



**MEMORANDUM**

TO: Dundee Planning Commission  
FROM: Doug Rux, City Planner  
Thru: Steve Dahl, City Administrator  
DATE: April 16, 2025  
SUBJECT: Revised Public Improvement Findings and Conditions of Approval SDR 24-21

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The City has continued discussions with ScanlonKemperBard (SKB) on Findings and Conditions related to the Dundee Hotel project on Public Improvements and Utilities related to SW Alder Street north of SW 13<sup>th</sup> Street. Attached are updated Findings and Conditions of Approval since the staff report was distributed on April 9, 2025. The attached document updates the Findings for DMC 17.305, and the recommended Conditions of Approval for SDR 24-15, PC 24-17, PC 24-18, CA 24-22, CA 24-23, V 24-19, V 24-20, V 24-30. The attached Findings and Conditions of Approval replace information distributed on April 9, 2025.

Staff additionally has included markups of sheets 100, 101, 200 and 300 referenced in the revised findings.

Attachments: 1. Supplemental Updated Findings DMC 17.305 and Conditions of Approval  
2. Supplemental Engineer Markups

**H. PUBLIC FACILITIES AND IMPROVEMENTS (DMC CHAPTER 17.305)****17.305 Public Improvements and Utilities****17.305.020 Applicability.**

*Standards for the provision and utilization of public facilities or services available within the city of Dundee shall apply to all land developments in accordance with Table 17.305.020. No development permit shall be approved unless the following improvements are provided for prior to occupancy or operation, or unless future provision is assured in accordance with subsection (B) of this section.*

<b>Land Use Activity</b>	<b>Fire Hydrant</b>	<b>Street Improvement</b>	<b>Water Hookup</b>	<b>Sewer Hookup</b>	<b>Storm Drain</b>	<b>Street Lights</b>	<b>Bike Lanes**</b>	<b>Sidewalks</b>
<b>New Commercial Building</b>	<b>C-1</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

**Legend:***No = Not required.**\*Fire suppression sprinkler system may be required where hydrant standard not met.**\*\*Where required by the TSP.**Yes = Required**C = Conditional, as noted:*

**A. Public Works and Engineering Design Standards.** *The design of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall comply with the requirements of the most recently adopted public works design standards of the city of Dundee. Construction of all public streets, sidewalks, and other public utilities shall comply with the minimum requirements of the most recently adopted public works construction standards of the city of Dundee.*

**B. City Approval of Public Improvements Required.** *No building permit may be issued until all required public facility improvements are in place and approved by the city engineer or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the public works design standards.*

**Finding:** The Applicant is proposing the construction of two new public streets, SW 13<sup>th</sup> Street from Highway 99W to SW Alder Street, and SW Alder Street, extending south of SW 13<sup>th</sup> Street to connect to existing street improvements. The Applicant is requesting to modify the required street improvement of SW Alder Street, north of SW 13<sup>th</sup> Street. The project site currently has one access to Highway 99W which will be closed with redevelopment. A total of four driveway accesses will be constructed from SW 13<sup>th</sup> Street.

ODOT has provided comments on requirements that are included in the Agency comments section of this report. This includes an application for an approach permit for the SW 13<sup>th</sup> Street

connection to Highway 99W, design of the SW 13<sup>th</sup> Street connection which includes an asphalt connection/ADA ramps meeting ODOT standards, closing of one existing driveway and replacement with curb & gutter and sidewalk, and obtaining review and approval by ODOT for work within the ODOT Right-of-way. The new SW 13<sup>th</sup> Street connection will be required to have ADA ramps that meet applicable ODOT standards of accessibility. All work within the ODOT right-of-way shall be reviewed and approved by ODOT prior to construction. ODOT recommends requiring receiving ramps on the east side of OR99W.

All improvements outside of ODOT jurisdiction are required to comply with the 2015 Improvement Design Standards, City of Dundee.

The Applicant shall be responsible for obtaining public improvement permits before making alterations or improvements to public right-of-way areas. All public improvements will be required to comply with City of Dundee’s Transportation System Plan, 2015 Improvement Design Standards, and other improvement standards as applicable during the permitting process unless the standard is amended by variance. Applicable permits and designs must be approved prior to the issuance of building permits.

The SW 13<sup>th</sup> Street access will require an ODOT Application for State Highway Approach.

The Applicant shall design and construct the subject property’s four driveways leading onto SW 13<sup>th</sup> Street in accordance with the applicable standards in DMC 17.301.020.G, the 2015 Improvement Design Standards, and obtain approval from the City Engineer.

All public improvements to be constructed as part of the project at Highway 99W, for SW 13<sup>th</sup> Street, and SW Alder Street shall be designed, obtain Type B permit, and constructed per City standards, or where required obtaining necessary ODOT permits and approval prior to occupancy.

No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the 2015 Improvement Design Standards.

The criteria will be met if the aforementioned conditions of approval are adhered to.

### ***17.305.030 Street standards***

#### ***A. Purpose. The purpose of this section is to:***

- 1. Provide for safe, efficient, and convenient multi-modal transportation in the city of Dundee.***
- 2. Provide adequate access to all proposed and anticipated developments in the city of Dundee. For purposes of this section “adequate access” means direct***

*routes of travel between destinations; such destinations may include residential neighborhoods, parks, schools, shopping areas, and employment centers.*

*3. Provide adequate area in all public rights-of-way for sidewalks, sanitary sewers, storm sewers, water lines, natural gas lines, power lines, and other utilities commonly and appropriately placed in such rights-of-way. For purposes of this section “adequate area” means space sufficient to provide all required public services to standards defined in this code and in the city’s public works design manual, as applicable.*

**Finding:** The Applicant has proposed dedicating right-of-way to create a 50-foot right-of-way along SW 13<sup>th</sup> Street and a 60-foot right-of-way along SW Alder Street. These dedications respectively meet the City’s Local II and Collector standards. The Applicant has proposed street improvements that provide for safe, efficient, and convenient multi-modal transportation; provide adequate access; and provide adequate area in all public rights-of-way for sidewalks, sanitary sewers, storm sewers, water lines, natural gas lines, power lines, and other utilities, as conditioned. The proposed improvements are in furtherance of the purposes of street improvements. The Applicant is requesting to modify the required street improvement of SW Alder Street, north of SW 13<sup>th</sup> Street.

*B. Applicability. The provisions of this section apply to:*

*1. The creation, dedication, or construction of all new public or private streets, bikeways, or access ways in all subdivisions, partitions, or other developments in the city of Dundee.*

*2. The extension or widening of existing public or private street rights-of-way, easements, or street improvements including those which may be proposed by an individual or the city, or which may be required by the city in association with other development approvals.*

*3. The construction or modification of any utilities, sidewalks, or bikeways in public rights-of-way or private street easements.*

*4. The designation of planter strips; the planting of street trees or other landscape materials is subject to Chapter 17.302 DMC.*

*5. Developments outside the city that tie into or take access from city streets.*

**Finding:**

1. The proposed improvements include dedication of right-of-way, construction of new public streets, and pedestrian connections as part of the Site Development Review process for a mixed commercial development.

2. The proposed improvements include extension or widening of existing public street rights-of-way, and street improvements by the developer. The Applicant is requesting to modify street improvements for the extension of SW Alder Street north of SW 13<sup>th</sup> Street which will be further discussed below.
3. The proposed improvements include construction and modification of utilities and sidewalks in the public rights-of-way.
4. Submitted plans show the designation of planter strips; the planting of street trees or other landscape materials that are subject to Chapter 17.302 DMC requirements for SW 13<sup>th</sup> Street and SW Alder Street south of SW 13<sup>th</sup> Street.
5. The development is not outside of the city limits.

The criteria are applicable to the proposed improvements, except for #5.

***C. Street Location. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. Refer to the city of Dundee transportation system plan and applicable local street network plans for the location of streets.***

**Finding:** The TSP designates SW Alder Street as a Collector street. The preliminary plans are consistent with the Collector street standard defined in the TSP. SW 13<sup>th</sup> Street has no specific designation in the TSP and is assumed to be a local street. The Applicant is proposing a cross-section for SW 13<sup>th</sup> Street which does not meet the criteria defined in the TSP. This change from the TSP is reviewed under a variance (V 24-19).

The Applicant identifies dedication of right-of-way for SW 13<sup>th</sup> Street and SW Alder Street as shown on Sheet C-051. Ordinance No 590-2025 requires dedication of right-of-way for SW 13<sup>th</sup> Street. The City TSP identifies that a Local Street requires 50 feet of right-of-way. SW Adler Street is a Collector Street and requires 60 feet (30 feet from centerline) of right-of-way. The Applicant shall dedicate right-of-way to establish 50 feet for SW 13<sup>th</sup> Street and 60 feet (30 feet from centerline) for SW Alder Street, plus any additional right-of-way to comply with loading width requirements in SW 13<sup>th</sup> Street. The dedication shall occur before issuance of a Type B permit and/or a building permit, and before recording the ordinance for the street vacation approved by Ordinance No. 590-2025.

***D. Continuation of Streets. Development proposals shall provide for the continuation of existing streets in accordance with the city of Dundee transportation system plan and applicable local street network plans, if any, and where necessary to promote appropriate traffic circulation in the vicinity of the development.***

**Finding:** SW 13<sup>th</sup> Street and SW Alder Street south of SW 13<sup>th</sup> Street will be improved with the development meeting the requirement for the continuation of streets. The Applicant is requesting

to modify the required street improvement of SW Alder Street, north of SW 13<sup>th</sup> Street. The Traffic Impact Analysis submitted by the Applicant shows additional peak hour trips generated from the development will not have a detrimental impact on the functionality of existing, nearby intersections. The intersections meet functional service levels with or without the extension of SW Alder Street, north of SW 13<sup>th</sup> Street.

