

## Chapter 3.4 — Public Facilities

### Sections:

- 3.4.100 Purpose and Applicability
- 3.4.200 Public Improvements
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- 3.4.500 Sanitary Sewer and Water Service Improvements
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- 3.4.900 Construction Plan Approval and Assurances
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**Background:** Chapter 3.4 provides standards for new developments and land divisions, and general procedures for the review of public improvement plans. The code also cross-references the city’s public facility master plans (water, sanitary sewer, storm drainage), Transportation System Plan, and engineering design criteria and standards.

**Transportation Planning Rule:** Section 3.4.100 implements parts of OAR 660-012-0045 and 660-012-0060. It provides functional classifications for streets, typical street sections, and improvement standards (i.e., operation, safety, level of service, etc.). The street sections that are provided for local streets, collectors, and arterials address the TPR provisions related to narrow street standards.

**Reference:** See the Transportation and Growth Management Program’s *Neighborhood Street Design Guidelines: an Oregon Guide for Reducing Street Widths*.

### 3.4.100 Purpose and Applicability

- A. **Purpose.** The purpose of this Chapter is to provide planning and design standards for public and private transportation facilities and utilities. Streets are the most common public spaces, touching virtually every parcel of land. Therefore, one of the primary purposes of this Chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth and provide a range of transportation options, including options for driving, walking, and bicycling. This Chapter is also intended to implement the City’s Transportation System Plan.
- B. **Applicability.** Unless otherwise provided, the standard specifications for construction, reconstruction, or repair of transportation facilities, utilities, and other public improvements within the City shall occur in accordance with the standards of this Chapter. No development may occur unless the public facilities related to development comply with the public facility requirements established in this Chapter.
- C. **Engineering Design Criteria, Standard Specifications and Details.** The design criteria, standard construction specifications and details maintained by the Baker City Public Works Department shall

supplement and support the general design standards of this Development Code. The City’s specifications, standards, and details are hereby incorporated into this code by reference. Upon proper findings, the Baker City Public Works Director has the discretion to apply different development standards or details when conditions and circumstances warrant to further the public health and safety, or to accommodate unique field circumstances or issues of engineering economy when the public health and safety are not significantly at risk.

### 3.4.200 Public Improvements

- A. Conditions of Development Approval.** No development may occur unless required public improvements are in place or guaranteed, in conformance with the provisions of this Code.
- B. Exempt Developments.** The following developments are excluded from these requirements:
- Signs
  - Additions to existing developments which do not increase vehicle and/or pedestrian traffic
  - Landscaping, or
  - Other similar developments which do not increase vehicle and/or pedestrian traffic
- C. Public Improvements and Exaction.** When not voluntarily accepted by the applicant, all new development must adhere to public improvement requirements if required as a condition of developmental approval. Public improvement requirements shall be based on nexus and rough proportionality:
1. Nexus. A reasonable relationship and demonstrated nexus between the required public improvement and the cost of a development’s impacts on public infrastructure must exist. Analysis may evaluate the following criteria:
    - a. street classification
    - b. infrastructure connectivity
    - c. public transportation system
    - d. accident mitigation
    - e. surrounding land use and neighborhood amenities
    - f. benefit to development project
    - g. Baker City Transportation System Plan
    - h. Baker City Comprehensive Plan
    - i. adopted street plans
    - j. other information demonstrating a nexus between exaction and the proposed development
  2. Rough Proportionality. An individualized determination must quantify the impacts of the development compared to the public improvement costs. Rough proportionality costs shall be verified by a City-designated engineer. The cost of the public improvement shall not exceed the estimated cost of impacts to public infrastructure. An analysis may include:

- a. transportation demand based on land use specific trip generation rates or equations from the *Institute of Transportation Engineers (ITE) Trip Generation Manual*
- b. proposed intensity of development
- c. length of trips associated with the identified land use type(s)
- d. cost per vehicle mile traveled on city streets.
- e. a time period not to exceed 25 years
- f. other information that may assist in determining rough proportionality

### 3.4.300 Transportation Standards

**A. Development Standards.** The following standards shall be met for all new uses and developments:

1. All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street;
2. Streets and sidewalks within or adjacent to a development that will increase vehicle or pedestrian traffic shall be improved in accordance with the Transportation System Plan, an applicable refinement plan, and the provisions of this Chapter, except where specifically exempt by subsection (B) below, or other provisions of this Code;
3. Development of new streets, street extensions, and modifications to existing streets, shall be improved in accordance with this Section, and public streets shall be dedicated to the applicable road authority;
4. Bike lanes shall be provided pursuant to the Bike Projects Plan and the standards of this Chapter;
5. Where the TSP designates a multi-use path, construction of a multi-use path in lieu of a standard sidewalk improvement is required.
6. When a developer cannot provide the required sidewalk improvements at the time of development or construction, as applicable, the application shall be processed as a Type III procedure. The City decision body may require the installation of said improvements, the dedication of rights-of-way or easements for future improvements, construction of interim improvements, and/or a property owner agreement to not remonstrate against the formation of a local improvement district created to complete such improvements in the future, in accordance with subsection (B) below.
7. New streets, drives, and shared use paths shall be paved with asphalt, concrete, or other all-weather surface approved by the Public Works Director, pursuant to this Chapter.

**B. Guarantee.** The City may accept a future improvement guarantee (*e.g.*, owner agrees not to object to the formation of a local improvement district in the future) in lieu of improvements if one or more

of the following conditions exist:

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

**C. Waiver or Deferral of Required Street or Sidewalk Improvements.** Any applicant for a land use approval may file a written request that the City grant either a deferral of the construction of the required sidewalk improvements, or a waiver exempting the applicant's property from the required sidewalk improvements.

1. **Warrant of Deferral.** The following items do not normally constitute unusual circumstances which warrant granting of a deferral or waiver of sidewalk improvement requirements:
  - a. Financial hardship of the applicant and/or property owner.
  - b. Lack of street improvements or sidewalks on adjacent properties.
  - c. Cost of the improvement.
  - d. The City did not require the street or sidewalk improvement(s) for the property when the City issued a prior building permit or granted a development approval or land division approval.
2. **Pedestrian Access Ways.** Pedestrian access ways identified in the Transportation System Plan Table 2-1 Planned Pedestrian Network are not eligible for waiver.
3. **Deferral Requests.** Upon review of a written request for deferral, the Public Works Director may either: (1) deny the request, or (2) grant a deferral of any or all of the required improvements. The Public Works Director may grant deferral of the sidewalk improvement if the Public Works Director finds that:
  - a. Street widening or street corridor improvements are planned within five (5) years and the exact design or width of the future street has not yet been determined.

- b. Physical obstructions make construction of the sidewalk impractical at this time, including steep banks or drainage channels exist on the site, which would require extensive public or private improvements in addition to the sidewalk construction.
  - c. Public improvement projects are planned in the next five (5) years, which would require the City to remove the sidewalk improvements.
  - d. The street fronting the sidewalk that would need to be constructed is unpaved, *or* the street fronting the sidewalk that would need to be constructed is paved, but is not developed with curb and gutter, and the location and elevation for the sidewalk cannot be determined with certainty.
  - e. Unusual circumstances or peculiarities of the site exist, which, in the opinion of the City, warrant deferral of required sidewalk improvements.
4. **Execution and Filing of Agreement.** If the Public Works Director grants a deferral of street and/or sidewalk improvement, the property owner shall execute and file an agreement with the City which:
- a. Describes the street and/or sidewalk improvements that have been deferred; and
  - b. States the period of time within which the required street and/or sidewalk improvements shall be installed; and
  - c. States the agreement is terminated upon installation of all required street and/or sidewalk improvements; and
  - d. States that if the improvements are not installed by the applicant, the property owner shall participate in a Local Improvement District in accordance with this Chapter; and
  - e. States the property owner waives the right to remonstrate against any Local Improvement District initiated to install the required street and/or sidewalk improvements.
  - f. Upon execution of the agreement by both parties, the agreement will be recorded by the property owner in the Baker County Deed Records. After recording of the deferral agreement, the building permit may be issued when all other requirements are met. The deferral of any sidewalk improvement applies only to the specific building permit application. The deferral is not applicable to any future building permit, development or land division application.
5. **Waiver Requests.** Upon review of a written request for a waiver of sidewalk improvements, the request shall be processed as a Type III procedure with a hearing before the Planning Commission, which may either: (1) deny the request, or (2) grant a waiver of any or all of the

required improvements. The Planning Commission will consider sidewalk improvement waivers on a case-by-case basis utilizing the following information:

- a. The condition and standard of the existing, abutting street;
  - b. The likelihood and timing of new improvements given existing development on parcels in the vicinity;
  - c. Topographic constraints;
  - d. Safety concerns;
  - e. Other details specific to the subject property or vicinity.
6. **Planning Commission.** If the Planning Commission grants a waiver of any or all sidewalk improvements, the building permit may be issued when all other requirements are met. The waiver of any sidewalk improvement applies only to the specific building permit application. The waiver is not applicable to any future building permit, development or land division application.

