

## Chapter 16.02 - Minimum Improvements and Design Standards for Land Divisions

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**16.02.010 Purpose and general provisions.** All land divisions shall be in conformance with the design standards established by this chapter and with applicable standards in the city's

public facility master plan and public works design standards. In reviewing applications for land divisions, the decision maker shall take into consideration any approved land divisions and the remaining development potential of adjacent properties. All street, water, sanitary sewer, storm drainage and utility plans associated with any land division must be reviewed and approved by the city engineer prior to construction.

**16.02.020 Street design - generally.** The location, width and grade of streets shall be considered in relation to: existing and planned streets, topographical conditions, public convenience and safety for all modes of travel, existing and identified future transit routes and pedestrian/bicycle accessways, 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. Streets shall connect to all existing or approved stub streets which abut the development site where deemed feasible and desirable to make the connection. The arrangement of streets shall either:

- A. Provide for the continuation or appropriate projection of existing principal streets in the surrounding area and on adjacent parcels; or
- B. Conform to a plan for the area approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

**16.02.030 – Transportation Facility Design And Construction Standards.** Road design and construction standards is to ensure that future new or improved roads are built to a consistent and adequate standard to provide an adequate life for the facility, minimize operation and maintenance costs, and meet safety, mobility and connectivity needs. New roads or those where major road improvements are undertaken will meet the standards described below and illustrated in the figures referenced in the following subsections.

Unless otherwise required by the decision maker, all accessways proposed as part of a subdivision or partition that involves the creation of an accessway shall comply with the following standards:

- A. Standards shall vary by classification. Classifications for existing roads are shown in Figure 5 of the Downtown and local Street network Plan (May 12, 2003).
- B. Design standards for right-of-way, pavement width, shoulders, sidewalks, planting strips and other required features are prescribed in the following table.

### Road Design Standards

Right-of-way	Pavement width	Parking		Planting Strip	Sidewalks/multi-use path	Drainage swale
Arterials						
60'	24'	None	4', both sides	4', both sides	6-10', one or both sides	Optional
Urban Collectors <sup>1</sup>						
60' <sup>3</sup>	36'	7', both sides <sub>4</sub>	None	None	10', both sides <sup>5</sup>	None
Rural Collectors <sup>2</sup>						
60' <sup>3</sup>	36'	None	6', both sides	None	None	12', both sides
Local Roads						
50' – 60'	22'	None	None	None	None	10', both sides
Alleys						
20'	16'	None	2', both sides	None	None	None

**Notes:**

1. Applies to future reconstruction of Washington or 3<sup>rd</sup> Streets.
2. Applies to future reconstruction of Rock Creek Road, Huskey or State Streets.
3. May vary, depending on existing conditions.
4. May eliminate on one or both sides if right-of-way is insufficient.
5. May reduce to 5' if right-of-way is insufficient to accommodate a full standard.

C. Construction standards for new or reconstructed roads shall meet the standards prescribed in subsection B above.

D. Maximum block and cul-de-sac length. The maximum block and cul-de-sac length for local roads in new subdivisions or other residential developments shall be the length deemed appropriate, by the City engineer in consultation with the City Planner, to provide:

1. Safe spacing between intersections
2. Adequate access for fire equipment
3. Efficient provision of utilities

4. Adequate access for road maintenance

E. Where site conditions, particularly topography, size and shape of the tract, or some feature worthy of protection, make it impractical to otherwise provide buildable sites, the decision maker may apply the constrained local street standard, which ordinarily shall not have a right of way narrower than 40 feet and a pavement width narrower than 20 feet. If necessary, decision maker may require the applicant to provide slope easements where topography or other conditions so require.

F. The decision maker may allow the creation of private streets, also referred to as private accessways, that shall be maintained by the applicant or a home owner's association. Where private streets are proposed, the applicant shall submit for city review the proposed covenants, conditions and restrictions that create and organize the home owners association. Any variance to private street standards, determined to be necessary and acceptable by the city engineer, shall allow equipment access adequate to allow impacted service providers to protect public life and safety. Approval of alternate standards shall be based on city engineer's recommendation including input from impacted service providers when available.

