

Title 17: SUBDIVISIONS AND PARTITIONS

Chapter 17.04: Title	1
Chapter 17.06: Initiating Procedure	2
Chapter 17.12: Preliminary Plat.....	4
Chapter 17.20: Partitioning	16
Chapter 17.30: Property Line Adjustments	19
Chapter 17.40: Final Plat.....	22
Chapter 17.60: Design Standards.....	29
Chapter 17.62: Infrastructure Installation	55
Chapter 17.64: Street and Easement Creation	59

Chapter 17.04: Title

This Ordinance codified in Title 17 shall be known as “SUBDIVISION and PARTITION” and may be so cited and pled.

Chapter 17.06: Initiating Procedure

17.08.010 SCOPE OF REGULATIONS

1. All subdivision preliminary plats and all streets or ways created for the purpose of partitioning land shall be approved by the City Council under a Type III or IV land use procedure in accordance with these regulations.
2. All partitions shall be approved by the Planning Director as a Type II land use procedure.
3. A person desiring to subdivide or partition land by creating a street or way shall submit preliminary plans and final documents for approval as provided in this title and state law.
4. A person may not sell a lot or parcel unless the lot or parcel has been lawfully established in accordance with Chapter 17 of the Molalla Municipal Code.

Chapter 17.08: Subdivision and Partition Requirements

17.08.100 APPROVAL REQUIRED BEFORE SUBDIVIDING OR PARTITIONING LAND

It shall be unlawful for any person to subdivide or partition land without first obtaining approval therefore as provided in this chapter.

17.08.200 LOTS OR PARCELS NOT TO BE REDUCED BELOW MINIMUM

A lot or parcel of land may not be reduced in size below the minimum lot width or lot area required by the provisions of this code. A lot or parcel of land that has a width, depth or area less than required by this ordinance may not be reduced in any manner, without a variance having been granted.

17.08.300 SUBDIVISION AND PARTITION NAMES

1. A tentative plan of a subdivision or partition shall not be approved if it bears a name that is the same as, similar to, or pronounced the same as the name of any other subdivision in the Planning Area, except for the words town, city, place, court, addition, acres, heights, villa, or similar words. Names should be chosen with the following guidelines:
 - A. They shall not be offensive in nature;
 - B. They shall be as concise as possible.

Chapter 17.12: Preliminary Subdivision Plat

17.12.010	PURPOSES OF TENTATIVE PLAN REVIEW; REQUIREMENTS AND CONDITIONS.....	4
17.12.100	SUBMISSION	5
17.12.110	SCALE	5
17.12.120	GENERAL INFORMATION	5
17.12.130	EXISTING CONDITIONS	6
17.12.140	PROPOSED PLAN	7
17.12.150	EXPLANATORY INFORMATION REQUIRED.....	10
17.12.200	BUILDING PLAN LAYOUT THROUGHOUT SUBDIVISIONS.....	11
17.12.300	DEVELOPMENT REVIEW.....	11
17.12.400	MASTER PLAN	12
17.12.500	TIME LIMIT ON TENTATIVE PLAN APPROVAL	13
17.12.520	PRELIMINARY REVIEW OF PROPOSAL	14
17.12.540	TENTATIVE APPROVAL.....	14
17.12.560	APPROVAL CRITERIA.....	14
17.12.600	REVIEW OF PROCEDURE FOR CREATING A SUBDIVISION WITHIN AN EXISTING MANUFACTURED DWELLING OR MOBILE HOME PARK.	15
17.12.700	DIRECTION OF THE PLANNING DIRECTOR FOR A SUBDIVISION OF A MANUFACTURED DWELLING OR MOBILE HOME PARK	15

17.12.010 PURPOSES OF TENTATIVE PLAN REVIEW; REQUIREMENTS AND CONDITIONS

1. The purpose of tentative subdivision plan review is to ensure that the proposal conforms to the requirements of this chapter.
2. The proposed street system in and adjacent to a subdivision or partition shall conform to the Molalla Transportation System Plan (TSP), and shall be designed in such a manner as to provide for the safe, orderly, and efficient circulation of traffic into, through, and out of the subdivision.
3. A proposed subdivision must be adequately served with water, sewer, transportation and other facilities appropriate to the nature of the subdivision.
4. The layout of lots, including size and dimensions, must take into account topography and vegetation of the site so as not to require variances from the Molalla Zoning Code. This is to

ensure that buildings may be reasonably sited thereon, and that the least disruption of the site, topography, and vegetation will result from the reasonable development of the lots.

5. A proposed subdivision shall conform to the Molalla Municipal Code.
6. A proposed subdivision must include measures to alleviate identified natural or man-made hazards and limitations to development, as identified by the Planning Director, including, but not limited to, wetlands, unstable areas, and stream side setback. For development in wetlands and unstable areas, the following measures shall apply:
 - A. Wetlands mitigation shall comply with any measures required by the Division of State Lands for regulated wetlands;
 - B. Unstable areas shall be documented and streets and building sites must be on geologically stable soil considering the stress and loads to which the soil may be subjected.

17.12.100 SUBMISSION

1. A person proposing to divide land shall prepare a preliminary plat in accordance with ORS 92 and ORS 209 and this chapter, together with improvement plans and supporting documentation as required in this chapter to indicate the general program and objectives of the project.
2. The preliminary plat and supporting documentation shall also provide information regarding the potential environmental, social and economic effects of any subsequent development as well as the proposed mitigation for such effects.
3. The person shall submit up to twenty-one (21) copies of all documentation (including supporting documents and the Preliminary Plat) to the Planning Director's office at least forty-five (45) calendar days prior to the first hearing on the Preliminary Plat.
4. All plans shall be submitted in electronic form (PDF).

17.12.110 SCALE

A preliminary plat shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet nor greater than one (1) inch equals 200 feet.

17.12.120 GENERAL INFORMATION

The following general information shall be shown on the front page of the preliminary plat and in the lower right hand corner of each sheet:

1. The proposed name of the subdivision. This name must not duplicate nor resemble the name of another subdivision in the county and shall be approved by the County Surveyor.

2. Date, north point, and scale of drawing.
3. Appropriate identification clearly stating the map is a Preliminary Plat.
4. Location of the subdivision by section, township, range and tax lot or tax lots.
5. Names and addresses of the owner and engineer or surveyor.
6. Total acreage of proposed development.
7. A completed application form provided by the Planning Director.
8. The filing fee required as set by City Council resolution.
9. Description of that particular page.

17.12.130 EXISTING CONDITIONS

The following existing conditions shall be shown on the preliminary plat and explained in the supporting documentation:

1. The grade, location, width and names of all existing or platted streets and rights-of-way within or adjacent to the tract, together with the approximate radii of curves, easements, railroad rights-of-way and other important features, such as section lines and corners, City boundary lines and monuments.
2. Locations and dimensions of existing streets, sidewalks, transit trunk routes and transit stops, bike routes and bikeways, and pedestrian/bicycle/equestrian accessways.
3. Locations and dimensions of proposed streets, sidewalks, transit trunk routes and transit stops, bike routes and bikeways, and pedestrian/bicycle accessways.
4. Sidewalks, pedestrian/bicycle accessways, and other pedestrian connections or bicycle ways within the subdivision.
5. The locations, widths and purposes of proposed easements within the development.
6. Location and direction of all watercourses and areas subject to flooding on and abutting the property.
7. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees.
8. Location of existing trees eight (8) foot or taller. Every effort shall be made by the applicant to site structures so trees shall be preserved when feasible. When trees are in clusters, they may be indicated by the number and general location within the cluster of trees.
 - A. Indication if trees are evergreen or deciduous.
 - B. Location and identification of any designated significant tree or grove of trees.

9. Existing uses of the property, including location of all existing structures to remain on the property after platting.
10. The location within the subdivision and in the adjoining streets and property of existing sewers, water mains, culverts, drain pipes and electric lines proposed to service the property to be subdivided.
11. Existing zoning of the property.
12. The location of the urban growth boundary, if within 1000 feet.
13. Adjacent property boundaries and abutting land uses.
14. Vicinity map extending at least 1,500 feet in each direction from the proposed subdivision, or further if necessary to assist in locating the property. The vicinity map shall consume an entire 8 ½ by 11 inch paper. The vicinity map shall show the following:
 - A. Existing street layout within 1,500 feet of the property.
 - B. Zoning designations within and adjacent to the property.
 - C. Streams, as identified on the most recently published United States Geological Survey maps, and public facilities, such as schools, parks and transit routes.
 - D. Existing commercial and industrial zones.
 - E. Any other pertinent information that will assist in locating the proposed subdivision.

17.12.140 PROPOSED PLAN

The following information shall be included on the preliminary plat and explained in the supporting documentation:

1. The location, width, names, approximate grades and approximate radii of curves, of all proposed streets and how they will line up with other existing or platted streets within and adjacent to the tract.
2. Approximate width, location and purpose of all existing and proposed easements, including references to the book and page of the County records.
3. Lots, showing approximate dimensions, minimum lot size and proposed lot numbers.
4. Sites allocated for required parks, open space, storm water detention and for any other purposes other than single-family dwellings.
5. Property boundaries and dimensions.
6. A preliminary utilities layout including the size and location of water, sewer, storm drainage and street lighting services and how and where such utilities connect with existing utilities.

7. All tracts of land intended to be deeded or dedicated for public use.
8. A detailed plan or map of the proposed subdivision, drawn to scale. For subdivisions of fifty (50) acres or more, the Planning Director may authorize a smaller scale where an entire subdivision cannot be shown on a single sheet. The detailed plan shall clearly show the following information:
 - A. North arrow.
 - B. Lot layout with approximate dimensions and square footage contained in each lot.
 - C. Scaled location and use of all existing buildings within the proposed subdivision, indicating which buildings are to remain and which are to be removed including the dimension between the buildings on site and proposed property lines.
 - D. The use and approximate location of all buildings within twenty-five (25) feet of the perimeter of the subject property.
 - E. The location, size, and use of all contemplated and existing public areas, including all existing easements, contemplated or existing detention facilities, within the proposed subdivision.
 - F. The location and disposition of any wells, creeks, drainage courses, which may be found on the most recently published U.S. Geological Survey maps. Wetlands identified on the State Wetland Inventory, detention facilities, drainage ways, septic tanks, drain fields, and easements in or adjacent to the proposed subdivision.
 - G. A connectivity analysis prepared by an architect, engineer or other appropriate professional licensed by the State of Oregon which describes the existing and future vehicular, bicycle and pedestrian connections between the proposed subdivision and existing and planned land uses on adjacent properties.
 - H. Topography maps certified by the engineer or surveyor within the proposed subdivision related to some established benchmark or other datum as approved by the Planning Director.
 - I. The location of property lines within fifty (50) feet of the boundary of a subdivision.
 - J. A vicinity map showing the locations of existing subdivisions and partitions, unsubdivided or unpartitioned land ownership within 500 feet of the proposed subdivision.
 - K. A geotechnical investigation report which shows the following:
 - 1) Slope stability studies.
 - 2) On-site site grading, cutting, and filling.
 - 3) Structural foundation requirements.
 - 4) Surface and subsurface drainage recommendations.
 - 5) Erosion vulnerability.

- 6) Building or grading limitations, including top of slope offsets and areas restricted for site grading.
 - 7) Recommendations for construction of streets, utilities, and structures of the site.
 - 8) Identification of any portions of the site requiring further evaluation by a geotechnical or structural engineer.
- L. Projects meeting all of the following criteria are exempt from the requirement of (K) above.
- a) Construction value of the project is \$150,000 or less.
 - b) The project will not involve the import, export, and/or on-site movement of more than fifty (50) cubic yards of earth.
 - c) There is no evidence of any previous fill on the site to a depth exceeding one (1) foot.
 - d) The project does not include proposed fill on the site to a depth exceeding (1) one foot.
 - e) No portion of the site has a slope in excess of 10%.
9. Street profile within 100 feet of any point where the street grade is proposed to be greater than 6% or the overall topography of the land is greater than 10%.
10. Transportation Impact Analysis.
11. Obtain certification from the Director of Public Works, on forms provided by the City, that the following are available to the site:
- A. Municipal water with sufficient volume and pressure to serve the proposed development.
 - B. Sanitary sewer with sufficient treatment plant capacity and line capacity to serve the proposed development.
 - C. Storm sewer with sufficient line capacity to adequately provide necessary drainage.
 - D. Preliminary storm detention plan.
 - E. If any of these certifications cannot be made because the utilities cannot be provided at the property boundary, the Director of Public Works shall state on the form whether the utilities could be provided by extension or replacement of existing lines or construction of pumping stations and will provide an estimate of the cost of the extension, replacement, or the pump station costs. A signed statement by the developer that it is his intent to advance the funds necessary for the required extension, replacement, or pump station will be acceptable in conjunction with the Director of Public Works statements' to serve in lieu of a full certification. If certification or statement in lieu of certification cannot be given due to a lack of utilities, further processing of the proposed subdivision may proceed only when the developer furnishes a statement acknowledging his full realization that no development of the tract may proceed until utilities are available and that no time schedule for their availability currently exists.

