



## MINPAR 2025-07

### DECISION & NOTICE

<b>Decision Date:</b>	July 24, 2025
<b>File Number:</b>	MINPAR 2025-07
<b>Applicant/ Owner:</b>	Del Boca Vista, LLC
<b>Request:</b>	A three-lot partition in accordance with the ORS 92.031 -- Middle Housing Land Division.
<b>Property Address:</b>	120 Alder Street
<b>Tax Map / Lot:</b>	Map 4.3.16.CB / 900
<b>Zoning:</b>	R-2
<b>rAppeal Process:</b>	The appeal process shall follow the provisions of Section. 7.3.202.02 (I) of the DLUDC.
<b>Criteria:</b>	Dayton Land Use and Development Code (DLUDC): Section 7.2.103- Limited Density Residential Section 7.3.105- Partitions ORS 92.031, Middle Housing Land Division
<b>Exhibits:</b>	A. Applicant's Submittal B. City Engineering Comments

#### I. BACKGROUND AND PROCEDURES

The subject site consists of a single property containing an existing home that is unoccupied. Neighboring properties are developed with single-family residential uses. The property is located on a mid-block lot between 1<sup>st</sup> and 2<sup>nd</sup> Streets.

Minor partitions are Type I administrative reviews. Appeal of a Type I decision is to the Planning Commission and shall be filed pursuant to Section 7.3.207.

Because the project involves the partitioning of a property for the future development of attached single family homes, the application is a middle housing land division subject to ORS 92.031. The applicable provisions of ORS 92.031 are being applied directly to the request from state statute.

The application was submitted on June 25, 2025 and was accepted as complete as submitted.

Public notice was mailed to the applicant and all property owners within 200 feet of the site on July 7<sup>th</sup>, 2025. No comments were received on the application.

#### II. APPROVAL CRITERIA AND FINDINGS

##### 7.2.103 Limited Density Residential - (R-2)

*7.2.103.02- Permitted Uses: The following uses, when developed under the applicable development standards in the Code, are permitted in the R-1 zone:*

A. *One detached single family dwelling on a separate lot or parcel.*

**Finding:** The applicant has submitted building plans for single family homes on each of the proposed parcels that are under review. The use standards in the R-2 district can be met.

**7.2.103.05- Dimensional Standards:**

A. Minimum Lot Dimension and Height Requirements.

DIMENSION	Detached single family middle housing, multiple family and manufactured home parks	Attached Single Family (Townhomes)	Non-Residential
Lot Size	6000 sq. ft.	3500 sq. ft.	9000 sq. ft.
Lot Width	50 feet	25 feet	50 feet
Lot Depth	80 feet	80 Feet	80 feet
Maximum Height	35 feet	35 feet	35 feet

**Finding:** The proposed partition will create three parcels for single family attached housing. All of the proposed parcels exceed the minimum dimensional requirements in the R-2 Zone. The standards are met.

*Minimum yard setback requirements:*

B. Minimum Yard Setback Requirements

SETBACKS	Single family and middle	Multi-Family	Non-Residential
Front	15 feet	15 feet	20 feet
Side	5 feet (1)	10 feet	10 feet
Rear	15 feet	15 feet	20 feet
Street-side	15 feet	15 feet	20 feet
Garage (2)	20 feet	20 feet	N/A

**Finding:** The applicant's dimensioned site plan shows that the minimum setback requirements can be met for middle housing.

**7.2.103.06 Development Standards:**

(...)

**Finding:** Development standards will be reviewed at the time of building permit submittal. However, the applicant's submitted site plan shows that the proposed lots are capable of supporting future middle housing development with parking areas in compliance with the lot coverage standards.

**7.3.105.05 Review Criteria**

*Approval of a partition shall comply with the following:*

A. *Each parcel shall satisfy the dimensional standards of the applicable zoning district, unless a variance from these standards is approved.*

**Finding:** The applicable standards in the R-2 zone were previously addressed in Section 7.2.103. The criterion is met.

B. *Adequate public facilities shall be available to all parcels.*

**Finding:** Comments in Exhibit B were submitted by the City Engineer describing the public facilities needed to serve the project and the process for permitting them follow preliminary approval.

C. *Each parcel shall meet the land division standards in Section 7.2.307.*

Applicable land division standards per Section 7.2.307 are addressed as follows:

*7.2.307.03: Standards for lots or parcels*

- A. *Minimum lot area- Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.*
- D. *Access- All lots and parcels created after the effective date of this Code shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone.*

**Finding:** Per the findings included in Section 7.2.103.05.A., the minimum lot area for the proposed parcels conform to the minimum frontage requirements of the R-2 zoning district. The standard is met.

(...)

*7.2.307.05: Improvement Requirements-Partitions*

(...)

B. *Street Frontage Improvements. The following improvements shall be required:*

- 1. *If the street frontage of the subject property is less than or equal to 250 feet, the applicant shall sign a non-remonstrance agreement with the City of Dayton. This agreement shall stipulate that the applicant or future property owner will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary sewer facilities. The agreement shall be recorded at the County Clerk's Office at the time of the recording of the final plat.*

**Finding:** The frontage of the subject property is less than 250 square feet and the applicant will be required to record a non-remonstrance agreement against the property requiring future owners to participate in comprehensive street improvements in the future. However, sidewalks will be required upon building permit approval as discussed in the engineer's comments in Exhibit B:

*Assuming street improvements are not required in conjunction with the plat, new sidewalks (property line sidewalks along both street frontages) will be triggered by building permits on the new parcels, and are referenced in conjunction with the partitioning application in order to avoid confusion (ie. that property line sidewalks would be required in conjunction with building permits). There following is included for reference by the developer/homebuilder.*

*Main Street Property Line Sidewalk. Based on the assumed future 34 foot street width noted above (within a 60 foot ROW), a property line sidewalk (set an assumed 6" from the ROW line) will allow for a ±7 foot planter/landscape strip between the sidewalk and the future back of curb for the future street.*

*8 th Street Property Line Sidewalk. Based on the assumed future 36 foot street width noted above (within a 60 foot ROW), a property line sidewalk (set an assumed 6" from the ROW line) will allow for a ±6 foot planter/landscape strip between the sidewalk and the future back of curb for the future street. --- Intersection Pedestrian Ramp. In order to comply with ADA and PROWAG standards, pedestrian ramp improvements is required at the 8 th & Main intersection in conjunction with the sidewalk improvements. This ramp is not shown on the application drawings.*

The standard can be met as conditioned.

**ORS 92.031 Middle housing land division; conditions of approval.**

- (1) *As used in this section, “middle housing land division” means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420 (2) or (3).*
- (2) *A city or county shall approve a tentative plan for a middle housing land division if the application includes:*
  - (a) *A proposal for development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197A.420 (5);*
  - (b) *Separate utilities for each dwelling unit;*

**Finding:** Separate utilities are shown for each dwelling unit on the applicant’s Preliminary Utility Plan in Exhibit A. This standard is met.

- (c) *Proposed easements necessary for each dwelling unit on the plan for:*
  - (A) *Locating, accessing, replacing and servicing all utilities;*
  - (B) *Pedestrian access from each dwelling unit to a private or public road;*
  - (C) *Any common use areas or shared building elements;*
  - (D) *Any dedicated driveways or parking; and*
  - (E) *Any dedicated common area;*
- (d) *Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas; and*

**Finding:** The applicant’s preliminary site plan shows one dwelling per lot. This criterion is met.

- (e) *Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon residential specialty code.*
- (3) *A city or county may add conditions to the approval of a tentative plan for a middle housing land division to:*
  - (a) *Prohibit the further division of the resulting lots or parcels.*
  - (b) *Require that a notation appear on the final plat indicating that the approval was given under this section.*

**Finding:** These conditions have been included with this decision.

- (4) *In reviewing an application for a middle housing land division, a city or county:*
  - (a) *Shall apply the procedures under ORS 197.360 to 197.380.*
  - (b) *May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197A.420.*
  - (c) *May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.*



- (d) *May not subject the application to procedures, ordinances or regulations adopted under ORS 92.044 or 92.046 that are inconsistent with this section or ORS 197.360 to 197.380.*
- (e) *May allow the submission of an application for a middle housing land division at the same time as the submission of an application for building permits for the middle housing.*
- (f) *May require the dedication of right of way if the original parcel did not previously provide a dedication.*

**Finding:** The applicant will be required to record a non-remonstrance agreement against the property requiring future owners to participate in comprehensive street improvements in the future. Sidewalks will be required upon building permit approval as discussed in the City engineer's comments in Exhibit B.

- (5) *The type of middle housing developed on the original parcel is not altered by a middle housing land division.*
- (6) *Notwithstanding ORS 197A.425 (1), a city or county is not required to allow an accessory dwelling unit on a lot or parcel resulting from a middle housing land division.*
- (7) *The tentative approval of a middle housing land division is void if and only if a final subdivision or partition plat is not approved within three years of the tentative approval. Nothing in this section or ORS 197.360 to 197.380 prohibits a city or county from requiring a final plat before issuing building permits.*

**Finding:** The City understands that the 3-year expiration of tentative approval supersedes the local expiration period of one year. The three year expiration is reflected in the conditions of approval.

### III. ADMINISTRATIVE DECISION

Based upon the above findings, MINPAR 2025-07 is **approved** with the following **conditions**:

1. The applicant shall record the final plat within three years of the approval of the tentative plat.
2. The plat shall substantially conform to the approved preliminary plat as conditioned by the land use approval.
3. The applicant shall note the following conditions on the final plat:
  - a. Preliminary plat approval was given under ORS 92.031 (Dayton City File# MINPAR 2025-06)
  - b. Further division of the resulting lots or parcels is prohibited
  - c. Exactly one unit shall be permitted on each platted parcel. Accessory dwelling units shall not be allowed.

#### General Items.

4. Except for items specifically exempted by the planning approval, the applicant shall fully comply with the public facility requirements of the Dayton Land Use & Development Code (LUDC) and the Public Works Design Standards (PWDS), including information outlined by the City Engineer in Exhibit B. The applicant/developer is responsible for the construction costs of required public or private infrastructure improvements associated with the development (*both onsite and offsite*).
5. After issuance/finalization of the land use approval, the developer and his engineer shall schedule and participate in a pre-design conference with City Public Works for the purpose of coordinating any required site / grading / street / sidewalk / utility work (PWDS 1.9). This conference shall occur after the issuance of land use approval (*and expiration of any appeal period*), but prior to submitting site /

grading / street / sidewalk / utility construction drawings for review by Public Works. Participants shall include the developer, developer's engineer, City Public Works and the City Engineer, as well as public/franchise utility providers as applicable or desired by the development team. The developer shall provide all information required under PWDS 1.9 prior to the predesign conference (*including ensuring that a current title report is available*), as well as providing information on how each land use approval condition and Public Works issues identified herein will be addressed.

6. After the pre-design conference, the applicant shall prepare and submit applicable final street, grading, parking, storm drainage, sewer and water plans conforming to the requirements of the Public Works Design Standards (PWDS) for review by the City Engineer and Public Works.
7. Public Works construction permits for site / street / sidewalk / utility work shall not be issued until after the developer has received final approval of any required engineered site, street/sidewalk or utility construction drawings per PWDS requirements, a Developer-City construction agreement has been executed, and a performance security satisfactory to the City has been submitted guaranteeing that all improvements will be completed in accordance with the approved drawings and City Standards within the specified time period (PWDS G.10). The engineered site / street / sidewalk / utility construction drawings shall be based on a topographic survey showing the location of all property lines, right-of-way lines and existing easements (*including recording references*), and existing utilities. The construction drawings shall show any new easements required (*including recording references*), and all required site and utility improvements, addressing site grading, street improvements/repairs, sidewalk & pedestrian plans, street lights, waterlines, fire hydrants, sanitary sewer, storm drainage, access driveways/fire lanes and parking area layout/dimension plans as applicable, and irrigation plans & backflow device locations for all phases of the development as applicable, as well as information on how streets and/or utilities can be extended to serve adjacent or upstream undeveloped property as applicable.
8. Any required off-site easements shall be approved by the City and recorded by the Developer prior to approval of the construction drawings by the City.
9. Building permits for new residential structures shall not be issued prior to completion of all required improvements and applicable conditions of approval, and written acceptance by the City, including submission of maintenance bonds and reproducible as-built drawings.
10. The applicant shall dedicate new easements (*to the City*) will be required along any City or public utilities or drainage ways located outside of public right-of-ways, as well as providing for PUEs along all public street frontages (*excluding alleys*) where such easements (*meeting current City standards*) do not already exist.
11. The applicant shall be required to record private easements (with provisions complying with City standards) where any private accesses, driveways or private/franchise utilities cross property other than that being served (private easements will need to include the specific language provisions required by the City PWDS).

Site Layout, Grading, etc.

12. The preliminary layout drawing included information on proposed streets and utilities. The applicant is required to verify the information in conjunction with the predesign conference and the final construction drawings. The City is not responsible for any discrepancies or missing information not shown on the application drawings.
13. Any fills within public rights-of-ways or fire lanes, or lot fills, the Developer shall compact and test to City standards and per the Oregon Structural Specialty Code requirements as applicable (*95% optimum per ASTM D1557 within right-of-ways, and 90% optimum within lot building envelopes*).

14. Any existing unsuitable fills within the public right-of-way or new building envelopes will need to be removed or remediated by the applicant in conjunction with the development and infrastructure construction.
15. Unless otherwise approved, the developer shall construct driveways and/or parking spaces shall be constructed as required to provide a minimum of two offstreet parking spaces for each new dwelling unit at the time of house construction. Per LUDC 7.2.303.09.A, all driveways and parking areas shall be paved with asphalt or concrete.

Streets, Sidewalks, etc.

16. Refer to the engineering comments in Exhibit B discussing right of way dedication. Additional right of way dedication does not appear to be required along Alder Street.
17. The frontage of this property along Alder Street is about 94 feet. Since the total frontage is less than 250 feet, street improvements along both frontages are not required but the applicant shall record to a non-remonstrance agreement as approved by the City (LUDC 7.2.307.05.B.1). This agreement shall stipulate that the applicant or future property owner will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary sewer facilities. The applicant shall record the agreement at the County Clerk's Office at the time of the recording of the final plat."
18. The Developer shall sign and record a Construction Deferral Agreement and Waiver of Rights to Remonstrance Agreement for the construction of future street and public utility related improvements for Alder Street fronting the property. This agreement shall be on a form approved by the City and cover scope of improvements as approved by Public Works, and shall be approved by the City prior to recording. The Developer shall be responsible for recording the agreement with the County and having a recorded copy of the agreement returned to the City.
19. Alder Street Property Line Sidewalk. New property line sidewalks will be required in conjunction with the building permits for each lot. Based on the assumed future 34-foot street width noted above (centered within the 80 foot ROW), a property line sidewalk (set an assumed 6" to 1' from the ROW line) will allow for a ±16-17 foot planter/landscape strip between the sidewalk and the future back of curb for the future street.
20. The Developer shall record PUEs a minimum of 8 feet wide are required along all property lines fronting public street right-of-ways (*excluding alleys*) as required by PWDS 1.10.j. Street frontage PUEs shall be provided along the frontage of all right-of-ways where such easements do not already exist (PWDS 1.10.j). Language for these PUEs per PWDS 1.10.j will need to be included on any plat.
21. If mail delivery is proposed, the location of the required CBU mailbox will need to be shown on the applicable drawings, at a location acceptable to the local postmaster. An ADA pedestrian curb ramp must be located within 50 feet of the CBU (*PWDS 2.21.i.5 & Oregon Structural Specialty Code 1111.4.1*), and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.
22. CBU mailboxes per City & postal service standards (*and CBU access*) shall be installed by the Developer in conjunction with building construction per City and state standards. An ADA compliant pedestrian ramp from the street must be located within 50 feet of the new CBU mailboxes, per City standards, and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.
23. The Developer shall install street lights along new streets and existing frontage streets, per City spacing standards, where such street lights do not already exist (*PWDS 2.32.f, maximum of 200 feet spacing, or 3 lot widths, whichever is less*).

- There are existing street lights within the required distance along the Alder Street frontage of the property.
- Per PWDS 2.32 spacing standards, additional street lights do not appear to be required for this development.

#### Vehicular Access Driveways.

24. The requirements that will apply at the time building permits are applied for are summarized in this section for reference by the Developer.
25. City standards require driveways for corner lots to be on the lower classification street, and as far from the intersection as feasible (PWDS 2.29.b). Based on this, the new driveway for Parcel 2 would normally be required to be on the Main Street frontage, unless otherwise provided for in the land use approval.
26. If the alley is used as a driveway to a garage, it will need to be paved along the vehicular access portion (*18' minimum paved width, per PWDS 2.11.a*) and extend far enough beyond the garage to provide for back-out turning
27. Per LUDC 7.2.303.09.A & PWDS 2.30.e, all driveways and parking areas shall be paved with asphalt or concrete.
28. Driveway approaches at the property line sidewalks shall conform with Detail 213.
29. If street frontage improvements are not required, the new driveways will need to be constructed in conformance with PWDS 2.30.k, which requires in part that “*for driveways connecting to a street that has not been improved to its ultimate width, the driveway profile (ie. vertical design) shall be designed to allow for future street widening*” without reconstruction of the driveway. Driveways on turnpike or streets narrower than standard shall be constructed such that the surface of the driveway matches the future back of sidewalk elevation (*ie. future back of sidewalk elevation to be based on design street width and cross slope per current City standards, assuming the future street will be centered in the future right-of-way unless otherwise directed by the City*).