***E. Future Extension of Streets. Where necessary to give access to or permit a satisfactory future development of adjoining land, streets, bikeways and access ways shall be extended to the boundary of a tract being developed and the resulting dead-end streets may be approved without turnarounds. All dead-end streets must meet Fire Code and be approved by the Dundee fire chief. Reserve strips and streets plugs may be required to preserve access.***

**Finding:** The Applicant is proposing to construct two public streets within existing and dedicated rights-of-way. Future extensions of streets is not applicable.

***F. Street Alignment. All streets other than local streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuation of the centerlines thereof. The staggering of street alignments resulting in "T" intersections shall, wherever practical, be avoided. If unavoidable, the "T" intersection shall leave a minimum distance of 200 feet between the centerlines of streets having approximately the same direction. A "T" intersection having less than a 200-foot separation from the centerline of another street shall be subject to the review and approval of the city engineer.***

**Finding:** The Applicant is not proposing realignment of City streets. This criterion is not applicable.

***G. Intersection Angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle. Intersection angles, street curves and curb return radii shall conform to the city's public works design standards manual.***

**Finding:** The proposed development creates two intersections; SW 13<sup>th</sup> Street at Highway 99W and SW 13<sup>th</sup> Street at SW Alder Street. The preliminary civil plans (Sheet C-111) show both intersections being developed at right angles.

***H. Improvements to Existing Streets.***

***1. All projects subject to site development review, partition, or subdivision approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The city engineer may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle projected traffic***

*loads. Where a development has frontage on both sides of an existing street, full street improvements shall be required.*

*2. The city may allow an applicant to record a “waiver of rights to remonstrance for streets and public utility improvements” in lieu of street improvements when the following criteria are met:*

*a. The contiguous length of the existing street to be improved (including the portion of the existing streets that must be improved to serve the development) is less than 250 feet;*

*b. The existing roadway condition and sections are adequate to handle existing and projected traffic loads; and*

*c. Existing public utilities (water, sanitary sewer and storm sewer) located within the existing roadway are adequate, or can be improved without damaging the existing roadway surface.*

*3. A waiver of sidewalk, planter strip, and curb improvements is not permitted. A deferral of these improvements may be allowed by the city engineer and city administrator under the conditions specified in subsection (H)(2) of this section and under one of the following conditions:*

*a. When the improvements conflict with an adopted capital improvement plan;*

*b. When the improvements would create a safety hazard;*

*c. When there is not an existing or planned funded sidewalk on adjacent lots for the improvements to connect to; or*

*d. When the improvements are deemed more appropriate as part of a larger project in the future.*

*4. Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing curb or sidewalk.*

*5. Formation of a local improvement district will be required to complete the sidewalk system on one side of a block when that side of the block reaches one of the following thresholds:*

*a. Deferrals have been approved for 50 percent of the block length; or*

*b. Sidewalks have been installed on 50 percent of the block length.*

***6. In lieu of the street improvement requirements outlined under this section, the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of monies deposited with the city shall be at least 100 percent of the estimated cost of the required street improvements (including associated storm drainage improvements), and may include more than 100 percent of the cost as required for inflation. Cost estimates shall be based from a preliminary design of the reconstructed street provided by the applicant's engineer and shall be approved by the city engineer. If the review authority elects to accept these monies in lieu of the street improvements, the applicant shall also record against all lots or parcels a "construction deferral agreement and waiver of rights to remonstrance for street and storm drainage improvements" approved by the city attorney. The agreement should be worded such that the subject properties are responsible for paying the full cost of required street improvements along their unimproved street frontages; where the subject properties are located adjacent to a collector or arterial street, local street standards will apply for purposes of determining the street improvement value. The agreement shall also state that the city has the right to collect money owed for the actual construction costs, if actual costs exceed the amount deposited, and that the city will reimburse the property owner(s) if the actual costs are less than anticipated. A separate "waiver of rights to remonstrance" may be required for the future improvement of other public utilities.***

**Finding:**

1. The Applicant is proposing to construct full street improvements for SW 13<sup>th</sup> Street and the portion of SW Alder Street south of SW 13<sup>th</sup> Street along the site's frontage. The Applicant is requesting to modify the required street improvement of SW Alder Street, north of SW 13<sup>th</sup> Street. The Traffic Impact Analysis submitted by the Applicant shows additional peak hour trips generated from the development will not have a detrimental impact on the functionality of existing, nearby intersections. The intersections meet functional service levels with or without the extension of SW Alder Street, north of SW 13<sup>th</sup> Street. Thus, the City finds that the Applicant is not required to build the typical street section on SW Alder Street north of 13<sup>th</sup> Street. The Applicant has proposed an alternative design of SW Alder north of SW 13<sup>th</sup> Street which maintains the existing unimproved characteristics of this section of SW Alder Street north of 13<sup>th</sup> Street. These alternative improvements are illustrated on Sheets 100, 101, 200 and 300. The City finds that these improvements will provide pedestrian access in this corridor while maintaining the buffer between the project and the adjacent residential neighborhood. Approving the SW Alder alternative design will not foreclose the City from future development of the right-of-way in a manner consistent with City priorities and plans. To facilitate this future development, the Applicant has agreed to execute a waiver of remonstrance against the formation of a future Local Improvement District, under which the Applicant would be responsible for its proportionate assessment of the sidewalk, curb and gutter improvements along its frontage with SW Alder

Street north of SW 13<sup>th</sup> Street.

2. The Applicant has requested a modification for construction of SW Alder Street north of SW 13<sup>th</sup> Street. The Applicant will enter into a waiver of non-remonstrance against the formation of a future Local Improvement District, under which the Applicant would be responsible for its proportionate assessment of the sidewalk, curb and gutter improvements along its frontage with SW Alder Street north of SW 13<sup>th</sup> Street.

3. The Applicant is requesting a modification of sidewalk, planter strip, and curb improvements along SW Alder Street, north of SW 13<sup>th</sup> Street and enter into a waiver of non-remonstrance against the formation of a future Local Improvement District, under which the Applicant would be responsible for its proportionate assessment of the sidewalk, curb and gutter improvements along its frontage with SW Alder Street north of SW 13<sup>th</sup> Street. The Applicant is proposing to construct a paved path along SW Alder Street, north of SW 13<sup>th</sup> Street as an interim improvement for pedestrian connectivity.

4. Deferrals of sidewalk improvements are not proposed for SW 13<sup>th</sup> Street and SW Alder Street south of SW 13<sup>th</sup> Street. The Applicant is requesting a modification of sidewalk planter strip and curb improvements along SW Alder Street, north of SW 13<sup>th</sup> Street and enter into a waiver of non-remonstrance against the formation of a future Local Improvement District, under which the Applicant would be responsible for its proportionate assessment of the sidewalk, curb and gutter improvements along its frontage with SW Alder Street north of SW 13<sup>th</sup> Street. There is no existing curb along this section of SW Alder Street. The Applicant is proposing to construct a paved path along SW Alder Street, north of SW 13<sup>th</sup> Street as an interim improvement for pedestrian connectivity.

5. Formation of a local improvement district for sidewalks is not proposed at this time.

6. The Applicant is proposing to construct full street improvements for SW 13<sup>th</sup> Street and the portion of SW Alder Street south of SW 13<sup>th</sup> Street along the site's frontage. The Applicant is requesting to modify the required street improvement of SW Alder Street, north of SW 13<sup>th</sup> Street. The Traffic Impact Analysis submitted by the Applicant shows additional peak hour trips generated from the development will not have a detrimental impact on the functionality of existing, nearby intersections. The intersections meet functional service levels with or without the extension of SW Alder Street, north of SW 13<sup>th</sup> Street. Thus, the City finds that the Applicant is not required to build the typical street section on SW Alder Street north of 13<sup>th</sup> Street. The Applicant has proposed an alternative design of SW Alder north of SW 13<sup>th</sup> Street which maintains the existing unimproved characteristics of this section of SW Alder Street north of 13<sup>th</sup> Street. These alternative improvements are illustrated on Sheets 100, 101, 200 and 300. The City finds that these improvements will provide pedestrian access in this corridor while maintaining the buffer between the project and the adjacent residential neighborhood. Approving the SW Alder alternative design will not foreclose the City from future development of the right-of-way in a manner consistent with City priorities and plans. To facilitate this future development, the Applicant has agreed to execute a waiver of remonstrance against the formation of a future Local Improvement District, under which the Applicant would be responsible for its proportionate

assessment of the sidewalk, curb and gutter improvements along its frontage with SW Alder Street north of SW 13<sup>th</sup> Street.

