

“The Ridge” Master Plan Project Narrative

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Project Description:

This Master Plan Development includes Tax Lots 2703 on Tax Map 13S31E & 3100 on Tax Map 13S31E25BB for a total of approximately 81.83 acres. The site is located near the SE corner of the City of John Day, City Limits. It is in the RG residential zoning area. The follow addresses the intent of this Master Plan and any proposed modifications to the City's standards for development, utilities, roads, etc. in the RG land use zone.

Mahogany Ridge Properties is the owner and developer of "The Ridge" is proposing Master Plan development for this property. The property will be developed in multiple Phases, creating lots for single family and multi-family units. Based on the topography and other constraints of this property the goal is to create a variety of innovative housing options that best fit the property. The property will be developed in Phases as needs and market conditions dictate.

Phase 1 will be developed first, creating 13 lots, with public streets, City and private utilities, trails and pathways, and natural open spaces. The proposed lots 1-11 range from 0.35-1.93 acres, capable of providing the space needed for developing hillside lots, both for the structures, utilities, required parking and minimize the impacts on the native vegetation and natural terrain features. A minimum of 60% of these lots will be committed to multi-family dwelling units such as multiplexes or cottage cluster homes, with the goal of creating affordable housing units to fill a recognized need within the community. Mahogany Ridge Properties plans to reserve between 1-4 of the lots and will construct multi-family units on them, either commissioned or on speculation. The remaining lots will be sold as bare lots with all utilities stubbed to the property and public street access.

As part of Phase 1, lots 12 and 13 will be larger lots, 10-20 acres. The building sites for these parcels are at the very top of the hillside and would require a large amount of public infrastructure to serve very few home sites. The elevation of the building sites are currently above the City's highest water storage tanks. These lots are proposed single family and the homeowner will be responsible for the extension of private access and utilities as needed. These lots could be redeveloped in the future if, utility service becomes available and public access can be provided.

Parcels 14 & 15 are parcels reserved for future phases of the project. The concept plans show a basic layout of how these parcels may develop in the future. Parcel 14 will gain public street access and utilities from Phase 1. This parcel may be developed in the future, up to 11 lots and provide natural open space for the remaining part of the parcel. Parcel 15 will access Hillcrest Dr. for public access and utilities and may be further developed, up to 6 lots. Any future lots created from parcel 14 and 15 will be for single family and multi-family dwelling units, similar too lots 1-11 of Phase 1.

Open Space will be dedicated throughout the development, these areas will remain primarily undeveloped, with gravel pathways connecting to the public streets and other pathways.

The following provides an outline of the City's Code and requirements to create a Master Plan development, the standards for development in an RG zone and how this Master Plan will address these and any proposed changes, also provided are drawings showing the Existing Conditions of the property (Sheet 01), the overall Concept Plan (Sheet 02), the Preliminary Plat for Phase 2 (Sheet 03), and some preliminary profiles and typical cross section of the proposed road system in Phase 2 (Sheet 04).

City of John Day Development Code and responses

ARTICLE 5-4 ADMINISTRATION OF LAND USE AND DEVELOPMENT

5-4.5.010 Master Planned Development - Purpose

The purposes of this Section is to:

- A. Implement the Comprehensive Plan and applicable land use district(s) by providing a means for master planning large development sites;
- B. Encourage innovative planning that results in projects that benefit the community (i.e., through compatible mixed use development, improved protection of open spaces, transportation options and consistent application of standards in phased developments);
- C. Encourage developments that recognize the relationship between buildings, their use, open space, and transportation options, providing varied opportunities for innovative and diversified employment environments;
- D. Facilitate the efficient use of land;
- E. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
- F. Preserve to the greatest extent possible the existing landscape features and amenities that may not otherwise be protected through conventional development;
- G. Encourage energy conservation and improved air and water quality and;
- H. Assist the City in planning infrastructure improvements.

5-4.5.020 Master Planned Development - Applicability

The master planned development designation is an overlay zone that may be applied over any of the City's land use districts. An applicant may elect to develop a project as a master planned development in compliance with the requirements of this Chapter, or the City may require a development be processed as such when a project cannot otherwise meet the applicable Development Code requirements due to existing topography or natural features.

“The Ridge” is a Master Planned development, to address the site specific features of this property and surrounding area. i.e. the existing topography, services, utilities and accessibility.

5-4.5.030 Master Planned Development - Review And Approvals Process

- A. **Review Steps.** There are three required steps to planned development approval, which may be reviewed individually or combined into one package for concurrent review:

1. The approval of a planned development overlay zone and concept plan;

A basic concept plan is being provided. Plan sheet 02.

2. The approval of a detailed development plan; and

Each Phase will be providing it's own detailed development plan. Phase 1 will be the first to be developed, see Plan Sheets 02, 03 & 04 for the Preliminary Plat and Street Profiles & Details.

3. The approval of a preliminary subdivision plat(s) and/or site design review application(s).

The Preliminary Plat for Phase 1 is included with this application. Future Phases will submit individual Preliminary Plats and Details as development is proposed.

5-4.5.040 Master Planned Development - Modifications To Standards

The Planning Commission may approve modifications or adjustments to the standards in Article 5-2 and/or Article 5-3 through the master plan approval without the need for variances upon finding that all of the following criteria are met:

1. **Comprehensive Plan.** The modification or adjustment is consistent with the policies of the Comprehensive Plan, and equally or better meets the intent of the Development Code section(s) to be modified, as compared to a project that strictly conforms to code standards.
2. **Public Benefit.** The modification or adjustment shall result in an overall net benefit to the public through greater variety of housing, greater affordability in housing, more open space or more usable open space, greater protection of natural features, greater protection of scenic views or vistas, avoidance of natural hazards (e.g., geological hazards, streams, or other drainageways), exemplary architecture, improved transportation connectivity, improved pedestrian facilities, and/or similar benefits in new development. In evaluating this criterion, the Planning Commission shall consider whether the proposal on balance exceeds the City's minimum requirements.
3. **Public improvement standards and engineering design criteria** shall not be modified without variance to such standards approved by the Public Works Director. The City may grant such variances concurrently with the master planned development;
4. **Residential densities** shall not exceed the density allowed under the applicable land use district in Article 5-2. Where the land use district allows a density bonus subject to Section 5-2.2.090, the total number of dwelling units shall not exceed the maximum density allowed by the district; and
5. **Industrial and commercial uses, if not otherwise allowed in a Residential District**, shall not be allowed in a Residential District master plan.

Proposed modification to Standards are address in each of the pertinent Section of the Development Code address in this Narrative.

5-4.5.050 Master Planned Development - Overlay Zone And Concept Plan Submission

5-4.5.050 A(1) A statement of planning objectives to be achieved by the planned development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.

See Project Description above.

5-4.5.050 A(2) A development schedule indicating the approximate dates when construction of the planned development and its various phases are expected to be initiated and completed.

Approximate Development Schedule:

(this time line may be accelerated if market conditions warrant)

- a. *2021-March 2022 – Planning, Permitting, Construction Plans and Surveying.*
- b. *March 2022-July 2023 – Construct Infrastructure (Roads, Sewer, Storm Drain, Water, Electrical and other utilities)*
- c. *July 2023-Oct 2023 – City Approval of all improvements, Complete and Record Final Plat.*
- d. *Oct 2023-June2024 – Lot Sales, Submit site and building plans for dwellings and start construction.*
- e. *Year 4-6 - Submit Phase 2 preliminary Plat for approval. It is estimated that this will also be a 5-10 lot development. The size and extent of Phase 2 and any future phase will be determined by the local market conditions.*
- f. *Repeat construction timeline (items a, b, c & d) for future phases.*
- g. *Continue repeating (a-f) every 4-6 years, until project is completed.*

5-4.5.050 A(3) A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the planned development.

Phase 1 will be a mix of single family and multi-family residential lots, for sale to individual home owners or developers and possibly developed by the project owners if market conditions are favorable.

Future phase are planned to have lots designated for single and multi-family structures. Depending on market conditions at the time of construction the developer may sale individual lots or build some or all of the new structures.

5-4.5.050 A(4) Narrative report or letter documenting compliance with the applicable approval criteria contained in Section 5-4.5.060.

Included as part of the Master Plan Development narrative here.

5-4.5.050 A(5) Special studies prepared by qualified professionals may be required by the City Planning Official, Planning Commission or City Council to determine potential traffic, geologic, noise, environmental, natural resource and other impacts, and required mitigation.

Per pre-application meeting - Traffic Study is being provided by City of John Day, no other studies have been identified.

B. Additional Information. In addition to the general information described in Subsection “A” above, the concept plan, data, and narrative shall include the following exhibits and information:

5-4.5.050 B(1) Existing Conditions map, as defined in Section 5-4.2.050 - Site Design Review Application Submission Requirements;

See Plan Sheet 01.

5-4.5.050 B(2) Conceptual site plan (e.g., general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the concept plan);

All lots developed as part of the Master Plan Development are for single family, multi family and open space uses. Proposed setbacks are shown on phase 1 preliminary plat. The standard setbacks for the RG zone will apply to “The Ridge” Master Plan. The preliminary plat also shows existing, proposed and future stubs for utilities. Future phases will be submitting preliminary plats for approval as they develop, including all of the same information.

5-4.5.050 B(3) Grading concept (for hillside or sloping properties, or where extensive grading is anticipated);

A grading plan for streets will be developed as part of the final construction plans, rough preliminary street grades and typical cross section are shown sheet 04. The street grades will be 12% or less.

5-4.5.050 B(4) Landscape concept (e.g., shows retention of existing vegetation and general planting areas);

The construction of the streets, utilities and building lots will minimize the initial ground disturbance as much as possible to retain the natural vegetation on the site. Disturbed areas will be mulched and seeded to restore vegetation to the slopes. To reduce the affects of storm runoff and erosion. The landscaping of each lot will be up to the homeowner/developer. There are no identified areas of vegetation to be preserved on the site.

5-4.5.050 B(5) Architectural concept (e.g., information sufficient to describe architectural styles, building heights, and general materials);

The individual owners/developer or project developer if constructing their own structures, will be submitting their dwelling plans for building permit approval. All structures must comply with City rules and requirements for residential areas, Building codes, and the CCRs.

5-4.5.050 B(6) Sign concept plan (e.g., locations, general size, style and materials of signs);

No signage is proposed for the development.

5-4.5.050 B(7) Copy of all existing covenants and restrictions, and general description of proposed restrictions or covenants (e.g., for common areas, access, parking, etc.).

Owner is providing copy of proposed CCRs.

5-4.5.060 Master Planned Development - Overlay Zone And Concept Plan Criteria

The City shall make findings that all of the following criteria are satisfied when approving or approving with conditions, the overlay zone and concept plan. The City shall make findings that not all of the criteria are satisfied when denying an application:

5-4.5.060 A Comprehensive Plan. The master plan conforms to the Comprehensive Plan;

We believe that the proposed Master Plan Development conforms with the Comprehensive Plan, providing housing densities that are sufficient to support public services and facilities based on the full development of the property that is within the current City Limits and it's hillside constraints. The Master Plan development will provide full public services consistent with basic urban development in the City of John Day. The proposed densities and types of house will vary though out the phases of this development, providing a variety of residential uses consistent with the City's Comprehensive Plan.

5-4.5.060 B Land Division Chapter. All of the requirements for land divisions, including requirements for pre-planning large sites under Section 5-4.3.030, are met, except as may be modified under Section 5-4.5.040 (Chapter 5-4.3);

See the proposed conditions of this Master Plan development in sections 5-4.3.030 & Section 5-4.5.040 of this narrative

5-4.5.060 C Article 5-2 and Article 5-3 Standards. All of the land use, development, and design standards contained in Articles 2 and 3 are met, except as may be modified under Section 5-4.5.040.

See sections 5-2 and 5-3 of this Master Plan development narrative, for explanations of how each of the are met or proposed changes for this Master Plan development.