#### Storm Drainage.

30. Prior to approval of the final plat, the developer shall submit a storm drainage plan conforming to the requirements of the PWDS and LUDC 7.2.304.03 & 04. Drainage maps and calculations for existing and developed conditions shall be included on the construction drawing. The storm drainage plan shall be designed to accommodate roof and foundation drains, as well as from the new driveways and parking areas, and shall convey all storm water runoff to an approved point of disposal per PWDS requirements. The storm drainage plan shall demonstrate that there are no impacts to the downstream properties and shall provide for drainage from upstream properties as applicable. Unless otherwise approved by the City Engineer, a new public storm drain pipe shall be installed along the alley to an approved disposal point and configuration on the east side of the 1st & alley intersection, with storm drain laterals shall be provided for all new lots. Easements meeting PWDS requirements shall be provided for private storm lines that cross property other than that which they solely serve.
31. Provisions for storm drainage lines serving each parcel will need to be provided, with drainage to be extended to a point of disposal acceptable to Public Works (PWDS 3.9.b). This will require that a storm drainage easements be provided for any storm drains outside of public right-of-way, or for storm lines or laterals crossing private property other than the lot being served.
32. The Developer shall submit storm drainage construction drawings conforming to the requirements of the PWDS. The storm drainage plan shall demonstrate that there are no impacts to the downstream properties, and shall collect drainage from upstream properties/streets and convey it through or around the development as applicable (*including providing easements as applicable across the development*

property). The storm drainage plan shall be designed to accommodate roof and foundation drains for the entire property, and shall convey storm water runoff to an approved point of disposal. Easements meeting PWDS requirements shall be provided for private storm lines that cross property other than that which they solely serve. Storm drain laterals shall be provided for all lots which cannot drain to the fronting curblines.

Sanitary Sewer.

33. Based on the utility maps, there is an existing 8-inch sewer along the alley behind the property (8" concrete per utility maps, installed in 1965).
34. Since there is an existing mainline available to serve this property, mainline sewer improvements along the alley will not be required.
35. The sewer design will need to provide for a separate gravity sewer service lateral meeting City standards to serve each of the new parcels. While there is currently one sewer service lateral (installed many years ago) to serve the property, it does not appear to meet current City standards, and will need to be capped at the mainline and replaced as noted below (see discussion below).
36. As outlined under PWDS 4.18.d, the City is under mandate from the Oregon Department of Environmental Quality (DEQ) to reduce infiltration and inflow (I/I) of storm runoff and groundwater into the City's sanitary sewer system. A significant portion of the (I/I) problems in the City's sewage collection system are attributable to leaking sewer service laterals or drains connected to service laterals. DEQ and City standards require that "No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage to any sanitary sewer." The City requires developers to demonstrate compliance with this ordinance by testing existing sanitary sewer service laterals that are proposed for continuing use. This requirement is based on public health and sanitation regulations adopted by the City to meet Oregon DEQ and USEPA requirements under the City's NPDES permit.
37. Unless otherwise approved in writing by Public Works, the developer shall cap and replace any existing sewer service at the mainline (unless it is air tested in conformance with PWDS 4.18.d.2 from the mainline to the building site to verify that it is free of leaks or defects). Any existing service lateral shall be replaced if defective or replaced (ie. disconnected and capped at the mainline connection). A property line cleanout shall be provided for all existing or new service laterals.
38. The developer shall submit sanitary sewer system construction drawings conforming to the requirements of the PWDS, showing a separate sewer service to serve each of the parcels. The new sewer service laterals must be installed prior to recording of the partition plat, and any old service laterals disconnected and capped at the mainline connection. New easements meeting PWDS requirements shall be provided for any private sewer lines which cross property other than that which they serve.

Water.

39. The developer shall submit water system construction drawings conforming to the requirements of the PWDS, showing a new water service to serve each of the parcels. The old water service which does not meet City standards shall be disconnected and capped at the mainline connection. The new water services must be completed prior to recording of the partition plat.

Franchise Utilities.

40. The developer shall arrange franchise utility service will need to be arranged with the applicable utility provider.

41. The developer shall provide easements meeting PWDS requirements shall be provided for any franchise utility service located outside of the street right-of-way, which crosses property other than that which it serves.



#### IV. OTHER PERMITS AND RESTRICTIONS

The Applicant is herein advised that the use of the subject property involved in this application may require additional permits from the City or from other local, State or Federal agencies.

Obtaining any applicable permits is the responsibility of the Applicant/Owner/Developer. The City of Dayton land use review and approval process does not take the place of, or relieve the Applicant/Owner/Developer of responsibility for acquiring such other permits, or satisfying any restrictions or conditions thereon. The land use permit approval herein does not remove, alter, or impair in any way any covenants or restrictions imposed on this property by deed or other instrument.

APPROVED ON THE 15<sup>th</sup> day of August 2025

SIGNED:

   
\_\_\_\_\_  
Jeremy Caudle, City Manager Date

ATTEST:

   
\_\_\_\_\_  
Rocio Vargas, Planning Coordinator Date

#### V. APPEAL DATE

Any appeals pertaining to this application must be in writing and received by the City of Dayton at City Hall, 416 Ferry Street (P.O. Box 339) Dayton, OR 97114 no later than 5:00 p.m., on the 15<sup>th</sup> day following the approval date, and include the \$250 appeal fee. **Where no appeal is timely filed, the decision becomes final at the conclusion of the appeal period.**

**EXHIBIT A****City of Dayton****Planning Department****PARTITION APPLICATION**

416 Ferry St - PO Box 339  
Dayton OR 97114  
Ph # (503) 864-2221  
Fax # (503) 864-2956  
cityofdayton@daytonoregon.gov  
www.daytonoregon.gov

For City of Dayton use:

Date Application Received:	Received By:	File Number:
Public Hearing Date:	Fee:	Deposit:
Application Completed Date:	Receipt#:	
Application Approval Date:		

**Application Information**Applicant: Del Boca Vista LLCMailing Address: 111 N College Street City: Newberg ST: OR Zip: 97132Phone Number: 971-706-2058; 503-332-5708 cell Email Address: teresa@dbvcorp.comOwner(s), if different: Kevin Ayers PR for Vera Ayers estateOwner Address: 4109 W Park St City: Pasco ST: WA Zip: 99301Phone Number: 509-528-1088 Email Address: Ayers.kvc@gmail.comEngineer/Surveyor: AKS Engineering & ForestryAddress: 12965 SW Herman Rd Ste 100 City: Tualatin ST: OR Zip: 97062Other Design Professional: NA

Address: \_\_\_\_\_ City: \_\_\_\_\_ ST: \_\_\_\_\_ Zip: \_\_\_\_\_

**Partition Information**Site Address or Location: 120 Alder St, DaytonNearest Cross Street: 2nd St Will a Private Street be Created? ☐ Yes ☒ NoMap & Tax Lot Number: R 4316CB 00900 Square Footage or Acreage: 11,286 SF Zoning: R-2Current Uses/Structures: Single family manufactured home not in use.Surrounding Uses: North: Single Family Dwelling South: Single Family DwellingEast: Single Family Dwelling West: Single Family DwellingNumber of Lots to be Created: 3 Parcel 1: 3,504 sf Parcel 2: 4,272 sf Parcel 3: 3,504

All Property Owners must sign this application or submit a letter of consent. By signing below I/we consent to the partition of our property as shown on the attached partition plat. I/we understand and agree to abide by all the terms and conditions as set forth in the Dayton Municipal Code, and agree to reimburse the City of Dayton for any costs incurred on my/our behalf for city staff, planning, engineering and legal services, etc. over and above the base fee/deposit, as it may relate to my request.

Applicant Signature: [Signature] Date: 6-17-25Property Owner Signature: Kevin Ayers Date: 06/16/2025

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For Office Use**

Approved by:	<input type="checkbox"/> City Manager	<input type="checkbox"/> City Planner	<input type="checkbox"/> Public Works Director	<input type="checkbox"/> City Engineer	<input type="checkbox"/> Fire Marshall/Chief
Additional Services Amount Billed:	Paid:		<input type="checkbox"/> Planner		
<input type="checkbox"/> Engineer	<input type="checkbox"/> Staff Time		<input type="checkbox"/> Other		





CRITERIA RESPONSE  
Partition

7.2.307.01 Purpose

To provide for the orderly, safe, efficient and livable development of land within the City of Dayton.

7.2.307.02 Scope

Application. The provisions of this Section shall apply to all subdivisions and partitions within the City of Dayton.

7.2.307.03 Standards For Lots Or Parcels

1. Minimum lot area. Minimum lot area shall conform to the requirements of the zoning district in which the parcel is located.
2. Access. All lots and parcels created after the effective date of this Code shall provide a minimum frontage, on an existing or proposed public street, equal to the minimum lot width required by the underlying zone. The following exceptions shall apply:
  1. Residential lots or parcels may be accessed via a private street or partition access easement developed in accordance with the provisions of Section 7.2.302 when the City finds that public street is not necessary to provide for the future development of adjoining property.

**RESPONSE:** Applicant acknowledges the above criteria and meets R-2 criteria. Applicants proposed lots are Parcel 1 3,504 sf, Parcel 2 4,272 sf and Parcel 3 3,504sf. Approximately.

2. Commercial or Industrial uses located in a campus or park-like development may be accessed via private streets when developed in accordance with Subsection 2.302.08.
3. Cul-de-sac lots shall have a minimum frontage of 25 feet.
4. Flag lots, as permitted in Subsection 2.307.03.C.
5. Access standards for streets are: *(Added by Ordinance 589 – Effective 4/2/09)*

Street Classification      Access Spacing



Arterial	150 feet (+/-20%)
Collector	75 feet
Local	25 feet

3. Flag Lots. Flag lots shall only be permitted if it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration may be accessed. If a flag-lot is permitted, the following standards shall be met:
  1. The access strip shall not be less than 20 feet wide. The access strip shall be improved with a minimum 12 foot wide paved driveway.
  2. The access strip shall not be included in the calculation of lot area for purposes of determining compliance with any minimum lot size provision of this Code.
  3. Flag lots located side-by-side shall share a common driveway. This requirement shall be placed in the deed record of each parcel and noted on the final plat.
4. Through Lots. Through lots are discouraged unless essential to provide separation of residential development from major traffic arteries, adjacent non-residential activities, or to overcome specific site disadvantages. If approved, access may be limited to one street.

**RESPONSE:** Applicant acknowledges the above criteria. Applicant will not be building flag lots, commercial lots, through lots or cul de sacs.

5. Lot Lines. The side lines of lots, as far as practicable, shall run at right angles to the right-of-way line of the street upon which the lots face. The rear lot line shall be no less than  $\frac{1}{2}$  the dimension of the front lot line.
6. Utility Easements. Utility easements shall be provided on lot areas where necessary to accommodate public utilities.

**RESPONSE:** Applicant acknowledges the above and meets the criteria. See utility map included herein.

#### 7.2.307.04 Additional Design Standards For Subdivisions

1. Standards for Blocks. The length, width, and shape of blocks shall be designed with regard to providing adequate building sites for the use contemplated; consideration of needs for convenient access, circulation, control, and safety of street traffic including pedestrian and bicyclist; and recognition of limitations and opportunities of topography. Blocks should not exceed 600 feet in length between street lines, except blocks adjacent to arterial streets may be greater in length but not more than 1,300 feet without an accessway. Block perimeters should not exceed 1,800 feet in length. Exceptions to block length and perimeter may be granted if one or more of the following conditions exist:  
(Amended by Ordinance 589 – Effective 4/2/09)
  1. Physical or topographic conditions make a street or accessway connection impracticable; (Added Ord 589 – Effective 4/2/09)
  2. Building or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment;  
(Added Ord 589 – Effective 4/2/09)

3. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995 which preclude a required street or accessway connection; *(Added ORD 589 – Effective 4/2/09)*
4. Where one side of the block is an arterial street; or *(Added ORD 589 – Effective 4/2/09)*
5. Where an accessway exists in the block. *(Added ORD 589 – Effective 4/2/09)*
2. Traffic Circulation. The proposed subdivision shall be laid out to provide safe, convenient, and direct vehicle, bicycle and pedestrian access to nearby residential areas, neighborhood activity centers such as schools and parks, commercial areas, and industrial areas; and to provide traffic circulation with safe convenient and reasonably direct access. *(Amended ORD 589 – Effective 4/2/09)*
3. Connectivity. To achieve the objective in B., above, the City may require the following:
  1. Stub Streets: Where the potential exists for additional residential development on adjacent property.
  2. Pedestrian/Bicycle Accessways: Public accessways to provide a direct connection to cul-de-sac streets and to pass through oddly shaped or unusually long blocks.
4. Design Standards for Accessways. Accessways shall meet the following design standards: *(Amended by ORD 589 – Effective 4/2/09)*
  1. Connections with adjoining arterial and collector streets shall be provided if any portion of the site's arterial or collector street frontage is over 600 feet from either a subdivision access street or other accessway. Exceptions may be granted if one or more of the following conditions exists:
    1. Physical or topographical conditions make a street or accessway connection impracticable.
    2. Building or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
    3. Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995 which preclude a required street or accessway connection.
  2. Minimum dedicated width: 15 feet
  3. Minimum improved width: 10 feet
  4. Maximum length: 250 feet with a clear line of vision for the entire length of the accessway.
  5. When an accessway is in excess of 100 feet in length, then pedestrian scale lighting fixtures shall be provided along the accessways and lighted to a level where the accessways can be used at night.
  6. The accessway shall be designed to prohibit motor vehicle traffic.
  7. The accessway shall be maintained by a homeowners association or other mechanism acceptable to the City.
5. Park Requirements for Residential Subdivisions. Subdivisions shall provide for public parks by one of the following methods:
  1. Dedication - The dedication of park land shall be subject to the following:
    1. Area: Land shall be dedicated at an area equal to one acre per 100 potential residents. For the purposes of this section, the potential

residential population shall be computed at the rate of 3.25 persons for each potential unit for single family homes and duplexes; and, 2.75 persons for each potential unit for multiple family homes.

2. Location: The location of any dedicated park land shall be determined by the Planning Commission, consistent with the guidelines in the Comprehensive Plan or in a Master Parks Plan adopted by the City Council.
2. Financial Contribution - If the Planning Commission determines there is no need for park land in this location, or, there is no suitable location on the subject property for a public park, the developer shall contribute toward a City park fund an amount equivalent to the amount of land that would have been required in item 1. above. The financial contribution shall be subject to the following:
  1. Appraisal Requirements: Market value shall be established by a professional land appraiser who is a member of the American Institute of Real Estate Appraisers or is certified by the State of Oregon as a certified appraiser. A date which is within 60 days of the final approval of the tentative plan shall be used for the purpose of fixing value.
  2. Responsibility: The City shall be responsible for securing the services of a professional appraiser. The selected individual shall be acceptable to both the City and the developer.
  3. Annexation: If the property is subject to an annexation, the appraisal shall always be determined on a date subsequent to the parcel's annexation to the City.
  4. Payment Schedule: The sum of money established by this procedure shall be paid to the City prior to the approval and recording of the final plat.
6. Small-Scale Subdivisions (*Added by Ordinance #541, 6/03/02 - Effective 07/03/02*)

In addition to the standards contained in Section 3.2.207.04.A to E, the following standard shall apply to those subdivisions containing no more than ten (10) lots and that do not exceed 2 acres in size.

1. Lots. Lots shall comply with the dimension requirements of the underlying zone and the design provisions contained elsewhere in Section 7.2.307.
2. Facilities. All sewer, water and storm water facilities shall be designed and constructed to comply with adopted Public Works Standards.
3. Streets. All streets shall be dedicated to the public and constructed to adopted Public Works Standards. Streets shall contain the following minimum improvements:
  1. Right-of-Way: 35 feet.
  2. Surfacing Width: 27-feet, curb-to-curb. This width shall provide for two travel lanes at 10-feet each and a 7-foot parking lane on one side.
  3. Curbs/Sidewalks. Curbs shall be located on both sides of the surfaced width and a sidewalk shall be required on at least one side of the street.
  4. Cul-de-sacs. Streets designed as cul-de-sacs shall comply with standards contained in Section 7.2.302.04.
4. Design Limitations. Provisions in this section shall not apply if the proposed development has the potential to exceed ten lots or contain more than two acres.