G. Bicycle and multi-use path design and construction standards. In urban areas, a paved width of 10-12 feet is recommended for multi-use bicycle/pedestrian paths. Where topography, land availability or other conditions do not allow for this, narrower trails can be constructed, particularly if they are intended for pedestrians only. A minimum width of three to four feet shall be required for pedestrian trails. If the trail is to be used regularly at night, pedestrian scale lighting is recommended for security and safety.

**16.02.040 Street design - reserve strips.** The decision maker may require the dedication of reserve strips to control access to streets when recommended by the city engineer to protect public safety and welfare. When so required, the applicant shall deed a 1 foot reserve strip to the public for future street purposes.

**16.02.050 Street design - alignment.** As far as is practicable, streets other than local or constrained streets shall be aligned with existing streets by continuation of the center lines. For local streets, staggered street alignment resulting in "T" intersections shall, wherever practicable, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 100 feet. For collectors and arterials, the minimum distance between local streets intersecting the collector or arterial shall be 500 feet between center lines, provided, however, that the decision maker may approve a lesser distance upon findings that such lesser distance will not pose a safety hazard.

**16.02.060 Street design - extensions.** Where necessary to give access to or permit a satisfactory future partition of adjoining land, streets shall be extended to the boundary of the land division and the resulting deadend street (stub) may be approved with a temporary

turnaround as approved by the city engineer. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

**16.02.070 Street design - intersection angles.** Except where topography requires a lesser angle, streets shall be laid out to intersect at angles as near as possible to right angles. However, in no case shall the acute angles be less than 80 degrees unless there is a special intersection design. An arterial or collector street intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection unless topography requires a lesser distance. All street intersections shall be provided with a minimum curb return radius of 25 feet for local streets. Larger radii shall be required for higher street classifications as determined by the city engineer. Additional right-of-way shall be required to accommodate curb returns and sidewalks at intersections. Ordinarily, the intersection of more than two streets at any one point will not be approved.

**16.02.080 Street design - additional right-of-way.** During consideration of the preliminary plan for a subdivision or partition, the decision maker shall determine whether existing streets adjacent to or within the tract meet the city's applicable planned minimum design or dimensional requirements. Where such streets fail to meet these requirements, the decision maker shall require dedication of additional right-of-way sufficient to achieve conformance with code standards, which dedication shall be shown on the final plat. Where streets fail to meet city design or dimensional standards, the decision maker may require the applicant to make any improvements necessary to achieve the applicable planned city standards.

**16.02.090 Street design - half street.** Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the land division when it is in conformance with all other applicable requirements. When approving half streets, the decision maker must first determine that it will be practical to require the dedication of the other half when the adjoining property is divided or developed. Where the decision maker approves a half street, the applicant must provide an additional 10 feet of pavement width so as to make the half street safe and usable until such time as the other half is constructed. Whenever a half street is adjacent to a tract to be divided, the other half of the street shall be provided within such tract. Reverse strips and street plugs may be required to preserve the objectives of half streets.

**16.02.100 Street design - cul-de-sac.** Cul-de-sacs and permanent dead-end streets shall be discouraged except where construction of a through street is found by the decision maker to be impracticable due to topography; other significant physical constraints such as unstable soils, wetlands, natural or historic resource areas, or dedicated open space; existing development patterns; or arterial access restrictions. Where feasible, dead end or cul-de-sac length shall be limited to 350 feet. Longer dead-end streets may be approved only where:

A. Looping is demonstrated, by the applicant, to be infeasible due to topographic constraints, environmental or cultural resources, etc. and

B. The city engineer, having consulted with fire and life safety representatives, determines that acceptance of a dead end street in excess of 350 feet is necessary to allow reasonable access to land that would be otherwise inaccessible and that provision of a dead end street length in excess of 350 feet can provide sufficient fire and life safety access. Additional conditions, such as a requirement that all dwellings accessed by the dead end road be equipped with NFPA residential sprinkler systems, may be applied.

**16.02.110 Street design - 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. Street names shall conform to the established pattern in the city and shall be subject to the approval of the city engineer.