***I. New Streets. Where new streets are created by a subdivision or partition, full street improvements shall be required. Three-quarter streets may be approved in lieu of full street improvements when the city finds it to be practical to require the completion of the other one-quarter street improvement when the adjoining property is developed; in such cases, three-quarters street improvements may be allowed by the city only where all of the following criteria are met:***

- 1. The adjoining land abutting the opposite side of the street is undeveloped;***
- 2. The adjoining land abutting the opposite side of the street is within the city limits and the urban growth boundary; and***
- 3. Storm water drainage is provided on the noncurbed side of three-quarters street improvements in areas judged by the city engineer to have drainage concerns.***

**Finding:** A subdivision or partition is not proposed that would require full street improvement. The Applicant is proposing to construct full street improvements in SW 13<sup>th</sup> Street and the portion of SW Alder south of SW 13<sup>th</sup> Street along the site's frontage. The Applicant is requesting a deferral of the street improvements along SW Alder Street, north of SW 13<sup>th</sup> Street. This criterion is met.

***J. Cul-de-Sacs. Cul-de-sacs shall have maximum lengths of 400 feet and serve not more than 18 dwelling units. All cul-de-sacs shall terminate with circular turnarounds. Pursuant to DMC 17.301.030(D)(1), an access way shall connect the cul-de-sac to another street.***

**Finding:** No applicable because no cul-de-sac is proposed.

***K. Street Names. Street names and numbers shall conform to the established pattern in the city and shall be subject to the approval of the city. Street names shall be required for all new publicly dedicated streets and private streets.***

**Finding:** No new street names are proposed. The existing streets have already been named SW 13<sup>th</sup> Street and SW Alder Street.

***L. Grades and Curves. Street grades and curves shall conform to the city's public works design standards. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the city engineer may accept steeper grades and sharper curves.***

**Finding:** The final design of SW 13<sup>th</sup> Street and SW Alder Street south of SW 13<sup>th</sup> Street will require compliance with the 2015 Improvement Design Standards, City of Dundee.

***M. Alternative Access Streets. Where a development abuts or contains an existing or proposed arterial street, the city may require that access be from another alternative, such as an alley or frontage street. In such cases, the city may also require screening and landscape buffering pursuant to DMC 17.302.060 for adequate protection of residential properties and separation of through and local traffic.***

**Finding:** The development site fronts on Highway 99W. Access to the site is proposed to occur from SW 13<sup>th</sup> Street. The existing driveway on Highway 99W will be removed. Conditions of Approval have been imposed as previously noted to comply with ODOT requirements. Screening to residential properties is discussed in DMC 17.302.060.

***N. Clear Vision Areas. Clear vision areas shall be maintained on corner lots at the intersection of all public streets and at the intersections of a public street with a private street pursuant to DMC 17.301.040.***

**Finding:** The development will have two public streets intersections, SW 13<sup>th</sup> Street with Highway 99W and SW 13<sup>th</sup> Street with SW Alder Street. A clear vision area is required at these intersections. Conditions of approval have been proposed under DMC 17.301.040 for compliance.

***O. General Right-of-Way and Street Improvement Widths. The street design standards in the Dundee public works design standards apply to public streets, bikeways and sidewalks in the city of Dundee. These standards shall be the minimum requirements, except where modifications are permitted under subsection (P) of this section or upon approval of an engineering design modification request granted by the city engineer.***

**Finding:** Improvements are proposed for SW 13<sup>th</sup> Street and SW Alder Street, modifications to the street cross-section for SW 13<sup>th</sup> Street, and improvements to Highway 99W. The Applicant will need to comply with requirements of the 2015 Improvement Design Standards, City of Dundee, and where applicable ODOT. The Applicant shall comply with requirements of the 2015 Improvement Design Standards, City of Dundee, and where applicable ODOT.

The criterion will be met if the aforementioned condition of approval is adhered to.

***P. Modification of Street Right-of-Way and Improvement Width. The planning official, pursuant to the Type II review procedures of DMC 17.401.030, may allow modification to the public street standards of subsection (O) of this section, when the criteria in both subsections (P)(1) and (2) of this section are satisfied:***

***1. The modification is necessary to provide design flexibility in instances where:***

*a. Unusual topographic conditions require a reduced width or grade separation of improved surfaces; or*

*b. Lot shape or configuration precludes accessing a proposed development with a street which meets the full standards of this section; or*

*c. A modification is necessary to preserve trees or other natural features determined by the city to be significant to the aesthetic character of the area; or*

*d. A planned unit development is proposed and the modification of street standards is necessary to provide greater privacy or aesthetic quality to the development.*

***2. Modification of the standards of this section shall only be approved if the city engineer finds that the specific design proposed provides adequate vehicular access based on anticipated traffic volumes.***

**Finding:** Modification under DMC 17.305.030.P requires submittal of a Type II application for review for SW 13<sup>th</sup> Street. The Applicant submitted a Type II Site Development Review application. The Applicant has requested two modifications pursuant to DMC 17.305.030.P.

First, the Applicant is proposing a modification to the street width of SW 13<sup>th</sup> Street. This modification is addressed in the Variance application (V 24-19) and recommends approval. The applicant is proposing a loading zone at the west end of SW 13<sup>th</sup> Street. The loading zone depicted in the preliminary plans (Sheet C-100) is 10-foot wide and approximately 80-feet in length. The length exceeds the requirement defined in DMC 17.304.0701; however, the width proposed does not meet the minimum 12-foot width required by code. The loading zone shall be modified to meet the minimum width requirement of 12-foot or submit a Code Adjustment application for review to reduce the width down to the proposed 10 feet. The Applicant shall revise plans to show a 12-foot-wide loading area in SW 13<sup>th</sup> Street for review and approval before issuance of a public improvement permit or building permit, or submit a Code Adjustment application for review to reduce the width down to the proposed 10 feet.

Second, the Applicant is requesting to modify the required street improvement for SW Alder Street, north of SW 13<sup>th</sup> Street. The Applicant is proposing to construct full street improvements for SW 13<sup>th</sup> Street and the portion of SW Alder Street south of SW 13<sup>th</sup> Street along the site's frontage. The Applicant is requesting to modify the required street improvement of SW Alder Street, north of SW 13<sup>th</sup> Street. The Traffic Impact Analysis submitted by the Applicant shows additional peak hour trips generated from the development will not have a detrimental impact on the functionality of existing, nearby intersections. The intersections meet functional service levels with or without the extension of SW Alder Street, north of SW 13<sup>th</sup> Street. Thus, the City finds that the Applicant is not required to build the typical street section on SW Alder Street north of 13<sup>th</sup> Street. The Applicant has proposed an alternative design of SW Alder north of SW

13<sup>th</sup> Street which maintains the existing unimproved characteristics of this section of SW Alder Street north of 13<sup>th</sup> Street. These alternative improvements are illustrated on Sheets 100, 101, 200 and 300. The City finds that these improvements will provide pedestrian access in this corridor while maintaining the buffer between the project and the adjacent residential neighborhood. Approving the SW Alder alternative design will not foreclose the City from future development of the right-of-way in a manner consistent with City priorities and plans. To facilitate this future development, the Applicant has agreed to execute a waiver of remonstrance against the formation of a future Local Improvement District, under which the Applicant would be responsible for its proportionate assessment of the sidewalk, curb and gutter improvements along its frontage with SW Alder Street north of SW 13<sup>th</sup> Street.

This modification is necessary to preserve existing trees. The section of SW Alder Street north of SW 13<sup>th</sup> includes an extensive tree canopy and natural environment that serves as a drainage ditch. The area includes an existing natural area, with trees, shrubs, an informal walkway, and an intermittent waterway down the center of the area. Due to the grade change that decreases in elevation to the midpoint of the natural area, and the running water that is often present in that depression, a full street improvement would disturb this natural environment and require significant tree removal. The neighborhood uses this area as a natural area and passive recreation area that would be substantially altered if the full street design is required.

The City is supportive of this approach to the modification of SW Alder Street north of SW 13<sup>th</sup> Street. The approach on an interim basis would retain the existing features for this unimproved section of right-of-way until such time as this segment of SW Alder Street needs to be improved to implement transportation system improvements. There are improvements proposed for sanitary sewer and storm drainage within this segment of SW Alder Street that will need modification and are discussed under their respective sections below.

Prior to issuance of the final occupancy permit, the Applicant shall complete construction of the SW Alder Street Alternative 1 design improvements along SW Alder Street north of SW 13<sup>th</sup> Street as shown on Sheets 100, 101, 200 and 300 as further conditioned under Water, Sanitary Sewer, and Storm Drainage conditions.

Prior to issuance of the building permit for the project, the Applicant shall execute a waiver of remonstrance against the possible future formation of a future Local Improvement District for the curbs, gutters and sidewalks along the SW Alder Street frontage north of SW 13<sup>th</sup> Street.

Prior to issuance of the final occupancy permit, the Applicant shall assist the City with the preliminary analysis needed to form a future Local Improvement District and produce an Engineer's Report pursuant to DMC 3.16.020. Pursuant to City standard practices and procedures, a future Local Improvement District cover the cost of constructing curbs, gutters and sidewalks along the SW Alder Street frontage, north of SW 13<sup>th</sup> Street.

