

BEFORE THE STAYTON PLANNING COMMISSION

In the matter of
the application of
Charles R. Clarkson,
Applicant

) Partitioning
) Land Use File
) #17-08/18
)

ORDER OF CONDITIONAL APPROVAL

I. NATURE OF THE APPLICATION

The application is to divide an existing parcel into two parcels.

II. PUBLIC HEARING

A public hearing was held on the application before the Stayton Planning Commission on September 24, 2018. At that hearing the Planning Commission reviewed Land Use File #17-08/18, application for partitioning, and it was made part of the record.

III. FINDINGS OF FACT

The Stayton Planning Commission, after careful consideration of the testimony and evidence in the record adopts the following findings of fact:

A. EXISTING CONDITIONS

1. The Estate of Eunice V. Clarkson is the owner and Charles R Clarkson, as Personal Representative of the Estate, is the applicant.
2. The property is tax lot 100 Township 9, Range 1 West of the Willamette Meridian, Section 15BB.
3. The property is zoned Low Density Residential (LD).
4. The property is located 580 W Maple St.
5. The property is 38,600 square feet in area and has 165 feet of frontage on W Maple St.
6. The property is currently developed with a single family detached dwelling, located on the east side of the property.
7. The surrounding property to the east is zoned LD and is a vacant lot owned by the City of Stayton. The property to the south is zoned LD and is a narrow portion of a lot used for a single family dwelling and to the south of that is zoned LD and is a vacant lot owned by the Santiam Water Control District. The properties to the west are zoned LD and are developed with single family dwellings. The properties to the north, across W Maple St are zoned Medium Density Residential and are developed with single family dwellings.

B. PROPOSAL

The proposal is to divide the existing parcel into two parcels. Each parcel will have 82.5 feet of frontage on W Maple St and be approximately 19,200 square feet in area.

C. AGENCY COMMENTS

The following agencies were notified of the proposal: City of Stayton Public Works, WAVE Broadband, Stayton Telephone Cooperative, Pacific Power & Light, NW Natural Gas, Stayton Fire District, Santiam Water Control District, Marion County Public Works, Marion County Planning Division, North Santiam School District and the Stayton Police Department.

Review comments were received from the Stayton Public Works Department through the City's Engineer. Those comments are reflected in the findings below. A response from NW Natural Gas, indicating no comments was also received.

D. PUBLIC COMMENTS

The Planning Department has received no public comments on this application prior to the hearing.

E. APPROVAL CRITERIA

Partitioning applications are required to satisfy approval criteria contained within Stayton Municipal Code (SMC) Chapter 17, Section 17.24.040.6, Preliminary Plan Approval Criteria and 17.24.050 Design Standards for Subdivisions and Partitions.

Pursuant to SMC 17.24.040.6 the following criteria must be demonstrated as being satisfied by the application:

- b. *Adequate urban services are available to the property.*

Finding: There is a 6-inch water line on the south side of W Maple St.

There is an 8-inch sewer main on the north side of W Maple St.

There are no storm drain facilities in W Maple St in front of the subject property. There is a catch basin, feeding an 8-inch storm drain line at the southwest corner of W Maple St and S Evergreen Ave, approximately 130 feet from the subject property.

- c. *The proposed parcels, lots, or roads are compatible with the existing pattern of development in the area.*

Finding: The developed residentially zoned lots in the area range in size from 7,000 square feet to 7,800 square feet in area. The plan proposes the creation of two 19,200-square foot parcels.

- d. *All streets shall be in a location and have a right of way and traveled way width in accordance with in the City's Transportation Plan.*

Finding: No new streets are proposed with this application. W Maple St is designated as a Local Street in the adopted Transportation System Plan. The designated right of way width for W Maple St is 60 feet. The existing right of way is 50 feet wide. The Public Works Department has indicated that whereas the neighborhood is not likely to see additional development, dedication of additional right of way is not warranted. W Maple St is currently fully improved with 34 feet of travel way, curb, gutter and sidewalk. In front of the subject property there is an existing four-foot property line sidewalk with a 3½-foot planter strip.

- e. *The design standards of Section 17.24.050 below are satisfied as well as the access management standards in Section 17.26.020.*

Findings: See the Findings below regarding Section 17.24.050 and 17.26.020.