**16.02.120 Street design - grades and curves.** The maximum grade for new public roads will be 12%. The maximum recommended grade is 10%. Center line radii of curves shall not be less than 200 feet on arterials or 100 feet on other streets. Where existing conditions, particularly the topography, make it otherwise impractical to provide buildable sites, the city engineer may accept steeper grades up to 15% and sharper curves. Additional conditions, such as a requirement that all dwellings accessed by a road grade exceeding 10-12% be equipped with NFPA residential sprinkler systems, may be applied if it is determined through consultaion with fire and life safety responders that approval of the steeper grade may reasonably be expected to increase response time for fire protection personell. In flat areas, allowance shall be made for finished street grades having a minimum slope, preferably, of at least one-half percent.

**16.02.130 Street design - railroad right-of-way.** Wherever the proposed subdivision or partition contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.

**16.02.140 Street design - access control.** Where a land division abuts or contains an existing or proposed arterial or collector street, the decision maker may require: access control; reverse frontage lots with suitable depth; screen planting or wall contained in a nonaccess reservation along the rear or side property line; or such other treatment it deems necessary to adequately protect residential properties or afford separation of through and local traffic.

**16.02.150 Street design--Pedestrian and bicycle safety.** Where deemed necessary to insure public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the decision maker may require that local streets be so designed as to discourage their use by non-local automobile traffic.

**16.02.160 Street design - alleys.** Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are approved by the decision maker. The corners of alley intersections shall have a radius of not less than 10 feet. Alleys also may be permitted in residential districts.

**16.02.170 Street design - transit.** Streets shall be designed and laid out in a manner that promotes pedestrian and bicycle circulation. Pedestrian/bicycle accessways shall be provided as necessary. The decision maker may require provisions, including easements, for transit facilities along transit streets where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the subdivision has been identified.

**16.02.180 Blocks - generally.** The length, width and shape of blocks shall take into account the need for adequate building site size, convenient motor vehicle, pedestrian, bicycle and transit access, control of traffic circulation, and limitations imposed by topography and other natural features.

**16.02.190 Blocks - length.** Block lengths for local streets and collectors shall not exceed 600 feet between through streets, measured along the nearside right-of-way line of the through street. The maximum perimeter of the blocks formed by local streets shall not exceed 1,800 feet between through streets, except where precluded by topography or other physical constraint or by existing development patterns.

**16.02.200 Blocks - width.** Except for reverse frontage lots, the width of blocks shall ordinarily be sufficient to allow for two tiers of lots of depths consistent with the type of land use proposed.

**16.02.210 Blocks - pedestrian and bicycle access.**

A. To facilitate the most practicable and direct pedestrian and bicycle connections to adjoining or nearby neighborhood activity centers, public rights-of-way and pedestrian/bicycle accessways which minimizing out-of-direction travel, subdivisions shall include pedestrian/bicycle accessways between discontinuous street right-of-way, where a new street is not practicable; through excessively long blocks at intervals not exceeding 500 feet of frontage; or where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.

B. Pedestrian/bicycle accessways shall be provided:

1. To provide direct access to nearby neighborhood activity centers, transit streets and other transit facilities;
2. Where practicable, to provide direct access to other adjacent developments and to adjacent undeveloped property likely to be subdivided or otherwise developed in the future;

3. To provide direct connections from cul-de-sacs and internal private drives to the nearest available street or neighborhood activity center;
4. To provide connections from cul-de-sacs or local streets to arterial or connector streets.

C. An exception may be made where the decision maker determines that construction of a separate accessway is not feasible due to physical or jurisdictional constraints. such evidence may include but is not limited to:

1. That other federal, state or local requirements prevent construction of an accessway;
2. That the nature of abutting existing development makes construction of an accessway impracticable;
3. That the accessway would cross an area affected by an overlay district in a manner incompatible with the purposes of the overlay district;
4. That the accessway would cross topography consisting predominantly of slopes over 25%;
5. That the accessway would terminate at the urban growth boundary and extension to another public right-of-way is not part of an adopted plan.

**16.02.220 Building sites.** The size, width, shape and orientation of building sites shall be appropriate for the location of the land division, and shall be consistent with the residential lot size provisions of the zoning title or ordinance with the following exceptions:

A. Where property is zoned and planned for commercial or industrial use, the decision maker may approve other widths in order to carry out the city's comprehensive plan. 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.

B. Minimum lot sizes contained in the MZO are not affected by those provided herein.

**16.02.230 Building site - access.** Each lot in a subdivision shall abut a street, other than an alley, or a cul de sac for a frontage length of at least 30 feet.