#### D. Creation of Rights-of-Way and Easements

1. Creation of Rights-of-Way for Streets and Related Purposes. Streets shall be created through the approval and recording of a final subdivision or partition plat; except the City may approve the creation of a street by acceptance of a deed, provided that the street is deemed in the public interest by the City for the purpose of implementing the Transportation System Plan, and the deeded right-of-way conforms to the standards of this Code.
2. Creation of Access Easements. The City may approve an access easement when the easement is necessary to provide for access and circulation in conformance with Chapter 3.1, Access and Circulation. Access easements shall be created and maintained in accordance with the Uniform Fire Code.

E. **Variances.** Variances to the transportation design standards in this Section may be granted by means of a Class B variance if a required improvement is not feasible due to topographic constraints or constraints posed by sensitive lands.

F. **Street Location, Width, and Grade.** Except as noted below, the location, width and grade of all streets shall conform to the adopted Transportation System Plan or applicable refinement plan, and an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets:

- a. Street grades shall be approved by the City Engineer in accordance with the design standards in subsection 'O', below; and

- b. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:
  - i. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this Chapter, or
  - ii. Conform to a street plan adopted by the City if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.

**G. Minimum Rights-of-Way and Street Sections.** Except as provided by subsections (a) and (b) below, street rights-of-way and improvements shall be the widths in Table 3.4.300.F. Example street cross-sections generally meeting the minimum street standards are depicted in Figures 3.4.300.F(1) through (18). These Figures are intended to demonstrate potential street configurations that meet the requirements. The basic public local residential street section shall be 28' with parking on both sides as shown in Table 3.4.300.F for streets with an anticipated traffic demand of 500 ADT or less, and 32' with parking on both sides as shown in Table 3.4.300.F when the anticipated traffic demand will be greater than 500 ADT.

- a. The Baker City Public Works Director shall have the discretion to approve alternative sections to those shown in Table 3.4.300.F and Figures 3.4.300.F(1) through (18), based on the factors listed in subsection a-g, below. In addition, with the Public Works Director's concurrence, the Planning Commission shall have the discretion to approve alternative sections to those shown in Table 3.4.300.F and Figures 3.4.300.F(1) through (18), as may be proposed under a Master Planned Development.
  - i. Anticipated traffic generation and/or factors of limited access;
  - ii. On-street parking needs;
  - iii. Requirements for the placement of utilities. Preliminary engineering for utilities on narrow streets or those with significant variance in curve radii may be required;
  - iv. Protection of significant environmental resources or reduction of potential impacts;
  - v. Advancement of urban or neighborhood design objectives, including but not limited to traffic calming, and general pedestrian safety and comfort;
  - vi. Access needs for emergency vehicles; and
  - vii. Other engineering or urban design factors as may be relevant.
- b. Half-Street Improvements. With the Public Works Director's concurrence, the Planning Commission shall have the discretion to approve a half-street dedication and street frontage improvement where the developer does not own or control both sides of the subject right-of-

way and where the new development will generate less than less than 300 Average Daily Trips (ADT).

Table 3.4.300.F - Street Standards from the Adopted Transportation System Plan											
Street Type	Ave. Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Paved Width	Within Curb-to-Curb Area				Curb	Planting Strips, or Swales	Side-walks	Multi-Use Paths
				Motor Vehicle Travel Lanes	Median/Center Turn Lane	Bike Lanes	On-Street Parking				
<b>URBAN ARTERIALS: 8,000 - 30,000 ADT</b>											
<b>Urban Arterial Street (With No Parking)</b>											
<b>10<sup>th</sup> Street</b> (North of H Street)		80ft	60ft	3-4 at 11-12ft	None	2 at 7ft	None	6in	4.5ft (furnishing zone)	5ft	
<b>Pocahontas Road</b>		60ft	40ft	2 at 11ft	12ft	None	None	None	4ft striped buffer		10ft south side
<b>Hughes Lane</b>		60ft	25ft	2 at 11ft	None	None	None	None	6ft swale south side		10ft south side
<b>All other Streets</b>		80ft	50ft w/ 14ft raised median	2 at 12ft	14ft	2 at 6ft	None	6in	6ft	8ft	
<b>Urban Arterial Street (with Parking on Both Sides)</b>											
<b>10<sup>th</sup> Street</b> (South of H Street)		80ft	64ft	3-4 at 11-12ft	None	None	9ft parallel (both sides)	6in	2.5ft (furnishing zone)	5ft	
<b>All other Streets</b>		80ft	64ft w/14ft raised median	2 at 12ft	12ft-14ft	2 at 5ft-6ft	8ft parallel (both sides)	6in	None	7ft	
<b>Commercial Street (36ft Paving with No Parking)</b>		80ft	36ft	2 at 12ft	None	2 at 6ft	None	6in	11ft-15ft	6ft	10ft optional
<b>Commercial Street (50ft Paving with Parking on</b>		80ft	50ft	2 at 12ft	None	2 at 5ft	8ft parallel (both sides)	6in	8ft w/ 6ft side-walk or none with 14ft	6ft or 14ft	

Table 3.4.300.F - Street Standards from the Adopted Transportation System Plan											
Street Type	Ave. Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Paved Width	Within Curb-to-Curb Area				Curb	Planting Strips, or Swales	Side-walks	Multi-Use Paths
				Motor Vehicle Travel Lanes	Median/Center Turn Lane	Bike Lanes	On-Street Parking				
<i>Both Sides</i> <sup>1</sup>									sidewalk		
COLLECTORS											
<b>Major Collector Street</b>	Greater than 1,500 ADT	80ft	52ft	24ft	None	2 at 5ft	9ft parallel (both sides)	6in	7ft	6ft	
<b>Minor Collector Street</b>	1,000 to 1,500 ADT										
<b>Cedar Street (North of D Street)</b>		58-62ft	24-26ft	2 at 11-12ft	None	None	None	None	6ft swale - both sides	6ft east side	10ft west side
<b>Cedar Street (South of D Street)</b>		58-62ft	24-26ft	2 at 11-12ft	None	None	None	None	6ft swale - west side	None	10ft west side
<b>Other Minor Collector Streets</b>		60ft	36ft	22ft	None	None	7ft parallel (both sides)	6in	5ft	6ft	
<b>Local Industrial</b> <sup>2</sup>		60ft	24ft	24ft	None	None	None	-	None	None	
LOCAL RESIDENTIAL STREETS: Less than 1,000 ADT											
<b>Local Residential Street</b> <i>(32ft Parking Both Sides)</i>	500 to 1,000 ADT	60ft	32ft	2 at 9ft	None	None	7ft parallel (both sides)	6in	8ft	5ft	
<b>Local Residential Street</b> <i>(28ft Parking Both Sides)</i>	< 500 ADT	54ft	28ft	14ft	None	None	7ft parallel (both sides)	6in	7ft	5ft	

Table 3.4.300.F - Street Standards from the Adopted Transportation System Plan											
Street Type	Ave. Daily Trips (ADT)	Right-of-Way Width	Curb-to-Curb Paved Width	Within Curb-to-Curb Area				Curb	Planting Strips, or Swales	Side-walks	Multi-Use Paths
				Motor Vehicle Travel Lanes	Median/Center Turn Lane	Bike Lanes	On-Street Parking				
Improvement Option for Existing Unpaved Local Residential Street	< 250 <sup>3</sup> ADT	Existing Right-of-Way	-	20ft	None	None	None	-	6ft minimum swale	-	6ft
Multi-Use Path Street Option		Existing Right-of-Way	-	24ft	None	None	None	-	7ft	-	10ft

<sup>1</sup> Design may utilize either setback sidewalks with a landscape strip or a continuous 14' sidewalk with a 4'-5' wide strip for amenities (lighting, trees, benches, etc.) adjacent to the curb. The Central Commercial Zone will have 14' sidewalks with amenities and the General Commercial Zone shall have the landscape strip and sidewalks.

<sup>2</sup> Section to be used only for industrial streets that are not designated as Collectors or Arterials.

<sup>3</sup> Requires Public Works Department discretionary approval. "No Parking" signs required.

