, 1980)

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[Title 16 PUBLIC WORKS DESIGN STANDARDS](#)

Chapter 16.07 PERMIT

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16.07.010 Application for permit.

A permit shall be obtained before beginning construction, alteration or repairs, other than ordinary repairs, using application forms furnished by the city of Canyonville. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.011 Application.

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the city of Canyonville for that purpose. Every such applicant shall:

- A. Identify and describe the work to be covered by the permit for which application is made;
- B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building;
- C. Indicate the use or occupancy for which the proposed work is intended;
- D. Be accompanied by plans, diagrams, computations, specifications and other data as required;
- E. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building;
- F. Be signed by the permittee, or his/her authorized agent;
- G. Give such other data and information as may be required by the building official. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.012 Permit fees.

- A. A development fee according to the following schedule and based on the approved certificate of the total development cost, or estimate of the total cost:

On Any Amount Exceeding	But Not Exceeding	Rate
\$0.00	\$5,000.00	\$250.00
5,000.00	200,000.00	250.00 plus 3% of amount in excess of \$5,000.00
200,000.00		6,100.00 plus 2% of amount in excess of \$200,000.00

(Ord. 571 § 1 Exh. A (part), 2005)

16.07.013 Expiration.

- A. Every permit issued by the city of Canyonville under the provisions of the codes and/or ordinances of the city shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within six months from the issue date of the permit, or if the building or work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of six months. Before work can be resumed, a new permit shall be obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made in the original plans and specifications for such work; and provided further that such suspensions or abandonment has not exceeded six months.
- B. A permittee holding an unexpired permit may apply for a one-time extension provided he/she can show good and satisfactory reasons, and beyond his/her control the work cannot be commenced within the six-month period from the issue date. In order to renew work on a permit after it has expired, the permittee shall pay a new full permit fee. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.015 Penalty.

Any person, firm or corporation violating any of the provisions of the codes and/or ordinances of the city,

shall be guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the codes such person shall be punishable by a fine, or by imprisonment, or by both such fine and imprisonment as established by local applicable laws. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.016 Right of appeal.

All persons shall have the right to appeal the building official's decision through a body appointed by the city and qualified by the experience and training to pass upon matters pertaining to building construction. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.017 Plans.

When required by the city, plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and shall show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Plans shall include a plot plan drawn to scale showing the locations of all easements, drainage facilities, adjacent grades, property lines, the proposed building and of every existing building on the property. Two sets of plans required. One additional complete set of plans shall be kept on the job site at all times and made readily accessible to the inspector. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.020 Inspections--General.

- A. All construction or work for which a permit is required shall be subject to inspection by the city and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the city inspector. In addition, certain types of construction shall have continuous inspection.
- B. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the codes and/or ordinances of the city of Canyonville. Inspections presuming to give authority to violate or cancel the provisions of the codes and/or ordinances of the city of Canyonville shall not be valid.
- C. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the build inspector nor the city of Canyonville shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- D. A survey of the lot may be required by the city to verify that the structure is located in accordance with the approved plans. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.022 Inspections for right-of-way improvements.

If the construction of a sidewalk, curb and gutter or A/C improvements, is not included in a performance bond of an approved subdivision or the performance bond has lapsed, then every person, firm or corporation desiring to construct sidewalks as provided by this section, before commencing the work or improvement, shall comply with the following:

- A. An occupancy permit shall not be issued for a development until provisions of this section are satisfied;
- B. The public works director may allow temporary noncompliance with the provisions of this section to the owner, builder or contractor when, in the engineer's opinion, the construction of the sidewalk is impractical for one or more of the following reasons:

1. Sidewalk grades have not and cannot be established for the property in question within a reasonable length of time;
2. Forthcoming installation of public utilities or street paving would be likely to cause severe damage to the new sidewalk;
3. Street right-of-way is insufficient to accommodate a sidewalk on one or both sides of the street; or
4. Topography or elevation of the sidewalk base area makes construction of a sidewalk impractical or economically unfeasible. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.023 Inspection record card.

Work requiring a permit shall not be commenced until the permit holder or his/her agent shall have posted or otherwise made available an inspection record card such as to allow the building inspector conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained available, by the permit holder until the building inspector has granted final approval. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.024 Inspection requests.

- A. It shall be the duty of the person doing the work authorized by a permit to notify the city that such work is ready for inspection. The city may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone at the option of the city.
- B. It shall be the duty of the person requesting any inspections required to provide access to and means for inspection of such work. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.025 Required inspections.

- A. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building inspector.
- B. The city of Canyonville, upon notification, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his/her agent wherein the same fails to comply with the code. (Ord. 571 § 1 Exh. A (part), 2005)

16.07.030 Inspections by the city.

A. Inspections by the City.

1. Site.
2. Concrete.
 - a. Driveways.
 - b. Sidewalks.
 - c. Aprons.

Note: before any concrete is poured, all forms and rebar must be inspected.

3. Streets.
4. Curbs.
5. Street lights.
6. Water lines.

7. Sewer lines.

Note: All planning requirements must be met before any permits will be issued. (Ord. 571 § 1 Exh. A (part), 2005)

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