- f. *The plan complies with the provisions of the Comprehensive Plan and the zoning district(s) in which it is or will be located.*

Findings: The LD zone establishes an 8,000 square foot minimum lot size with a minimum of 80 feet of frontage. The proposal is create two lots with approximately 19,200 square feet of lot area and 82.5 feet of frontage.

- g. *All applicable standards of Chapter 17.20 are satisfied.*

Findings: There are no standards of Chapter 17.20 applicable to this partitioning.

- h. *All applicable standards of 17.20.180 shall be met and the applicant shall obtain any necessary permits from the Department of State Lands for appropriate mitigation.*

Finding: There are no identified wetlands on this property.

- i. *The name of any proposed subdivision shall not be the same as or similar to any name used on a recorded plat or subdivision in Marion County, except for the use of suffixes such as “town,” “place,” “court,” “addition” or similar generic terms, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the plat of the same name last filed. A name shall not be required for a major partitioning.*

Findings: As a partition, there is no name.

- j. *Compliance exists with the provisions of ORS 92.090 as amended.*

Finding: The applicable provisions of ORS 92.090 are that a tentative plan for a proposed partition shall not be approved unless the streets and roads are laid out so as to conform to the plats of subdivisions and partitions already approved for adjoining property as to width, general direction and in all other respects; streets and roads held for private use are clearly indicated on the tentative plan and all reservations or restrictions relating to such private roads and streets are set forth thereon; and the tentative plan complies with the applicable zoning ordinances and regulations and the ordinances or regulations adopted under ORS 92.044. There are no streets proposed as part of the partitioning. The LD zone establishes an 8,000 square foot minimum lot size with a minimum of 80 feet of frontage. The proposal is create two lots with approximately 19,200 square feet of lot area and 82.5 feet of frontage.

- k. *When any portion of a subdivision or partition is within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch, the proposed project will not have an adverse impact on fish habitat.*

Finding: The subject property is not within 100 feet of the North Santiam River or Mill Creek or within 25 feet of the Salem Ditch.

Section 17.24.050 Design Standards for Partition Preliminary Plans. Pursuant to SMC 17.24.050 the following criteria and objectives must be demonstrated as being satisfied by the application for preliminary plan approval of a partitioning:

1. *STREETS.*

- a. *Streets shall be in alignment with existing streets in the vicinity of the proposed subdivision, either by prolongation of existing centerlines or by connection with suitable curves. Streets*

shall conform to the location, alignment, and width as indicated on the official map of streets known as the Future Street Plan in the adopted Stayton Transportation System Plan.)

- b. Streets should intersect at or near right angles as practicable, and in no case shall the angle of intersection exceed 120 degrees.*
- c. The criteria of a and b above may be modified where the applicant can demonstrate to the decision authority that the topography, or the small number of lots involved, or any other unusual conditions justify such modification.*
- d. Bikeways and pedestrian ways shall be required in accordance with the City of Stayton Non-Motorized Plan in the adopted Stayton Transportation System Plan.*
- e. Concrete curbs and concrete sidewalks shall be installed on all streets. The location and width of sidewalks shall be determined by the decision authority. In making such determination, the decision authority shall take into consideration the topography of the land, the presence of improvements, trees or other plantings, the type of street, and the location of sidewalks, if any, in adjacent areas or subdivision.*

In residential neighborhoods, sidewalks shall be placed along the property line whenever possible. In all cases, sidewalks shall be placed 1 foot from the property line on arterial and collector streets.

Findings: No new streets are proposed. The Non-Motorized Plan does not call for any non-motorized facilities near this property.

The Public Works Department has noted that the existing sidewalks do not meet the width requirements, are in poor condition, and do not meet ADA standards. The Public Works Department has recommended that the sidewalks be replaced across the frontage of the entire parcel.

- 2. DEDICATION OF A RIGHT-OF-WAY. If a parcel of land to be divided includes any portion of a right-of-way or street, the preliminary plan shall show where such right-of-way or street will be dedicated for the purpose or use proposed.*

Findings: W Maple St is designated as a Local Street in the adopted Transportation System Plan. The designated right of way width for W Maple St is 60 feet. The existing right of way is 50 feet wide. The Public Works Department has indicated that whereas the neighborhood is not likely to see additional development, dedication of additional right of way is not warranted. W Maple St is currently fully improved with 34 feet of travel way, curb, gutter and sidewalk. In front of the subject property there is an existing four-foot property line sidewalk with a 3 ½ foot planter strip..