12. A statement from the property owner that no underground storage facilities exist and no known past or present DEQ issues exist on the properties.

17.12.150 EXPLANATORY INFORMATION REQUIRED

The following information shall be submitted as supporting documentation accompanying the preliminary plat:

1. Proposed deed restrictions in outline form.
2. Improvements to be requested of the City and the approximate time such request will be made along with the approximate costs and date of completion of such improvements.
3. Improvements to be made by the developer and the approximate time such improvements are to be completed.
 - A. Sufficient detail regarding proposed improvements shall be submitted for review of compliance with the objectives of City ordinances as well as state and federal laws.
 - B. If the nature of the improvements are such that it is impractical to prepare necessary details prior to approval of the preliminary plat then additional detail shall be submitted at least thirty (30) days prior to the request for approval of the final plat.
 - C. Agreements on any recommended changes shall be obtained prior to approval of the final plat.
4. An analysis of existing traffic flows projected as a result of the subdivision.
5. The location and method of operation of required storm water detention facilities.
6. The location of required parks and recreation facilities consistent with MMC 17.60.700.
7. An analysis of the effects of the subdivision on the provision of other services, including, but not limited to, police, fire, water, sewer, and storm drainage.
8. Other public ways, sidewalks, bicycle routes, bikeways, pedestrian/bicycle/equestrian accessways and other pedestrian and bicycle connections.
9. Transit streets, facilities and stops, if any.
10. Neighborhood activity centers.
11. Any other information deemed necessary by the Planning Director and/or the Director of Public Works.

17.12.200 BUILDING PLAN LAYOUT THROUGHOUT SUBDIVISIONS

1. There shall be a minimum change of 5% in all wall structures (size, shape, and special arrangement) within four (4) houses in any direction of said subdivision. This shall be in place throughout the subdivision and not just in phases of the subdivision.
 - A. The builder shall supply staff with a series of plan types and numbers to be used throughout the subdivision. This requirement allows the Planning Department the ability to review plan types ahead of time. New building types shall be allowed as long as they meet the requirements of this code.
 - B. Where such plans as mentioned above do not exist, the developer shall reference each lot by number. This reference number should relate to a specific plan that will become available at the time materials are submitted with a building permit application and shall adhere to the minimum variability requirements specified in MMC 17.12.200 (1).

17.12.300 DEVELOPMENT REVIEW

The Planning Director shall distribute copies of the application, the preliminary plat, and other pertinent information to the appropriate City department heads as well as to all affected governmental agencies and utility companies for review and comment.

1. If sufficient concern is expressed by department heads, a review of the proposed preliminary plat will be conducted by department heads at minimum fifteen (15) days prior to the meeting at which said preliminary plat is to be considered. The applicant and/or his agent will be encouraged to attend. The purpose of the meeting will be to discuss the technical aspects of the proposed development and to bring to the attention of the developer any concerns which the staff or other agencies may have regarding the development. The Planning Department will prepare a report which summarizes the matters discussed at the meeting and will send a copy of this report to the developer or his agent. Said report shall make appropriate recommendations as to alterations or conditions which the staff feels are necessary for preliminary plat approval.
2. A copy of the report from either the committee or the Planning Director shall be made available to the applicant not less than ten (10) days prior to the Hearing Body's meeting. If the applicant wishes to revise the plat, revisions must be submitted to the Planning Director no less than five (5) days prior to such meeting. The Planning Director shall evaluate all revisions as to their suitability and prepare a report which outlines the necessity for additional conditions or alterations.
3. If, in the Planning Director's opinion, concerns or questions raised by department heads are not sufficient to require a meeting of the department heads, the Planning Director shall proceed to review the preliminary plat and prepare a report as to its suitability. Said report shall make appropriate recommendations as to alterations or conditions necessary for preliminary plat approval.
4. A certificate from the applicant stating the total cost or an estimate of the total cost for the development in accordance with the provisions and requirements of this title or any other City ordinance or regulation. This certificate is to be accompanied by a final bid estimate from the

contractor engaged to perform the work. The Planning Director must approve the certificate of the total cost estimate.

5. The Planning Director shall forward copies of all pertinent information regarding a proposed subdivision plat to the Hearing Body who shall review the materials at a public meeting.
6. Upon consideration of an approval, conditional approval, or denial of a preliminary subdivision plat, and in addition to the requirements set forth in this Code, the Hearing Body shall also consider whether or not the proposed subdivision meets the following:
 - A. Complies with the zoning ordinance and other applicable land use regulations.
 - B. Facilitates safe and convenient bicycle and pedestrian connections and access into, within and from the proposed subdivision to nearby shopping centers, industrial parks, transit stops and neighborhood activity centers.
 - C. Facilitates the efficient development of and safe access to adjoining undeveloped properties.
 - D. Complies with the street and bicycle/pedestrian design standards and accessway standards in MMC Chapter 17.60.
 - E. Conforms in its design to other applicable standards adopted by the City Council or Planning Commission.

17.12.400 MASTER PLAN

1. A master plan for subdivision development shall be submitted at the time of application if the subdivision is to be developed in more than one (1) phase. Master Plans shall be processed pursuant to a Type I land use procedure. A master plan shall include an analysis of the effects on the City from the subdivision using the informational requirements set forth in MMC sections 17.12.120 and 17.12.130 through 17.12.200, and shall describe the anticipated timing of development of each phase. A master plan must be approved prior to processing any preliminary plats for the development. In reviewing the Master Plan, the Planning Director shall ensure that the public facilities for the proposed development are adequate for the subdivision, consistent with all city standards and plans, and consistent with any existing or proposed development in the surrounding area.
2. A separate preliminary plat shall be submitted for each phase of the subdivision which shall be consistent with the Master Plan.
3. Master Plans may be revised at any time, however, revisions must be approved pursuant to a Type I land use procedure. A minimum of one (1) phase per year shall be completed from the date of final Master Plan approval. The phasing scheme for Master Planned subdivisions shall not exceed a period of five (5) years unless no revisions to MMC sections which pertain to the particular subdivision have occurred, in which case the Planning Director may extend this restriction for one year.

4. The city shall establish a fee for Master Plan review which shall be set by City Council resolution.
5. Each phase shall meet the requirements of this chapter.
 - A. If a final plat is not received in the above stated time frame, a tentative approval shall become null and void for the remaining unplatted portion of the subdivision and a new preliminary plat procedure shall be required to develop the remainder of the parcel.
6. Community Planning Area (CPA)
 - A. A master development plan shall be approved by the City Council for the entire area designated CPA on the Comprehensive Plan Map, prior to development of any property within the CPA designated area. The Master Plan shall be conceptual and non-binding in nature, but may be used as a general guide for development within the CPA.
7. The required master plan shall show:
 - A. The location and rights-of-way for existing and planned arterial, collector and local access streets. Streets shall provide access to existing and proposed parcels consistent with the Molalla Transportation System Plan.
 - B. The location and size of existing and planned sanitary sewer, storm water and water facilities which are at adequate levels to serve existing and proposed commercial and residential development.
 - C. The size and location of riparian, wetland, and open space areas on existing and proposed commercial and residential parcels. Planned streets and public facilities that cannot reasonably avoid riparian, wetland, and open space areas shall be indicated.
 - D. Conceptual commercial, residential, and park areas.
 - E. Conceptual pedestrian and bicycle connections consistent with the Transportation Systems Plan, Parks and Recreation Master Plan, and pedestrian and bicycle connections to residential, commercial and park areas.

17.12.500 TIME LIMIT ON TENTATIVE PLAN APPROVAL

1. Except as provided in (2) of this section, tentative plan approval shall be valid for a period of one (1) year following the date of the final decision of the Hearing Body. If no final plat is submitted for final approval within that time, a final plat shall not thereafter be approved. The applicant may then file a new application for tentative plan approval. In such cases, the Hearing Body shall not be bound by the terms of the prior approval.
2. The Planning Director may grant an extension for filing a Final Plat for a subdivision for a period not to exceed an additional six (6) months, providing, a written finding which shows that; the facts upon which the approval were based have not changed to an extent sufficient to warrant refileing of

the tentative plan, has been submitted. No more than two (2) such extensions shall be granted for any one partition or subdivision, resulting in a maximum time extension of one (1) year.

17.12.520 PRELIMINARY REVIEW OF PROPOSAL

Within ten (10) days after being submitted by the applicant, the Planning Director shall furnish one (1) copy of the preliminary plat and the appropriate supporting documentation to the Fire Chief, Chief of Police, appropriate utility companies, and Oregon Department of Transportation. These agencies will be given at least five (5) days to review the plan, suggest revision, and return the plans to the Planning Department.

17.12.540 TENTATIVE APPROVAL

Preliminary plat approval for subdivisions with less than twenty-five (25) lots shall be processed under a Type III Land Use Procedure. Preliminary plat approval for subdivisions with twenty-five (25) or more lots shall be processed pursuant to a Type IV procedure.

17.12.560 APPROVAL CRITERIA

A preliminary plat shall be approved upon meeting the following approval criteria:

1. The development is consistent with the Comprehensive Plan.
2. The development meets all the requirements of MMC titles 17 through 21.
3. Adequate public facilities are available or are approved and scheduled to be completed before construction commences, or conditions are included in the approval so that public facilities are adequate to support the development and are in place as development occurs.
4. The development of any remainder of property under the same ownership can be accomplished in accordance with this code.
5. Adjoining land can be developed or is provided access that will allow its development in accordance with this code.

17.12.600 REVIEW OF PROCEDURE FOR CREATING A SUBDIVISION WITHIN AN EXISTING MANUFACTURED DWELLING OR MOBILE HOME PARK.

1. Subdivision of a Manufactured Dwelling or Mobile Home Park existing as of July 2, 2001, shall conform to this section and the provisions of Molalla Municipal Code 18.64.
2. The Planning Director shall establish an application and review process to implement the requirements of this section. Such procedure shall have the approval of the City Council.
3. The Planning Director shall review and approve the application and tentative plan for compliance with the standards of this chapter within twenty (20) business days commencing the day following receipt of a completed application.

17.12.700 DIRECTION OF THE PLANNING DIRECTOR FOR A SUBDIVISION OF A MANUFACTURED DWELLING OR MOBILE HOME PARK

1. Before approval of a tentative plan to subdivide a manufactured dwelling park or mobile home park, the applicant shall demonstrate and the Planning Director shall find that:
 - A. The park is in compliance with the development standards for a manufactured dwelling park or a mobile home park at the time the park was approved, or it is an approved nonconforming use. For purposes of this subsection, a park is in compliance if the city has not issued a written notice of noncompliance on July 2, 2001.
 - B. The tentative plan does not increase the number of lots, as defined in ORS 446.003, approved for the park, change the boundary lines or setback requirements or make other development changes. The Planning Director shall adopt written findings and conclusions in connection with the approval or denial of a tentative plan, and shall serve by regular mail, a copy of the decision to the applicant, the owners of the property subject to the application, the affected neighborhood association(s), affected property owners and interested persons or organizations. The Planning Director shall approve a plat of the manufactured dwelling or mobile home park subdivision upon an affirmative finding that the plat is in compliance with the applicable requirements of ORS 92.010 to 92.190.

Chapter 17.20: Partitioning

17.20.100	ADMINISTRATIVE PROCEDURE.....	16
17.20.200	LOT SIZE LIMITATION FOR PARTTTIONS	17
17.20.300	DECISION OF THE PLANNING DIRECTOR FOR A PARTITION	17
17.20.400	SUBMITTAL OF MAP AND INFORMATION.....	17
17.20.500	APPROVAL PROCESS	18
17.20.600	PARTTTIONS WHICH MUST BE PROCESSED AS SUBDIVISIONS	18

17.20.010 GENERAL PROVISIONS

Partitioning shall be consistent with all of the following requirements:

1. Partitioning shall satisfy the dimension, density, yard and property area requirements of the underlying zoning district.
2. A partition shall not be approved that leaves any parcel without direct access to a public street.
3. Property shall not be partitioned more than once in any twelve (12) month period.
4. Partitions shall be surveyed and monumented in accordance with Oregon law, and a partition plat conforming to Oregon law shall be filed with the City Recorder and the County Surveyor.
5. The partition must be consistent with ORS Chapter 92.