5-4.5.060 D Open Space. Master plans shall contain a minimum of twenty-five (25) percent open space. Public open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and common areas that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, the open space area shall be shown on the final plan and recorded with the final plat or separate instrument, per Section 5-3.4.020A; and the open space shall be conveyed in accordance with one of the following methods:

There is 34.3% of the property that will be provided as "natural open space" in Phase 1 (see Sheet 03), this area will left in its existing condition and will not be developed other than some hiking / multi use trails. Future phases as the develop will provide additional Open Space and trails in intertie the overall project, and both new and existing streets. The overall average Open Space for all of the Phases will be a minimum of 25%.

5-4.5.060 D(1) By dedication to the City as publicly owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the City Planning Official with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide a level one environmental assessment), and budgetary and maintenance abilities;

All Open Space will be dedicated to the City of John Day as part of this and future phases of the Master Plan development. As part of each phase, the open space will be developed with hiking and multi-use gravel trails. No other development of the open space is proposed.

5-4.5.060 E Adjustments and Modifications to Standards. Where adjustment(s) or modification(s) to standards are requested, such adjustment(s) or modification(s) must be found to conform to the criteria in section 5-4.5.040.

See the proposed adjustments and modifications proposed as part of this Master Plan development as noted under the code section in this narrative.

5-4.5.080 Master Planned Development - Detailed Development Plan Submission Requirements

The contents of the detailed development plan shall be determined based on the conditions of approval for the concept plan. At a minimum, the detailed development plan shall identify the final proposed location of all lots, tracts, parcels, open space, rights-of-way, building envelopes and other features, prior to approval of a development permit. The detailed development plan may combine land division, development review, site design review, and/or other applications for concurrent review and approval. The detailed development plan shall be reviewed using a Type III procedure.

In addition to the Concept Plan, Phase 1 Preliminary Plat is being submitted with this application for approval. Future Phases will also require submission of Preliminary Plats for approval.

5-4.5.090 Master Planned Development - Detailed Development Plan Criteria

City approval of the detailed development plan shall be based upon a finding that the final plan conforms to the concept plan and required conditions of approval. Minor changes to the approved concept plan may be approved with the detailed plan when the approval body finds that the change is consistent with the criteria in A-H, below. Changes exceeding those in subsections A-H, below, must be reviewed as major modifications under Chapter 5-4.6.

- A. **Increased residential densities** (overall or reallocated between development phases) by no more than ten (10) percent over that which is approved, provided such increase conforms to the Comprehensive Plan and underlying Land Use District;

Lot sizes are shown on the Phase 1 Preliminary Plat, rough lot layouts are shown on the concept plan. Overall the densities will not exceed those of the underlying RG zone. This is because of the overall topography and difficulty of construction on this site, and maximizing the most usable building sites.

- B. **Increase in lot coverage or impervious surface** (overall or reallocated between development phases) by no more than ten (10) percent over that which is approved;

Lot coverage will be determined as each lot develops, due to the larger lot sizes it is not anticipated that percent of coverage will be an issue.

- C. **Reduction in open space or landscaping** by no more than ten (10) percent over that which is approved;

The amount of Open Space shown is approximate half of what is called for in a Master Plan Development but, per the pre-application meeting it seemed reasonable for the site. As trails and final lots are layout out in the design process, the amount of Open Space may increase to accommodate the trails and drainages.

- D. **Increase in overall automobile parking spaces** by ten (10) percent over that which is approved;

Increased parking to be provided in the individual lot development to account for no on street parking. See section 5-3.3

- E. **Land use.** No change in land use shall be permitted without a major modification to the Master Plan Development (Concept Plan) approval;

None proposed at this time.

- F. **An increase in lot coverage within a designated open space area or an area subject to a potential hazard** requires a major modification to the concept plan;

None proposed at this time. If Future Phase require, concept plan modification will be submitted.

- G. **Major changes in the location or configuration of proposed lots, blocks, buildings, streets, parking lots, utility easements, landscaping or other site improvements shall require a Major Modification pursuant to Chapter 5-4.6.** "Major" in this subsection means by more than twenty (20) percent for setbacks, or more than twenty (20) feet in the alignment or placement of the features listed herein; and

None proposed at this time. If Future Phase require, concept plan modification will be submitted.

- H. **Other substantial modifications** not allowed as Minor Modifications in A-G, above, shall require approval of a major modification, in conformance with Chapter 5-4.6.

None proposed at this time. If Future Phase require, concept plan modification will be submitted.

5-4.3 Land Divisions And Property Line Adjustments

5-4.3.060 Preliminary Plat Submission Requirements

- A. **General Submission Requirements.** For all partitions (three or fewer parcels), the application shall contain all of the information required for a Type II procedure under Section 5-4.1.030, except as may be waived by the Planning Official. For all subdivisions (four or more lots) the application shall contain all of the information required for a Type III procedure under Section 5-4.1.040, and the information in subsections 1-3, below:

1. Public Facilities and Services Impact Study. The impact study shall quantify and assess the effect of the development on public facilities and services. The City shall advise as to the scope of the study during the required pre-application conference (Section 5-4.1.060C). The study shall address, at a minimum, the transportation system, including pedestrian ways and bikeways, the drainage system, the parks system, the water system, and the sewer system. For each public facility system and type of impact, the study shall propose improvements necessary to meet City standards and to minimize the impact of the development on the public at large, public facilities systems, and affected private property users;

Durning pre-application meeting, only a traffic impact study was requested, and the City said they would provide it.

2. Traffic Impact Analysis, if required by the road authority. Traffic Impact Studies shall conform to the standards and procedures in Section 5-4.1.090; and

By the City of John Day.

3. In situations where this Code requires the dedication of real property to the City, the City shall either (1) include in the written decision evidence that shows that the required property dedication is directly related to and roughly proportional to the projected impacts of the development on public facilities and services, or (2) delete the dedication as a condition of approval.

The Preliminary Plat shows the proposed right-of-ways and Open Space to be dedicated to the City. No other dedication of real property was requested or is being proposed.

- B. **Preliminary Plat Information.** In addition to the general information described in Subsection A above, the preliminary plat application shall consist of drawings and supplementary written material (i.e., on forms and/or in a written narrative) adequate to provide the following information:

1. General information:
 - a. Name of subdivision (not required for partitions). This name must not duplicate the name of another subdivision in Grant County (please check with County Surveyor);
Proposed Subdivision name “The Ridge”, preliminary plat provided is for Phase 1 of “The Ridge”.
 - b. Date, north arrow, and scale of drawing;
Provided on drawings.
 - c. Location of the development sufficient to define its location in the City, boundaries, and a legal description of the site;
See sheet 01
 - d. A title block including the names, addresses and telephone numbers of the owners of the subject property and, as applicable, the designer, and engineer and surveyor if any, and the date of the survey if submitted; and
Provided on drawings.
 - e. Identification of the drawing as a “preliminary plat”.
In Title Block of drawings.

2. Site analysis:

- a. Streets: Location, name, present width of all streets, alleys and rights-of-way on and abutting the site;

See sheets 02, 03, & 04.

- b. Easements: Width, location and purpose of all existing easements of record on and abutting the site;

See Sheet 02 & 03.

- c. Utilities: Location and identity of all utilities on and abutting the site. If water mains and sewers are not on or abutting the site, indicate the direction and distance to the nearest one and show how utilities will be brought to standards;

Location of existing utilities are shown on sheet 01.

- d. Ground elevations shown by contour lines at 2-foot vertical interval, except where the Public Works Director determines that larger intervals are adequate; i.e., for steep slopes. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor; the Director may waive this standard when grades, on average, are less than 6 percent;

10' contours are shown due to the steep existing grades of the site, created using preliminary USGS contour data and minimal survey data from previous projects.

- e. The location and elevation of the closest benchmark(s) within or adjacent to the site (i.e., for surveying purposes);

Design survey will establish a benchmark along the state highway for based on a standard datum for John Day area.

- f. Potential natural hazard areas, including any areas identified as subject to a flood hazard as identified on FEMA Flood Insurance Rate Maps or as otherwise determined through site specific survey, areas subject to high water table, and areas designated by the City, County, or State as having a potential for geologic hazards;

No Flood hazards identified for the property, previous Geotech Report on file with the City, from previous development activity at the site, address other potential hazards for the site and residential development.

- g. Sensitive lands, including wetland areas, streams, wildlife habitat, and other areas identified by the City or natural resource regulatory agencies as requiring protection;

No known sensitive lands, in general on the site, drainage ways have potential for wetland and to be further investigated for wetland areas if disturbed by construction activities.

- h. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;

Is vacant land, small remnants of a structure near Hillcrest Rd. that was removed years ago.

- i. Designated historic and cultural resources on the site and adjacent parcels or lots;

None known.

- j. The location, size and species of trees having a caliper (diameter) of 6 inches or greater at 4 feet above grade in conformance with Chapter 5-3.2;

No tree survey was done, there are a few deciduous trees in the drainage ways, a few isolated ponderosa pines and patches of junipers.

- k. North arrow and scale;

Provided on drawings.

1. Name and address of project designer, if applicable; and

Provided on drawings.

- m. Other information, as deemed necessary by the City Planning Official for review of the application. The City may require studies or exhibits prepared by qualified professionals to address specific site features and code requirements.

None known.

3. Proposed improvements:

- a. Public and private streets, tracts, driveways, open space and park land; location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to such private tracts shall be identified;

See sheets 02 & 03

- b. Easements: location, width and purpose of all proposed easements;

See sheets 02 & 03

- c. Lots and private tracts (e.g., private open space, common area, or street): approximate dimensions, area calculation (e.g., in square feet), and identification numbers for all proposed lots and tracts;

See sheets 02 & 03

- d. Proposed uses of the property, including all areas proposed to be dedicated to the public or reserved as open space for the purpose of surface water management, recreation, or other use; potential location of future buildings;

See sheets 02 & 03

- e. Proposed improvements, as required by Article 5-3 (Design Standards), and timing of improvements (e.g., in the case of streets, sidewalks, street trees, utilities, etc.);

See sheets 02, 03 & 04 and the portion of this narrative that address Article 5-3 items.

- f. Preliminary location of development showing those future buildings can meet siting and dimensional standards of the district.

Typical Lot setback are shown on proposed lots See sheet 03.

- g. The proposed source of domestic water;

City Water System – Connect to existing line at Hwy 26 and extend on site along road system. See Sheet 03.

- h. The proposed method of sewage disposal;

City Wastewater System – Connect to existing line at Hwy 26 and extend on site along road system. See Sheet 03.

- i. Proposed method of surface water drainage and treatment if required;

Open ditches, field inlets, culverts, etc. to convey to existing structures along Hwy 26. See Sheet 03.

- j. The approximate location and identity of other utilities, including the locations of street lighting fixtures;

Private utilities will be extended from Highway 26 to the site in the street right-of-way and Public Utility Easements (PUE) to the individual lots.

- k. Proposed railroad crossing or modifications to an existing crossing, if any, and evidence of contact with the affected railroad and the Oregon Department of Transportation Rail Division regarding proposed railroad crossing(s);

Does not apply.

- l. Changes to navigable streams, or other watercourses. Status of public access to these areas shall be shown on the preliminary plat, as applicable;

Does not apply.

- m. Identification of the base flood elevation for development of more than 2 lots or ½ acre, whichever is less. Written evidence of initiation of a Federal Emergency Management Agency (FEMA) flood plain map amendment shall be required when development is proposed to modify a designated 100-year flood plain. FEMA approval of the amendment shall be a condition of City land use approval.

Does not apply. There is not rivers or streams with a flood plain near or on the site.

- n. Evidence of contact with from the road authority for any development requiring access to its facility(ies); and

Proposed location of Highway access was proposed and approved by ODOT for previous development plans in the areas. Final plans will need to be prepared and submitted to ODOT for approval.

- o. Evidence of written notice to the applicable natural resource regulatory agency(ies) for any development within or adjacent to jurisdictional wetlands, rivers, streams or other regulated water bodies.

No mapping found that identifies wetlands, rivers, streams, or regulated water bodies associated with the construction activities proposed for this project.

