



**CITY OF REDMOND**  
**Community Development Department**

716 SW Evergreen Ave.  
Redmond, OR 97756

(P) 541-923-7721  
(F) 541-548-0706

[www.ci.redmond.or.us](http://www.ci.redmond.or.us)

**REDMOND URBAN AREA PLANNING COMMISSION**

**Conference Room A**  
**716 SW Evergreen Avenue**

**Tuesday, August 21, 2012**

**6:30 PM**

**Agenda**

<b>UAPC Members</b>	
Eric Porter, Chair	<b>I. CALL TO ORDER</b>
Anne Graham, Vice-Chair	<b>II. CITIZEN COMMENTS</b>
Bob Bleile	<b>III. DISCUSSION</b> <b>a. Land Division (Subdivision/Partition) Standards TA 12-2</b>
Bea Leach	<b>IV. COUNCIL LIASON COMMENTS (if present)</b>
Stan Clark	<b>V. STAFF COMMENTS</b>
Katie McDonald	<b>VI. COMMISSIONER COMMENTS</b>
Vacant Position	<b>VII. ADJOURN</b>

\*Please note that these documents are also available on the City's website [www.ci.redmond.or.us](http://www.ci.redmond.or.us); click on City Government, hover on Commissions and Committees, click on Urban Area Planning Commission. You may also request a copy from City Records Office 923-7751 or email [KellyM@ci.redmond.or.us](mailto:KellyM@ci.redmond.or.us)

Anyone needing accommodation to participate in the meeting must notify Mike Viegas, ADA Coordinator, at least 48 hours in advance of the meeting at (541) 504-3032, or through the Telecommunications Relay Service (TRS) which enables people who have difficulty hearing or speaking in the telephone to communicate to standard voice telephone users. If anyone needs Telecommunications Device for the Deaf (TDD) or Speech To Speech (STS) assistance, please use one of the following TRS numbers: 1-800-735-2900 (voice or text), 1-877-735-7525 (STS English) or 1-800-735-3896 (STS Spanish). The City of Redmond does not discriminate on the basis of disability status in the admission or access to, or treatment, or employment in, its programs or activities.



**CITY OF REDMOND**  
Community Development Department

716 SW Evergreen Avenue  
Redmond, OR 97756  
(541) 923-7721  
Fax: (541) 548-0706  
[www.ci.redmond.or.us](http://www.ci.redmond.or.us)

## EXHIBIT 1

**DATE:** August 21, 2012  
**TO:** Redmond Urban Area Planning Commission  
**FROM:** James J. Lewis, Senior Planner, Long Range/Economic Planning  
**SUBJECT:** Land Division (Subdivision/Partition) Code Text

---

### **Report in Brief:**

This is a follow up to the Public Hearing held on August 7<sup>th</sup> regarding draft text amendments for the regulation of Land Divisions (Subdivisions and Partitions), Article III, Section 8.2000 of the Redmond City Development Code.

Tonight's meeting will review the additions or deletions requested by Planning Commission on August 7<sup>th</sup>, and consider a final recommendation to the Redmond City Council for consideration.

Three attachments have been provided as part of this staff report per the following:

Attachment A: Shows the previously presented public hearing draft code (as previously directed by the Planning Commission from 4 prior work sessions), with further changes as directed by the Planning Commission at the August 7<sup>th</sup> meeting (the changes directed at the August 7<sup>th</sup> meeting are shown in ~~strikethrough~~ and red (new) text).

Attachment B: Includes all comments and changes as directed by the Planning Commission at four previous work sessions, and the last meeting at which the public hearing was held. This document will serve as the attachment for the Ordinance directing the changes. The new Chapter will be entitled "Land Division Standards."

Attachment C: Provides a table of other Central Oregon street standards, as well as a table of other comparable Oregon cities and their street standards.

### **Background:**

The Land Division Code is a key component to ensuring that new development results in neighborhoods where people want to live, where property values are maintained, and that become assets to the community. For these reasons, the Planning Commission has spent all or portions of their previous 5 meetings (4 work sessions and 1 public hearing) reviewing proposed changes to the code, and hearing from City staff on issues surrounding the proposed changes. As a result of those meetings and discussions, the Planning Commission has directed staff to make some final changes to the previously presented public hearing draft that will be considered as their recommendation to the City Council for all new land division development in Redmond.

## **Discussion:**

Much of the Land Division Code is based on the requirements of Oregon Revised Statute, Chapter 92, which regulates subdivisions and partitions. These requirements must be incorporated into the local Code and administered by the local jurisdiction. The primary components of the State law are aimed at ensuring: proper documentation/monumentation of land divisions; the provision of basic public services (i.e. street access, water and sewer service); and, legal sale and representation of new lots and parcels. However, the State law does not stipulate many of the components of new development that concern most citizens of the community and result in safe, functional, attractive, desirable neighborhoods. These are left up to the local jurisdiction to develop based on community desires. For example, State law requires access to a local street, but does not stipulate the overall design of that street. It is the discretionary design elements over which the City has control which are the primary components that affect the overall livability and character of the City.

The attached Draft Code is being amended to help achieve these primary goals:

- Update the text to ensure conformance with State statutes and legal requirements.
- Address community concerns regarding elements that are desirable in neighborhoods.
- Ensure that infrastructure design standards include requirements for complete neighborhoods.
- Consider new design standards for public infrastructure that add to livability.
- Ensure that new residential development is aesthetically pleasing, maintains property value, and provides neighborhoods that Redmond residents want to live in.
- Require connectivity between existing and new neighborhoods.
- Develop infrastructure that is within the capabilities of the City to provide.
- Initiate protections for the citizens regarding maintenance where limited private amenities are allowed

When reviewing the attached Draft Code (as revised), the initial sections (8.2000 through 8.6000) include the definitions for terms used in the Code and the basic requirements for applying for and platting subdivisions and partitions, and boundary line adjustments. These are based on the State law, but include local requirements for the type and degree of information that must be submitted in order for a thorough review of the proposal to be completed. Most of these are static and are subject to overriding State law.

Unlike the Sections listed above which are guided by State law, Sections 8.2700 and 8.2800, Design Standards and Improvements, and Supplementary Provisions, respectively, are the sections where the City has the ability to include requirements which address the community concerns regarding the function, desirability and livability of new neighborhoods. As discussed in previous work sessions with the Planning Commission, the primary design elements that were considered for amendment included:

- Maximum block length
- Prohibition on creating cul-de-sacs except where necessary
- Trail, sidewalk and mid-block pedestrian connections
- Lot orientation toward Arterial and Collector streets
- Re-division plans for large lots/parcels
- Grid street system with curvilinear design
- Street design standards which include narrower street pavement widths
- Greater emphasis on bicycles, sidewalks and trails as alternative modes of transportation
- Consideration of land for public purposes (parks, schools) with new development
- Residential design guidelines

As a result of the staff suggestions and input (including engineering, fire and police staff in addition to planning staff) during the Planning Commission review of the proposed amendments, some of the

issues listed above were further amended to a greater degree than others – these are addressed below.

*Residential Design Guidelines:* At the work sessions, the Planning Commission determined that some of the Residential Design standards were important to overall neighborhood character and livability (and that they compliment the infrastructure design standards contained in the Land Division Code), but decided that those elements were better placed in other sections of the Redmond Development Code on the basis that they would be hard to administer and enforce via the Land Division Code (to be relocated to the Residential Design Section 8.0140, Table B, Minimum Design Standards). The provisions include the originally drafted and proposed Residential Design Standards for individual lot/home development following platting. These standards, which include requirements for various architectural features, home/site design and landscape features, will be added to the appropriate section of the Development Code which governs the minimum development standards for the Residential Zones through a separate process (to the Residential Design Standards - Section 8.0140, Table B, Minimum Design Standards). Per the Planning Commission direction, that Code amendment process will immediately follow this process to adopt amendments to the Land Division Code.

*Street Design Standards:* At the August 7<sup>th</sup> meeting, the Planning Commission held a public hearing and heard from the Police Chief Dave Tarbet, Fire Marshal Traci Cooper and City Engineer Mike Caccavano, as well as Planning Staff, regarding the proposed street design standards (as further clarification to their comments that were previously summarized in the staff report for that meeting). The primary discussion had to do with street designs that would allow narrower street pavement sections (32, 28 and 24 foot wide sections - narrower than the existing 36 foot wide standard). At that meeting, Planning Commission direct the following changes to the proposed text amendments:

- To retain Table 1 (in Section 8.2710 (3)) as originally included in the Transportation System Plan – no changes to existing street right of way and cross section design standards (no narrower street sections other than those already listed in Table 1, and no property tight sidewalk construction);
- To require all lots/parcels to be accessed (vehicular access) from a “public” street, other than an alley (not including lots created via a Planned Unit Development – PUD - in which private streets can be constructed); and,
- To not allow easement access to any lots/parcels.

As a result of this direction, all new subdivisions that are developed within the City (other than in PUD’s), would be constructed specifically as follows:

- With 36 foot wide streets (parking both sides);
- With 5 ft. sidewalks (not required to be property tight with planter strips – can be tight to the curb);
- No alleys/no alley access (public or private) – *except as further allowed pursuant to Table 1 (in Section 8.2710 (3)), minimum width/reduced street standards – permitted subject to annexation agreement (see asterisk\*);*
- All front/street loaded driveway access.

The standards listed above will require all streets developed in new subdivisions within the existing City Limits to conform with one street design standard. Only those streets developed in lands currently outside of the City Limits (within UGB), and later annexed to the City would be permitted to consider reduced street width standards as listed in Table 1 (in Section 8.2710 (3)).

Staff reviewed the recommended changes and its impact on the Redmond Development Code. The direction of the Planning Commission to retain the existing Table 1 with the allowance for alleys with

narrower streets as part of an annexation agreement (meaning for lands in UGB that would be brought into the City in the future), is outside the direction for all lots to be accessed (vehicular access) from a public street other than an alley. This conflict needs to be addressed by the Planning Commission as the more specific direction regarding access only from public streets other than an alley was not discussed within the more general context of Table 1 which allows narrower streets with alleys in future annexed areas. It should be noted that this Land Division Code will be applicable to lands both within the existing City limits and the UGB once adopted and that the conflict needs to be clarified.

Notwithstanding this conflict, the attached draft code (attachment A) includes changes (~~striketrough~~ and new text) based on the more specific direction of the Planning Commission regarding access to lots from a public street other than an alley, rather than the more general narrow street provisions of Table 1 as noted above. The affects of these directed changes is discussed in greater detail below as to their overall affect on the remainder of the Land Division Code.

Because there are references to street designs, alleys, lot/parcel frontage/access elsewhere in the draft code that relied upon the previously proposed street design standards, the changes directed by the Planning Commission necessitated revisions to additional sections of the Draft Code as follows (these are reflected in Attachment A):

- Omitting the requirements for lots/homes created along arterial and collector streets to face the street (and having vehicular access from an alley);
- Allowing double frontage lots to be created along arterial and collector streets (with access taken from local street and rear yard abutting the Arterial or Collector street);
- Eliminating references to “alleys” (including definitions and corresponding text within the body of the draft code).

**Additional Code Changes:** At the last Planning Commission meeting, the Commission addressed additional changes to the document other than those discussed above. These include:

- Additions to the Variance section (Section 8.2830) for consistency with variance requirements for development standards other than land divisions (separation into Major and Minor Variance Sections);
- For code text to include the requirement for all lots/parcels to be required to be connected to water and sewer;
- Minor grammatical clarifications for consistency in the document.

**Rationale for Driveway Alignment:** When reviewing the draft document, the Planning Commission requested clarification as to the rationale for the requirement for driveway locations to align with driveways on the opposite side of the street (see Section 8.2820 (9)). The City Engineer indicated that the requirement is intended to reduce vehicular conflict for left hand turning movements where offset driveways could result in vehicles turning into one another. This is the same rationale for requiring intersecting cross-streets to align their centerlines, or be separated by adequate distance to alleviate the potential vehicular conflict during left turns.

**Alternative Courses of Action:**

1. Continue to work with Staff to revise and clarify the draft text as part of Planning Commission deliberation.
2. Move to recommend approval of the draft text as proposed/modified by the Planning Commission through previous meetings.

**Recommendation/Suggested Motion:**

Staff recommends that the Planning Commission continue to work with Staff to revise and clarify the draft text – thus, postponing a formal motion to the City Council on the entirety of the Land Division

Code to a subsequent meeting, and re-visiting the Street Design Standards through a specific, more in depth analysis, with additional input from City Staff and the community. This will also allow more time for City Staff to prepare information related to specific questions asked by the Planning Commission at the August 7<sup>th</sup> meeting – (i.e. projected cost of maintenance of alleys; projected cost of enforcement of no parking areas; additional rationale for beneficial effects of reduced street widths - such as slower traffic, reduced street maintenance, reduced storm-water runoff, increased property values and retention of property values, overall desirability of residents). This information can be prepared by Staff and presented at a subsequent work session so that the street design standards can be finalized regarding the overall intent and direction, the conflicting provisions described above can be resolved, and the extraneous impacts to sections of the code related to the street designs standards can be finalized. Overall, this will result in a formal Planning Commission recommendation to the City Council that will be based on the best information available.

James J. Lewis, Senior Planner, Long Range/Economic Planning

**ARTICLE III.****LAND DIVISION STANDARDS**

**8.2000 Title.** These standards shall be known as the City of Redmond Land Division Standards and may be so cited and plead.

**8.2005 Purpose.** In accordance with the provisions of Oregon Revised Statutes (ORS) Chapters 92 and 227, these standards set forth the minimum standards governing the approval of land development, including subdivisions and partitions, as necessary to carry out the Redmond Urban Area Comprehensive Plan and to promote the public health, safety and general welfare. The purposes of these provisions and regulations are to:

1. Encourage well planned subdivision and partition development to the end that good livable neighborhoods with all needed amenities and community facilities may be created.
2. Encourage development in harmony with the natural environment and within resource carrying capacities.
3. Safeguard the interest of the public, the developer and the future lot owner – the Community.
4. Improve land records and boundary monumentation.
5. Insure equitable processing of subdivision and partition plats, and accomplish to the greatest extent possible the goals and objectives of the Comprehensive Plan for the Redmond Urban Area.
6. Provide for orderly and efficient urban development and coordinate development with public facility and service plans and capabilities.
7. Promote and maximize the conservation of energy by preserving the option to utilize solar energy and to implement the Comprehensive Plan policies relating to solar energy by encouraging the design of new developments to protect future options to use solar energy by providing for and protecting solar access in the following ways:
  - A. By regulating the orientation of streets, lots, and parcels;
  - B. By the placement, height and bulk of buildings;
  - C. By the placement and growth of vegetation; and,
  - D. By preserving options for other alternative energy sources, such as wind, that may be available and necessary in the future.

**8.2010 Interpretation.** No person may subdivide or partition land within the City of Redmond except in accordance with ORS Chapter 92 and the provisions of these standards. The provisions of these standards shall be construed to effect the purposes set forth in Section 8.2005 of these standards. These provisions are declared to be the minimum requirements fulfilling such objectives, and, as deemed necessary through the land use review and decision process, the City may impose additional requirements to promote the health, safety and general welfare, and to carry out the Comprehensive Plan of the City. Where conditions set forth herein are less restrictive than comparative conditions imposed by any other provision of these standards, by provision of other applicable local ordinance, resolution or regulation, or by provision of state statute or administrative regulation, the more restrictive shall govern.

**8.2015 Construction and Terminology.**

1. Construction. Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular; the word "shall" is mandatory; the words "may" and should are permissive; the masculine shall include the feminine and neuter.
2. Terminology. The word "City" shall mean the City of Redmond, Oregon. The words "City Council" shall mean the City Council of Redmond. The words "Community Development Department Director" and "Hearings Body" shall mean the Community Development Department Director and Hearings Body respectively of the City of Redmond.

**8.2020 Definitions.** As used in these standards, the following words and phrases shall mean:

**Abut.** Having a common border with, or being separated from such a common border by a right-of-way, including those properties which only connect or touch by a common point.

**Access.** The right to cross between properties, both public and private, allowing pedestrians and/or vehicles to access the public right of way.

**Access Connection.** Any driveway, street, turnout, or other means of providing for the movement of vehicles and/or pedestrians to or from the public roadway system.

**Access Management.** The process of regulating access to streets, roads and highways from public roads and private driveways.

**Access Road.** See Street, Local, Private.

**Acreage, gross.** The total area within a unit of land.

**Acreage, net.** A measure of land area, exclusive of public road rights-of-way, and public use area dedications.

**Adjacent.** See-Abut.

**Adjoining.** See Abut.

**Adverse Impact.** A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe or unhealthy conditions on a site proposed for development or on off-tract property or facilities.

**Advertising.** Publication of, or causing to be published, any material relating to disposition of interest in a land development, which has been prepared for public distribution by any means of communication.

**Affected Governmental Body.** A city, county, state or federal agency or special district which either has a jurisdictional interest or is of such proximity to the land partition that a reasonable likelihood of annexation exists.

**Affected Person.** Any person, including those owners of record of real property located within a minimum distance of 100 feet, exclusive of public street and other rights-of-ways, from the property, and persons who are beneficiaries of CCR's affecting the proposed land division, subject to a permit required by these zoning standards affected by a decision.

**Agent.** Any person who represents or acts for any other person in disposing of interests in a land development. Includes a real estate broker as defined in ORS 696.010 (12) but does not include an attorney at law whose representation of another person consist solely of rendering legal services.

**Bicycle Route.** A right-of-way for bicycle traffic.

**Block.** An area of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way or lines, shore lines or waterways, natural topographical barriers, or city limit.

**Boundary Line.** The property line bounding a lot, parcel or tract that divides one property from another or from a public or private street or other public space.

**Boundary Line Adjustment.** The relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.

**Building.** A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

**Building Envelope.** (See Building Line)

**Building Line.** A line parallel to the street right-of way at any story level of a building on a plat indicating the limit beyond which buildings or structures may not be erected. If no line is shown on the plat, the building line shall be that set forth in the City Zoning Standards. Also known as a building envelope.

**Consolidation.** The removal of boundary lines between contiguous lawfully created lots or parcels.

**Construction Plans.** The plans, profiles, cross sections and drawings or reproductions thereof, approved by a registered professional engineer, which show the details of the work to be done on improvements.

**Contiguous.** See-Abut.

**Contiguous Land.** Units of land under the same ownership which abut, irrespective of roadways, easements or rights-of-way.

**Cross-Section.** A profile of the ground surface perpendicular to the centerline of a street, stream or valley bottom.

**Dedication.** The transfer of private property to public ownership upon written acceptance.

**Development.** Any human-caused change to improved or unimproved real estate that requires a permit or approval from any agency of the city, county or state, including but not limited to buildings or other structures, mining, filling, grading, paving of infrastructure, excavation or drilling operations, landscaping, and storage of materials.

**Developer.** Any person, corporation, partnership or other legal entity who creates or proposes to create a land development; includes any agent of a developer.

**Drainage.**

1. Surface water runoff;
2. the removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

**Drainage Easement.** An easement required for drainage ditches and pipes, are required along a natural stream for the flow of water therein, intended to safeguard the public against flood damage or the accumulation of surface water.

**Easement.** A right to use a parcel of land by a person or persons who do not own it, for specific purposes, but in which ownership of the land is not transferred.

**Egress.** Access point for exiting a building, site or area.

**Exaction.** Contributions, dedications, and/or payments required to mitigate development impacts as an authorized condition for receiving a development permit.

**Feasibility Study.** An analysis of a specific project or program to determine whether it can be successfully carried out.

**Frontage.** That portion of a parcel of property which abuts a dedicated public street or highway right of way or an approved private way (except an alley).

**Grade** The average level of the finished surface of the ground adjacent to the exterior of a building.

**Grade, Established.** The elevation of the ground or infrastructure as officially established by city authority.

**Grade, Existing.** The surface of the ground or infrastructure at a stated location as it exists prior to disturbance in preparation for a project.

**Grade, Finished.** The final elevation of the ground surface after man-made alterations, such as grading, grubbing, filling, or excavating, have been made on the ground surface.

**Grade, Ground Level.** The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, alley or other public way, the above-ground level should be measured at the elevation of the sidewalk, alley or public way.

**Grade, Natural.** The elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, grubbing, filling, or excavating.

**Grading.** Any leveling, stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition to create new grades.

1. Regular Grading: Any grading that involves 5,000 cubic yards or less of material.
2. Engineered Grading: Any grading that involves more than 5,000 cubic yards of material, or any filling of land that is intended to provide support for structures and or infrastructure.

**Hearings Body.** The Planning Commission, Hearings Officer or City Council.

**Hearings Officer.** A planning and zoning hearings officer appointed or designated by the City Council pursuant to ORS 227.165 or in the absence of such appointed hearings officer, the Planning Commission.

**Impervious Surface.** Any hard-surfaced area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, sidewalks, and other paved areas.

**Improvements.** Include, but are not limited to, streets, alleys, curbs, roadbed, road surface, storm drains and appurtenances, sidewalks, street lights, street signs, fire hydrants, sanitary sewers and appurtenances, public or private water supply and water distribution systems and other utilities.

**Improvement Agreement.** Any contract, security or agreement that may be required and accepted between the developer and the city to assure that necessary improvements will be constructed and function as required (See also Performance Guarantee)

**Infill Development.** Development of vacant, parcels of land in otherwise built-up areas.

**Ingress.** Access or entry point or entrance.

**Intensity of Use.** The range or scale or concentration or degree of impact of use, often measured by floor area ratios, building coverage or traffic generation.

**Land Division.** The subdividing or partitioning of land for any purpose into lots or parcels.

**Land Division Agreement.** An agreement between the City and the developer that is approved as part of the land use review process which lists specific terms applicable to the development which are recorded against the property. Such agreements are appealable as elements of the land use review and decision.

**Lot.** A lawfully created unit of land that is created by a subdivision of land.

**Lot Area.** The total horizontal surface area within the property lines of a lot, exclusive of streets.

**Lot, Corner.** A lot abutting upon two or more streets other than alleys, at their intersection, or upon two parts of the same street, such streets or parts of same street forming an interior angle of less than 135 degrees within the lot line.

**Lot, Double Frontage.** An interior lot having frontage on more than one street, or a corner lot having frontage on more than two streets.

~~Lot, Flag. A lot which fronts a public street or road, and where access to the street or road is by a private driveway created along a narrow strip of land integral to the lot and intended specifically for that purpose~~ See Section 8.2705 (11).

**Lot, Interior.** A lot other than a corner lot.

**Lot, Irregular.** Any lot that is not rectangular in shape.

**Lot Line, Front.** For an interior lot, the lot line abutting a street other than an alley; for a corner lot, a lot line abutting either street other than an alley. In the case of a corner lot, or double

frontage lot, the Community Development Department Director or designee shall determine the front lot line. The determination shall be made to provide the necessary public safety and shall be based on street classifications, house and driveway orientation, lot dimensions, and adjacent property use.

**Lot Measurements:**

1. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

2. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width, except in the case of lots on the turning circle of a cul-de-sac, where the 80 percent requirement shall not apply. Flag lot area measurements are exclusive of the area within the flag pole.

**Lot Line, Rear.** The lot line or lines opposite and most distant from the front lot line.

**Lot Line, Side.** Any lot line or lines that are not a front or rear lot line. An interior side lot line is a lot line common to more than one lot or to the lot and an alley; and exterior side lot line is a lot line common to the lot and a street other than an alley.

**Lot, Nonconforming.** A lot that lawfully existed prior to the enactment of the requirements of these standards, but which does not meet the minimum lot size or lot width requirements.

**Lot of Record.** Any lawfully created unit of land, created as follows:

1. A lot in an existing, duly recorded subdivision;
2. A parcel in an existing, duly recorded land partition; or,
3. An existing unit of land for which a survey has been duly filed which conformed to all applicable regulations at the time of filing; or
4. Any unit of land created by deed description or metes and bounds provided, however, contiguous units of land created by deed description or metes and bounds under the same ownership and not conforming to the minimum parcel size of these standards shall be considered one (1) lot of record.