- 3. DEAD-END STREETS AND CUL-DE-SACS. When it appears necessary to continue a street into a future subdivision or adjacent acreage, streets shall be dedicated or platted to the boundary of a division without a turn-around. In all other cases, dead-end streets and cul-de-sacs shall have a turn-around with a radius of not less than 45 feet to the property line. Unless otherwise approved by the decision authority, the length of the street to the cul-de-sac bulb shall not exceed 450 feet in length.*

Findings: No dead-end streets are proposed.

4. *RESERVE BLOCK.*

- a. *Reserve blocks controlling the access to public ways or which will not prove taxable for special improvements may be required by the decision authority, but will not be approved unless such strips are necessary for the protection of the public welfare or of substantial property rights, or both, and in no case unless the land comprising such strips is placed in the name of the City for disposal and dedication for street or road purposes whenever such disposal or dedication has the approval of the decision authority.*
- b. *In no case shall a reserve block be platted along a street that is dedicated to the required full width.*

Findings: No reserve blocks are proposed.

5. *STREET WIDTHS.*

- a. *The location, width, and grade of all streets must conform to any approved transportation master plan or recorded subdivision plat. Where the location of a street is not shown in an approved street plan, the arrangement of streets in a development shall either provide for the continuation or appropriate projection of existing principal streets in the surrounding areas or conform to a plan for the neighborhood approved or adopted by the City to meet a particular situation where topographical or other conditions made continuance or conformance to existing streets impractical or where no plan has been previously adopted.*
- b. *In addition, new streets may be required to be located where the City Engineer determines that additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. In determining the location of new streets in a development or street plan, consideration shall be given to maximizing available solar access for adjoining development sites.*
- c. *When an area within a subdivision is set aside for commercial uses or where probable future conditions warrant, the decision authority may require dedication of streets to a greater width than herein otherwise provided.*
- d. *The street right-of-way in or along the boundary of a subdivision shall have the minimum width as specified in Standard Specifications for Public Works Construction, Section 300 - Street Design Standards, 2.07, except a boundary street may be half such width where it is apparent that the other half will be dedicated from adjacent properties.*

Temporary dead-end streets. Dead-end streets that may in the future be extended shall have a right-of-way and pavement width that will conform to the development pattern when extended.

e. *Additional Right-of-Way Widths.*

- 1) *Where topographical requirements necessitate either cuts or fill for the proper grading of streets, additional right-of-way width may be required to allow all cut and fill slopes to be within the right-of-way.*
- 2) *Where bikeways necessitate, additional right-of-way width may be required.*

Findings: No new streets are proposed. W Maple St is designated as a Local Street in the adopted Transportation System Plan. The designated right of way width for W Maple St is 60 feet. The existing right of way is 50 feet wide. The Public Works Department has indicated that

whereas the neighborhood is not likely to see additional development, dedication of additional right of way is not warranted. W Maple St is currently fully improved with 34 feet of travel way, curb, gutter and sidewalk. In front of the subject property there is an existing four-foot property line sidewalk with a 3 ½ foot planter strip. The City Engineer recommended that a 10-foot wide Public Utility Easement be provided along the south side of W Maple St along the frontage of both parcels in the partitioning.

6. *SUBDIVISION BLOCKS.*

a. *Block lengths and widths shall be determined by giving consideration to the following factors:*

- 1) *The distance and alignment of existing blocks and streets.*
- 2) *Topography.*
- 3) *Lot size.*
- 4) *Need for and direction of the flow of through and local traffic.*

b. *Block length and perimeter standards are specified in Section 17.26.1020.5.c.*

c. *Except where topographical or other physical features require otherwise, block widths shall not be less than 180 feet.*

Findings: The application is for a partitioning. No blocks will be created.

7. *MID-BLOCK WALKS. Where topographical or other conditions make necessary blocks of unusual length, the decision authority may require the developer to install mid-block pedestrian walks on a right-of-way at least 6 feet in width, which shall be hard surfaced throughout the block, and curb to curb, in order to provide easy access to schools, parks, shopping centers, mass transportation stops, or other community services.*

Findings: The application is for a partitioning. No blocks will be created.