**RESPONSE:** Applicant is not proposing a subdivision. Criteria does not apply.

7.2.307.05 Improvement Requirements - Partitions

During the review of partition proposals, the City shall require, as a condition of approval, the following improvements:

1. Private Access. Where included, private driveways serving flag lots, or private streets, shall be surfaced per the requirements of this Code.
2. Street Frontage Improvements. The following improvements shall be required:
  1. If the street frontage of the subject property is less than or equal to 250 feet, the applicant shall sign a non-remonstrance agreement with the City of Dayton. This agreement shall stipulate that the applicant or future property owner will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary sewer facilities. The agreement shall be recorded at the County Clerk's Office at the time of the recording of the final plat.

**RESPONSE:** The applicant has included an example of a non-remonstrance agreement. The city engineer will need to send a form for applicant to complete and record.

2. If the street frontage of the subject property exceeds 250 feet, or extends and existing dedicated right-of-way, the applicant shall improve the following:
  1. Public streets upon which the property fronts to public standards, including: surfacing from center line to curb, installation of curbing, storm sewers, sanitary sewers, water lines and other necessary public utilities per approved master plans. Where a master plan has not been adopted, the developer shall enter into a non-remonstrance agreement consistent with item B.1., above.
  2. Sidewalks, meeting City standards, along public street frontage.
  3. The installation of storm sewers, sanitary sewers, water lines and other utilities necessary to serve lots accessing off of the new street.

**RESPONSE:** Frontage does not exceed 250 feet.

3. Public Facilities. Prior to recording the final partition plat, the developer shall submit engineering plans to the City for review. The plans shall address the required improvements contained in Section 7.2.301, and any conditions of approval, and shall conform with City Public Works Design Standards. The plans shall be approved prior to the recording of the final partition plat.

**RESPONSE:** Applicant acknowledges the above criteria.

4. Completion Requirements. All required improvements shall be completed prior to the issuance of any building permits for the subject property. Alternatively, improvements

required under this Section may be assured through a performance bond or other instrument acceptable to the City prior to the approval of the final plat of the partition.

**RESPONSE:** Applicant acknowledges the above criteria.

7.2.307.06 Improvement Requirements - Subdivisions

The following improvements shall be required for all subdivisions:

1. Frontage Improvements. Street improvements to full City Standards shall be required for all public streets on which a proposed subdivision fronts in accordance with Section 2.302 of this Code. Such improvements shall be designed to match with existing improved surfaces for a reasonable distance beyond the frontage of the property. Additional frontage improvements shall include: sidewalks, curbing, storm sewer, sanitary sewer, water lines, other public utilities as necessary, and such other improvements as the City shall determine to be reasonably necessary to serve the development or the immediate neighborhood.
2. Project Streets. All public or private streets within the subdivision shall be constructed as required by the provisions of Section 2.302.
3. Monuments. Upon completion of street improvements, centerline monuments shall be established and protected in monument boxes pursuant to ORS Chapter 92.
4. Bench Marks. Elevation bench marks shall be set at intervals established by the City Engineer. The bench marks shall consist of a cap set in a curb or other immovable structure.
5. Surface Drainage and Storm Sewer System. Drainage facilities shall be provided within the subdivision and to connect the subdivision drainage to drainage-ways or to storm sewers outside the subdivision. Design of drainage within the subdivision shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the subdivision and to allow extension of the system to serve such areas.
6. Sanitary Sewers. Sanitary sewer shall be installed to serve the subdivision and to connect the subdivision to existing mains both on and off the property being subdivided.

If the required sewer facilities will, without further sewer construction, directly serve property outside the subdivision, the Commission may recommend to the City Council construction as an assessment project with such arrangement with the sub-divider as is equitable to assure financing the sub-divider's share of the construction.

The City may require that the sub-divider construct sewage lines of a size in excess of that necessary to adequately service the development in question, where such facilities are or will be necessary to serve the entire area within which the development is located when the area is ultimately developed. The City may also require that the construction take place as an assessment project with such arrangement with the sub-divider as is desirable to assure his share of the construction.

7. Water System. Water lines with valves and fire hydrants serving the subdivision and connecting the subdivision to the City mains shall be installed. The design shall take into account provisions for extension beyond the subdivision to adequately grid the City system and to serve the area within which the development is located when the area is ultimately developed. However, the City will not expect the developer to pay for the extra pipe material cost of mains exceeding ten inches in size.
8. Sidewalks. Sidewalks shall be installed along both sides of each public street and in any pedestrian ways within the subdivision. The City may defer sidewalk construction until the dwellings or structures fronting the sidewalk are constructed. Any required off-site sidewalks (e.g. pedestrian walkways) or sidewalks fronting public property shall not be deferred.
9. Street Lights. The installation of street lights is required at locations and of a type required by City standards.
10. Street Signs. The installation of street name signs and traffic control signs is required at locations determined to be appropriate by the City and shall be of a type required by City standards. Street signs shall be installed prior to obtaining building permits.
11. Public Works Requirements. Facility improvements shall conform to the requirements and specifications of the Dayton Public Works Department.
12. Curb Cuts. Curb cuts and driveway installations, excluding common drives, are not required of the sub-divider, but if installed, shall be according to the City standards.
13. Financial Requirements. All improvements required under this Section shall be completed to City standards or assured through a performance bond or other instrument acceptable to the City Attorney, prior to the approval of the Final Plat of the subdivision.

**RESPONSE:** Applicant is not proposing a subdivision. The above criteria does not pertain to the applicant.

#### 7.2.307.07 Improvement Procedures

In addition to other requirements, improvements installed by a developer for any land division, either as a requirement of these regulations or at his own option, shall conform to the requirements of this Code and improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedure:

1. Plan Review. Improvement work shall not commence until plans have been checked for adequacy and approved by the City. Plans shall be prepared in accordance with requirements of the City.
2. Notification. Improvement work shall not commence until the City has been notified in advance; and, if work has been discontinued for any reason, it shall not be resumed until the City has been notified.
3. Inspection. Improvements shall be constructed under the inspection and to the satisfaction of the City Engineer and 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 to warrant the change.
4. Underground Facilities. All underground utilities, sanitary sewers, and storm drains installed in streets by the developer shall be constructed prior to the surfacing of the



streets. Stubs for service connections for underground utilities and sanitary sewers shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

5. Final Engineering Plans. Upon completion of the public improvements and prior to final acceptance of the improvements by the City, the developer shall provide certified as-built drawings of all public utility improvements to the City. As-built conditions and information shall be reflected on one set of mylar based as-built drawings. The as-built drawings shall be submitted to the City Engineer by the Developer's engineer.

**RESPONSE:** Applicant acknowledges the above criteria.

#### 7.2.307.08 Land Division Design Requirements

Development and improvements associated with land divisions shall comply with the applicable provisions of this Code. The following includes referenced items and applicable requirements:

1. Street Improvements. Streets, including public streets, private streets, and private access driveways shall be improved per requirements contained in Section 7.2.302. Requirements in Section 7.2.307.04.F., shall apply to small-scale subdivisions.
2. Street Frontage Improvements. Frontage improvements for partitions shall be subject to provisions in Section 7.2.307.05; for subdivisions, applicable street improvement provisions in Section 7.2.302 shall apply.
3. Storm Drainage. Storm drainage improvements shall be subject to provisions in Section 7.2.304.
4. Sanitary Sewer Facilities. Sanitary sewer facilities shall be subject to provisions in Section 7.2.305.
5. Water Facilities. Water facility improvements shall be subject to provisions in Section 7.2.305.
6. Utilities General. All utility improvements shall comply with adopted Department of Public Works Standards of the City of Dayton. In addition to the street, storm water, sanitary sewer and water facility provisions noted above, partitions are required to comply with the remaining improvement provisions in Section 7.2.307.05 and subdivisions with Section 7.2.307.06.
7. Parking. The following parking provisions apply:
  1. Public Streets - On-street parking on public streets shall conform to applicable right-of-way improvements contained in Section 7.2.302.
  2. Private Streets - Land divisions involving private streets shall comply with parking provisions in Section 7.2.307.07.
  3. Lots or Parcels - Off-street parking requirements for individual lots shall comply with provisions in Section 7.2.303.

**RESPONSE:** Applicant acknowledges the above criteria.

#### 7.3.101.01 Type I Action

Type I actions are administrative reviews processed by the City staff. The review standards are generally clear and objective and allow little or no discretion. Conditions

may be placed on the decision and notice is sent to the applicant and property owners within the required notice area. Appeal is to the Planning Commission. The following actions are processed under the Type I procedure:

A. Minor Variance

B. Property Line Adjustment

C. Partitions

D. Historic Exterior Alteration or New Construction (unless determined to require a Type II procedure by the City Manager) *(Added by Ordinance 600, effective 11/4/10)*

**RESPONSE:** Applicant acknowledges the above criteria.





## CRITERIA RESPONSE Middle Housing

As used in this section, “middle housing land division” means a partition or subdivision of a lot or parcel on which the development of middle housing is allowed under ORS 197A.420 (Duplexes) (2) or (3).

A city or county shall approve a tentative plan for a middle housing land division if the application includes:

(a) A proposal for development of middle housing in compliance with the Oregon residential specialty code and land use regulations applicable to the original lot or parcel allowed under ORS 197A.420 (Duplexes) (5);

(b) Separate utilities for each dwelling unit;

(c) Proposed easements necessary for each dwelling unit on the plan for:

(A) Locating, accessing, replacing and servicing all utilities;

(B) Pedestrian access from each dwelling unit to a private or public road;

(C) Any common use areas or shared building elements;

(D) Any dedicated driveways or parking; **and**

(E) Any dedicated common area;

(d) Exactly one dwelling unit on each resulting lot or parcel, except for lots, parcels or tracts used as common areas; **and**

(e) Evidence demonstrating how buildings or structures on a resulting lot or parcel will comply with applicable building codes provisions relating to new property lines and, notwithstanding the creation of new lots or parcels, how structures or buildings located on the newly created lots or parcels will comply with the Oregon residential specialty code.

(3)A city or county may add conditions to the approval of a tentative plan for a middle housing land division to:

(a)Prohibit the further division of the resulting lots or parcels.

(b)Require that a notation appear on the final plat indicating that the approval was given under this section.

(4)In reviewing an application for a middle housing land division, a city or county:

(a)Shall apply the procedures under ORS 197.360 (“Expedited land division” defined) to 197.380 (Application fees).

(b)May require street frontage improvements where a resulting lot or parcel abuts the street consistent with land use regulations implementing ORS 197A.420 (Duplexes).

(c)May not subject an application to approval criteria except as provided in this section, including that a lot or parcel require driveways, vehicle access, parking or minimum or maximum street frontage.

(d)May not subject the application to procedures, ordinances or regulations adopted under ORS 92.044 (Adoption of standards and procedures governing approval of plats and plans) or 92.046 (Adoption of regulations governing approval of partitioning of land) that are inconsistent with this section or ORS 197.360 (“Expedited land division” defined) to 197.380 (Application fees).

(e)May allow the submission of an application for a middle housing land division at the same time as the submission of an application for building permits for the middle housing.

(f)May require the dedication of right of way if the original parcel did not previously provide a dedication.

(5)The type of middle housing developed on the original parcel is not altered by a middle housing land division.

(6)Notwithstanding ORS 197A.425 (Accessory dwelling units) (1), a city or county is not required to allow an accessory dwelling unit on a lot or parcel resulting from a middle housing land division.

(7)The tentative approval of a middle housing land division is void if and only if a final subdivision or partition plat is not approved within three years of the tentative approval. Nothing in this section or ORS 197.360 (“Expedited land division” defined) to 197.380 (Application fees) prohibits a city or county from requiring a final plat before issuing building permits. [2021 c.103 §2]

**RESPONSES:** The applicant acknowledges the criteria for middle housing. Applicant proposes a duplex connected by a storage unit at the garages (updated plans to come). Please see preliminary site plan and preliminary utility plan included herein.



## **CRITERIA RESPONSE R-2**

### **7.2.103.01 Purpose**

The R-2 zone is intended to provide single family homes, middle housing, and multiple family development on lots at an intermediate density. Other uses compatible with residential development are also appropriate. R-2 zones are located in areas designated Residential in the Comprehensive Plan.

### **7.2.103.02 Permitted Uses**

The following uses are permitted in the R-2 zone when developed under the applicable development standards in the Code:

- A. Single-family dwellings, attached and detached.
- B. Middle housing types, including single room occupancies.
- C. Multiple family development.
- D. Residential care homes and facilities.
- E. Child daycare service, including family daycare provider, for 12 or fewer children.
- F. The following uses, subject to the applicable standards in Section 7.2.4:
  - 1. Accessory structures and uses allowed in Section 7.2.203 and subject to the provisions in Section 7.2.309.
  - 2. Accessory dwelling units - Section 7.2.402.
  - 3. Attached dwelling units - Section 7.2.403.
  - 4. Manufactured homes on individual lots - Section 7.2.404.
  - 5. Manufactured home parks according to Section 7.2.405 with Site Development Review.
  - 6. Home occupations - Section 7.2.406.

7. Short-term rentals- Section 7.2.417.

**RESPONSE:** Applicant proposes A. single family dwelling detached and B. Middle Housing

**7.2.103.04 Conditional Uses**

The following uses require approval of a Conditional Use Permit and are subject to a Site Development Review:

- A. Public or private elementary schools.
- B. Public parks, playgrounds, community clubs including swimming, tennis and similar recreational facilities, and other public and semi-public uses.
- C. Child day-care services for 13 or more children.
- D. House of Worship and the reasonable use of the real property for activities customarily associated with the practices of the religious activity, including but not limited to the uses set forth in Section 7.2.407.
- E. Assisted living centers, nursing homes and similar institutions. These facilities are subject to the development provision for multiple family residential development.
- F. Small wind energy systems, subject to the provisions in Section 7.2.413.

**RESPONSE:** The above criteria does not apply to the applicant.

**7.2.103.05 Dimensional Standards**

- A. Minimum Lot Dimension and Height Requirements.

<b>DIMENSION</b>	Detached single family middle housing, multiple family and manufactured home parks	Attached Single Family (Townhomes)	Non-Residential
Lot Size	6000 sq. ft.	3500 sq. ft.	9000 sq. ft.
Lot Width	50 feet	25 feet	50 feet
Lot Depth	80 feet	80 feet	80 feet

Maximum Height	35 feet
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1. Multiple family development and manufactured home parks must comply with the density standard in Section 7.2.103.06.

**B. Minimum Yard Setback Requirements**

<b>SETBACKS</b>	Single Family, and middle housing.	Multiple family	Non-Residential
Front	15 feet	15 feet	20 feet
Side	5feet(1)	10 feet	10 feet
Rear	15 feet	15 feet	20 feet
Street-side	15 feet	15 feet	20 feet
Garage (4)	20 feet	20 feet	N/A

1. Zero side yard dwelling units are subject to the setback provisions in Section 7.2.404.
2. The garage setback shall be measured from the property line or the edge of a private access easement. The length of the driveway shall be determined by measuring along the centerline of the driveway.
3. See Sections 7.2.308.06.C and 7.2.308.07.E for standards that apply to decks and patios.

**RESPONSE:** Applicant proposed property (with middle housing) and the proposed setbacks (with middle housing) meet the above criteria.

**7.2.103.06 Development Standards**

All development in the R-2 Zone shall comply with the following development requirements:

- A. Off street Parking: Parking shall be as specified in Section 7.2.303.

**RESPONSE:** The above criteria does not apply to the applicant.

- B. Yards and Lots: Yards and lots shall conform to the standards of Section 7.2.308.

**RESPONSE:** Applicant acknowledged the above criteria.

- C. Site Development Review: Manufactured home parks, multiple-family residential development and non-residential uses shall require a Site Development Review, pursuant to Section 7.3.1.

**RESPONSE:** The above criteria does not apply to the applicant.

- D. Lot Coverage: The maximum coverage allowed for buildings, accessory structures and paved parking shall be 70% of the site.

**RESPONSE:** Applicant acknowledged the above criteria.

- E. Landscaping: Undeveloped areas of the property shall be landscaped, including all required yards. Landscaping shall be provided pursuant to requirements in Section 7.2.306. Multiple family developments shall comply with provisions in Section 7.2.306.06.

**RESPONSE:** Applicant acknowledged the above criteria.

- F. Density: The following density provisions shall apply:
1. Land divisions shall be required to provide a minimum of 5 lots per net acre and a maximum density of 7 lots per net acre.
  2. Manufactured home parks and multiple-family development: The minimum density shall be 6 units per net acre and; the maximum density shall be 12 units per net acre.

**RESPONSE:** The above criteria does not apply to the applicant.

- G. Redevelopment Plan: A redevelopment plan shall be required to place a single-family home, duplex or single room occupancy on a parcel containing more than 1 acre. This plan shall be approved by the City prior to the issuance of a building permit. The following shall apply:
1. The redevelopment plan shall indicate how the remaining undeveloped portion of the property can be developed at a density consistent with the requirements of the R-2 zone.
  2. The plan may be revised or modified at the time of development provided the revised plan complies with the density requirement of the R-2 zone.