17.20.100 ADMINISTRATIVE PROCEDURE

1. Partitions shall be reviewed and approved, approved with conditions, or denied by the Planning Director. In addition , the Planning Director may require a partition application include geotechnical investigation reports when needed, as determined by the Director. The projects meeting all of the following criteria are exempt from the requirement for a geotechnical investigation report:
 - A. Construction value of the project is \$150,000 or less.
 - B. The project will not involve the import, export, and/or on-site movement of more than fifty (50) cubic yards of earth.
 - C. There is no evidence of any previous fill on the site to a depth exceeding one (1) foot, the project does not include proposed fill on the site to a depth exceeding one (1) foot.
 - D. No portion of the site has a slope in excess of 10%.

2. Approval, conditional approval, or denial shall be made based on compliance of a preliminary partition plat with applicable standards, statutes, rules and ordinances. Approval of the final partition plat shall be based upon compliance with any applicable conditions, and shall be evidenced by the signature thereon of the Planning Director, with the date of such approval. A decision of the Planning Director may be appealed according to the Molalla Municipal Code Appeals process. All recording costs for legal instruments required by the City must be paid by the applicant.

17.20.200 LOT SIZE LIMITATION FOR PARTITIONS

A parcel of land or the aggregate of contiguous parcels under the same ownership, containing sufficient net buildable area to allow creation of five (5) or more lots or parcels meeting the minimum requirements shall be divided only in conformance with the procedures and standards specified in this code. The calculation of the net buildable area for the parcel or lot to be divided shall be determined by the Planning Director. A parcel, partitioned solely for the purpose of segregating one separate smaller parcel for an existing or proposed single family house, shall be exempt from the provisions of this section. The parcel to be created for the single-family house shall not contain sufficient lot area to allow further partitioning under the standards of the applicable existing zone.

17.20.300 DECISION OF THE PLANNING DIRECTOR FOR A PARTITION

If an application for a partition has been reviewed pursuant to this Chapter, the following shall apply:

1. The Planning Director shall review a tentative plan and application pursuant to a Type II land use procedure.
2. Before approving a tentative plan, the Planning Director shall make affirmative findings that:
 - A. The approval does not impede the future use of the remainder of the property under the same ownership, or adversely affect the safe and healthful development of the remainder of any adjoining land or access thereto.
 - B. The tentative plan complies with all applicable provisions of this Code, including title 18 (Zoning ordinance), except as may be waived through variance granted as provided in MMC 18.88.
 - C. The Planning Director shall adopt written findings and conclusions in connection with the approval or denial of a tentative plan, and shall serve by regular mail a copy of his decision on the applicant, the owners of the property subject to the application, and on all persons, organizations, and agencies entitled to notice under MMC section 16.06.400.

17.20.400 SUBMITTAL OF MAP AND INFORMATION

1. A partition application shall be submitted to the City on forms provided for that purpose, and accompanied by a fee to be set by resolution of the City Council.

2. The application shall include up to twenty-one (21) copies of a tentative plan drawn to a scale of not less than 1" = 20', nor more than 1" = 200', and containing the following information:
 - A. The date, north point, scale and sufficient description to define the location and boundaries of the parcel to be partitioned and its location in the planning control area.
 - B. Name and address of the record owner and of the person who prepared the map.
 - C. Approximate acreage of the parcel under a single ownership or, if more than one (1) owner is involved, the total contiguous acreage of all owners of land directly involved in the partitioning.
 - D. For land adjacent to and within the parcel to be partitioned, the location, width and names of all streets, location and size of sewers, water lines, drainage ways and power poles.
 - E. Outline and location of existing buildings to remain in place.
 - F. Outline and location of existing buildings to be removed.
 - G. Lot layout showing size and relationship to existing or proposed streets and utility easements.
 - H. Such additional information as required by the Planning Director.

17.20.500 APPROVAL PROCESS

1. The approval of a partition shall follow Type II land use procedures in the procedures ordinance.
2. A partition in conjunction with another proposed land use action shall be processed as a consolidated application using the most restrictive land use procedure.
3. If the partition application and its supporting materials conform with the provision of this chapter and if all conditions of approval have been satisfied, the Director of Public Works and the Planning Director shall signify approval through signature on the survey map and the issuance of an approval letter.
4. The final partition plat shall be recorded and filed with the County Surveyor's office, along with legal descriptions of the properties affected by the partition.
5. Building or development permits shall not be issued for a tract that is dependent on a partition until the final plat has been recorded and filed with the County Surveyor.

17.20.600 PARTITIONS WHICH MUST BE PROCESSED AS SUBDIVISIONS

When it appears to the Planning Director, Planning Commission, or City Council that the area of a proposed partition is to be ultimately divided into four (4) or more lots or parcels, the subdivision provisions of this Title shall apply.

Chapter 17.30: Property Line Adjustments

17.30.010	GENERAL PROVISIONS.....	19
17.30.020	SUBMITTAL REQUIREMENTS	20
17.30.030	APPROVAL PROCESS	20
17.30.040	PROPERTY LINE ADJUSTMENTS – CONSOLIDATION OF LOTS.....	21

A property line shall not be adjusted, or lots consolidated, unless an application has been filed with and plans certified by the Planning Director or his designee showing compliance with the following requirements.

17.30.010 GENERAL PROVISIONS

1. Property line adjustments shall be consistent with all of the following requirements provided the following circumstances substantially exist.
 - A. The adjustment of property lines results in no more parcels than originally existed.
 - B. The proposed property line adjustment results in parcels that meet all area and dimension standards of this Code.
 - C. The proposed property line adjustment does not locate lot lines in violation of the setback and height provisions of the Code which relate to existing structures and improvements.
2. Property line adjustments shall not be used in lieu of the procedures required for replats of subdivisions or partitions. Property line adjustments that reconfigure property lines for three (3) or more properties within any twelve (12) month period shall be considered a replat.
3. Property line adjustments shall be surveyed and monumented in accordance with Oregon law and filed with both the City Recorder and the County Surveyor.
4. Property line adjustment deeds shall contain the names of the parties, the description of the adjusted line, references to the original recorded documents and signatures of all parties with proper acknowledgement. The deeds shall be recorded and a copy of the deed shall be filed with the City Recorder.
5. Property line adjustment approvals are valid for a period of one (1) year. If at the end of one (1) year, the property line adjustment has not been completed and recorded, the approval shall be null and void.
6. A property line adjustment shall not be approved which leaves any parcel without direct access to a public street.

17.30.020 SUBMITTAL REQUIREMENTS

1. Applications for property line adjustments shall be submitted to the City on forms provided for that purpose, and accompanied by a fee to be set by resolution of the City Council.
2. Each application shall be accompanied by a tentative plan drawn to scale of not less than 1": 20', nor more than 1": 200', and containing at least the following:
 - A. Complete names, addresses and phone numbers of the owners of the properties to be adjusted.
 - B. A description of the affected properties by quarter section, tax lot numbers, addresses and lot area.
 - C. A description of the property to be transferred, including dimensions and size in square feet or acres.
 - D. Identification arrows showing the land to be transferred.
 - E. North arrow.
 - F. All adjacent roads, noting whether public or private, including name and road width.
 - G. Zoning of affected properties.
 - H. All existing structures on the tracts and their setbacks to property lines, with notations as to whether property lines referred to are existing or proposed.
 - I. Location of any septic tanks and drain fields.
 - J. The location of any natural drainage ways, streams, wetlands, escarpments, slopes of 40% or greater, outcroppings, or other significant natural features of the tracts.
 - K. Other pending applications, including building permits, on the subject tracts.
 - L. All easements, including widths and types, labeled as existing or proposed noting the use and which properties they serve.
 - M. A copy of the unsigned deed describing the proposed adjustment.

17.30.030 APPROVAL PROCESS

1. The approval of a property line adjustment shall follow Type I land use procedure.
2. A property line adjustment in conjunction with another proposed land use action shall be processed as a consolidated application and shall follow the most restrictive land use procedure as specified in MMC chapter 16.06.
3. If the property line adjustment application and its supporting materials conform with the provisions of this chapter, and if all conditions of approval have been satisfied, the Planning Director shall

signify approval by; 1) signature on the survey map (if applicable) and, 2) the issuance of an approval letter.

4. The property line adjustment survey shall be filed with the County Surveyor's office, along with copies of the deeds to be used for the property line adjustment. No building or development permits shall be issued for a tract that is dependent on a property line adjustment until the survey has been filed with the County Surveyor and the deed has been recorded.

17.30.040 PROPERTY LINE ADJUSTMENTS – CONSOLIDATION OF LOTS

1. No lot line shall be adjusted, or lots consolidated, unless an application has been filed with and plans certified by the Planning Director or his designee showing compliance with the following requirements:
 - A. The lot area, depth, width, frontage, yards, building setbacks, vehicular access, and lot coverage standards of the Subdivision and Zoning codes.
 - B. The requirements of prior land use actions on the properties.
 - C. The Building Code and Fire Code standards regarding building separation, construction and access standards for fire safety with respect to existing building occupancies.
 - D. Lot line adjustments shall be surveyed and monumented as required by state law.
 - E. Lot consolidations shall be surveyed and all easements of record noted on the survey. The survey shall be filed as required by state law.
 - F. For property line adjustments, the Planning Director may waive the survey requirements for parcels, each of which are greater than ten (10) acres in size.

Chapter 17.40: Final Plat

17.40.110	INFORMATION REQUIRED.....	23
17.40.200	REVIEW OF FINAL PLAT	24
17.40.300	SUPPLEMENTAL INFORMATION AND FEES	24
17.40.400	TECHNICAL REVIEW	25
17.40.500	AGREEMENT FOR IMPROVEMENTS	25
17.40.550	BOND.....	25
17.40.600	FILING	26
17.40.700	PROCESSING OF A FINAL PLAT.....	26
17.40.720	MODIFICATION OF PRELIMINARY PLAT APPROVAL	27
17.40.740	APPROVAL OF FINAL PLAT	27

17.40.010 FINAL PLAT CHECK FEE

At the time of submission of a final plat for approval, an application fee shall be paid to the City as set by the City Council resolution.

17.40.100 SUBMISSION

1. In order to receive consideration for final plat approval, the applicant shall have the partition or subdivision surveyed and a final plat prepared in substantial conformance with the preliminary plat as approved. The applicant shall submit the original drawing(s), tracing(s) and any supplementary information to the Planning Director. A list of information required on and materials required for the final plat shall be available from the Planning Department.
2. Within twelve (12) months after tentative approval of the preliminary plat, the applicant shall cause the partition or subdivision or any part thereof to be surveyed and a final plat prepared in conformance with the preliminary plat as tentatively approved.
3. The applicant shall submit the original drawing of the final plat which conforms to ORS Chapters 92 and 209 along with any supplementary information to the Planning Director.
4. If the applicant wishes to proceed with the partition or subdivision after the expiration of the twelve (12) month period following tentative approval of the preliminary plat, the applicant must re-apply for tentative approval of the preliminary plat and update the supporting documentation as required in MMC chapter 17.12.

17.40.110 INFORMATION REQUIRED

In addition to that otherwise specified by law, the following information shall be shown on the final plat:

1. The date, scale, north point (generally oriented to the top of the page), and legend.
2. Legal description of the tract boundaries.
3. Names and addresses of the owner and engineer or surveyor.
4. Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - A. All stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the partition or subdivision.
 - B. Adjoining corners of bounding lots or parcels.
 - C. Any City coordinate system lines.
 - D. The centerline of a street adjacent to or within the property proposed to be divided, the location of this line and monuments found or reset.
 - E. All other monuments found or established in making the survey of the partition or subdivision or required to be installed by provisions of this title.
5. The exact location and width of streets and easements intersecting the boundary of the property.
6. Lines with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings for tract, lot and block boundaries, and street rights-of-way and centerlines. Tract boundaries and street bearings shall be shown to the nearest hundredth (.01) of a foot. No ditto marks shall be used.
7. The width of the portion of streets being dedicated, the width of any existing rights-of-way and the width of the street on either side of the centerline. For streets on curvature, curve data shall be based on the street centerline and in addition to centerline dimensions the radius and central angle shall be indicated.
8. Easements denoted by fine dotted lines, clearly identified and, if already of record, its recorded reference. If the location of any easement is not described with justification, a statement of the easement, its width, length and bearing along with sufficient ties to definitely locate the easement with respect to the partition or subdivision must be shown. If the map is dedicating the easement, it shall be properly referenced in the owner's certificates of dedication.
9. Lots and parcels shall be numbered consecutively beginning with the number "1."
10. Lots or parcels to be dedicated for any purpose, public or private, to be distinguished from lots or parcels intended for sale.

11. Building setback lines, if any are to be made a part of the and restrictions on the lots or parcels.
12. The following certificates may be combined where appropriate:
 - A. A certificate signed and acknowledged by all parties having any record title interest in the land to be divided, signifying consent to the preparation and recording of said map.
 - B. A certificate signed and acknowledged as above, dedicating all units of land shown on the final map and intended for any public use except those units that are intended for the exclusive use of the lot owners in a subdivision, their licensees, visitors, and tenants.
 - C. A certificate signed by the engineer or the surveyor responsible for the survey and final map to be accompanied by his seal.
 - D. Provisions for all other certification now or hereafter required by law.