8. *LOT SIZE, LOT LINES.*

a. *Lot sizes shall be as specified in the zoning district in which the land division is being proposed.*

b. *If topography, drainage, location, or other conditions justify, the decision authority may require greater area and frontage widths on any or all lots within a subdivision, or it may allow smaller area or front line widths if the surrounding area and other conditions justify such requirements.*

c. *In a cul-de-sac, the minimum lot line fronting the turn-around shall be 40 feet, and in no case shall the lot width be less than 60 feet at the building line.*

d. *Side lot lines shall be as close to right angles to the front street as practicable.*

e. *Unless otherwise approved, rear lot lines shall be not less than ½ the width of the front lot lines.*

f. *The subdividing or partitioning of developed property shall not create lots or parcels that are in violation of the dwelling density limitations of the underlying zone.*

Findings: The LD zone establishes an 8,000 square foot minimum lot size with a minimum of 80 feet of frontage. The proposal is create two lots with approximately 19,200 square feet of lot area and 82.5 feet of frontage. Lot side lines are approximately perpendicular to the front lot lines.

9. *PUBLIC SURVEY MONUMENTS. Any donation land claim, corner, section corner, or other official survey monument within or on the boundary of a proposed subdivision shall be accurately referenced to at least two monuments.*

Findings: There are no public survey monuments on the parcel.

10. *SEWAGE DISPOSAL.*

- a. *All extensions of the existing City sewage facilities shall be in accordance with the adopted Wastewater Master Plan. Sewer mains shall be extended to the edge of the subdivision unless otherwise approved by the Public Works Director.*
- b. *If adequate public sewage facilities are not available to the parcel of land proposed for subdivision, or if extension of the existing City sewage facilities to serve the buildings to be constructed in the proposed subdivision does not appear practical and economically feasible because of topographic or other considerations, and if all lots in a subdivision are of proper size and soil conditions are suitable, as determined by percolator or other tests made by or approved by the health officer having jurisdiction, the City may allow individual sewage disposal facilities approved by the health officer to be installed on each lot when and as buildings are erected thereon.*

Findings: No sewer extension is proposed.

11. *PUBLIC USE AREAS.*

- a. *Subdivision and partition preliminary plans shall provide a minimum of 5% of the gross area of the subdivision or partition as public recreation area.*
- b. *Such public recreational area shall have access to a public street, and the decision authority may specify the location of such area to be compatible with existing or anticipated recreational development.*
- c. *As an alternative to subsection a. of this section, in cases where such recreational area would not be effectively used because of size or the location of the subdivision or partition, or where agreed upon by the decision authority, the developer shall pay to the City a fee, earmarked for recreational use and development.*

Findings: There are no proposed public use areas with this partition and no parks planned for the area in the Parks Master Plan.

12. *WATER SUPPLY.*

- a. *All lots shall be served from the established public water system of the City or, if permitted by the decision authority, from community or public wells, of which the water quality and system maintenance shall be in accordance with the requirements of the Oregon Board of Health or the county health officer.*
- b. *In the event that larger lines are deemed necessary by the City for service to adjoining areas than what would normally be required to serve the area to be subdivided, the City will pay*

the additional costs of such larger lines based on the current rate schedule adopted by the City.

Findings: There is a 6-inch water line on the south side of W Maple St.

13. UNDERGROUND UTILITIES.

- a. *All permanent utility service to lots in a subdivision shall be provided from underground facilities and no overhead utility service to a subdivision shall be permitted with the exception of poles used exclusively for street lighting and other equipment appurtenant to underground facilities that the utility companies have indicated in writing that there would be impractical difficulty to install underground.*
- b. *The subdivider shall provide underground electricity and telephone service and wiring for future street lighting. The subdivider shall also provide such present street lighting, gas lines, and cable television or other data transmission lines as are available within 500 feet of the proposed subdivision.*

Findings: The application is for a partitioning.

Section 17.26.060 Access Management Requirements and Standards. The following are the applicable sections of Section 17.26.020:

17.24.020.3.h Access Spacing Standards. The driveway separation requirements in Table 17.26.020.3.h apply only on corner lots.

Findings: The proposed parcels will not be corner lots.

IV. CONCLUSION

Based on the findings of fact above, the Planning Commission concludes that the approval criteria in Sections 17.24.040.6, 17.24.050, and 17.26.020 are met except for the following:

1. Section 17.24.050.5. The Public Works Department noted that the existing sidewalks do not meet the minimum width requirements and ADA standards. The City Engineer recommended the Final Plat include a 10-foot wide Public Utility Easement along the south side of W Maple St along the entire frontage of the partitioning.