***Q. Private Streets. Private streets shall only be allowed where the applicable criteria of Chapter 17.301 DMC are satisfied, and shall comply with the following:***

- 1. Private streets shall have a minimum easement width of 25 feet and a minimum paved or curbed width of 20 feet.*
- 2. Unless otherwise specified in the public works design standards manual, all private streets serving four or more dwelling units shall be constructed to the same pavement depth specifications required for public streets. Provision for the maintenance of the street shall be provided in the form of a maintenance agreement, homeowners association, or other instrument acceptable to the city attorney.*
- 3. A turnaround shall be required for any private residential street that has only one outlet and that exceeds 150 feet in length, or which serves more than two residences. Nonresidential private streets serving more than one ownership, if in excess of 200 feet in length and having only one outlet, shall provide a turnaround. Turnarounds for private streets shall be circular with a minimum paved radius of 35 feet.*
- 4. The city may require provision for the conversion of a private street to a public street, and/or the dedication and future extension of a public street connecting to a private street, consistent with the city of Dundee transportation system plan and any adopted local street network plan.*

**Finding:** No private streets are proposed. The criterion is not applicable.

*R. Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Dundee transportation system plan or adopted regional transit plan, shall be required to provide any of the following, as applicable and as the review authority advises:*

- 1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section “reasonably direct” means 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 users.*
- 2. A transit passenger landing pad accessible to disabled persons.*
- 3. An easement or dedication for a passenger shelter or bench if such facility is identified in an adopted plan.*
- 4. Lighting at the transit facility.*

**Finding:** Highway 99W is the transit route through Dundee. Transit stops are located at SW 5<sup>th</sup> Street and Highway 99W and SW 10<sup>th</sup> Street and Highway 99W (Dundee Community Center). The Dundee Hotel project will provide pedestrian access along SW 13<sup>th</sup> Street to connect with

Highway 99W. The transit stop is located approximately three blocks north of SW 13<sup>th</sup> Street. A reasonable direct route is provided to the transit stop.

The transit stop consists of a transit marker pole within the sidewalk. There is no shelter. Lighting is provided by streetlights at the transit stop.

***S. Transportation Impact Analysis (TIA).***

***1. Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(b) and (e) of the State Transportation Planning Rule that requires the city to adopt standards to protect the future operations of roadways and transit corridors and a process to apply conditions to development proposals in order to protect and minimize adverse impacts to transportation facilities. This section establishes when a TIA must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be addressed in a TIA; and who is qualified to prepare the analysis. Where a TIA is required, approval criteria will ensure that there are adequate facilities for both motorized and nonmotorized modes of transportation.***

***2. Applicability. A TIA shall be required to be submitted along with a land use application if the proposal is expected to involve one or more of the following:***

***a. The proposed development would generate 40 or more PM peak-hour trips. This applicability requirement may be waived by the city engineer if:***

***i. A previous traffic study adequately addresses the proposal;***

***ii. Completed off-site and frontage improvements adequately mitigate traffic impacts; or***

***iii. The proposed use is not adjacent to an intersection that is functioning at a poor level of service.***

***b. The proposed development would generate less than 40 PM peak-hour trips but the proposed development is immediately adjacent to an intersection that is functioning at a poor level of service, as determined by the city engineer.***

***c. An increase in use of any direct property approach road to Highway 99W by 10 vehicles or more per day that exceed 20,000 pounds gross vehicle weight.***

***d. A new direct approach to Highway 99W is proposed.***

*e. A proposed development or land use action that the road authority states may contribute to operational or safety concerns on its facility(ies).*

*f. An amendment to the Dundee comprehensive plan or zoning map is proposed.*

### *3. Requirements.*

*a. Preapplication Conference. For proposals that meet one or more of the thresholds in subsection (S)(2) of this section, the applicant shall attend a preapplication meeting in order to coordinate with the city engineer, and ODOT as necessary, to discuss the scope of a required TIA prior to submitting an application. ODOT will be invited to participate in the preapplication conference when an approach road to Highway 99W serves the subject property to ensure the completed TIA meets the requirements of both agencies.*

*b. Preparation. The TIA shall be prepared by an Oregon registered professional engineer qualified to perform traffic engineering analysis and will be paid for by the applicant.*

*c. Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless the city engineer approves an alternative trip generation study or method to determine the average daily and peak hour trips of a proposed development.*

*d. Intersection-Level Analysis. Intersection-level analysis shall occur at intersections identified in the preapplication conference involving the applicant, city engineer, and ODOT staff as necessary, pursuant to subsection (S)(3)(a) of this section.*

*e. Transportation Planning Rule Compliance. The requirements of the Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.*

*4. Study Area. The following facilities shall be included in the study area for all transportation impact analyses:*

*a. All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall*

*address all intersections and driveways along the site frontage and within the access spacing distances in the TSP extending out from the boundary of the site frontage.*

*b. All roads through and adjacent to the site.*

*c. All intersections needed for signal progression analysis.*

*d. In addition to these requirements, the city engineer may require analysis of any additional intersections or roadway links that may be affected by the proposed development.*

**5. Analysis Periods.** *To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:*

*a. Existing year.*

*b. Project Completion Year, Background (No-Build) Conditions.* *The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all city approved developments that are expected to be fully built out in the project completion year, as well as all planned transportation system improvements.*

*c. Project Completion Year, Full Build-Out.* *The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.*

*d. Phased Years of Completion.* *If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with city staff.*

*e. Twenty-Year or TSP Horizon Year.* *For planned unit developments, comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.*

**6. Approval Criteria.** *When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying proposal:*

*a. The analysis complies with the requirements of subsection (S)(3) of this section;*

*b. The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the city engineer and, when state highway facilities are affected, to ODOT;*

*c. For affected nonhighway facilities, the TIA establishes that level of service standards adopted by the city have been met; and*

*d. Proposed public improvements are designed and will be constructed to the street standards specified in this section and to the access standards in Chapter 17.301 DMC.*

*7. Conditions of Approval. The city may deny, approve, or approve a development proposal with conditions necessary to: meet operational and safety standards; provide the necessary right-of-way for improvements; and to require construction of improvements to ensure consistency with the future planned transportation system.*

*Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.*

**Finding:** A Transportation Impact Analysis (TIA) was prepared by Kittelson & Associates, dated September 2024. The City Engineer and ODOT reviewed the TIA. The development will produce more than 40 PM hour trips. Based on the City Engineer and ODOT review the TIA complies with requirements and that adequate transportation facilities, with improvements, can accommodate the Dundee Hotel commercial mixed-use project.

*T. Planter Strips in Commercial Zones. Planter strips in commercial zones are not required to be entirely landscaped. The strips may include hardscape such as street furniture, other pedestrian amenities, and tree wells, in place of or in addition to standard landscaping. [Ord. 542-2015 § 3 (Exh. B); Ord. 521-2013 § 3 (Exh. A)].*

**Finding:** The Applicant is proposing landscaping in all planter strips along proposed public streets. Improvements are shown on Sheets L-101, L-102, L-151, L-152, L-154, L-156 and L-651. No hardscape such as street furniture, other pedestrian amenities, and tree wells are proposed. The requirement is met.

**17.305.040 Utility lines and facilities**

***A. Purpose. The purpose of this section is to provide adequate services and facilities appropriate to the scale and type of development.***

**Finding:** The proposed project will be serviced by or have services extended to service the development.

***B. Applicability. This section applies to all new development where extension or improvement of water, sanitary sewer, storm drainage, or private utilities is required to serve the development or use of the subject property.***

**Finding:** The Dundee Hotel project is new development and utility lines and facilities apply to the development proposal.

***C. General Standards.***

***1. The design and construction of all improvements within existing and proposed rights-of-way and easements, all improvements to be maintained by the city, and all improvements for which city approval is required shall conform to the city's public works design standards.***

***2. The location, design, installation and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbances of soil and site. Installation of all proposed public and private utilities shall be coordinated by the developer and be approved by the city to ensure the orderly extension of such utilities within public right-of-way and easements.***

**Finding:**

1. All utility lines and facility improvements will comply with the 2015 Improvement Design Standards, City of Dundee.

2. The proposed improvements will be carried out with minimum feasible disturbances of soil and the site. Improvements will be coordinated with the City.

The criteria are met.

***D. Standards for Water Improvements. All development that has a need for water service shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary sanitary sewer and storm drainage facilities, as applicable.***

***1. All developments shall be required to be linked to existing water facilities adequately sized to serve their intended area by the construction of water distribution lines, reservoirs and pumping stations which connect to such water service facilities. All necessary easements required for the construction of these***

*facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.*

*2. Specific location, size and capacity of such facilities will be subject to the approval of the city engineer with reference to the applicable water master plan. All water facilities shall conform with existing city pressure zones and shall be looped where necessary to provide adequate pressure and fire flows during peak demand at every point within the system in the development to which the water facilities will be connected. Installation costs shall remain entirely the developer's responsibility.*

*3. The design of the water facilities shall take into account provisions for the future extension beyond the development to serve adjacent properties, which, in the judgment of the city, cannot be feasibly served otherwise.*

*4. Design, construction and material standards shall be as specified by the city engineer for the construction of such public water facilities in the city.*

**Finding:**

1. The Applicant is proposing to upgrade the water line in Highway 99W to a 10-inch water main along the frontage of the subject property and install an 8-inch water main in SW 13<sup>th</sup> Street from Highway 99W to SW Alder Street. SW Alder Street has an existing 8-inch water line on the west side of the right-of-way.

2. Water service connection is proposed to the 8-inch water line in SW 13<sup>th</sup> Street. Fire flow will be important for the proposed project. The proposed improvements for the development will need to meet Fire Code. The design, including fire flow calculations, will need to be reviewed and approved by the City Engineer and Fire Department prior to issuance of construction permits.

3. The Applicant is proposing to construct new water mains or utilize existing water mains along all site frontages. Future extensions are not applicable.

4. Design, construction, and material of the water system must comply with City standards. Design, construction and material standards shall be as specified by the city engineer for the construction of water facilities.

The criteria will be met if the aforementioned conditions of approval are adhered to.