**RESPONSE:** The above criteria does not apply to the applicant.



**First American Title™**

**First American Title Insurance Company**

775 NE Evans Street  
McMinnville, OR 97128  
Phn - (503)376-7363  
Fax - (866)800-7294

Order No.: 1032-4267629  
May 07, 2025

**FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:**

KATIE OLHEISER, Escrow Officer/Closer  
Phone: (503)538-7361 - Fax: (866)800-7290 - Email: kolheiser@firstam.com  
First American Title Insurance Company  
515 E Hancock, Newberg, OR 97132

**FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:**

Clayton Carter, Title Officer  
Phone: (503)376-7363 - Fax: (866)800-7294 - Email: ctcarter@firstam.com

**Preliminary Title Report**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

Please be advised that any provision contained in this document, or in a document that is attached, linked or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

**County Tax Roll Situs Address:** 120 Alder Street, Dayton, OR 97114

2021 ALTA Owners Standard Coverage	Liability \$	235,000.00	Premium \$	788.00
2021 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2021 ALTA Lenders Extended Coverage	Liability \$	224,000.00	Premium \$	328.00
Endorsement 9.10, 22 & 8.1			Premium \$	100.00
Govt Service Charge			Cost \$	25.00
Other			Cost \$	

**Proposed Insured Lender: Lender To Be Determined**

**Proposed Borrower: Del Boca Vista LLC**

We are prepared to issue Title Insurance Policy or Policies of First American Title Insurance Company, a Nebraska Corporation in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of April 28, 2025 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

The heirs and devisees of Vera E. Ayers, deceased



Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

**The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.**

**In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:**

- A. Survey or alternative acceptable to the company
  - B. Affidavit regarding possession
  - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
    - i. Satisfactory evidence that no construction liens will be filed; or
    - ii. Adequate security to protect against actual or potential construction liens;
    - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Water rights, claims or title to water, whether or not shown by the public record.
  7. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.
  8. The county tax roll discloses a mobile home on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.
  9. City liens, if any, of the City of Dayton.  
Note: An inquiry has been directed to the City Clerk and subsequent advice will follow concerning the actual status of such liens.

10. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
11. Unrecorded leases or periodic tenancies, if any.
12. Due Probate and Administration of the Estate of Vera E. Ayers, deceased, Probate No. 25PB01479, which proceedings are pending in the Circuit Court/Superior Court for Yamhill County. Kevin B. Ayers was appointed as Personal Representative and has power to execute the forthcoming conveyance. Attorney for Estate, David R Duncan.
13. Claims, including taxes, against the Estate of Vera E. Ayers, deceased, Case No. 25PB01479, now pending.
14. With respect to Del Boca Vista LLC:
  - a. A copy of its operating agreement or similar document and any amendments thereto;
  - b. A official copy of its articles of organization or similar incorporation document and any corrections, amendments or restatements thereto;
  - c. Evidence that the limited liability company is properly formed and is in good standing in the state of its domicile;
  - d. Other requirements which the Company may impose following its review of the material required herein and other information which the Company may require.

- END OF EXCEPTIONS -

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

NOTE: We find no matters of public record against Del Boca Vista LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount:	\$1,639.44
Map No.:	R4316CB 00900
Property ID:	<a href="#">113228</a>
Tax Code No.:	8.0

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount:	\$557.37
Map No.:	M00254146
Property ID:	<a href="#">468844</a>
Tax Code No.:	8.0

(Affects Mobile Home)

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.

Situs Address as disclosed on Yamhill County Tax Roll:

120 Alder Street, Dayton, OR 97114

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!**  
**WE KNOW YOU HAVE A CHOICE!**

**RECORDING INFORMATION**

Filing Address: **Yamhill County**  
777 Commercial Street SE, Suite 100  
Salem, OR 97301

Recording Fees: \$ **81.00** for the first page  
\$ **5.00** for each additional page

cc: Del Boca Vista LLC

cc: Kevin Ayers

cc: Lender To Be Determined

,  
cc: Seana Camden, Real Broker, LLC  
2175 NW Raleigh Street, Suite 110, Portland, OR 97210

cc: Chandler Willcuts, Willcuts Company Realtors  
600 E. 2nd Street, Newberg, OR 97132

**Exhibit "A"**

Real property in the County of Yamhill, State of Oregon, described as follows:

Lot 120 and that part of Lot 119 that is Southwesterly of a line drawn parallel to and 20 feet Southwesterly from the boundary between Lots 118 and 119, TOWN OF DAYTON, Yamhill County, Oregon.

EXCEPTING THEREFROM that portion of Lot 120, conveyed to Steven D. Edwards and Glenda R. Edwards, by deed recorded March 27, 1978 in Film Volume 127, Page 1628, Deed and Mortgage Records.



## **First American Title Insurance Company**

### **SCHEDULE OF EXCLUSIONS FROM COVERAGE**

#### **ALTA LOAN POLICY (07/01/21)**

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement erected on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury law or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 13.b.
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

#### **ALTA OWNER'S POLICY (07/01/21)**

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.  
Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
  - e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

**SCHEDULE OF STANDARD EXCEPTIONS**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

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NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

Rev. 07-01-21



## Privacy Notice

**Effective:** October 1, 2019

**Notice Last Updated:** January 1, 2022

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information with the exception that a subsidiary or affiliate has their own privacy policy, that policy governs. This Privacy Notice applies to information we receive from you offline only, as well as from third parties, when you interact with us and/or use and access our services and products ("Products"). For more information about our privacy practices, including our online practices, please visit <https://www.firstam.com/privacy-policy/>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

**What Type Of Information Do We Collect About You?** We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Collect Your Information?** We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

**How Do We Use Your Information?** We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Share Your Information?** We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

**How Do We Store and Protect Your Information?** The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

**How Long Do We Keep Your Information?** We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

**Your Choices** We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

**International Jurisdictions:** Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

**Contact Us** [dataprivacy@firstam.com](mailto:dataprivacy@firstam.com) or toll free at 1-866-718-0097.



## **For California Residents**

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

**Right to Know.** You have a right to request that we disclose the following information to you: (1) the categories of personal information we have collected about or from you; (2) the categories of sources from which the personal information was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your personal information; and (5) the specific pieces of your personal information we have collected. To submit a verified request for this information, go to our online privacy policy at [www.firstam.com/privacy-policy](http://www.firstam.com/privacy-policy) to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at [www.firstam.com/privacy-policy](http://www.firstam.com/privacy-policy) to submit your request or by calling toll-free at 1-866-718-0097

**Right of Deletion.** You also have a right to request that we delete the personal information we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at [www.firstam.com/privacy-policy](http://www.firstam.com/privacy-policy) to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at [www.firstam.com/privacy-policy](http://www.firstam.com/privacy-policy) to submit your request or by calling toll-free at 1-866-718-0097.

**Verification Process.** For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

**Notice of Sale.** We do not sell California resident information, nor have we sold California resident information in the past 12 months. To the extent any First American affiliated entity has a different practice, it will be stated in the applicable privacy policy. We have no actual knowledge of selling the information of minors under the age of 16.

**Right of Non-Discrimination.** You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

**Notice of Collection.** To learn more about the categories of personal information we have collected about California residents over the last 12 months, please see "What Information Do We Collect About You" in <https://www.firstam.com/privacy-policy>. To learn about the sources from which we have collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.

**Notice of Sale.** We have not sold the personal information of California residents in the past 12 months.

**Notice of Disclosure.** To learn more about the categories of personal information we may have disclosed about California residents in the past 12 months, please see "How Do We Use Your Information" and "How Do We Share Your Information" in <https://www.firstam.com/privacy-policy>.





First American Title

R4316CB 00900  
120 Alder St  
Dayton, OR 97114



## Taxlot



Subject



Taxlot

5/5/2025

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**First American Title™**

**First American Title Insurance Company**

775 NE Evans Street  
McMinnville, OR 97128  
Phn - (503)376-7363  
Fax - (866)800-7294

## **PUBLIC RECORD REPORT FOR NEW SUBDIVISION OR LAND PARTITION**

THIS REPORT IS ISSUED BY THE ABOVE-NAMED COMPANY ("THE COMPANY") FOR THE EXCLUSIVE USE OF:

Del Boca Vista LLC  
111 N College Street  
Newberg, OR 97132  
Phone: (971)706-2058  
Fax:

Date Prepared : June 06, 2025  
Effective Date : 8:00 A.M on May 29, 2025  
Order No. : 1039-4277484  
Subdivision :

THIS IS NOT a title report since no examination has been made of the title to the above-described property. Our search for apparent encumbrances was limited to our tract Indices and therefore does not include additional matters which might have been disclosed by an examination of the record title, such as pending litigation. The charge for this service will not include supplemental reports, rechecks or other services.

### **REPORT**

- A. The Land referred to in this report is located in the County of Yamhill, State of Oregon, and is described as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- B. As of the Effective Date, the tax account and map references pertinent to the Land are as follows:

As fully set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

- C. As of the Effective Date and according to the Public Records, we find title to the land apparently vested in:

As fully set forth on Exhibit "B" attached hereto and by this reference made a part hereof

- D. As of the Effective Date and according to the Public Records, the Land is subject to the following liens and encumbrances, which are not necessarily shown in the order of priority:

As fully set forth on Exhibit "C" attached hereto and by this reference made a part hereof.

**EXHIBIT "A"**  
**(Land Description Map Tax and Account)**

Parcel 1 of Partition Plat 2024-03, recorded January 18, 2024, as Instrument No. [202400381](#), Deed and Mortgage Records, Yamhill County, Oregon.

Map No.: R4317CD 04501

Tax Account No.: [718384](#)

**EXHIBIT "B"**  
**(Vesting)**

[Del Boca Vista LLC, an Oregon Limited Liability Company](#)

**EXHIBIT "C"**  
**(Liens and Encumbrances)**

1. City liens, if any, of the City of Dayton.
2. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
3. Easement for public utilities as delineated on said plat.
4. Notes, easements, covenants and restrictions as depicted on the face of the 2024-03 Partition plat.
5. Restrictive Covenant to Waive Remonstrance, pertaining to Streets, Sidewalks and Public Utility Improvements including the terms and provisions thereof  
Recorded: January 18, 2024, Instrument No. [202400382](#), Deed and Mortgage Records.
6. Deed of Trust and the terms and conditions thereof.  
Grantor/Trustor: Del Boca Vista LLC  
Grantee/Beneficiary: Gary Dixon and Julie Dixon, or the survivor thereof  
Trustee: First American Title  
Amount: \$157,000.00  
Recorded: May 09, 2025  
Recording Information: Instrument No. [202504317](#), Deed and Mortgage Records

NOTE: Taxes for the year 2024-2025 PAID IN FULL

Tax Amount: \$654.35  
Map No.: R4317CD 04501  
Property ID: [718384](#)  
Tax Code No.: 8.0

## DEFINITIONS, CONDITIONS AND STIPULATIONS

1. **Definitions.** The following terms have the stated meaning when used in this report:
  - (a) "Customer": The person or persons named or shown as the addressee of this report.
  - (b) "Effective Date": The effective date stated in this report.
  - (c) "Land": The land specifically described in this report and improvements affixed thereto which by law constitute real property.
  - (d) "Public Records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to the Land.
2. **Liability of the Company.**
  - (a) THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS. AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.
  - (b) No costs (including, without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the Customer.
  - (c) In any event, the Company assumes no liability for loss or damage by reason of the following:
    - (1) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records.
    - (2) Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
    - (3) Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records.
    - (4) Discrepancies, encroachments, shortage in area, conflicts in boundary lines or any other facts which a survey would disclose.
    - (5) (i) Unpatented mining claims; (ii) reservations or exceptions in patents or in Acts authorizing the issuance thereof, (iii) water rights or claims or title to water.
    - (6) Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
    - (7) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use or enjoyment on the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (8) Any governmental police power not excluded by 2(d)(7) above, except to the extent that notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the Public Records at the effective date hereof.
    - (9) Defects, liens, encumbrances, adverse claims or other matters created, suffered, assumed, agreed to or actually known by the Customer.
3. **Charge.** The charge for this report does not include supplemental reports, updates or other additional services of the Company.