5-4.9.010 Temporary Use Permits

Temporary uses are characterized by their short term or seasonal nature and by the fact that permanent improvements are not made to the site. Temporary uses include, but are not limited to: construction trailers, leasing offices, temporary carnivals and fairs, parking lot sales, retail warehouse sales, and seasonal sales such as Christmas tree sales and vegetable stands. [Note: For Temporary Medical Hardship Dwellings, please refer to Section 5-2.2.100K.] Three types of temporary uses require permit approval (See A, B and C):

There are no Temporary Use Permits anticipated for the development of this Site per the proposed Master Plan Development. Should any be need, they will follow the City code per this Section. (5-4.9.010)

5-4.9.020 Home Occupation Permits

The purpose of this Section is to provide standards and procedures for small commercial ventures in Residential Districts that do not otherwise meet the criteria for Home Occupations permitted by right in Section 2.1.100E. Section 5-4.9.020 provides a process for more intense home occupations to be allowed with Site Design Review by the Planning Commission and notice to surrounding property owners. These home occupations may be permitted, with conditions of approval when appropriate, in order to increase the benefits of people working and living in the same place, while protecting neighboring residents from adverse impacts of home occupation activities. These benefits to the business owner and to the general public include: reduced number of commute-to-work trips, day-time “eyes on the street” at the residence, and a neighborhood-scale version of mixed residential and commercial uses.

Future owners of the lots developed as part of this Master Plan Development may seek Home Occupation Permits. Section 5-4.9.020 of the City of John Day code will apply to all applications just as it does in any RG zone.

ARTICLE 5-2 LAND USE DISTRICTS

5-2.2 Residential Land Use Districts

5-2.2.010 Residential Districts - Purpose

The Residential Districts are intended to promote the livability, stability and improvement of the City's neighborhoods. Three districts are provided: 1) The Residential Limited (RL) district is intended to accommodate a wide variety of housing types, including attached and detached housing on small to medium size lots in the neighborhoods close to downtown. The RL district also supports parks, schools, places of worship, and other services at an appropriate neighborhood scale; 2) The Residential General (RG) district is intended to accommodate household living at somewhat lower densities than the RL district because it applies to the hillsides of John Day; and 3) The Residential-Commercial (RC) district is intended to encourage business formation, housing options, and transportation efficiency by combining a variety of housing, like that allowed in the RL district, with public and commercial services at an appropriate neighborhood scale. This chapter provides standards for land use and development in each of the three districts, based on the following principles:

1. Promote the orderly expansion and improvement of neighborhoods.
2. Make efficient use of land and public services and implement the Comprehensive Plan.
3. Designate land for the range of housing types and densities needed by the community, including owner-occupied and rental housing.
4. Provide flexible lot standards that encourage compatibility between land uses, efficiency in site design, and environmental compatibility.
5. Provide for compatible building and site design at an appropriate neighborhood scale; provide standards that are in character with the landforms and architecture existing in the community.
6. Apply the minimum amount of regulation necessary to ensure compatibility with existing residences, schools, parks, transportation facilities, and neighborhood services.
7. Reduce reliance on the automobile for neighborhood travel and provide options for walking, bicycling.
8. Provide direct and convenient access to schools, parks and neighborhood services.
9. Maintain and enhance the City's historic character and traditional neighborhoods.

5-2.2.020 Residential Districts - Allowed Land Uses

Table 5-2.2.020 identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and uses are defined in Chapter 5-1.3.

“The Ridge” Master Plan Development seeks to make the best use of the site and it’s features. To do this, the project will allow all of the uses allowed per the RG zone. The goal is to provide a minimum of 60% of the lots as multi family, and to maximize the limited feasible, buildable sites on the property. All of the structures on the property are to follow the City’s development code for the RG zone in combination with the CCR’s for “The Ridge” Master Plan Development.

5-2.2.030 Residential Districts - Development Standards

The development standards in Table 5-2.2.030 apply to all uses, structures, buildings, and development, and major remodels, in the Residential Districts.

“The Ridge” Master Plan Development Phase 1, smallest lot is proposed at over 14,000 sf. This exceeds the minimum lot area shown in Table 5-2.2.030 for both single family, duplex, multi-family and cottage cluster standards for an RG zone. Dimensions are shown on sheets 02 & 03 that exceed all of the minimum lot dimensions for RG zone.

Building/Structure Height, fences, lot coverage, landscaping, and other development standards for the RG zone are to match those of the City’s Development Code, the Master Plan Development is not seeking to change any of the minimum/maximum standards set by the City. Any changes to these, the owner/developer must request the changes from the City thru the normal processes for

requesting a change. As each lot develops the owner/developer is responsible for conforming with these standards. Sheet 03 has the standard sets shown on the proposed lots for reference.

5-2.2.100 Residential Districts - Special Use Standards

Section 5-2.2.100 provides standards for specific land uses and building types, as identified in Table 5-2.2.020 that control the scale and compatibility of those uses within Residential Districts. The standards in Section 5-2.2.100 supplement (are in addition to and do not replace) the standards in Sections 5-2.2.010 through 5-2.2.090. This Section applies to the following uses and building types:

“The Ridge” Master Plan Development, proposes to follow the same City Development Code – Special Use Standards for the RG zone with the addition of the proposed CCRs to further control the type of uses and development throughout the project.

ARTICLE 5-3 COMMUNITY DESIGN STANDARDS

5-3.1 Access and Circulation

5-3.1.010 Purpose

The purpose of this Chapter is to ensure that developments provide safe and efficient access and circulation for pedestrians and vehicles. Section 5-3.1.020 provides standards for vehicular access and circulation. Section 5-3.1.030 provides standards for pedestrian access and circulation. Standards for streets and other transportation system improvements are provided in Section 5-3.4.010.

5-3.1.020 Vehicular Access and Circulation

- A. **Intent and Purpose.** The intent of this Section is to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity, and function. This Section applies to all public streets within the City of John Day, and to all properties that abut these roadways. This Section implements the transportation policies of the City of John Day Transportation System Plan.
- B. **Applicability.** This Chapter applies to all public streets within the City and to all properties that abut these streets. The standards apply when lots are created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation; and when properties are subject to Land Use Review or Site Design Review.
- C. **Access Permit Required.** Access to a public street (e.g., a new curb cut or driveway approach) requires an Access Permit. An access permit may be in the form of a letter to the applicant, or it may be attached to a land use decision notice as a condition of approval. In either case, approval of an access permit shall follow the procedures and requirements of the applicable roadway authority, as determined through the review procedures in Article 5-4.

Phase 1 will access the State Highway, based on the conditions of approval for “The Ridge” Master Plan Development, an access permit will be applied for from ODOT. A copy of the access permit will be provided to the City and construction plans will be developed based on any conditions, improvements, etc. required by ODOT and the City.

- D. **Traffic Study Requirements.** The City may require a traffic study prepared by a qualified professional to determine access, circulation, and other transportation requirements in conformance with Section 5-4.1.090, Traffic Impact Study.
Per Pre-Application meeting, the traffic study will be provided by the City of John Day.
- E. **Conditions of Approval.** The City or other roadway authority, as applicable, may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.

The site currently only has two access points; US Hwy 26 and Hillcrest Rd, both are required to access different parts of the project.

F. **Access Spacing.** Driveway accesses shall be separated from other driveways and street intersections in accordance with the following standards:

1. **State Highways.** The following access spacing standards apply with regard to redevelopment or change in land use, roadway improvements, or new access points along Highway 26 within John Day. Access to State highways shall be subject to the applicable standards and policies contained in the Oregon Highway Plan and OAR 734-051 (Division 51).

Table 5-3.1.020F(1) Access Spacing Standards for State Highways within John Day

Speed	Urban Non-Expressway (feet)	Urban Business Area (UBA), Urban (feet)	Special Transportation Area (STA), Urban (feet)
55+ MPH	700		
40 & 45 MPH	500		
35 MPH or less	400	350	175*

* Urban STA Spacing is 175 feet or mid-block if the current block spacing is less than 350 feet.

Note: From OAR 734-051, Table 4, Access Management Spacing Standards for Private and Public Approaches on District Highways.

The new access is located in a current 35 MPH zone, and is 175 ft from the nearest existing driveway. This driveway serves a church so, traffic is minimal during the week days.

2. **Collector Streets.** A minimum of 50 feet separation between driveways (as measured from centerlines of the driveways) is required on collector streets, except that driveways may be consolidated and adjoin each other for more than one dwelling and meet this standard. See also, subsection 5-3.1.020(F)(3) below.

No Collector Streets are proposed as part of the Master Plan Development. The large lots sizes will tend to create larger spacings, and actual driveway locations will be determined as each lot is developed by the homeowner or developer.

3. **Special Provisions for All Streets.** Direct street access may be restricted for some land uses in order to maintain the safety and function of adjacent roadways, and as required for specific land uses pursuant to Article 5-2. For example, access consolidation, shared access, and/or access separation greater than that specified by this Chapter may be required by the City, Grant County, or ODOT for the purpose of protecting the function, safety and operation of the street for all users. Where no other reasonable alternatives exist, the permitting agency may allow construction of an access connection along the property line farthest from an intersection. In such cases, directional connections (i.e., right in/out, right in only, or right out only) may be required.

As the proposed lots develop, individual site plans and building permits will be submitted, all proposed driveways are to meet these standards.

G. **Number of Access Points.** For single-family (detached and attached), two-family, and three-family housing types, one street access point is permitted per lot, when alley access cannot otherwise be provided; except that two access points may be permitted on corner lots, or for circular driveways, subject to the access spacing standards in subsection 5-3.1.020F above. The number of street access points for multiple family, commercial, industrial, and park & open space developments shall be minimized to protect the function, safety and operation of the street(s) and sidewalk(s) for all users. Shared access may be required in order to maintain the required access spacing and minimize the number of access points.

As the proposed lots develop, individual site plans and building permits will be submitted, all proposed driveways are to meet these standards.

- H. **Shared Driveways.** The number of driveway and private street intersections with collector and arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. As applicable, the City shall require shared driveways as a condition of land divisions or site design review for traffic safety and access management purposes in accordance with the following standards:

No shared driveways are proposed as part of the Master Plan Development but, as the proposed lots develop, neighboring properties or multiple lots owned by the same owner may decide to create shared driveways, individual site plans and building permits will be submitted, all proposed driveways are to meet these standards.

- I. **Joint and Cross Access – Requirement.** When necessary for traffic safety and access management purposes, or to access flag lots, the City may require joint access and/or shared driveways in the following situations as follows:

1. For parking areas where multiple property owners have entered into a shared use agreement;
2. Where access onto an arterial street is limited;
3. For multi-tenant developments, and developments on multiple lots or parcels. Such joint accesses and shared driveways shall incorporate all of the following:
 - a. A continuous service drive or cross-access corridor that provides for driveway separation consistent with the applicable transportation authority’s access management classification system and standards;
 - b. A design speed of 10 miles per hour and a maximum driveway width, excluding parking stalls, of 24 feet; additional driveway width or fire lanes may be approved when necessary to accommodate specific types of service vehicles, loading vehicles, or emergency service provider vehicles;
 - c. Driveway stubs to property lines (for future extension) and other design features to make it easy to see that the abutting properties may be required with future development to connect to the cross-access driveway;

This type of cross access is more typical with commercial type properties, but may apply as some of the multi family lots develop. The owner/developer will be required to follow the City’s Development Code as it applies and if needed.

- J. **Joint and Cross Access – Easement and Use and Maintenance Agreement.** Pursuant to this Section, property owners shall:

1. Record an easement with the deed allowing cross-access to and from other properties served by the joint-use driveways and cross-access or service drive;
2. Record an agreement with the deed that remaining access rights along the roadway for the subject property shall be dedicated to the City and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

If needed the easements will be recorded separate from the final plat, or individually. As needed a prior to the start of construction on the proposed lot..

- K. **Access Connections and Driveway Design.** All driveway connections to a public right-of-way (access) and driveways shall conform to all of the following design standards:

1. Driveway Width. Driveways shall meet the following standards:
 - a. One-way driveways (one way in or out) shall have a minimum driveway width of 10 feet (single lane) and a maximum width of 12 feet per lane, and shall have appropriate signage designating the driveway as a one-way connection.