**Lot, Through.** An interior lot having a frontage on two streets and/or highways, not including an alley. (See also Lot, Double Frontage).

**Lot, Width.** The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback.

**Monument.** A permanent and fixed survey marker conforming to the requirements established by state law and the regulations of Deschutes County.

**MUTCD.** Manual of Uniform Traffic Control Devices, Federal Highway Administration.

**Natural Grade.** (See Grade, Natural)

**Negotiate.** Any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including but not limited to advertising, solicitation, and the promotion of the sale of such land.

**Orderly Development and Land Use Patterns.** Development that: is consistent with a zoning district's density requirements; does not overtax supporting public facilities and services and logical extensions thereof; provides for continued maintenance of supporting facilities and services; recognizes topographical limitations; is consistent with existing land use patterns and development; and, does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.

**Owner.** The owner of the title to real property or the authorized agent thereof having written notarized authorization recorded with the County Clerk, or the contract purchaser of real property of record as shown on the last available complete tax assessment roll or County Clerk's records. Does not include an interest created for security purposes.

**Parcel.** A unit of land created by a partitioning of land.

**Partition.** The act of partitioning land or an area or tract of land partitioned.

**Partition Land.** To divide an area or tract of land into two or three parcels within a calendar year.

**Performance Bond.** A document issued by a surety, in return for a fee or premium, guaranteeing the performance of the terms and conditions of a development approval.

**Performance Guarantee.** Any security or contract that may be accepted by a municipality as a guarantee that improvements required as part of an application for development are satisfactorily completed. (See also Improvement Agreement)

**Person.** An individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, whether he, she or it is acting for himself, herself or itself, or as the servant, employee, agent or representative of another.

**Phased Development Plan.** An overall plan indicating the physical and functional interrelationships between uses and facilities for those projects, series of projects, phased developments or developments occurring over a period of up to five years.

**Planned Unit Development.** “Planned Unit Development” means a complex of uses designed and developed as a single development unit, built by a single owner or group of owners and maintained by an association. The phrase Planned Unit Development may be abbreviated “PUD”.

**Plat, Final.** The final plan of all or a portion of a subdivision plat, partition plat, Planned Unit Development (PUD) that is presented to the approving authority for final approval in accordance with state law and is in accordance with the Tentative Plat and all conditions as approved through the land use review and approval process.

**Plat, Tentative.** A plan, diagram, drawing, replat, or other writing containing all descriptions, specifications, locations, dedications, provisions, and information concerning a subdivision or partition.

**Primary Use.** The intended use to which property is or may be devoted, and to which all other uses on the premises are derived as accessory or secondary uses. As used relative to dwelling units, the primary dwelling would be the first dwelling unit to be located on a specific parcel or lot.

**Replat.** The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

**Reserve Strip.** “Reserve Strip” means a strip of land usually one foot in width, reserved across the end of a street or alley terminating at the boundary of a subdivision, or a strip of land between a dedicated street of less than full width and adjacent acreage, in either case reserved or held for future street extension or widening.

**Right-of-Way.** A strip of land acquired by dedication, prescription or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

**Road.** A public or private way that is created to provide vehicular ingress or egress for persons to one or more lots, parcels, areas or tracts of land. (See also Street)

**Sale or Lease.** Every disposition or transfer of land in a subdivision or an interest or estate therein, by a subdivider or developer or their agents. Includes the offering of land as a prize or gift when a monetary charge or consideration for whatever purpose is required by the subdivider, developer or their agents.

**Series Partitioned Land and Series Partition.** A series of partitions of land located within this state resulting in the creation of four or more parcels over a period of more than one calendar year.

**Series Partitioner.** Any person who causes land to be series partitioned into a series of partitions, or who undertakes to develop a series partition, but does not include a public agency or officer authorized by law to make partitions.

**Sidewalk.** A pedestrian walkway with permanent surfacing, typically located adjacent to a roadway.

**Slope.** The degree of deviation of a surface from the horizontal, usually expressed as a percentage or by degrees.

**Solar Access.** The ability of one property to continue to receive sunlight across property lines without obstruction from buildings and structures constructed on the abutting property to the south.

**Solar Height Restriction.** The allowable height of buildings, and structures on a property burdened by the requirement to provide solar access to the abutting property to the north.

**Street.** 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. (See also Road)

~~**Street, Alley.** A narrow way primarily for vehicular service access to the back or side of properties abutting a street.~~

**Street, Collector.** A restricted access street supplementary to the arterial street system used or intended to be used principally for the movement of traffic between arterial and local streets.

**Street, Cul-de-sac.** A street having one end open to traffic and terminated by a vehicle turn-around.

**Street, Dead End.** A street with only one outlet.

**Street, Frontage Road.** A street parallel and adjacent to a collector or arterial providing access to abutting properties, but protected from and protecting through traffic.

**Street, Local.** A street intended primarily for access to abutting properties.

**Street, Major Arterial.** A street with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterial streets.

**Street, Minor Arterial.** A street with a high volume of traffic that collects and distributes traffic to and from collector streets.

**Street, Roadway.** That portion of a street developed for vehicular traffic.

**Street, Stubbed.** A street having only one outlet for vehicular traffic and which is intended to be extended or continued to serve future subdivisions or developments on adjacent lands.

**Subdivide Land.** To divide an area or tract of land into four or more lots within a calendar year.

**Subdivision.** The act of subdividing land or an area or a tract of land subdivided as defined in this section.

**Subdivider.** Any person who causes land to be subdivided into a subdivision for himself or for others, or who undertakes to develop a subdivision, but does not include a public agency or officer authorized by law to make subdivisions.

**Tract.** An expanse of land comprised of a single or multiple ownerships.

**Unit.** Any magnitude regarded as an independent whole or single entity.

**Use.** The word "use" is synonymous with the terms "land use" and "use of land" unless the context clearly indicates otherwise.

**Utilities, Private.** Include electric, telephone, natural gas and other services providing for energy or communication needs, or privately owned water systems.

**Utilities, Public.** Include water and sewer systems owned and operated by the City of Redmond.

**Zero Lot Line.** The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

**Zero Lot Line Subdivision.** A type of residential subdivision utilizing zero lot lines between dwelling units and providing for individual ownership of each lot, not including condominiums.

## GENERAL PROVISIONS

- 8.2100 Procedure.** All subdivisions, partitions and other land use actions subject to the provisions of this Chapter shall be processed in accordance with Article 2, Land Use Procedures, of the City of Redmond Development Code.
- 8.2105 Scope of Regulation.** Before a plat of any subdivision or partition may be recorded, the person proposing the subdivision or the partition, or an authorized agent or representative, shall make an application in writing to the Redmond Community Development Department for approval of the proposed subdivision or partition in accordance with the requirements and procedures established by these standards.
- 8.2110 Minimum Standards.** No proposed subdivision or partition shall be approved unless it complies with the density requirements of the Comprehensive Plan for Redmond, the applicable Zoning Standards, these standards, and ORS Chapter 92.
- 8.2115 Sale.** No person shall sell or negotiate to sell any lot in any subdivision or parcel in any partition except in accordance with the applicable provisions of ORS Chapter 92, including but not limited to ORS 92.016, 92.025 and 92.027.
- 8.2120 Delegation.** The City Council, pursuant to state statute, hereby delegates to the Community Development Director or designee, Planning Commission and Hearings Officer the power to make final action on a proposed subdivision or partition subject to appeal as provided for in Article 2 of the City of Redmond's Development Code, Land Use Procedures.
- 8.2125 Subdivisions or Partitions in the OSPR Zone.** No partitions or subdivisions in the OSPR zone or property that lies both within the OSPR zone and an adjoining zone shall be allowed prior to approval of a master plan for development of the entire parcel pursuant to City of Redmond Development Code Section 8.0300.
- 8.2130 Penalties.** Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
- 8.2135 Violation Declared a Nuisance.** A land division or use in violation of these standards is hereby declared a nuisance.
- 8.2140 Civil Relief.** When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
- 8.2145 Administration of Standards.** It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.

**8.2150 Severability.** If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

## SUBDIVISION APPLICATION PROCEDURE

**8.2200 Pre-Application Meeting.** Prior to submitting a tentative subdivision plat each applicant or their representative is required to meet with the Community Development Director or a designated staff member(s) to review the proposal.

**8.2205 Application Submission.** Any person, authorized agent or representatives, proposing a subdivision, shall include with an application and filing fee for a subdivision, a tentative plat together with improvement plans and other supplementary material as may be required.

**8.2210 Scale of Tentative Subdivision Plat.** The tentative plat of a proposed subdivision shall be drawn on a sheet at an engineer's scale not greater than one inch per 100 feet, or as approved by the Community Development staff.

**8.2215 Informational Requirements.** The following information shall be shown on the tentative plat or provided in accompanying materials. No tentative plat shall be considered complete unless all such information is provided:

1. General information required:
  - A. Proposed name of the subdivision.
  - B. Names, address and phone numbers of the owner of record, authorized agents or representatives, engineer or surveyor, and any assumed business names filed or to be filed with the **Oregon Secretary of State Corporation Commission Division** by the applicant. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
  - C. Date of plat preparation, north and magnetic north and south, scale and gross area of the proposed subdivision.
  - D. Appropriate identification of the drawing as a tentative plat for a subdivision. Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets.
  - E. Certified copy of the recorded instrument under which the applicant claims an ownership interest, or copy of a land sales contract which binds the applicant in the event of tentative approval.
  - F. Title report or subdivision guarantee, issued within the last ninety (90) days, and supporting documentation of all easements identified on the property.
2. Information concerning existing conditions:
  - A. Location, names and widths of existing improved and unimproved public or private streets and roads within and adjacent to the proposed subdivision.
  - B. Location of any existing features such as section lines, section corners, City and special district boundary lines, and survey monuments.
  - C. Location of existing structures, irrigation canals and ditches, pipelines, waterways, railroads and any natural features such as rock outcroppings, marshes, wooded areas and natural hazards.
  - D. Location and direction of water courses, and the location of areas subject to flooding and high water tables.
  - E. Location, width and use or purpose of any existing easement or right-of-way within and adjacent to the proposed subdivision.

- F. Existing sewer lines or septic tanks and drainfields, water mains, wells, fire hydrants, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision together with pipe sizes, grades and locations.
  - G. Contour lines related to some established benchmark or other engineering acceptable datum and having minimum intervals of two feet for slopes of less than five percent, five feet for slopes of five to fifteen percent, ten feet for slopes of fifteen to twenty percent, and twenty feet for slopes greater than twenty percent.
  - H. Zoning classification of land within and adjacent to the proposed subdivision.
  - I. Names and addresses of all adjoining property owners.
  - J. The structures, trees, rock outcroppings or other shade producing objects, if the object will cast shade from or onto the subdivision.
  - K. Existing covenants, conditions and restrictions.
  - L. A Traffic Impact Analysis (TIA) prepared in accordance with Section 8.2815 of this Code.
3. Information Concerning Proposed Subdivision:
- A. Location, names, width, typical improvements, cross sections, bridges, culverts, approximate grades, curve radii and centerline lengths and reserve strips of all proposed streets, and the relationship to all existing and projected streets.
  - B. Location, width and purpose of all proposed easements or rights-of-way and relationship to all existing easements and rights-of-way.
  - C. Location of at least one temporary bench mark within the proposed subdivision boundary.
  - D. Location, approximate area and dimensions of each lot, and proposed lot and block numbers.
  - E. Location, approximate area and dimensions of any lot or area proposed for public use, the use proposed, and plans for improvements or development thereof.
  - F. Proposed use, location, approximate area and dimensions of any lot intended for non-residential use.
  - G. An outline of the area proposed for partial recording, if contemplated or proposed.
  - H. Source, method, and preliminary plans, prepared by a licensed civil engineer, for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities.
  - I. Description and location of any proposed community facility.
  - J. Storm water, drainage facility and grading plans.
  - K. Proposed deed restrictions including access restrictions or protective covenants if such are proposed to be utilized for the proposed subdivision.
  - L. Statement from each utility company proposed to serve the proposed subdivision stating that each company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service.
  - M. Proposed fire protection or fire hydrant system for the proposed subdivision and written approval thereof by the appropriate serving fire protection agency.
  - N. Solar Access. Demonstration of how solar access will be provided.
  - O. Location and type of street trees.

**8.2220 Phased Development Plan.** An overall phased development plan shall be submitted for all developments for which phased subdivision is contemplated. The phased development plan shall include but not be limited to, the following elements:

1. Overall development plan, including phase or unit sequence.
2. Show compliance with the all applicable land use standards and policies, either graphically or in writing.
3. Schedule of improvements initiation and completion.
4. Overall transportation and traffic pattern plan showing compliance with grid street standards, and for land within the North Redmond US 97 Interchange Area Management Plan (IAMP), compliance with the Local Street Connectivity Plan (Comprehensive Plan Addendum Chapter 9 Transportation Element figure 1).
5. General program for phasing timetable projection.
6. Development plans for any common elements or facilities.
7. If the proposed subdivision is believed to have an additional impact upon adjacent lands or lands within the general vicinity, the Hearings Body may require an additional impact analysis for various aspects of the development thought to cause such impacts.
8. Street tree plan.

**8.2225 Approval of Phased Development Plan.** The Community development Director or Hearings Body shall review a phased development plan at the same time a tentative plat for the first phase is reviewed. A phased development plan may be approved before the tentative plat for the first phase is submitted. The Hearings Body may approve, modify, or disapprove the phased development plan and shall set forth findings for such decision. The Community development Director or Hearings Body may also attach conditions necessary to bring the plan into compliance with all applicable land use standards and policies. Any tentative plat submitted for the plan area shall conform to the phased development plan unless approved otherwise by the City.

**8.2230 Development Following Approval.** Once a phased development plan is approved by the City, the plan shall be binding, upon both the City and the developer. The Community development Director or Hearings Body may attach conditions to any changes proposed that are deemed necessary to insure compliance with the Comprehensive Plan and implementing regulations. After five (5) years from the date of approval of the plan, the City may initiate a review of the plan for conformance with applicable City regulations. If necessary, the City may require changes in the plan to bring it into conformance with new applicable city regulations.

**8.2235 Required Findings for Tentative Subdivision Approval.**

1. The Community Development Director or Hearings Body shall approve no application for a subdivision unless the following requirements are met:
  - A. Proposal is in compliance with ORS Chapter 92, the Comprehensive Plan, the Transportation System Plan (TSP) and applicable zoning.
  - B. Proposal does not conflict with acquired public access easements within or adjacent to the subdivision.
  - C. Each lot is suited for the use intended or offered.
  - D. The subdivision will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the

- Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.
- E. An approved water rights division plan.
  - F. The subdivision contributes to orderly development and land use patterns in the area, and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.
2. Access Management proposals comply with the standards set forth in Section 8.2820, and all other applicable standards.

#### **8.2240 Improvement Requirements.**

- 1. In the approval of a subdivision, the Community Development Director or Hearings Body shall consider the need for street and other improvements. All streets in new subdivisions, except for planned unit developments (PUD's) shall be dedicated to the public without reservation or restriction.
- ~~2. Easement Access. If vehicular access is permitted via a private easement, the Community Development Director or Hearings Body may require the applicant to improve an easement access serving two or more lots according to the City's Standards and Specifications, as amended.~~
  - ~~A. Such access easements shall include provisions for permanent, long-term maintenance, including: maintenance measures to be employed; responsible parties; funding; design; timing; and, enforceability.~~
- ~~3.~~ **2.** The subdivider shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement, as may be applicable, with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.
- ~~4.~~ **3.** Paved access is guaranteed to each lot.
- ~~5.~~ **4.** Each lot is to be connected to the City **water and sewage sewer** system **pursuant to Section 4.007 of the Code of the City Redmond.**
- ~~6.~~ **5.** All required public utilities are available.

#### **8.2245 Resubmission of Denied Tentative Subdivision Plats.**

- 1. A tentative plat that was previously denied for an area or tract of land shall be resubmitted in accordance with this Chapter, and shall be reviewed in the same manner as any other tentative plat.

## FINAL SUBDIVISION PLAT

### 8.2300 Submission of Final Plat.

1. Filing Time Period Requirements. Notwithstanding the requirements included herein as amended, all final plats submitted for review and approval shall be subject to the final plat requirements of the City of Redmond Development Code that were in effect as of the date of the tentative plan approval. Except as provided for in Section 8.2305, the applicant shall prepare and submit to the Community Development Department, a final plat that is in conformance with the tentative plat as approved, including all conditions of the land use decision. Within two (2) years of the approval date for the tentative plat for a subdivision, the applicant shall submit the final plat, a filing fee and any supplementary information required by these standards and the land use decision. If the applicant fails to proceed with the submission before the expiration of the two (2) year period following the approval of the tentative plat, the plan approval shall be void.
2. Extensions.
  - A. If it appears the applicant will not be able to comply with the filing time requirements of these standards, the applicant may submit a written application to the Community Development Director or designate requesting an extension of the filing time requirement. The application shall be filed no earlier than sixty (60) days and no later than ten (10) days prior to the date the two (2) year period expires. The extension request shall also be accompanied by the appropriate fee.
  - B. If there is good cause, the Community Development Director or designate may grant the extension of up to six (6) months from the date of expiration. Good cause shall require a showing by the applicant that the delay is unavoidable and was not the result of the applicant's own actions. The applicant must also show he has made significant progress on the majority of conditions of the tentative plat.
  - C. Any extension granted by the Community Development Director or designate may be conditioned by a requirement that the applicant provide appropriate guarantees that the requirements of these standards will be met.
  - D. The applicant may appeal a decision of the Community Development Director or designate to the Hearings Body pursuant to Sections 8.1500 through 8.1560 of Article 2 of the City of Redmond Development Code, Land Use Procedures.
  - E. Notice of the application for an extension shall be provided as prescribed in Section 8.1310 of Article 2 of the City of Redmond Development Code, Land Use Procedures.

### 8.2305 Submission of Final Plats for Phased Development.

1. If a tentative plat is approved for phased development, the final plat for the first phase shall be filed within two (2) years of the approval date for the tentative plat. However, the Community Development Director or Hearings Body may allow extensions as provided in Section 8.2300, above.
2. The final plat for a subsequent phases shall be filed in sequential order within three (3) years of the date the final plat for the first phase is filed. If the phased development is a Planned Unit Development, Cluster Development, or Cottage Development as described in RDC 8.0286, the final plat for the final phase shall be filed within eight (8) years of the date the development is approved, as provided in RDC 8.1605.

3. If the applicant fails to file a final plat within the timeframe established herein, the tentative plan for that phase and all subsequent phases shall become null and void.

**8.2310 Form of Final Plat.** The final plat shall be submitted in the form prescribed by state statute (ORS Chapter 92).

**8.2315 Technical Review of Subdivision Plat.**

1. Standards Check. Upon receipt by the Community Development Department, the plat and other data shall be reviewed to determine that the subdivision as shown is substantially the same as it appeared on the approved tentative plat, and for compliance with provisions of these standards and other applicable laws.
2. Field Check. The City Engineer and Community Development Director or their designated representatives may make such checks in the field as are desirable to verify that the plat is sufficiently correct. The City Engineer, Community Development Director or representative may enter the property for this purpose.

**8.2320 Conditions of Final Subdivision Plat Approval.**

1. The Community Development Director or designate shall determine whether the final plat conforms with the approved tentative plat and with these regulations. If the Community Development Director or designate does not approve the plat, the applicant shall be advised of the changes or additions that must be made and shall afford an opportunity to make corrections. If the Community Development Director or designate determines that the plat conforms to all requirements, approval shall be made, provided non-discretionary supplemental documents and provisions for required improvements are satisfactory. Approval of the plat does not constitute or effect an acceptance by the public of the dedication of any street or other easement shown on the plat nor does such approval constitute final approval, said authority for final acceptance being vested with the governing body.
2. No plat of a proposed subdivision shall be approved unless:
  - A. Streets and roads for public use are to be dedicated without any reservation or restriction.
  - B. The plat contains provisions for dedication to the public of all common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems, if made a condition of the approval of the tentative plat.
  - C. Explanations of all common improvements required as conditions of approval of the tentative plat shall be recorded and referenced on the final plat.
3. No plat of a subdivision shall be approved unless the subdivider has either constructed and had accepted by the City the required improvements or the subdivider has executed an improvement agreement pursuant to the provisions of Section 8.2325. If the subdivider chooses to construct the improvements, he shall also file with the City a warranty bond executed by a surety company to cover the one (1) year warranty period following acceptance by the City. Said bond shall be in the amount of ten (10) percent of the value of the improvements.

**8.2325 Improvement Agreement.**

1. The subdivider may, in lieu of completion of the required improvements and repair to existing streets and facilities, request the Community Development Director or designate to approve an agreement between himself and the City specifying the schedule by which the required improvements and repairs shall be completed. Provided, however, any schedule of improvements agreed to shall not exceed one (1) year from the date the final plat is recorded. The agreement shall also provide the following information:
  - A. The repairs required and cost of the project.
  - B. That, pursuant to the requirements of Section 8.2230 of this Chapter, the City may call upon the security filed to construct or complete the improvements and repairs if the schedule of improvements is not adhered to.
  - C. That the City shall recover the full cost and expense of any work performed by the City to complete construction of the improvements and repairs including, but not limited to attorneys' and engineering fees.
  - D. That a warranty bond for one (1) year shall be deposited with the City following acceptance of the improvements. Said bond shall be in the amount of ten (10) percent of the value of the improvements.
  - E. Building permits will not be issued for any structure on any lot included within the subdivision plat until such time as all improvements are completed as specified in the agreement.
2. The Community Development Director or designate may reject an agreement authorized by this Section for any reason the Community Development Director or designate deems sufficient.
3. The subdivider shall record the required land division agreement or public improvement agreement with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.

#### **8.2330 Bond, Cash Deposit or Guarantee.**

1. The subdivider shall file with any agreement specified in Section 8.2325, to assure his full and faithful performance thereof, one of the following:
  - A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
  - B. A cash deposit in a City account at an approved lending institution.
2. A bond, or cash deposit, or any combination thereof, shall be for 120% of the cost of the improvements and repairs as determined by the City.
3. If the subdivider fails to carry out the provisions of the agreement, the City may call upon the bond, cash deposit, or irrevocable letter of credit to finance any cost or expenses resulting from said failure. In the alternative, the City may form a Local Improvement District or a Reimbursement District to lien the properties in accordance with the relevant provisions of Oregon State Law and the Redmond City Code. If the amount of the deposit or bond exceeds the cost and expense incurred by completing the improvements, the City shall release the remainder. If the amount of the deposit or bond is less than the cost and expense incurred by the City for the improvements and repairs, the subdivider shall be liable to the City for the difference.

**8.2335 Final Plat Approval.** After the final plat has been checked and approved as provided in this article, and when all signatures appear thereon, except those of the Community Development Director, County Clerk and Board of County Commissioners, the

Community Development Director shall certify the final plat and submit it to the Board of County Commissioners for final approval.

**8.2340 Recording of Plat.** No plat shall have any force or effect and no title to any property shall pass until the final plat has been recorded.

## LAND PARTITIONING

**8.2400 Applicability of Regulations.** All proposed land partitions within the City shall be approved by the City. Approval shall only be granted in accordance with the provisions of these standards. Provided, however, the Community Development Director or designate may refer any partition to the Hearings Body for a hearing and decision.