*E. Standards for Sanitary Sewer Improvements. All development that has a need for sanitary sewers shall install the facilities pursuant to the requirements of the city and all of the following standards. Installation of such facilities shall be coordinated with the extension or improvement of necessary water services and storm drainage facilities, as applicable.*

- 1. All septic tank systems and on-site sewage systems are prohibited.*
- 2. All properties shall be provided with gravity service to the city sanitary sewer system, except for lots that have unique topographic or other natural features that make gravity sewer extension impractical as determined by the city engineer. Where gravity service is impractical, the developer shall provide all necessary pumps/lift stations and other improvements, as determined by the city engineer.*
- 3. All developments shall be required to be linked to existing sanitary sewer collection facilities adequately sized to serve their intended area by the construction of sewer lines which connect to existing adequately sized sewer facilities. All necessary easements required for the construction of these facilities shall be obtained by the developer and granted to the city pursuant to the requirements of the city.*
- 4. Specific location, size and capacity of sewer facilities will be subject to the approval of the city engineer with reference to the applicable sewer master plan. All sewer facilities shall be sized to provide adequate capacity during peak flows from the entire area potentially served by such facilities. Installation costs shall remain entirely the developer's responsibility.*
- 5. Temporary sewer service facilities, including pumping stations, will be permitted only if the city engineer approves the temporary facilities, and the developer provides for all facilities that are necessary for transition to permanent facilities.*
- 6. The design of the sewer facilities shall take into account provisions for the future extension beyond the development to serve upstream properties, which, in the judgment of the city, cannot be feasibly served otherwise.*
- 7. Design, construction and material standards shall be as specified by the city engineer for the construction of such sewer facilities in the city.*
- 8. Prior to acceptance of the sanitary sewer system by the city, the sewers shall be flushed and inspected by the city as required by the public works design standards or the public works construction standards. All costs shall be borne by the developer.*

**Finding:**

1. The Applicant is not proposing a septic tank system or on-site sewage system. This criterion does not apply
2. The Applicant is proposing gravity sewer connections to serve the development.
3. The existing sanitary sewer lines in SW Alder Street and Highway 99W are sized to serve

their intended area. No easements are required. At the August 12, 2024, Pre-application meeting it was identified that an 8-inch sanitary sewer line extends west from Highway 99W and terminates at a manhole approximately 25 feet west of Highway 99W. It was also noted that the sanitary sewer line would need to be extended from this manhole west to SW Alder Street. Sheet C-300 and C-310 do not identify the required line. The City Engineer has reviewed the proposed points of connection and sewer improvements provided by the Applicant and determined it is not necessary to extend sanitary sewer in SW 13<sup>th</sup> Street.

The Applicant's site utility plan depicts a new lateral sewer extending from a manhole at the intersection of SW 13th and SW Alder, continuing north approximately 350-ft, within the proposed SW Alder Street right-of-way, to serve the Casita units. The Applicant shall relocate the lateral sewer outside of the right-of-way. The final location of the lateral sewer shall be reviewed and approved through the Type B permit.

4. The preliminary utility plan (Sheet C-310) shows a sewer lateral extending from an existing sewer manhole in SW Alder Street to serve the Casitas. The lateral extends within and parallel to the SW Alder Street right-of-way. Attachment 10 are City Engineer notes on Public Improvement drawing modifications that will be addressed through a Type B Permit. The plan (Sheet C-310) shall be revised to show laterals connecting directly from the individual Casitas to the existing sewer main in SW Alder Street.

5. The sanitary sewer lines are either existing, proposed or conditioned to be constructed, and sized to provide adequate capacity during peak flows.

6. No temporary service or pumping stations are proposed.

7. The existing sewer main extends along all adjacent properties and can serve all future upstream areas of the subject property.

8. Design, construction, and material of the sanitary sewer system must comply with City standards. Design, construction and material standards shall be as specified by the city engineer for the construction of sanitary sewer facilities.

9. Before acceptance of the sanitary sewer system by the City, the sewers shall be flushed and inspected by the City. Prior to acceptance of the sanitary sewer system by the city, the sewers shall be flushed and inspected by the city as required by the public works design standards or the public works construction standards. All costs shall be borne by the developer.

The criteria will be met if the aforementioned conditions of approval are adhered to.

***F. Street Lights. All developments shall include underground electric service, light standards, wiring and lamps for street lights according to the specifications and standards of the public works design standards. The developer shall install all such facilities and make the necessary arrangements with the serving electric utility as approved by the city. Upon the city's acceptance of the public improvements associated***

*with the development, the street lighting system, exclusive of utility-owned service lines, shall be and become property of the city unless otherwise designated by the city through agreement with a private utility.*

**Finding:** Streetlights are proposed along SW 13<sup>th</sup> Street, SW Alder Street and Highway 99W (Sheet LP-100). Sheet LP-100 and LP-101 indicates lighting on SW Alder Street would be PGE style lights. At the August 12, 2024, Pre-application meeting it was identified that all streetlights needed to match street lights on SW 9<sup>th</sup> Street. Street lights on the west side of Highway 99W were installed as part of the previous Highway 99W improvements and are existing. Street lights will be required along SW 13<sup>th</sup> Street and SW Alder Street with the required street improvements. The street light fixtures along SW 13<sup>th</sup> Street and SW Alder Street are to be decorative lights matching the lights along SW 9<sup>th</sup> Street. Spacing of the lights should be based on a photometric plan meeting the lighting levels established by ANSI/IES RP-8.

The criterion will be met if the aforementioned condition of approval is adhered to.

***G. Private Utilities. All new and existing development which has a need for private utilities, including but not limited to electricity, gas, communication and cable television, shall install them pursuant to the requirements of the district or company serving the development, and consistent with all of the following standards:***

***1. Except as otherwise provided herein, all new and existing utility lines, cables or wires, including but not limited to those used for electricity, communication, street lighting, and cable television, which are on or adjacent to land partitioned, subdivided or developed within the city of Dundee after the effective date of this code, shall be required to be placed underground. Where undergrounding of utilities is required, it shall extend to the next available property, which may require crossing an adjacent street or driveway underground. The intent of this provision is to require the undergrounding of utilities with new development, or to reasonably provide for the transition to an underground system over time through a combination of new development and capital projects.***

***2. Exceptions. Aboveground facilities shall be permitted for the following in which case the above provisions shall not apply:***

***a. Emergency installations or electric transmission lines or through feeders operating at distribution voltages which act as a main source of supply to primary lateral and to direct connected distribution transformers and primary loads. Should it be necessary to increase the capacity of such power transmission facilities for service to the area, such new or revised installations shall be made only on rights-of-way or easements on which existing overhead facilities exist at the time of such capacity increase.***

*b. Appurtenances and associated equipment such as surface-mounted transformers, pedestal-mounted terminal boxes, meter cabinets, telephone cable closures, connection boxes and the like.*

*c. Structures without overhead wires, used exclusively for fire alarm boxes, street lights, or municipal equipment installed under the supervision and with the approval of the city engineer.*

*d. Power substations, pumping plants, and similar facilities necessary for transmission or distribution of utility services shall be permitted subject to compliance with all zoning regulations and other applicable land use regulations. Where project plans or conditions of approval associated with an aboveground facility provide for landscaping or screening, such plans shall be subject to review and approval by the city planning official and city engineer prior to any construction being started.*

*e. Television antennas.*

*f. The city may approve overhead power lines for certain industries requiring exceptionally large power supplies.*

*g. If existing overhead utilities within or adjacent to the development total less than 300 linear feet, the city may allow the applicant to record an approved "construction deferral agreement and waiver of rights to remonstrance for private utility improvements" in lieu of relocating existing private utilities underground at the time of development.*

*3. Information on Development Plans. The developer or subdivider shall show on the development plan or in his explanatory information easements for all underground utility facilities. Plans showing the location of all underground facilities as described herein shall be submitted to the city engineer for review and approval. Care shall be taken in all cases to ensure that aboveground equipment does not obstruct vision clearance areas for vehicular traffic.*

*4. Future Installations. The owner(s) or contract purchaser(s) of subdivided real property within a subdivision shall, upon conveyance or transfer of any interest including a leasehold interest in or to any lot or parcel of land, provide in the instrument conveying such interest a covenant running with and appurtenant to the land transferred under which grantee(s) or lessee(s), their heirs, successors, or assigns mutually covenant not to erect or allow to be erected upon the property conveyed any overhead utility facilities, including electric, communication, and cable television lines, poles, guys, or related facilities, except such facilities as are exempt from underground installation*

*under this title or are owned or operated by the city. Such covenant shall require grantees to install, maintain, and use underground electric, telephone, cable television, or other utility services used or to be used to serve the premises. A copy of the covenant shall be submitted with the final plats.*

**Finding:**

There are overhead utilities along Highway 99W that will need to be placed underground. All other utilities will need to be placed underground. Sheets C-300 and 310 identify the utility undergrounding. PUEs have not been identified to accommodate the underground utilities. The Applicant shall dedicate a minimum eight-foot wide Public Utility Easement behind the right-of-way along both sides of SW 13<sup>th</sup> Street, the east side of SW Alder Street and the west side of Highway 99W unless a lesser width is allowed by utility providers, but in no case shall it be less than 5 feet, before submittal of building permits.