17.40.200 REVIEW OF FINAL PLAT

Upon receipt of the final plat, accompanying data and appropriate plat check fee, the Planning Director shall examine the documents to determine that the partition or subdivision as shown, conforms to the Preliminary Plat as approved, meets the conditions of approval if conditionally approved, and meets zoning ordinance requirements. If the Planning Director determines there has not been full compliance, he shall advise the applicant and the applicant's agent, if any, of the changes, corrections and/or additions that must be made and shall allow the applicant or agent the opportunity to make such changes, corrections or additions. Review of a final plat under this section is not a land use decision.

17.40.300 SUPPLEMENTAL INFORMATION AND FEES

1. The following data shall accompany the final plat, and the applicant shall pay the appropriate fees to the City Recorder at the time the final plat is filed with the Planning Director:
 - A. A title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises.
 - B. Sheets and drawings showing the following:
 - 1) Traverse data, including the coordinates of the boundary of the partition or subdivision and ties to the City coordinate system, and showing the error of closure, if any.
 - 2) The computation of all distances, angles and courses shown on the final map.
 - 3) Ties to existing monuments, proposed monuments, adjacent lots or parcels and street corners.
 - C. A copy of any deed restrictions applicable to the partition or subdivision.

- D. A certificate by the Planning Director certifying that the applicant has complied with one of the following alternatives:
- 1) All improvements have been installed in accordance with the requirements of these regulations and with the action of the City Council granting conditional approval of the preliminary plat.
 - 2) An agreement has been executed as provided in MMC sections 17.40.300 to assure completion of all required improvements.

17.40.400 TECHNICAL REVIEW

Upon receipt by the City, the final map and other data shall be reviewed by the Planning Director who shall examine them to determine that the partition or subdivision as shown is substantially the same as it appeared on the approved preliminary plat and that there has been compliance with provisions of the law and of this title. The City may make such checks in the field as are desirable to verify that the map is sufficiently correct on the ground, and its representatives may enter the property for this purpose. If the Planning Director determines that full conformity has not been made, he shall advise the applicant of the changes or additions that must be made and shall afford the applicant an opportunity to make the changes or additions. The Planning Director shall use the certification of the City Engineer or the County Surveyor in determining if the map and surveys are technically correct.

17.40.500 AGREEMENT FOR IMPROVEMENTS

Before approval is certified on the final plat, the applicant shall:

1. Install required improvements, or;
2. Repair existing streets and other public facilities damaged in the development of the property, or execute and file with the City Recorder an agreement between the applicant and the City specifying the period within which required improvements and repairs shall be completed. If the work is not completed within the period specified, the City may complete the work and recover the full cost and expense from the applicant.

17.40.550 BOND

1. The applicant shall file with the agreement, to assure full and faithful performance thereof, one of the following:
 - A. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney.
 - B. Cash or such security as the City approves.

2. Such assurance of full and faithful performance shall be for a sum approved by the Director of Public Works as sufficient to cover the cost of the improvements and repairs, including related engineering, incidental expenses, and City inspection.
3. In the event the applicant fails to carry out provisions of the agreement and the City has costs or expenses which have not been reimbursed resulting from such failure, the City shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds the cost and expense incurred by the City, it shall release the remainder; and, if the amount of the bond or cash deposit is less than the cost and expense incurred by the City, the applicant shall be liable to the City for the difference.

17.40.600 FILING

The applicant shall, without delay, submit the final plat for signatures of public officials required by law. Building permits shall not be issued until the final plat has been recorded and all improvements, as specified by the City, have been made.

17.40.700 PROCESSING OF A FINAL PLAT

1. In the case of a subdivision or partition, the Planning Director shall obtain, on the approved partition or subdivision plat, the signature of the City Surveyor, whose signature shall certify that the platting laws of this State and the requirements of this Code have been compiled with. Upon approval, the Planning Director shall notify the applicant that the final plat has been approved.
2. In the case of an approved partition, the applicant shall record the approved plat, which shall be stamped and certified by a registered land surveyor stating that all property corners have been monumented in the field by the recording officer and surveyor of the county in which the partition is located. Such recording shall occur within sixty (60) days of final plat approval of the application for the partition. No building permits for development of any of the lots in the partition shall be issued until the plat is so recorded. Should the applicant fail to record a partition plat within ninety (90) days of final approval, such approval shall be deemed null and void.
3. Within twenty (20) days after the recording of a subdivision, the owner or his representative shall furnish the Planning Director with three (3) full scale prints of the recorded plat.
4. Except as provided in subsection (2) of this section, a final plat of a proposed subdivision and a plat of a partition shall be recorded by the first day of the 7th month following the date of final approval. If the plat is not filed within such time period it shall not be recorded, but shall be returned to the Planning Director who may require changes or alterations which the Planning Director deems necessary because of changed conditions within the general area of the partition, subdivision or plat.
5. Processing of multiple phases shall meet the requirements of MMC section 17.12.400.

17.40.720 MODIFICATION OF PRELIMINARY PLAT APPROVAL

Applications for modifications to the preliminary plat and/or the conditions of approval of an approved tentative partition or subdivision plat shall be reviewed by the Hearing Body pursuant to the procedures specified in chapter 16 of the Molalla Municipal Code. Applications for modification of an approved tentative plat shall be accompanied by a fee set by City resolution. The Hearing Body shall approve a proposed modification of an approved tentative plat only upon finding that the proposed modification equally or better complies with the approval criteria listed in this code. The Hearing Body may impose such approval conditions on the modification as is deemed necessary to assure compliance with those standards. The Hearing Body may deny the proposed modification if it finds that the modification does not equally or better comply with the applicable standards as set forth in this code.

17.40.740 APPROVAL OF FINAL PLAT

1. After the final plat has been filed, the Planning Director shall review and compare it with the approved tentative plan to ascertain whether the final plan conforms substantially to the approved tentative plan and with such conditions of approval of the tentative plan as may have been imposed. The County Surveyor shall examine the plat as required by State law.
2. A final plat shall not be approved unless:
 - A. The plat is in substantial conformance with the provisions of the tentative plan as approved, including any conditions imposed in connection therewith.
 - B. The plat contains, free and clear of all liens and encumbrances, a donation to the public of all common improvements, including but not limited to; streets, roads, sewage disposal, water supply systems, and public parks – the donation of which is required by this chapter or was made a condition of the approval of the tentative plan.
 - C. Explanations of all common improvements required as conditions of approval of the tentative plan have been recorded and referenced on the plat.
 - D. All deeded areas shown on the tentative plan or required conditions of the tentative plan approval have been met and deeded to the City of Molalla.
 - E. The City has received adequate assurances that the subdivider or partitioner has agreed to make all public improvements which are required as conditions of approval of the tentative plan, including, but not limited to; streets, alleys, pedestrian ways, storm drainage, sewer, water systems, and parks. The following constitute acceptable adequate assurances:
 - 1) Certification by the City Engineer that all required public improvements are completed and approved.
 - 2) An improvement agreement between the City and the developer, executed and filed with the City, requiring the applicant to complete all required improvements, both public and private, within eighteen (18) months of the final approval of a subdivision or partition. The agreement shall be accompanied by a performance guarantee as specified by the Director of

Public Works. Upon the subdivider's request, the agreement shall be extended for an additional eighteen (18) month period if the performance guarantees are modified to reflect any change in cost of construction. The agreement shall state that all improvements not completed within the term of the agreement or its extension shall be completed by the City at the expense of the developer. The city shall estimate the cost of completing the work, call upon the bond or deposit for funds necessary to cover the cost, and complete the improvement(s) from funds collected under the performance guarantee. If the funds collected under the performance guarantee are not sufficient to install the required improvement(s), the city may either hold the collected funds until additional funds are authorized for the improvement(s) or expend the collected funds on a revised improvement(s) or on a portion of the improvement(s) as determined reasonable by the Director of Public Works.

- 3) If the Planning Director finds that the conditions specified in subsection (E.2) of this section have not been met, he shall advise the applicant of the changes that must be made and afford the applicant an opportunity to comply. Rejection of a final plat shall not affect tentative plan approval.
- 4) When the Planning Director finds that the final plat is in substantial conformity to the approved tentative plan and is otherwise in lawful form he shall endorse his approval on the plat.
- 5) Final plat approval is not a land use decision subject to the provisions of this chapter or chapter 16 of the Molalla Municipal Code.
- 6) The final plat shall comply with the preliminary plan approval.
- 7) When the Planning Director determines the final plat conforms with the preliminary plat as approved or has met applicable conditions if approved conditionally, the requirements of this Ordinance have been met, and secures the signature of the City Engineer, whose signature shall certify the platting laws of this State have been met. Approval of the Final Plan shall be evidenced by the signature of the Planning Director and the Director of Public Works with the date of such approval. If the final plat is disapproved, the Planning Director shall enter findings of fact stating the basis of disapproval. The applicant may then either submit a new plat for consideration or appeal the decision as provided in Chapter 16 of the Molalla Municipal Code.
- 8) Following approval by the Hearing Body the Planning Director shall notify the applicant that the final plat has been approved by the City. The applicant shall deliver the Final Plat to the City Surveyor. Once approved by the City Surveyor the applicant shall deliver the Final Plat to the County Surveyor for purposes of conducting the plat check in conformance with O.R.S. Chapter 92, and subsequent processing by the County to result in recording of the plat.

Chapter 17.60: Design Standards

17.60.010	STREET, PEDESTRIAN/BICYCLE/EQUESTRIAN DESIGN STANDARDS ..	30
17.60.020	PEDESTRIAN/BICYCLE/EQUESTRIAN ACCESSWAYS	31
17.60.050	COMPLIANCE AND WAIVER OF NOTICE	34
17.60.100	PUBLIC EASEMENTS FOR A SUBDIVISION AND PARTITION.....	34
17.60.150	UNDERGROUND UTILITIES	35
17.60.200	STREET STANDARDS, GENERALLY.....	35
17.60.210	STREET RIGHT-OF-WAY AND PAVEMENT WIDTH	37
17.60.215	PUBLIC ACCESSWAYS.....	39
17.60.220	BOUNDARY STREET REQUIREMENTS FOR SUBDIVISIONS.....	39
17.60.225	BOUNDARY STREET REQUIRMENTS FOR PARTITIONS.....	40
17.60.230	STREETS - GENERALLY	40
17.60.235	STREETS - EXISTING	41
17.60.240	STREETS - ALIGNMENT	41
17.60.242	STREETS – FUTURE EXTENSION.....	42
17.60.244	STREET – INTERSECTION ANGLES.....	42
17.60.246	STREETS - ACCESS	42
17.60.250	STREETS – ADJACENT TO RAILROAD RIGHTS-OF-WAY	42
17.60.248	STREETS – GRADES AND CURVES.....	43
17.60.252	STREETS – HALF- STREETS	43
17.60.254	STREETS – CUL-DE-SAC	43
17.60.256	STREETS - ALLEYS.....	44
17.60.260	STREETS – RESERVE STRIPS	44
17.60.264	IMPROVEMENTS	45
17.60.266	PRINCIPLES OF ACCEPTABILITY.....	45
17.60.270	STREETS - NAMES.....	45
17.60.274	STREET SIGNS	45
17.60.276	STREET LIGHTS.....	45
17.60.280	MONUMENTS	46
17.60.290	FLAG LOTS IN PARTITIONS.....	46
17.60.295	FLAG LOTS IN A SUBDIVISION.....	46

17.60.300	BLOCKS - GENERALLY	47
17.60.310	BLOCKS - SIZES	47
17.60.320	BLOCKS – EASEMENTS FOR UTILITY LINES.....	47
17.60.325	BLOCKS – EASEMENT FOR WATERCOURSES	47
17.60.330	BLOCKS – PEDESTRIAN WAYS.....	47
17.60.400	LOT STANDARDS	48
17.60.410	LOTS – SIZE AND SHAPE	49
17.60.420	LOTS - ACCESS	49
17.60.430	LOTS - FLAG	Error! Bookmark not defined.
17.60.440	LOTS – ACCESSWAYS.....	51
17.60.450	LOTS - THROUGH.....	51
17.60.460	LOTS – SIDE LINES	51
17.60.500	LARGE LOT SUBDIVISION	52
17.60.600	BUILDING LINES.....	52
17.60.700	PARKS	52
17.60.750	TREES.....	53
17.60.800	ENTRANCES	53

17.60.010 STREET AND PEDESTRIAN/BICYCLE/EQUESTRIAN DESIGN STANDARDS

In addition to City street, pedestrian and bicycle design standards applicable to subdivisions, all subdivisions shall comply with the following:

1. Through street connections between neighborhoods are encouraged. The applicant shall demonstrate how the proposed street, pedestrian and bicycle network provides safe and convenient access to; adjacent residential developments, transit stops, adjacent undeveloped property likely to be subdivided or otherwise developed in the future, to neighborhood activity centers, transit trunk routes and other transit facilities within ½ mile of the development.
 - A. When through streets are not possible the applicant shall demonstrate why they are not possible.
2. The following conditions shall be considered:
 - A. Relation to existing and planned streets;
 - B. Topographical conditions and natural resource corridors;

- C. Public convenience and safety for all modes of travel;
 - D. Existing and identified future transit routes and pedestrian/bicycle accessways;
 - E. Proposed use of land to be served by the streets;
 - F. The street system shall assure adequate traffic circulation with angles of intersection, grades, tangents and curves appropriate for both the type and volume of traffic to be carried and the terrain upon which that traffic will be carried. Streets shall connect to existing or approved stub streets which abut the development site.
3. Through pathways between neighborhood service areas shall be created wherever feasible.
 4. Narrow street designs for local streets may be permitted with approval from the City Engineer and the Planning Director, provided that other minimum dimensional requirements are met for travel lanes, bike lanes, parking lanes and sidewalk widths. Parking on the street shall not be allowed on narrow streets.
 5. Upon recommendation by the Director of Public Works or the Planning Department, when deemed necessary to improve public safety, reduce traffic hazards and promote the welfare of pedestrians, bicyclists and residents of the subject area, the Hearing Body may require that local streets be constructed using techniques which discourage their use by non-local automobile traffic.
 6. Within subdivisions that can be adequately served by transit facilities, the street and pedestrian/bicycle network shall be designed and laid out in a manner that promotes transit use. The Hearing Body may require provisions for transit facilities along transit trunk routes where a need for bus stops, bus pullouts or other transit facilities within or adjacent to the subdivision has been identified. Such provisions may include, but need not be limited to, easements and dedications.
 7. Sidewalks shall be built on both sides of streets within a subdivision and along private driveways serving seven (7) or more single family lots. When fewer than seven (7) dwelling units are being proposed, the Hearings Body may reduce sidewalk requirements to one side of the development frontage for new streets if physical or topographic conditions limit the feasibility of their provision.
 - A. Equestrian and bicycle paths shall be built as provided in the Parks and Recreation Master Plan and Transportation Systems Plan.

17.60.020 PEDESTRIAN/BICYCLE/EQUESTRIAN ACCESSWAYS

1. Pedestrian/bicycle accessways are intended to provide safe and convenient connections within and from new subdivisions to adjacent and nearby residential areas, transit stops and neighborhood activity centers where public street connections are unavailable. Pedestrian/bicycle accessways should only be used in areas where public street options are unavailable, impracticable or inappropriate.
2. Pedestrian/bicycle/equestrian accessways shall be provided in the following situations:

- A. In areas where full street connections are not possible, bicycle and pedestrian connections on public easements or rights-of-way should attempt to provide spacing of no more than 400 feet between connections except where barriers such as topography, railroads, highways, or pre-existing development exists.
- B. Accessways are required between discontinuous street rights-of-way, through mid-block locations where blocks are longer than 1000 feet, or where the lack of street continuity creates inconvenient or out of direction travel patterns for local pedestrian or bicycle trips.
- C. Accessways shall be included as follows in all residential districts:
 - 1) To provide reasonably direct access to nearby neighborhood activity centers, transit trunk routes and other transit facilities;
 - 2) Where practicable, to provide reasonably direct access to other adjacent developments and to adjacent undeveloped property likely to be subdivided, partitioned, or otherwise developed in the future;
 - 3) To provide reasonably direct connections from cul-de-sacs and internal private drives to the nearest available street or neighborhood activity center;
 - 4) To provide reasonably direct connections from cul-de-sacs or local streets to arterial or collector streets;
 - 5) To provide reasonably direct connections from designated/or proposed paths to streets within the subdivision.

3. Development standards.

- A. Entry points shall align wherever practicable with pedestrian crossing points along adjacent streets and with adjacent street intersections.
- B. Access ways shall be free of horizontal obstructions and have a nine (9) foot, six (6) inch high vertical clearance. To safely accommodate both pedestrians and bicycles, accessway rights-of-way widths shall be as follows.
 - 1) Accessways shall provide a minimum fifteen (15) feet wide right-of-way with a minimum ten (10) foot wide paved surface.
 - 2) If an accessway provides secondary fire access or a public utility corridor, the right-of-way shall be at least twenty (20) feet wide with a fifteen (15) foot wide paved surface.
- C. Accessways shall be lit to enhance pedestrian and bicycle safety. Accessway lighting shall be provided by the developer to standards established by the City Engineer and shall maintain consistency with the City's Dark Skies Ordinance in MMC chapter 20.xx.. Lighting shall be provided at both entrances and may also be required at intermediate points along the accessway, as appropriate for safety, as determined by the City Engineer.

- D. Wherever practicable, accessways shall have a maximum slope of 5% and shall avoid the use of stairways.
- E. Accessways shall be fenced and screened along adjacent property by:
 - 1) A thick vegetation screen at least forty-two (42) inches high.
 - 1) A minimum five (5) foot high fence with a row of three (3) to four (4) foot high evergreen shrubs or climbers planted along the fence. The fence shall be constructed with pressure treated structural members including a pressure treated cap.
 - 2) An evergreen vegetative screen must be erected if there is an existing fence on private property adjacent to the accessway. This vegetative screen shall be four (4) feet high.
 - 3) In satisfying the requirements of this section, evergreen plant materials that grow over four (4) feet in height shall be avoided. All plant materials shall be of a low maintenance variety and shall be reviewed and approved by the Planning Director.
- F. Accessways shall be designed to prohibit motorized traffic, except motorized wheelchairs for disabled pedestrians. Curbs, removable lockable posts and bollards are suggested mechanisms to achieve this.
- G. Accessway surfaces shall be paved with all weather hard-surfaced materials and designed to drain stormwater runoff to the side or sides of the accessway. Paving, storm drainage, shoulder treatment, and landscaping for accessways shall be as approved by the Director of Public Works and Planning Director.
- 4. Exceptions may be made where the Planning Director determines that construction of a separate accessway is not feasible due to physical or jurisdictional constraints. Such restraints may include but are not limited to:
 - A. Other federal, state or local requirements prevent construction of an accessway.
 - B. Situations where steep slopes, wetlands, bodies of water, freeways, railroads, or other physical or topographic conditions make accessway connections impracticable.
 - C. Situations where buildings or other adjacent existing development physically precludes a connection now or in the future.
 - D. Situations where the accessway terminates at the urban growth boundary.
- 5. Ownership, liability and maintenance of accessways. To avoid non-maintenance of pedestrian/bicycle/equestrian accessways over time, the Planning Director shall require one of the following:
 - A. That accessways be dedicated to the public as public rights-of-way prior to the final approval of the development.

- B. That the developer incorporate the accessway into a recorded easement or tract which specifically requires the property owner and future property owners to provide for the ownership, liability and maintenance of the accessway.

17.60.050 COMPLIANCE AND WAIVER OF NOTICE

1. Notice by mail shall be deemed complete when deposited with the U.S. Postal Service as first class postage fully prepaid, for delivery to the addressee at his last known mailing address. Failure of the addressee to receive notice shall not invalidate the proceeding.
2. Posted notice is deemed given when the sign is first posted. Subsequent removal of or damage to the sign by anyone other than the applicant or an officer of the City shall not invalidate the proceeding.
3. The requirement for notice shall be deemed satisfied as to any person who, in any manner, obtains actual knowledge of the time, place and subject matter of the hearing prior thereto.
4. Appearance and testimony or comment on the merits of the proposed action by any person at a hearing, or submission by any person making written comments directed to the merits of the proposed action at or prior to the hearing and after the proceeding was initiated shall be deemed a waiver by such person of any defect in notice.

17.60.100 PUBLIC EASEMENTS FOR A SUBDIVISION AND PARTITION

The Planning Director may require public easements for the construction and maintenance of all utilities and public facilities dedicated along lot or parcel lines. Easements must be of sufficient width to provide and maintain adequate utility service to each lot or parcel. Typically this width shall be a minimum of ten (10) feet unless otherwise required by the Planning Director or the Director of Public Works. Where possible, easements shall be centered on or bordering a lot or parcel line. In the case of zero lot line development, the Planning Director may require easements along each side of the lot line.

1. **Water Supply** - All lots and parcel shall be served by the public water system of the City of Molalla unless approved to remain on septic systems and wells by the Director of Public Works. Any common water system serving more than one (1) lot or parcel shall be provided by the applicant and dedicated to the City. Such water supply systems shall be designed and constructed according to the provisions of this Code as well as to the standards and specifications required of the Director of Public Works.
2. **Sewage Disposal** - Each lot or parcel shall be served by its own sanitary sewer service line and constructed in accordance with the design standards of this Code and the specifications maintained by the Director of Public Works for these facilities. Upon completion of installation, the City will require dedication of all sewage disposal facilities.
3. **Storm Drainage** – Adequate storm drainage shall be provided to each lot or parcel and connected to the City’s storm drainage system where storm drainage facilities exist at the lot or parcel line. Where a public street is to be dedicated or improved by the applicant as a condition of tentative plan approval, the applicant shall also install and dedicate to the City, a storm drainage system in

said street. Storm drainage facilities shall include suitable on-site detention facilities as required by the Director of Public Works. These facilities shall be of a size sufficient to safely transport the anticipated volume of water generated both onsite and upstream, through the subdivision or partition as approved by the Director of Public Works. Storm drainage shall be provided in accordance with all applicable provisions of this Code and the standards and specifications on file in the office of the Director of Public Works. Easements shall be dedicated as determined by the Director of Public Works.

17.60.150 UNDERGROUND UTILITIES

1. Permanent utility service to lots in subdivisions or partitions shall only be provided through means of underground facilities. Permanent overhead utility service may be supplied only to partitions in commercial and industrial zones where underground service is not currently available.
 - A. All developments shall be required to underground at such time undergrounding is feasible.
2. The applicant is responsible for complying with the requirements of this section, and shall make all necessary arrangements with the utility companies and all persons or corporations affected by the installation of such underground facilities in accordance with the rules and regulations of the Public Utility Commissioner of the State of Oregon.

17.60.200 STREET STANDARDS, GENERALLY

All streets except as provided in MMC 17.60210 (1.D) shall be dedicated to the public. All streets, both public and private, shall be improved as follows:

1. **Improvements**. All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to the provisions of this Code and the specifications and standards on file in the office of the Director of Public Works.
2. **Dead-end streets**. When it appears necessary to continue a street or public accessway into a future subdivision or adjacent property, streets or public accessways shall be platted to the boundary of the subdivision or partition. The street may be platted without a turnaround unless the Planning Director finds that a turnaround is necessary. In all other cases, cul-de-sacs shall have a turnaround with a property line radius of not less than forty-five (45) feet to the property line.
3. **Urban Growth Area streets**. Where a subdivision or partition within either the Urban Growth Area or the Urban Reserve Area precedes the development of city-planned street improvements, the street improvements and dedications shall meet the requirements of the MMC.
4. **Property line radius**. The property line radius at the intersection of local streets shall be twenty (20) feet. All other intersection property line radii shall be in accordance with the specifications of the Director of Public Works.

5. **Right-of-way dedication.** All right-of-way dedication shall occur via warranty deed which conveys a good and merchantable title thereto, free from all outstanding liens and encumbrances, including unpaid and deferred real property taxes, and free from all rights of lessees, tenants, and other persons claiming any rights in or to said property.
6. **Sidewalk, bike path, easements, turnarounds and public utility requirements.** All streets shall be improved with sidewalks, public utility easements, turnarounds, construction strips, landscape strips and parking lanes as specified in chapter 18 of the MMC.
7. **Cut and fill slopes.** The fill slope shall begin no closer than two (2) feet to the edge of the curb. Cut and fill slopes shall not exceed a ratio of two (2) horizontal to one (1) vertical. The Director of Public Works may approve slopes not to exceed a one (1) to one (1) ratio upon certification by a qualified engineer or geologist stating that the slope will remain stable under all foreseeable conditions.
8. **Easements.** Slope easements shall be provided on both sides of the right-of-way. Where necessary, the Planning Director may require additional width for slope easements.
9. **Street alignment.** Consistent with good engineering practice, street alignment shall so far as possible, avoid significant trees. Street alignment shall also be considerate of the desire to create intersection angles which are as near ninety (90) degrees as practicable.
10. **No Parking signs.** During construction, no parking signs and/or a yellow curb shall be installed by the developer on the side of the street where parking is prohibited by the Director of Public Works.
11. **Connectivity.** Applicants submitting preliminary development plans shall provide for local streets oriented to, or connecting with; existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers, located within ½ mile of the development. Applicants shall also provide for the extension of local streets to adjoin major undeveloped properties and for the eventual connection to the existing street system. Connections to existing or planned streets and undeveloped properties along the border of the parcel shall be provided at no greater than 1000-foot intervals, unless the Planning Director determines that one (1) or more of the following conditions exist:
 - A. Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided.
 - B. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment.
 - C. Streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of February 1, 2007 which preclude a required street or accessway connection.