**8.2405 Filing Procedures and Requirements.**

1. Any person or an authorized agent or representative, proposing a land partitioning, shall prepare and submit ten (10) copies of the documents hereinafter described, in accordance with the prescribed procedures, and the appropriate filing fee, to the Community Development Department.
2. The tentative plat or preliminary drawing shall include the following:
  - A. A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and adjoining land use and ownership patterns. The map must include names of all existing roadways shown therein.
  - B. A plan of the proposed partitioning showing tract boundaries and dimensions, the area of each tract or parcel, locations of all easements, and the names, rights-of-way widths and improvement standards of existing roads.
  - C. Names and addresses of the landowner, the applicant (if different), a mortgagee if applicable, the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created, and record owners of land contiguous to the proposed partition. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
  - D. A statement regarding contemplated water supply, sewage disposal, solid waste disposal, fire protection and access, etc.
  - E. North point, scale and date of tentative plat preparation, and property identification by tax lot, section, township and range.
  - F. Statement regarding past, present and intended use of the parcels to be created, or the use for which the parcels are to be offered.
  - G. If a tract of land has water rights, the application shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or when there is no such district, by the County Watermaster.
  - H. Location of all existing buildings, canals, ditches, septic tanks and drain fields, wells and utility lines.
  - I. Location of any topographical features which could impact the partition, such as canyons, bluffs, rock outcroppings, natural springs and flood plains.
  - J. Location, width, name, curve ratio and approximate grade of all proposed rights-of-way.

**8.2410 Requirements for Tentative Partition Approval.**

1. No application for partitioning shall be approved unless the following requirements are met:
  - A. Proposal is in compliance with ORS Chapter 92, the Transportation System Plan (TSP) and applicable zoning.

- B. Proposal does not conflict with acquired public access easements within or adjacent to the partition.
  - C. Each parcel is suited for the use intended or offered.
  - D. The partition will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.
  - E. An approved water rights division plan.
  - F. The partition contributes to orderly development and land use patterns in the area, and:
    - i. Is consistent with zoning district's density requirements;
    - ii. Does not overtax supporting public facilities and services and logical extensions thereof;
    - iii. Provides for continued maintenance of supporting facilities and services;
    - iv. Recognizes topographical limitations;
    - v. Is consistent with existing land use patterns and development; and,
    - vi. Does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.
  - G. Provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.
2. Access Management proposals comply with the standards set forth in Section 8.2820 (1-11).
  3. The Hearings Body may approve an application for partitioning having the effect of creating more than three (3) parcels without subdividing provided that the partition complies with all applicable subdivision standards and criteria.

#### **8.2415 Improvement Requirements.**

1. In the approval of a land partition, the Hearings Body shall consider the need for street and other improvements, and may require as a condition of approval any improvements that may be required for a subdivision under the provisions of these standards. All streets in partitions shall be dedicated to the public without reservation or restriction.
- ~~2. Easement Access. If vehicular access is permitted via a private easement, the Hearings Body may require the applicant to improve an easement access serving two or more parcels according to the City's Standards and Specifications, as amended.~~
  - ~~A. Such access easements shall include provisions for permanent, long-term maintenance, including: maintenance measures to be employed; responsible parties; funding; design; timing; and, enforceability.~~
- ~~3.~~ 2. The partitioner shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement as may be applicable, with the Deschutes County Clerk's office at the time of recording of the final partition plat.
- ~~4.~~ 3. Paved access is guaranteed to each parcel.
- ~~5.~~ 4. Each parcel within the City limits is to be connected to the City water and sewer system pursuant to Section 4.007 of the Code of the City Redmond.
- ~~6.~~ 5. All required public utilities are available.

**8.2420 Application Review.** Following submission of an application for a land partitioning the Hearings Body shall review the plans and application submitted, and shall either approve or deny the application.

**8.2425 Appeal.** An appeal of a decision or requirement of the Hearings Body relative to a land partition shall be made in accordance with the provisions of Section 8.1500 through 8.1560 of Article 2 of the City of Redmond Development Code, Land Use Procedures.

## FINAL PARTITION PLAT

**8.2500 Final Partition Plat Filing.** Following approval of tentative plat for a proposed partitioning, the applicant shall prepare and submit to the Community Development Department the final plat for the subject partitioning. Such filing shall be completed within two (2) years from the date of the approval, or the approval shall be void. The final plat shall be prepared in accordance with the following requirements and the original and two (2) copies thereof submitted by the applicant to the Community Development Department for approval. The original shall be recorded by the applicant in the office of the County Clerk following approval by the Community Development Director or designate.

**8.2505 Extensions.** Requests for extensions shall be reviewed in the manner provided for in Section 8.2300 (2) (A-E).

**8.2510 Requirements.**

1. Final plat requirements:
  - A. Plats shall be drawn to a scale of one inch per 100 feet. Provided, however, for partitions of large lots the scale may differ so long as the scale is reasonable.
  - B. Name of the owner, developer and engineer or surveyor shall be shown on the plat.
  - C. Date, scale, north point, legal description of boundaries, and a tie by actual survey to a section or donation land claim corner.
  - D. Parcel boundary lines, with dimensions and bearings; bearings shall be to the nearest 30 seconds, and distances to the nearest 0.01 feet.
  - E. An affidavit by the engineer or surveyor having surveyed the land involving a partitioning.
  - F. A certification of acceptance of any public dedication.
  - G. A guarantee of approved or required improvements, including identification of maintenance responsibilities for proposed or existing roads and streets.
  - H. A certification of approval for execution by the Community Development Director.
  - I. Water rights to be assigned to each parcel shall be indicated on the plat and certification of approval thereof.
2. Approval Requirements: No final plat for a land partitioning shall be approved by the Community Development Director unless all of the following requirements are met:
  - A. The final plat is in strict conformance with the approved tentative plat.
  - B. The final plat is in conformance with the requirements set forth in subsection (1) of this section.
  - C. Paved access is guaranteed to each parcel.
  - D. Each parcel is to be connected to the City sewer and water systems.
  - E. All required public utilities are available.
  - F. All conditions of the tentative plat approval have been met or guaranteed.
  - G. All proposed or required improvements have been completed and accepted by the City.

**8.2515 Special Partitioning Regulations.** The partitioning of a tract of land in which not more than one (1) parcel is created and transferred to a public or semi-public agency for the purpose of a road, railroad, electric substation or canal right-of-way, and

thereby not meeting the lot size and configuration requirements of the underlying zone and/or this Chapter, may be approved by the Community Development Director or designate.

## BOUNDARY LINE ADJUSTMENTS

**8.2600 Boundary Line Adjustment Regulations.** Boundary Line adjustments include the modification or elimination of existing lot or parcel boundaries. No new lots or parcels are created by a lot line adjustment.

**8.2605 Submission Requirements.** All applications shall include a preliminary lot boundary line map identifying all existing and proposed boundary lines and dimensions; footprints and dimensions of existing structures (including accessory structures); location and dimensions of driveways and public and private streets within or abutting the subject properties; existing fences and walls; and any other information deemed necessary by the Community Development Director or designee for ensuring compliance with the Redmond Development Code.

**8.2610 Approval Process.**

1. Boundary line adjustments shall be reviewed by the Community Development Director or designee consistent with the requirements in Article II, of The City of Redmond Development Code, Land Use Procedures, using approval criteria contained in Section 8.2615, below.
2. The boundary line adjustment approval shall be effective for a period of one (1) year from the date of approval, during which time it shall be recorded.
3. The boundary line adjustment approval shall lapse if:
  - A. The boundary line adjustment is not recorded within the time limit in subsection (2) herein.
  - B. The boundary line adjustment has been improperly recorded with Deschutes County without the satisfactory completion of all conditions attached to the approval; or
  - C. The final recording is a departure from the approved subdivision or partition plat, if applicable.

**8.2615 Approval Criteria.** The Community Development Director or designate shall approve or deny a request for a boundary line adjustment in writing based on findings that all of the following criteria are satisfied:

1. No additional lot or parcel is created by the boundary line adjustment;
2. All lots and parcels comply with the applicable lot and parcel size standards of the underlying zone including lot area and dimensions.
3. All lots and parcels comply with the requirements of Section 8.2700 to 8.2720 of this Chapter.

**8.2620 Extensions.** The Community Development Director or designate, may, upon written request by the applicant and payment of the required fee, grant an extension of the approval period for one year, up to an aggregate of two additional years provided that; no code changes which may be contrary to the original decision have occurred relative to that proposal, and there has been no new development since the original approval on any adjacent property. Such extensions shall be administrative, in writing, and not subject to appeal.

## DESIGN STANDARDS AND IMPROVEMENTS

### 8.2700 Compliance Required.

1. Any land division or development shall be in compliance with the design and improvement standards and requirements of this section, and all other applicable provisions, as set forth in this Chapter.

### 8.2705 Blocks, Lots and Parcels.

1. Blocks. The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.
  - A. No block shall be more than 660 feet in length between street center lines unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception, and is so approved by the reviewing authority. In MUN, MUE and MULW zones, block lengths shall be an average of 330 feet, except where required to meet grid street or access management requirements.
  - B. The recommended minimum length of a block along an arterial street is 1,320 feet, except that along such blocks, a public right of way for pedestrian and bicycle access shall be dedicated at or nearest the mid-point of the block length as is practical. The right of way shall be a minimum of 10 feet wide, with an all weather surface a minimum of 5 feet wide, constructed and centered within the right of way.
  - C. A block shall have sufficient width to provide for 2 tiers of lots unless topography, or the location of adjoining streets or adjacency to an Arterial street justifies an exception.
  - D. Where appropriate at approved cul-de-sacs, dead-ends streets, or along blocks approved at more than the maximum block length standard, pedestrian and bicycle access corridors shall be required to be constructed between lots to minimize travel distance between subdivisions, parks, school, and collector or arterial streets. Access corridors shall be located to provide a reasonably direct connection between likely pedestrian destinations, and shall be consistent with the City of Redmond Bicycle Refinement Plan where applicable. A reasonably direct connection is a route which minimizes out of direction travel for people likely to use the connection considering terrain, safety and likely destination. The Community Development Director or Hearings Body may determine based on evidence in the record that construction of a separate access corridor is inappropriate or impractical. Such evidence may include but is not limited to:
    1. When the nature of abutting existing development makes construction of an access corridor impractical.
    2. When the access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values.
    3. When the access corridor would cross topography where slopes exceed 30% or where path grade would exceed 12% slope; or
    4. When a cul-de-sac or dead-end street abuts rural resource land at the urban growth boundary. In industrial zones, this standard may be

- waived at the discretion of the Community Development Director or Hearings Body when it is determined that the City's grid street standards should not be applied to the industrial development.
2. Lots and Parcels. The size, width, and orientation of newly created lots and parcels shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots and parcels shall be generally rectangular in shape, and shall be consistent with the lot size provisions of the zoning standards and the density requirements as established in the City of Redmond Comprehensive Plan. Notwithstanding these requirements, the following exceptions may apply:
    - A. In areas beyond the City Limits where public sewer is not currently available, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and County Sanitarian, and shall be sufficient to permit adequate sewage disposal. Any problems posed by soil structure and water table as related to sewage disposal by septic tank shall be addressed and resolved in the applicant's initial plan.
    - B. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted by the Community Development Director or Hearings Body. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
    - C. In steep terrain, increased lot or parcel sizes may be required to avoid excessive cuts, fills, and steep driveways.
  3. Frontage and Access. Each newly created lot and parcel shall abut upon a **public** street ~~other than an alley~~ for at least 50 feet, except for lots fronting on the bulb of a cul-de-sac, then the minimum frontage shall be 30 feet. Flag lots shall have no less than 20' of street frontage measured at the property line. **Lots created as part of a Planned Unit Development shall meet the same frontage requirements listed herein, except such frontage may be allowed along private streets.** Vehicular access shall be provided as specified in Section 8.2820, Access Management Standards, of this Chapter, ~~or as specified in Section 8.2705 (6) below, for residential lots and parcels abutting collector and arterial streets.~~
  4. Side Lot or Parcel Lines. All side lot lines shall be at right angles to street lines or radial to curved streets wherever practical except as provided for in subsection (10) of this section.
  5. Through/Double Frontage Lots and Parcels. Through lots or parcels, and lots or parcels with double frontage shall be avoided whenever possible, ~~including~~ **except** lots or parcels created adjacent to Collector and Arterial Streets, ~~not including alley frontage as described in Section 2.705 (6) below, except when they are necessary due to an irregular parent lot or parcel configuration, or are necessitated by topography or other unique circumstance~~ **and direct vehicular access to the lot or parcels is not permitted pursuant to Section 8.2820, Access Management Standards, of this Chapter.**
  6. ~~Residential Lots and Parcels Abutting Collector and Arterial Streets. Lots and parcels created adjacent to Collector and Arterial streets shall be oriented so that the front elevation of the residential development faces the Collector or Arterial Street. Vehicular access shall be provided pursuant to Section 8.2820, Access Management Standards, of this Chapter. In instances where direct vehicular driveway access to the Collector or Arterial street is not permissible, alley access shall be provided to the rear~~

- ~~of the lot or parcel in accordance with the design standards included in Section 8.2710 (3) of this Chapter.~~
- ~~7.~~ **6.** Corner Lots and Parcels. Corner lots and parcels shall be 5 feet more in width than other lots and parcels and also shall have sufficient extra width to meet the additional side yard requirements of the zoning district in which they are located.
- ~~8.~~ **7.** Special Building Setback Lines. If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.
- ~~9.~~ **8.** Large Building Lots; Re-division. In the case where lots or parcels are of a size and shape that future redivision is possible, the Community Development Director or Hearings Body may require that the blocks be of a size and shape so that they may be redivided into building sites, and the development approval and site restrictions may require provisions for the extension and opening of streets at intervals which will permit a subsequent redivision of any tract of land into lots or parcels of smaller sizes than originally platted, and in conformance with the density provisions established in the City of Redmond Comprehensive Plan for the existing or intended Zone. A plan indicating the ability for re-division according to these standards may be required as part of the initial land division process.
- ~~10.~~ **9.** Solar Access. As much solar access as feasible shall be provided each lot and parcel in every new subdivision or partition considering topography, development pattern, and existing vegetation. The boundary lines of lots and parcels, as far as feasible, shall be oriented to provide solar access at ground level at the southern building line of the adjoining lot to the north two hours before and after the solar zenith from September 22 to March 21. If it is not feasible to provide solar access to the southern building line the solar access, if feasible, shall be provided at 10 feet above ground level at the southern boundary line two hours before and after the solar zenith from September 22 to March 21, and three hours before and after the solar zenith from March 22 to September 21. This solar access shall be protected by solar height restrictions on burdened properties for the benefit of lots receiving the solar access pursuant to Section 8.0370, of the City of Redmond Development Code, Solar Access Standards. If the solar access for any lot, either at the southern building line or at 10 feet above the southern building line, is not feasible, supporting information may be required with the application.
- ~~11.~~ **10.** Curvilinear Street and Block Design. Although a basic grid street design with minimum and maximum block lengths are requirements of this section, a curvilinear street/block design is encouraged for the purpose of adding interest to new subdivision development.
- ~~12.~~ **11.** Flag Lots. A flag lot shall be considered as a "flag lot" if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:
- A. Flag poles shall be no less than 20' wide.
  - B. Flag lot development, if allowed by the zone, is limited to one duplex or single family dwelling per lot. All zone regulations apply, including the minimum required lot size and setbacks unless setback reductions are allowed as described in (E).
  - C. Each flag lot shall contain a minimum 16' wide paved driveway.
  - D. A flag lot is exempt from the 50 foot street frontage requirement; however a minimum of 20 feet of street frontage is required.
  - E. Front and/or rear yard setbacks may be reduced to no less than 10' subject to review and approval by the Community Development Director or designate.

The orientation of any structure (determination of front) may be suggested by the property owner, and is subject to the review and approval of the Community Development Director or designate. The location(s) of all structures immediately adjacent to any flag lot shall be shown on a site plan (1) during planning review and during the act of creating any new flag lot, and (2) during a building permit review for any structure built on a flag lot.

- F. No flag lot shall be partitioned or further divided.
- G. The "pole" of the flag lot shall be no longer than 150' measured from the street intersection to the beginning of the base of the flag.
- H. The "pole" of the flag shall not be included in the minimum lot size calculation.
- I. Flag lots shall be exempt from street tree requirements unless the street frontage portion of the flag lot is 30' or greater.
- J. Flag lots are prohibited along or abutting the Dry Canyon Rim.
- K. Two off-street parking spaces shall be provided for each dwelling unit on a flag lot.

### 8.2710 Streets.

1. General. Streets shall be in conformance with the City of Redmond Transportation System Plan as specified herein.
  - A. Except along Arterial Streets, public streets shall be spaced a maximum of 660 feet between centerlines. The purpose is to provide a street grid pattern of through streets to facilitate traffic movement. Street designs shall conform to topography and other existing natural and man-made conditions. Illustrative examples of other conditions include the dry canyon, main COI canal, Highway 97, and the Burlington Northern Railroad tracks.
  - B. All proposed streets, ~~alleys~~, sidewalks, bike lanes and pedestrian pathways shall connect to other streets, ~~alleys~~, sidewalks, bike lanes and pedestrian pathways within a development and to existing and planned streets, ~~alleys~~, sidewalks, bike lanes and pedestrian pathways outside the development. Such facilities shall serve existing and planned parks, schools or other public lands within a neighborhood.
  - C. To the maximum extent possible, new local streets shall align and connect with existing local streets and collectors, and in certain special cases arterial streets. Cul-de-sac streets shall be permitted only where no feasible connection with an adjacent street exists, or if the local street connection would be to an arterial street and the function of the arterial street may be diminished **as determined through the land use review process, or the block length would be less than that which is permitted by Section 8.2705 (1)(B).**
  - D. Consideration should be given to alternative street designs other than required herein in the City's non-residential land use zones to allow for more effective developments. Such designs may be considered and approved during the subdivision or partition process without need for variance.
  - E. All proposed or required streets ~~and alleys~~ shall comply with Section 8.2820 Access Management Standards, the Transportation System Plan, and with Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan.
2. Existing Streets. Whenever existing streets, adjacent to or within a tract, are of inadequate width to accommodate the increase in traffic expected from the land division or by the City's transportation policies as determined through a transportation

impact analysis, additional right-of-way shall be provided at the time of the land division by the applicant. During consideration of the tentative plat for the subdivision or partition, the Hearings Body shall determine whether the improvements to existing streets, adjacent to or within the tract, are required. If so determined, such improvements shall be required as a condition of approval of the tentative plat. Improvements to adjacent streets shall be required where traffic on said streets shall be directly affected by the proposed subdivision. Notwithstanding these provisions, off-site improvements to streets not within or adjacent to the development may be required when impacts resulting from the development necessitate such improvements as demonstrated through a transportation impact analysis.

3. Minimum Right-of-Way and Roadway Width. The street right-of-way and roadway surfacing widths shall be in conformance with the City of Redmond Transportation System Plan as specified in Table 1, below:

**Table 1 - City of Redmond Right of Way and Roadway Cross-Section Standards**

Functional Class	Width (ft)			Travel Lanes	Sidewalks	Bike Lanes**	Parking**
	Pavement standard	Pavement (minimum)*	Right of Way*				
Local Residential Grid	36 ft	28/32 ft	60 ft	2***	5 ft.	shared	both sides (unstriped)
Local Industrial	40 ft	38 ft	60 ft	2***	5 ft.	shared	optional (unstriped)
Industrial Collector	40 ft	38 ft	80 ft	2	5 ft.	6 ft.	none
Minor Collector	40 ft	36 ft****	60 ft	2	5 ft.	shared	both sides (8 ft)
Major Collector	36-50 ft	36 ft****	80 ft	2	5 ft.	6 ft.	none
Minor Arterial (3-lane)	50 ft	48 ft	100 ft	3	7 ft.	6 ft.	none
Minor Arterial (5-lane)	74 ft	72 ft	100 ft	5	7 ft.	6 ft.	none

**Notes:**

\*The standard paved width for a residential street in the local grid is 36' in 60' ROW. Two reduced cross-sections that can be approved through an annexation agreement only. These are:

Reduced Local 1: 32' in 50' ROW (with 5' utility easements on each side)

Reduced Local 2: 28' in 40' ROW (with 10' utility easements on each side - used in conjunction with alleys adjacent to single family residential only)

\*\* In certain cases, bike lanes may be reduced to 5 ft, parking may be reduced to 7 ft, and travel lanes to 11 ft at the discretion of the City Engineer

\*\*\* Unstriped travel lanes

\*\*\*\* 36 ft in existing built-out areas

4. Future Extension of Streets. When necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead-end streets may be approved without a permanent turn around if they are 150 feet or less in length, although, an adequate temporary turn around to ensure emergency vehicle access must be provided if such streets are greater than 150 feet in length.
5. Collector and Arterial Street Access. Notwithstanding the provisions of Section 8.2705 of this Chapter, if a land division abuts or contains an existing or proposed collector or arterial street, the Community Development Director or Hearings Body may require other treatments, including but not limited to frontage roads, necessary for adequate protection of residential properties and to afford separation of through and local traffic. Provision may be made for emergency access. All frontage roads shall comply with the City of Redmond Transportation System Plan.
6. Streets Adjacent to Railroads, Freeways and Parkways. When the area to be subdivided or partitioned is residentially zoned and abuts a railroad, freeway, or

parkway, a provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for use of the land between the street and railroad, freeway or parkway. In the case of a railroad, there shall be a land strip of not less than 25 feet in width adjacent and along the railroad right-of-way for screen planting between the railroad right-of-way and residential property. If the intervening property between such parallel streets and a freeway or a parkway is less than 80 feet in width, such intervening property shall be dedicated to park or thoroughfare use. The intersections of such parallel streets, where they intersect with streets that cross a railroad, shall be determined with due consideration as cross streets of a minimum distance required for approach grades to a future grade separation and right-of-way widths of the cross street.

7. Continuation of Streets. Subdivision or partition streets which constitute the continuation of streets in contiguous territory shall be aligned so that their center lines coincide. Where straight line continuations are not possible, such center lines shall be continued as curves. These streets or the continuation of streets in contiguous territory may be required by the Community Development Director or Hearings Body where such continuation is necessary to maintain the function of the street or desirable in the surrounding area. Where solar orientation would not be possible if the street area continued, a new pattern may be started that is solar oriented.
8. Lot Layout. Local residential streets should be oriented on an east/west axis to the greatest possible extent to insure solar access for lots within the subdivision or partition.
9. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street in a nearby city or in the county. Street names and numbers shall conform to the established pattern in the City, including the continuation of street names across intersecting streets, and shall be subject to the approval of the Fire Department or the responsible agency.
10. Sidewalks. Sidewalks are required to be installed on both sides of a public street and in any special pedestrian way within the subdivision or partition except that in the case of collectors, arterials, special industrial districts or in steep terrain, the Community Development Director or Hearings Body may approve a subdivision or partition without sidewalk if alternative pedestrian routes are available or provided by the developer. Sidewalks shall be required along routes to existing or future school and park sites.
11. Bicycle Routes. If appropriate to the extension of a system of bicycle routes, existing or planned pursuant to the City of Redmond Bicycle Refinement Plan, the Community Development Director or Hearings Body may require the installation of separate bicycle lanes within streets and/or separate bicycle paths.
12. Intersection Angles. Street intersections shall be as near right angles as possible except where topography or existing conditions requires a lesser angle, but in no case shall the acute angle be less than as permitted by the adopted City of Redmond Public Works Standards and Specifications.
13. Alignment. Staggered street alignment shall whenever possible leave a minimum of 200 feet distance between the center line of the streets, but in no case be less than as permitted by the adopted City of Redmond Public Works Standards and Specifications.
14. Narrow Streets. Local residential grid streets designed at widths less than 36 feet as described in Section 8.2710 (3) (Table 1), shall be permitted when the subdivision design is found to be in compliance with the following:
  - A. Narrow streets may only be permitted for continuous full length blocks internal to a Subdivision or Planned Unit Development with street connections at both ends.

- B. Lots adjoining the narrow streets shall be a minimum of 5000 square feet and have a street minimum 50 feet of frontage.
- C. Sidewalks shall be separated from the curb by a landscape strip with street trees conforming with the adopted City of Redmond Public Works Standards and Specifications.
- D. Curb cuts along the narrow street shall not be less than the minimum width required within the adopted City of Redmond Public Works Standards and Specifications.