**16.02.240 Building site - through lots.** Through lots and parcels shall be avoided except where they are essential to provide separation of residential development from major traffic



arteries or adjacent nonresidential activities or to overcome specific disadvantages of topography and orientation. A non-vehicular access strip and/or a planting screen easement across which there shall be no right of access may be required along the line of building sites abutting such a traffic artery or other incompatible use.

**16.02.250 Building site - lot and parcel side lines.** The lines of lots and parcels, as far as is practicable, shall run at right angles to the street upon which they face, except that on curved streets they shall be radial to the curve.

**16.02.260 Building site - solar access.** The lines of lots and parcels, as far as is practical, shall be oriented to allow structures constructed on the lots or parcels to utilize solar energy by establishing the long axis in the east-west direction permitting sunlight access three hours before and after solar noon. Easements necessary to assure solar access may be required for land division approval.

**16.02.270 Building site - grading.** Grading of building sites shall conform to the State of Oregon Structural Specialty Code, Chapter 29, Appendix Chapter 70 of the Uniform Building Code and shall implement appropriate erosion and sediment control measures, such as those provided in the Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual (2000 edition or as subsequently amended). In any event, grading plans shall be subject to review and approval by the city engineer.

**16.02.280 Building site - building lines.** Any special building setback lines established in a subdivision or partition shall be shown on the preliminary and final plats.

**16.02.290 Building site - division of lots.** Where a tract of land is to be divided into lots or parcels capable of redivision in accordance with this chapter, the decision maker shall require an arrangement of lots, parcels and streets which facilitates future redivision. In such a case, building setback lines may be required in order to preserve future right-of-way or building sites.

**16.02.300 Building site - protection of trees.** Site planning, including the siting of structures, roadways and utility easements, shall provide for the protection of tree resources. Trees 6 inch caliper or greater measured 4 feet from ground level shall be preserved wherever practicable outside the building area. Where the decision maker determines it is impracticable or unsafe to preserve these trees, the applicant may be allowed to remove the trees so long as they are replaced in accordance with an approved landscape plan that includes new plantings in accordance with specifications as to size, location, and number of replacement trees to be planted. Specifications shall be developed by the City with input from the applicant's qualified arborist or horticulturalist. The decision maker may also impose conditions to avoid disturbance to tree roots by grading activities and to protect trees and other significant vegetation identified for retention. Such conditions may include, if necessary, the advisory expertise of a qualified consulting arborist or horticulturist both during and after site preparation, and a special maintenance/ management program, which may include provisions for irrigation for the first several growing seasons, to protect the remaining and/or support replacement trees.

**16.02.310 Land for public purposes.** If the city has an interest in acquiring a portion of a proposed land division for a public purpose, or if the city has been advised of such interest by a school district or other public agency, and there is reasonable assurance that steps will be taken to acquire the land, then the decision maker may require that those portions of the land division be reserved for public acquisition for a period not to exceed two years.

**16.02.320 Easements.** The following shall govern the location, improvement and layout of easements:

A. **Utilities.** Utility easements shall be provided 10 feet in width along rear and front property lines and 5 feet in width along side property lines where deemed necessary by the city engineer. Insofar as practicable, easements shall be continuous and aligned from block to block within the land division and with adjoining subdivisions or partitions. Specific utility easements for water, sanitary or storm drainage shall be provided based on approved final engineering plans.

B. **Unusual Facilities.** Easements for unusual facilities such as high voltage electric transmission lines, drainage canals or pond areas shall be of such width as the responsible agency determines is adequate for the purpose, including any necessary maintenance roads. These shall be shown upon the final plat or map, and, if necessary, fully designated upon an additional map.

C. **Watercourses.** Where a land division is traversed or bounded by a watercourse, drainage way, channel or stream, a storm water easement or drainage right-of-way shall be provided which conforms substantially to the line of such watercourse, drainage way, channel or stream, and is of a sufficient width to allow construction, maintenance and control for the purpose as required by the responsible agency. For those subdivisions or partitions which are bounded by a stream of established recreational value, stream back easements may be required for pedestrian or bicycle paths.