17.60.210 STREET RIGHT-OF-WAY AND PAVEMENT WIDTH

1. Except as otherwise required in this chapter, the street rights-of-way in or along the boundary of a subdivision, partition, or parcel for which a building permit is being requested under this Code shall have up to one-half the following minimum widths, as determined by the Planning Director:
 - A. **Arterial** – Arterials are roadways that are primarily intended to serve traffic entering and leaving the urban area. While arterials may provide access to adjacent land, that function is subordinate to the travel service provided to major traffic movements. Arterials are the longest-distance, highest-volume roadways within the urban growth boundary. Although the streets focus on serving longer distance trips, pedestrian and/or bicycle activities often are also associated with the arterial streetscape.
 - B. **Collector** – Collector streets facilitate the movement of city traffic within the urban growth boundary of the City. Collectors provide some degree of access to adjacent properties, while maintaining circulation and mobility for all users. Major collectors are distinguished by their connectivity and higher traffic volumes, although they are designed to carry lower traffic volumes at slower speeds than arterials. Major collector streets are characterized by two or three-lane facilities. Minor collectors carry lower volumes than major collectors and have two-lane cross-sections.
 - C. **Local streets** – Local streets are primarily intended to provide access between abutting land uses. Local street facilities offer the lowest level of mobility and consequently tend to be short, low-speed facilities. As such, local streets should primarily serve passenger cars, pedestrians, and bicyclists; heavy traffic should be discouraged. On-street parking is common and sidewalks are typically present.
 - D. **Alleys** – Alleys shall only be allowed in those sections of town where the alley currently exists, the CPA zone, and in situations where they are necessary to serve row house developments. If an alley is approved by the Planning Director and Director of Public Works, both parties shall agree on whether the alley proposed shall be deeded to the City.

TABLE 2

ROADWAY FUNCTIONAL CLASSIFICATION SUMMARY

Arterials	Collectors	Neighborhood Streets		Local Streets
Highway 213	Major Collectors	Cascade Avenue*	Kennel Avenue	All remaining streets
Highway 211*	Main Street	Harvey Avenue	Water Avenue	
Molalla Forest Road	Toliver Road	Julie Street	Heintz Street	
Mathias Road	Shirley Street	Toliver Drive	Center Avenue*	
Molalla Avenue	Leroy Avenue	Bronco Avenue*	Lola Avenue	
Freyrer Park Road	5 th Street	Thunderbird Street	Stowers Avenue*	
	Minor Collectors	Church Street	7 th Street*	
	Ridings Avenue	Frances Street	Hezzie Avenue	
	Cole Avenue	south industrial area	Industrial Avenue	
	Frances Street	Lowe Street	Ona Road*	

*portion of the street—see Figure 19

2. The Planning Director may require dedication and improvement of all internal streets in the subdivision or partition to the standards identified in this section.
3. The Planning Director may require additional right-of-way, easements, and/or improvements to accommodate the design and construction of street improvement projects due to steep slopes, soils, water features, wetlands, transit bus bays, and other physical constraints.
4. The Planning Director may require additional rights-of-way and roadway improvements at the intersections of arterial and collector streets. Intersections and access points for large traffic generators such as shopping centers, schools, major recreational sites, and office complexes, may require additional intersection right-of-way and improvements. The dimensional requirements of all intersections shall be determined by the Director of Public Works.
5. The Planning Director may designate where the street standards may be reduced to accommodate projects affected by existing development or physical constraints.
 - A. For arterial and collector streets, reduced street standards shall be determined by the Director of Public Works.
 - B. For local streets, standards may be reduced to a minimum forty (40) foot right-of-way with a thirty (30) foot pavement width and five (5) foot wide sidewalks in situations where; the proposed street is a cul-de-sac, the existing cross slope is 8% or greater, or the street is within an

infill development and standard right-of-way requirements would result in lot depths of eighty (80) feet or less. For greater reductions, or for other situations affecting the local street right-of-way width, reduced standards may be approved by the Planning Director upon review and recommendation by the Director of Public Works.

6. Local streets shall provide a ten (10) foot public utility easement on either side of the right-of-way or as determined by the Director of Public Works.
7. Sidewalks which are within 400 feet of and provide direct access to a school, shall be at minimum eight (8) feet wide. Except in commercial and industrial areas (where the sidewalk shall remain eight (8) feet wide), all other standard sidewalks shall be at minimum five (5) feet wide.
8. Sidewalks shall maintain an unobstructed four (4) foot width around signs, mailboxes and other obstructions.
9. Landscape strips for signs, streetlights, and shade trees shall be depicted in street cross-sections and fall within the rights-of-way specified:
 - A. For standard local street cross-sections, the landscape strips shall be located on both sides of the street between the curb and sidewalk and be at minimum five (5) feet wide.

17.60.215 PUBLIC ACCESSWAYS

1. When necessary for public convenience or safety, the Planning Director may require the developer to improve and dedicate public accessways that connect to cul-de-sacs, pass through oddly shaped or unusually long blocks, and/or provide for networks of public paths creating access to schools, parks, shopping centers, transit stops, or other community services.
2. The accessway shall be designed and located to best accommodate public use and shall be constructed in accordance with the specifications and standards of the Director of Public Works. In addition, dedications may also accommodate utility easements and facilities.

17.60.220 BOUNDARY STREET REQUIREMENTS FOR SUBDIVISIONS

1. For boundary streets in subdivisions, the Planning Director may require the construction and dedication of half-street improvements as defined in MMC chapter 17.60.252. If the Planning Director determines that the required dedication and improvement is insufficient to provide, at minimum, one travel lane in each direction or proper street grade, the Planning Director may require a three-quarter-street improvement.
2. Notwithstanding subsection 1 of this section, properties that have received tentative subdivision approval and in which one (1) or more phases have been built, the Planning Director may require as a condition of partition approval any necessary street improvements and rights-of-way dedication, up to, but not exceeding, the street improvement identified in the subdivision tentative approval. The applicant may request deferral of said improvement until the street improvements are deemed

required by the City Council. An applicant seeking deferral shall sign an agreement that specifies the terms of the deferral. A deferral agreement shall be in a form approved by the City Attorney and shall be filed in the deed records with Clackamas County. Street improvement deferral shall be noted on the final plat approved by the Planning Director.

3. When an area within a subdivision is set aside for commercial or industrial use, or where probable future conditions warrant, the Planning Director may require dedication and improvement of streets to greater widths than those provided in Molalla Municipal Code 17.60.210.
4. Where topographical requirements necessitate either cut or fill for proper grading of streets, additional right-of-way width or slope easements may be required to allow for all cut and fill slopes.
5. Deferral - City Required. Where future street improvements are anticipated, the Director of Public Works may require all or a portion of the improvement to be deferred.
6. Deferral Agreement. When a deferral is required, the applicant shall sign a street improvement deferral agreement and pay the fees set by City Council resolution. The agreement shall be in a form approved by the City Attorney, shall be filed in the deed records of Clackamas County, and shall provide that required street improvements be constructed at such time as the City Council directs or at such other time as may be specified.

17.60.225 BOUNDARY STREET REQUIREMENTS FOR PARTITIONS

1. For boundary streets in partitions, the Planning Director may require dedication of up to one-half of the right-of-way specified in Molalla Municipal Code 17.60.210.
2. The Planning Director may require a half-street improvement of no less than seventeen (17) feet wide, plus; curb, gutters, sidewalks, bike lanes (where appropriate), piped drainage, street lights, and other signing (where appropriate). The minimum requirement for the opposite side of the centerline is a twelve (12) foot wide paved travel lane. A partition for single-family residential use abutting a boundary street, which is a funded project in the City's five (5) year Capital Improvements Program (CIP), shall be exempt from this requirement. Where an improvement is immediately necessary due to potential traffic hazard or concern the applicant shall be responsible for providing such improvements immediately.
3. The structural section for the portion of the improvement added to the existing pavement shall be as specified for the designation of the streets in the Molalla Transportation System Plan.

17.60.230 STREETS - GENERALLY

All existing and planned streets shall be shown on development plans. The location, width, and grade of streets shall be considered in relation to existing and planned streets, topographical conditions, public convenience and safety, and to the proposed use of the land to be served by the streets.

TABLE 3
STREET DESIGN STANDARDS SUMMARY

Classification	Cross Section	Minimum Right-of-Way	Center Turn Lanes	Travel Lanes	Bike Lanes	Sidewalks	On-Street Parking	Landscaping Strip
Local	2 Lanes	50 feet	No	Not striped	No	5 feet	Yes	Yes
Neighborhood Street Minor Collector	2 Lanes	50 feet	No	12 feet	No	5 feet	Yes	No
Major Collector - Downtown - Rest of City	2 Lanes 3 Lanes	60 feet 60 feet	No Yes	12 feet 12 feet	No 6 foot	10 feet 5-8 feet*	Yes No	No No
Arterial - Downtown - Rest of City - Molalla Forest Road	2 Lanes 3 Lanes 2 lanes + median	60 feet 60 feet 60 feet	No Yes Raised median	12 feet 12 feet 12 feet	No 6 feet 6 feet	Yes Yes Yes	Yes No No	No No No
Alley - Downtown Area - Rest of City	2 Lanes 2 Lanes	20 feet 20 feet	No No	10 feet 10 feet	No No	No No	No No	No No

*8 feet in C-1 and C-2 zones; 5 feet elsewhere

17.60.235 STREETS - EXISTING

Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision.

17.60.240 STREETS - ALIGNMENT

All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the centerlines. Staggered street alignment which results in "T" intersections shall leave a minimum distance of 200 feet between the centerlines of streets having approximately the same direction.

17.60.242 STREETS – FUTURE EXTENSION

Where necessary to give access to or permit a satisfactory future subdivision of adjoining land and to be consistent with the requirements of MMC, streets shall be extended to the boundary of the subdivision.

1. The resulting dead-end may be approved without a turnaround, if such extension is less than 250 feet in length.
2. Reserve strips and street plugs may be required to preserve the objectives of street extensions. No building permit shall be issued at the end of any street without prior approval from the Planning Director.

17.60.244 STREET – INTERSECTION ANGLES

Streets shall be laid out to intersect at an angle as near to a right angle as practical, except where topography requires a lesser angle, but in no case less than sixty (60) degrees unless approved through special intersection design. Unless limited by topographical constraints, streets shall maintain at minimum fifty (50) feet of tangent distance adjacent the intersection.

17.60.246 STREETS - ACCESS

1. Any street or accessway that serves twenty-five (25) or more dwelling units shall be designed with at least two (2) means of access to collector streets. Access to collector streets shall be by permanent dedicated public roadways built to city standards.
2. Where a subdivision abuts or contains an existing or proposed arterial street, the Planning Director may require marginal access streets, reverse frontage lots with suitable depth, screen plantings contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

17.60.250 STREETS – ADJACENT TO RAILROAD RIGHTS-OF-WAY

Where a proposed subdivision contains or is adjacent to a railroad right-of-way, the City may require the provision of parallel streets on either side of the right-of-way at a distance from the right-of-way to accommodate the appropriate use of the land in-between the parallel street and the railroad right-of-way. The distance between the parallel street(s) and the railroad right-of-way shall consider the location of cross streets, the minimum distance required for approach grades for future grade separation, and the depth required to allow screen planting along the railroad right-of-way.

17.60.248 STREETS – GRADES AND CURVES

Grades shall not exceed 7% on major or minor arterials, 10% on collector streets, or 15% on any other street. In flat areas, allowance shall be made for finished street grades having a minimum slope of .05%. Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on minor arterials, or 100 feet on other streets, and shall be a width of ten (10) feet. No less than 100 feet of tangent shall be provided between reverse curves on arterial streets.

17.60.252 STREETS – HALF- STREETS

While generally not acceptable, half-streets may be approved where essential to the reasonable development of the subdivision, when in conformity with the other requirements of these regulations, and when it is practical to require dedication of the opposing half-street during subdivision of the adjoining property. Whenever a half-street is adjacent to a tract to be subdivided, the opposing half-street shall be platted within such tract. Reserve strips and street plugs may be required to maintain the objectives of half-streets.