Figure 3.4.300.F(1) Urban Arterial Street (50' Paving with No Parking)

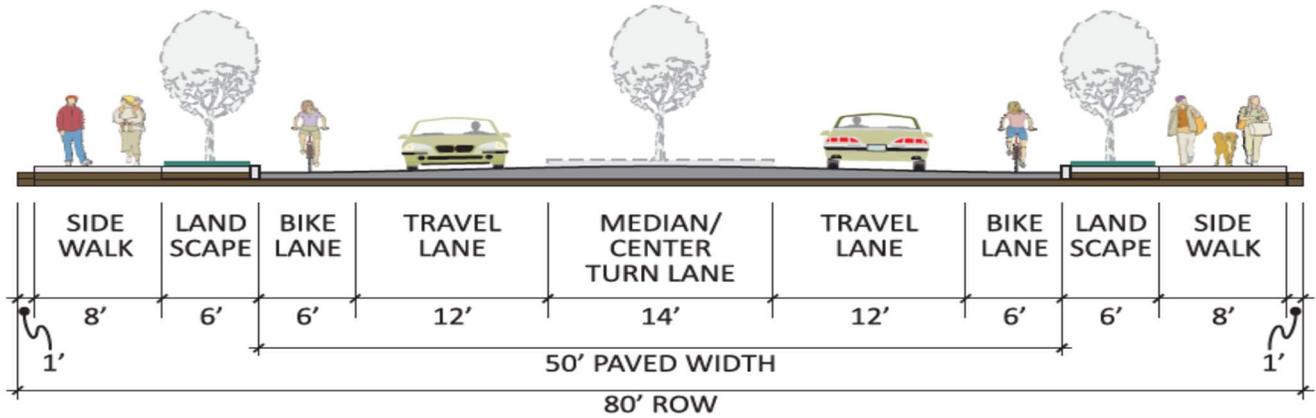


Figure 3.4.300.F(2) Urban Arterial Street (with Parking on Both Sides)

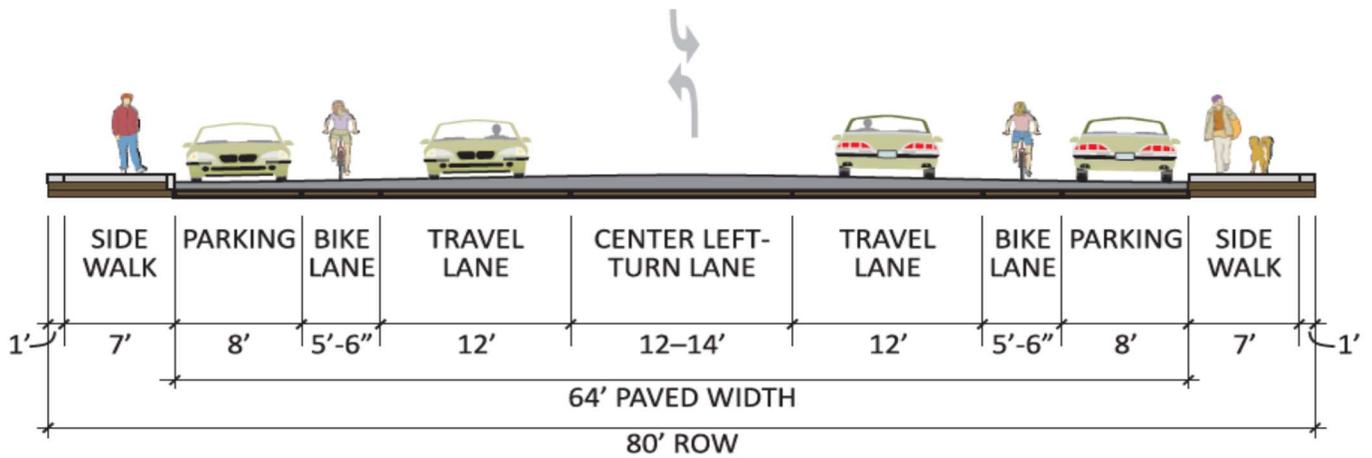
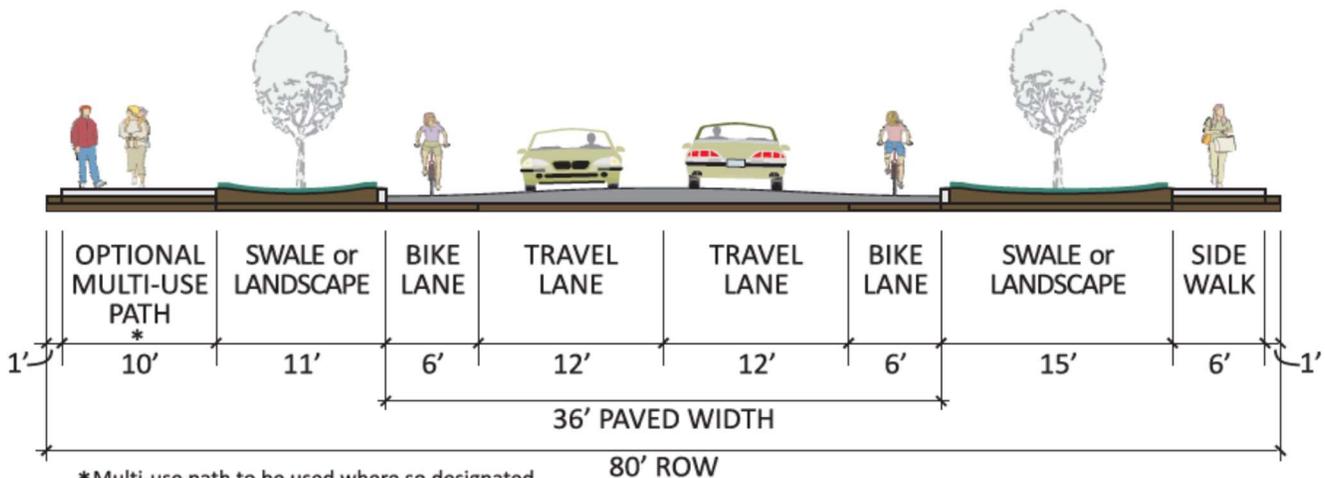
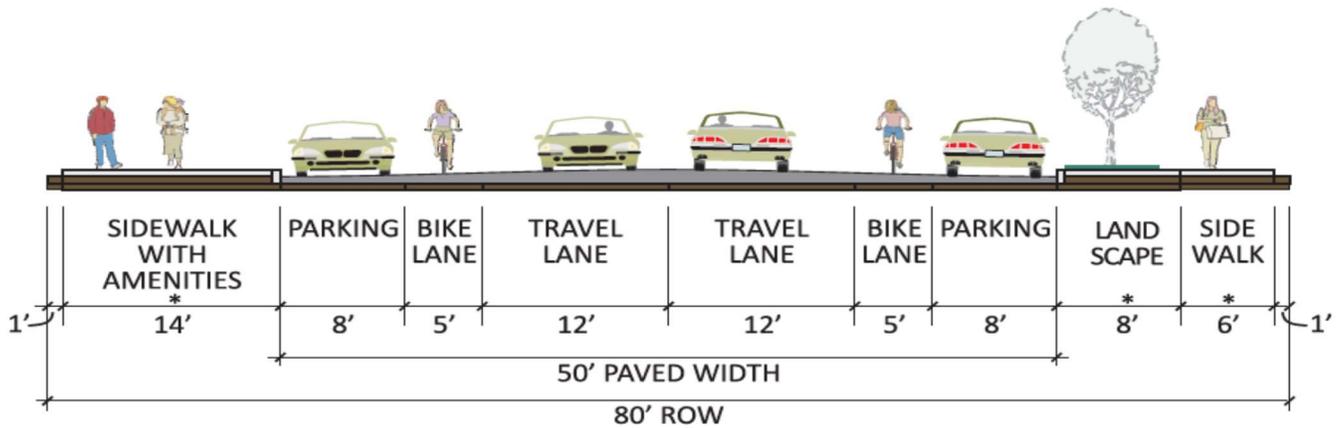


Figure 3.4.300.F(3) Commercial Street (36' Paving with No Parking)



\*Multi-use path to be used where so designated in the TSP or where approved for use by City Engineer. When no multi-use path is used, provide 6' sidewalk on both sides.

Figure 3.4.300.F(4) Commercial Street (50' Paving with Parking on Both Sides)



\* Design may utilize either setback sidewalks with a landscape strip or a continuous 14' sidewalk with a 4' – 5" wide strip for amenities (lighting, trees, benches, etc.) adjacent to curb. The Central Commercial Zone will have 14' sidewalks with amenities and the General Commercial Zones shall have the landscape strip and sidewalks.