- b. For two-way access, each lane shall have a minimum width of 9 feet and a maximum width of 11 feet.
- c. Driveway width shall increase (taper out) to provide for required emergency vehicle access and truck/trailer turning radius.

As the proposed lots develop, individual site plans and building permits will be submitted, all proposed driveways are to meet these standards.

- 2. Driveway Approaches. Driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts. Driveways should be located to allow for safe maneuvering in and around loading areas. See also, Chapter 5-3.3, Parking and Loading.

As the proposed lots develop, individual site plans and building permits will be submitted, all proposed driveways are to meet these standards.

- 1. Driveway Construction.
 - a. Driveway aprons (when required) shall be constructed of concrete and shall be installed between the street right-of-way and the private drive, as shown in Figure 5-3.1.020K.

Does not apply, no roadside sidewalks are proposed as part of the project.

- b. Driveway aprons shall conform to Americans with Disability Act requirements for sidewalks and walkways, which generally require a continuous unobstructed route of travel that is not less than 3 feet in width, with a cross slope not exceeding 2 percent, and providing for landing areas and ramps at intersections.

Does not apply, no roadside sidewalks are proposed as part of the project.

- c. Where no sidewalk exists and the Public Works Director determines that sidewalk improvements in the vicinity are unlikely in the future, a paved apron extending 10 feet behind the right-of-way is required.

All driveway constructed as the lot develop in this Master Plan Development will be required to follow this guideline with the exception that concrete may be substituted for pavement.

- d. Where a drainage ditch exists, a 12-inch minimum culvert extending a minimum of two (2) feet past the edge of the driveway on both sides of the driveway is required.

The construction plans will identify the minimum culvert size base on storm runoff calculations. 12” will be the minimum size, culvert are required to be CMP, Ductile Iron, Concrete, or other product approved by City Public Works.

- L. **Fire Access and Turnarounds.** When required by applicable Fire Codes, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided within 150 of all exterior walls of the first story of a building that is located more than 150 feet from an existing public street. The drive shall contain unobstructed adequate aisle width (14-20 feet) and turn-around area for emergency vehicles. The Fire Marshal may require that fire lanes be marked as “No Stopping/No Parking.” For requirements related to cul-de-sacs or dead-end streets, please refer to Section 5-3.4.010N.

In Phase 1, each proposed street will end in a hammerhead type turn-around, designed per the 2019 Oregon Fire Code Standards. Future phases will also end in either a hammer head or cul-de-sac type turn around feature for each street.

- M. **Vertical Clearances.** Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6” for their entire length and width.

N/A

- N. **Vision Clearance.** No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) between three (3) feet and eight (8) feet in height shall be placed in “vision clearance areas” at street intersections on streets, driveways, alleys, or mid-block lanes as shown in Figure 5-3.1.020N. The minimum vision clearance area may be modified by the Public Works Director upon finding that more or less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). The Public Works Director may allow light standards, utility poles, tree trunks and similar objects within a required clear vision area. See also, Chapter 5-6.2 Methods of Measurement.

The Master Plan Development propose no changes to this, all of the infrastructure development will follow the Vision Clearance Standards and each lot that is developed will be required to follow them also.

- O. **Conditions and Exceptions.**

1. The City may impose turning restrictions (i.e., right in/out, right in only, or right out only) for safety and to maintain adequate traffic operations where a driveway opens onto a collector or arterial street.
2. Access to and from off-street parking areas shall not permit backing onto a public street, except for single-family dwellings.
3. The City may reduce required separation distance of access points where they prove impractical due to lot dimensions, existing development, other physical features, or conflicting code requirements, provided all of the following requirements are met:
 1. Joint-use driveways and cross-access easements are provided;
 2. The site plan incorporates a unified access and circulation system in accordance with this Section; and
 3. The property owner(s) enter in a written agreement with the City, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint-use driveway.

- P. **Site Circulation.** New developments shall be required to provide a circulation system that accommodates expected traffic on the site. Pedestrian connections on the site, including connections through large sites, and connections between sites (as applicable) and adjacent sidewalks, must conform to the provisions in Section 5-3.1.030.

Sheets 02 and 03 provide a proposed street layout for the site. The 25' road with is provided to allow traffic circulation as well as other modes of transportation, connecting the lots throughout the site. A trail system will be developed throughout the open spaces connecting different portions of the project. Each trail will be field-fit as needed based on the terrain, vegetation and other features of the area.

- Q. **Construction.** The following development and maintenance standards shall apply to all driveways and private streets, except that the standards do not apply to driveways serving one single-family detached dwelling:

1. **Protection of Public Ways.** Driveways and access roads shall be graveled to prevent tracking of mud onto city streets during site development and construction. The Public Works Director may also require rinsing of vehicles on-site before they are permitted to enter the public right-of-way.
A gravel construction entrance will be provided as part of the construction plans for the site infrastructure. Individual lot construction by lot owner/developer will be required to do the same, per City Development Code.
2. **Surface Options.** Driveways, parking areas, aisles, and turnarounds may be paved with asphalt, concrete, or comparable surfacing, including interlocking pavers or other durable paving material. When approved by the Public Works Director, porous paving systems may be used to manage surface water runoff. All paving materials shall be subject to review and approval by the Public Works Director.

The Master Plan Development proposed to add gravel as a surface option provided that the entrance to a public way is asphalt, concrete, or other approved surfacing that will prevent the migration of gravel into the City Street.

3. Surface Water Management. All driveways, parking areas, aisles, and turnarounds shall have on-site collection of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with applicable engineering standards, and shall be subject to review and approval by the Public Works Director.

In addition to this, The Master Plan Development proposes that the City allow runoff from the lots to enter the public rights-of-way if the terrain makes it impractical to contain on site. The lot owner/developer will be required to show that the runoff collection system in the public right-of-way is capable of handling the design flows that will be contributed by the property or portion of the property.

4. Driveway Aprons. When driveway approaches or “aprons” are required to connect driveways to the public right-of-way, they shall be paved with concrete surfacing and conform to the City’s engineering design criteria and standard specifications. (See general illustrations in Section 5-3.1.020K, above.)
 - a. Where no sidewalk exists and the Public Works Director determines that sidewalk improvements in the vicinity are unlikely in the future, a paved apron extending 10 feet behind the right-of-way is required.
 - b. Where a drainage ditch exists, a 12-inch minimum culvert extending a minimum of two (2) feet past the edge of the driveway on both sides of the driveway is required.

A paved or concrete apron will be required on all driveways, with the following proposed standard, minimum of 15 feet behind the streets edge of pavement, in a 50-ft ROW and 25’ of pavement as proposed, this will put the apron past the ROW and onto the private property .

5-3.1.030 Pedestrian Access And Circulation

5-3.1.030 A Site Layout and Design. To provide safe, direct, and convenient pedestrian circulation, all developments, except single-family and duplex dwellings shall provide a continuous pedestrian system within the development site that connects to the public right-of-way, regardless of whether a public sidewalk currently exists. The pedestrian system shall be based on the standards in subsections 1-4, below:

5-3.1.030 A(1) Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, if any, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose, in accordance with the provisions of Section 5-3.1.020, Vehicular Access and Circulation, and Section 5-3.4.010, Transportation Standards.

The proposed walkway system along the proposed streets, is shown on the typical section (Sheet 04). Each street will include pavement width for (2) 10 ft vehicle travel lanes and an additional 5 ft for pedestrians. The streets will not provide roadside parking to improve the visibility between drivers and pedestrians. In addition gravel pathways consistent with other pathways throughout the City, will be constructed to connect both streets within the Master Plan development, existing streets and Open Space, Sheets 02 & 03 provide examples of these but, exact locations and configuration may vary to limit the disturbance of the site, protect native vegetation and avoid obstacles in the terrain.

5-3.1.030 A(2) Safe, Direct, and Convenient. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets, based on the following definitions:

- a. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

- b. Safe and convenient. Routes that are reasonably free from hazards and provide a reasonably direct route of travel between destinations.
- c. "Primary entrance" is the main public entrance to the building. In the case where no public entrance exists, street connections shall be provided to the main employee entrance, as applicable.

The primary buildings in the Master Plan development will be single family homes and duplexes, the most common connection between them will be the public streets. The 5 ft paved area of each street will provide the connection. As part of the Future Phases portion of the Master Plan a Common area for recreation/gathering is being provided and will have an interconnection of pathways, streets, and parking lots leading to any structures or gathering areas. This area will be submitted for design review when the Future Phases portion of the Master Plan development is developed.

5-3.1.030 A(3) Connections Within Development. Connections within developments shall be provided as required in subsections a-c, below:

- a. Walkways shall connect all building entrances to one another to the extent practicable, as generally shown in Figure 5-3.1.030A(1) *see City Code*;
- b. Walkways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent practicable. Topographic or existing development constraints may be cause for not making certain walkway connections, as generally shown in Figure 5-3.1.030A(1) *see City Code*; and
- c. Parking areas containing twenty four (24) or more parking spaces shall be broken up so that parking bays do not exceed twelve (12) contiguous parking spaces without a break. Parking areas may be broken up with landscape areas (per subsection 5-3.2.030.E), handicap-accessible walkways, plazas, streets, or driveways with street-like features. Street-like features, for the purpose of this section, means a raised sidewalk that is at least four (4) feet wide for residential projects and at least six (6) feet wide in all other projects, with 6-inch raised curbs, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian-oriented lighting.

The only structures proposed as part of this Master Plan Development are single and multi family dwellings. This section does not apply to the proposed type of development. If large multi family structures are constructed on any of the lots, and site design review is required then, they will need to these issues for that lot specifically.

5-3.1.030 B Walkway Design and Construction. Walkways, including those provided with access ways through a block, shall conform to all of the standards in subsections 1-4, below, as generally illustrated in Figure 5-3.1.030B (*see City Code*):

1. Vehicle/Walkway Separation. Except for crosswalks (subsection 2), where a walkway abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or masonry bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians.

The street system is multi use, there is enough room for (2) 10 ft travel lanes and an additional 5 foot for pedestrians. The streets are local residential streets with low traffic speeds, in Phase 2 each cul-de-sac will have less than 10 homes. In the Future Phases portion of the Master Plan development, traffic amounts will be more but, there will also be multiple other pathway routes for pedestrians to travel. This is a similar design to many other streets throughout John Day and surrounding small communities. No raised or barriers are proposed for walkways in this Master Plan development.

2. Crosswalks. Where a walkway crosses a parking area, driveway, or street ("crosswalk"), it shall be clearly marked with contrasting paving materials (*e.g.*, light-color concrete or pavers inlaid between asphalt), which may be part of a raised/hump crossing area. The reviewing body may approve painted or thermo-plastic

striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.

The Master Plan Development is proposing that any proposed crosswalks needed at intersections or trail crossings be identified with painted markings, and that the allowed width for such a crossing be increased for this project. (approx. max. width at returns at intersections, typical proposed street width is 25-ft) This would be typical with other crossings throughout the City and these streets will only have local limited traffic from the lots developed in this project.

3. Walkway Width and Surface. Walkway and accessway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director, at least four (4) feet wide in residential projects and at least six (6) feet wide in all other projects. Multi-use paths (i.e., for bicycles and pedestrians) shall be concrete or asphalt, at least 10 feet wide, or as required by the roadway authority or park district, as applicable.

Pedestrian walking areas as part of the street system will be asphalt pavement. All other proposed pathways will be graveled at a minimum, matching many others in the City's pathway/trail system.

4. Accessible routes. Walkways shall comply with applicable Americans with Disabilities Act (ADA) requirements. The ends of all raised walkways, where the walkway intersects a driveway or street shall provide ramps that are ADA accessible, and walkways shall provide direct routes to primary building entrances.

Accessible Routes will only be required for the develop of the lots on this project is the number of units exceeds 4 per multi family facility. ADA requirement will be addressed in the individual Site Design Review plans submitted for City approval.