17.60.254 STREETS – CUL-DE-SAC

1. Cul-de-sac streets shall only be approved where topographical or other natural constrains prohibit the development of street connections.
2. Streets that terminate in a cul-de-sac shall be as short as is reasonably practicable and no more than 400 feet in length.
3. The cul-de-sac shall have a minimum radius of fifty (50) feet or shall otherwise be approved by the Planning Director.
4. Parking in the cul-de-sac shall be prohibited unless approved by the Planning Director.
5. The Planning Director or Hearing Body may require a temporary cul-de-sac if a future street connection is projected to continue to an adjacent property
6. A temporary cul-de-sac or turnaround shall be constructed in any new subdivision in which the cul-de-sac is over 250 feet in length and extends to the property line. The construction standards for the area outside the projected curb line are:
 - A. The sub-grade roadbed shall be graded and compacted.
 - B. Two (2) inches of asphalt or concrete shall be installed over the compacted sub grade.
 - C. An asphalt or concrete roll curb shall be provided around the perimeter of the turnaround.
 - D. The cost of future curb extensions and removal of the temporary turnaround shall be required of the developer in accordance with the following procedure:

- 1) The Planning Director shall calculate the cost for removal of a temporary turnaround and curb extension.
 - 2) The developer shall deposit the cost of construction shall with the City Treasurer prior to final plat approval from the Planning Director.
7. The City shall be responsible for the removal of the turnaround and the placement of the curb at the time the street is to be extended into the adjacent property.
 8. The temporary turnaround shall be indicated on the final plat as an easement to be vacated outside of the dedicated right-of-way when the street is extended into the adjacent property.
 9. Building setbacks for the area abutting a temporary turnaround shall be computed from the projected extension of the street right-of-way.

17.60.256 STREETS - ALLEYS

1. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Planning Director.
2. While alley intersection and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than ten (10) feet.
3. Alleys may be allowed in Rowhouse/Townhome developments as allowed by the Planning Director and Director of Public Works.
4. Alleys shall be allowed in the CPA zone as allowed by the Planning Director and Director of Public Works.
5. Alleys shall be reestablished where city owned right-of-way exists. Such alleys shall have ingress and egress from two (2) separate points on all alley way sections. No alley shall be of a width less than fifteen (15) feet. If such an alley exists and the alley is skinnier than fifteen (15) foot then the applicant shall dedicate half street property equal to the needed improved section to complete the minimum alley requirement.

17.60.260 STREETS – RESERVE STRIPS

Reserve strips or street plugs controlling access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights in which case they may be required. The control and disposal of land containing reserve strips shall be placed within the jurisdiction of the City under conditions approved by the City Council.

17.60.264 IMPROVEMENTS

All street improvements, including sub base, pavement, curbs, sidewalks, and surface drainage shall conform to the provisions of this Code and the specifications and standards on file in the office of the Director of Public Works.

17.60.266 PRINCIPLES OF ACCEPTABILITY

Subdivisions shall be in conformity with any development plans and shall take into consideration any preliminary plans made in anticipation thereof. Subdivisions shall conform to the requirements of State law and the standards established by this title.

17.60.270 STREETS - NAMES

2. No street name shall be used that duplicates or may be confused with the names of existing streets, except for extensions of existing streets, except for the words “town,” “city,” “place,” “court,” “addition,” “acres,” “heights,” “villa,” or similar words. Street names and numbers shall conform to the established pattern in the City, and shall be subject to approval by the City.
 - A. Street names shall not be offensive in nature.
 - B. Street names shall be as concise as possible.

17.60.274 STREET SIGNS

Prior to final acceptance of the street construction by the City or when a building permit is issued for the construction of any building in a subdivision or partition, the developer shall install street signs for all paved blocks of streets within the subdivision or partition. The City shall furnish street signs and sign posts to the developer at cost. All other elements of such installation shall be at the developer’s expense.

17.60.276 STREET LIGHTS

All subdivisions shall include underground electric service for street light standards, wiring, and lamps according to the specifications and standards of the Director of Public Works. The applicant shall install such facilities and make necessary arrangements with the servicing electric utility for a City-owned and operated street lighting system that can be provided at the lowest possible rate available to the City. Upon the City's acceptance of subdivision improvements, the street lighting system, exclusive of utility-owned service lines, shall become the property of the City of Molalla. In some situations, the City may require the homeowners association to take responsibility for street lighting.

17.60.280 MONUMENTS

Proper monuments shall be constructed with street improvements to the requirements of the Director of Public Works.

17.60.295 FLAG LOTS IN PARTITIONS

Within partitions, the Planning Director may waive or relax lot development standards set forth in Molalla Municipal Code 17.60.500 to not less than the minimum specified in this section.

1. **Width.** As prescribed in this code, not including the accessway.
2. **Depth.** The parcel depth shall be not less than twenty-eight (28) feet plus the depth of required yards in the zoning district in which the property is located. The depth of the accessway shall not be included in computing the total yard depth.
3. **Area not including the access way; EXCEPT** that where more than 50%, by number, of lots of record, any portion of which lie within 300 feet of the proposed flag lot, are of such a size that they cannot be partitioned into smaller lots, the proposed flag lot shall have an area, exclusive of the accessway, of not less than 90% of the average lot size of such surrounding irreducible lots, but in no event less than the area prescribed in the first clause of this subsection.
4. **Yards and Setbacks.** The lot line, exclusive of lot lines defining an accessway, which is nearest the street to which the flag lot has access, shall be deemed the front lot line for purposes of determining required yards and building setbacks unless different building setback lines are established pursuant to Molalla Municipal Code 18.32.
5. **Accessways.** The portion of the lot or easement providing access to a street shall be created and developed to not more or less than the standards shown in Molalla Municipal Code 17.60.430 Table 4. Reciprocal and irrevocable access rights for all parcels using the accessway shall be included on the final map and deeds for the individual parcels. The property address shall be posted at the intersection of the accessway and the street as provided in MMC title 21.

17.60.295 FLAG LOTS IN A SUBDIVISION

Within subdivisions, the Planning Director may waive or relax any of the lot development standards set forth in the Molalla Municipal Code to not less than the minimums specified in this section for up to 15% of the lots in the subdivision, any fraction of a lot of ½ or more counting as a full allowable lot in such computation. Any lesser fraction shall not be counted as an allowable lot.

1. **Width** - As prescribed in this code, not including the accessway.
2. **Depth.** As prescribed in MMC 17.60.400, not including the accessway.
3. **Area.** As prescribed in MMC 17.60.400, not including the accessway.

4. **Yards and Setbacks.** As prescribed in MMC 17.60.200.
5. **Accessways.** The portion of the lot or easement providing access to a street shall be created and developed to not more or less than the standards shown in MMC 17.60.430 Table 4. Reciprocal and irrevocable access rights for all parcels using the accessway shall be included on the final map and deeds for the individual parcels. The property address shall be posted at the intersection of the accessway and the street as provided in MMC title 20.

17.60.300 BLOCKS - GENERALLY

The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control and safety of street traffic, and recognition of limitations and opportunities of topography.

17.60.310 BLOCKS - SIZES

Blocks shall not exceed 1,200 feet in length between street lines, except blocks adjacent to arterial streets or unless the previous adjacent layout or topographical conditions justify a variation.

17.60.320 BLOCKS – EASEMENTS FOR UTILITY LINES

Easements for sewers, drainage, water mains, electric lines, or other public utilities shall be dedicated wherever necessary. The easements shall be a minimum of ten (10) feet in width and centered on interior property lines except for guy wire tie-back easements, which shall be six (6) feet wide by twenty (20) feet long along property lines at change of direction points of easements.

17.60.325 BLOCKS – EASEMENT FOR WATERCOURSES

Where a subdivision or partition is intersected by a watercourse such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the watercourse, and such further widths as will be adequate for this purpose. Streets or parkways parallel to major watercourses may be required.

17.60.330 BLOCKS – PEDESTRIAN WAYS

In blocks over 800 feet in length, a pedestrian way with a minimum width of ten (10) feet shall be provided through the middle of the block when desirable for public convenience. If unusual conditions require blocks longer than 1,200 feet, two (2) pedestrian ways may be required. When desirable for public convenience, pedestrian ways may be required to connect to cul-de-sac or to pass through unusually shaped blocks.

17.60.400 LOT STANDARDS

1. Designated frontage

- A. For corner lots the front lot line shall be that with the narrowest street frontage.
- B. For double frontage lots the front lot line shall be that having frontage on a street designated by the applicant, approved by the Planning Director and clearly noted on the final plat.
- C. For flag lots the line separating the building site of the lot from the lot between it and the street from which access is provided to the flag lot shall be deemed the front lot line for building setback purposes unless the Planning Director otherwise directs, in which case the building setback line so designated shall be clearly noted on the final plat.

2. Side lot lines - As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

3. Rear lot line - In the case of a triangular shaped lot, diamond shaped lot, or a trapezoidal lot which is narrowest at the rear and has a distance between the side lot lines at the rear of less than ten (10) feet, the rear line for building setback purposes shall be assumed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line. In the case of lots to which this provision applies, or others where the rear of the lot is narrower than ten (10) feet, the Planning Director shall require that the rear lot line be clearly noted on the final plat.

4. Curved front lines - When front lines are on a curve or arc, the front line distance shall be indicated on the final plat or map by bearing and chord distance.

5. Suitability for intended use - All lots and parcels shall be suitable for the general purpose for which they are intended to be used. No lot or parcel shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the residents of the subdivision or partition of such lot.

6. Future subdivision or partition of lots - Where a subdivision or partition will result in a lot ½ acre or larger in size and in the judgment of the Planning Director is likely to be further divided in the future. The Planning Director may require that the location of property lines and other details of layout be such that future division may readily be made without violating the requirements of this chapter and without interfering with orderly extension and connection of adjacent streets. It is intended that the property lines and other details of future subdivision or partition of a tract be advisory only, and shall not be final or binding on the applicant or the Planning Director unless the applicant makes further application. Any restriction of buildings due to future street locations may be imposed by the Planning Director and the Director may require such restrictions to be set forth in a recorded deed restriction.

7. Building setback lines - Where; topography, vegetation, or lot configuration dictate a different building envelope than that set by the Molalla Zoning Code and in order to properly develop the lot or parcel and site a building thereon, where accessways without street frontage are allowed, or where needed rights-of-way exceed that required to be dedicated, the Planning Director may require building setback lines to be shown on the plat or map without regard to the minimum setbacks

specified in the Molalla Zoning Code. Such setback lines shall be observed to the same extent as if required in the Molalla Zoning Code.

17.60.410 LOTS – SIZE AND SHAPE

Lot size, width, shape and orientation shall be appropriate for the location of the subdivision or partition and for the type of development and use contemplated, and shall meet the following conditions:

1. The minimum dimension of a lot or parcel shall conform to that required in the subject zoning district.
2. The square footage of a lot or parcel shall not be less than that allowed in the subject zoning district, with the following exceptions:
 - A. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Planning Director. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide off-street service and parking facilities required by the type of use and development contemplated.
 - B. Lots and parcels that face the circular end of a cul-de-sac shall have a minimum street frontage of forty (40) feet with the exception of a flag lot.

17.60.420 LOTS - ACCESS

1. Every lot or parcel shall abut upon a public street.
2. Lots located along the highways shall consolidate in order to reduce the number of entrance and exit points along highways. Lots shall provide cross over easements in order to allow adjacent properties to access for entrance and exit in the future. No less than three (3) lots, one (1) in the middle and one (1) on each side of the lot shall be allowed an access without crossover easements. An overlay map showing access locations shall be created and used to determine the most appropriate access requirements. Lots shall be allowed temporary access, upon permit approval from ODOT, until such joint access is created.
3. Every lot or parcel shall abut upon a public street.

17.60.290 FLAG LOTS, GENERAL

Flag lots, capable of serving three or more homes, shall not be created unless no other alternative exists. All attempts shall be made to create a street with adjoining properties over time in order to fully develop parcels of land. Adequate turnaround for fire apparatus as required by the Molalla Fire Department shall be made. Flag lots shall be subject to the following standards:

1. The creation of a flag lot shall not conflict with a proposed street extension.
2. Flag lots created on adjoining properties shall have adjoining accessways, but in no case shall more than two adjoining accessways be created.
3. The location of flag lot access ways shall be subject to approval by the Planning Director. The Planning Director may disapprove the location of any flag lot accessway which is not consistent with the requirements of the Comprehensive Plan, City ordinances and standards, or which could create a traffic hazard.
4. No more than eight (8) dwelling units may be located on a flag lot.
5. Accessways shall meet the following requirements:

**TABLE 4
MINIMUM ACCESS WAY AND IMPROVEMENT WIDTHS**

Number of Lots or Units:	Minimum Accessway Width	Minimum Improvement Width
1 flag lot, with an access way serving 1 or 2 dwelling units:	20 feet	16 feet
1 flag lot, with an access way serving 3 – 8 dwelling units:	24 feet	20 feet
2 flag lots with adjoining access ways, each serving 1 dwelling unit:	20 feet	16 feet
2 flag lots with adjoining access ways, each serving a total of 2 – 8 dwelling units:	24 feet	20 feet

- A. Accessways shall be paved with a minimum of two (2) inch asphalt surfacing and four (4) inches of crushed rock base.
- B. Accessways shall be contoured to meet the existing ground level.