Figure 3.4.300.F(5) Major Collector Street

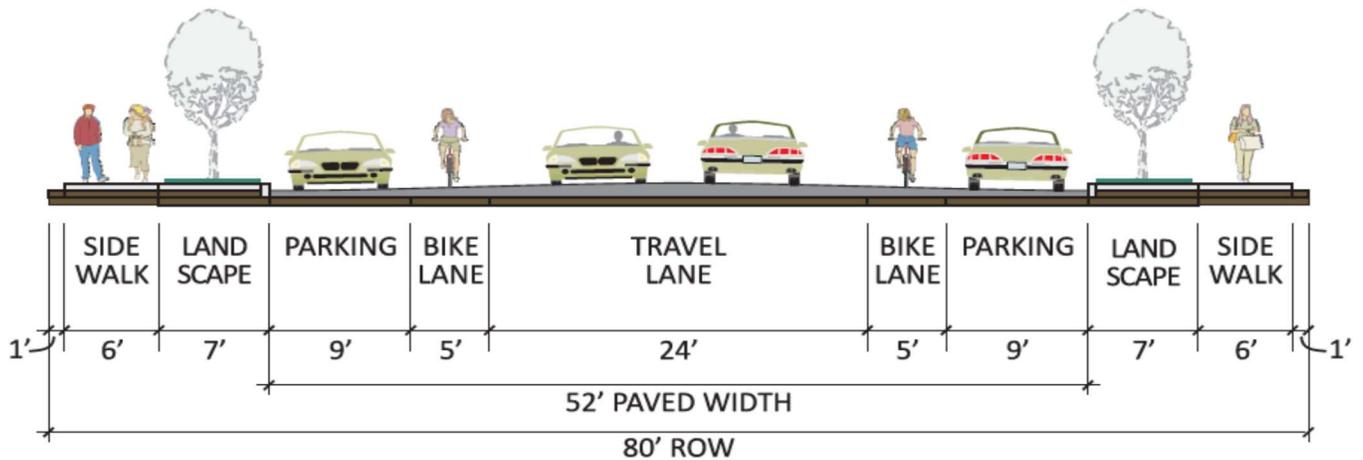


Figure 3.4.300.F(6) Minor Collector Street

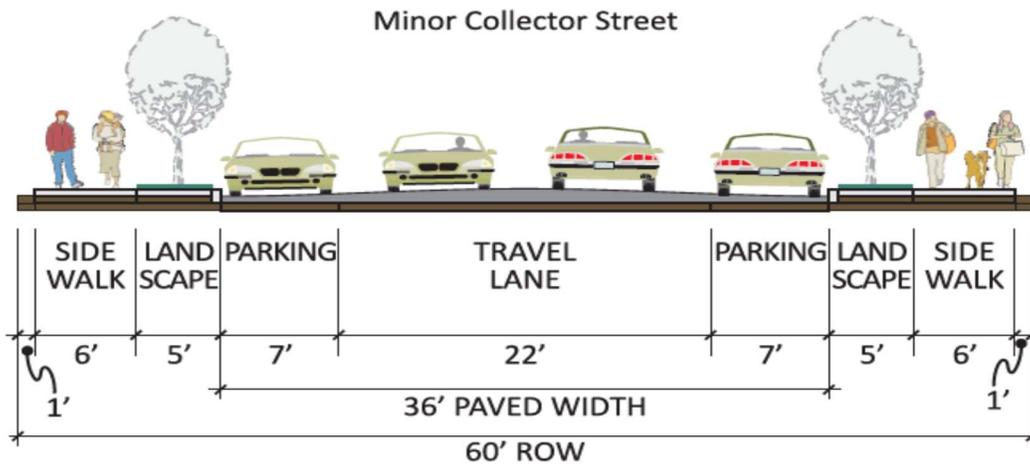


Figure 3.4.300.F(7) Local Industrial Street

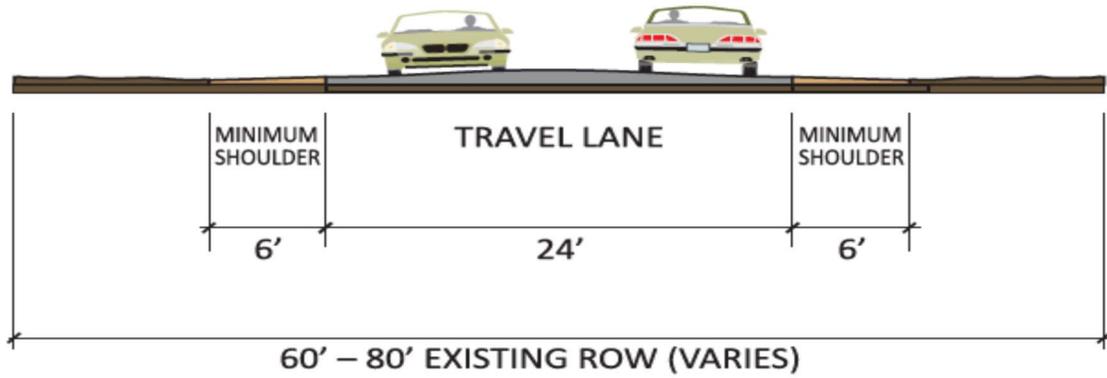


Figure 3.4.300.F(8) Local Residential Street (32' Parking on Both Sides)

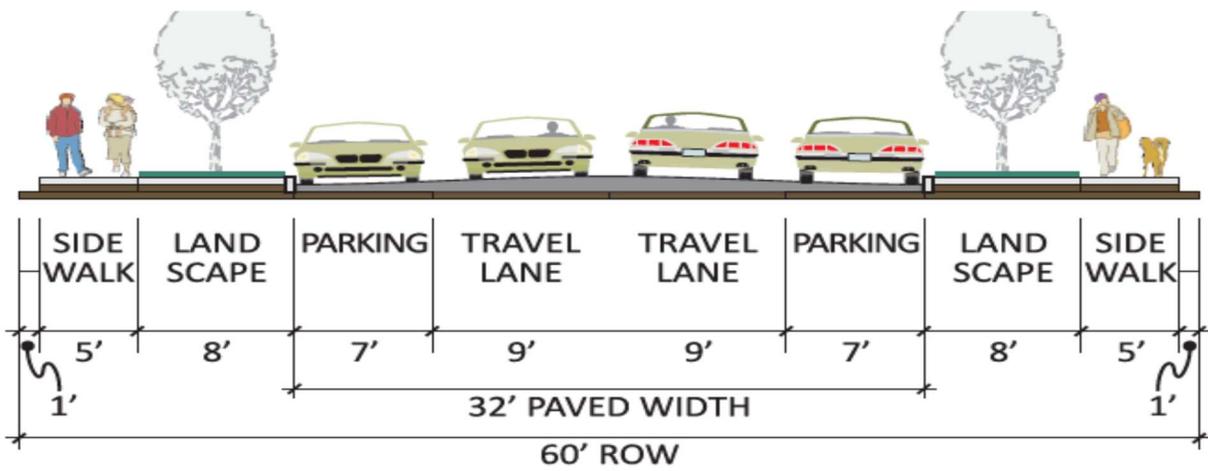


Figure 3.4.300.F(9) Local Residential Street (28' Parking on Both Sides)

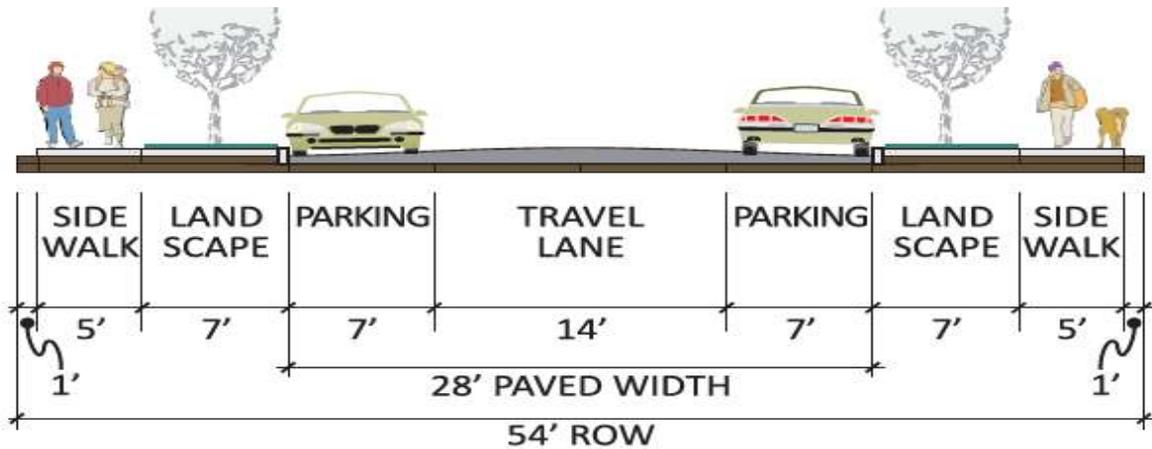
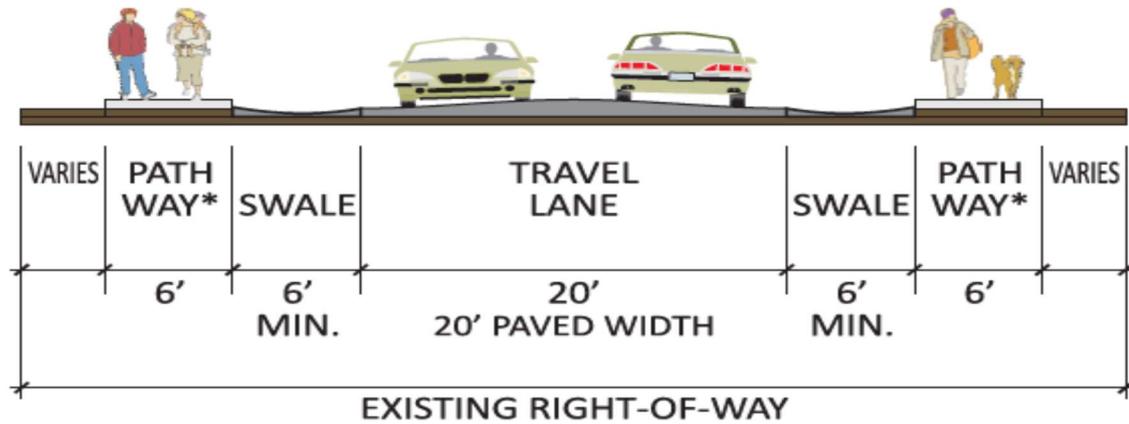


Figure 3.4.300.F(10) Improvement Option for Existing Unpaved Local Residential Street



\* Pathway may be constructed on one side or both sides of street. Pathway shall be hard surface (concrete, asphalt or equivalent).