D. **Access.** When easements are used to provide vehicular access to lots within a land division, the construction standards, but not width standards, for the easement shall meet city specifications. The minimum width of the easement shall be 20 feet. The easements shall be installed by the applicant and inspected by the city engineer. Such easements may also be used for utility placement.

E. **Resource Protection.** Easements or other protective measures may also be required as the decision maker deems necessary to ensure compliance with applicable review criteria protecting wetlands, streams, historic structures and similar resources.

**16.02.330 Minimum improvements - procedures.** In addition to other requirements, improvements installed by the applicant either as a requirement of these or other regulations or at the applicant's option, shall conform to the requirements of this Title and be designed to city

specifications and standards as set out in the city's facility master plan and public works design standards. The improvements shall be installed in accordance with the following procedure:

A. Improvement work shall not commence until plans have been checked for adequacy and approved by the city engineer. To the extent necessary for evaluation of the proposal, the plans may be required before approval of the preliminary plat of a subdivision or partition. Expenses incurred thereby shall be borne by the applicant and paid for prior to final plan review.

B. Improvements shall be constructed under the inspection and approval of the city engineer. Expenses incurred thereby shall be borne by the applicant and paid prior to final approval. Where required by the city engineer or other city decision maker, the applicant's project engineer also shall inspect construction.

C. Where erosion control or resource protection facilities or measures are required, such measures shall be installed prior to any grading or other development or site alteration of the property. Underground utilities, waterlines, sanitary sewers and storm drains installed in streets shall be constructed prior to the surfacing of the streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to the lot lines.

D. A 2-year warranty bond or letter of credit in the amount of 5-10% of the cost of the dedicated infrastructure must be provided prior to receiving final plat approval. Such financial assurance must be reviewed by the city attorney to ensure the city's interests are sufficiently protected prior to acceptance.

E. A detailed map showing public improvements as built shall be filed with the city engineer upon completion of the improvements. As built drawings shall be provided in electronic form in .pdf format, or an alternate electronic format deemed acceptable by the city engineer and in hard copy form as a full size drawing set on mylar.

F. The decision maker may regulate the hours of construction to minimize adverse impacts on adjoining residences or neighborhoods.

**16.02.340 Minimum improvements - public facilities and services.** The following minimum improvements shall be required of all applicants for a land division under this Title, unless the decision maker determines that any such improvement is not proportional to the impact imposed on the city's public systems and facilities:

A. Transportation System. Subdivision applicants shall be responsible for improving to the city's planned level of service all public streets, including alleys, within the land division and those portions of public streets adjacent to but only partially within the land division. All applicants shall execute an agreement to not remonstrate against the formation of a Local Improvement District for street improvements that benefit the applicant's property. Applicants are responsible for designing and providing adequate vehicular, bicycle and pedestrian access to

their developments and for accommodating future access to neighboring undeveloped properties that are suitably zoned for future development. Catch basins shall be installed and connected to drainage tile leading to storm sewers or drainage ways. Upon completion of the street improvement survey, the applicant shall reestablish and protect monuments of the type required by ORS 92.060 in monument boxes with covers at every public street intersection and all points of curvature and points of tangency of their center line, and at such other points as directed by the city engineer.

B. Storm Water Drainage System. Drainage facilities shall be provided within land divisions and shall connect the applicant's drainage system to the public storm drainage system if one is available. All applicants shall execute an agreement to not remonstrate against the formation of a Local Improvement District for storm water drainage improvements that benefit the applicant's property. Applicants are responsible for extending the city's storm drainage system to the development site and for providing for the connection of up-gradient properties to that system. The applicant shall design its drainage facilities and erosion control measures in accordance with the city drainage master plan and shall implement erosion and sedimentation control measures such as those provided in the Clackamas County Erosion Prevention and Sediment Control Planning and Design Manual (2000 edition or as subsequently amended). Storm water plans for a development site shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the property and to allow extension of the city's system to serve these areas. Where a city storm water system is not available, storm water shall be detained on site and released at no more than predevelopment rates and volumes of discharge from the site. The applicant shall be responsible for ensuring that waters draining from the development meet the applicable water quality standards established by the Oregon Department of Environmental Quality, Wasco County, and the City of Mosier. Final design shall be reviewed and approved by the city engineer before construction begins.