*First American Title*™

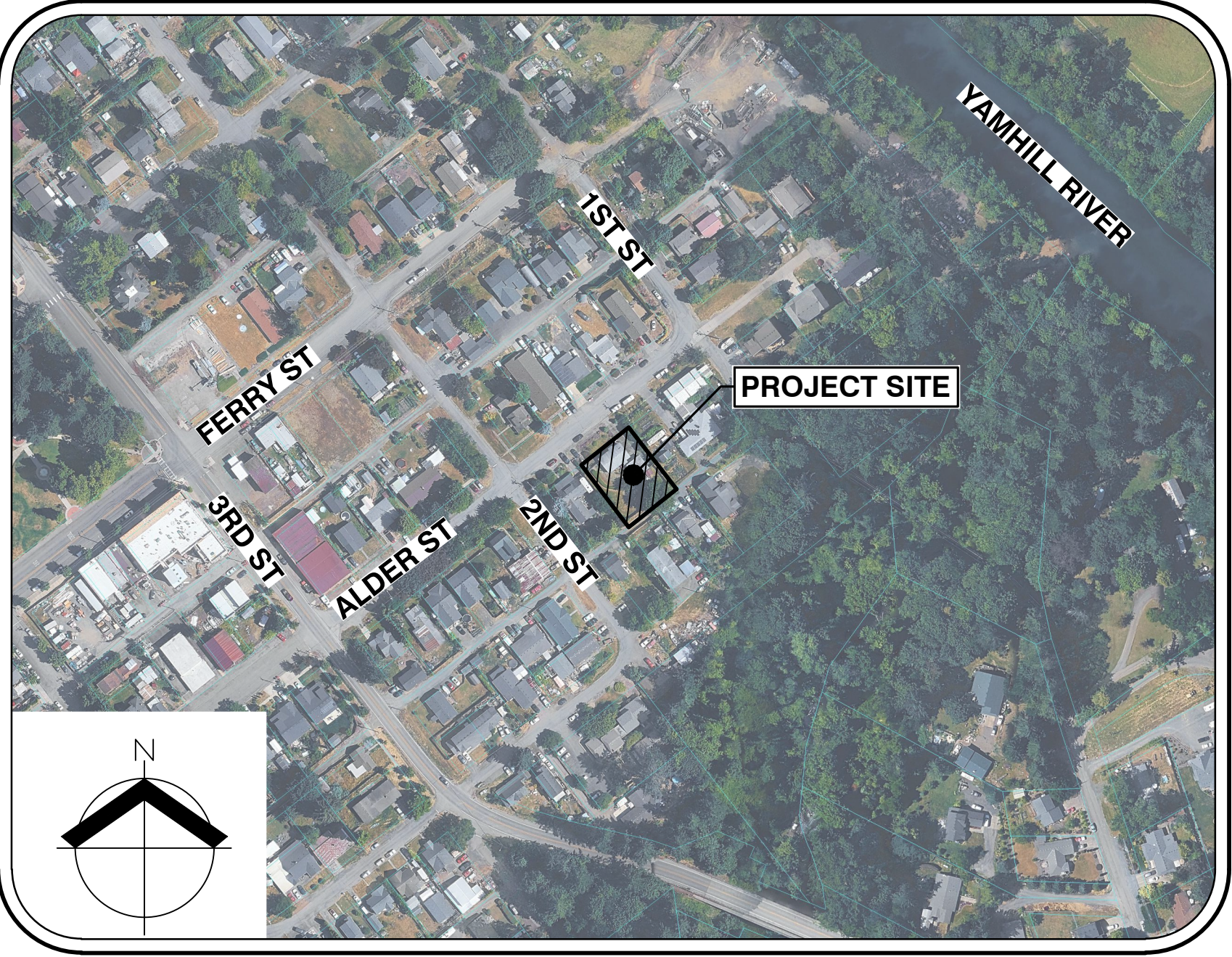
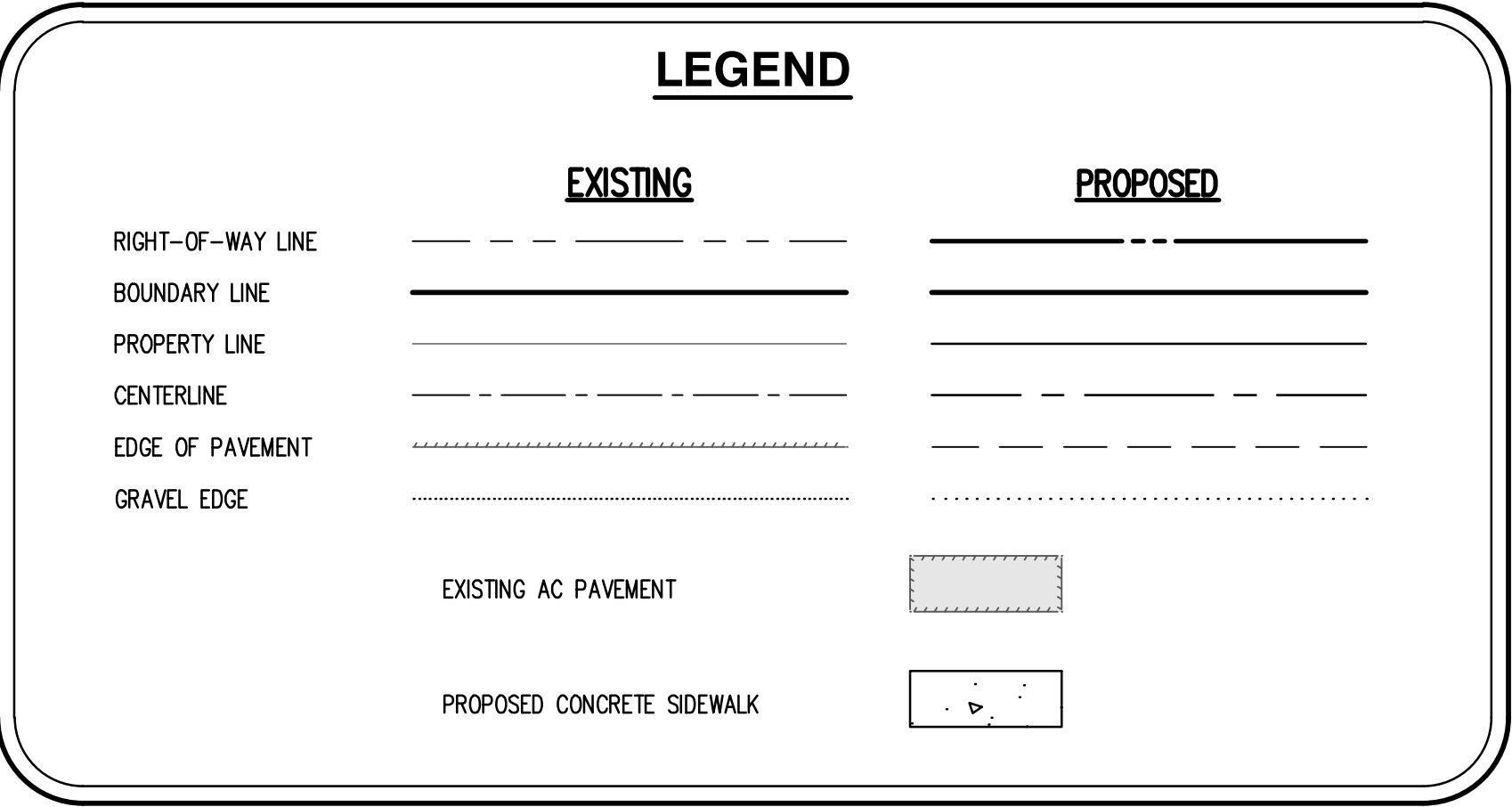
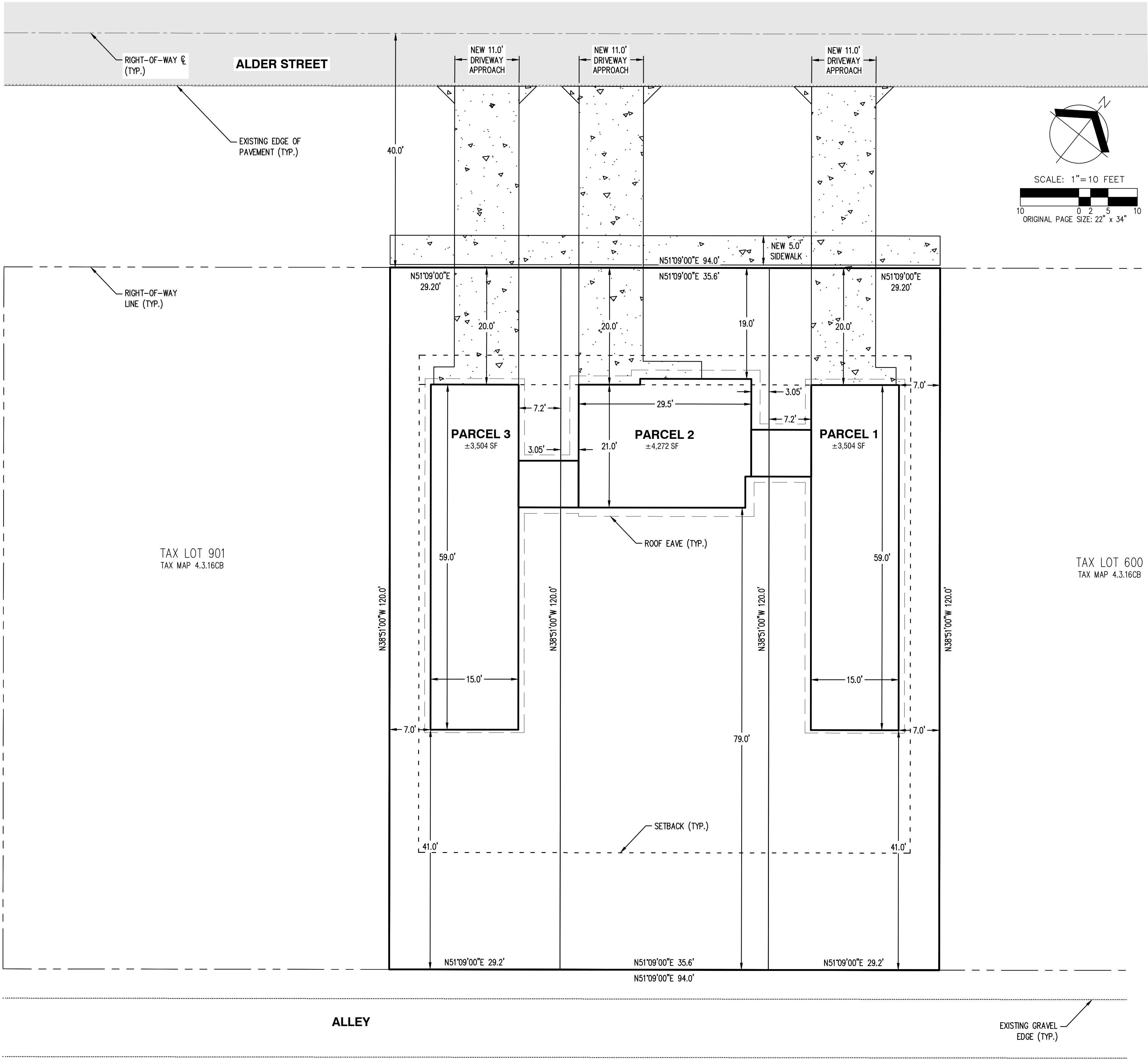
First American Title Insurance Company  
775 NE Evans Street  
McMinnville, OR 97128

### **Illegal Restrictive Covenants**

Please be advised that any provision contained in this document, or in a document that is attached, linked, or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.



AKS DRAWING FILE: 12565 120 ALDER STREET PRELIMINARY.DWG | LAYOUT: P01



**APPLICANT/OWNER:**

DEL BOCA VISTA, LLC  
111 N. COLLEGE STREET  
NEWBERG, OR 97132

**SITE AREA:**

±0.26 ACRES

**NOTES:**

- EXISTING SANITARY UTILITIES BASED ON CITY OF DAYTON SANITARY SEWER SYSTEM MAP DATED 9/3/2020.
- EXISTING WATER UTILITIES BASED ON CITY OF DAYTON WATER SYSTEM MAP DATED 1/12/2021.
- EXISTING PROPERTY BOUNDARIES AND RIGHT-OF-WAY BASED ON PLAT 6794.
- EXISTING POWER POLE LOCATIONS AND ROAD GEOMETRY BASED ON AERIAL IMAGERY FROM GOOGLE EARTH.

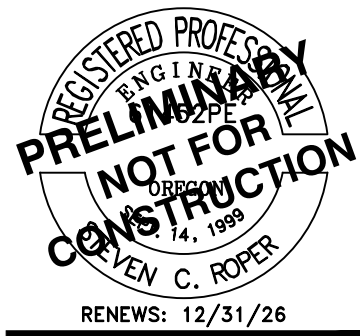
LAND USE DISTRICT AND SETBACKS	
LAND USE DISTRICT	R-2
FRONT YARD TO FRONT BUILDING SETBACK	15'
FRONT YARD TO FRONT GARAGE SETBACK	20'
STREET SIDE YARD SETBACK	15'
SIDE YARD SETBACK*	0/5'
REAR YARD SETBACK	15'

\* MIDDLE HOUSING ZERO SIDE YARD SETBACK.

PARCEL 1	
PARCEL AREA	3,504 SF
BUILDING COVERAGE	943 SF
PERCENTAGE OF COVERAGE	26.9 %
IMPERVIOUS AREA	1,174 SF
PARCEL 2	
PARCEL AREA	4,272 SF
BUILDING COVERAGE	682 SF
PERCENTAGE OF COVERAGE	16.0 %
IMPERVIOUS AREA	932 SF
PARCEL 3	
PARCEL AREA	3,504 SF
BUILDING COVERAGE	943 SF
PERCENTAGE OF COVERAGE	26.9 %
IMPERVIOUS AREA	1,174 SF

**PRELIMINARY SITE PLAN**

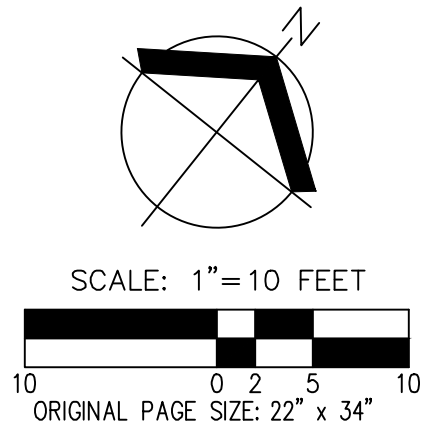
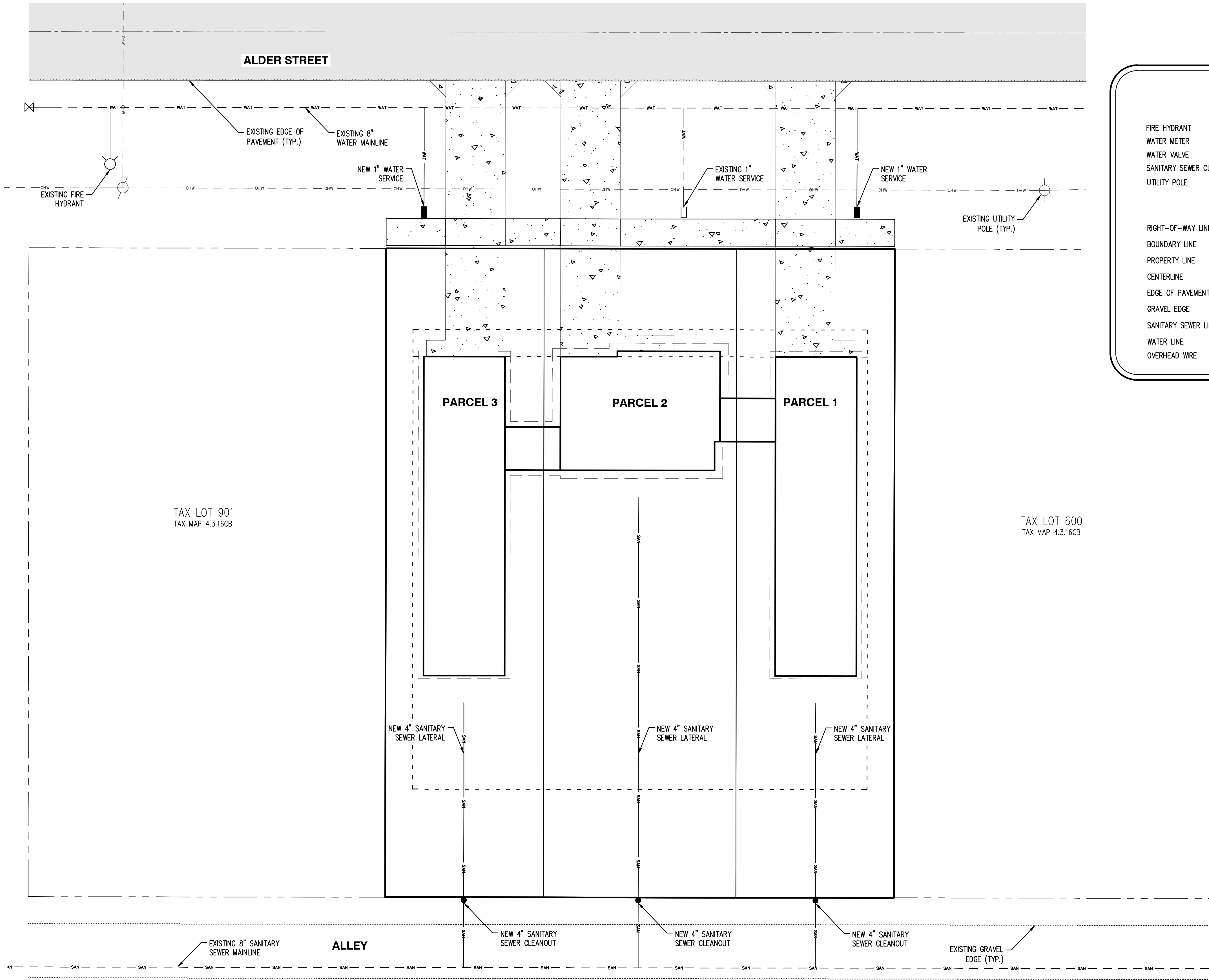
**120 ALDER STREET - TAX LOT 900, TAX MAP 4.3.16CB**  
**DEL BOCA VISTA, LLC**  
**DAYTON, OR**



JOB NUMBER:	12565
DATE:	06/11/2025
DESIGNED BY:	KNU
DRAWN BY:	BE
CHECKED BY:	SR



AKS DRAWING FILE: 12565 120 ALDER STREET PRELIMINARY.DWG | LAYOUT: P02



LEGEND

EXISTING

PROPOSED

FIRE HYDRANT

WATER METER

WATER VALVE

SANITARY SEWER CLEAN OUT

UTILITY POLE

EXISTING

PROPOSED

RIGHT-OF-WAY LINE

BOUNDARY LINE

PROPERTY LINE

CENTERLINE

EDGE OF PAVEMENT

GRAVEL EDGE

SANITARY SEWER LINE

WATER LINE

OVERHEAD WIRE

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PRELIMINARY UTILITY PLAN  
120 ALDER STREET - TAX LOT 900, TAX MAP 4.3.16CB  
DEL BOCA VISTA, LLC  
DAYTON, OR

REGISTERED PROFESSIONAL ENGINEER  
PRELIMINARY  
NOT FOR CONSTRUCTION  
JANUARY 14, 1999  
CORYN C. ROPER

RENEWS: 12/31/26

JOB NUMBER: 12565

DATE: 06/11/2025

DESIGNED BY: KNU

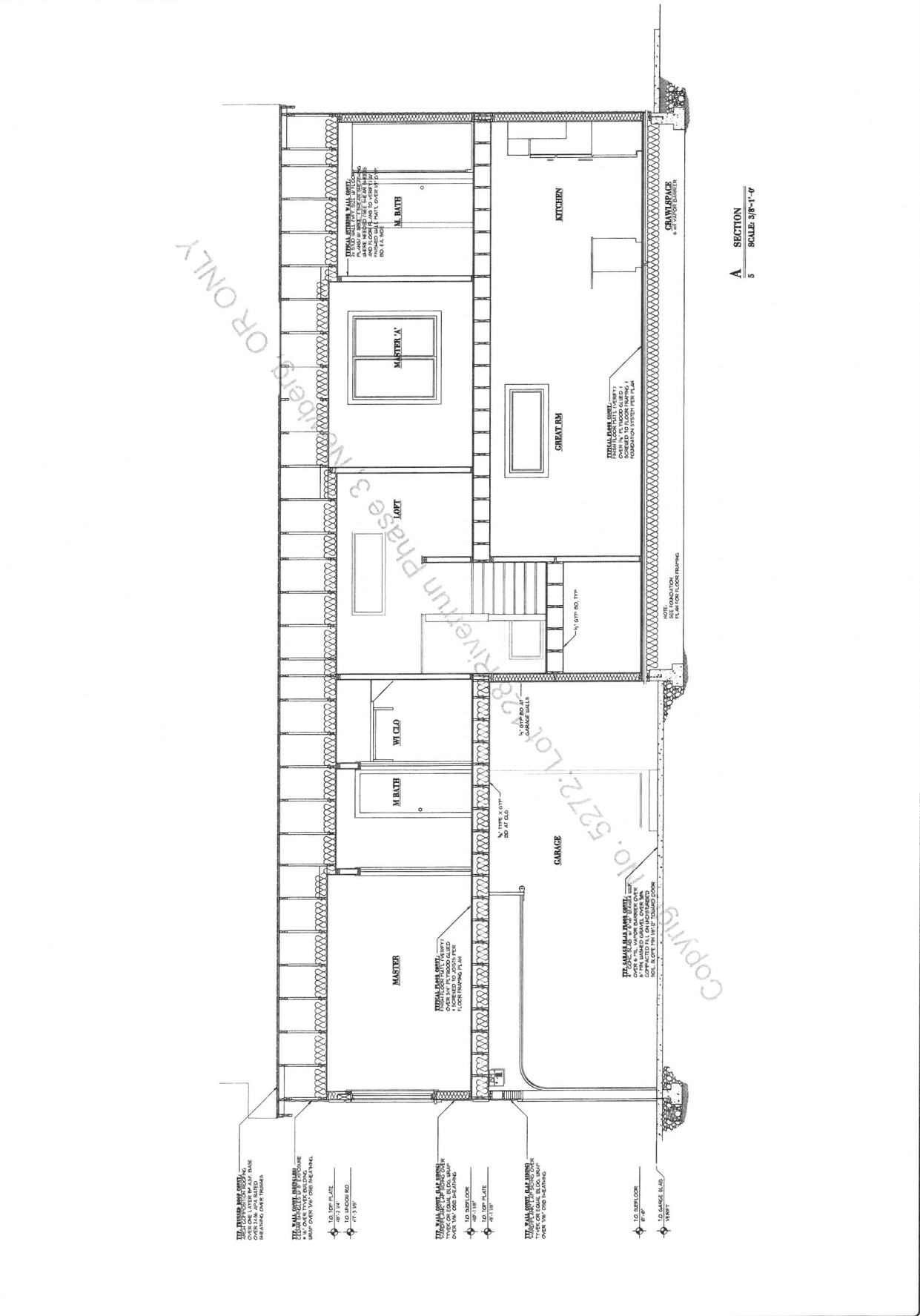
DRAWN BY: BE

CHECKED BY: SR

REAR ELEVATION  
SCALE: 1/4"=1'-0"