V. ORDER AND CONDITIONS OF APPROVAL

The Planning Commission approves the application as shown on the preliminary plan entitled "Survey for Charles Clarkson" dated August 29, 2018 prepared by Charles R Clarkson and the accompanying materials on file in the Planning and Development Department subject to the attached standard conditions of approval with the following conditions of approval.

1. Provide and show on the final plat a 10-foot wide public utility easement along the frontages of W Maple St.
2. Replace the sidewalk on the easterly parcel with a 5-foot wide sidewalk meeting the public works design standards.
3. With submission of the final plat for approval. The applicant shall submit an executed Development Deferral Agreement to the City. The Development Deferral Agreement shall specify that the sidewalk on the vacant parcel be replaced with a 5-foot wide sidewalk meeting the public works design standards at the time of construction of a dwelling on the vacant parcel.

The Development Deferral Agreement shall be recorded concurrently with the recording of the final plat.

VI. OTHER PERMITS AND RESTRICTIONS

The applicant is herein advised that the use of the property involved in this application may require additional permits from the City or other local, state or federal agencies.

The City of Stayton land use review and approval process does not take the place of, or relieve the Applicant of responsibility for acquiring such other permits, or satisfy any restrictions or conditions there on. The land use permit approval herein does not remove, alter, or impair in any way the covenants or restrictions imposed on this property by deed or other instrument.

VII. EFFECTIVE DATE

This decision regarding the subdivision application is final, but shall not become effective until the 15th day after the mailing of the Notice of Decision in this case, and then only if no appeal to the Stayton City Council is timely filed. In the event of a timely appeal to the City Council, this decision shall not become effective until the appeal is finally resolved, including any appeals from the decision of the City Council to the Oregon Land Use Board of Appeals.

Subject to the Effective Date of this decision set forth herein, the land use approval granted by this decision shall also be effective only when the exercise of the rights granted herein is commenced within one year of the effective date of the decision. In case such right has not been exercised or extension obtained, the approval shall be void. A written request for an extension of time may be filed with the Director of Planning and Development at least 30 days prior to the expiration date of the approval.

VIII. APPEAL DATES

The Planning Commission’s action may be appealed to the Stayton City Council pursuant to Stayton Municipal Code Section 17.12.110 APPEALS within 14 days of the notice of decision.

Ralph Lewis, Chairperson

Date

Dan Fleishman,
Planning & Development Director

Date

Standard Conditions of Approval for Land Use Applications

General

1. **Approved Land Use Plans** - Minor variations to the approved land use plans shall be permitted provided the development substantially conforms to the submitted land use plans, conditions of approval, and all applicable standards contained in the Stayton Municipal Code (SMC) and City of Stayton Public Works Standards. The applicant shall be responsible for all costs relating to the development, including the design and construction of any required public improvements identified for the project in the approved land use plans, the conditions of approval, the SMC, and Public Works Standards.
2. **City Approvals** - The applicant shall obtain any and all required reviews, approvals, and permits from the City prior to construction of the project.
3. **Change in Use** - Any change in the use of the premises from that identified in the application shall require the City Planner to determine that the proposed use is an allowed use and that adequate parking is provided for the development.
4. **Landscaping** - The applicant shall remain in substantial conformance to the approved landscaping plan and follow the criteria established in SMC 17.20.090 for maintenance and irrigation. Dead plants shall be replaced within six months with a specimen of the same species and similar size class.

Prior to Engineered Plan Approval

5. **Design Standards** - All public and privately financed public improvements within the project shall be prepared, signed, and stamped by a Professional Engineer registered in the State of Oregon and shall be designed to the most current edition of the Public Works Standards plus the requirements of the SMC in effect at the time the engineered plans are submitted. (SMC 12.08.310.1)
6. **Engineered Plans** - The applicant's design engineer shall submit engineered plans for review and approval of all required public improvements identified for the project in the approved land use plans, the conditions of approval, the SMC and Public Works Standards. Engineered plans shall be reviewed by the City and signed approved by the City Engineer or Public Works Director, prior to issuance of City permits. All conditions of approval for the project will need to be met to the satisfaction of the City Planner and Public Works Director prior to approval of the engineered plans.
7. **Surveys** – Surveys for public improvements shall be performed under the direction of a Professional Land Surveyor registered in the State of Oregon.
8. **Utility Coordination** - Utility companies and public agencies as applicable shall be notified early in the design process and in advance of construction to coordinate all parties impacted by the construction.
9. **Agency Approvals** - The applicant shall obtain any and all required reviews, approvals, and permits from all City, State and Federal agencies having jurisdiction over the work. This may include, but is not limited to, the City, Marion County, DEQ, OHA-DWS, DSL, Fire Code Official, Building Code Official, etc. Written documentation of all required agency approvals as applicable shall be submitted to the City prior to approval of the engineered plans.