### 8.2715 Fundamental Design Elements.

1. Lighting. The subdivider or partitioner shall provide underground wiring to the City standards and a base for any proposed ornamental street lights at locations approved by the affected utility company.
2. ~~Fire Hazards~~ **Multiple Access Points**. Whenever possible, a minimum of two points of access to the subdivision or partition shall be provided to provide assured access for emergency vehicles and ease resident evacuation.
3. Street Tree Planting. Street trees shall be planted at a ratio of one tree per newly created lot within a subdivision. Trees shall be planted within 30' of a curb on each lot, and shall be a species and size consistent with RDC section 8.3035 (4)(k), "Street Trees".
4. Water/Sewer. All subdivisions and partitions shall provide water and sewer lines constructed to City standards and specifications approved by the City Engineer. All lots or parcels shall be served from the City of Redmond water **and sewer** systems or by water **and sewer** systems acceptable to the City. Water **and sewer** mains and service lines shall be installed prior to the curbing and paving of new streets in all new subdivisions or partitions.
5. Underground Utilities. All permanent utility service and minor power transmission lines that are within or immediately adjacent to lots in a subdivision or parcels in a partition shall be provided from underground facilities unless otherwise approved by the CDD Director or Hearings Body. The subdivider or partitioner or developer shall be responsible for complying with requirements of this section and shall:
  - A. Obtain a permit from the Public Works Director or designee for placement for all underground utilities within the public right-of-way.
  - B. Make all necessary arrangements with the utility companies and other persons or corporations affected by the installation of such underground utilities and facilities in accordance with rules and regulations of the Public Utility Commission of the State of Oregon.
  - C. All underground utilities, **water lines**, sanitary sewers **lines** and storm drains installed in streets shall be constructed prior to the surfacing of such streets to the extent practicable, **and water** and sanitary sewers **service lines** shall be placed to such lengths as will negate the necessity for disturbing the street improvements when service connections are made.
6. Preservation of Natural Features. Existing trees, vegetation and natural features (i.e. rock outcrops) add character to the development and shall be preserved to the greatest extent practicable. All trees over 8 inches d.b.h shall be noted and shown on the tentative plat.
7. Scenic Views. Significant views shall be taken into consideration during subdivision design. The establishment of view corridors, building envelopes, building height restrictions or similar methods shall be employed for the retention and protection of

views from individual lots and from public spaces to the greatest degree practicable as determined through the land use review process. Such measures shall be shown on the final plat and included in deed restrictions.

8. Land for Public Purposes.
  - A. If the City has an interest in acquiring a portion of a proposed development for a public purpose, it shall notify the property owner as soon as the City Council authorizes the transaction to proceed.
  - B. Within a development, or adjacent to a development in contiguous property owned by the developer, a parcel of land of not more than 5% of the gross area of the development may be required to be set aside and dedicated to the public for parks and recreation purposes by the developer. The parcel of land, if required, shall be determined to be suitable for the park and/or recreation purpose(s) intended, and the city may require the development of the land for the park or recreation use intended or identified as a need within the community.
  - C. In the event no such area is available that is found to be suitable for parks and/or recreation uses, the developer may be required, in lieu of setting aside land to pay to the appropriate parks and recreation agency a sum of money equal to the market value of the area required for dedication, plus the additional funds necessary for the development thereof if so required; if such is required, the money may only be utilized for capital improvements by the appropriate parks and recreation agency.
  - D. The foregoing land and development or money dedication (if required) may be provided for in lieu of an equal value of systems development charge assessment for parks if so approved by the collecting agency in accordance with the applicable provisions of the system development charge ordinance. If the collecting agency will not permit the land or money dedication in lieu of an applicable systems development charge, then the land and development or money dedication shall not be required.
  - E. If the nature and design, or approval, of a development is such that over 30% of the tract of land to be developed is dedicated to public uses such as streets, water or sewer system facilities and the like, then the requirements of this subsection shall be reduced so that the total obligation of the developer to the public does not exceed 30%.
9. Easements.
  - A. Utility Easements. Easements shall be provided along property lines when necessary for the placement of underground utilities and to provide the subdivision or partition with electric power, communication facilities, street lighting, sewer lines, water lines, gas lines, or drainage. Such easements shall be labeled "Public Utility Easement" on the tentative and final plat; they shall be at least 12 feet in width and centered on lot lines where possible, unless determined otherwise by the City Engineer or designate. Excepting utility pole guylines easements along the rear of lots adjacent to unsubdivided land may be reduced to 10 feet in width, unless determined otherwise by the City Engineer or designate.
  - B. Drainage. If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course or in such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses and drainage ways may be required.

**8.2720 Grading of Building Sites.** Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

1. Cut slope ratios shall not exceed one foot vertically to one and one-half feet horizontally.
2. Fill slope ratios shall not exceed one foot vertically to two feet horizontally.
3. The composition of soil for fill and the characteristics of lots and parcels made useable by fill shall be suitable for the purpose intended.
4. When filling or grading is contemplated by the subdivider or partitioner, they shall submit plans showing existing and finished grades for the approval of the City Engineer. In reviewing these plans, the City Engineer shall consider the need for drainage and effect of filling an adjacent property. Grading shall be finished in such a manner as not to create steep banks or unsightly areas to adjacent property.
5. Any land that requires engineered fill shall be so noted on the plat. Design and placement of engineered fill shall be under the direction of a licensed professional engineer

## SUPPLEMENTARY PROVISIONS

**8.2800 Improvement Procedures.** In addition to other requirements, public or private improvements to be installed by the applicant either as a requirement of these standards or other applicable regulations or at his own option, shall conform to the requirements of this article:

1. Plan Review and Approval. Improvement work shall not be commenced until plans thereof have been reviewed and approved by the Community Development Director or Hearings Body or a designated representative thereof. To the extent necessary for evaluation of a proposed development, such improvement plans may be required before approval of the tentative plat or preliminary map or drawing.
2. Public Improvements as Platted. Public improvements shall be designed, installed and constructed as platted and approved by the City Engineering Division, and plans shall be filed with the final plat at the time of recordation or upon completion.
3. Inspection. Improvements shall be constructed under the inspection and approval of a City Inspector. Expenses incurred thereby shall be borne by the applicant/owner. The inspector may require changes in sections and details of the improvements if unusual conditions arise during construction to warrant such changes.
4. As-Built Plans. A map showing the completed public improvements shall be filed with the Community Development Department and Public Works Department upon completion of the improvements.

**8.2805 Improvements in Partitions.** The same improvements may be required to be installed to serve each building site of a partition as are required of a subdivision.

**8.2810 Acceptance of Improvements.** Improvements shall be considered for acceptance after final inspection, after the improvements have been completed.

**8.2815 Transportation Impact Analysis.** It shall be the burden of the developer to evaluate transportation system impacts through studies prepared by a qualified registered professional engineer. When a transportation impact analysis is required it must demonstrate that the following standards are met:

1. The standard of measurement that will determine the acceptability of traffic flow on City streets will be a delay-based level of service as defined by the Highway Capacity Manual, Special Report 209, Third Edition (2000 update or subsequent document updates) published by the Transportation Research Board. The determination of LOS shall be calculated by a methodology that is approved by the City Engineer. The acceptable standard of LOS for City streets shall be LOS E during the peak 15 minutes of the peak hour of the average weekday. A lesser standard shall be acceptable at unsignalized intersections with low volume minor street approaches if the volume-to-capacity ratio is less than 0.90 and the 95<sup>th</sup> percentile vehicle queue is less than four vehicles during the peak hour.
2. The Average Daily Traffic (ADT) volume of Local Street roadways within the City of Redmond shall be less than 1,200 vehicles per day (VPD). Developments which add vehicle trips to Local Streets with an ADT greater than 1,200 VPD may be asked to provide mitigation in the form of additional access to the site, when in the opinion of the City Engineer, the residential livability is degraded by excessive local street traffic volume.

3. New development that will cause degradation below those levels shall be required to provide mitigating transportation system improvements that will restore the LOS to the accepted standard, as is practical, as determined by the City Engineer and pursuant to the adopted City of Redmond Transportation System Plan. Where there are impacts to the State Highways, the City and ODOT shall work cooperatively to determine appropriate courses of action based on ODOT and City standards.
4. The following vehicle trip generation thresholds shall determine the level and scope of transportation analysis required for a new or expanded development. Trip ends shall be calculated as per the Institute of Transportation Engineers manual, Trip Generation, 6<sup>th</sup> edition (or subsequent document updates), or local trip generation studies prepared by a qualified registered professional engineer and approved by the City Engineer. The City Engineer shall determine when a TIA has satisfied the requirements of the development's impact analysis. The TIA shall bear the stamp and signature of a qualified registered professional Engineer with a license valid in the State of Oregon.
  - A. If a proposed development will generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, then a Transportation Impact Analysis (TIA) shall be required.
  - B. Projects that generate less than 200 daily or 20 p.m. peak hour trip ends may also be required to provide a Transportation Impact Analysis (TIA) when, in the opinion of the City Engineer or his/her designee, significant capacity and/or safety problem is caused, or adversely impacted by the development. The City Engineer or designee, shall determine the scope of this analysis.
  - C. A development may be required to provide a Trip Generation Report for developments which generate less than 200 daily or 20 p.m. peak hour vehicle trips.
5. The impact analysis area shall include at a minimum, the following intersections:
  - A. All site access intersections
  - B. Nearest intersecting collector or arterial street upstream and downstream of the development.
  - C. Any other collector or arterial street intersection that would experience an increase of 25 additional peak hour trips.
  - D. Additional intersections requested by staff on the basis of anticipated impacts resulting from the development.
6. The analysis shall include the following study time frames:
  - A. Existing conditions.
  - B. Completion year of each significant phase of development.
  - C. Five year forecast beyond final phase.
7. The following Tables are required in the TIA:
  - A. Trip Generation (including phase breakdown if applicable)
  - B. LOS Table (LOS for every analysis scenario at every study area intersection. Report LOS, delay, v/c ratio, 95% vehicle queue, and any additional pertinent analysis results)
8. The following Figures are required in the TIA:
  - A. Vicinity Map
  - B. Site or Tentative Plan Map
  - C. Background Traffic Volumes (all study intersections, all analysis years)
  - D. Trip Distribution and Assignment
  - E. Background + Site Generated Traffic Volumes (all study intersections, all analysis years)
9. Other Analysis Standards (as required by the study)

- A. Signal Warrants shall be performed where applicable per the Manual on Uniform Traffic Control Devices, current edition.
- B. Left Turn Lane Warrants shall be provided where applicable per ODOT criteria based on the Texas Transportation Institute (TTI) curves.
- C. Right Turn Lane Warrants shall be provided where applicable per ODOT criteria.
- D. The acceptability of sight distance at all study area intersections shall be determined per AASHTO (current edition) standards.
- E. Traffic signal progression analysis may be required if a new signal is proposed. The City Engineer shall approve the method of traffic signal progression analysis.
- F. Roadway improvements are to be based on the City of Redmond Standards and Specifications and ODOT design standards.

**8.2820 Access Management Standards.** All land divisions shall be in compliance with the following standards.

- 1. Driveway spacing and corner clearance as follows:

Roadway Classification	Minimum Access Driveway Spacing	Minimum Access Clearance to Corner	Intersection Spacing (Min.)
Local Street	No restrictions	30 feet	165 feet
Minor Collector	50 feet	80 feet	330 feet
Major Collector	165 feet	165 feet	330 feet
Minor Arterial	330 feet	330 feet	¼ mile
Major Arterial	ODOT Stds	ODOT Stds	ODOT Stds

- 2. In all instances, access near an intersection shall be located beyond the influence of standing queues and opposing left turns sharing a continuous two-way left turn lane. This requirement may result in greater corner clearance or access spacing than the minimum distance indicated.
- 3. Every lot or parcel shall be permitted an access. In the event that the access management standards cannot be achieved, shared access with adjacent property shall be explored and provided where available.
- 4. Access shall be taken from the lower order street ~~or alley~~ unless otherwise approved by Public Works and/or ODOT through the land use review process.
- 5. Unless adequate demonstration of site necessity, intersection safety and functionality is provided **through the land use review process**, new lots, parcels and/or developments will be limited to a single **vehicular** access ~~as determined by Public Works through the land use process~~.
- 6. The access management standards apply to new development, redevelopment, subdivision and partitioning of land.
- 7. Corner clearance is measured from the edge of right-of-way to the nearest edge of access. Spacing is measured from centerline of access/ intersection to centerline of access/intersection.
- 8. Adequate intersection sight distance and clear zone shall be maintained at all access/driveway locations per AASHTO standards (American Association of State Highway and Transportation Officials).

9. Access/driveway locations may require alignment with existing driveways on the opposite side of the roadway as determined by Public Works.
10. As part of the land use review process, Public Works may require supporting information, including but not limited to traffic count data, trip generation, trip distribution, Transportation Impact Analysis study, etc., in order to make a proper determination of access/driveway location.
11. Access within the North Redmond US 97 Interchange Area Management Plan (IAMP) shall also conform to the “North Redmond US 97 Interchange Area Management Plan (IAMP)” provisions of Chapter 9 Transportation Element of the Comprehensive Plan Addendum and Policy 12 (n) of Chapter 14 of the Comprehensive Plan.

**8.2825 Street Dedications.** Any person desiring to create a street not part of a subdivision or partition shall make written application to the Community Development Department.

1. Application. Said application shall be accompanied by the required information and appropriate filing fee. In cases where such dedication would have the effect of creating a land division, the dedication shall be treated as a new subdivision or partition as applicable.
2. Minimum Design Standards. The minimum standards of design and improvements for the dedication of a street shall be in compliance with the adopted City of Redmond Public Works Standards and Specifications and all other applicable street design standards and regulations as specified in Section 8.2710.
3. Procedure.
  - A. Upon receipt of written application and appropriate filing fee for street dedication, the Community Development Director shall refer the proposal to the City Engineer or designee for review and recommendation.
  - B. The City Engineer shall report his findings and recommendations regarding the proposed dedication to the Community Development Director.
  - C. Upon receipt by the Community Development Director of written findings and recommendations from the City Engineer, the proposal shall be submitted to the City Council for a public hearing.
  - D. The only notice required for a hearing under this section shall be by publication.
  - E. Following the hearing, the Council may accept or reject the proposed dedication.

**8.2830 Variances.**

1. **Major Variance.** Upon application, the **Community Development Director or Hearings Body** may authorize variances from ~~these~~ **the standards of this Chapter pursuant to the criteria listed below** if, ~~because of special and unusual circumstances relating to the subject property, the literal application of these standards would cause undue hardship,~~ the applicant ~~must~~ **can** establish:
  - A. That special conditions exist which are peculiar to the subject property **and which are not applicable to other properties in the same zone** which make conformance to these standards impractical.
  - B. That the variance is the minimal deviance from these standards needed to accomplish the objective.

- C. That the varied requirement(s) will conform to the purpose and objectives of the Comprehensive Plan and of these standards and will have no adverse impact on surrounding properties or on the provision of general urban services in the area.
  - D. That strict interpretation of these standards would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of these standards.
  - E. That the special conditions and circumstances do not result from actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.
2. Minor Variance. A minor variance under this Chapter shall be no greater than 25% of the requirements from which the variance is sought. Upon application, the Community Development Director or Hearings Body may authorize variances from the standards of this Chapter pursuant to the criteria listed below if the applicant can establish:
- A. More efficient use of the site.
  - B. Preservation of natural features where appropriate
  - C. Adequate provision of light, air and privacy to adjoining properties.
  - D. Adequate access.
  - E. That the variance will have minimal adverse impact on the livability, value or development potential of abutting properties and the surrounding area.
  - F. Consistency with the overall objectives of the Comprehensive Plan.
- ~~2.~~ 3. The Community Development Director or Hearings Body may attach such conditions to any variance granted that will insure the variance meets the objectives of the Comprehensive Plan and of these standards and does not have an adverse impact on surrounding properties or on the provision of general urban services in the area.

## ARTICLE III.

~~SUBDIVISION AND PARTITION~~ LAND DIVISION STANDARDS

**8.2000 Title.** These standards shall be known as the City of Redmond ~~Subdivision & Partition~~ Land Division Standards and may be so cited and plead.

**8.2005 Purpose.** In accordance with the provisions of Oregon Revised Statutes (ORS) Chapters 92 and 227, these standards set forth the minimum standards governing the approval of land development, including subdivisions and partitions, as necessary to carry out the Redmond Urban Area Comprehensive Plan and to promote the public health, safety and general welfare. The purposes of these provisions and regulations are to:

1. Encourage well planned subdivision and partition development to the end that good livable neighborhoods with all needed amenities and community facilities may be created.
2. Encourage development in harmony with the natural environment and within resource carrying capacities.
3. Safeguard the interest of the public, the applicant ~~developer~~ and the future lot owner – ~~the Community~~.
4. Improve land records and boundary monumentation.
5. Insure equitable processing of subdivision and partition plats, and accomplish to the greatest extent possible the goals and objectives of the Comprehensive Plan for the Redmond Urban Area.
6. Provide for orderly and efficient urban development and coordinate development with public facility and service plans and capabilities.
7. ~~To regulate the orientation of streets, lots, and parcels; the placement, height and bulk of buildings; and the placement and growth of vegetation within the City to insure access to solar energy by reasonably regulating interests in property within the City, as authorized by state law, to~~ Promote and maximize the conservation of energy by preserving the option to utilize solar energy and to implement the Comprehensive Plan policies relating to solar energy ~~by~~ ~~encourage~~ ~~ing~~ the design of new developments ~~which use solar energy and~~ to protect future options to use solar energy through ~~by~~ providing for and protecting solar access in the following ways:
  - A. By regulating the orientation of streets, lots, and parcels;
  - B. By the placement, height and bulk of buildings;
  - C. By the placement and growth of vegetation; and,
  - D. By preserving options for other alternative energy sources, such as wind, that may be available and necessary in the future.
8. ~~No person may subdivide or partition land within the City of Redmond except in accordance with ORS Chapters 92 and the provisions of these standards.~~

**8.2010 Interpretation.** No person may subdivide or partition land within the City of Redmond except in accordance with ORS Chapter 92 and the provisions of these standards. The provisions of these standards shall be construed to effect the purposes set forth in Section 8.2005 of these standards. These provisions are declared to be the minimum requirements fulfilling such objectives, and, as deemed necessary through the land use review and decision process, the City may impose additional requirements ~~deemed necessary~~ to promote the health, safety and general welfare, and to carry out

the Comprehensive Plan of the City. Where conditions set forth herein are less restrictive than comparative conditions imposed by any other provision of these standards, by provision of any other applicable local ordinance, resolution or regulation, or by provision of state statute or administrative regulation, the more restrictive shall govern.

### 8.2015 Construction and Terminology.

1. Construction. Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular; the word "shall" is mandatory; the words "may" and "should" are permissive; the masculine shall include the feminine and neuter.
2. Terminology. The word "City" shall mean the City of Redmond, Oregon. The words "City Council" shall mean the City Council of Redmond. The words "Community Development Department Director" and "Hearings Officer Body" shall mean the Community Development Department Director and Hearings Officer Body respectively of the City of Redmond.

### 8.2020 Definitions. As used in these standards, the following words and phrases shall mean:

**Abut.** Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement, including those properties which only connect or touch by a common point. (See also Adjacent, Adjoining, Contiguous)

**Access.** The right to cross between properties, both public and private, allowing pedestrians and/or vehicles to enter and leave property to access the public right of way.

**Access Connection.** Any driveway, street, turnout, or other means of providing for the movement of vehicles and/or pedestrians to or from the public roadway system.

**Access Management.** The process of regulating access to streets, roads and highways from public roads and private driveways.

**Access Road.** See Street, Local, Private.

**Acreage, gross.** The total area within a unit of land.

**Acreage, net.** A measure of land area, exclusive of public road rights-of-way, and public use area dedications.

**Adjacent.** (See Adjoining, Abut, Contiguous)

**Adjoining.** A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land. (See also Abut, Contiguous)

**Adverse Impact.** A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe or unhealthy conditions on a site proposed for development or on off-tract property or facilities.

**Advertising.** Publication of, or causing to be published, any material relating to disposition of interest in a land development, which has been prepared for public distribution by any means of communication.

**Affected Governmental Body.** A city, county, state or federal agency or special district which either has a jurisdictional interest or is of such proximity to the land partition that a reasonable likelihood of annexation exists.

**Affected Person.** Any person, including those owners of record of real property located within a minimum distance of 100 feet, exclusive of public street and other rights-of-ways, from the property, and persons who are beneficiaries of CCR's affecting the proposed land division, subject to a permit required by these zoning standards affected by a decision.

**Agent.** Any person who represents or acts for any other person in disposing of interests in a land development. Includes a real estate broker as defined in ORS 696.010 (12) but does not include an attorney at law whose representation of another person consist solely of rendering legal services.

~~**Alley.** A public or private way permanently reserved and generally used as a means of public access to abutting properties.~~

**Bicycle Route.** A right-of-way for bicycle traffic.

**Block.** An area of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way or lines, shore lines or waterways, natural topographical barriers, or ~~corporate boundary lines of a city~~ limit.

**Boundary Line.** The property line bounding a lot, parcel or tract that divides one property from another or from a public or private street or other public space.

**Boundary Line Adjustment.** The relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel.

**Building.** A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

**Building Envelope.** (See Building Line)

**Building Line.** A line parallel to the street right-of way at any story level of a building on a plat indicating the limit beyond which buildings or structures may not be erected. If no line is shown on the plat, the building line shall be that set forth in the City Zoning Standards. Also known as a building envelope.

~~**Comprehensive Plan.** A plan and coordinated land use map and policy statements adopted by the City of Redmond pursuant to ORS Chapters 197 and 227, for the Redmond Urban Area that interrelates all functional and natural systems and activities relating to the use of lands, including but not limited to sewer and water systems, transportation systems, educational systems, recreational facilities and natural resources and air and water quality management programs. “Comprehensive” means all inclusive both in terms of the geographic area covered by the plan and functional and natural activities and systems occurring in the area covered by the plan. The plan is an expression of public policy in the form of goals, objectives and policy statements, maps, standards and guidelines, and is the basis for these standards, and other rules, regulations, and ordinances which are intended to implement the policies expressed through the plan.~~

~~**Condominium.** A type of residential development utilizing zero lot lines, individual ownership of units and common ownership of open space and other facilities, and which are regulated in part by state law.~~

**Consolidation.** The removal of boundary lines between contiguous lawfully created lots or parcels (see also Lot Consolidation).

**Construction Plans.** The plans, profiles, cross sections and drawings or reproductions thereof, approved by a registered professional engineer, which show the details of the work to be done on improvements.

~~**Contiguous.** That which touches or connects, including that which only connects or touches a common point; the touching together of two or more tracts of land which lie alongside one another or which touch or connect with one another for any length or distance whatsoever, no matter how finite. (See also Abut; Adjoining)~~

**Contiguous Land.** Units of land under the same ownership which abut, irrespective of roadways, easements or rights-of-way.

**Cross-Section.** A profile of the ground surface perpendicular to the centerline of a street, stream or valley bottom.

~~**Curb.** A stone or concrete boundary usually marking the edge of a roadway or paved area.~~

~~**Curb Cut.** The opening in the curb line at which point vehicles may enter or leave the roadway.~~

~~**Curb Lines.** The line dividing the roadway from the planting strip or footway, meaning the inside (street side) of the curb.~~

**Dedication.** The transfer of private property to public ownership upon written acceptance.

**Development.** Any human-caused change to improved or unimproved real estate that requires a permit or approval from any agency of the city, county or state, including but not limited to buildings or other structures, mining, filling, grading, paving of infrastructure, excavation or drilling operations, landscaping, and storage of materials.

**Developer.** Any person, corporation, partnership or other legal entity who creates or proposes to create a land development; includes any agent of a developer.

~~**Disposition.** Includes sale, lease for more than one year, option assignment, award by letter or as a prize, or any offer or solicitation of an offer to do any of the foregoing concerning a land development or any part of a land development.~~

**Drainage.**

1. Surface water runoff;
2. the removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

**Drainage Easement.** An easement required for drainage ditches and pipes, are required along a natural stream for the flow of water therein, intended to safeguard the public against flood damage or the accumulation of surface water.