- C. The accessway shall be for access to a lot(s) and shall not be included as part of the minimum area required for the lot.
- D. Accessways shall not be extended more than 150 feet unless written approval for a longer access way is obtained from the City of Molalla Fire Chief.
- E. Pavement width and buffering.
 - 1) Paved areas shall not be less than sixteen (16) feet wide.
 - 2) A two (2) foot buffer on either side of the paved surface shall exist.
 - a) When an adjoining accessway occurs, the buffer between the two (2) accesses shall be paved leaving a two (2) foot buffer on each side of the total width of the paved flag lot.
- 6. The Planning Director may require other necessary conditions to carry out the intent of this title and the Comprehensive Plan.

17.60.440 LOTS – ACCESSWAYS

- 1. All lots serviced by an accessway shall provide a continuous traffic flow pattern as approved by the Planning Director.
- 2. Single-family lots containing a single-family residence are exempt from this requirement.
- 3. No parking shall be allowed within an accessway.

17.60.450 LOTS - THROUGH

Through lots shall be avoided, except where essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, through which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other non-complementary use. Through lots with planting screens shall have a minimum average depth of 110 feet. The City may impose conditions regarding maintenance of the planting screen. This section shall not apply to through lots created for the purpose of condominium or row house developments.

17.60.460 LOTS – SIDE LINES

The sidelines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.

17.60.500 LARGE LOT SUBDIVISION

In subdividing tracts into large lots which at some future time are likely to be re-subdivided, the Planning Director may require that the blocks shall be of a size and shape that can be divided into lots and contain building side restrictions to provide for extension and opening of streets at intervals which will permit a subsequent division of any parcel into lots of smaller size.

17.60.600 BUILDING LINES

If special building setback lines are to be established in the subdivision, they shall be shown on the subdivision plan and included in the deed restrictions.

17.60.700 PARKS

1. New development shall be required to provide space for parks in the ratio of 1.25 acres to every 100 estimated residents. For purposes of this calculation there shall be a rebuttal presumption that each dwelling unit contains 2.4 individuals.

A. Parks shall be created in areas as designated in the Molalla Parks and Recreation Plan.

- 1) The builder shall provide required park space in locations required by the Planning Department. The Planning Director shall choose park locations that match up with future park areas on adjacent lands. When extra land is available outside of the minimum lot requirements such land shall be made available for the City to purchase first if it would meet the park requirements of the Parks Master Plan.
- 2) When an adjacent property has developed or could develop where a park is required, park dedication will be required on property abutting the proposed area regardless of the development size.
- 3) Where a path, designated by the Molalla Parks Master Plan, is shown to go through a parcel and does not lie in a wetland then park space requirements shall be reduced by the amount of trail provided.
 - a) Where park space is used up entirely on a path area and no more park space is required for that parcel then the dedication shall be made to the City and the City shall reimburse the property owner through the park-in-lieu-of program in the amount that would normally be collected on property. A fee shall not be paid to those areas of a path that lie within a wetland, setback, or stream corridor. However, the Planning Director may allow the use of a portion of this area to be used as landscaping.
- 4) If more than 20% is developed at maximum lot sizes then park requirements shall be calculated at 90% of the minimum density standard.

B. Fee in lieu

- 1) The Planning Director may require a fee in lieu of a park for the entire amount or a portion not provided in a development of required park space when no park space is identified to be required (per the Parks and Recreation Master Plan). If no park space is indicated in the Parks and Recreation Master Plan, the Planning Director, in the Director's discretion, shall determine whether park space or a fee in lieu of is required for a particular development.
 - 2) Such fee shall be paid for any undeveloped portion of required park space dedication.
 - 3) Such fee shall be set by City Council resolution.
 - 4) The fee in lieu of shall be paid at the time of building permit issuance.
2. If in the Planning Director's opinion that improvements to a pre-existing park within the area identified for park improvements in the Parks and Recreation Master Plan for the development then such improvements shall be required in lieu of a fee or park dedication.
 3. Wetlands and other required open space shall not be used in the acreage calculations for part (1) of this section.
 4. Gazebos shall be placed in all parks where feasible.
 - A. When available to the site, electricity shall be supplied.

17.60.750 TREES

1. All developments shall be designed in such a manner as to preserve as many trees as possible with particular attention paid to preservation during construction.
 - A. Each lot shall contain a minimum of one (1) tree which is at least eight (8) feet tall at the time of planting.
 - 1) Trees shall be guaranteed to be kept alive. A review will be made of the trees every two (2) years.
 - B. A credit of two (2) trees as outlined in (A) above will be given for each existing tree that is preserved.

17.60.800 ENTRANCES

Subdivisions with twenty-five (25) or more lots shall have at least one (1) clearly defined entrance, which shall conform to the following:

1. There shall be an improved area of at least 500 square feet on either side of the roadway providing entrance to the subdivision.
2. Entrances shall be landscaped and maintained and designed with due regard to corner vision and site distance requirements.

3. Entrances shall have an illuminated stone or brick structure with the name of the development, and at least six (6) inch lettering.
4. The design of the entrance shall be consistent with the character of the surrounding area.

Chapter 17.62: Infrastructure Installation

17.62.050	REQUIREMENTS GENERALLY	56
17.62.100	STREETS.....	56
17.62.150	SIDEWALKS	56
17.62.200	SURFACE DRAINAGE AND STORM SEWER SYSTEM.....	56
17.62.300	SANITARY SEWERS.....	57
17.62.350	WATER SYSTEM.....	57
17.62.400	UNDERGROUND UTILITY AND SERVICE FACILITIES	57
17.62.500	STREET LIGHTING.....	58
17.62.600	MONUMENTS	58
17.62.700	GUARANTEE	58

In addition to other requirements, improvements installed by the developer, either as a requirement of these regulations or at the developer's discretion, shall conform to the requirements of this title and improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedure:

1. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City to the extent necessary for evaluation of the subdivision proposed. Plans may be submitted on retracing cloth in accordance with requirements of the City.
2. Improvement work shall not be commenced until the City has been notified in advance. If work has been discontinued for any reason, it shall not be resumed until the City has been notified.
3. Improvements shall be constructed under the inspection and to the satisfaction of the Director of Public Works. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction that warrant such changes.
4. All underground utilities, sanitary sewers and storm drains installed in streets by the developer shall be placed to a length which eliminates the necessity for disturbing the street improvements when service connections are made.
5. A map showing all public improvements as built, shall be filed with the Planning Director upon completion of the improvements.
6. Public improvements shall be extended to the end of the subdivision or partition for future development.

17.62.050 REQUIREMENTS GENERALLY

The improvements required in MMC sections 17.62.100 through 17.62.600 shall be installed at the expense of the developer.

17.62.100 STREETS

1. Before issuance of a preliminary plat approval, the subdivision or partition must comply with the following:
 - A. The development within a subdivision shall have frontage on a public street.
 - B. The development will not generate traffic at volumes beyond the design capacity of the street. Pavement width and signalization are other factors that will be taken into consideration when determining level of service calculations.
 - C. The development will not create dangerous or hazardous traffic conditions.
2. All streets, including alleys within a subdivision, streets abutting or only partially within a subdivision, and the extension of subdivision streets to the intercepting paving line of existing streets within which subdivision streets intersect, shall be improved to the following minimum standards:
 - A. The roadway shall be improved in accordance with the standards adopted by the City for acceptance and for maintenance of the street.
 - B. The entire right-of-way shall be brought to proper grade, and paved per City standards.
 - C. Concrete curbs shall be constructed along all street frontages and shall be designed and located as established in standards adopted by the Director of Public Works.
 - D. Other street improvements installed at the developer's discretion, such as street trees, shall be in accordance with City standards.

17.62.150 SIDEWALKS

Sidewalks shall be constructed along all street frontages, and shall be designed and located as established in the Public Works Design Standards and Title 21.

17.62.200 SURFACE DRAINAGE AND STORM SEWER SYSTEM

All new development shall have adequate storm water detention facilities in accordance with Molalla's Public Works design standards and as approved by the Planning Director, and shall meet the following minimum standards:

1. Drainage facilities shall be provided within subdivisions and partitions and shall connect to drainage ways from storm sewers outside the subdivision or partition.
2. The design of the drainage flow within a subdivision or partition shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the property and to allow extension of the system to serve such areas.
3. Surface stormwater detention facilities shall have a minimum setback of seven (7) feet from any property line.
4. Along public rights-of-way, surface stormwater detention facilities shall be fenced and screened with continuously maintained permanent vegetation that is 90% opaque year around.
5. Drainage shall be designed to prevent adverse impacts on adjacent property.
6. The Planning Director shall impose conditions of approval to ensure that stormwater facilities are properly maintained.
7. Manholes shall not be placed at the centerline of streets.

17.62.300 SANITARY SEWERS

Sanitary sewers shall be installed to serve the subject property and to connect the property to the City trunk sewer system. Sewer mains and laterals shall be of such size and specifications as required by the City.

17.62.350 WATER SYSTEM

Water lines with valves and fire hydrants to serve the subject property and to connect the property to existing mains shall be installed to specifications required by the City. The design of these facilities shall take into account extension beyond the property to adequately grid the City system. No dead-end lines are allowed.

17.62.400 UNDERGROUND UTILITY AND SERVICE FACILITIES

All facility improvements shall conform to the requirements and specifications of Molalla's Public Works Department and the following:

1. All utility lines, including but not limited to, those required for electricity, communications, street lighting and cable television service and related facilities, shall be placed underground when practicable.
2. The developer shall make necessary arrangements with the serving utility to provide the underground services.

3. Stubs for service connections to underground utilities and sanitary sewers shall be placed to a length which eliminates the disturbance of the street system when service connections are made.
4. Transformers, connection boxes, and meter cabinets shall be placed underground when practicable.
5. During their construction, temporary utility service facilities, high capacity electric and communication feeder lines and utility transmission lines operating at 12,500 volts or above may be placed above ground.

17.62.500 STREET LIGHTING

Street lighting shall be installed in accordance with the Public Works Design Standards. The developer shall notify the City when streetlights are installed and ready to be activated.

17.62.600 MONUMENTS

Monuments shall be placed as required by ORS 92.060. The County Surveyor may require centerline monument boxes.

17.62.700 GUARANTEE

All improvements installed by the developer shall be guaranteed as to workmanship and material for a period of two (2) years following acceptance by the City. The developer shall provide the City with a guarantee bond for 10% of the total costs of improvements in the development

Chapter 17.64: Street and Easement Creation

17.64.100	CREATION OF STREETS.....	Error! Bookmark not defined.
17.64.200	CREATION OF ACCESSWAYS	59

1. The creation of streets shall be in conformance with the applicable subdivision or partition requirements except as provided in subsection (2) of this section.
2. The City Council may approve the creation of a street to be established by deed without full compliance with the regulations applicable to subdivisions or partitions provided any of the following conditions exist:
 - A. The establishment of the street is initiated by the City Council and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street.
 - B. The tract in which the street is to be dedicated is an isolated ownership of one (1) acre or less.
 - C. The tract in which the street is to be dedicated is an isolated ownership and of a size and with special existing physical conditions which make it impractical to develop more than three (3) parcels.
3. In cases where approval of a street is to be without full compliance with the regulations applicable to subdivisions or partitions, a copy of the proposed deed shall be submitted to the Planning Director at least twenty-one (21) days prior to hearing at which consideration is desired.
4. The deed and such information as may be submitted shall be reviewed, and, if not in conflict with the standards of MMC sections 17.60.200 through 17.60.210 and 17.60.220, shall be approved with conditions necessary to preserve these standards.

17.64.200 CREATION OF ACCESSWAYS

1. Any access easement providing access to property and which is created in order to allow the partitioning of land for the purpose of transfer of ownership or building development, whether immediate or future, shall be in the form of a street in a subdivision or as provided in section 17.60.020, except as provided in subsection two (2) of this section.
2. A private access easement to be established by deed without full compliance with these regulations shall be approved by the Planning Director, provided it is the only reasonable

method by which the rear portion of an unusually deep lot, large enough to allow partitioning into two (2) parcels may be provided with an accessway.

3. The creation of an accessway specified in subsection (1) of this section shall be part of the partitioning process specified in MMC chapter 17.08 and shall meet the requirements of that section.