Figure 3.4.300.F(11) Multi-Use Path Street Option

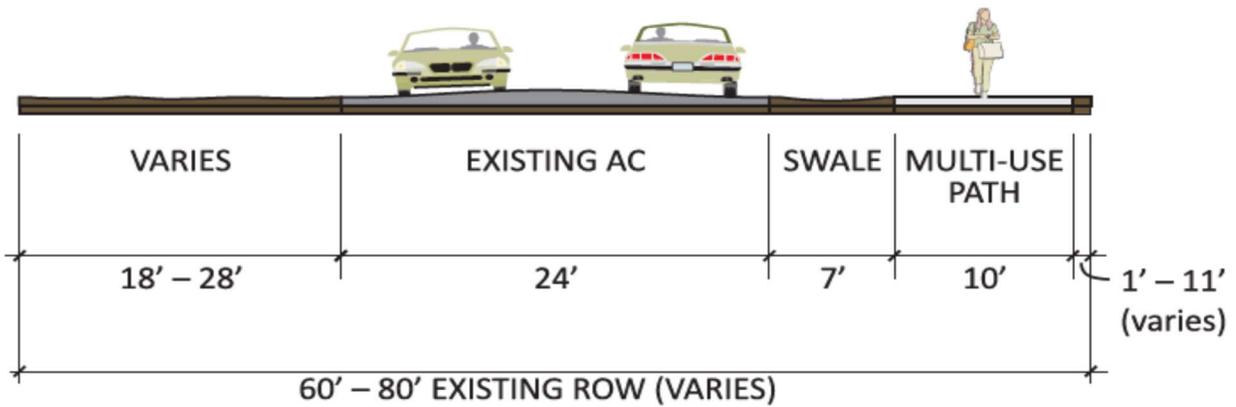


Figure 3.4.300.F(12) Alley and Pathway Sections

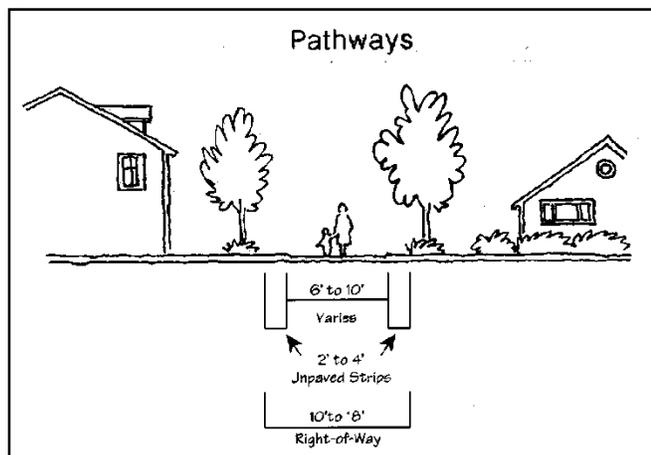
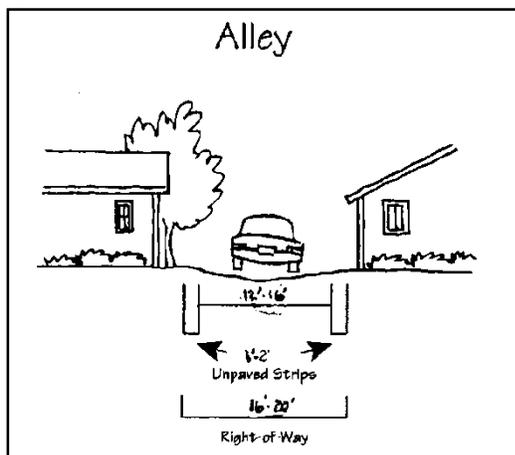