**Easement.** A grant of the right to use a parcel of land by a person or persons who do not own it, for specific purposes, but in which ownership of the land is not transferred.

**Egress.** Access point for exiting a building, site or area.

**Exaction.** Contributions, dedications, and/or payments required to mitigate development impacts as an authorized condition for receiving a development permit.

**Feasibility Study.** An analysis of a specific project or program to determine whether it can be successfully carried out.

~~**Fire Break.** A break in the ground cover fuels as specified by the fire protection agency involved.~~

**Frontage.** That portion of a parcel of property which abuts a dedicated public street or highway right of way or an approved private way (except an alley).

**Grade** The average level of the finished surface of the ground adjacent to the exterior of a building.

**Grade, Established.** The elevation of the ground or infrastructure as officially established by city authority.

**Grade, Existing.** The surface of the ground or infrastructure at a stated location as it exists prior to disturbance in preparation for a project.

**Grade, Finished.** The final elevation of the ground surface after man-made alterations, such as grading, grubbing, filling, or excavating, have been made on the ground surface.

**Grade, Ground Level.** The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, alley or other public way, the above-ground level should be measured at the elevation of the sidewalk, alley or public way.

**Grade, Natural.** The existing grade or elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, grubbing, filling, or excavating.

**Grading.** Any leveling, stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition to create new grades.

1. Regular Grading: Any grading that involves 5,000 cubic yards or less of material.
2. Engineered Grading: Any grading that involves more than 5,000 cubic yards of material, or any filling of land that is intended to provide support for structures and or infrastructure.

**Hearings Body.** ~~The Community Development Director or designee, Planning Commission, Hearings Officer or City Council.~~

**Hearing, Initial.** ~~An initial hearing is the first hearing authorized and conducted by the Hearings Body.~~

**Hearings Officer.** A planning and zoning hearings officer appointed or designated by the City Council pursuant to ORS 227.165 or in the absence of such appointed hearings officer, the Planning Commission.

**Impervious Surface.** Any hard-surfaced area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, sidewalks, and other paved areas.

**Improvements.** Include, but are not limited to, streets, alleys, curbs, roadbed, road surface, storm drains and appurtenances, sidewalks, street lights, street signs, fire hydrants, sanitary sewers and appurtenances, public or private water supply and water distribution systems and other utilities.

**Improvement Agreement.** Any contract, security or agreement that may be required and accepted between the developer and the city to assure that necessary improvements will **be constructed and** function as required ~~for a specific period of time.~~ (See also Performance Guarantee)

**Infill Development.** Development of vacant, parcels of land in otherwise built-up areas.

**Ingress.** Access or entry point or entrance.

**Intensity of Use.** The range or scale or concentration or degree of impact of use, often measured by floor area ratios, building coverage or traffic generation.

~~**Interest.** Includes a lot or parcel, share, undivided interest or membership which includes the right to occupy the land overnight, and a lessee's interest in land for more than three years or less than three years if the interest may be renewed under the terms of the lease for a total period more than three years. Interest does not include any interest in a condominium as defined by state law or any security interest under a land sales contract, trust deed or mortgage. Interest does not include divisions of land created by lien foreclosures or foreclosures of recorded contracts for the sale of real property.~~

**Land Division.** The subdividing or partitioning of land for any purpose into lots or parcels, ~~or the creation of lots or parcels for the purpose of sale or lease.~~

**Land Division Agreement.** An agreement between the City and the developer that is approved as part of the land use review process which lists specific terms applicable to the development which are recorded against the property. Such agreements are appealable as elements of the land use review and decision.

**Lot.** A lawfully created unit of land that is created by a subdivision of land.

**Lot Area.** The total horizontal surface area within the property lines of a lot, exclusive of streets.

~~**Lot Consolidation.** The consolidation of lot lines resulting in fewer lots.~~

**Lot, Corner.** A lot abutting upon two or more streets other than alleys, at their intersection, or upon two parts of the same street, such streets or parts of same street forming an interior angle of less than 135 degrees within the lot line.

**Lot, Double Frontage.** An interior lot having frontage on more than one street, or a corner lot having frontage on more than two streets.

~~**Lot, Flag.** A lot which fronts a public street or road, and where access to the street or road is by a private driveway.~~ **See Section 8.2705 (11).**

**Lot, Interior.** A lot other than a corner lot.

~~**Lot, Irregular.** A lot of such a shape or configuration that technically meets the area, frontage and width requirements of these standards but meets these requirements by incorporating~~

~~unusual elongations, angles, curvilinear lines unrelated to topography or other natural land features~~ **Any lot that is not rectangular in shape.**

~~**Lot Line.** The property line bounding a lot that divides one lot from another lot or from a public or private street or other public space.~~

~~**Lot Line Adjustment.** The adjustment of common property line(s) or boundaries between adjacent lots, tracts, or parcels for the purpose of accommodating a transfer of land. The resulting adjustment shall not create any additional lots, tracts, or parcels and all reconfigured lots, tracts, or parcels shall contain sufficient area and dimension to meet minimum requirements for zoning and building purposes. (See Lot Consolidation).~~

**Lot Line, Front.** For an interior lot, the lot line abutting a street other than an alley; for a corner lot, a lot line abutting either street other than an alley. In the case of a corner lot, or double frontage lot, the Community Development Department Director or designee shall determine the front lot line. The determination shall be made to provide the necessary public safety and shall be based on street classifications, house and driveway orientation, lot dimensions, and adjacent property use.

**Lot Measurements:**

1. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

2. Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard; provided, however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80 percent of the required lot width, except in the case of lots on the turning circle of a cul-de-sac, where the 80 percent requirement shall not apply. Flag lot area measurements are exclusive of the area within the flag pole.

~~**Lot Line, Rear.** The lot line or lines opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line ten (10) feet in length within the lot parallel to and at a maximum distance from the front lot line.~~

**Lot Line, Side.** Any lot line or lines that are not a front or rear lot line. An interior side lot line is a lot line common to more than one lot or to the lot and an alley; and exterior side lot line is a lot line common to the lot and a street other than an alley.

**Lot, Nonconforming.** A lot that lawfully existed prior to the enactment of the requirements of these standards, but which does not meet the minimum lot size or lot width requirements.

**Lot of Record.** Any lawfully created unit of land, created as follows:

1. A lot in an existing, duly recorded subdivision;
2. A parcel in an existing, duly recorded land partition; or,
3. An existing unit of land for which a survey has been duly filed which conformed to all applicable regulations at the time of filing; or
4. Any unit of land created by deed description or metes and bounds provided, however, contiguous units of land created by deed description or metes and bounds under the same ownership and not conforming to the minimum parcel size of these standards shall be considered one (1) lot of record.

**Lot, Through.** An interior lot having a frontage on two streets and/or highways, not including an alley. (See also Lot, Double Frontage).

**Lot, Width.** The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback.

~~**Master Development Plan.** An overall plan indicating the physical and functional interrelationships between uses and facilities for those projects, series of projects, phased developments or developments occurring over a period of up to five years.~~

**Monument.** A permanent and fixed survey marker conforming to the requirements established by state law and the regulations of Deschutes County.

**MUTCD.** Manual of Uniform Traffic Control Devices, Federal Highway Administration.

**Natural Grade.** (See Grade, Natural)

**Negotiate.** Any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including but not limited to advertising, solicitation, and the promotion of the sale of such land.

~~**Offer.** Includes every inducement, solicitation or encouragement of a person to acquire a lot, unit, parcel or interest in land.~~

**Orderly Development and Land Use Patterns.** Development that: is consistent with a zoning district's density requirements; does not overtax supporting public facilities and services and logical extensions thereof; provides for continued maintenance of supporting facilities and services; recognizes topographical limitations; is consistent with existing land use patterns and development; and, does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.

**Owner.** The owner of the title to real property or the authorized agent thereof having written notarized authorization recorded with the County Clerk, or the contract purchaser of real property of record as shown on the last available complete tax assessment roll or County Clerk's records. Does not include an interest created for security purposes.

**Parcel.** A unit of land created by a partitioning of land.

**Partition.** The act of partitioning land or an area or tract of land partitioned.

**Partition Land.** To divide an area or tract of land into two or three parcels within a calendar year.

**Performance Bond.** A document issued by a surety, in return for a fee or premium, guaranteeing the performance of the terms and conditions of a development approval.

**Performance Guarantee.** Any security or contract that may be accepted by a municipality as a guarantee that improvements required as part of an application for development are satisfactorily completed. (See also Improvement Agreement)

**Person.** An individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, whether he, she or it is acting for himself, herself or itself, or as the servant, employee, agent or representative of another.

**Phased Development Plan.** An overall plan indicating the physical and functional interrelationships between uses and facilities for those projects, series of projects, phased developments or developments occurring over a period of up to five years.

**Planned Unit Development.** "Planned Unit Development" means a complex of uses designed and developed as a single development unit, built by a single owner or group of owners and maintained by an association. The phrase Planned Unit Development may be abbreviated "PUD".

**Plat, Final.** The final plan of all or a portion of a subdivision ~~plat, partition plat, plat or~~ Planned Unit Development (PUD) that is presented to the approving authority for final approval in accordance with state law **and is in accordance with the Tentative Plat and all conditions as approved through the land use review and approval process.**

**Plat, Tentative.** A plan, diagram, drawing, replat, or other writing containing all descriptions, specifications, locations, dedications, provisions, and information concerning a subdivision or partition.

**Primary Use.** The ~~first~~ **intended** use to which property is or may be devoted, and to which all other uses on the premises are derived as accessory or secondary uses. As used relative to dwelling units, the primary dwelling would be the first dwelling unit to be located on a specific parcel or lot.

**Principal Use.** ~~The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.~~

**Replat.** The act of platting the lots, parcels and easements in a recorded subdivision or partition plat to achieve a reconfiguration of the existing subdivision or partition plat or to increase or decrease the number of lots in the subdivision.

**Reserve Strip.** “Reserve Strip” means a strip of land usually one foot in width, reserved across the end of a street or alley terminating at the boundary of a subdivision, or a strip of land between a dedicated street of less than full width and adjacent acreage, in either case reserved or held for future street extension or widening.

**Right-of-Way.** A strip of land acquired by dedication, prescription or condemnation and intended to be occupied by a street, trail, waterline, sanitary sewer, and/or other public utilities or facilities.

**Road.** A public or private way that is created to provide **vehicular** ingress or egress for persons to one or more lots, parcels, areas or tracts of land. (See also Street)

**Sale or Lease.** Every disposition or transfer of land in a subdivision or an interest or estate therein, by a subdivider or developer or their agents. Includes the offering of land as a prize or gift when a monetary charge or consideration for whatever purpose is required by the subdivider, developer or their agents.

**Series Partitioned Land and Series Partition.** A series of partitions of land located within this state resulting in the creation of four or more parcels over a period of more than one calendar year.

**Series Partitioner.** Any person who causes land to be series partitioned into a series of partitions, or who undertakes to develop a series partition, but does not include a public agency or officer authorized by law to make partitions.

**Sidewalk.** A pedestrian walkway with permanent surfacing, typically located adjacent to a roadway.

**Slope.** The degree of deviation of a surface from the horizontal, usually expressed as a percentage or by degrees.

**Solar Access.** ~~A property owner’s right to have sunlight shine on the owner’s land~~ **is the ability of one property to continue to receive sunlight across property lines without obstruction from buildings and structures constructed on the abutting property to the south.**

**Solar Height Restriction.** The allowable height of buildings, **and structures and vegetation on a property burdened by the requirement to provide solar access of another to the abutting property to the north.**

**Street.** 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. (See also Road)

~~**Street, Alley.** A narrow way primarily for vehicular service access to the back or side of properties abutting a street. (See also Alley).~~

~~**Street, Bicycle Route.** A right-of-way for bicycle traffic.~~

**Street, Collector.** A restricted access street supplementary to the arterial street system used or intended to be used principally for the movement of traffic between arterial and local streets.

**Street, Cul-de-sac.** A street having one end open to traffic and terminated by a vehicle turn-around.

**Street, Dead End.** A street with only one outlet.

**Street, Frontage Road.** A street parallel and adjacent to a collector or arterial providing access to abutting properties, but protected from and protecting through traffic.

**Street, Local.** A street intended primarily for access to abutting properties.

**Street, Major Arterial.** A street with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterial streets.

**Street, Minor Arterial.** A street with a high volume of traffic that collects and distributes traffic to and from collector streets.

**Street, Roadway.** That portion of a street developed for vehicular traffic.

**Street, Stubbed.** A street having only one outlet for vehicular traffic and which is intended to be extended or continued to serve future subdivisions or developments on adjacent lands.

**Subdivide Land.** To divide an area or tract of land into four or more lots within a calendar year ~~when such area or tract of land exists as a unit or contiguous units of land under a single ownership at the beginning of such year.~~

~~**Subdivision and Subdivided Lands.** Improved or unimproved land or lands divided, or created into interest or sold under an agreement to be subsequently divided or created in interests, for the purpose of sale or lease, whether immediate or future, into 11 or more undivided interests, or four or more other interests. "Interest," as referred to herein, includes a lot, or unit, a share, undivided interest, or membership, which includes the right to occupy the land overnight, and lessee's interest in land for more than three years, or less than three years if the interest may be renewed under the terms of the lease for a total period of more than three years. "Subdivide land" does not include the sale of a lot in a recorded subdivision or an approved partition even though the seller of the lot may have owned other contiguous lots or property prior to the sale; said lot however must be sold as platted and recorded.~~

**Subdivision.** The act of subdividing land or an area or a tract of land subdivided as defined in this section.

**Subdivider.** Any person who causes land to be subdivided into a subdivision for himself or for others, or who undertakes to develop a subdivision, but does not include a public agency or officer authorized by law to make subdivisions.

~~**Tract: Private / Public.** A piece of land set aside in a separate area for dedication to the public, a homeowners association, to other entity (e.g. open space, recreation facilities, sensitive lands, etc.)~~ **An expanse of land comprised of a single or multiple ownerships.**

**Unit.** Any magnitude regarded as an independent whole or single entity.

**Use.** The word "use" is synonymous with the terms "land use" and "use of land" unless the context clearly indicates otherwise.

**Utilities, Private.** Include electric, telephone, natural gas and other services providing for energy or communication needs, or privately owned water systems.

**Utilities, Public.** Include water and sewer systems owned and operated by the City of Redmond.

**Zero Lot Line.** The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

**Zero Lot Line Subdivision.** A type of residential subdivision utilizing zero lot lines between dwelling units and providing for individual ownership of each lot, **not including condominiums.**

**GENERAL REQUIREMENTS PROVISIONS**

- ~~8.2050~~ **8.2100 Procedure.** All subdivisions, partitions and other land use actions subject to the provisions of this Chapter shall be processed in accordance with Article 2, Land Use Procedures, of the City of Redmond Development Code.
- 8.2105 Scope of Regulation.** Before a plat of any subdivision or partition may be recorded, the person proposing the subdivision or the partition, or an authorized agent or representative, shall make an application in writing to the Redmond Community Development Department for approval of the proposed subdivision or partition in accordance with the requirements and procedures established by these standards.
- ~~8.2055~~ **8.2110 Minimum Standards.** No proposed subdivision or partition shall be approved unless it complies with the **density requirements of the** Comprehensive Plan for Redmond, the **applicable** Zoning Standards, these standards, and ORS Chapter 92.
- ~~8.2060~~ **8.2115 Sale Prohibited.** ~~Final approval of any land division occurs when the plat of the land division is recorded with the County Clerk. No person shall sell any lot created by a land division until final approval of the land division has been granted by the City.~~ **No person shall sell or negotiate to sell any lot in any subdivision or parcel in any partition except in accordance with the applicable provisions of ORS Chapter 92, including but not limited to ORS 92.016, 92.025 and 92.027.**
- ~~8.2065~~ **8.2120 Delegation.** The City Council, pursuant to state statute, hereby delegates to the Community Development Director or designee, Planning Commission and Hearings Officer the power to make final action on a proposed subdivision or partition subject to appeal as provided for in ~~these standards~~ **Article 2 of the City of Redmond's Development Code, Land Use Procedures.**
- ~~8.2070~~ **8.2125 Subdivisions or Partitions in the OSPR Zone.** No partitions or subdivisions in the OSPR zone or property that lies both within the OSPR zone and an adjoining zone shall be allowed prior to approval of a master plan for development of the entire parcel **pursuant to City of Redmond Development Code Section 8.0300.**
- 8.2130 Penalties.** Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
- 8.2135 Violation Declared a Nuisance.** A land division or use in violation of these standards is hereby declared a nuisance.
- 8.2140 Civil Relief.** When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.

**8.2145 Administration of Standards.** It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.

**8.2150 Severability.** If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

## SUBDIVISION APPLICATION PROCEDURE

- 8.2100 8.2200 Pre-Application Meeting.** Prior to submitting a tentative subdivision plat each applicant or their representative is ~~encouraged~~ **required** to meet with the Community Development Director or a designated staff member(s) to review the proposal. ~~The intent of this is to advise the applicant of the requirements of these standards.~~
- 8.2105 8.2205 Application Submission.** Any person, authorized agent or representatives, proposing a subdivision, shall include with an application and filing fee for a subdivision, a tentative plat together with improvement plans and other supplementary material as may be required.
- 8.2140 8.2210 Scale of Tentative Subdivision Plat.** The tentative plat of a proposed subdivision shall be drawn on a sheet at an **engineer's** scale not greater than one inch per 100 feet, or as approved by the Community Development staff.
- 8.2145 8.2215 Informational Requirements.** The following information shall be shown on the tentative plat or provided in accompanying materials. No tentative plat shall be considered complete unless all such information is provided:
1. General information required:
    - A. Proposed name of the subdivision.
    - B. Names, address and phone numbers of the owner of record, authorized agents or representatives, engineer or surveyor, and any assumed business names filed or to be filed with the **Oregon Secretary of State Corporation Commission Division** by the applicant. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
    - C. Date of plat preparation, north and magnetic north and south, scale and gross area of the proposed subdivision.
    - D. Appropriate identification of the drawing as a tentative plat for a subdivision. Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets.
    - E. Certified copy of the recorded instrument under which the applicant claims an ownership interest, or copy of a land sales contract which binds the applicant in the event of tentative approval.
    - F. Title report or subdivision guarantee, issued within the last ninety (90) days, and supporting documentation of all easements identified on the property.
  2. Information concerning existing conditions:
    - A. Location, names and widths of existing improved and unimproved **public or private** streets and roads within and adjacent to the proposed subdivision.
    - B. Location of any existing features such as section lines, section corners, City and special district boundary lines, and survey monuments.
    - C. Location of existing structures, irrigation canals and ditches, pipelines, waterways, railroads and any natural features such as rock outcroppings, marshes, wooded areas and natural hazards.
    - D. Location and direction of water courses, and the location of areas subject to flooding and high water tables.

- E. Location, width and use or purpose of any existing easement or right-of-way within and adjacent to the proposed subdivision.
  - F. Existing sewer lines or septic tanks and drainfields, water mains, wells, fire hydrants, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision together with pipe sizes, grades and locations.
  - G. Contour lines related to some established benchmark or other engineering acceptable datum and having minimum intervals of two feet for slopes of less than five percent, five feet for slopes of five to fifteen percent, ten feet for slopes of fifteen to twenty percent, and twenty feet for slopes greater than twenty percent.
  - H. Zoning classification of land within and adjacent to the proposed subdivision.
  - I. Names and addresses of all adjoining property owners.
  - J. The structures, trees, rock outcroppings or other shade producing objects, if the object will cast shade from or onto the subdivision.
  - K. Existing covenants, ~~codes~~ conditions and restrictions.
  - L. A Traffic Impact Analysis (TIA) prepared in accordance with Section 8.2815 of this Code.
3. Information Concerning Proposed Subdivision:
- A. Location, names, width, typical improvements, cross sections, bridges, culverts, approximate grades, curve radii and centerline lengths and reserve strips of all proposed streets, and the relationship to all existing and projected streets.
  - B. Location, width and purpose of all propose easements or rights-of-way and relationship to all existing easements and rights-of-way.
  - C. Location of at least one temporary bench mark within the proposed subdivision boundary.
  - D. Location, approximate area and dimensions of each lot, and proposed lot and block numbers.
  - E. Location, approximate area and dimensions of any lot or area proposed for public use, the use proposed, and plans for improvements or development thereof.
  - F. Proposed use, location, approximate area and dimensions of any lot intended for non-residential use.
  - G. An outline of the area proposed for partial recording, if contemplated or proposed.
  - H. Source, method, and preliminary plans, prepared by a licensed civil engineer, for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities.
  - I. Description and location of any proposed community facility.
  - J. Storm water, drainage facility and grading plans.
  - K. Proposed deed restrictions including access restrictions or protective covenants if such are proposed to be utilized for the proposed subdivision.
  - L. Statement from each utility company proposed to serve the proposed subdivision stating that each company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service.
  - M. Proposed fire protection or fire hydrant system for the proposed subdivision and written approval thereof by the appropriate serving fire protection agency.
  - N. Solar Access. Demonstration of how solar access will be provided.
  - O. Location and type of street trees.

**8.2120 8.2220 Master Phased Development Plan.** An overall ~~master~~ **phased** development plan shall be submitted for all developments ~~affecting land under the same ownership~~ for which phased subdivision is contemplated. The ~~master~~ **phased development** plan shall include but not be limited to, the following elements:

1. Overall development plan, including phase or unit sequence.
2. Show compliance with the ~~Comprehensive Plan~~ and **all** applicable land use standards and policies, either graphically or in writing.
3. Schedule of improvements initiation and completion.
4. Overall transportation and traffic pattern plan showing compliance with grid street standards, and for land within the North Redmond US 97 Interchange Area Management Plan (IAMP), compliance with the Local Street Connectivity Plan (Comprehensive Plan Addendum Chapter 9 Transportation Element figure 1).
5. General program for phasing timetable projection.
6. Development plans for any common elements or facilities.
7. If the proposed subdivision ~~has an unknown~~ **is believed to have an additional** impact upon adjacent lands or lands within the general vicinity, the Hearings Body may require an additional impact analysis **for various aspects of the development thought to cause such impacts.**
8. Street tree plan.

**8.2125 8.2225 Approval of Master Phased Development Plan.** The Hearings Body shall review a ~~master~~ **phased** development plan at the same time a tentative plat for the first phase is reviewed. A ~~master~~ **phased development** plan may be approved before the tentative plat for the first phase is submitted. The Hearings Body may approve, modify, or disapprove the ~~master~~ **phased development** plan and shall set forth findings for such decision. The Hearings Body may also attach conditions necessary to bring the plan into compliance with all applicable land use standards and policies. Any tentative plat submitted for the plan area shall conform to the ~~master~~ **phased development** plan unless approved otherwise by the City.

**8.2130 8.2230 Development Following Approval.** Once a ~~master~~ **phased development** plan is approved by the City, the plan shall be binding, upon both the City and the developer. The Hearings Body may attach conditions to any changes proposed that are deemed necessary to insure compliance with the Comprehensive Plan and implementing regulations. After five (5) years from the date of approval of the plan, the City may initiate a review of the plan for conformance with applicable City regulations. If necessary, the City may require changes in the plan to bring it into conformance with new applicable city regulations.

**8.2135 8.2235 Required Findings for Tentative Subdivision Approval.**

1. The Hearings Body shall approve no application for a subdivision unless the following requirements are met:
  - A. Proposal is in compliance with ORS Chapter 92, the Comprehensive Plan, the Transportation System Plan (TSP) and applicable zoning.
  - B. Proposal does not conflict with acquired public access easements within or adjacent to the subdivision.
  - C. Each lot is suited for the use intended or offered.