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SUNTEL RIVERRUN ROSEMONT (RR128)

SHEAR WALL PLANS

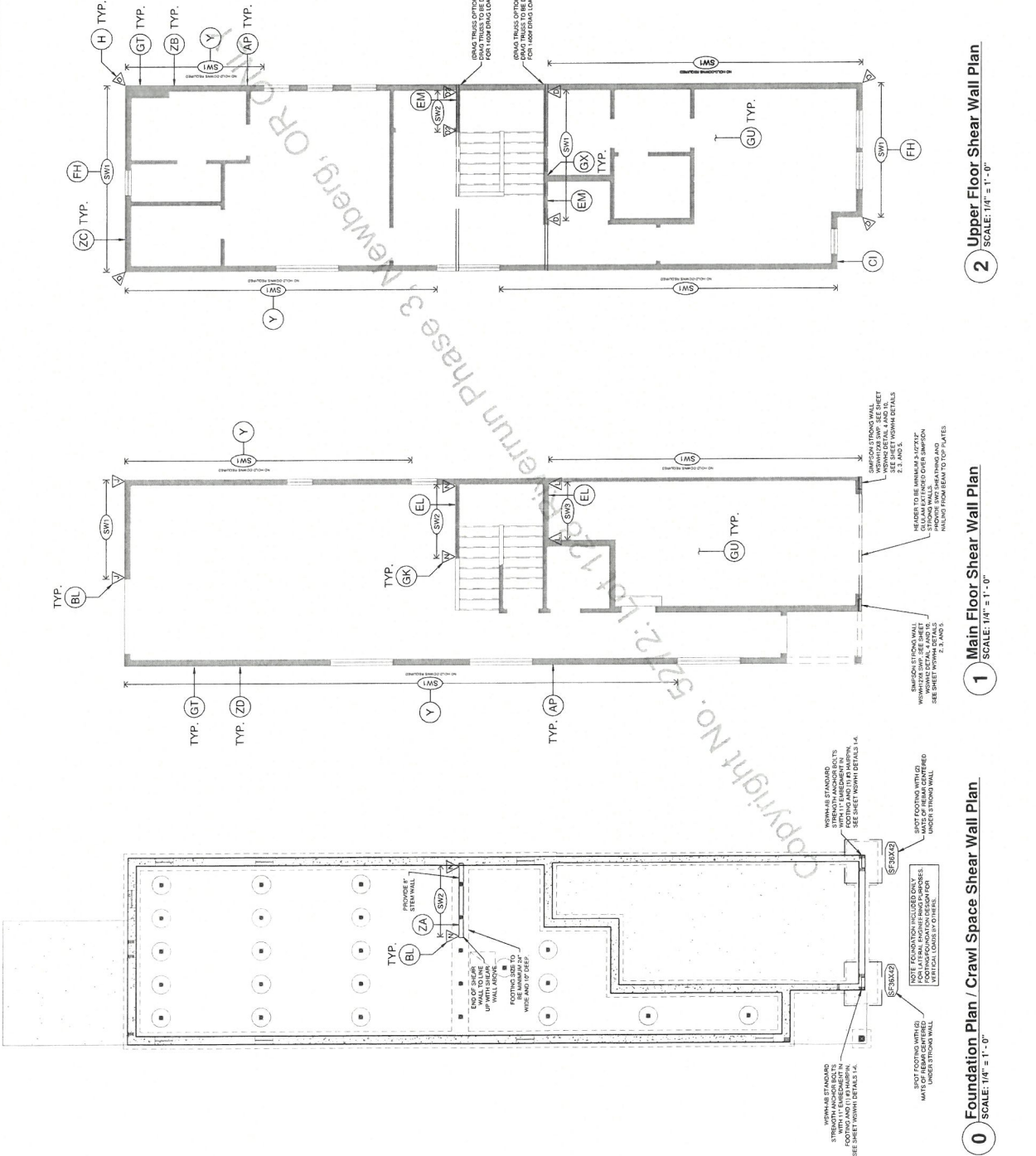
ISSUES / REVISIONS
1. REVISION 1: [Redacted]
2. REVISION 2: [Redacted]
3. REVISION 3: [Redacted]
4. REVISION 4: [Redacted]
5. REVISION 5: [Redacted]
6. REVISION 6: [Redacted]
7. REVISION 7: [Redacted]
8. REVISION 8: [Redacted]
9. REVISION 9: [Redacted]
10. REVISION 10: [Redacted]

S0-0

FOOTING SCHEDULE					
MARK	WIDTH	LENGTH	THICKNESS	REINFORCEMENT	
				TRANSVERSE	LENGTHWISE
SPYB&C	36"	42"	18"	11#4 T & B	50#4 T & B
1. CONTIGUOUS FOOTINGS SHALL BE CASTERED UNDER WALLS AND SPOT FOOTINGS SHALL BE CASTERED UNDER COLUMNS UNLESS NOTED OTHERWISE.					
2. FOOTINGS & FOUNDATIONS, ELEVATIONS, GRADING, AND FILL SHALL COMPLY WITH					

SHEAR WALL SCHEDULE				
WALL	THICKNESS	REINFORCEMENT	WALL TYPE	REMARKS
1.	12"	12#4 @ 12" o.c.	12"	12#4 @ 12" o.c.
2.	12"	12#4 @ 12" o.c.	12"	12#4 @ 12" o.c.
3.	12"	12#4 @ 12" o.c.	12"	12#4 @ 12" o.c.
4.	12"	12#4 @ 12" o.c.	12"	12#4 @ 12" o.c.

HOLD-DOWN SCHEDULE				
NO.	HOLD-DOWN PARTS (1) END (2) END (3) END (4) END (5) END (6) END (7) END (8) END (9) END (10) END (11) END (12) END (13) END (14) END (15) END (16) END (17) END (18) END (19) END (20) END (21) END (22) END (23) END (24) END (25) END (26) END (27) END (28) END (29) END (30) END (31) END (32) END (33) END (34) END (35) END (36) END (37) END (38) END (39) END (40) END (41) END (42) END (43) END (44) END (45) END (46) END (47) END (48) END (49) END (50) END (51) END (52) END (53) END (54) END (55) END (56) END (57) END (58) END (59) END (60) END (61) END (62) END (63) END (64) END (65) END (66) END (67) END (68) END (69) END (70) END (71) END (72) END (73) END (74) END (75) END (76) END (77) END (78) END (79) END (80) END (81) END (82) END (83) END (84) END (85) END (86) END (87) END (88) END (89) END (90) END (91) END (92) END (93) END (94) END (95) END (96) END (97) END (98) END (99) END (100) END	ANCHOR	FLANGE	REINFORCEMENT
1	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
2	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
3	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
4	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
5	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
6	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
7	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
8	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
9	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
10	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
11	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
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18	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
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81	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
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99	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	
100	12" x 12" x 1/2"	12" x 12" x 1/2"	12" x 12" x 1/2"	



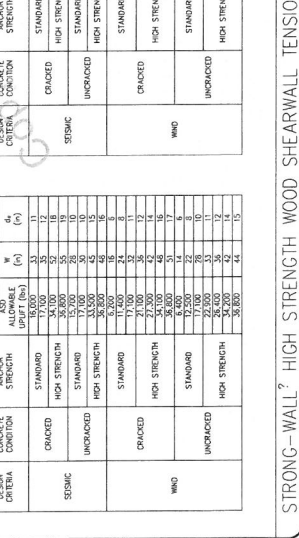
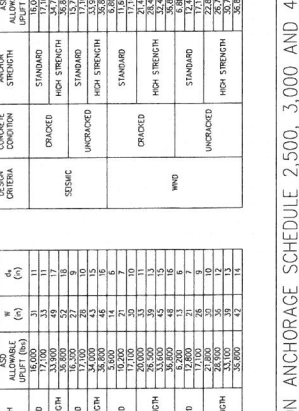
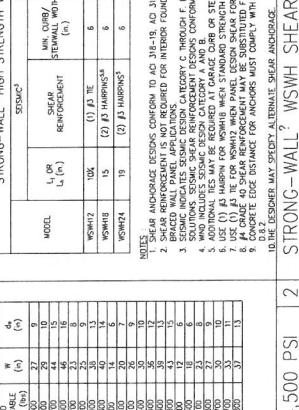
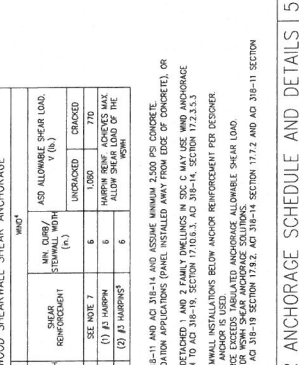
0 Foundation Plan / Crawl Space Shear Wall Plan  
SCALE: 1/4" = 1'-0"

1 Main Floor Shear Wall Plan  
SCALE: 1/4" = 1'-0"

2 Upper Floor Shear Wall Plan  
SCALE: 1/4" = 1'-0"

SHEAR WALL PLANS  
1/4" = 1'-0"

NAME	
DATE	03-26-2021
SCALE	N.T.S.
CHECKED	
SHEET	
WSWH1	
OF	SHEETS
JOB NO.	







**STRONG-WALL® WSWH**  
PORTAL SYSTEM  
FRAMING DETAILS  
ENGINEERED DESIGNS

PORTAL TOP CONNECTION

3

ATTACH DTL. SP. OR SOL. SHIM WITH 2  
INCHES (50.8 MM) OF 1/2" (12.7 MM) CLOSURE  
OR 1/8" (3.2 MM) COMMON NAILS AT 6" O.C.  
STAGGERED MINIMUM SHIM SIZE IS  
1 1/2" (38.1 MM) X 1/2" (12.7 MM) OF PANEL HEIGHT.

PORTAL STRIPS  
AND SHIMS JOINING NOT  
SHOWN FOR CLARITY

STRONG-WALL •  
HIGH STRENGTH  
WOOD SPECIAL WALL

SECTION

45°-45° WIDE BY 1 1/2" MIN.  
DEPTH HEADER BY OTHERS

DTL. SP. OR  
SOL. WOOD SHIM •  
STRONG-WALL •  
HIGH STRENGTH  
WOOD SPECIAL WALL

DESIGNER IS PERMITTED TO MODIFY  
DETAILS FOR SPECIFIC CONDITIONS

STRONG-WALL? HIGH STRENGTH WOOD SHEARWALL SINGLE PORTAL ASSEMBLY

Copyright No. 5272

HEADER BY OTHERS FOR WOOD AND HEADER TURNING REQUIREMENTS, WHEN APPLICABLE. SEE DETAILS 5/20/84, 5/20/84, 5/20/84.

8'-0" - 12" CLEAR SPAN

ROUGH OPENING HEIGHT

STRONG-WALL • HIGH STRENGTH WOOD SHEARWALL

H CURB

STRONG-WALL • HIGH STRENGTH WOOD SHEARWALL

H CURB

STRONG-WALL? HIGH STRENGTH WOOD SHEARWALL DOUBLE PORTAL ASSEMBLY

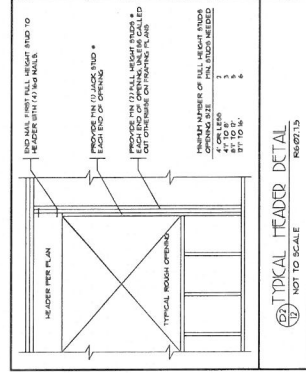
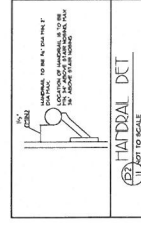
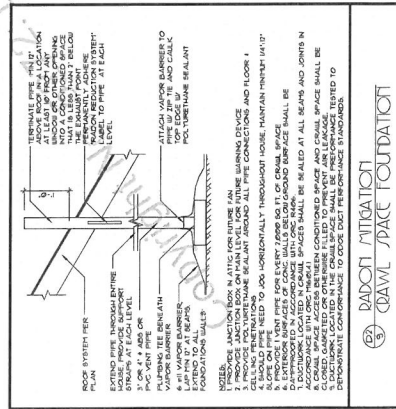
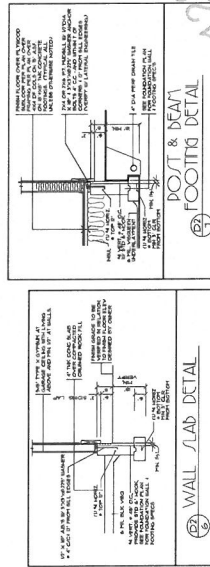
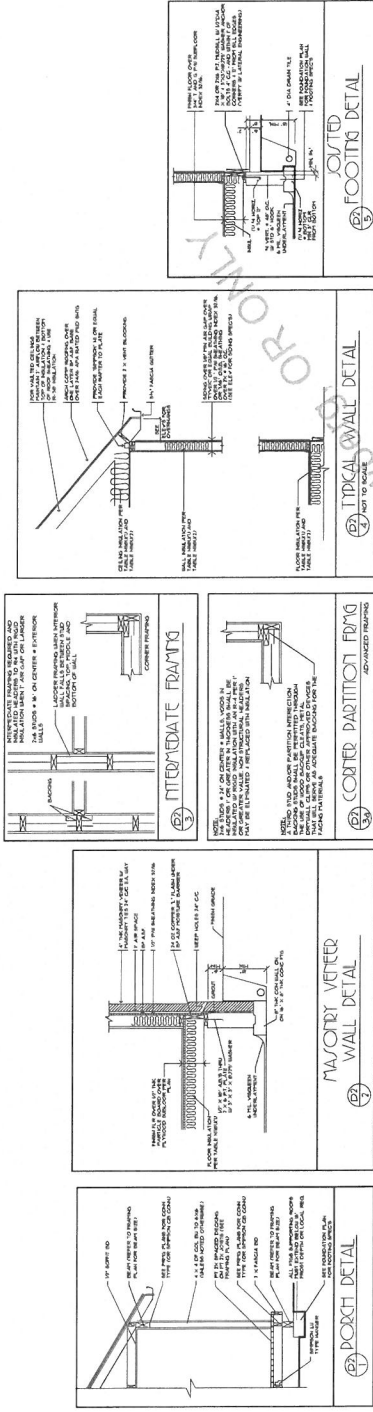
# DETAILS SHEET



THESE DETAILS ARE FOR INFORMATION ONLY. THEY ARE NOT TO BE USED AS A BASIS FOR CONSTRUCTION. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

SHEET DETAILS  
DATE 2/20/20

## D2









MARK STEWART  
HOME DESIGN

22582 SW MAIN ST.  
DESIGN SUITE 309  
SHERWOOD, OR 97140

(503) 885.8311 P

www.markstewart.com

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Accept no substitutes

Stock Home Plans  
Custom Design  
Builder Marketing  
Interior Design  
Since 1982

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Stewart & Associates Inc. 2026

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Under NO circumstances is it legal  
to build from these plans more than  
once without the written consent from  
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Furthermore it is understood that it is  
COMPLETELY the responsibility of the  
contractor to construct the home  
described herein, on any particular site  
and within the confines of the governing  
jurisdiction. Mark Stewart & Associates  
takes NO responsibility for the conformance  
of this plan to Any code or Any building  
site.