Figure 3.4.300.F(13) 10<sup>th</sup> Street – North of H Street

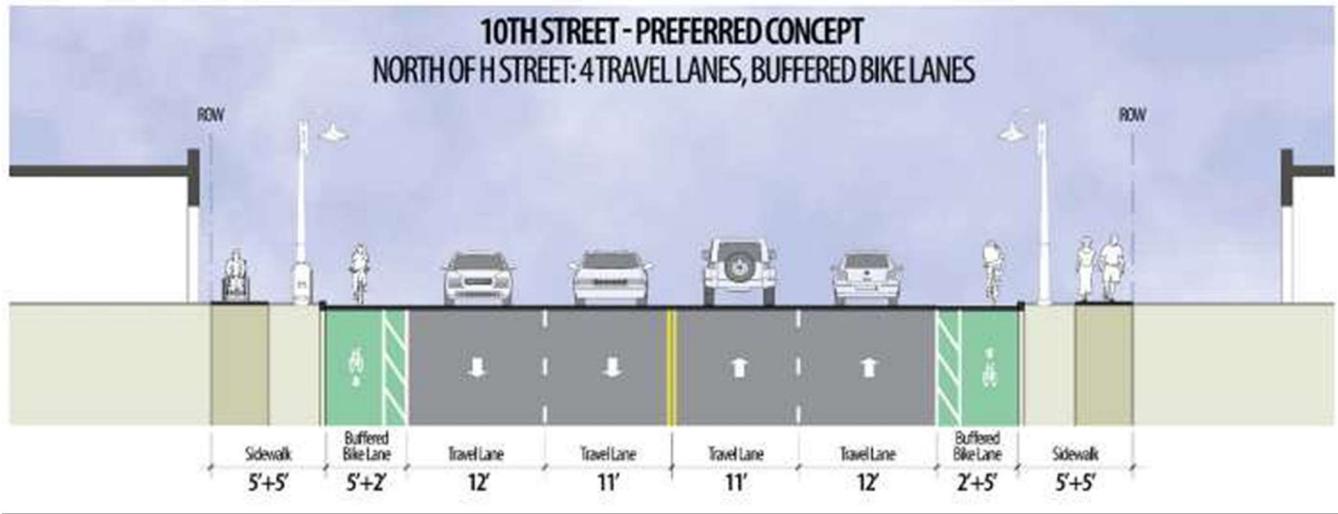


Figure 3.4.300.F(14) 10<sup>th</sup> Street – South of H Street

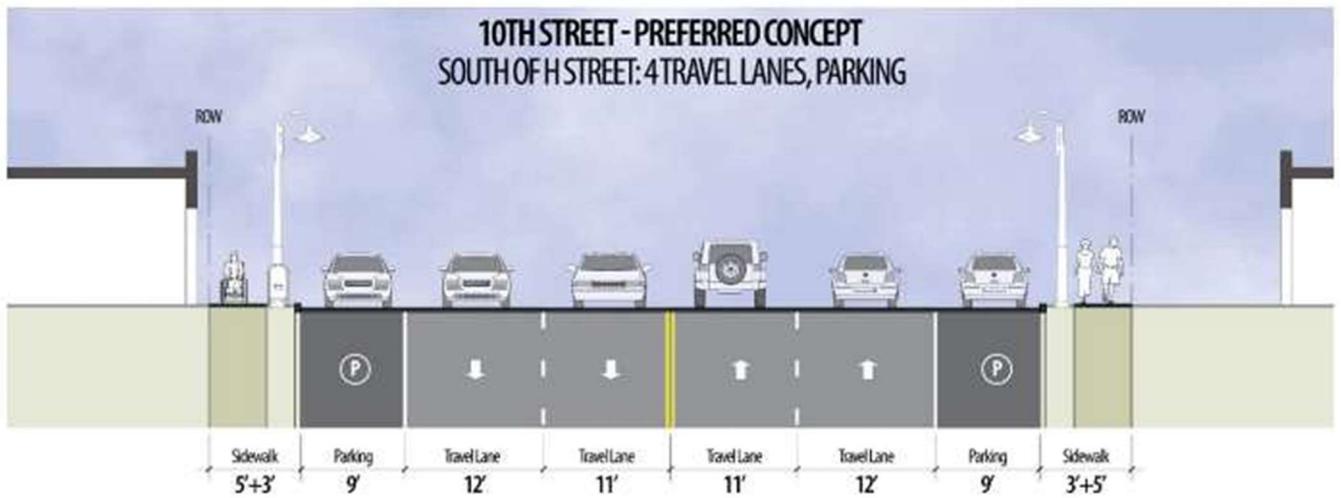


Figure 3.4.300.F(15) Pocahontas Road

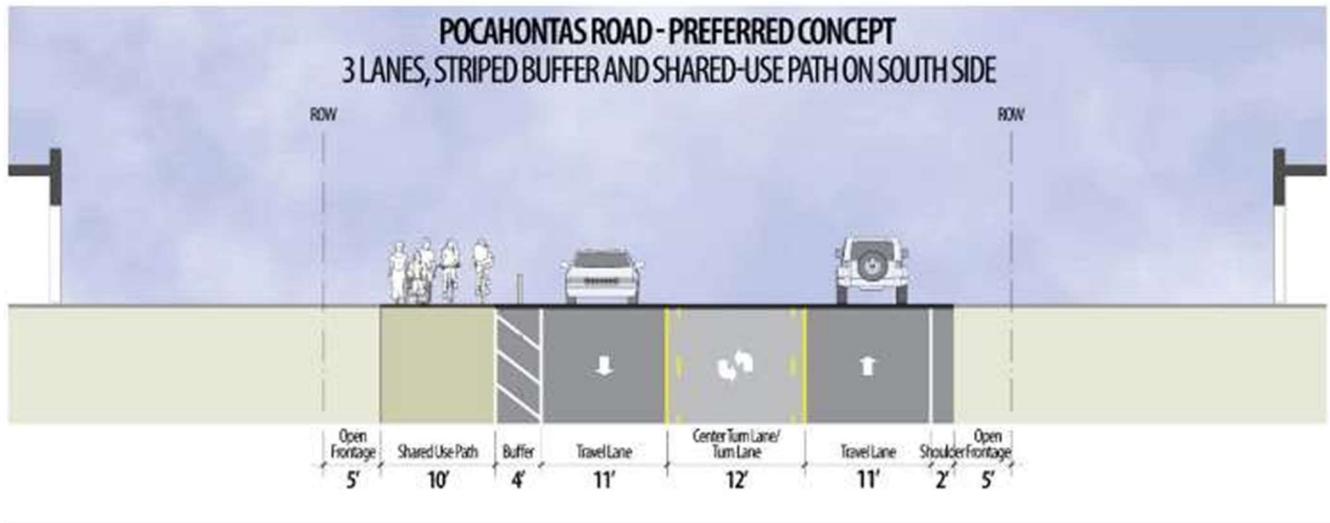


Figure 3.4.300.F(16) Hughes Lane

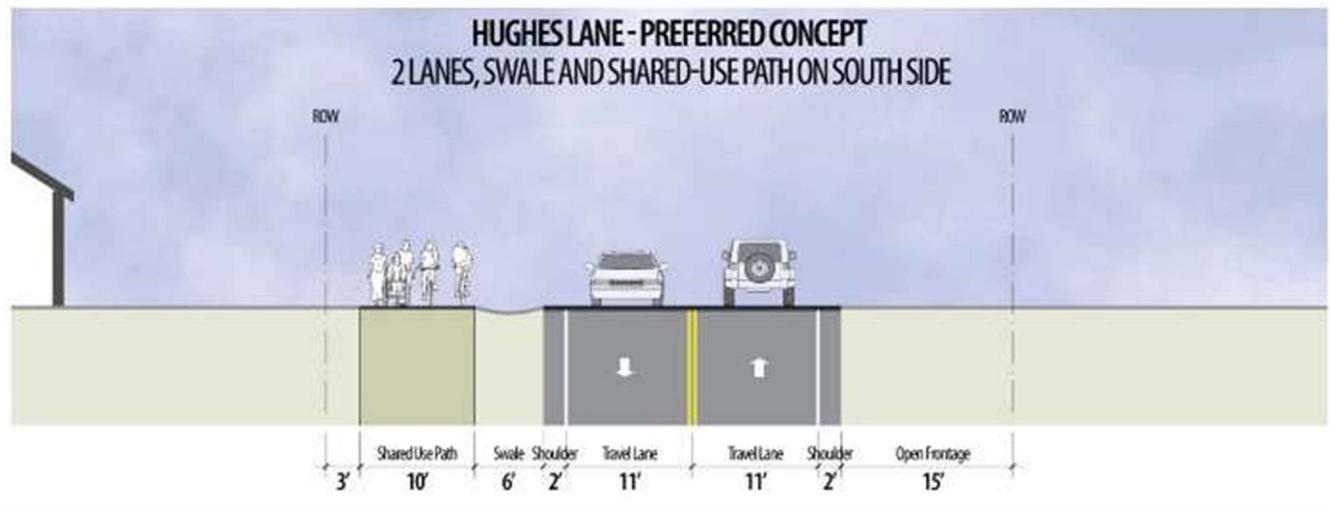


Figure 3.4.300.F(17) Cedar Street – North of D Street

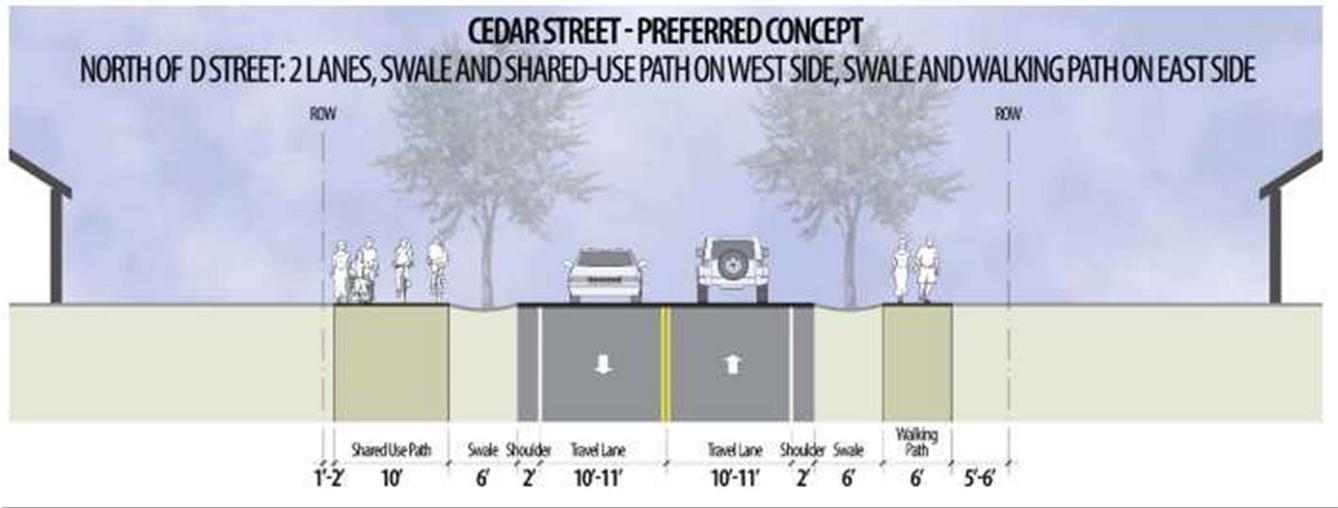
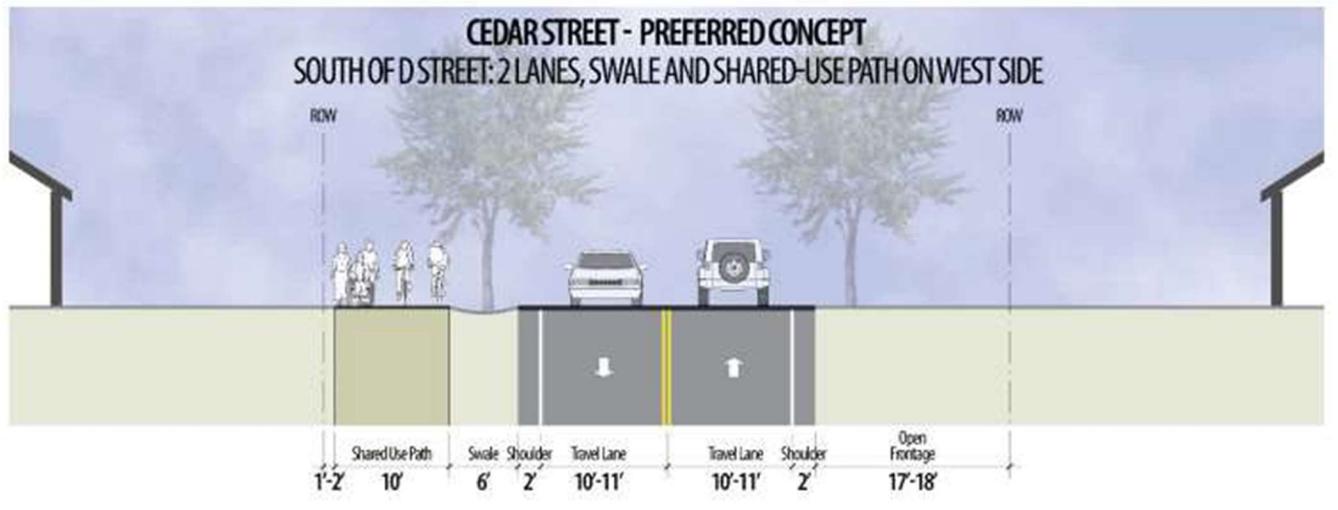