5-3.2 Landscaping, Street Trees, Fences And Walls

5-3.2.010 Purpose

The purpose of Chapter 5-3.2 is to promote community health, safety, and welfare by protecting natural vegetation and setting development standards for the design, installation, and maintenance of landscaping, street trees, fences, and walls; and for alterations to the same. Together, these elements of the natural and built environment contribute to the visual quality, environmental health, and character of the community. Trees provide climate control through shading during summer months and wind screening during winter. Trees and other plants can also buffer pedestrians from traffic. Walls, fences, trees, and other landscape materials also provide vital screening and buffering between land uses. Landscaped areas help to control surface water drainage and can improve water quality, as compared to paved or built surfaces. Likewise, proper maintenance of landscape features is necessary to protect the public health and safety. The Chapter is organized into the following sections:

- A. **Section 5-3.2.020 Landscape Conservation** prevents the indiscriminate removal of significant trees and other vegetation, including vegetation associated with streams, wetlands, and other protected natural resource areas. Landscape conservation helps prevent soil erosion and landslide hazards, while protecting natural resource values (e.g., stream flow and water quality) and community aesthetics. Conservation of native, non-invasive plant and tree species is a high priority in areas subject to natural hazards, such as hillsides and riparian areas. Regulation of tree removal in other areas of the city is intended to balance residential privacy with the desire for views from, and solar access to, individual residences.
- B. **Section 5-3.2.030 - Landscaping** sets standards for and requires landscaping of all development sites that require Site Design Review. This section also requires buffering for parking and vehicle maneuvering areas, and in some instances different land uses. Section 5-3.2.030 is to be applied in conjunction with Article 5-2, Land Use Districts.
- C. **Section 5-3.2.040 Street Trees** sets standards for and requires planting of trees where landscape park strips are designated. Street trees add to property values and community livability by providing summer shade along walks, comfort and safety to pedestrians, improved air quality along major streets, and improved community aesthetics.

- D. **Section 5-3.2.050 Fences and Walls** sets standards for new fences and walls, including allowable height and materials, to promote security, personal safety, privacy, and aesthetics.

5-3.2.020 Landscape Conservation

- A. **Applicability.** All development sites containing Significant Vegetation, as defined by subsection B, below, shall comply with the standards of this Section. The purpose of this Section is to incorporate significant native vegetation into the landscapes of development to the greatest extent practicable. The retention of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting, particularly on steep slopes and areas prone to landslide or susceptible to soil erosion. Mature landscaping provides summer shade and wind breaks, controls erosion, and allows for water conservation due to larger plants having established root systems.

Other than the establishment of vegetation for the purposes of preventing erosion, not other plantings are proposed as part of the infrastructure development and lot creating portions of this Master Plan Development. The goal will be to minimize the removal of vegetation and/or disturbance of the project as much as possible to protect the site. Juniper trees/shrubs have taken over some areas of the site or were killed in a recent fire. Some Junipers will be removed to improve visibility and conserve water in the John Day River basin.

- B. **Significant Vegetation.** "Significant vegetation" means individual trees and shrubs within an Open Space District, any existing or proposed open space area within a development, geological hazard areas, flood plains, and jurisdictional wetlands, as determined by a natural resource agency with jurisdiction, except that protection shall not be required for plants listed as non-native, invasive plants by the Oregon State University (OSU) Extension Service, Grant County, or other government agency, where removal of vegetation is necessary to protect the public health, safety or welfare as determined by the City approval body.

Other than removal of Junipers no other vegetation is proposed to be removed from the site, other than what is needed to construct the infrastructure.

- C. **Mapping and Protection Required.** Significant vegetation shall be mapped as required by Chapter 5-4.2, Site Design Review. Significant trees shall be mapped individually and identified by species and diameter or caliper at 4 feet above grade, except where a site contains more than five acres the Planning Official may accept a canopy-level inventory of trees based on an aerial photograph for a preliminary land division application. The City also may require an inventory, survey, or assessment prepared by a qualified professional when necessary to determine construction boundaries, building setbacks, and other protection or mitigation requirements.

None anticipated. If needed will be provided as part of each phase's construction plans.

- D. **Protection Standards.** Significant trees and shrubs identified as meeting the criteria in Section B, above, shall be retained to the extent practicable to minimize the risk of erosion, landslide, and stormwater runoff. Where protection is impracticable because it would prevent reasonable development of public streets, utilities, or land uses permitted by the applicable land use district, the City may allow removal of significant vegetation to provide for a reasonable building envelope (area exclusive of required yard setbacks), and areas for access and utilities. Where other areas must be disturbed to provide for construction staging areas, the applicant shall be required to restore such areas after construction with landscaping to prevent erosion and to protect the public health, safety, and welfare. With the owner's consent, the City may accept a land dedication or become a party to a conservation easement on private property for conservation purposes.

None anticipated. The development of each lot will be required to follow any rules / standards per the City Development Code.

- E. **Construction; Erosion and Sediment Control.** An erosion and sediment control plan is required for all new construction. All significant vegetation on a site that is not otherwise designated and approved by the City for removal shall be protected prior to, during, and after construction in accordance with a limit-of-clearing and grading plan approved by the City. The City may limit grading activities and operation of vehicles and heavy equipment in and around significant vegetation areas, streams and other water bodies to prevent erosion, pollution, or landslide hazards.

The construction of the infrastructure will be disturbing over one acre of ground, therefore the contractor/developer will be required to prepare an Erosion Control Plan for DEQ approval and DEQ requires a 1200C Permit.

F. **Exemptions.** The protection standards in “D” and “E” shall not apply to:

1. **Dead or Diseased Vegetation.** Dead or diseased vegetation may be removed from an area containing significant vegetation, as defined by subsection B, provided the burden is on the property owner to demonstrate to the Planning Official that said vegetation is in fact diseased or dead before it is removed.

Any dead tree that may be a hazard will be removed during the construction phase, dead trees on the individual lots are to be removed by the owner/developer as need for appearances and reduced fire fuel.

2. **Hazardous Vegetation and Other Emergencies.** Significant vegetation may be removed without land use approval pursuant to Article 4-1 when the vegetation poses an immediate threat to life or safety, or the vegetation must be removed for other reasons of emergency (e.g., fallen over road or power line, blocked drainage way, or similar circumstance), as determined by the City Planning Official or emergency service provider.

None anticipated. If needed will be provided as part of each phase’s construction plans.

5-3.2.030 Landscaping And Screening

No Landscaping or Screening is proposed as part of the infrastructure and lot construction portion of the Master Plan Development. Any future development of lots that require Site Design Review are to follow the rules, standards and procedures of the City’s Development Code.

5-3.2.040 Street Trees

Street trees shall be planted for all developments that are subject to Land Division or Site Design Review where landscape park strips exist or are required with the development. Requirements for street tree planting strips are provided in Section 5-3.4.010, Transportation Standards. Planting of street trees shall generally follow construction of curbs and sidewalks, however, the City may defer tree planting until final inspection of completed dwellings to avoid damage to trees during construction. The planting and maintenance of street trees shall conform to the following standards and guidelines, and any applicable road authority requirements:

To reduce water needs and the fact the future recycled wastewater is not practical for this Master Plan Development project. No street trees are proposed.

5-3.2.050 Fences And Walls

5-3.2.050 A General Requirements. All fences and walls placed within a required setback yard shall comply with the standards of this Section.

No fences are proposed as part of this Master Plan Development. Small walls may be needed for construction of the infrastructure, due to the grades of the site. All walls will be part of the construction plans submitted for approval, prior to construction. Any fences or walls constructed on the lots will be part of the lot development by the homeowner or developer, they must follow all the rules and standards of the City’s Development Code.

5-3.3 Parking And Loading

5-3.3.030 Automobile Parking Standards

5-3.3.030 A Vehicle Parking - Minimum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 5-3.3.030A, or alternatively, through a separate parking demand analysis prepared by the applicant and subject to a Type II Land Use Review (or Type III review if the request is part of an application that is already subject to Type III review). Where a use is not specifically listed in this table,

parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described above. Parking that counts toward the minimum requirement is parking in garages, carports, parking lots, bays along driveways, City-approved shared parking, and designated on-street parking when approved by the City. There is no minimum number of off-street parking required in the CBD district; however, new development and changes in use in the CBD shall be subject to a Downtown Parking District fee upon City adoption of a Downtown Parking District (or similar) ordinance. Where such Parking District applies, parking fees shall be calculated using the minimum parking ratios in Table 5-3.3.030A, below, or as established by City Ordinance.

Applicable portion of “Table 5-3.3.030A – Minimum Required Parking by Use”

Use Categories (Examples of uses are in Chapter 1.3 ; definitions are in Chapter 6.1 .)	Minimum Parking per Land Use (fractions rounded down to the closest whole number)
Residential Categories	
Household Living	
Accessory Dwelling	None
Single Family Dwelling, including attached and detached dwellings and manufactured homes	2 spaces, except attached dwellings shall conform to the parking requirements for multifamily uses
Duplex	4 spaces per duplex building (2 spaces per dwelling)
Multifamily	1 space per studio or 1-bedroom unit 1.5 spaces/unit per 2-bedroom unit 2 spaces/unit per 3-bedroom or larger unit
Group Living, such as nursing or convalescent homes, rest homes, assisted living, congregate care, and similar special needs housing	0.5 space per 4 bedrooms, except the decision making body may require additional parking adjacent street(s) have limited or no on-street parking, where most residents are expected to drive, or where owner does not provide shuttle service for residents.

Since no on-street parking will be provided on the streets of this Master Plan development. The minimum parking requirement per the Residential Categories shall be increased per the following:

Single Family Dwelling – minimum of three parking spaces (either garage and/or exterior)

Multi Family – as identified in table Table 5-3.3.030A plus one additional per dwelling unit (either garage and/or exterior)

5-3.3.030 B Vehicle Parking - Minimum Accessible Parking

No ADA parking is required for single family residential development or small multi unit family dwellings and no other parking is proposed as part of the Master Plan Development. If larger multi family units are proposed for any of the lots they will be required to go thru site design review and all accessible parking requirements are to follow current City, State, and Federal requirements for ADA.

5-3.3.030 C On-Street Parking. On-street parking shall conform to the following standards:

No on-street parking will be provided on the streets of this Master Plan development. The goal is to keep the streets clear of unused vehicles, and keep the visibility maximized for vehicles and pedestrians.

5-3.3.030 F General Parking Standards.

1. Location. Parking is allowed only on streets, within garages, carports, and other structures, or on driveways or parking lots that have been developed in conformance with this code. Article 2-1, Land Use Districts, prescribes parking location for some land uses (e.g., the requirement that parking for some multiple family and commercial developments be located to side or rear of buildings), and Chapter 5-3.1, Access and Circulation, provides design standards for driveways. Street parking spaces shall not include space in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pedestrian accessway, landscape, or other undesignated area.

No on-street parking will be provided on the public streets of this Master Plan Development. All parking will be on the individual lots and will be designed by the property owner as part of the lot development.

5-3.3.040 Bicycle Parking Standards

All uses that are subject to Site Design Review shall provide bicycle parking, in conformance with the standards in Table 5-3.3.040, and subsections A-G, below.

5-3.3.040 A Minimum Required Bicycle Parking Spaces. Uses shall provide bicycle parking spaces, as designated in Table 5-3.3.040.

Per Table 5-3.3.040 Bicycle Parking is not required for single family housing, multi family requires a minimum of 2 or 1 per 20 units. All multi family developments as part of this Master Plan Development will be required to provide (2) bicycle parking spaces, if any multi family developments are proposed by the individual lot developers that require site design review, the developer is to follow all current development codes pertaining to bicycle parking.

5-3.3.050 Loading Areas

Not applicable for any lots developed as single family or small multi family structures. If lot development requires site design review, the need for loading areas will be addressed by the developer of the individual lot as part of the lot site design, per current City Development Code.

5-3.4 Public Facilities

5-3.4.010 Transportation Standards

5-3.4.010 A Development Standards and Criteria. Projects shall be required to meet the current standards in effect at the time an application is filed.