- D. The subdivision will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.
  - E. An approved water rights division plan.
  - F. The subdivision contributes to orderly development and land use patterns in the area, and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features. ~~Orderly development and land use patterns in general is development that: is consistent with zoning district's density requirements; does not overtax supporting public facilities and services and logical extensions thereof; provides for continued maintenance of supporting facilities and services; recognizes topographical limitations; is consistent with existing land use patterns and development, and that does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.~~
2. Access Management proposals comply with the standards set forth in Section ~~8.2460~~ **8.2820** through ~~8.2499~~, ~~Supplementary Provisions~~, and all other applicable standards.

#### ~~8.2140~~ **8.2240** Improvement Requirements.

- 1. In the approval of a subdivision, the Hearings Body shall consider the need for street and other improvements. All streets in **new** subdivisions, **except for planned unit developments (PUD's)** shall be dedicated to the public without reservation or restriction.
- ~~2. Easement Access. The Hearings Body may require the applicant to improve an easement access serving two or more lots according to the City's Standards and Specifications, as amended.~~
- ~~3.~~ **2.** The subdivider shall record the required **(including but not limited to)** land division agreement, public improvement agreement, shared access agreement or shared well agreement, **as may be applicable**, with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.
- ~~4.~~ **3.** Paved access is guaranteed to each lot.
- ~~5.~~ **4.** Each lot is to be connected to the City **water and sewage sewer** system **pursuant to Section 4.007 of the Code of the City Redmond.**
- ~~6.~~ **5.** All required public utilities are available.

#### ~~8.2145~~ **8.2245** Resubmission of Denied Tentative Subdivision Plats.

- ~~1. If the tentative plat for a subdivision is denied, re-submission thereof shall not be accepted for a period of six months after the date of the final action denying said plat. Upon re-submission, the applicant shall consider all items upon which the prior denial was based and shall be accompanied by a new filing fee.~~
- 2.1.** A tentative plat **that was previously denied for an area or tract of land shall be** resubmitted in accordance with this ~~section~~ **Chapter**, and shall be reviewed in the same manner as any other tentative plat.

## FINAL SUBDIVISION PLAT

### ~~8.2200~~ **8.2300** Submission of Final Plat.

1. Filing Time Period Requirements. Notwithstanding the requirements included herein as amended, all final plats submitted for review and approval shall be subject to the final plat requirements of the City of Redmond Development Code that were in effect as of the date of the tentative plan approval. Except as provided for in Section ~~8.2205~~ **8.2305**, the applicant shall prepare and submit to the Community Development Department, a final plat that is in conformance with the tentative plat as approved, **including all conditions of the land use decision**. Within two (2) years of the approval date for the tentative plat for a subdivision, the applicant shall submit the ~~original drawing~~ **final plat**, a filing fee and any supplementary information required by these standards and the ~~Hearings Body~~ **land use decision**. If the applicant fails to proceed with the submission before the expiration of the two (2) year period following the approval of the tentative plat, the plan approval shall be void. ~~The applicant may, however, submit a new tentative plat together with the appropriate filing fee.~~
2. Extensions.
  - A. If it appears the applicant will not be able to comply with the filing time requirements of these standards, the applicant may submit a written application to the Community Development Director or designate requesting an extension of the filing time requirement. The application shall be filed no earlier than sixty (60) days and no later than ten (10) days prior to the date the two (2) year period expires. The extension request shall also be accompanied by the appropriate fee.
  - B. If there is good cause, the Community Development Director or designate may grant the extension of up to six (6) months from the date of expiration. Good cause shall require a showing by the applicant that the delay is unavoidable and was not the result of the applicant's own actions. The applicant must also show he has made significant progress on ~~each~~ **the majority of** conditions of the tentative plat.
  - C. Any extension granted by the Community Development Director or designate may be conditioned by a requirement that the applicant provide appropriate guarantees that the requirements of these standards will be met.
  - D. The applicant may appeal a decision of the Community Development Director or designate to the Hearings Body pursuant to Sections ~~8.2600~~ **8.1500** through ~~8.2610~~ **8.1560** of Article 2 of the City of Redmond Development Code, Land Use Procedures.
  - E. **Notice of the application for an extension shall be provided as prescribed in Section 8.1310 of Article 2 of the City of Redmond Development Code, Land Use Procedures.**

### ~~8.2205~~ **8.2305** Submission of Final Plats for Phased Development.

1. If a tentative plat is approved for phased development, the final plat for the first phase shall be filed within two (2) years of the approval date for the tentative plat. However, the Community Development Director or Hearings Body may allow extensions as provided in Section ~~8.1610~~ **8.2300, above.** ~~(3/99)~~
2. The final plat for a subsequent phases shall be filed **in sequential order** within three (3) years of the date the final plat for the first phase is filed. If the phased development is

a Planned Unit Development, Cluster Development, or Cottage Development as described in RDC 8.0286, the final plat for the final phase shall be filed within eight (8) years of the date the development is approved, as provided in RDC 8.1605.

3. If the applicant fails to file a final plat **within the timeframe established herein**, the tentative plan for ~~these~~ **that phase and all subsequent** phases shall become null and void.

**8.2210 8.2310 Form of Final Plat.** The final plat shall be submitted in the form prescribed by state statute (**ORS Chapter 92**).

**8.2215 8.2315 Technical Review of Subdivision Plat.**

1. Standards Check. Upon receipt by the Community Development Department, the plat and other data shall be reviewed to determine that the subdivision as shown is substantially the same as it appeared on the approved tentative plat, and for compliance with provisions of these standards and other applicable laws.
2. Field Check. The City Engineer and Community Development Director or their designated representatives may make such checks in the field as are desirable to verify that the plat is sufficiently correct. The City Engineer, Community Development Director or representative may enter the property for this purpose.

**8.2220 8.2320 Conditions of Final Subdivision Plat Approval.**

1. The Community Development Director or designate shall determine whether the final plat conforms with the approved tentative plat and with these regulations. If the Community Development Director or designate does not approve the plat, the applicant shall be advised of the changes or additions that must be made and shall afford ~~him~~ an opportunity to make corrections. If the Community Development Director or designate determines that the plat conforms to all requirements, ~~a recommendation for approval shall be made, provided~~ **non-discretionary** supplemental documents and provisions for required improvements are satisfactory. ~~Recommendation of a~~ Approval of the plat does not constitute or effect an acceptance by the public of the dedication of any street or other easement shown on the plat nor does such approval constitute final approval, said authority for final acceptance being vested with the governing body.
2. No plat of a proposed subdivision shall be approved unless:
  - A. Streets and roads for public use are to be dedicated without any reservation or restriction.
  - ~~B. Streets and roads held for private use are indicated on the tentative plat for such subdivision has been approved by the City.~~
  - ~~C.~~ **B.** The plat contains provisions for dedication to the public of all common improvements, including but not limited to streets, roads, parks, sewage disposal and water supply systems, if made a condition of the approval of the tentative plat.
  - ~~D.~~ **C.** Explanations of all common improvements required as conditions of approval of the tentative plat shall be recorded and referenced on the final plat.
3. No plat of a subdivision shall be approved unless the subdivider has either constructed and had accepted by the City the required improvements or the subdivider has executed an improvement agreement pursuant to the provisions of Section ~~8.2225~~ **8.2325**. If the subdivider chooses to construct the improvements, he shall also file with the City a warranty bond executed by a surety company to cover the one (1) year

warranty period following acceptance by the City. Said bond shall be in the amount of ten (10) percent of the value of the improvements.

**8.2225 8.2325 Improvement Agreement.**

1. The subdivider may, in lieu of completion of the required improvements and repair to existing streets and facilities, request the Community Development Director or designate to approve an agreement between himself and the City specifying the schedule by which the required improvements and repairs shall be completed. Provided, however, any schedule of improvements agreed to ~~other than sidewalks~~ shall not exceed one (1) year from the date the final plat is recorded. The agreement shall also provide the following information:
  - A. The repairs required and cost of the project.
  - B. That, pursuant to the requirements of Section 8.2230 of this Chapter, the City may call upon the security filed to construct or complete the improvements and repairs if the schedule of improvements is not adhered to.
  - C. That the City shall recover the full cost and expense of any work performed by the City to complete construction of the improvements and repairs including, but not limited to attorneys' and engineering fees.
  - D. That a warranty bond for one (1) year shall be deposited with the City following acceptance of the improvements. Said bond shall be in the amount of ten (10) percent of the value of the improvements.
  - E. Building permits will not be issued for any structure on any lot included within the subdivision plat until such time as all improvements are completed as specified in the agreement.
2. The Community Development Director or designate may reject an agreement authorized by this Section for any reason the Community Development Director or designate deems sufficient.
3. The subdivider shall record the required land division agreement ~~or public improvement agreement or sidewalk improvement agreement~~ with the Deschutes County Clerk's office at the time of recording of the final subdivision plat.

**8.2230 8.2330 Bond, Cash Deposit or Guarantee.**

1. The subdivider shall file with any agreement specified in Section 8.22325, to assure his full and faithful performance thereof, one of the following:
  - A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
  - B. A cash deposit in a City account at an approved lending institution.
  - C. ~~At the discretion of the City Finance Director, an irrevocable letter of credit from an approved lending institution.~~
2. A bond, ~~or cash deposit, or irrevocable letter of credit,~~ or any combination thereof, shall be for 120% of the cost of the improvements and repairs as determined by the City.
3. If the subdivider fails to carry out the provisions of the agreement, the City may call upon the bond, cash deposit, or irrevocable letter of credit to finance any cost or expenses resulting from said failure. In the alternative, the City may form a Local Improvement District or a Reimbursement District to lien the properties in accordance with the relevant provisions of Oregon State Law and the Redmond City Code. If the amount of the deposit or bond exceeds the cost and expense incurred by completing

the improvements, the City shall release the remainder. If the amount of the deposit or bond is less than the cost and expense incurred by the City for the improvements and repairs, the subdivider shall be liable to the City for the difference.

~~8.2235~~ **8.2335** **Final Plat Approval.** After the final plat has been checked and approved as provided in this article, and when all signatures appear thereon, except those of the Community Development Director, County Clerk and Board of County Commissioners, the Community Development Director shall certify the final plat and submit it to the Board of County Commissioners for final approval.

~~8.2240~~ **8.2340** **Recording of Plat.** No plat shall have any force or effect ~~until the same has been finally approved by the Board of County Commissioners.~~ **and** No title to any property described in any offer of dedication shall pass until the final plat has been recorded.

## LAND PARTITIONING

~~8.2300~~ **8.2400**     **Applicability of Regulations.** All proposed land partitions within the City shall be approved by the City. Approval shall only be granted in accordance with the provisions of these standards. Provided, however, the Community Development Director or designate may refer any partition to the Hearings Body for a hearing and decision.

~~8.2305~~ **8.2405**     **Filing Procedures and Requirements.**

1. Any person or an authorized agent or representative, proposing a land partitioning, shall prepare and submit ten (10) copies of the documents hereinafter described, in accordance with the prescribed procedures, and the appropriate filing fee, to the Community Development Department.
2. The tentative plat or preliminary drawing shall include the following:
  - A. A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and adjoining land use and ownership patterns. The map must include names of all existing roadways shown therein.
  - B. A plan of the proposed partitioning showing tract boundaries and dimensions, the area of each tract or parcel, locations of all easements, and the names, rights-of-way widths and improvement standards of existing roads.
  - C. Names and addresses of the landowner, the applicant (if different), a mortgagee if applicable, the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created, and record owners of land contiguous to the proposed partition. If the application is filed by anyone other than the owner of record, a letter or other evidence of the owner's permission to file the application.
  - D. A statement regarding contemplated water supply, sewage disposal, solid waste disposal, fire protection and access, etc.
  - E. North point, scale and date of tentative plat preparation, and property identification by tax lot, section, township and range.
  - F. Statement regarding past, present and intended use of the parcels to be created, or the use for which the parcels are to be offered.
  - G. If a tract of land has water rights, the application shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or when there is no such district, by the County Watermaster.
  - H. Location of all existing buildings, canals, ditches, septic tanks and drain fields, wells and utility lines.
  - I. Location of any topographical features which could impact the partition, such as canyons, bluffs, rock outcroppings, natural springs and flood plains.
  - J. Location, width, name, curve ratio and approximate grade of all proposed rights-of-way.

~~8.2310~~ **8.2410**     **Requirements for Tentative Partition Approval.**

1. No application for partitioning shall be approved unless the following requirements are met:
  - A. Proposal is in compliance with ORS Chapter 92, ~~the Comprehensive Plan,~~ the Transportation System Plan (TSP) and applicable zoning.

- B. Proposal does not conflict with acquired public access easements within or adjacent to the partition.
  - C. Each parcel is suited for the use intended or offered.
  - D. The partition will not exceed the operational capacity of public facilities and services as identified in the city's Water and Wastewater Master Plan and the Transportation System Plan, which are required to serve the development, or a determination that sufficient capacity can be provided.
  - E. An approved water rights division plan.
  - F. The partition contributes to orderly development and land use patterns in the area, ~~and provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.~~ Orderly development and land use patterns in general is development that: ~~is consistent with zoning district's density requirements; does not overtax supporting public facilities and services and logical extensions thereof; provides for continued maintenance of supporting facilities and services; recognizes topographical limitations; is consistent with existing land use patterns and development, and that does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.~~
    - i. ~~Is consistent with zoning district's density requirements;~~
    - ii. ~~Does not overtax supporting public facilities and services and logical extensions thereof;~~
    - iii. ~~Provides for continued maintenance of supporting facilities and services;~~
    - iv. ~~Recognizes topographical limitations;~~
    - v. ~~Is consistent with existing land use patterns and development; and,~~
    - vi. ~~Does not foreclose future development opportunities on adjacent undeveloped or under-developed lands.~~
  - G. ~~Provides for the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features.~~
2. Access Management proposals comply with the standards set forth in Section 8.2460 - 2499.
  3. The Hearings Body may approve an application for partitioning having the effect of creating more than three (3) parcels without subdividing provided that the partition complies with all applicable subdivision standards and criteria.

#### ~~8.2315~~ **8.2415** Improvement Requirements.

1. In the approval of a land partition, the Hearings Body shall consider the need for street and other improvements, and may require as a condition of approval any improvements that may be required for a subdivision under the provisions of these standards. All ~~roads~~ **streets** in partitions shall be dedicated to the public without reservation or restriction.
- ~~2. Easement Access. The Hearings Body may require the applicant to improve an easement access serving two or more parcels according to the City's Standards and Specifications, as amended.~~
- ~~3.~~ **2.** The partitioner shall record the required (including but not limited to) land division agreement, public improvement agreement, shared access agreement or shared well agreement as may be applicable, with the Deschutes County Clerk's office at the time of recording of the final partition plat.
- ~~4.~~ **3.** Paved access is guaranteed to each parcel.

- ~~5.~~ 4. Each parcel within the City limits is to be connected to the City water and sewer system pursuant to Section 4.007 of the Code of the City Redmond.
- ~~6.~~ 5. All required public utilities are available.
- ~~8.2320~~ **8.2420** **Application Review.** Following submission of an application for a land partitioning the Hearings Body shall review the plans and application submitted, and shall either approve or deny the application.
- ~~8.2325~~ **8.2425** **Appeal.** An appeal of a decision or requirement of the Hearings Body relative to a land partition shall be made in accordance with the provisions of Section ~~8.2600 through Section 8.2610 of these standards~~ 8.1500 through 8.1560 of Article 2 of the City of Redmond Development Code, Land Use Procedures.

## FINAL PARTITION PLAT

**8.2350 8.2500 Final Partition Plat Filing.** Following approval of tentative plat for a proposed partitioning, the applicant shall prepare and submit to the Community Development Department the final plat for the subject partitioning. Such filing shall be completed within two (2) years from the date of the approval, or the approval shall be void. The final plat shall be prepared in accordance with the following requirements and the original and two (2) copies thereof submitted by the applicant to the Community Development Department for approval. The original shall be recorded by the applicant in the office of the County Clerk following approval by the ~~Hearings Body~~ **Community Development Director or designate.**

**8.2355 8.2505 Extensions.** Requests for extensions shall be reviewed in the manner provided for in Section 8.2300 (2) (A-E).

**8.2360 8.2510 Requirements.**

1. Final plat requirements:
  - A. Plats shall be drawn to a scale of one inch per 100 feet. Provided, however, for partitions of large lots the scale may differ so long as the scale is reasonable.
  - B. Name of the owner, developer and engineer or surveyor shall be shown on the plat.
  - C. Date, scale, north point, legal description of boundaries, and a tie by actual survey to a section or donation land claim corner.
  - D. Parcel boundary lines, with dimensions and bearings; bearings shall be to the nearest 30 seconds, and distances to the nearest 0.01 feet.
  - E. An affidavit by the engineer or surveyor having surveyed the land involving a partitioning.
  - F. A certification of acceptance of any public dedication.
  - G. A guarantee of approved or required improvements, including identification of maintenance responsibilities for proposed or existing roads and streets.
  - H. A certification of approval for execution by the Community Development Director.
  - I. Water rights to be assigned to each parcel shall be indicated on the plat and certification of approval thereof.
2. Approval Requirements: No final plat for a land partitioning shall be approved by the ~~Hearings Body~~ **Community Development Director** unless all of the following requirements are met:
  - A. The final plat is in strict conformance with the approved tentative plat.
  - B. The final plat is in conformance with the requirements set forth in subsection (1) of this section.
  - C. Paved access is guaranteed to each parcel.
  - D. Each parcel is to be connected to the City ~~sewage~~ **sewer and water** systems.
  - E. All required public utilities are available.
  - F. All conditions of the tentative plat approval have been met or guaranteed.
  - G. All proposed or required improvements have been completed and accepted by the City.

**8.2365 8.2515 Special Partitioning Regulations.** The partitioning of a tract of land in which not more than one (1) parcel is created and transferred to a public or

semi-public agency for the purpose of a road, railroad, electric substation or canal right-of-way, and thereby not meeting the lot size and configuration requirements of the underlying zone and/or this Chapter, may be approved by the Community Development Director or designate.

## LOT BOUNDARY LINE ADJUSTMENTS

**8.2370 8.2600 Lot Boundary Line Adjustment Regulations.** Lot Boundary Line adjustments include the modification or elimination of existing lot or parcel boundaries. No new lots or parcels are created by a lot line adjustment.

**8.2375 8.2605 Submission Requirements.** All applications for a Lot Line Adjustment shall follow the procedures of Article II. The application shall include a preliminary lot boundary line map identifying all existing and proposed lot boundary lines and dimensions; footprints and dimensions of existing structures (including accessory structures); location and dimensions of driveways and public and private streets within or abutting the subject lots properties; existing fences and walls; and any other information deemed necessary by the Community Development Director or designee for ensuring compliance with the Redmond Development Code.

**8.2380 8.2610 Approval Process.**

1. Lot Boundary line adjustments shall be reviewed by the Community Development Director or designee consistent with the requirements in Article II, of The City of Redmond Development Code, Land Use Provisions Procedures, using approval criteria contained in Section 8.2385615, below.
2. The lot boundary line adjustment approval shall be effective for a period of two one (1) years from the date of approval, during which time it must shall be recorded.
3. The lot boundary line adjustment approval shall lapse if:
  - A. The lot boundary line adjustment is not recorded within the time limit in subsection (2) herein.
  - B. The lot boundary line adjustment has been improperly recorded with Deschutes County without the satisfactory completion of all conditions attached to the approval; or
  - C. The final recording is a departure from the approved subdivision or partition plat, if applicable.

**8.2385 8.2615 Approval Criteria.** The Community Development Director or designee shall approve or deny a request for a lot boundary line adjustment in writing based on findings that all of the following criteria are satisfied:

1. No additional lot or parcel is created by the lot boundary line adjustment;
2. All lots and parcels comply with the applicable lot and parcel size standards of the underlying zone including lot area and dimensions.
3. All lots and parcels comply with the requirements of Section 8.2400700 to 8.2435720 and with the standards of the underlying zone of this Chapter.

**8.2390 8.2620 Extensions.** The Community Development Director or designee designate, or Hearings Body may, upon written request by the applicant and payment of the required fee, grant an extension of the approval period for one year, up to an aggregate of two additional years provided that; no code changes which may be contrary to the original decision have occurred relative to that proposal, and there has been no new development since the original approval on any adjacent property. Such extensions shall be administrative, in writing, and not subject to appeal. (3/99)

## DESIGN STANDARDS AND IMPROVEMENTS

### ~~8.2400~~ **8.2700** Compliance Required.

1. All ~~Any~~ land divisions shall be in compliance with the design standards set forth in this article and the current Public Works Standards and Specifications as amended hereafter by the Redmond City Council. All streets shall conform with the following design parameters or development shall be in compliance with the design and improvement standards and requirements of this section, and all other applicable provisions, as set forth in this Chapter.
  - A. ~~It is City Standard to develop through public streets at a spacing of approximately 660 feet. The purpose is to provide a street grid pattern of through streets to facilitate traffic movement. Street designs shall conform to topography and other existing natural and man-made conditions. Illustrative examples of other conditions include the dry canyon, main COI canal, Highway 97, and the Burlington Northern Railroad tracks.~~
  - B. ~~In general, a street network is comprised of streets classified from lower order (local) to higher order (arterials). The spacing of a proper grid pattern has major arterials (Hwys. 97 and 126) spaced at > 2 miles, minor arterials at 1 mile, collectors at 0.25-0.50 mile, and local streets at 660 feet. It is the City standard to adhere to this grid spacing as topography and other existing natural and man-made conditions allow.~~
  - C. ~~All proposed streets, alleys and pedestrian pathways shall connect to other streets within a development and to existing and planned streets outside the development. Streets should serve parks, schools or other public lands within a neighborhood. Local streets shall align and connect with other streets when crossing collectors and arterials.~~
  - D. ~~New local streets should connect with existing local streets and collectors, and in certain special cases arterial streets. Cul-de-sac streets shall be permitted only where no feasible connection with an adjacent street exists, or if the local street connection would be to a higher order street (arterial) and the function of that higher order street may be diminished. If cul-de-sac streets represent more than 10 percent of the total right of way area in a development, the subdivider shall be required to apply for, and receive approval of, a variance to this Code provision.~~
  - E. ~~Special consideration should be given to the location of new local grid and non-grid streets in the City's industrial land use zones to allow for more effective developments.~~
  - F. ~~Special consideration should be given to the location of grid and non-grid streets within 1/4 mile of the Dry Canyon.~~
  - G. ~~Local grid streets may be reduced to 32' within 1/4 mile of the Dry Canyon when alleys are available.~~
  - H. ~~All proposed or required streets and alleys shall comply with Section 8.2465 Access Management Standards, the Transportation System Plan, and with Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan (Amended by City Ordinance 2007-09, effective June 8, 2007).~~

### **8.2705** Blocks, Lots and Parcels.

1. **Blocks.** The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.
  - A. No block shall be more than 660 feet in length between street center lines unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception, and is so approved by the reviewing authority. In MUN, MUE and MULW zones, block lengths shall be an average of 330 feet, except where required to meet grid street or access management requirements.
  - B. The recommended minimum length of a block along an arterial street is 1,320 feet, except that along such blocks, a public right of way for pedestrian and bicycle access shall be dedicated at or nearest the mid-point of the block length as is practical. The right of way shall be a minimum of 10 feet wide, with an all weather surface a minimum of 5 feet wide, constructed and centered within the right of way.
  - C. A block shall have sufficient width to provide for 2 tiers of lots unless topography, the location of adjoining streets, or adjacency to an arterial street justifies an exception.
  - D. Where appropriate at approved cul-de-sacs, dead-ends streets, or along blocks approved at more than the maximum block length standard, pedestrian and bicycle access corridors shall be required to be constructed between lots to minimize travel distance between subdivisions, parks, school, and collector or arterial streets. Access corridors shall be located to provide a reasonably direct connection between likely pedestrian destinations, and shall be consistent with the City of Redmond Bicycle Refinement Plan where applicable. A reasonably direct connection is a route which minimizes out of direction travel for people likely to use the connection considering terrain, safety and likely destination. The Community Development Director or Hearings Body may determine based on evidence in the record that construction of a separate access corridor is inappropriate or impractical. Such evidence may include but is not limited to:
    1. When the nature of abutting existing development makes construction of an access corridor impractical.
    2. When the access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values.
    3. When the access corridor would cross topography where slopes exceed 30% or where path grade would exceed 12% slope; or
    4. When a cul-de-sac or dead-end street abuts rural resource land at the urban growth boundary. In industrial zones, this standard may be waived at the discretion of the Community Development Director or Hearings Body when it is determined that the City's grid street standards should not be applied to the industrial development.
2. **Lots and Parcels.** The size, width, and orientation of newly created lots and parcels shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots and parcels shall be generally rectangular in shape, and shall be consistent with the lot size provisions of the zoning standards and the density requirements as established in the City of Redmond Comprehensive Plan. Notwithstanding these requirements, the following exceptions may apply:

- A. In areas beyond the City Limits where public sewer is not currently available, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and County Sanitarian, and shall be sufficient to permit adequate sewage disposal. Any problems posed by soil structure and water table as related to sewage disposal by septic tank shall be addressed and resolved in the applicant's initial plan.
  - B. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted by the Community Development Director or Hearings Body. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
  - C. In steep terrain, increased lot or parcel sizes may be required to avoid excessive cuts, fills, and steep driveways.
3. Frontage and Access. Each newly created lot and parcel shall abut upon a public street for at least 50 feet, except for lots fronting on the bulb of a cul-de-sac, then the minimum frontage shall be 30 feet. Flag lots shall have no less than 20' of street frontage measured at the property line. Lots created as part of a Planned Unit Development shall meet the same frontage requirements listed herein, except such frontage may be allowed along private streets. Vehicular access shall be provided as specified in Section 8.2820, Access Management Standards, of this Chapter.
  4. Side Lot or Parcel Lines. All side lot lines shall be at right angles to street lines or radial to curved streets wherever practical except as provided for in subsection (10) of this section.
  5. Through/Double Frontage Lots and Parcels. Through lots or parcels, and lots or parcels with double frontage shall be avoided whenever possible, except lots or parcels created adjacent to Collector and Arterial Streets and direct vehicular access to the lot or parcels is not permitted pursuant to Section 8.2820, Access Management Standards, of this Chapter.
  6. Corner Lots and Parcels. Corner lots and parcels shall be 5 feet more in width than other lots and parcels and also shall have sufficient extra width to meet the additional side yard requirements of the zoning district in which they are located.
  7. Special Building Setback Lines. If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.
  8. Large Building Lots; Re-division. In the case where lots or parcels are of a size and shape that future re-division is possible, the Community Development Director or Hearings Body may require that the blocks be of a size and shape so that they may be redivided into building sites, and the development approval and site restrictions may require provisions for the extension and opening of streets at intervals which will permit a subsequent re-division of any tract of land into lots or parcels of smaller sizes than originally platted, and in conformance with the density provisions established in the City of Redmond Comprehensive Plan for the existing or intended Zone. A plan indicating the ability for re-division according to these standards may be required as part of the initial land division process.
  9. Solar Access. As much solar access as feasible shall be provided each lot and parcel in every new subdivision or partition considering topography, development pattern, and existing vegetation. The boundary lines of lots and parcels, as far as feasible, shall be oriented to provide solar access at ground level at the southern building line of the adjoining lot to the north two hours before and after the solar zenith from September

22 to March 21. If it is not feasible to provide solar access to the southern building line the solar access, if feasible, shall be provided at 10 feet above ground level at the southern boundary line two hours before and after the solar zenith from September 22 to March 21, and three hours before and after the solar zenith from March 22 to September 21. This solar access shall be protected by solar height restrictions on burdened properties for the benefit of lots receiving the solar access pursuant to Section 8.0370, of the City of Redmond Development Code, Solar Access Standards. If the solar access for any lot, either at the southern building line or at 10 feet above the southern building line, is not feasible, supporting information may be required with the application.

10. Curvilinear Street and Block Design. Although a basic grid street design with minimum and maximum block lengths are requirements of this section, a curvilinear street/block design is encouraged for the purpose of adding interest to new subdivision development.
11. Flag Lots. A flag lot shall be considered as a "flag lot" if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:
  - A. Flag poles shall be no less than 20' wide.
  - B. Flag lot development, if allowed by the zone, is limited to one duplex or single family dwelling per lot. All zone regulations apply, including the minimum required lot size and setbacks unless setback reductions are allowed as described in (E).
  - C. Each flag lot shall contain a minimum 16' wide paved driveway.
  - D. A flag lot is exempt from the 50 foot street frontage requirement; however a minimum of 20 feet of street frontage is required.
  - E. Front and/or rear yard setbacks may be reduced to no less than 10' subject to review and approval by the Community Development Director. The orientation of any structure (determination of front) may be suggested by the property owner, and is subject to the review and approval of the Community Development Director or designate. The location(s) of all structures immediately adjacent to any flag lot shall be shown on a site plan (1) during planning review and during the act of creating any new flag lot, and (2) during a building permit review for any structure built on a flag lot.
  - F. No flag lot shall be partitioned or further divided.
  - G. The "pole" of the flag lot shall be no longer than 150' measured from the street intersection to the beginning of the base of the flag.
  - H. The "pole" of the flag shall not be included in the minimum lot size calculation.
  - I. Flag lots shall be exempt from street tree requirements unless the street frontage portion of the flag lot is 30' or greater.
  - J. Flag lots are prohibited along or abutting the Dry Canyon Rim.
  - K. Two off-street parking spaces shall be provided for each dwelling unit on a flag lot.

#### **~~8.2410 Blocks.~~**

- ~~1. General. The length, width and shape of blocks shall accommodate the need for adequate building site size and street width and shall be compatible with the limitations of the topography.~~
- ~~2. Size. No block shall be longer than 1000 feet between street lines, except that maximum block length in **MUN, MUE and MULW** zones shall be an average of 330~~

~~feet, except where required to meet grid street or access management spacing standards. Where appropriate at cul-de-sacs, dead-ends streets, or along blocks more than the maximum block length standard, pedestrian and bicycle access corridors may be required to minimize travel distance between subdivisions, parks, school, and collector or arterial streets. Access corridors shall be located to provide a reasonably direct connection between likely pedestrian destinations. A reasonably direct connection is a route which minimizes out of direction travel for people likely to use the connection considering terrain, safety and likely destination. The Hearings Body may determine based on evidence in the record that construction of a separate access corridor is inappropriate or impractical. Such evidence may include but is not limited to:~~

- ~~A. When the nature of abutting existing development makes construction of an access corridor impractical.~~
- ~~B. When the access corridor would cross a natural area with significant natural habitat and construction would be incompatible with protection of natural values.~~
- ~~C. When the access corridor would cross topography where slopes exceed 30% or where path grade would exceed 12% slope; or~~
- ~~D. When a cul-de-sac or dead-end street abuts rural resource land at the urban growth boundary.~~
- ~~E. In industrial zones, this standard may be waived at the discretion of the City Engineer and Community Development Director when it is determined that the City's grid street standards should not be applied to the industrial development.~~

### ~~3. Easements.~~

- ~~A. Utility Easements. Easements shall be provided along property lines when necessary for the placement of underground utilities and to provide the subdivision or partition with electric power, communication facilities, street lighting, sewer lines, water lines, gas lines, or drainage. Such easements shall be labeled "Public Utility Easement" on the tentative and final plat; they shall be at least 12 feet in width and centered on lot lines where possible, unless determined otherwise by the City Engineer or designate. Excepting utility pole guylines easements along the rear of lots adjacent to unsubdivided land may be reduced to 10 feet in width, unless determined otherwise by the City Engineer or designate.~~
- ~~B. Drainage. If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course or in such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses and drainage ways may be required.~~

~~[Section 8.2410 amended by Ord. #2009-03 passed may 26, 2009]~~

~~[Section 8.2410 amended by Ord. #2011-09 passed November 8, 2011]~~

## **8.2405 8.2710 Streets.**

1. General. Streets shall be in conformance with the ~~Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan (Amended by City Ordinance 2007-09, effective June 8, 2007)~~ **City of Redmond Transportation System Plan as specified herein.** The location, width, and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions,

~~public convenience and safety, and the proposed use of land to be served by the streets. The street system shall assure an adequate traffic circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried considering the terrain. The proposed land division shall provide for the continuation of the grid streets existing in the adjoining area or of their proper projection. Where, in the opinion of the Hearings Body, topographic conditions make such continuation or conformity impractical, exception may be made. In cases where the City may adopt a plan or plat of a neighborhood or area of which the proposed land division is a part, the proposed land division shall conform to such adopted neighborhood or area plan.~~

- A. ~~It is City Standard to develop through~~ **Except along Arterial Streets,** public streets at a spacing of approximately **shall be spaced a maximum of 660 feet between centerlines.** The purpose is to provide a street grid pattern of through streets to facilitate traffic movement. Street designs shall conform to topography and other existing natural and man-made conditions. Illustrative examples of other conditions include the dry canyon, main COI canal, Highway 97, and the Burlington Northern Railroad tracks.
- B. ~~In general, a~~ **The** street network is comprised of streets classified from lower order (local) to higher order (arterials). The spacing of a proper grid pattern has major arterials (Hwys. 97 and 126) spaced at  $> 2$  miles, minor arterials at 1 mile, collectors at 0.25-0.50 mile, and local streets at 660 feet. It is the City standard to adhere to this grid spacing as topography and other existing natural and man-made conditions allow.
- C. B. All proposed streets, alleys, **sidewalks, bike lanes** and pedestrian pathways shall connect to other streets, **sidewalks, bike lanes and pedestrian pathways** within a development and to existing and planned streets, **sidewalks, bike lanes and pedestrian pathways** outside the development. **Streets Such facilities shall should serve existing and planned** parks, schools or other public lands within a neighborhood. ~~Local streets shall align and connect with other streets when crossing collectors and arterials.~~
- D. C. **To the maximum extent possible,** ~~N~~**new** local streets ~~should~~ **shall align and** connect with existing local streets and collectors, and in certain special cases arterial streets. Cul-de-sac streets shall be permitted only where no feasible connection with an adjacent street exists, or if the local street connection would be to a higher order street ~~(an arterial)~~ **street** and the function of that higher order ~~the arterial~~ street may be diminished **as determined through the land use review process, or the block length would be less than that which is permitted by Section 8.2705 (1)(B).** If cul-de-sac streets represent more than 10 percent of the total right of way area in a development, the subdivider shall be required to apply for, and receive approval of, a variance to this Code provision.
- E. D. ~~Special~~ **C**onsideration should be given to **alternative street designs other than required herein** the location of new local grid and non-grid streets in the City's industrial **non-residential** land use zones to allow for more effective developments. **Such designs may be considered and approved during the subdivision or partition process without need for variance.**
- F. ~~Special Consideration should be given the location of grid and non-grid streets within 1/4 mile of the Dry Canyon.~~
- G. ~~Local grid streets may be reduced to 32' within 1/4 mile of the Dry Canyon when alleys are available.~~

- ~~H. E.~~ E. All proposed or required streets and alleys shall comply with Section 8.2465820 Access Management Standards, the Transportation System Plan, and with Local Street Connectivity Plans adopted as part of the transportation element of the Comprehensive Plan (Amended by City Ordinance 2007-09, effective June 8, 2007).
- ~~2.~~ Future Re-division. Where a tract is divided into lots or parcels of an acre or more the Hearings Body may require an arrangement of lots and streets such as to permit future re-division in conformity to the street requirements and other requirements contained in these standards.
- ~~3.~~ 2. Existing Streets. Whenever existing streets, adjacent to or within a tract, are of inadequate width to accommodate the increase in traffic expected from the land division or by the City's transportation policies **as determined through a transportation impact analysis**, additional right-of-way shall be provided at the time of the land division by the applicant. During consideration of the tentative plat for the subdivision or partition, the Hearings Body shall determine whether the improvements to existing streets, adjacent to or within the tract, are required. If so determined, such improvements shall be required as a condition of approval of the tentative plat. Improvements to adjacent streets shall be required where traffic on said streets shall be directly affected by the proposed subdivision. **Notwithstanding these provisions, off-site improvements to streets not within or adjacent to the development may be required when impacts resulting from the development necessitate such improvements as demonstrated through a transportation impact analysis.**
4. 3. Minimum Right-of-Way and Roadway Width. The street right-of-way and roadway surfacing widths shall be in conformance with ~~standards and specifications set forth in the current edition of the Public Works Standards and Specifications of the City of Redmond~~ the City of Redmond Transportation System Plan as specified in Table 1, below:

Table 1 - City of Redmond **Right of Way and Roadway Cross-Section Standards**

Functional Class	Width (ft)			Travel Lanes	Sidewalks	Bike Lanes**	Parking**
	Pavement standard	Pavement (minimum)*	Right of Way*				
Local Residential Grid	36 ft	28/32 ft	60 ft	2***	5 ft.	shared	both sides (unstriped)
Local Industrial	40 ft	38 ft	60 ft	2***	5 ft.	shared	optional (unstriped)
Industrial Collector	40 ft	38 ft	80 ft	2	5 ft.	6 ft.	none
Minor Collector	40 ft	36 ft****	60 ft	2	5 ft.	shared	both sides (8 ft)
Major Collector	36-50 ft	36 ft****	80 ft	2	5 ft.	6 ft.	none
Minor Arterial (3-lane)	50 ft	48 ft	100 ft	3	7 ft.	6 ft.	none
Minor Arterial (5-lane)	74 ft	72 ft	100 ft	5	7 ft.	6 ft.	none

**Notes:**

\*The standard paved width for a residential street in the local grid is 36' in 60' ROW. Two reduced cross-sections that can be approved through an annexation agreement only. These are:

Reduced Local 1: 32' in 50' ROW (with 5' utility easements on each side)

Reduced Local 2: 28' in 40' ROW (with 10' utility easements on each side - used in conjunction with alleys adjacent to single family residential only)

\*\* In certain cases, bike lanes may be reduced to 5 ft, parking may be reduced to 7 ft, and travel lanes to 11 ft at the discretion of the City Engineer

\*\*\* Unstriped travel lanes

\*\*\*\* 36 ft in existing built-out areas

- ~~5.~~ Reserve Strips. Reserve strips controlling access to streets shall be required when deemed necessary by the Hearings Body. Deeds for reserve strips shall be filed with

- ~~the final plat. Reserve strips shall be lettered in sequence beginning with lot "A".~~
- ~~6.~~ 4. Future Extension of Streets. When necessary to give access to or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary of the subdivision or partition and the resulting dead-end streets may be approved without a permanent turn around if they are 150 feet or less in length, although, an adequate temporary turn around to ensure emergency vehicle access must be provided if such streets are greater than 150 feet in length. ~~Reserve strips shall be required to preserve the objective of street extensions.~~
- ~~7.~~ 5. ~~Frontage Roads~~ Collector and Arterial Street Access. Notwithstanding the provisions of Section 8.2705 of this Chapter, if a land division abuts or contains an existing or proposed collector or arterial street, the Community Development Director or Hearings Body may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatments, including but not limited to frontage roads, necessary for adequate protection of residential properties and to afford separation of through and local traffic. Provision may be made for emergency access. All frontage roads shall comply with current edition of the Public Works Standards and Specifications of the City of Redmond Transportation System Plan.
- ~~8.~~ 6. Streets Adjacent to Railroads, Freeways and Parkways. When the area to be subdivided or partitioned ~~adjoins or contains~~ is residentially zoned and abuts a railroad, freeway, or parkway, a provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for use of the land between the street and railroad, freeway and or parkway. In the case of a railroad, there shall be a land strip of not less than 25 feet in width adjacent and along the railroad right-of-way for screen planting between the railroad right-of-way and residential property. If the intervening property between such parallel streets and a freeway or a parkway is less than 80 feet in width, such intervening property shall be dedicated to park or thoroughfare use. The intersections of such parallel streets, where they intersect with streets that cross a railroad, shall be determined with due consideration as cross streets of a minimum distance required for approach grades to a future grade separation and right-of-way widths of the cross street.
- ~~9.~~ 7. Continuation of Streets. Subdivision or partition streets which constitute the continuation of streets in contiguous territory shall be aligned so that their center lines coincide. Where straight line continuations are not possible, such center lines shall be continued as curves. These streets or the continuation of streets in contiguous territory may be required by the Community Development Director or Hearings Body where such continuation is necessary to maintain the function of the street or desirable in the surrounding area. Where solar orientation would not be possible if the street area continued, a new pattern may be started that is solar oriented.
- ~~10.~~ 8. Street Lot Layout. Local residential streets should be oriented on an east/west axis to the greatest possible extent to insure solar access for lots within the subdivision or partition.
- ~~11.~~ 19. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street in a nearby city or in the county. Street names and numbers shall conform to the established pattern in the City, including the continuation of street names across intersecting streets, and shall be subject to the approval of the Fire Department or the responsible agency.
- ~~12.~~ 10. Sidewalks. Sidewalks are required to be installed on both sides of a public street and in any special pedestrian way within the subdivision or partition except that in the case of collectors, arterials, special industrial districts or in steep terrain, the Hearings Body

may approve a subdivision or partition without sidewalk if alternative pedestrian routes are available **or provided by the developer**. ~~In the case of streets serving residential areas having single-family dwellings located on lots equivalent to two and one-half or fewer dwellings per acre, the requirement of sidewalks shall not apply, provided there is no evidence of regular pedestrian activity along the streets involved.~~ Sidewalks may **shall** be required along routes to existing or future school and park sites.

- ~~13.~~ **11.** Bicycle Routes. If appropriate to the extension of a system of bicycle routes, existing or planned **pursuant to the City of Redmond Bicycle Refinement Plan, the Community Development Director or** Hearings Body may require the installation of separate bicycle lanes within streets and/or separate bicycle paths.
- ~~14.~~ **12.** Intersection Angles. Street intersections shall be as near right angles as possible except where topography or existing conditions requires a lesser angle, but in no case shall the acute angle be less than as permitted by **the adopted City of Redmond Public Works** Standards and Specifications.
- ~~15.~~ **13.** Alignment. Staggered street alignment shall whenever possible leave a minimum of 200 feet distance between the center line of the streets, but in no case be less than as permitted by Standards and Specifications.
- ~~16.~~ **14.** Local Residential Non-Grid **Narrow** Streets. Local residential non-grid streets may be reduced to the narrow street standard provided for in the Public Works Standards and Specifications when approved as part of a Master Plan through the Subdivision or Planned Unit Development process and **grid streets designed at widths less than 36 feet as described in Section 8.2710 (3) (Table 1), shall be permitted when the subdivision design is** found to be in compliance with the following:
- A. Narrow streets may only be permitted for continuous full length blocks internal to a Subdivision or Planned Unit Development with street connections at both ends.
  - ~~B. All abutting structures shall be limited to residential uses.~~
  - ~~C. Residential structures shall be set back no more than 15' from the front property line and comply with all other Development code setback requirements.~~
  - ~~D. Garages shall be setback a minimum of 20' from the front property line.~~
  - ~~E. Garages shall be required and sized to accommodate a minimum of 2 cars. Garages on reduced-width streets shall have a minimum driveway length of 20' unless served by a rear alley.~~
  - F. B.** Lots adjoining the narrow streets shall be a minimum of 5000 square feet and have a street minimum 50 feet of frontage.
  - G. C.** Sidewalks shall be separated from the curb by a landscape strip with street trees conforming with Public Works Standards and Specifications.
  - H. D.** Curb cuts along the narrow street shall not be less than the minimum width required within **the adopted City of Redmond** Public Works Standards and Specifications.
  - ~~E. Fire Department approval verifying that the Master Plan and its phases meets the requirements of the Uniform Fire Code. (Added 2/98)~~

~~**8.2415 Lots and Parcels - Size and Shape.** The size, width, and orientation of newly created lots and parcels shall be appropriate for the location of the land division and for the type of development and use contemplated, and shall be consistent with the lot size provisions of the zoning standards, with the following exceptions:~~

- ~~1. In areas beyond the City Limits that are not to be served by a public sewer, minimum lot and parcel sizes shall permit compliance with the requirements of the Department of Environmental Quality and County Sanitarian, and shall be sufficient to permit adequate sewage disposal. Any problems posed by soil structure and water table as related to sewage disposal by septic tank shall be addressed and resolved in the applicant's initial plan.~~
- ~~2. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted by the Hearings Body. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.~~
- ~~3. In steep terrain, increased lot or parcel sizes may be required to avoid excessive cuts, fills, and steep driveways.~~

#### ~~8.2420 Lots and Parcels - General Requirements.~~

- ~~1. Frontage. Each newly created lot and parcel shall abut upon a street or an officially approved way other than an alley for at least 50 feet, except for lots fronting on the bulb of a cul-de-sac, then the minimum frontage shall be 30 feet. Flag lots shall have no less than 20' of street frontage measured at the property line.~~
- ~~2. All side lot lines shall be at right angles to street lines or radial to curved streets wherever practical except as provided for in subsection (5) of this section.~~
- ~~3. Through lots or parcels, and lots or parcels with double frontage, should be avoided except where they are essential to provide separation of residential development from major street or adjacent nonresidential activities to overcome specific disadvantages of topography and orientation. A planting screen easement of at least 10 feet in width and across which there shall be no right of access may be required along the lines of lots abutting such a traffic artery or other incompatible use.~~
- ~~4. Corner lots and parcels shall be 5 feet more in width than other lots and parcels and also shall have sufficient extra width to meet the additional side yard requirements of the zoning district in which they are located.~~
- ~~5. Solar Access. As much solar access as feasible shall be provided each lot and parcel in every new subdivision or partition considering topography, development pattern, and existing vegetation. The lot lines of lots and parcels, as far as feasible, shall be oriented to provide solar access at ground level at the southern building line two hours before and after the solar zenith from September 22 to March 21. If it is not feasible to provide solar access to the southern building line the solar access, if feasible, shall be provided at 10 feet above ground level at the southern boundary line two hours before and after the solar zenith from September 22 to March 21, and three hours before and after the solar zenith from March 22 to September 21. This solar access shall be protected by solar height restrictions on burdened properties for the benefit of lots receiving the solar access. If the solar access for any lot, either at the southern building line or at 10 feet above the southern building line, is not feasible, supporting information may be required with the application.~~
- ~~6. Underground Utilities. All permanent utility service and minor power transmission lines that are within or immediately adjacent to lots in a subdivision or parcels in a partition shall be provided from underground facilities unless otherwise approved by the CDD Director or Hearings Body. The subdivider or partitioner or developer shall be responsible for complying with requirements of this section and shall:~~

- ~~A. Obtain a permit from the Public Works Director or designee for placement for all underground utilities within the public right-of-way.~~
- ~~B. Make all necessary arrangements with the utility companies and other persons or corporations affected by the installation of such underground utilities and facilities in accordance with rules and regulations of the Public Utility Commission of the State of Oregon.~~
- ~~C. All underground utilities, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of such streets to the extent practicable and sanitary sewers shall be placed to such length as will negate the necessity for disturbing the street improvements when service connections are made.~~
- 7. ~~Flag Lots. A flag lot shall be considered as a "flag lot" if the pole of the flag lot is less than half the width of the average lot width. For flag lots, the following shall be required:~~
  - ~~L. Flag poles shall be no less than 20' wide.~~
  - ~~M. Flag lot development, if allowed by the zone, is limited to one duplex or single family dwelling per lot. All zone regulations apply, including the minimum required lot size and setbacks unless setback reductions are allowed as described in (e).~~
  - ~~N. Each flag lot shall contain a minimum 16' wide paved driveway.~~
  - ~~O. A flag lot is exempt from the 50 foot street frontage requirement; however a minimum of 20 feet of street frontage is required.~~
  - ~~P. Front and/or rear yard setbacks may be reduced to no less than 10' subject to review and approval by the Community Development Director. The orientation of any structure (determination of front) may be suggested by the property owner, and is subject to the review and approval of the Community Development Director or designate. The location(s) of all structures immediately adjacent to any flag lot shall be shown on a site plan (1) during planning review and during the act of creating any new flag lot, and (2) during a building permit review for any structure built on a flag lot.~~
  - ~~Q. No flag lot shall be partitioned or further divided.~~
  - ~~R. The "pole" of the flag lot shall be no longer than 150' measured from the street intersection to the beginning of the base of the flag, and the "pole" shall not be included in the minimum lot size calculation.~~
  - ~~S. Flag lots shall be exempt from street tree requirements unless the street frontage portion of the flag lot is 30' or greater.~~
  - ~~T. Flag lots are prohibited in commercial and industrial partitions and subdivisions.~~
  - ~~U. Flag lots are prohibited along or abutting the Dry Canyon Rim.~~
  - ~~V. Two off-street parking spaces shall be provided for each dwelling unit on a flag lot.~~

**8.2425 8.2715 General Provisions. Fundamental Design Elements.**

1. Lighting. The subdivider or partitioner shall provide underground wiring to the City standards and a base for any proposed ornamental street lights at locations approved by the affected utility company.
2. ~~Fire Hazards~~ **Multiple Access Points.** Whenever possible, a minimum of two points of access to the subdivision or partition shall be provided to provide assured access for emergency vehicles and ease resident evacuation.