Figure 3.4.300.F(18) Cedar Street – South of D Street



**H. Subdivision Street Connectivity.** All subdivisions shall conform to all the following access and circulation design standards, as applicable:

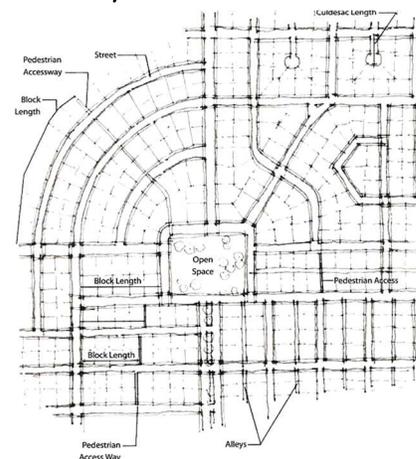
1. Connectivity to Abutting Lands. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. All street stubs that extend 150 feet or more shall be provided with a temporary turn-around unless specifically exempted by the Baker City Fire Chief, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
2. When Abutting an Arterial Street. Property access to abutting arterials shall be minimized.

Where such access is necessary, shared driveways may be required in conformance with Section 3.1.200. If vehicle access off a secondary street is possible, then the road authority may prohibit access to the arterial.

3. Continuation of Streets. Planned streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods and to facilitate emergency access and evacuation. Connections shall be designed to meet or exceed the standards in subsection 4, below, and to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures, as provided in subsection I, below, are the preferred means of discouraging through traffic.
4. Street Connectivity and Formation of Blocks. In order to promote efficient vehicular and pedestrian circulation throughout the city, subdivisions and site developments of more than two (2) acres shall be designed with a connecting network of public streets and/or access ways in accordance with the following guidance standards. The Planning Commission, in consultation with the Public Works Director, may approve alternatives to the following guidance standards if warranted due to topographic or other design considerations.

- a. Residential Zones: A minimum of 100-foot block length and a maximum of 600-foot length; a maximum 1,400 feet block perimeter;
- b. Central Commercial Zone: A minimum of 100-foot length and a maximum of 400-foot length; A maximum 1,200-foot perimeter;
- c. General Commercial Zone: A minimum of 100-foot length and a maximum of 600-foot length; maximum 1,400-foot perimeter;
- d. Not applicable to the Industrial Zones;

**Figure 3.4.300.G.(1) Street Connectivity and Formation of Blocks**



5. Access way Standards. Where a street connection in conformance with the maximum block length standards in subsection 4 is impracticable, an access way shall generally be provided at or near the middle of a block in lieu of the street connection, as generally shown in Figure 3.4.300.G.1. The City may also require developers to provide an access way where a cul-de-sac or other street is planned and the access way would connect the streets or provide a connection to other developments. Such access ways shall conform to all of the following standards:
  - a. Access ways shall be no less than ten (10) feet wide and located within a right-of-way or easement allowing public access and, as applicable, emergency vehicle access. Where utilities are required for placement in an access way, the right-of-way for the access way shall generally be no less than 20 feet wide unless approved by the Baker City Public Works Department;

- b. A right-of-way or public access easement may be allowed to be less than 10 feet wide, if approved by the City, on steep slopes where the decision body finds that stairs, ramps, or switch-back paths are required;
- c. All access ways shall conform to applicable ADA requirements;
- d. The City may require landscaping as part of the required access way improvement to buffer pedestrians from adjacent vehicles, provided that landscaping or fencing adjacent to the access way does not exceed four (4) feet in height; and
- e. These guidelines may be modified by the decision body without a variance when the modification affords greater convenience or comfort for, and does not compromise the safety of, pedestrians or bicyclists.

**I. Traffic Signals and Traffic Calming Features**

- 1. Traffic signals shall be required with development when traffic signal warrants are met, in conformance with the Highway Capacity Manual and Manual of Uniform Traffic Control Devices. The location of traffic signals shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal, a signal meeting approved specifications shall be installed in conformance with the road authority’s requirements. The developer’s cost and the timing of improvements shall be included as a condition of development approval.
- 2. When an intersection meets or is projected to meet traffic signal warrants, the City may accept and encourage alternative mitigation, such as a roundabout, in lieu of a traffic signal, if approved by the City Engineer and applicable road authority.
- 3. The City may require the installation of calming features such as traffic circles, curb extensions, reduced street width (parking on one side), medians with pedestrian crossing refuges, and/or special paving to slow traffic in neighborhoods or commercial areas with high pedestrian traffic.

**J. Future Street Plan and Extension of Streets**

- 1. A future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system, consistent with the road network identified in the Transportation System Plan (TSP). The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 400 feet surrounding and adjacent to the proposed land division, such that the proposed development will not restrict the future extension of key streets identified by the TSP. The street plan is not binding; rather it is intended to show potential future street extensions with future development.
- 2. Streets shall be extended to the boundary lines of the parcel or tract to be developed when the

City determines that the extension is necessary to give street access to, or permit a satisfactory future division of, adjoining land, consistent with the TSP and the standards of this Code. The point where the streets temporarily end shall conform to a-c, below:

- a. These extended streets or street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets when the adjoining property is developed.
- b. A barricade (e.g., fence, bollards, boulders or similar vehicle barrier) shall be constructed at the end of the street by the subdivider and shall not be removed until authorized by the City or other applicable agency with jurisdiction over the street. The cost of the barricade shall be included in the street construction cost.
- c. Temporary street ends shall provide turnarounds constructed to Uniform Fire Code standards for streets over 150 feet in length. See also, Section 3.1.200.
- d. A “No Through Street” sign shall be required.

#### **K. Street Alignment, Radii, and Connections**

1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that offsets of less than 300 feet on such streets are created, as measured from the centerline of the street unless no other reasonable alternative exists.
2. Spacing between local street intersections shall have a minimum separation of 125 feet, except where more closely spaced intersections are designed to provide an open space, pocket park, common area, or similar neighborhood amenity. This standard applies to four-way and three-way (off-set) intersections.
3. All local and collector streets that stub into a development site shall be extended within the site to provide through circulation unless prevented by environmental or topographical constraints, existing development patterns, or compliance with other standards in this code. This exception applies when it is not possible to redesign or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the environmental or topographic constraint precludes some reasonable street connection.
4. Proposed streets or street extensions shall be located to allow continuity in street alignments and to facilitate future development of vacant or re-developable lands.
5. Corner curb radii shall be at least 20 feet, except where smaller radii are approved by the City Engineer.

- L. Sidewalks, Planter Strips, Bicycle Lanes.** Sidewalks, planter strips, and bicycle lanes shall be installed in conformance with the standards in Table 3.4.300.F, applicable provisions of Transportation System Plan, the Comprehensive Plan, refinement plans, and adopted street plans. Maintenance of sidewalks and planter strips in the right-of-way is the continuing obligation of the adjacent property owner.
- M. Intersection Angles.** Streets shall be laid out so as to intersect at an angle as near to a right angle as practicable, except where topography requires a lesser angle or where a reduced angle is necessary to provide an open space, pocket park, common area or similar neighborhood amenity. In addition, the following standards shall apply:
1. Streets shall have at least 25 feet of tangent adjacent to the right-of-way intersection unless topography requires a lesser distance;
  2. Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines of the acute angle; and
  3. Right-of-way lines at intersection with arterial streets shall have a corner radius of not less than 20 feet.
- N. Existing Rights-of-Way.** Whenever existing rights-of-way adjacent to a proposed development are less than standard width, the City may require additional rights-of-way at the time of subdivision or development, subject to the provision of Section 3.4.300.
- O. Cul-de-sacs.** When a public through street is not an option (due to property ownership, topographical constraints, etc.), a cul-de-sac may be permitted. Cul-de-sacs are the only style of turnaround permitted for a public street. When cul-de-sacs are provided, the following guidelines shall be met:
1. The cul-de-sac shall not exceed a length of 800 feet; the length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac;
  2. Circular turnaround shall have a minimum radius of 30 feet (i.e. from center to edge of pavement), except that the Baker City Public Works Department in consultation with the Baker City Fire Department may require a larger radius of up to 40 feet in unique or unusual circumstances related to public safety or topography. Turnarounds that contain a landscaped island or parking bay at their center shall exceed the minimum radius of 30 feet as reviewed and approved by the Baker City Public Works Department. When an island or parking bay is provided, there shall be a fire apparatus lane of 20 feet in width except in the case of a one-way travel lane in which case the travel lane shall be no less than 14 feet; and
  3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle access way connection between it and adjacent streets access ways, parks, or other right-

of-way. Such access ways shall conform to Section 3.1.300 and shall generally have a right-of-way of 20 feet to allow for the extension of utilities.