5-3.4.010 A(1) Adequate Public Facilities. No development shall be approved unless adequate transportation facilities are available or improvements will be constructed and operational, as required by this Code, the John Day Transportation System Plan and the John Day Local Street Network Plan. If existing improvements leading to or serving the site are inadequate to handle anticipated loads, improvements are to be constructed and operational prior to the issuance of building permits or in conjunction with construction of the approved lots or parcels pursuant to financial assurance for the improvements or a written agreement with the City prior to final plat approval. Development resulting in increased traffic on a state highway shall meet the traffic operations standards per the current Oregon Highway Plan.

The Master Plan Development creating the lots in phases, as each phase is developed the developer will provide a preliminary plat for approval, construction plans for approval, and final construct all approved improvements prior to recording the final plat, unless the City approves the improvements to be Bonded prior to recording the final plat. Phases 1 and 2 will be accessing Oregon Highway 26. Reviewing the May 2015 Oregon Highway Plan it did not appear that the state had assigned a Segment Designation for the point of access for this site.

The construction plans will be designed following guidance from ODOT and any improvements constructed connect to HWY 26 will be submitted and approved by ODOT prior any construction. Any issues/requirements identified by the City's Traffic Study will also be addressed with the final construction plans.

5-3.4.010 A(2) Amendments Significantly Affecting Transportation Facilities. Amendments to the Comprehensive Plan, the Development Code or a Land Use District (zoning) that significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity and performance standards of the facility identified in the Transportation System Plan. This shall be accomplished through one of the following measures, subject to review and approval under Chapter 5-4.7 Amendments:

None Proposed as part of this Master Plan Development.

5-3.4.010 A(3) Street Improvements. Streets within and adjacent to a development shall be improved in accordance with the City of John Day Transportation System Plan and the provisions of this Chapter. Development of new streets, including sidewalks, curbs, gutters, bicycle lanes, vehicle travel lanes, traffic control devices, and park strips, and additional right-of-way or street width or improvements planned as a portion of an existing street, shall be improved in accordance with this Chapter; and all public streets shall be dedicated to the applicable road authority upon the Public Works Director's acceptance of said improvements;

Based on the difficult terrain to construct streets, the Master Plan Development has proposed a revised street section that is wide enough for two travel lanes, and 5 feet for other travel methods, for a total of 25 feet of paved surface. (see plan sheet 04) As part of the Final Plat the public street Right-of-Ways will be dedicated to the City of John Day.

5-3.4.010 A(4) Access Improvements. All new streets, and driveways connecting to streets, shall be paved; driveways and driveway aprons shall be improved as required under Section 5-3.4.030 and subject to approval by the Public Works Director.

See Sheet 04 for proposed typical street cross section, 3" of Hot Mix Asphalt Pavement is proposed for Public Streets. Drive aprons will be the responsibility of the owner/developer of each individual lot as they develop them.

B. **Guarantee.** The City may accept a future improvement guarantee (e.g., cash, bond, and/or owner agreement not to object to the formation of a local improvement district in the future) in lieu of street improvements if one or more of the following conditions exist:

1. A partial improvement would create a potential safety hazard to motorists or pedestrians;
2. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the standard improvement associated with the project under review would not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
3. The improvement would be in conflict with an adopted capital improvement plan; or
4. The improvement is associated with an approved land partition and the proposed land partition does not create any new streets or result in increased transportation demand.

N/A

C. **Creation of Rights-of-Way for Streets and Related Purposes.** Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed in the public interest by the City Council for the purpose of implementing the John Day Transportation System Plan and Local Street Network Plan, and the deeded right-of-way and improvements conform to the standards of this Code.

All right-of-ways for streets and turn-arounds will be created as part of and recorded on the Final Plat.

D. **Creation of Access Easements.** The City may approve an access easement connecting to a public street only when the easement is necessary to provide for access and circulation in conformance with Chapter 5-3.1.

Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code Section 10.207.

N/A

- E. **Street Location, Width, and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the Transportation System Plan, Local Street Network Plan, or subdivision plat, as applicable. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets. Where the location of a street is not shown on an adopted City street plan, the location of streets in a development shall provide for the reasonable continuation and connection of existing streets to adjacent developable properties, conforming to the street standards of this Chapter.

The approximate street locations are shown on the Concept Plan for the Master Plan Development, Phase 1 streets are shown on the Preliminary Plat. For Phase 1 the proposed typical section and approximate grades of the finished street are shown on sheet 04. Each future phase will provide the same information on the Preliminary Plat. Streets layout for Phase 1 shown providing connectivity for future phases of this Master Plan Development and to neighboring properties. Due to the terrain of the property connectivity though the site is limited by a large drainage way.

- F. **Minimum Rights-of-Way and Street Sections.** Street rights-of-way and improvements shall be the widths in Table 5-3.4.010. Variances to street design standards are subject to review and approval by the Public Works Director. Where a range of width is indicated, the width shall be the narrower in the range unless unique and specific conditions exists as determined by the Public Works Director based upon the following factors:

1. Transportation policies of the Transportation System Plan;
2. Anticipated traffic generation;
3. On-street parking needs;
4. Sidewalk and bikeway requirements, including the extension of and connection to existing sidewalks;
5. Requirements for placement of utilities;
6. Street lighting;
7. Minimize drainage, slope, and sensitive lands impacts;
8. Street tree location, as provided in Chapter 5-3.2;
9. Protection of significant vegetation, as provided in Chapter 5-3.2;
10. Safety, comfort, and convenience of motorists, bicyclists, and pedestrians;
11. Placement of street furnishings (e.g., benches, lighting, bus shelters, etc.), as applicable;
12. Access needs for emergency vehicles and for emergency evacuation; and
13. Transition between different street widths (i.e., existing streets and new streets).

Table 5-3.4.010F Minimum Street, Sidewalk and Bikeway Standards. Table 5-3.4.010F specifies typical street, sidewalk and bikeway right-of-way, paving and design standards as identified in the City of John Day Transportation System Plan. The street right-of-way and improvement standards minimize the amount of pavement and ROW required for each street classification consistent with the operational needs for each facility, including requirements for pedestrians, bicyclists and public utilities.

All the streets that are part of this Master Plan development are “Local Residential”. Table 5-3.4010F list Options A-E for these streets, with Right-of-Way widths varying from 38’ to 60’ wide. All options show 10’ travel lanes, 8’ parking (one or both sides), curb, and 4’6” sidewalks.

The proposed typical street section for all roads within this Master Plan Development are shown on Plan Sheet 04.

The proposed typical street section is a 25' Paved surface - (2) 10' travel lanes and 5 feet extra that can be used by pedestrians. The street will have 2' gravel shoulders on each side, and a drainage ditch in cut areas. No curb, concrete sidewalk, pavement markings, or roadside parking will be provided. This is a section that matches many existing streets in the area.

G. **Subdivision Street Connectivity.** All subdivisions including those within Master Planned Developments, shall conform to all the following access and circulation design standards:

1. **Connectivity to Abutting Lands.** The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided by the John Day Local Street Network Plan and the requirements of this Section. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turnaround unless specifically exempted by the Fire Marshall, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.

The street layout on the Concept Plan provides connectivity between the eastern phases of the project, a large drainage way prevents connecting to the west. The proposed Pine View Rd. connects to the property to the East that is in the City's UGB. No connectivity is provided to the South or West due to the sites topography. The property to the South is outside of the City limits and UGB.

2. **When Abutting an Arterial Street.** Property access to abutting arterials shall be minimized. Where such access is necessary, shared driveways may be required in conformance with Chapter 5-3.1. If vehicle access off a secondary street is possible, then the road authority may prohibit access to the arterial.

Property abuts US Hwy26, a new local street access is proposed to the Highway, no individual lots will connect to the Highway. The other connection is to Hillcrest Rd., and a future phase will create a single local side street to serve 5-10 lots.

3. **Continuation of Streets.** Planned streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection 4, below, and to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures, as provided in subsection H, below, are the preferred means of discouraging through traffic.

The topography prevents complete connectivity throughout the site. Phase 1 and future phases on the east side will connect to a single street that connects to Highway 26. The future phase on the West side will connect to Hillcrest Rd. Trails to be constructed in the Open Spaces will provide alternate means for evacuation if needed. The geometry and grades of the streets will help to create traffic calming throughout the project.

4. **Street Connectivity and Formation of Blocks.** In order to promote efficient vehicular and pedestrian circulation throughout the city, all subdivisions and site developments requiring the extension of public streets shall be served by a connecting network of public streets and/or accessways, in accordance with the John Day Local Street Network Plan. The block length in new residential subdivisions shall not exceed 600 feet.

Due to the hillside topography of the site, and limited potential for future development in the area, the Master Plan Development is proposing the street layout that best fits the site. Creating a block type circulation pattern throughout the development is not practical give the terrain.

5. **Accessway Standards.** Where a street connection in conformance with the maximum block length standards in subsection 4 is impracticable (e.g., due to topographic barriers or other physical

constraints), an accessway shall be provided at or near the middle of a block in lieu of the street connection. The City may also require developers to provide an accessway where the creation of a cul-de-sac or dead-end street is unavoidable and the accessway would connect the ends of the street to another street or public access way. Such access ways shall conform to all of the following standards, which may be modified by the decision body without a variance when the modification affords greater convenience or comfort for, and does not compromise the safety of, pedestrians:

1. Accessways shall be no less than ten (10) feet wide and contain a minimum six (6) foot wide paved walkway surface within a right-of-way or easement allowing public access; where emergency vehicle access is required, the access way shall be no less than twenty (20) feet wide and contain an all-weather driving surface with the required weight-bearing capacity;
2. If the streets within the subdivision or neighborhood are illuminated, all access ways in the subdivision shall be lighted. Accessway lighting shall provide at least 2-foot candle of illumination of the walkway surface;
3. A right-of-way or public access easement provided in accordance with subsection b that is less than ten (10) feet wide may be allowed on steep slopes where the decision body finds that stairs, ramps, or switch-back paths are required;
4. All public walkways shall conform to applicable ADA requirements (exception allowed for hillsides); and
5. The City may require landscaping as part of the required accessway improvement to buffer pedestrians from adjacent vehicles, or to screen the accessway for the privacy of adjoining residents.

Since is it impractical to create blocks , the Master Plan development is proposing a pedestrian trails through all of the Open Spaces to create connectivity between the streets and neighbors. There will be a minimum of on trail per Open Space, more if the area/topography allow.

H. Traffic Signals and Traffic Calming Features.

1. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Federal Highway Administration approved guidelines, including but not limited to: Highway Capacity Manual and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed in conformance with the road authority's requirements. The developer's cost and the timing of improvements shall be included as a condition of development approval.
2. When an intersection meets or is projected to meet traffic signal warrants, the City may accept alternative mitigation, such as a traffic roundabout, in lieu of a traffic signal, if approved by the Public Works Director and applicable road authority.
3. The City may require the installation of traffic calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, and/or special paving surfaces to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

No traffic signals or traffic calming features are proposed for this Master Plan development.

I. Extension of Streets, Sidewalks, and Bikeways.

1. Where a subdivision is proposed adjacent to other developable land, a future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed subdivision. The street plan is not binding; rather it is intended to show potential future street extensions with future development and ensure that the proposed development does not preclude future street connections to adjacent development land.

The Concept plan shows the proposed extent of street construction for the proposed Master Plan Development. This is preliminary and during the design process these may need to be adjusted for alignment and/or grades.

2. Streets shall be extended to the boundary lines of the parcel or tract to be developed when the City determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land. The point where the streets temporarily end shall conform to a-i, below:
 - a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.
 - b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
 - c. Temporary street ends shall provide turnarounds constructed to Uniform Fire Code standards for streets over 150 feet in length. See also, Section 5-3.1.020.
 - d. Wheelchair ramps and other facilities shall be provided as required by the Americans with Disabilities Act (ADA). The lower lip of the wheelchair ramp shall be flush with the roadway surface.
 - e. Mailboxes and utility cabinets shall not infringe on public sidewalks or access ways.
 - f. Bikeways shall be designed and constructed consistent with the design standards in the "Oregon Bicycle and Pedestrian Plan: Design Standards and Guidelines," and the American Association of State Highway and Transportation Official's (AASHTO's) "Guide for the Development of Bicycle Facilities," as applicable.
 - g. Temporary dead-end streets (not cul de sacs) that may be extended in the future shall have a right-of-way and pavement width that will conform to City standards when extended, and shall be posted as streets to be extended in the future.
 - h. Where topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional easements or rights of way shall be required to allow all cut and fill slopes to be within the easements or right-of-way. The Director of Public Works shall determine the required extra width.