The Applicant shall coordinate the Highway 99W undergrounding requirements and design with PGE, ODOT, and communication franchise utilities as well as obtain City approval prior to construction. The Developer will need to contact PGE to coordinate and obtain design for all new services. Design plans will need to be reviewed and approved by the City through the Type A permit process. Coordination with ODOT for utility undergrounding or connections, will require a separate permit and the applicant can contact District 3 permits for more information at (503) 986-5831.

The criteria will be met if the aforementioned conditions of approval are adhered to.

***H. Easements. Easements for public and private utilities shall be provided as deemed necessary by the city, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be recorded on easement forms approved by the city and designated on the final plat of all subdivisions and partitions. Minimum required easement width and locations are as provided in Table 17.305.040(H).***

Table 17.305.040(H) Easements		
Easement Type	Minimum Width	Location
Water	20 feet	(1)(2)
Sewer	20 feet	(1)(2)
Storm (piped)	20 feet	(1)(2)
Storm (other)	(5)	(5)
Private utility	5 feet (parallel)	(3)(4)

	10 feet (other)	(1)
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Notes:

- (1) Centered on utility line.
- (2) Centered on property line, where possible.
- (3) Property lines fronting existing or proposed street rights-of-way.
- (4) Measured from edge of right-of-way.
- (5) Determined on a case-by-case basis.

[Ord. 521-2013 § 3 (Exh. A)].

**Finding:** There will be Public Utility Easements required along all street frontages for the development. Utility companies require a minimum of 8 feet. The Dundee Code identifies 5 feet. The Applicant shall identify on the utility plans and dedicate a minimum of eight-foot wide Public Utility Easement behind the right-of-way along both sides of SW 13<sup>th</sup> Street, the east side of SW Alder Street, and the west side of Highway 99W before submittal of building permits.

**17.305.050 Storm drainage**

***A. Purpose. The purpose of this section is to provide for the drainage of surface water from all residential, commercial and industrial development; to minimize erosion; and to reduce degradation of water quality due to sediments and pollutants in storm water runoff.***

**Finding:** The Applicant has provided a Preliminary Drainage Report and proposes to utilize underground stormwater chambers, within the parking lot, to attenuate post development peak stormwater flows to a rate equal to or less than pre-development peak flow. Water quality is addressed with LIDA raingardens and Contech StormFilter vaults located within the site. Roadside planters are provided to manage stormwater for newly created impervious surfaces within the public right-of-way. The preliminary plan is generally compliant with DMC 17.305.050 and Division 5 of the City’s Improvement Design Standards. The criterion is met.

***B. Applicability. The provisions of this section apply to all developments subject to site development review or land division review and to the reconstruction or expansion of such developments that increases the flow or changes the point of discharge to the city storm drainage system. Additionally, the provisions of this section shall apply to all drainage facilities that impact any public storm drain system, public right-of-way or public easement, including but not limited to off-street parking and loading areas.***

**Finding:** The Dundee Hotel project is a commercial project that requires Site Development Review.

***C. General Requirement. All stormwater runoff shall be conveyed to a public storm sewer or natural drainage channel having adequate capacity to carry the flow without overflowing or otherwise causing damage to public and/or private property. The developer shall pay all costs associated with designing and constructing the facilities necessary to meet this requirement.***

**Finding:** The Applicant has provided a Preliminary Drainage Report and proposes to utilize underground stormwater chambers, within the parking lot, to attenuate post development peak stormwater flows to a rate equal to or less than pre-development peak flow. Water quality is addressed with LIDA raingardens and Contech StormFilter vaults located within the site. Roadside planters are provided to manage stormwater for newly created impervious surfaces within the public right-of-way. The preliminary plan is generally compliant with DMC 17.305.050 and Division 5 of the City's Improvement Design Standards. The criterion is met

***D. Plan for Storm Drainage and Erosion Control. No construction of any facilities in a development included in subsection (B) of this section shall be permitted until an engineer registered in the state of Oregon and approved by the city prepares a storm drainage and erosion control plan for the project. This plan shall contain at a minimum:***

- 1. The methods to be used to minimize the amount of runoff, siltation, and pollution created from the development both during and after construction.***
- 2. Plans for the construction of storm sewers, open drainage channels, and other facilities that depict line sizes, profiles, construction specifications, and other such information as is necessary for the city to review the adequacy of the storm drainage plans.***
- 3. Design calculations shall be submitted for all drainage facilities. These drainage calculations shall be included on the site plan drawings and shall be stamped by a licensed professional engineer in the state of Oregon. Peak design discharges shall be computed using the rational formula and based upon the design criteria outlined in the public works design standards for the city.***

**Finding:** A preliminary storm drainage report was submitted as noted above. No information was submitted on an erosion control plan as part of the application packet. The Applicant's grading and drainage plan depicts installing a new stormwater outfall to the existing open channel ditch in SW Alder, north of SW 13<sup>th</sup> Street. The Applicant shall construct a piped connection from the site discharge to the proposed stormwater infrastructure to be located in SW Alder Street. The final location of the storm drain shall be reviewed and approved through the Type B permit.

The Applicant shall prepare a storm drainage and erosion control plan by an engineer registered in the State of Oregon in accordance with DMC 17.305.050.D. for review by the City Engineer. Obtain a 1200C erosion control permit from Oregon DEQ prior to commencing construction.

The Title Report identifies a private storm line that crosses the development area north of SW 13<sup>th</sup> Street. This storm line originate from Tax Lot/Map R3335AA 00900 (1226 Highway 99W) and terminates at SW 13<sup>th</sup> Street. The location of the line would be under the proposed 5,000 square foot commercial building. Conversations with the Applicant indicate the line is no longer is use. If the line is active it will need to be relocated from underneath the proposed commercial building and placed in a new easement. The Applicant shall provide documentation that the private storm line is no longer active and is abandoned. If no longer active the easement shall be extinguished and a copy of the recorded document provided to the City before issuance of a building permit. If the line is active a new easement shall be recorded showing the line not under the new 5,000 square foot commercial building and the old easement extinguished and a copy of the recorded documents provided to the City before issuance of a building permit.

ODOT comments indicate that stormwater will be discharged into the ODOT system in Highway 99W. ODOT requires a stormwater report prepared in accordance with the ODOT hydraulics manual. The Applicant shall prepare a stormwater report prepared in accordance with the ODOT hydraulics manual for review and approval to ODOT. A copy of the ODOT approval shall be submitted to the City before issuance of a City Type B permit for public improvements.

The criteria will be met if the aforementioned conditions of approval are adhered to.

***E. Development Standards. Development subject to this section shall be planned, designed, constructed, and maintained in compliance with the city of Dundee public works design standards.***

**Finding:** The proposed stormwater improvements are generally compliant with the City of Dundee public works design standards. The Applicant shall submit a final stormwater drainage report and plan prepared by an engineer registered in the state of Oregon prior to permit approval. The Applicant shall coordinate, design, and obtain City Type B permit approval per City Standards prior to construction.

This criterion will be met if the aforementioned condition of approval is adhered to.

**EXHIBIT “B”**  
**CONDITIONS OF APPROVAL**  
**SDR 24-21, PC 24-17, PC 24-18, CA**  
**24-22, CA 24-23, V 24-19, V 24-20, V**  
**24-30 Dundee Hotel**

Based on the findings in Exhibit A, the proposed Site Development Review, Property Consolidations, Code Adjustments and Variances meet the required criteria contained in the Dundee Municipal Code and are **approved**, subject to completion of the following conditions of approval:

**Site Development Review SDR 24-21**

*Zoning Regulations*

1. The Applicant shall revise all plan drawings to show an 8-foot PUE behind all rights-of-way unless a lesser width is allowed by utility providers, but in no case shall it be less than 5 feet. No building or footing shall encroach into a PUE. Landscape Plans and calculations shall be revised to address any building setback modification to comply with the PUE width so that no building or foundation is with a PUE. The revised plans shall be submitted for review and approval prior to submittal of building permits.
2. The Applicant shall revise all plan drawings to show an 8-foot PUE behind all rights-of-way unless a lesser width is allowed by utility providers, but in no case shall it be less than 5 feet. No building or footing shall encroach into a PUE. No stormwater planters shall encroach into a PUE. Utilities may cross the PUE however, water vaults and manholes shall not encroach into a PUE. Landscape Plans and calculations shall be revised to address any building setback modification to comply with the PUE width so that no building or foundation is with a PUE. The revised plans shall be submitted for review and approval prior to submittal of building permits.
3. The Applicant shall correct all plan sheets that identify a setback to be consistent and match Sheet A-100 and submit the plans for review and approval prior to submittal of building permits.
4. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning, missing sections, broken supports, nonuniform height, and uncontrolled growth of vegetation.
5. The Applicant shall coordinate with the property owner of Tax Map/Lot R3335AA 00900 (1226 Highway 99W) to release the access easement recorded as document AMD 199716109
6. The Applicant shall revise plans to identify an entrance for the south commercial building facing towards or within 90 degrees of Highway 99W and shall be as close as is practical to the street for the commercial building south of SW 13th Street. The revised plans shall be

submitted for review and approval prior to submittal of building permits.

7. The Applicant shall revise plans to identify an entrance for the north commercial building facing towards or within 90 degrees of Highway 99W and shall be as close as is practical to the street for the commercial building north of SW 13th Street. The revised plans shall be submitted for review and approval prior to submittal of building permits.