Prior to Construction

10. **Developer Agreement** – Where public improvements are required, the applicant shall submit to the City an approved (by City Attorney) Developer-Engineer-City Agreement signed and notarized by the applicant and the design engineer, or a signed Developer-Engineer of Record Agreement (for

minor privately financed public improvements) signed by the applicant and the design engineer, prior to issuance of City permits.

11. **Permits, Insurance, and Indemnification** – All required permits, insurance, and indemnification shall be obtained by the applicant and provided to the City in accordance with the Public Works Standards prior to construction. A 1200C permit shall be secured by the applicant if required under the rules of the Oregon State DEQ.
12. **Design Engineer's Estimate** – Where public improvements are required, an estimate performed by the design engineer of the total estimated project cost shall be provided to the City for review and acceptance. This is needed to determine the amount of bonding required for the project.
13. **Performance Bond** - Where public improvements are required, a performance bond, or other form of performance guarantee acceptable to the City Manager and City Attorney, is required to be in place, prior to issuance of City permits. The applicant shall provide a performance bond in the amount of 125% of the total estimated project cost in accordance with the Public Works Standards. The performance bond shall be in a form acceptable to the Public Works Director.
14. **Pre-Construction Conference** - Where public improvements are required, a pre-construction conference shall be held prior to construction in accordance with the Public Works Standards.

During Construction and Project Completion

15. **Construction Specifications** - Where public improvements are required, all public and privately financed public improvements within the project shall be constructed to the most current edition of the Public Works Standards plus the requirements of the SMC in effect at the time the engineered plans are submitted. (SMC 12.08.310.1)
16. **Construction Inspection**- Where public improvements are required, all public improvements shall be inspected by the design engineer, or a qualified individual under their supervision, in accordance with the Public Works Standards to assure the construction is following the approved engineered plans. At least three days prior to construction, the applicant shall notify the Public Works Director in writing of the date when the applicant proposes to commence construction. The written notification shall include the name and phone number of the contracting company and the responsible contact person. Any supplemental inspection by the City does not relieve the applicant or the design engineer of providing the required inspection.
17. **Project Completion** - Where public improvements are required, the public improvements and public utilities shall be fully constructed and a project completion report that certifies to the City that the project was constructed according to the approved plans and specifications and that the correct required testing and inspections were satisfactorily performed shall be provided by the design engineer in accordance with the Public Works Standards. Unless the required public improvements are deferred under a non-remonstrance or other agreement approved and signed by the City, a notice of final completion and provisional acceptance of the public improvements is to be provided by the City to the applicant following the completion of construction, prior to the recording of the final plat and prior to any building permit applications being accepted or issued. Construction items must be completed within a specified period of time provided in the approval letter or the approval of any additional building permits will be withdrawn by the City.
18. **Warranty Bond** - Where public improvements are required, after completion and provisional acceptance of the public improvements by the City, the applicant shall provide a 1-year warranty bond in the amount of 30% of the performance bond amount in accordance with the Public Works Standards. The warranty bond shall be in a form acceptable to the Public Works Director.

19. **Record Drawings** - Where public improvements are required, the applicant shall submit to the City, reproducible record drawings and an electronic file of all public improvements constructed during and in conjunction with the project within three months of the completion of construction. Field changes made during construction shall be drafted on the plans in the same manner as the original plans with clear indication of all modifications (strike out old with new added beside). Record drawings shall be submitted prior to provisional acceptance of the construction, initiating the one-year maintenance period.
20. **Warranty Bond Release and Final Acceptance** – Where public improvements are required, the release of the warranty bond and final acceptance of the public improvements will be in accordance with SMC 12.04.310 and the Public Works Standards
21. **SDCs and Other Utility Fees** - Systems Development Charges and other utility fees (Mill Creek Sewer Interceptor, etc.) as applicable, will be applied to the project at the time of issuance of a building permit.

DRAFT