The Master Plan development shows Pine View Rd. connecting to the neighboring property to the East. This property is not current in the City Limits but is within the UGB. A time frame when it may develop is unknow. As part of the development of Phase 1 of this Master Plan the street will be graded to turn around at the East boundary of the property so that any extension of this street would not affect the adjoining lots, that will likely all ready be fully developed. This street will function as a cul-de-sac until neighboring property it annexed into the City and developed. At this point the extent of the development is unknow but, the property has the potential to connect back to Highway 26 creating a second access to the area.

J. Street Alignment and Connections.

1. The creation of new streets making "T" intersections at collectors and arterials shall provide for intersection spacing of not less than 300 feet, as measured from the centerlines of the offset streets.

All proposed street connection are nearly "Ts", ranging from 80-90 degree angles. All intersection in this Master Plan Development are spaced greater than 3

2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where the Public Works Director approves closer spacing due to topographic constraints or as necessary to provide a traffic calming feature, such as an open space, roundabout, or similar amenity. This standard applies to four-way and three-way (off-set) intersections.

None of the new local street intersections are less than 125 feet apart cl-cl.

3. All local and collector streets that stub into a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if it falls within the Geological Hazards Overlay or it contains a stream or other natural drainage way. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.

One of the proposed streets is to extend to the east to create a connection for the future. Steep slopes (50%+) and up to 60' of grade change, in an existing drainage way prevent the feasible connection of streets to the west.

4. Proposed streets or street extensions shall be located to allow continuity in street alignments and to facilitate future development of vacant or redevelopable lands.

This Master Plan development provides full development of the City Limits in this area. The area north of the site and south of Highway 26 is already fully developed and no future streets seem likely.

5. In order to promote efficient vehicular and pedestrian circulation throughout the city, the design of subdivisions and alignment of new streets shall conform to block length standards in Section 5-3.1.020.

Topography thought the site and surround area prevent the development of blocks pre the City's Standards.

- K. **Sidewalks, Planter Strips, Bicycle Lanes.** Development shall be required to extend and improve sidewalks, planter strips, and bicycle lanes, as applicable, in conformance with the standards in Table 5-3.4.010, and pursuant to the City of John Day Transportation System Plan, John Day Local Street Network Plan, and/or the requirements of any other applicable roadway authority. The decision body may approve deferral of such improvements only as provided by Chapter 5-4.2 Site Design Review or Chapter 5-4.3 Land Divisions, as applicable. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.

No sidewalks, planter strips, bicycle lanes etc. in the area and none are proposed for the Master Plan development.

- L. **Intersection Angles.** Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where the Public Works Director approves closer spacing due to topographic constraints or as necessary to provide a traffic calming feature, such as an open space, roundabout, or similar amenity.

All new intersection, as part of the Master Plan development, both inside and connecting to the existing streets will intersect at 80-90 degrees, the existing right-of-way stubs from Valley View Dr are within this range and interior streets are shown at right angles, during design, to match the topography these may need to be adjust but, no angles will be less than 80 degrees.

- M. **Existing Rights-of-Way.** Whenever existing rights-of-way adjacent to a proposed development are less than standard width, additional rights-of-way shall be provided at the time of subdivision or development, subject to the provision of Section 5-3.4.010.

No additional adjacent right-of-way is being dedicated for existing streets.

- N. **Cul-de-sacs.** Streets shall be planned to continue to and through abutting properties, consistent with the connectivity standards in Section 5-3.4.010G. A cul-de-sac street shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation. For example, the Public Works Director may approve a cul-de-sac where a street extension would otherwise exceed allowable street grades or negatively impact a

natural drainageway or jurisdictional wetland. When cul-de-sacs are allowed, all of the following shall be met:

1. The cul-de-sac shall not exceed a length of 600 feet; the length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac;

Cul-de-sacs and Hammerhead turn-arounds are being used as temporary and permanent endings for streets that either cannot be extended due to the site conditions or may be extend in the future with further development of the UGB. The Master Plan development is seeking to extend the allow cul-de-sac length, for phase 1 and future phases based on the topography constraints and low development densities.

2. The cul-de-sac shall terminate with a circular or hammer-head turnaround meeting the Uniform Fire Code. Circular turnarounds shall have a radius of no less than 40 feet, and not more than a radius of 45 feet (i.e., from center to edge of pavement); except that turnarounds shall be larger when they contain a landscaped island or parking bay at their center. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width; and

The cul-de-sac radiuses proposed for the development are 45 feet and hammer-head turn arounds 120'x20' minimum, per the current UFC .

3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle accessway connection between it an adjacent streets access ways, parks, or other right-of-way. Such accessways shall conform to Section 5-3.1.040.

Hiking/Multi Use Trails through the Open Spaces will connect segments and the ends of the Streets to provide pedestrian and multi use connections.

- O. **Grades and Curves.** Except as approved by the Public Works Director, grades shall not exceed 10 percent on arterials, 12% on collector streets, or 12% on any other street. The Public Works Director may approve steeper grades for short street segments, provided the street grade does not exceed 15% for a distance greater than 250 feet), and:

The Plan Sheet 04 shows the proposed street grades, subject to small adjustment for the final construction plans. No street grades in the Master Plan develop will exceed the limits of 12% typically or 15% for sections less than 250 feet with the Public Works Directors approval.

1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and

All proposed streets in the Master Plan development are to be local residential streets, and all centerline radius are 100 ft or greater.

2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.

All intersection will be constructed matching the crown cross slope of the road being connected into and then transitioning thru a vertical curve to the grade continuing down the street at centerline. Each edge of pavement will radius between the new street and existing street. Grading intersections like this will create a "landing" that is greater than 20' long from the edge of the intersection and that is less than 5% in the general vehicle stopped position.

- P. **Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair ramps, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Chapter 5-3.1, Access and Circulation.

No curbs, curb cuts, ramps or driveway approaches are proposed with this development.

- Q. **Development Adjoining Arterial Streets.** Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access from through traffic and minimize traffic conflicts. (See also, the access requirements under Section 5-3.1.020.) The development

design shall include one or more of the following, as required by the City based on multimodal safety, compatibility between the roadway and adjacent residential uses, maintenance and aesthetic considerations:

1. A parallel access street (frontage road) along the arterial with a landscape median with raised curbs of not less than ten (10) feet in width separating the two streets;
2. Deep lots (120 feet or greater) abutting the arterial or major collector to provide adequate arterial buffering with access taken from the subordinate street;
3. Screen planting within a non-access reservation (e.g., public easement or tract) of not less than five (5) feet in width at the rear or side property line along the arterial; or
4. Other treatment approved by the decision body, consistent with the purpose of this Chapter.

Does not apply

- R. **Alleys, Public or Private.** Alleys shall conform to the standards in Table 5-3.4.010. The corners of alley intersections shall have a radius of not less than 12 feet and allow access to utilities.

No alleys are proposed as part of the Master Plan Development, private or public.

- S. **Private Streets and Gated Streets.** Private streets, including gated drives serving more than two (2) dwellings (i.e., where a gate limits access to a development from a public street), are not permitted.

No private streets or gated streets are proposed as part of the Master Plan Development.

- T. **Street Names.** No new street name shall be used which will duplicate or be confused with the names of existing streets in John Day or vicinity.

The Master Plan development Phase 1 proposed street names are shown on the preliminary plat. All future street names will be submitted for approval by the City of John Day.

- U. **Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments have been reestablished and protected.

As each phase of the Master Plan development is completed the boundary, individual lots, and right-of-way monuments will be established and recorded per the City of John Day, Grant County and State of Oregon's rules and regulation on a Final Plat. Any improvement not completed and monuments not permanently set, will be bonded prior to the sell of any lots.

- V. **Street Signs.** The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.

The developer will pay all cost of any signs necessary for the Master Plan development based on the City's actual cost to install them.

- W. **Mail Boxes.** Mail box locations shall be as approved by the United States Postal Service.

Mail box cluster proposed locations are shown on plans for phase 1, once final construction plans are developed, they will be submitted to the local US Postal Service for approval of the locations.

- X. **Street Light Standards.** Street lights shall be installed in accordance with City standards. At a minimum street lights shall be installed at street intersections; additional street lights or lighting of pedestrian access ways may be required by the City to provide for public safety and welfare.

No street lighting is proposed by the Master Plan development for any of the streets. Each lot as it develops will be required to have an approved lighting source at the beginning of their driveway (at the street) and the address number posted. This will provide lighting and locations for emergency services, visitors and pedestrians.

- Y. **Street Cross-Sections.** The final lift of asphalt or concrete pavement shall be placed on all new constructed public roadways prior to final City acceptance of the roadway unless otherwise approved by the Public

Works Director. The final lift shall also be placed no later than one (1) year from the commencement of initial construction of the development.

The Master Plan development is proposing initially the streets be constructed with 75% of the base rock in place. Then after 80% lots are sold and/or developed, the final 25% of the base rock will be added and graded per construction plans and a single lift of asphalt be placed

5-3.4.020 Public Use Areas

A. Dedication of Public Use Areas.

1. Where a proposed open space, park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the public dedication or reservation of this area on the final plat for the subdivision, provided that the impact of the development on the City park system is roughly proportionate to the dedication or reservation being made.
2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.
3. Alternatively, the City may impose conditions of approval providing for reservation and ongoing ownership, improvement and maintenance of open space areas (e.g., through Master Plan Development approvals under Chapter 5-4.5), including payment of property taxes for said property, by a private entity such as a homeowners association.

B. System Development Charge Credit. Dedication of land to the City for public use areas, voluntary or otherwise, may be eligible as a credit toward required system development charges for parks, as applicable.

This Master Plan development provides Open Space with hiking/multi use trails to be dedicated to the City. No other park or playground public use areas are proposed.

5-3.4.030 Sanitary Sewer And Water Service Improvements

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's Sanitary Sewer Master Plan, Water System Master Plan, and applicable engineering requirements. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except as may be waived by the Public Works Director when alternate alignment(s) are provided.

This Master Plan Development provides full development of the City Limits in this area. The area to the North is currently developed. The area to the South is outside the City Limits and UGB. The area to the East (in the UGB) has a street stub to it, and sewer and water will also be stubbed to it. This will server some of the higher portions of the site, but it is likely that the lower areas will need to extend sewer and water along Hwy 26 to get service.

B. Sewer and Water Plan Approval. Development permits for sewer and water improvements shall not be issued until the Public Works Director has approved all sanitary sewer and water plans in conformance with City standards.

The Main lines will be designed per City and APWA standards, submitted to the City and State agencies with jurisdiction for review and approval. Once installed all systems will be tested and approved for acceptance by the City.

C. Over-Sizing. The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, provided that the City may grant the developer credit toward any required system development charge for the same, or the City may authorize other cost-recovery or cost-sharing methods, in conformance with Section 5-3.4.010D.

Over-sizing is not anticipated since this project is near the limits of the City and UGB. If it is determined that it is needed by the Public Works Dept. it will then be addressed during the infrastructure design .

- D. **Inadequate Facilities.** Development permits may be restricted or rationed by the City where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. The City may require water booster pumps or sanitary sewer lift stations be installed with backup power.

Previous attempts to develop this site at higher densities did not show any deficiency in the existing sewer system. The water system did show that due to the elevations of the site that water pressure would be an issue based on the current storage tank elevations.

- E. **Water Pressure.** Above a certain elevation, where the City has limited ability to serve new development, a developer may be required to install a water storage reservoir and related infrastructure for required water flow pressure, consistent with adopted City master plans.