- P. Grades and Curves.** Grades shall not exceed 6 percent, except that at the discretion of the Baker City Public Works Director, grades may be permitted up to 10 percent based on factors of topography and engineering.
1. Centerline curve radii shall not be less than 700 feet on arterials, 500 feet on major collectors, 350 feet on minor collectors, or 100 feet on other streets; and
  2. Streets intersecting with a minor collector or greater functional classification street, or streets intended to be posted with a stop sign or signalization, shall provide a landing averaging five percent or less. Landings are that portion of the street within 20 feet of the edge of the intersecting street at full improvement.
- Q. Curbs, Curb Cuts, Ramps, and Driveway Approaches.** Concrete curbs, curb cuts, wheelchair ramps, bicycle ramps, and driveway approaches shall be constructed in accordance with standards specified in Chapter 3.1, Access and Circulation.
- R. Streets Adjacent to Railroad Right-of-Way.** When a transportation improvement is proposed within 100 feet of a public railroad crossing, or a modification is proposed to an existing public crossing, the Oregon Department of Transportation and the rail service provider shall be notified and given an opportunity to comment, in conformance with the provisions of Article 4. Private crossing improvements are subject to review and licensing by the rail service provider.
- S. Development Adjoining Arterial Streets.** Where a development adjoins or is crossed by an existing or proposed arterial street, the development design shall separate residential access from through traffic and minimize traffic conflicts. (See also, the access requirements under Section 3.1.200.) The development design shall include one or more of the following:
1. A parallel access street (frontage road) along the arterial with a landscape median (raised curbs) of not less than 10 feet in width separating the two streets;
  2. Deep lots 120 feet or greater) abutting the arterial or major collector to provide adequate buffering with frontage along another street;
  3. Screen planting within a non-access reservation (e.g., public easement or tract) of not less than 10 feet in width at the rear or side property line along the arterial; or
  4. Other treatment approved by the City under site plan review that is consistent with the purpose of this Section;
- T. Alleys, Public or Private.** Alleys shall conform to the standards in Figure 3.4.300.F(12). Alley intersections and sharp changes in alignment shall be avoided. The corners of necessary alley

intersections shall have a radius of not less than 12 feet.

- U. Private Streets.** Private streets shall conform to City standards of construction and shall provide sidewalks or pathways as approved by the City. Private streets shall not be used to avoid public access connectivity required by this Chapter. Gated communities (i.e., where a gate limits access to a development from a public street onto a private street network) are permitted as approved Master Planned Developments; and
- V. Gated Communities.** Gated communities (i.e. where a gate limits access to a development from a public street on to a private street network) are permitted if during the planning review by the City as a Master Planned Development a determination is made that:
  1. The street network design does not significantly impact in a negative capacity transportation connectivity and public safety; and
  2. Emergency and police services access is provided for and approved by the City Police Chief and Fire Chief.
- W. Street Names.** No new street name shall be used which will duplicate or be confused with the names of existing streets in Baker County. Street names, signs, and numbers shall conform to the established pattern in the surrounding area, except as requested by emergency service providers.
- X. Survey Monuments.** Upon completion of a street improvement and prior to acceptance by the City, it shall be the responsibility of the developer's registered professional land surveyor to provide certification to the City that all boundary and interior monuments shall be reestablished and protected.
- Y. Street Signs.** The city, county, or state with jurisdiction shall install all signs for traffic control and street names. The cost of signs required for new development shall be the responsibility of the developer. Street name signs shall be installed at all street intersections. Stop signs and other signs may be required.
- Z. Mailboxes.** Plans for mailboxes shall be approved by the United States Postal Service.
- AA. Streetlight Standards.** Streetlights shall be installed in accordance with City standards.

#### 3.4.400 Public Use Areas

##### A. Dedication of Public Use Areas

1. Where a proposed park, playground, or other public use shown in a plan adopted by the City is located in whole or in part in a subdivision, the City may require the dedication or reservation of this area on the final plat for the subdivision, provided that the impact of the development on

the City park system is roughly proportionate to the dedication or reservation being made.

2. The City may purchase or accept voluntary dedication or reservation of areas within the subdivision that are suitable for the development of parks and other public uses; however, the City is under no obligation to accept such areas offered for dedication or sale.

- B. System Development Charge Credit.** Dedication of land to the City for public use areas, voluntary or otherwise, shall be eligible as a credit toward any required system development charge for parks.

#### 3.4.500 Sanitary Sewer and Water Service Improvements

- A. Sewers and Water Mains Required.** Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's Sanitary Sewer Master Plan, Water System Master Plan, and the applicable construction specifications. When streets are required to be stubbed to the edge of the subdivision, sewer and water system improvements shall also be stubbed with the streets, except as may be waived by the City Public Works Director. No new development requiring water and sewer service shall be permitted without extension and connection to City water and sewer facilities.
- B. Sewer and Water Plan Approval.** Development permits for sewer and water improvements shall not be issued until the City Public Works Director or his or her designee has approved all sanitary sewer and water plans in conformance with City standards.
- C. Over-Sizing.** The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, provided that the city may grant the developer credit toward any required system development charge for the same.
- D. Inadequate Facilities.** Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.

#### 3.4.600 Storm Drainage Improvements

- A. General Provisions.** The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made. Storm water management shall be developed in accordance with the City's Storm Water Management Plan.
- B. Accommodation of Upstream Drainage.** Culverts and other drainage facilities shall be large enough

to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the City Public Works Director.

- C. **Effect on Downstream Drainage.** Where it is anticipated by the City Public Works Director that the additional runoff resulting from the development will overload an existing drainage facility, the City shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with City standards.
- D. **Over-Sizing.** The City may require as a condition of development approval that sewer, water, and/or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable Water, Sewer, and/or Storm Drainage Master Plan, provided that the city may grant the developer credit toward any required system development charge for the same.
- E. **Existing Watercourse.** Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for conveyance and maintenance to protect the public health and safety.

### 3.4.700 Utilities

#### A. Underground Utilities

1. General Information. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.
2. Subdivisions. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities:
  - a. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that all above ground equipment does not obstruct vision clearance areas for vehicular traffic (Chapter 3.1);
  - b. The City reserves the right to approve the location of all surface-mounted facilities;
  - c. All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and

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

**B. Exception to Undergrounding Requirement.** The standard applies only to proposed subdivisions. An exception to the undergrounding requirement may be granted due to physical constraints, such as steep topography, sensitive lands (Chapter 3.7), or existing development conditions.

#### 3.4.800 Easements

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

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

#### 3.4.900 Construction Plan Approval and Assurances

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

**B. Performance Guarantee.** The City may require the developer or subdivider to provide bonding or other performance guarantees to ensure completion of required public improvements. See Section 4.2.400, Site Design Review, and Section 4.3.180, Land Divisions.

#### 3.4.1000 Installation

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

**B. Adopted Installation Standards.** The Standard Specifications for Public Works Construction, Oregon Chapter A.P.W.A., shall be a part of the City's adopted installation standard(s); other standards may also be required upon recommendation of the City Public Works Director.

- C. **Commencement.** Work shall not begin until the City has been notified in advance in writing.
- D. **Resumption.** If work is discontinued for more than six months, it shall not be resumed until the City is notified in writing.
- E. **City Inspection.** Improvements shall be constructed under the inspection and certification of a licensed engineer to the satisfaction of the City. The City may require minor changes in typical sections and details if unusual conditions arising during construction warrant such changes in the public interest. Modifications to the approved design requested by the developer may be subject to review under Chapter 4.6, Modifications to Approved Plans and Conditions of Approval. Any monuments that are disturbed before all improvements are completed by the subdivider shall be replaced prior to final acceptance of the improvements.
- F. **Engineer's Certification and As-Built Plans.** A registered civil engineer shall provide written certification in a form required by the City that all improvements, workmanship, and materials are in accord with current and standard engineering and construction practices, conform to approved plans and conditions of approval, and are of high grade, prior to City acceptance of the public improvements, or any portion thereof, for operation and maintenance. The developer's engineer shall also provide one (1) set of "as-built" plans, in conformance with the City Engineer's specifications, for permanent filing with the City.
- G. **Warranties.** The developer warrants all improvements for one year.

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