#### *Special Use Standards*

8. Temporary sale and display of merchandise during normal operating hours of the business may occur outdoors on private property. The merchandise shall be stored within a building during nonoperating hours. Merchandise shall not be displayed within a public right-of-way.
9. Outdoor cooking and dining associated with a permitted eating or drinking establishment shall have a seating capacity not exceeding 75 percent of the indoor seating capacity of that business. Up to 12 outdoor seats will be outright permitted on private property. Outdoor seating shall not encroach on a public right-of-way.
10. If temporary outdoor uses are proposed as authorized under DMC 17.203.160 a permit shall be obtained from the City.

#### *Access and circulation*

11. The Applicant shall coordinate with the property owner of Tax Map/Lot R3335AA 00900 (1226 Highway 99W) to release the access easement recorded as document AMD 199716109.
12. The Applicant will be required to ensure that the trees and landscaping located at all driveways will be planted and maintained to meet vision clearance requirements.
13. If the driveways are to be used for emergency vehicle access, the Applicant will be required to provide for review and approval prior to submittal of building permits documentation that emergency vehicles can make turns from SW 13th Street into the site.
14. During site development and construction, where applicable, unimproved driveways and access roads shall be graveled or otherwise protected to prevent soil compaction, erosion, and tracking of mud onto adjacent paved streets.
15. The criterion for vehicular circulation systems can be met if the Applicant shows turning movements for emergency vehicles from SW 13th Street into the site on plans prior to submittal of a building permit.
16. The Porta Cochere canopy shall provide a minimum vertical clearance of 13' - 6" or as approved by the Fire Marshal. Revised plans shall be submitted for review and approval prior to submittal for a building permit.
17. All accessible routes shall be ADA compliant and must be properly installed prior to a Certificate of Occupancy being issued.

18. The Applicant shall submit revised plans prior to submittal of building permits showing vision clearance areas. No fence, wall, hedge, sign, or other planting or structure that would impede visibility between the heights of two feet and eight feet shall be established in the clear vision area. Measurements shall be made from the top of the curb or, where no curb exists, from grade.
19. The Applicant shall submit revised plans prior to submittal of building permits showing vision clearance areas. Except as provided for single use residential driveways under subsection (C)(3) of this section, a clear vision area shall consist of a triangular area, two sides of which are right-of-way lines or a right-of-way line and access easement line. Where the lot lines have rounded corners, the right-of-way lines are extended in a straight line to a point of intersection and so measured. The third side of the triangle shall be a line connecting the non-intersecting ends of the other two lines.
20. The Applicant shall submit revised plans prior to submittal of building permits showing vision clearance areas.
21. Any exceptions to vision clearance shall comply with DMC 17.301.040.D.

*Landscaping and Screening*

22. The Applicant shall provide plans identifying the location of ground mounted mechanical equipment and how they will be screened or buffered for review and approval prior to submittal of building permits.
23. The Applicant shall revise plans to identify a 10-foot landscape strip between the right-of-way line for SW Adler Street and parking for the lot south of SW 13th Street. The plans shall be submitted for review and approval prior to submittal of building permits.
24. The Applicant shall revise the landscape plans for review and approval prior to submittal of building permits to include the following revisions:
  - a. Identify a parking lot tree that complies with 17.302.070.
  - b. Identify a tree bole size in conformance with 17.302.060.C.3.b.
25. The Applicant shall submit revised Landscape Plans to show compliance with street tree requirements of DMC 17.302.070.B. prior to submittal of building permits.
26. The Applicant shall submit revised Landscape Plans to show compliance with DMC 17.302.070.C. on street tree caliper size prior to submittal of building permits.
27. The Applicant shall submit revised Landscape Plans to show compliance with DMC 17.302.070.D. for street tree spacing prior to submittal of building permits.
28. The Applicant shall submit revised Landscape Plans to show compliance with DMC 17.302.070.E. prior to the submittal of building permits.

29. No sight-obscuring plantings exceeding 24 inches in height shall be located within any required clear vision area as defined in DMC 17.301.040.
30. Landscape plant materials shall be kept clear of walks, pedestrian paths, and seating areas; trees shall be pruned to a minimum height of eight feet over pedestrian areas and to a minimum height of 15 feet over streets and vehicular traffic areas.
31. Landscape plant materials shall be selected and maintained so that they do not generally interfere with utilities above or below ground.
32. Required landscape plant material shall be installed to current nursery industry standards. Landscape plant materials shall be properly guyed and staked to current industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.
33. Plant materials shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas where permanent irrigation is not to be provided should be sufficiently hardy to thrive under these conditions. Plants should have vigorous root systems and be sound, healthy, and free from defects, diseases, and infections.
34. Deciduous trees, where required to provide shade (e.g., over parking lots or walkways), shall be fully branched and have a minimum caliper of two inches a minimum height of eight feet at the time of planting. Deciduous trees intended to serve as ornamental (nonshade) trees may be smaller but shall not be less than one and one-half inch caliper, at time of planting.
35. Evergreen trees shall be a minimum of six feet in height, fully branched, at time of planting.
36. Shrubs shall be supplied in minimum one-gallon containers or eight-inch burlap balls with a minimum spread of 12 to 15 inches.
37. Ground cover shall consist of not less than 50 percent live plant material. Such plants shall be spaced in accordance with current nursery industry standards to achieve covering of the planting area, with rows of plants staggered for a more effective covering. Ground cover plants shall be supplied in a minimum four-inch size container or equivalent if planted 18 inches on center; and nonliving material used for ground cover shall be limited to compost, bark chips, and other city-approved pervious materials.
38. Except in wooded areas, wetlands, flood plains, or along natural drainage channels or stream banks, where the city may waive irrigation requirements, all developments are required to provide appropriate methods of irrigation for the landscaping. Sites with more than 1,000 square feet of total landscaped area shall be irrigated with automatic sprinkler systems to ensure the continued health and attractiveness of the plant materials. Hose bibs and manually operated methods of irrigation may be used for landscaped areas totaling less than 1,000 square feet. Sprinkler heads shall be located and installed to not cause any hazard to the public.
39. Landscape plant material shall be protected from damage due to heavy equipment during construction. After construction, landscape plant material and irrigation shall be protected

from damage due to heavy foot traffic or vehicular traffic by protective tree grates, bollards, raised curbs, wheel stops, pavers or other suitable methods.

40. Except where the review authority requires installation of landscaping prior to issuance of building permits, all landscaping required by this code and approved by the city shall be installed prior to issuance of a final occupancy permit unless security equal to 110 percent of the cost of the landscaping is filed with the city assuring such installation within six months of occupancy. The applicant will obtain cost estimates for landscape materials and installation to the satisfaction of the review authority prior to approval of the security. "Security" may consist of a faithful performance bond payable to the city, cash, certified check, time certificate of deposit, assignment of a savings account, or other such assurance of completion as approved by the city attorney.
41. The developer or builder, as applicable, shall guarantee all landscape material for a period of one year from the date of installation. A copy of the guarantee shall be furnished to the city by the developer.
42. The city planning official, prior to the city returning any security provided under this chapter, shall make the final landscape inspection. Any portions of the plan not installed, not installed properly, or not properly maintained shall cause the inspection to be postponed until the project is completed. If the installation of the landscaping is not completed properly within six months of such postponement, or within an extension of time authorized by the city, the city may use the security to complete the installation. Any portion of the security that remains after installation of the landscaping shall be returned to the applicant.

#### *Exterior Lighting*

43. The Applicant shall submit a Photometric Plan for review to show compliance with DMC 17.303.020.B. prior to the submittal of building permits.

#### *Parking and Loading*

44. The Applicant shall submit a revised plan for review and approval to show the height of curbing in compliance with DMC 17.304.030.F.8. prior to the submittal of building permits.
45. The Applicant shall submit revised plans for review prior to submittal of building permits that show compliance with DMC 17.304.030.F.9. Internal pedestrian connections shall be provided in parking lots with greater than 10 parking spaces located in a commercial zone. These connections shall be a minimum of five feet wide and distinguished from vehicular areas through changes in elevation or contrasting paving materials (such as light-color concrete inlay between asphalt). Paint or thermo-plastic striping and similar types of nonpermanent applications may be approved for crossings of parking lot areas that do not exceed 24 feet in crossing length. Incorporation of the pedestrian circulation shall also address onsite storm drainage to not have water flowing over the walkways.
46. The Applicant shall prepare a shared parking agreement for submittal and review by the City Attorney in accordance with DMC 17.304.040.B. Once the shared parking agreement is

approved the Applicant shall record the document with Yamhill County and provide a copy of the recorded document to the City.

47. The Applicant shall provide drawings of the design of the two loading berth to be 12 feet wide and 35 feet in length each prior to submittal of building permits or submit a Code Adjustment application for review to reduce the width down to the proposed 10 feet. .
48. The Applicant shall comply with DMC 17.304.080.C. on ADA parking requirements.
49. The Applicant shall comply with EV Parking Infrastructure requirements of HB 2180.