CLIENT:

PLAN # MF-999

REVISIONS: MARCH 2024

PAGE

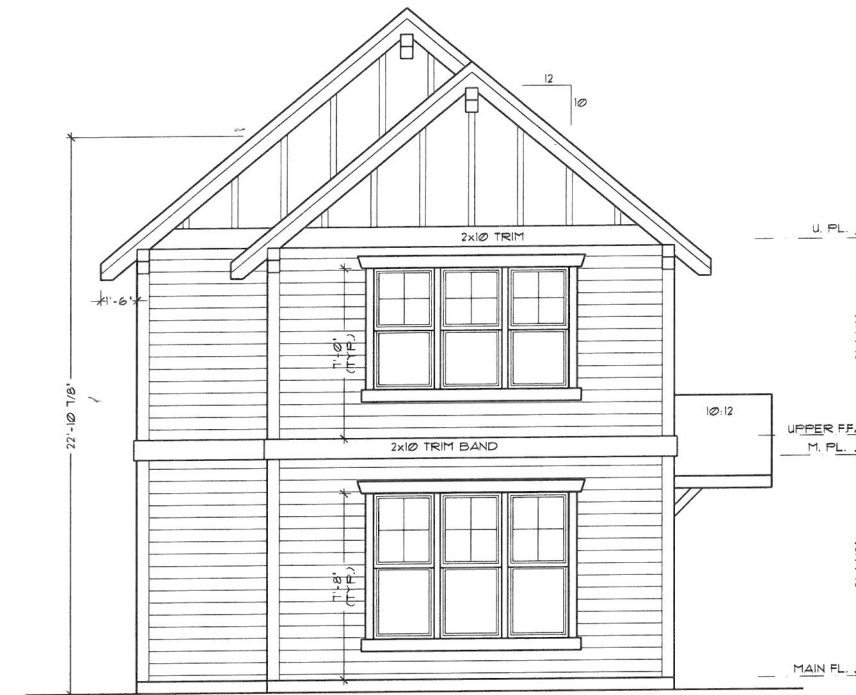
1

of 4



LEFT ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

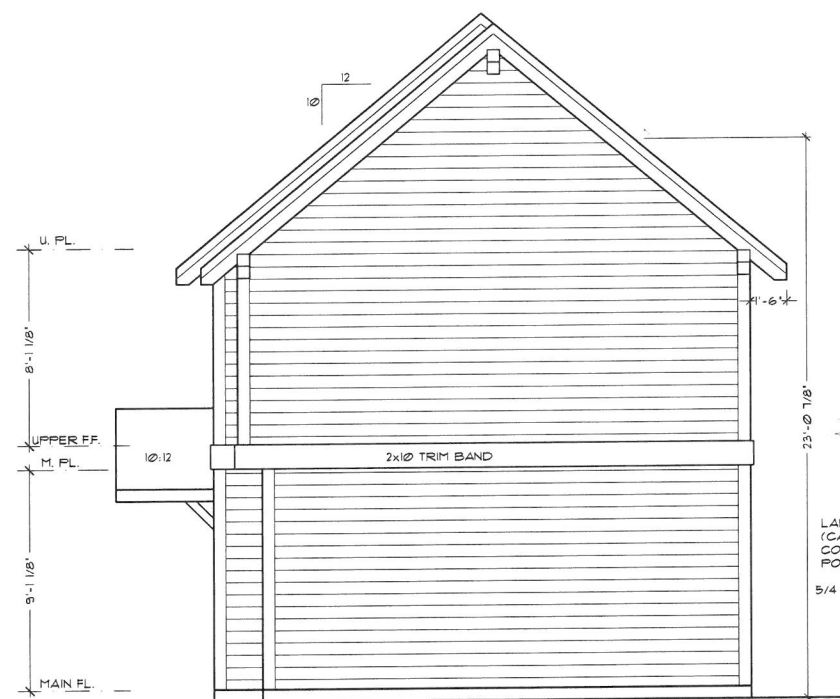
#### GENERAL NOTES

- ALL WORK IS TO COMPLY WITH THE LATEST ADOPTED VERSION(S) OF THE RELEVANT BUILDING CODES AND ANY APPLICABLE STATE, COUNTY OR LOCAL REGULATIONS.
- THE CONTRACTOR IS RESPONSIBLE TO CHECK THE PLANS AND IS TO NOTIFY THE DESIGNER OF ANY ERRORS OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
- WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE THE DRAWINGS.
- DESIGN LOADS:

ROOF	30 PSF (LIVE LOAD)
FLOOR	55 PSF
STAIRS	100 PSF
GARAGE FLOOR	50 PSF (2000 FT <sup>2</sup> )
DECKS	80 PSF
HANDRAILS	200 PSF

( IF YOUR LOCAL AREA REQUIRES DIFFERENT DESIGN LOADS CONSULT WITH A LOCAL STRUCTURAL ENGINEER TO DETERMINE THE APPROPRIATE REVISIONS.)
- INSULATION:

ROOF (VAULTED)	R-30
ROOF (FLAT)	R-49
WALLS (EXTERIOR)	R-21
FLOOR (OVER UNHEATED SPACE)	R-38
BASEMENT WALLS (INT. OR EXT.)	R-15
SLAB ON GRADE	R-15
FURNACE DUCTS (UNHEATED SPACE)	R-8
- THE ABOVE VALUES ARE A MINIMUM AND MAY BE INCREASED IF DESIRED OR REQUIRED. VERIFY WITH CONTRACTOR.
- ALL EXPOSED INSULATION IS TO HAVE A FLAME SPREAD RATING OF LESS THAN 25 AND A SMOKE DENSITY RATING OF LESS THAN 450.
- ROOFING: COMPOSITION ROOFING PER OWNERS/BUILDERS SPECIFICATIONS, U.N.O. ON BUILDER'S FELT OR OTHER APPROVED BARRIER.
- SIDING: AS NOTED ON PLAN ELEVATIONS. INSTALL PER CODE AND MANUFACTURER INSTRUCTIONS.
- G1 FASCIA GUTTER. PROVIDE DOWNSPOUTS SUFFICIENT TO DRAIN ROOF AND DISPOSE OF THROUGH APPROVED RAIN DRAIN DISPOSAL SYSTEM.



REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

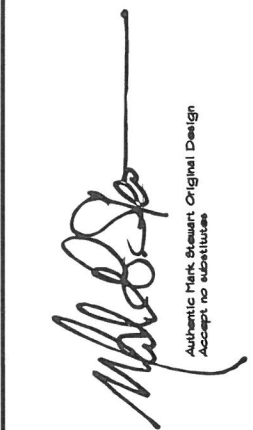
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once without the written consent from  
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copyrighted designs and plans.  
Furthermore it is understood that it is  
COMPLETELY the responsibility of the  
contractor to construct the home  
described herein, on any particular site  
and within the confines of the governing  
jurisdiction. Mark Stewart & Associates  
takes NO responsibility for the conformance  
of this plan to Any code or Any building  
site.

CLIENT:

PLAN \* MF-999

REVISIONS: MARCH 2024

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### MISCELLANEOUS NOTES

1. EACH BEDROOM TO HAVE A MINIMUM WINDOW OPENING OF 5.7 SQ. FT. WITH A MINIMUM WIDTH OF 20 IN. AND A SILL LESS THAN 44 IN. ABOVE THE FINISH FLOOR.
2. ALL WINDOWS WITHIN 18 IN. OF THE FLOOR, AND WITHIN 24 IN. OF A PARALLEL TO THE STRIKE SIDE OF A DOOR ARE TO HAVE TEMPERED GLAZING.
3. SKYLIGHTS ARE TO BE GLAZED WITH TEMPERED GLASS ON OUTSIDE AND LAMINATED GLASS ON INSIDE (UNLESS PLEXIGLAS). GLASS TO HAVE MAXIMUM CLEAR SPAN OF 25 IN. AND FRAME IS TO BE ATTACHED TO A 2X CURB WITH A MINIMUM OF 4 IN. ABOVE ROOF PLANE.
4. ALL TUB AND SHOWER ENCLOSURES ARE TO BE GLAZED WITH SAFETY GLASS.
5. ALL EXTERIOR WINDOWS ARE TO BE DOUBLE GLAZED AND ALL EXTERIOR DOORS ARE TO BE SOLID CORE WITH WEATHER STRIPPING. PROVIDE 1/2 IN. DEAD BOLT LOCKS ON ALL EXTERIOR DOORS, AND LOCKING DEVICES ON ALL DOORS AND WINDOWS WITHIN 10 FT. (VERTICAL) OF GRADE. PROVIDE PEEPHOLE 54 - 66 IN. ABOVE FIN. FLOOR ON EXTERIOR ENTRY DOORS.
6. CONNECT ALL SMOKE DETECTORS (SEE PLAN FOR LOCATION) TO HOUSE ELECTRICAL SYSTEM AND INTERCONNECT EACH ONE SO THAT WHEN ANY ONE IS TRIPPED THEY WILL ALL SOUND.
7. PROVIDE COMBUSTION AIR VENTS (W/ SCREEN AND BACK DAMPER) FOR FIREPLACES, WOOD STOVES AND ANY APPLIANCES WITH AN OPEN FLAME.
8. BATHROOMS AND UTILITY ROOMS ARE TO BE VENTED TO THE OUTSIDE WITH A FAN CAPABLE OF PRODUCING A MINIMUM OF 4 AIR EXCHANGES PER HOUR. RANGE HOODS ARE ALSO TO BE VENTED TO THE OUTSIDE.
9. ELECTRICAL RECEPTACLES IN BATHROOMS, KITCHENS AND GARAGES SHALL BE GFI. OR GFCI. PER NATIONAL ELECTRICAL CODE REQUIREMENTS.

### ELECTRICAL NOTE:

ALL ELECTRICAL IS TO BE OWNER VERIFIED  
PRIOR TO CONSTRUCTION & COMPLY WITH  
CURRENT ELECTRICAL, BUILDING & FIRE CODES

Combination smoke/carbon monoxide alarm/detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarm features of combination smoke/carbon monoxide alarm/detectors shall be interconnected.

### \*\* ELECTRICAL LEGEND \*\*



### EXHAUST FAN LEGEND

BATH/SPA FAN *	MIN. 80 CFM intermittent or 20 CFM continuous
KITCHEN RANGE FAN *	MIN. 150 CFM intermittent
POWDER RM. FAN *	MIN. 50 CFM

4x10 HEADER UNLESS OTHERWISE NOTED.  
EXCEPTION: 1) 4x8 #2 D.F.L.  
MAY BE USED @ GABLE ENDS OF  
TRUSSED ROOFS ON UPPER FLOOR.  
WINDOW OPENINGS NOT EXCEEDING  
6'-0" IN WIDTH & WITH NO POINT LOADS.  
EXCEPTION: 2) 4x10 #2 D.F.L. HEADERS  
MAY BE USED @ MAIN FLOOR OPENINGS  
ON GABLE ENDS, THAT DO NOT  
EXCEED 6'-0" AND DO NOT HAVE  
POINT LOADS ON THEM.

PROVIDE CAULKING UNDER ALL  
SILL PLATES AT EXTERIOR PERIMETER  
OF HOUSE

- SEAL ALL WALL AND FLOOR PENETRATIONS FROM ELECTRICAL, PLUMBING, AND MECHANICAL COMPONENTS PER CODE

- VERIFY ALL FLOOR JOISTS BREAK ONLY OVER 2X STUD BEARING WALLS OR BEAMS

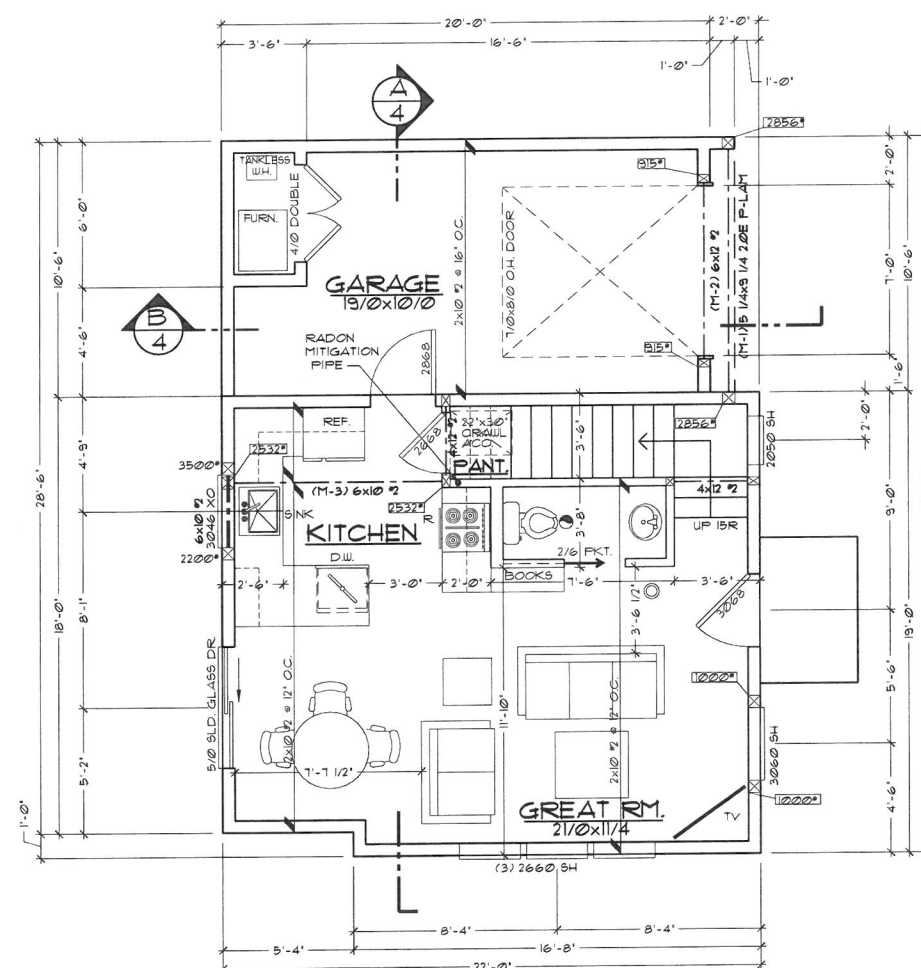
- ☒ BEARING LOCATION \* WALL USE MULTIPLE STUDS UNO.

/// DENOTES INTERIOR  
BEARING WALL

CHOOSE COLUMN BASED ON LOAD  
SHOWN FROM THIS CHART

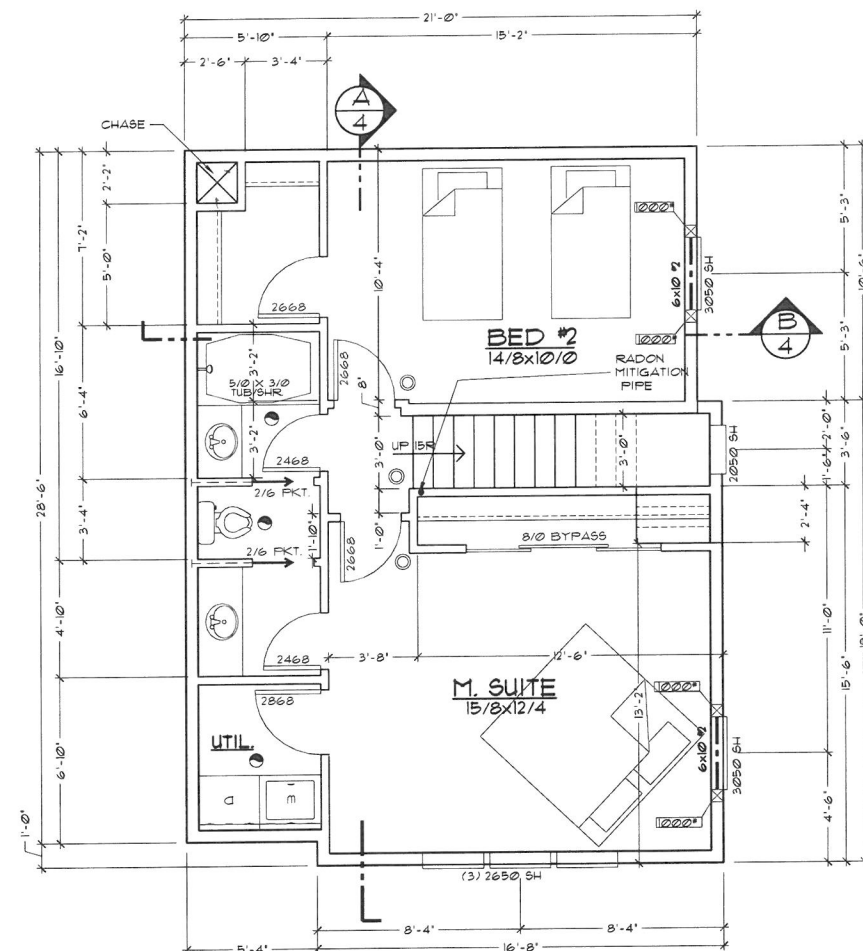
### POST/COLUMN SIZE CHART:

MAX LOAD	SIZE
2,536#	(2) 2x6 #2
3,286#	(2) 2x6 #1
8,054#	(3) 2x6 #2
10,054#	(3) 2x6 #1
7,042#	4x6 #2
4,727#	4x4 #1
4,527#	4x4 #2
15,066#	6x6 #2



### MAIN FLOOR PLAN

SCALE: 1/4"=1'-0" 413 SQ. FT.