Phase 1 (except lots 12 and 13) will be at an elevation that can be serviced by the current storage tank elevations without addition booster pumps. Lots 12 and 13 when developed will be responsible for boosting water from their street right-of-way access point to the building site, as needed. Future phases at higher elevations will also need the water pressure boosted in order to meet the minimum service requirements, during the design of these phases, with approval of the Public Works Dept., a system will be designed to improve the system to boost the pressures and flow, as needed.

5-3.4.040 Storm Drainage Improvements

- A. **General Provisions.** A development permit may be granted only when adequate provisions for storm water and flood water runoff have been assured (i.e., through plans and assurances approved by the City). See also, Section 5-3.4.090.

Minor storm drain systems, i.e. ditch inlets, roadside ditches, catch basins, driveway culverts, etc. will be designed as part of the construction plans to handle a 25-yr storm event from the contributing area. Major storm systems, collecting or convey runoff large drainage areas, existing drainage ways that the streets and utilities will be crossing will be designed to handle a 50-yr storm event from the contributing area. Systems will be designed based on the anticipated fully developed site and contributing area.

- B. **Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the Public Works Director.

Contributing area in a drainage basin, both on site and off site, flowing to the storm system will be accounted for in the design of the storm systems.

- C. **Effect on Downstream Drainage.** The rate of stormwater runoff leaving a development site during and after development (post-development) shall not exceed the rate of stormwater runoff leaving the site before development (pre-development).

Detention facilities and/or control structures will be designed as needed to regulate the flow rates. Systems will be designed with input from the Public Works Dept., since they will be responsible for the maintenance of the systems once approved, constructed and accepted.

- D. **Storm Drainage Analysis and Mitigation Required.** The Public Works Director may require an applicant for development to provide a storm drainage analysis prepared by a qualified professional engineer registered in the State of Oregon to examine pre- and post-development stormwater runoff conditions and any required mitigation consistent with the City of John Day Stormwater Master Plan. Such analysis, at a minimum, shall

quantify pre- and post-development runoff volumes and rates and propose mitigation based on stormwater management best practices, as specified by the Public Works Director. Such mitigation shall ensure that post-development runoff rates do not exceed pre-development rates and necessary facilities are provided to protect public health, safety, and welfare. If upon reviewing the applicant's storm drainage analysis, the Public Works Director determines that the stormwater runoff resulting from the development will overload any existing and/or proposed drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential adverse impacts.

During the design of each phase calculations will be provided showing the capacity of the down stream systems. If insufficient, improvements will be deigned as part of the construction plans, to be approved by the City and any other agencies with jurisdiction of the storm water conveyance and/or discharge.

- E. **Over-Sizing.** The City may require as a condition of development approval that any public storm drainage system serving new development be sized to accommodate future development upstream, provided that the City may grant the developer credit toward any required system development charge for the same, or the City may authorize other cost-recovery or cost-sharing methods, in conformance with Section 5-3.4.010D.

The onsite storm drain system is not anticipated to need any over-sizing since, any of the contributing area beyond this Master Plan Development is not in the City Limits or UGB. If deemed necessary we will work with the Public Works Department as need to address any conditions.

- F. **Existing Watercourse.** Where a watercourse, drainage way, channel, or stream traverses a proposed development there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety. See also, Chapter 5-2.9 Flood Plain Overlay Zone.

The Master Plan Development is not in any Flood Plain Overlay Zones, and the existing drainage ways that drain across the site will either be part of the dedicated Open Space or if crossing a private lot will include a storm drain easement. The existing drainage ways are small, steep and well defined, the proposed easements will be a minimum of 30' wide, centered on the drainageway for open channels and as needed for piping systems and structures.

5-3.4.050 Utilities

A. Underground Utilities.

1. Generally. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above. The City may require screening and buffering of above ground facilities to protect the public health, safety or welfare through Site Development Review.
2. Subdivisions and Master Planned Developments. The following additional standards apply to all new subdivisions, including those within Master Planned Developments, in order to facilitate underground placement of utilities:
 - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 5-3.1);

During the design portion of each phase, after the basic infrastructure has been designed, plans will be provided to each private utility company (power, phone, cable, fiber optics, etc) for them to add their design. Their designs will need to meet the City's requirements and will be part of the final construction plans submitted for City approval.

- b. The City reserves the right to approve the location of all surface-mounted facilities;

Plans, details, and specifications will be submitted for City approval.

- c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

All City utilities will be installed prior to surfacing the streets. The private utilities if not fully installed will have all conduits, junction boxes, etc. installed so that any primary and/or secondary service can be installed without and further disturbance of the street or surrounding area.

- d. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

Any sewer or storm drain stubs will be extended to the right-of-way line as part of the infrastructure construction. Water services will be installed to and including the meter box, set to grade. The meter to be set when the owner/developer of the lot request service, by the City Public Works. Private utilities will be installed to the right-of-way line or in the proposed Public Utility Easement (PUE) along the right-of-way, for future extension to the new structures.

- B. **Exception to Undergrounding Requirement.** An exception to the undergrounding requirement may be granted where existing physical constraints, such as steep topography, natural resource constraints (e.g. geologic conditions, rivers and streams), or existing development conditions make underground placement impractical.

Existing Power lines on the property will remain on poles and overhead, all new utilities are proposed to be under ground. Final design by utility companies may request otherwise if it is determined to existing conditions / post infrastructure design and construction that it is still impractical to install underground.

5-3.4.060 Easements

- 1. **Provision.** The developer or applicant shall make arrangements with the City, the applicable district, and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development. The City's standard width for public main line utility easements shall be determined by the Public Works Director.

The typical placement of the underground private utilities will be in the public right-of-way or in the proposed PUE that runs along each lot/right-of-way line. Anything other than this is to approved by the City Public Works during the design process.

- 2. **Recordation.** As determined by the Public Works Director, all easements for sewers, storm drainage and water quality facilities, water mains, electric lines, or other public utilities shall be recorded with the final plat. See Chapter 5-4.2, Site Design Review, and Chapter 5-4.3, Land Divisions.

All easements determined necessary as part of the design and construction of each phase will be included and recorded on the Final Plat.

5-3.4.070 Construction Plan Approval

- A. **Plan Approval and Permit.** No public improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting, parks, or other requirements shall be undertaken except after the plans have been approved by the City, permit fee paid, and permit issued. The permit fee is required to defray the cost and expenses incurred by the City for construction and other services in connection with the improvement. The permit fee shall be set by City Council.

Construction plans for each phase will be developed after each phases preliminary plat and conditions are approved. The plans will follow all applicable City, State and Federal design standards. Plans will be submitted for approval prior to any construction and no construction will begin until fees are paid and permit(s) issued.

- B. **Performance Guarantee.** The City may require the developer or subdivider to provide bonding or other performance guarantees, to the City's satisfaction, to ensure completion of required public improvements pursuant to Section 5-3.4.090.

As the construction is completed with each phase of the Master Plan Development, the City must approval all improvements. The contractor and/or developer will provide a two (2) year performance bond/warranty for all of the improvements, prior to submitting the final plat or selling any of the lots. If all of the improvements are not completed by before the final plat is to be recorded the developer must follow the State of Oregon's rules and Section 5-3.4.090 of this code, and submit a bond or payment for all uncompleted items, as deemed necessary by the City of John Day.

5-3.4.080 Installation

- A. **Conformance Required.** Improvements installed by the developer either as a requirement of these regulations or at his/her own option, shall conform to the requirements of this Chapter, approved construction plans, and to improvement standards and specifications adopted by the City.

Construction Plans to be designed per State agency regulations, City standards, APWA standards and specifications, and/or as directed by the Public Works Department.

- B. **Adopted Installation Standards.** The City of John Day may adopt design standards, criteria and specifications for public improvements as well as private utility installation within the public right-of-way; until such standards are adopted, project designs shall conform to the recommendations of the Public Works Director.

Construction Plans to be designed per State agency regulations, City standards, APWA standards and specifications, and/or as directed by the Public Works Department.

- C. **Commencement.** Work in a public right-of-way shall not begin until all applicable agency permits have been approved and issued.

All needed permits will be applied for and submitted as needed with the construction plans for approval by the City, prior to any construction.

- D. **Resumption.** If work is discontinued for more than one month, it shall not be resumed until the City is notified in writing.

Will be part of the specification included with the construction plans. To be followed by any developer or contractor working on the project.

- E. **City Inspection.** Improvements shall be constructed under the inspection and to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to review under Chapter 5-4.6, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.

Minor modifications, as needed, are typical of construction projects and the developer will follow the guidelines. Major modifications that change material types, sizes, etc. that could affect the construction of the project with delay should be all addressed by the City and the developer during the plan approval process. Any monuments disturbed by the construction of the project will to be replaced by a licensed surveyor prior to acceptance of the project.

- F. **Engineer's Certification and As-Built Plans.** A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide 2 set(s) of "as-built" plans, in conformance with the Public Works Director's specifications, for permanent filing with the City. The Public

Works Director may require the developer or subdivider to provide a warranty bond or other assurance pursuant to Section 5-3.4.090.

Once the construction is completed, the project engineer will provide the City with any inspection reports, test results, and certification of the construction. The City will be provided 2 hard copy sets of the “as-builts” as well as a pdf version for their records.

5-3.4.090 Performance Guarantee And Warranty Bond

- A. **Performance Guarantee Required.** The City at its discretion may approve a final plat or building permit when it determines that at least 75 percent of the public improvements required for the land division or phase thereof are complete and the applicant has an acceptable assurance for the balance of said improvements. The applicant shall provide a bond issued by a surety authorized to do business in the State of Oregon, irrevocable letter of credit from a surety or financial institution acceptable to the City, cash, or other form of security acceptable to the City.

To be provided by the developer as determined and as needed by the City of John Day.

- B. **Determination of Sum.** The assurance of performance shall be for a sum determined by the City as required to cover the cost of the improvements and repairs, including related engineering and incidental expenses, plus reasonable inflationary costs (110% of estimated improvement costs, as prepared by a qualified civil engineer).

Project Engineer will provided cost estimate based on similar projects/work completed in the area. Estimate to be approved by the City of John Day.

- C. **Itemized Improvement Estimate.** The developer shall furnish to the City an itemized improvement estimate, certified by a registered civil engineer, to assist the City in calculating the amount of the performance assurance.

Project Engineer will be itemized based on typical bid items. (i.e. Cubic yards, tons, LF, etc)

- D. **Agreement.** A written agreement between the City and developer shall be recorded with the final plat. The agreement shall not be valid until it is signed and dated by both the applicant and City Planning Official. The agreement shall contain, at a minimum, all of the following:

1. The period within which all required improvements and repairs shall be completed;
2. A provision that if work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the applicant;
3. The improvement fees and deposits that are required;
4. (Optional) A provision for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.

Agreement to be provided by the developer, for City’s approval, and agreement executed prior to recording of the final plat.

- E. **When Subdivider Fails to Perform.** In the event the developer fails to carry out all provisions of the agreement and the City has un-reimbursed costs or expenses resulting from such failure, the City shall call on the bond, cash deposit or letter of credit for reimbursement.

Will be specifically addressed in any written agreement prepared with the City of John Day.

- F. **Termination of Performance Guarantee.** The developer shall not cause termination of nor allow expiration of the guarantee without first securing written authorization from the City.

Will be specifically addressed in the bond policy with the surety.

- G. **Warranty Bond.** A warranty bond good for two (2) years is required on all public improvements and landscaping when installed in the public right-of-way. The warranty bond shall equal fifteen percent (15%) of the total cost of improvements and begin upon acceptance of said improvements by the City.

Will be provided by the developer and or construct, to warranty the improvements.

5-3.5 Signs

5-3.5.001 Purpose And Applicability

The purpose of this chapter is to regulate the design, placement, and maintenance of signs that are visible to the public in order to preserve the health, safety and aesthetic value of the community.

No signage for the Master Plan development is being proposed. If in future Phases, signage is needed, all signs will meet the City of John Day's sign standards, permit application requirements, and will be submitted for approval.