*Public Improvements and Utilities*

50. The new SW 13th Street connection will be required to have ADA ramps that meet applicable ODOT standards of accessibility. All work within the ODOT right-of-way shall be reviewed and approved by ODOT prior to construction. ODOT recommends requiring receiving ramps on the east side of OR99W.
51. The Applicant shall be responsible for obtaining public improvement permits before making alterations or improvements to public right-of-way areas. All public improvements will be required to comply with City of Dundee's Transportation System Plan, 2015 Improvement Design Standards, and other improvement standards as applicable during the permitting process unless the standard is amended by variance. Applicable permits and designs must be approved prior to the issuance of building permits.
52. The SW 13th Street access will require an ODOT Application for State Highway Approach.
53. The Applicant shall design and construct the subject property's four driveways leading onto SW 13th Street in accordance with the applicable standards in DMC 17.301.020.G, the 2015 Improvement Design Standards, and obtain approval from the City Engineer.
54. All public improvements to be constructed as part of the project at Highway 99W, for SW 13th Street, and SW Alder Street shall be designed, obtain Type B permit, and constructed per City standards, or where required obtaining necessary ODOT permits and approval prior to occupancy.
55. No building permit may be issued until all required public facility improvements are in place and approved by the City Engineer or are otherwise bonded for in a manner approved by the review authority, in conformance with the provisions of this code and the 2015 Improvement Design Standards.
56. The Applicant shall dedicate right-of-way to establish 50 feet for SW 13th Street and 60 feet (30 feet from centerline) for SW Alder Street, plus any additional right-of-way to comply with loading width requirements in SW 13th Street. The dedication shall occur before issuance of a Type B permit and/or a building permit, and before recording the ordinance for the street vacation approved by Ordinance No. 590-2025.

57. The Applicant shall comply with requirements of the 2015 Improvement Design Standards, City of Dundee, and where applicable ODOT.
58. Prior to issuance of the final occupancy permit, the Applicant shall complete construction of the SW Alder Street Alternative 1 design improvements along SW Alder Street north of SW 13<sup>th</sup> Street as shown on Sheets 100, 101, 200 and 300 as further conditioned under Water, Sanitary Sewer, and Storm Drainage conditions.
59. Prior to issuance of the building permit for the project, the Applicant shall execute a waiver of remonstrance against the possible future formation of a future Local Improvement District for the curbs, gutters and sidewalks along the SW Alder Street frontage north of SW 13<sup>th</sup> Street.
60. Prior to issuance of the final occupancy permit, the Applicant shall assist the City with the preliminary analysis needed to form a future Local Improvement District and produce an Engineer's Report pursuant to DMC 3.16.020. Pursuant to City standard practices and procedures, a future Local Improvement District cover the cost of constructing curbs, gutters and sidewalks along the SW Alder Street frontage, north of SW 13<sup>th</sup> Street.
61. The Applicant shall revise plans to show a 12-foot wide loading area in SW 13<sup>th</sup> Street for review and approval before issuance of a public improvement permit or building permit, or submit a Code Adjustment application for review to reduce the width down to the proposed 10 feet.
62. The design, including fire flow calculations, will need to be reviewed and approved by the City Engineer and Fire Department prior to issuance of construction permits.
63. Design, construction and material standards shall be as specified by the city engineer for the construction of water facilities.
64. The Applicant shall relocate the lateral sewer outside of the right-of-way. The final location of the lateral sewer shall be reviewed and approved through the Type B permit.
65. The plan (Sheet C-310) shall be revised to show laterals connecting directly from the individual Casitas to the existing sewer main in SW Alder Street.
66. Design, construction and material standards shall be as specified by the city engineer for the construction of sanitary sewer facilities.
67. Prior to acceptance of the sanitary sewer system by the city, the sewers shall be flushed and inspected by the city as required by the public works design standards or the public works construction standards. All costs shall be borne by the developer.
68. Street lights will be required along SW 13<sup>th</sup> Street and SW Alder Street with the required street improvements. The street light fixtures along SW 13<sup>th</sup> Street and SW Alder Street are to be decorative lights matching the lights along SW 9<sup>th</sup> Street. Spacing of the lights should be based on a photometric plan meeting the lighting levels established by ANSI/IES RP-8.

69. The Applicant shall dedicate a minimum eight-foot wide Public Utility Easement behind the right-of-way along both sides of SW 13<sup>th</sup> Street, the east side of SW Alder Street and the west side of Highway 99W unless a lesser width is allowed by utility providers, but in no case shall it be less than 5 feet, before submittal of building permits.
70. The Applicant shall coordinate the Highway 99W undergrounding requirements and design with PGE, ODOT, and communication franchise utilities as well as obtain City approval prior to construction. The Developer will need to contact PGE to coordinate and obtain design for all new services. Design plans will need to be reviewed and approved by the City through the Type A permit process. Coordination with ODOT for utility undergrounding or connections, will require a separate permit and the applicant can contact District 3 permits for more information at (503) 986-5831.
71. The Applicant shall identify on the utility plans and dedicate a minimum of eight-foot wide Public Utility Easement behind the right-of-way along both sides of SW 13<sup>th</sup> Street, the east side of SW Alder Street, and the west side of Highway 99W before submittal of building permits.
72. The Applicant shall construct a piped connection from the site discharge to the proposed stormwater infrastructure to be located in SW Alder Street. The final location of the storm drain shall be reviewed and approved through the Type B permit.
73. The Applicant shall prepare a storm drainage and erosion control plan by an engineer registered in the State of Oregon in accordance with DMC 17.305.050.D. for review by the City Engineer. Obtain a 1200C erosion control permit from Oregon DEQ prior to commencing construction.
74. The Applicant shall provide documentation that the private storm line is no longer active and is abandoned. If no longer active the easement shall be extinguished and a copy of the recorded document provided to the City before issuance of a building permit. If the line is active a new easement shall be recorded showing the line not under the new 5,000 square foot commercial building and the old easement extinguished and a copy of the recorded documents provided to the City before issuance of a building permit.
75. The Applicant shall prepare a stormwater report prepared in accordance with the ODOT hydraulics manual for review and approval to ODOT. A copy of the ODOT approval shall be submitted to the City before issuance of a City Type B permit for public improvements.
76. The Applicant shall submit a final stormwater drainage report and plan prepared by an engineer registered in the state of Oregon prior to permit approval. The Applicant shall coordinate, design, and obtain City Type B permit approval per City Standards prior to construction.

### *Signs*

77. The Applicant will be required to submit separate sign permit applications for conformance

with Chapter 17.306 prior to installation of any freestanding or wall signs.

#### **Property Consolidation – North PC 24-17**

1. The Applicant shall coordinate with the Yamhill County Surveyor on the final legal description prior to recording with Yamhill County.
2. The Applicant shall upon the city's approval of the proposed property line adjustment, record the property line adjustment documents with Yamhill County within 60 days of approval (or the decision expires), and file a survey of the property line adjustment with the Yamhill County surveyor.
3. The Applicant shall submit a copy of the recorded property line adjustment documents to the city within 15 days of recording and prior to issuance of any building permits on the reconfigured lots.

#### **Property Consolidation – South PC 24-18**

1. The Applicant shall coordinate with the Yamhill County Surveyor on the final legal description prior to recording with Yamhill County.
2. The Applicant shall upon the city's approval of the proposed property line adjustment, record the property line adjustment documents with Yamhill County within 60 days of approval (or the decision expires), and file a survey of the property line adjustment with the Yamhill County surveyor.
3. The Applicant shall submit a copy of the recorded property line adjustment documents to the city within 15 days of recording and prior to issuance of any building permits on the reconfigured lots.

#### **Code Adjustment – Parking CA 24-22**

1. The Applicant shall prepare a shared parking agreement for submittal and review by the City Attorney in accordance with DMC 17.304.040.B. Once the shared parking agreement is approved the Applicant shall record the document with Yamhill County and provide a copy of the recorded document to the City.
2. The Applicant would have one year to apply for a building permit or start site improvements. The adjustment approval shall expire if not acted upon by the property owner (Applicant) within one year of approval. Where the owner (Applicant) has applied for a building permit or final plat, or has made site improvements consistent with an approved development plan (e.g., site development review or preliminary subdivision plan), the city planning official may extend the approval without a separate land use action.

#### **Code Adjustment – Windows CA 24-23**

1. The Applicant would have one year to apply for a building permit or start site improvements. The adjustment approval shall expire if not acted upon by the property

owner (Applicant) within one year of approval. Where the owner (Applicant) has applied for a building permit or final plat, or has made site improvements consistent with an approved development plan (e.g., site development review or preliminary subdivision plan), the city planning official may extend the approval without a separate land use action.

**Variance – SW 13<sup>th</sup> Street V 24-19**

1. The Applicant shall revise plans to remove the east mid-block pedestrian crossing and submit revised plans for approval before issuance of a public improvement permit or building permits.
2. The Applicant would have one year to apply for a public improvement permit or start site improvements. The adjustment approval shall expire if not acted upon by the property owner (Applicant) within one year of approval. Where the owner (Applicant) has applied for a building permit or final plat, or has made site improvements consistent with an approved development plan (e.g., site development review or preliminary subdivision plan), the city planning official may extend the approval without a separate land use action.

**Variance – Windows V 24-20**

1. The Applicant would have one year to apply for a building permit or start site improvements. The adjustment approval shall expire if not acted upon by the property owner (Applicant) within one year of approval. Where the owner (Applicant) has applied for a building permit or final plat, or has made site improvements consistent with an approved development plan (e.g., site development review or preliminary subdivision plan), the city planning official may extend the approval without a separate land use action.

**Variance – Building Height and Stories V 24-30**

1. The Applicant would have one year to apply for a building permit or start site improvements. The adjustment approval shall expire if not acted upon by the property owner (Applicant) within one year of approval. Where the owner (Applicant) has applied for a building permit or final plat, or has made site improvements consistent with an approved development plan (e.g., site development review or preliminary subdivision plan), the city planning official may extend the approval without a separate land use action.