C. Sanitary Sewer System. The applicant shall design and install a sanitary sewer system to serve all lots or parcels within a land division and to connect those lots or parcels to the city's sanitary sewer system. All applicants shall execute an agreement to not remonstrate against the formation of a Local Improvement District for sanitary sewer improvements that benefit the applicant's property. Applicants are responsible for extending the city's sanitary sewer system to the development site and through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development. The applicant shall obtain all required permits and approvals from all affected jurisdictions prior to final approval and prior to commencement of construction. Design shall be approved by the city engineer before construction is begun.

D. Water System. The applicant shall design and install a water system to serve all lots or parcels within a land division and to connect those lots or parcels to the city's water system. All applicants shall execute an agreement to not remonstrate against the formation of a Local Improvement District for water improvements that benefit the applicant's property. Applicants are responsible for extending the city's water system to the development site and

through the applicant's property to allow for the future connection of neighboring undeveloped properties that are suitably zoned for future development.

E. Sidewalks. The applicant shall provide for sidewalks on both sides of all public streets and in any special pedestrian way within the land division if required by the city to do so. The city may require alternate bicycle and pedestrian access ways which eliminate or replace the need for sidewalks. If sidewalks are required, the decision maker may require the applicant to provide sidewalks concurrent with the issuance of the initial building permit within the area that is the subject of the land division application. Applicants for partitions may be allowed to meet this requirement by executing an agreement to not remonstrate against the formation of a Local Improvement District for sidewalk improvements that benefit the applicant's property.

F. Bicycle Routes. If appropriate to the extension of a system of bicycle routes, existing or planned, the decision maker may require the installation of separate bicycle lanes within streets and separate bicycle paths.

G. Street Name Signs and Traffic Control Devices. The applicant shall install street name signs at all street intersections. The applicant shall install traffic control devices as directed by the city engineer. Street name signs and traffic control devices shall be in conformance with all applicable city regulations.

H. Street Lights. The applicant shall install street lights, which shall be served from an underground source of supply. Street lights shall be in conformance with all city regulations, including those in Chapter 8.30 of MMC.

I. Bench Marks. At least one bench mark shall be located within the subdivision boundaries using datum plane specified by the city engineer.

J. Other. The applicant shall make all necessary arrangements with utility companies or other affected parties for the installation of underground lines and facilities. Electrical lines and other wires, including but not limited to communication, street lighting and cable television, shall be placed underground.

K. Oversizing of Facilities. All facilities and improvements shall be designed to city standards as set out in the Mosier City Code, the city's facility master plan, public works design standards, or other city ordinances or regulations. Compliance with facility design standards shall be addressed during final engineering. The city may require oversizing of facilities to meet standards in the city's facility master plan or to allow for orderly and efficient development. Where oversizing is required, the applicant may request reimbursement from the city for oversizing based on the city's reimbursement policy and funds availability, or provide for recovery of costs from intervening properties as they develop.

L. Erosion Control Plan--Mitigation. Applicants shall implement appropriate erosion and sedimentation control measures such as those provided in the Clackamas County

Erosion Prevention and Sediment Control Planning and Design Manual (2000 edition or as subsequently amended) and use best management practices to control erosion. An erosion control plan shall be reviewed and approved by the city engineer before any construction is begun.

**16.02.350 Minimum improvements - road standards and requirements.**

A. Subdivision applicants may propose private streets so long as the design for all accessways are reviewed and approved by the city engineer as being adequate for fire and life safety access.

B. The creation of a public street and the resultant separate land parcels shall be in conformance with requirements for subdivisions or partitions. However, the decision maker may approve the creation of a public street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions where any of the following conditions exist:

1. The establishment of the public street is initiated by the city council and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street;
2. The tract in which the street is to be dedicated is within an isolated ownership either not over one acre or of such size and characteristics as to make it impossible to develop building sites for more than three dwelling units.

C. In those cases where approval of a public street is to be without full compliance with the regulations applicable to subdivisions or partitions, a copy of a preliminary plan and the proposed deed shall be submitted to the city planner and city engineer at least 10 days prior to any public hearing scheduled for the matter. The plan, deed and any other information the applicant may submit shall be reviewed by the decision maker and, if not in conflict with the standards of this Title, the MZO or any other applicable requirements, may be approved with appropriate conditions.