3. Street Tree Planting. Street trees shall be planted at a ratio of one tree per newly created lot within a subdivision. Trees shall be planted within 30' of a curb on each lot, and shall be a species and size consistent with RDC section 8.3035 (4)(k), "Street Trees".
4. Water/Sewer. All subdivisions and partitions shall provide water and sewer lines constructed to City standards and specifications approved by the City Engineer. All lots or parcels shall be served from the City of Redmond water and sewer systems or by water and sewer systems acceptable to the City. Water and sewer mains and service lines shall be installed prior to the curbing and paving of new streets in all new subdivisions or partitions.
5. Underground Utilities. All permanent utility service and minor power transmission lines that are within or immediately adjacent to lots in a subdivision or parcels in a partition shall be provided from underground facilities unless otherwise approved by the CDD Director or Hearings Body. The subdivider or partitioner or developer shall be responsible for complying with requirements of this section and shall:
  - A. Obtain a permit from the Public Works Director or designee for placement for all underground utilities within the public right-of-way.
  - B. Make all necessary arrangements with the utility companies and other persons or corporations affected by the installation of such underground utilities and facilities in accordance with rules and regulations of the Public Utility Commission of the State of Oregon.
  - C. All underground utilities, water lines, sanitary sewer lines and storm drains installed in streets shall be constructed prior to the surfacing of such streets to the extent practicable, and water and sanitary sewer service lines shall be placed to such lengths as will negate the necessity for disturbing the street improvements when service connections are made.
6. Preservation of Natural Features. Existing trees, vegetation and natural features (i.e. rock outcrops) add character to the development and shall be preserved to the greatest extent practicable. All trees over 8 inches d.b.h shall be noted and shown on the tentative plat.
7. Scenic Views. Significant views shall be taken into consideration during subdivision design. The establishment of view corridors, building envelopes, building height restrictions or similar methods shall be employed for the retention and protection of views from individual lots and from public spaces to the greatest degree practicable as determined through the land use review process. Such measures shall be shown on the final plat and included in deed restrictions.
8. Land for Public Purposes.
  - A. If the City has an interest in acquiring a portion of a proposed development for a public purpose, it shall notify the property owner as soon as the City Council authorizes the transaction to proceed.
  - B. Within a development, or adjacent to a development in contiguous property owned by the developer, a parcel of land of not more than 5% of the gross area of the development may be required to be set aside and dedicated to the public for parks and recreation purposes by the developer. The parcel of land, if required, shall be determined to be suitable for the park and/or recreation purpose(s) intended, and the city may require the development of the land for the park or recreation use intended or identified as a need within the community.
  - C. In the event no such area is available that is found to be suitable for parks and/or recreation uses, the developer may be required, in lieu of setting aside

land to pay to the appropriate parks and recreation agency a sum of money equal to the market value of the area required for dedication, plus the additional funds necessary for the development thereof if so required; if such is required, the money may only be utilized for capital improvements by the appropriate parks and recreation agency.

- D. The foregoing land and development or money dedication (if required) may be provided for in lieu of an equal value of systems development charge assessment for parks if so approved by the collecting agency in accordance with the applicable provisions of the system development charge ordinance. If the collecting agency will not permit the land or money dedication in lieu of an applicable systems development charge, then the land and development or money dedication shall not be required.
  - E. If the nature and design, or approval, of a development is such that over 30% of the tract of land to be developed is dedicated to public uses such as streets, water or sewer system facilities and the like, then the requirements of this subsection shall be reduced so that the total obligation of the developer to the public does not exceed 30%.
9. Easements.
- A. Utility Easements. Easements shall be provided along property lines when necessary for the placement of underground utilities and to provide the subdivision or partition with electric power, communication facilities, street lighting, sewer lines, water lines, gas lines, or drainage. Such easements shall be labeled "Public Utility Easement" on the tentative and final plat; they shall be at least 12 feet in width and centered on lot lines where possible, unless determined otherwise by the City Engineer or designate. Excepting utility pole guyline easements along the rear of lots adjacent to unsubdivided land may be reduced to 10 feet in width, unless determined otherwise by the City Engineer or designate.
  - B. Drainage. If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course or in such further width as will be adequate for the purpose. Streets or parkways parallel to major water courses and drainage ways may be required.

**8.2430 8.2720 Grading of Building Sites.** Grading of building sites shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

1. Cut slope ratios shall not exceed one foot vertically to one and one-half feet horizontally.
2. Fill slope ratios shall not exceed one foot vertically to two feet horizontally.
3. The composition of soil for fill and the characteristics of lots and parcels made useable by fill shall be suitable for the purpose intended.
4. When filling or grading is contemplated by the subdivider or partitioner, they shall submit plans showing existing and finished grades for the approval of the City Engineer. In reviewing these plans, the City Engineer shall consider the need for drainage and effect of filling an adjacent property. Grading shall be finished in such a manner as not to create steep banks or unsightly areas to adjacent property.

5. Any land that requires engineered fill shall be so noted on the plat. Design and placement of engineered fill shall be under the direction of a licensed professional engineer

~~8.2435 **Special Setbacks.** If special building setback lines are to be established in a subdivision or partition, they shall be shown on the tentative plat and final plat and included in the deed restrictions.~~

### **IMPROVEMENTS SUPPLEMENTARY PROVISIONS**

**8.2440 8.2800 Improvement Procedures.** In addition to other requirements, **public or private** improvements to be installed by the applicant either as a requirement of these standards or other applicable regulations or at his own option, shall conform to the requirements of this article:

1. Plan Review and Approval. Improvement work shall not be commenced until plans thereof have been reviewed and approved by the **Community Development Director or** Hearings Body or a designated representative thereof. To the extent necessary for evaluation of a proposed development, such improvement plans may be required before approval of the tentative plat or preliminary map or drawing.
2. **Public** Improvements as Platted. **Public** improvements shall be designed, installed and constructed as platted and approved **by the City Engineering Division**, and plans ~~therefore~~ shall be filed with the final plat at the time of recordation or upon completion.
3. Inspection. Improvements shall be constructed under the inspection and approval of a city Inspector. Expenses incurred thereby shall be borne by the applicant/owner. The inspector may require changes in sections and details of the improvements if unusual conditions arise during construction to warrant such changes.
4. As-Built Plans. A map showing **the completed** public improvements shall be filed with the Community Development Department upon completion of the improvements.

**8.2445 8.2805 Improvements in Partitions.** The same improvements may be required to be installed to serve each building site of a partition as are required of a subdivision.

**8.2450 8.2810 Acceptance of Improvements.** Improvements shall be considered for acceptance after **final** inspection, ~~at the time~~ **after** the improvements ~~are constructed~~ **have been completed**.

### **SUPPLEMENTARY PROVISIONS**

**8.2815 Transportation Impact Analysis.** It shall be the burden of the developer to evaluate transportation system impacts through studies prepared by a qualified registered professional engineer. When a transportation impact analysis is required it must demonstrate that the following standards are met:

1. The standard of measurement that will determine the acceptability of traffic flow on City streets will be a delay-based level of service as defined by the Highway Capacity Manual, Special Report 209, Third Edition (2000 update or subsequent document updates) published by the Transportation Research Board. The determination of LOS shall be calculated by a methodology that is approved by the City Engineer. The acceptable standard of LOS for City streets shall be LOS E during the peak 15 minutes of the peak hour of the average weekday. A lesser standard shall be acceptable at unsignalized intersections with low volume minor street approaches if the volume-to-capacity ratio is less than 0.90 and the 95<sup>th</sup> percentile vehicle queue is less than four vehicles during the peak hour.
2. The Average Daily Traffic (ADT) volume of Local Street roadways within the City of Redmond shall be less than 1,200 vehicles per day (VPD). Developments which add vehicle trips to Local Streets with an ADT greater than 1,200 VPD may be asked to provide mitigation in the form of additional access to the site, when in the opinion of

the City Engineer, the residential livability is degraded by excessive local street traffic volume.

3. New development that will cause degradation below those levels shall be required to provide mitigating transportation system improvements that will restore the LOS to the accepted standard, as is practical, as determined by the City Engineer and pursuant to the adopted City of Redmond Transportation System Plan. Where there are impacts to the State Highways, the City and ODOT shall work cooperatively to determine appropriate courses of action based on ODOT and City standards.

#### ~~8.2460~~ Traffic Impact Analysis (TIA)

- ~~3.~~ 4. The following vehicle trip generation thresholds shall determine the level and scope of transportation analysis required for a new or expanded development. Trip ends shall be calculated as per the Institute of Transportation Engineers manual, Trip Generation, 6<sup>th</sup> edition (or subsequent document updates), or local trip generation studies prepared by a qualified registered professional engineer and approved by the City Engineer. The City Engineer shall determine when a TIA has satisfied the requirements of the development's impact analysis. The TIA shall bear the stamp and signature of a qualified registered professional Engineer with a license valid in the State of Oregon.
  - A. If a proposed development will generate 200 or more daily trip ends, or 20 or more p.m. peak hour trip ends, then a Transportation Impact Analysis (TIA) shall be required.
  - B. Projects that generate less than 200 daily or 20 p.m. peak hour trip ends may also be required to provide a Transportation Impact Analysis (TIA) when, in the opinion of the City Engineer or his/her designee, significant capacity and/or safety problem is caused, or adversely impacted by the development. The City Engineer or designee, shall determine the scope of this analysis.
  - C. A development may be required to provide a Trip Generation Report for developments which generate less than 200 daily or 20 p.m. peak hour vehicle trips.
- ~~2.~~ 5. The impact analysis area shall include at a minimum, the following intersections:
  - A. All site access intersections
  - B. Nearest intersecting collector or arterial street upstream and downstream of the development.
  - C. Any other collector or arterial street intersection that would experience an increase of 25 additional peak hour trips.
  - D. Additional intersections requested by staff **on the basis of anticipated impacts resulting from the development.**
- ~~3.~~ 6. The analysis shall include the following study time frames:
  - A. Existing conditions.
  - B. Completion year of each significant phase of development.
  - C. Five year forecast beyond final phase.
4. 7. The following Tables are required in the TIA:
  - A. Trip Generation (including phase breakdown if applicable)
  - B. LOS Table (LOS for every analysis scenario at every study area intersection. Report LOS, delay, v/c ratio, 95% vehicle queue, and any additional pertinent analysis results)
- ~~5.~~ 8. The following Figures are required in the TIA:
  - A. Vicinity Map
  - B. Site or Tentative Plan Map

- C. Background Traffic Volumes (all study intersections, all analysis years)
- D. Trip Distribution and Assignment
- E. Background + Site Generated Traffic Volumes (all study intersections, all analysis years)
- 6. 9. Other Analysis Standards (as required by the study)
  - A. Signal Warrants shall be performed where applicable per the Manual on Uniform Traffic Control Devices, current edition.
  - B. Left Turn Lane Warrants shall be provided where applicable per ODOT criteria based on the Texas Transportation Institute (TTI) curves.
  - C. Right Turn Lane Warrants shall be provided where applicable per ODOT criteria.
  - D. The acceptability of sight distance at all study area intersections shall be determined per AASHTO (current edition) standards.
  - E. Traffic signal progression analysis may be required if a new signal is proposed. The City Engineer shall approve the method of traffic signal progression analysis.
  - F. Roadway improvements are to be based on the City of Redmond Standards and Specifications and ODOT design standards.

~~8.2465~~ **8.2820** ~~City of Redmond~~ **Access Management Standards.** All land divisions shall be in compliance with the following standards.

1. Driveway spacing and corner clearance as follows:

Roadway Classification	Minimum Access Driveway Spacing	Minimum Access Clearance to Corner	Intersection Spacing (Min.)
Local Street	No restrictions	30 feet	165 feet
Minor Collector	<del>80</del> 50 feet	80 feet	330 feet
Major Collector	165 feet	165 feet	330 feet
Minor Arterial	330 feet	330 feet	¼ mile
Major Arterial	ODOT Stds	ODOT Stds	ODOT Stds

2. In all instances, access near an intersection shall be located beyond the influence of standing queues and opposing left turns sharing a continuous two-way left turn lane. This requirement may result in greater corner clearance or access spacing than the minimum distance indicated.
3. Every lot or parcel shall be permitted an access. In the event that the access management standards cannot be achieved, shared access with adjacent property shall be explored and provided where available.
4. Access shall be taken from the lower order street or alley unless otherwise approved by Public Works and/or ODOT through the land use process.
5. Unless adequate demonstration of site necessity, intersection safety and functionality **is provided, through the land use review process, new** lots, parcels and/or developments will be limited to a single **vehicular** access ~~as determined by Public Works through the land use process.~~
6. The access management standards apply to new development, redevelopment, subdivision and partitioning of land.

7. Corner clearance is measured from the edge of right-of-way to the nearest edge of access. Spacing is measured from centerline of access/ intersection to centerline of access/intersection.
8. Adequate intersection sight distance and clear zone shall be maintained at all access/driveway locations per AASHTO standards (American Association of State Highway and Transportation Officials).
9. Access/driveway locations may require alignment with existing driveways on the opposite side of the roadway as determined by Public Works.
10. Public Works may require supporting information, including but not limited to traffic count data, trip generation, trip distribution, Transportation Impact Analysis study, etc., in order to make a proper determination of access/driveway location.
11. Access within the North Redmond US 97 Interchange Area Management Plan (IAMP) shall also conform to the "North Redmond US 97 Interchange Area Management Plan (IAMP)" provisions of Chapter 9 Transportation Element of the Comprehensive Plan Addendum and Policy 12 n of Chapter 14 of the Comprehensive Plan. ~~(Amended by City Ordinance 2007-09, effective June 8, 2007)~~

~~**8.2470 Transportation Impact Analysis.** It shall be the burden of the developer to evaluate transportation system impacts through studies prepared by a qualified registered professional engineer. When a transportation impact analysis is required it must demonstrate that the following standards are met:~~

- ~~1. The standard of measurement that will determine the acceptability of traffic flow on City streets will be a delay based level of service as defined by the Highway Capacity Manual, Special Report 209, Third Edition (2000 update or subsequent document updates) published by the Transportation Research Board. The determination of LOS shall be calculated by a methodology that is approved by the City Engineer. The acceptable standard of LOS for City streets shall be LOS E during the peak 15 minutes of the peak hour of the average weekday. A lesser standard shall be acceptable at unsignalized intersections with low volume minor street approaches if the volume-to-capacity ratio is less than 0.90 and the 95<sup>th</sup> percentile vehicle queue is less than four vehicles during the peak hour.~~
- ~~2. The Average Daily Traffic (ADT) volume of Local Street roadways within the City of Redmond shall be less than 1,200 vehicles per day (VPD). Developments which add vehicle trips to Local Streets with an ADT greater than 1,200 VPD may be asked to provide mitigation in the form of additional access to the site, when in the opinion of the City Engineer, the residential livability is degraded by excessive local street traffic volume.~~
- ~~3. New development that will cause degradation below those levels shall be required to provide mitigating transportation system improvements that will restore the LOS to the accepted standard, as is practical, as determined by the City Engineer. Where there are impacts to the State Highways, the City and ODOT shall work cooperatively to determine appropriate courses of action based on ODOT and City standards.~~

### **STREET DEDICATIONS**

~~**8.2500**~~ **8.2825 Street Dedications. Application.** Any person desiring to create a street not part of a subdivision or partition shall make written application to the Community Development Department.

1. **Application.** Said application shall be accompanied by the required information and appropriate filing fee. **In cases where such dedication would have the effect of creating a land division, the dedication shall be treated as a new subdivision or partition as applicable.**
- 8.2505 2. Minimum Design Standards.** The minimum standards of design and improvements for the dedication of a street shall be in compliance with **the City of Redmond** Public Works Standards and Specifications and all other applicable street standards and regulations **as specified in Section 8.2710.**
- 8.2540 3. Procedure.**
  - A. Upon receipt of written application and appropriate filing fee for street dedication, the Community Development Director shall refer the proposal to the City Engineer or designee for review and recommendation.
  - B. The City Engineer shall report his findings and recommendations regarding the proposed dedication to the Community Development Director.
  - C. Upon receipt by the Community Development Director of written findings and recommendations from the City Engineer, the proposal shall be submitted to the City Council for a public hearing.
  - D. The only notice required for a hearing under this section shall be by publication.
  - E. Following the hearing, the Council may accept or reject the proposed dedication.

### **ADMINISTRATIVE PROVISIONS**

- ~~**8.2600 Form of Petitions, Applications and Appeals.** Petitions, applications and appeals provided for in these standards shall be made on forms prescribed by the City.~~
- ~~**8.2605 Hearings.** Hearings, appeals and review shall comply with the provisions of the City of Redmond's land use procedures.~~
- 8.2640 8.2830 Variances.**
1. **Major Variance.** Upon application, the **Community Development Director or** Hearings Body may authorize variances from **these the standards of this Chapter pursuant to the criteria listed below** if, ~~because of special and unusual circumstances relating to the subject property, the literal application of these standards would cause undue hardship,~~ the applicant **must can** establish:
    - A. That special conditions exist which are peculiar to the subject property **and which are not applicable to other properties in the same zone** which make conformance to these standards impractical.
    - B. That the variance is the minimal deviance from these standards needed to accomplish the objective.
    - C. That the varied requirement(s) will conform to the purpose and objectives of the Comprehensive Plan and of these standards and will have no adverse impact on surrounding properties or on the provision of general urban services in the area.

- D. That strict interpretation of these standards would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of these standards.
  - E. That the special conditions and circumstances do not result from actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.
2. Minor Variance. A minor variance under this Chapter shall be no greater than 25% of the requirements from which the variance is sought. Upon application, the Community Development Director or Hearings Body may authorize variances from the standards of this Chapter pursuant to the criteria listed below if the applicant can establish:
- A. More efficient use of the site.
  - B. Preservation of natural features where appropriate
  - C. Adequate provision of light, air and privacy to adjoining properties.
  - D. Adequate access.
  - E. That the variance will have minimal adverse impact on the livability, value or development potential of abutting properties and the surrounding area.
  - F. Consistency with the overall objectives of the Comprehensive Plan.
- ~~2.3.~~ The Community Development Director or Hearings Body may attach such conditions to any variance granted that will insure the variance meets the objectives of the Comprehensive Plan and of these standards and does not have an adverse impact on surrounding properties or on the provision of general urban services in the area.

### **GENERAL PROVISIONS**

- ~~8.2700 Penalties.~~ Violation of any provision of these standards is a Class A Civil Infraction and shall be enforced through the Redmond Civil Infraction procedure.
- ~~8.2705 Violation Declared a Nuisance.~~ A land division or use in violation of these standards is hereby declared a nuisance.
- ~~8.2710 Civil Relief.~~ When any real property is or is proposed to be used, transferred, sold or disposed of in violation of these standards, the Community Development Director, designee, or any person whose interest in the property is or may be affected by the violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or set aside such use, transfer, sale, disposition, offer, negotiation or agreement.
- ~~8.2715 Administration of Standards.~~ It shall be the duty of the Community Development Director or designated representative to administer and enforce the provisions of these standards in such a way as to carry out its intent and purpose.
- ~~8.2720 Severability.~~ If any section, subsection, sentence, clause or phrase of these standards is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these standards.

## Attachment C

### Local Residential Street Requirements

#### 1. General Information

- All cities required sidewalks on both sides of the street, varying from 4' to 6' in width (most common was 5' sidewalk width)
- Most cities specified that landscape strips separating curb from sidewalk were required. Some cities did not specify, but did not explicitly prevent separated landscape strips.
- Separate/striped bike lanes were not required for local streets in any communities.
- many of the right of way widths (especially those less than 60' required easements on either side for utilities and access if sidewalks allowed in the easement area.

#### 2. Central Oregon Communities (E) - Existing; (P) - Proposed

City	R-O-W Width	Pavement Width	Parking	Alley (allowed)
Redmond (E)	60'	36'	both	not specific
(E)	40'/50' *	28'/32'*	both	yes*
(P)	60'	36'	both	no
(P)	40'/50' *	28'/32'*	both	yes*
Bend	60'	24'/28'/32'	no/one/both	yes/20'(20')
La Pine	60'	24'/28'/32'	no/one/both	yes/20'(20')
Madras (E)	50'-60'	32'-36'	both	no info
(P)	54'	31'	both	no info
Sisters	38'-52'	28'-30'	one	no info
	44'-58'	34'-36'	both	no info
Prineville	60'	36'	both	yes/20'(16')
	60'	28'	y- not w/in 40' of d/w	yes/20'(16')

\* Subject to annexation agreement for areas outside City limits, in UGB expansion area only (when annexed) – with alleys required when 28' streets created.

#### 3. Oregon Communities – Population 15,000 to 35,000 (the communities of Klamath Falls, Milwaukie and West Linn, which have populations which fall within this range, are not included in the ensuing table due to lack of available information)

City	R-O-W Width	Pavement Width	Parking	Alley (allowed)
Central Point	52'/60'	28'/36'	one/both	no info
Forest Grove	50'/54'/58'	24'/28'/32'**	one/both/both**	no info
	50'	15'***	no	no info

## Attachment C

City	R-O-W Width	Pavement Width	Parking	Alley (allowed)
Keizer	35'/42'-48'	28'/30'-34'	one/both	private-16'
Lebanon	50'/56'	28'/34'	one/both	yes 16'/20'
McMinnville	no info****	28'****	both****	yes/tbd****
Newberg	54'-60'	32'	both	yes
	44'-50'	28'	both	yes
	40'-46'	24'	one	yes
	36'-42'	20'	no	yes
Oregon City	54'	32'	both	yes/20'(16')
Pendleton	60'	36'	both	yes/18'(12')
	60'	34'	both	yes/18'(12')
	60'	32'(*)	one	yes/18'(12')
	50'	30'(*)	one	yes/18'(12')
	50'	28'(*)	one	yes/18'(12')
	50'	24'(*)	one	yes/18'(12')
	50'	20'(*)	no	yes/18'(12')
Roseburg	60'	20'/26'-28'/34'-36'	no/one/both	no info
Sherwood	52'/64'	28'/36'	one/both	yes/25'(24')
Troutdale	50'	32'	both	no info
Tualatin	46'/50'	24'/32'	no	no info
Woodburn	50/50/60	24/29/34	no/one/both	no info
Wilsonville	47'/51'	28'/32'	one/both	yes

\*\* 28' and 24' streets cannot exceed a block length of 330 feet. 24' streets are limited to parking on one side

\*\*\* 15' streets are permitted to preserve natural features/excessive cut/fill. One-way only with no parking.

\*\*\*\* The street standards are based upon complete street principles. Right of way and street widths can be further determined through the land use review process. Requires developer to propose/provide emergency and fire vehicle access. No parking within 60 feet on a local residential street intersection.

(\*) Additional off street parking must be provided.