### UPPER FLOOR PLAN

SCALE: 1/4"=1'-0" 586 SQ. FT.



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of Federal copyright laws to reproduce  
them. Mark Stewart & Associates  
will fully prosecute ANY violation of its  
copyrighted designs and plans.  
Furthermore it is understood that it is  
COMPLETELY the responsibility of the  
contractor to construct the home  
described herein on any particular site  
and within the confines of the governing  
jurisdiction. Mark Stewart & Associates  
takes NO responsibility for the conformance  
of this plan to Any code or Any building  
site.

CLIENT:

PLAN # MF-999

REVISIONS: MARCH 2024

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### NOTE #1

8" CONC. FDN. WALLS ON 16"x8" CONC. FTG'S  
W/ (2) #4 BARS CONT. 3 1/2"x1 1/2" KEYWAY CONT.  
TYPICAL AT ALL FOUNDATION WALLS EXCEPT  
AS NOTED ON DRAWING. PROVIDE P.T. 2x6 MUD-  
SILLS W/ 1/2"x10" ANCHOR BOLTS @ 48" O.C. (2)  
WITHIN 12' OF SILL ENDS @ ALL FOUNDATION  
WALLS FOR HOUSE

#### FOOTING SIZE CHART:

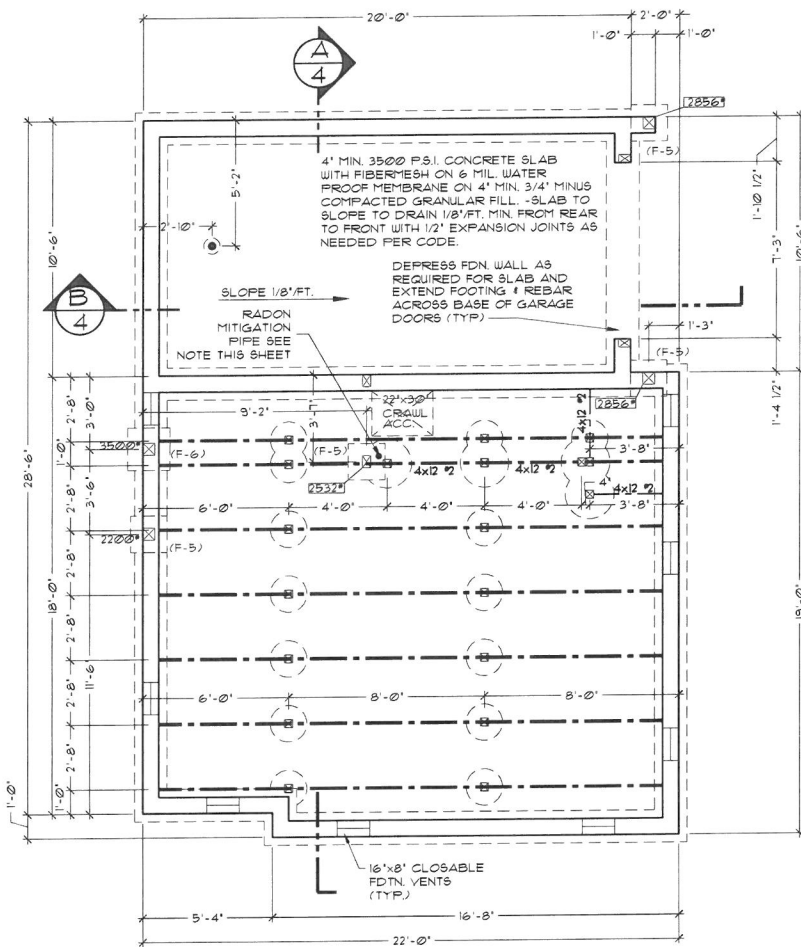
FTG. #	LOAD	FTG. SIZE	REBAR
(F-1)	1000*	12"x12"x10"	(2) #4 E/W
(F-2)	1500*	15"x15"x10"	(2) #4 E/W
(F-3)	2000*	15"x15"x10"	(2) #4 E/W
(F-4)	2500*	18"x18"x10"	(2) #4 E/W
(F-5)	3000*	18"x18"x10"	(2) #4 E/W
(F-6)	3500*	21"x21"x10"	(3) #4 E/W
(F-7)	4000*	21"x21"x10"	(3) #4 E/W
(F-8)	4500*	24"x24"x10"	(3) #4 E/W
(F-9)	5000*	24"x24"x10"	(3) #4 E/W
(F-10)	5500*	27"x27"x10"	(3) #4 E/W
(F-11)	6000*	27"x27"x10"	(3) #4 E/W
(F-12)	7000*	30"x30"x10"	(4) #4 E/W
(F-13)	8000*	30"x30"x10"	(4) #4 E/W
(F-14)	9000*	33"x33"x12"	(5) #4 E/W
(F-15)	10000*	33"x33"x12"	(5) #4 E/W
(F-16)	11000*	36"x36"x12"	(5) #4 E/W

#### RADON MITIGATION

INSTALL A PASSIVE SUB-MEMBRANE DEPRESSURIZATION  
SYSTEM FOR RADON GAS MITIGATION. INSTALL A 3 OR 4  
TEE FITTING UNDER THE VAPOR BARRIER THAT CONNECTS  
TO A PIPE RUNNING VERTICALLY THROUGH THE HOUSE  
AND TERMINATING THROUGH THE ROOF. AS PART OF THIS  
MITIGATION SOLUTION ALSO SEAL ALL  
OPENINGS/PENETRATIONS BETWEEN THE FLOOR LEVEL  
AND THE CRAWLSPACE. ALL DUCTWORK IN CRAWL  
SPACE TO BE PERFORMANCE TESTED. VAPOR BARRIER  
TO BE SEALED WHERE PENETRATED. CRAWL SPACE  
ACCESS TO BE GASKETED. VENTILATION OPENINGS SHALL  
COMPLY WITH ALL CODE REQUIREMENTS. OPERABLE  
LOUVERS, DAMPERS, OR OTHER MEANS TO TEMPORARILY  
STOP THE VENTILATION SHALL NOT BE PERMITTED.

### FOUNDATION NOTES AS APPLIES

- FOOTINGS ARE TO BEAR ON UNDISTURBED LEVEL SOIL  
DEVOID OF ANY ORGANIC MATERIAL AND STEPPED AS  
REQUIRED TO MAINTAIN THE REQUIRED DEPTH BELOW  
THE FINAL GRADE.
- SOIL BEARING PRESSURE ASSUMED TO BE 1500 PSF.
- ANY FILL UNDER GRADE SUPPORTED SLABS TO BE A  
MINIMUM OF 4" GRANULAR MATERIAL COMPACTED TO 95%.
- CONCRETE: - BASEMENT WALLS & FOUNDATIONS  
NOT EXPOSED TO WEATHER : 2500 PSI  
- BASEMENT & INTERIOR  
SLABS ON GRADE : 2500 PSI  
- BASEMENT WALLS & FOUNDATIONS  
EXPOSED TO THE WEATHER : 3000 PSI  
- PORCHES, STEPS & CARPORT  
SLABS EXPOSED TO WEATHER : 3500 PSI
- CONCRETE SLABS TO HAVE CONTROL JOINTS AT 25 FT.  
(MAXIMUM) INTERVALS EACH WAY.
- CONCRETE SIDEWALKS TO HAVE 1/2" TOOLED JOINTS  
AT 5 FT. (MINIMUM) O.C.
- REINFORCING STEEL TO BE A-615 GRADE 40, WELDED  
WIRE MESH TO BE A-185.
- EXCAVATE SITE TO PROVIDE A MINIMUM OF 18 IN.  
CLEARANCE UNDER ALL GIRDERS OR JOISTS.
- COVER ENTIRE CRAWL SPACE WITH 6 MIL BLACK 'VISQUEEN'  
AND EXTEND UP FOUNDATION WALLS A MIN. OF 12'.
- PROVIDE A MINIMUM OF 1 SQ. FT. OF VENTILATION AREA  
FOR EACH 150 SQ. FT. OF CRAWL SPACE AREA. VENTS  
ARE TO BE OPERABLE WITH 1/4 IN. MESH CORROSION  
RESISTANT SCREEN.
- ALL WOOD IN CONTACT WITH CONCRETE TO BE TREATED  
OR NATURALLY DECAY RESISTANT OR PROTECTED  
WITH 55+ ROLL ROOFING, MIN.
- BEAM POCKETS IN CONCRETE TO HAVE 1/2" AIRSPACE  
AT SIDES AND ENDS WITH A MINIMUM BEARING OF 3 INCHES.
- PROVIDE CRAWL SPACE LOW POINT DRAIN PER CODE.
- USE 4" CMU BELOW GRADE AT STONE VENEER AREAS. WIDEN  
FOOTING 6" AT VENEERED AREAS. - SEE PLAN FOR LOCATION.
- PROVIDE 2X TREATED MUD SILL WITH 1/2" A.B. @ 48" O.C. UNO,  
W/ A MIN. OF 2-PER FL. AND WITHIN 12' OF EACH CORNER.
- BLOCK OUT FOR FURNACE AS/IF REQUIRED.
- PROVIDE 18"x24" CRAWL SPACE ACCESS MIN. -SEE PLAN  
FOR LOCATION.
- WHERE 8' TWO-STORY STEMWALL IS USED PROVIDE A  
16"x8" CONTINUOUS FOOTING W/ (2)- #4 BARS CONT. AND  
3' CLEAR TO BOTTOM AND SIDES, UNO.
- WHERE 6' ONE-STORY STEMWALL IS USED PROVIDE A  
12"x6" CONTINUOUS FOOTING W/ (2)- #4 BARS CONT. AND  
3' CLEAR TO BOTTOM AND SIDES, UNO.



### FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

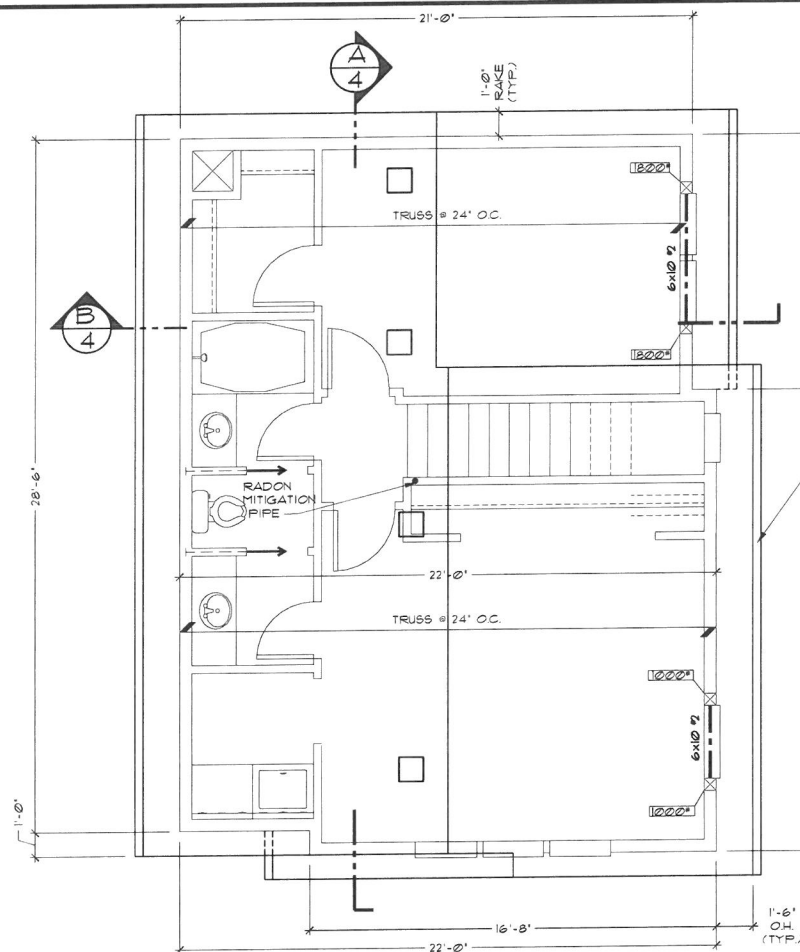
### ROOF FRAMING NOTES AND SPECIFICATIONS

- ROOFING: COMP. OR STANDING SEAM METAL  
ROOFING PER OWNER'S.  
BUILDER'S SPECIFICATIONS INSTALL PER  
MANUFACTURER'S SPEC. ON NOM. 1/2" CDX PLYWD.  
SHEATHING ON ROOF FRAMING PER PLAN
- ROOF PITCHES: AS NOTED ON PLANS
- EAVE OVERHANGS AS NOTED ON PLANS
- PROVIDE 2x SOLID BLKG WITH 2x12 SCREENED  
VENTS AT 6'-0" O.C. MIN. OR IF SCOFFIT IS  
INSTALLED - USE 1/2" ACX VENTED SCOFFIT - SEE  
PLAN
- PROVIDE INSULATION BAFFLE AT EAVE VENTS.
- ROOF VENTILATION (MIN. AREA): THE TOTAL NET FREE VENTILATING AREA SHALL NOT BE LESS THAN 1  
TO 150 OF THE AREA OF THE SPACE VENTILATED EXCEPT THAT THE TOTAL AREA IS PERMITTED TO BE  
REDUCED TO 1 TO 300, PROVIDED AT LEAST 40% AND NOT MORE THAN 50% OF THE REQUIRED  
VENTILATING AREA IS PROVIDED BY VENTILATORS LOCATED IN THE UPPER PORTION OF THE ATTIC OR  
RAFTER SPACE. UPPER VENTILATORS SHALL BE LOCATED NOT MORE THAN 3 FEET BELOW THE RIDGE OR  
HIGHEST POINT OF THE SPACE, MEASURED VERTICALLY, WITH THE BALANCE OF THE REQUIRED  
VENTILATION PROVIDED BY EAVE OR CORNICE VENTS. AS AN ALTERNATIVE, THE NET FREE  
CROSS-VENTILATION AREA MAY BE REDUCED TO 1 TO 300 WHEN A VAPOR BARRIER HAVING A  
TRANSMISSION RATE NOT EXCEEDING 1 PERCENT IS INSTALLED ON THE WARM-IN-WINTER SIDE OF THE  
CEILING. - WHERE EAVE OR CORNICE VENTS ARE INSTALLED, INSULATION SHALL NOT BLOCK THE FREE  
FLOW OF AIR. A MINIMUM OF 1-INCH SPACE SHALL BE PROVIDED BETWEEN THE INSULATION AND THE ROOF  
SHEATHING AT THE LOCATION OF THE VENT.
- ROOF ACCESS: (ACCESSIBLE ATTIC ACCESS): A READILY ACCESSIBLE ATTIC ACCESS FRAMED OPENING  
NOT LESS THAN 22 INCHES BY 30 INCHES SHALL BE PROVIDED TO ANY ATTIC AREA HAVING A CLEAR  
HEIGHT OF OVER 30 INCHES. -SEE FLOOR PLANS FOR LOCATIONS

CONNECT EACH TRUSS/RAFTER  
TO EACH SUPPORT WITH SIMPSON  
'H-3' OR 'H2.5' TIE (TYP.)

□ = 12" ROOF VENT'

□ = OVERLAY AREA



### ROOF FRAMING PLAN

SCALE: 1/4" = 1'-0"

#### TRUSS LAYOUT DISCLAIMER

ROOF FRAMING LAYOUT AS SHOWN  
PROJECTS END LOADING OF GIRDER  
TRUSSES ON HEADERS. 4/08S SOLID BRG  
AND LOADING IS PROJECTED DOWN TO  
FOOTINGS SHOWN ON FOUNDATION PLAN  
THEREFORE IF TRUSS COMPANY MOVES  
ANY GIRDER TRUSSES THE LOADING & BRG  
POINTS WILL MOVE AND CURRENT WORKING  
DRAWINGS WILL NEED TO BE UPDATED. IT  
IS THE SOLE RESPONSIBILITY OF THE  
CONTRACTOR TO NOTIFY 'MARK STEWART'  
OF ANY CHANGES MADE TO THE ROOF  
FRAMING LAYOUT PRIOR TO CONSTRUCTION

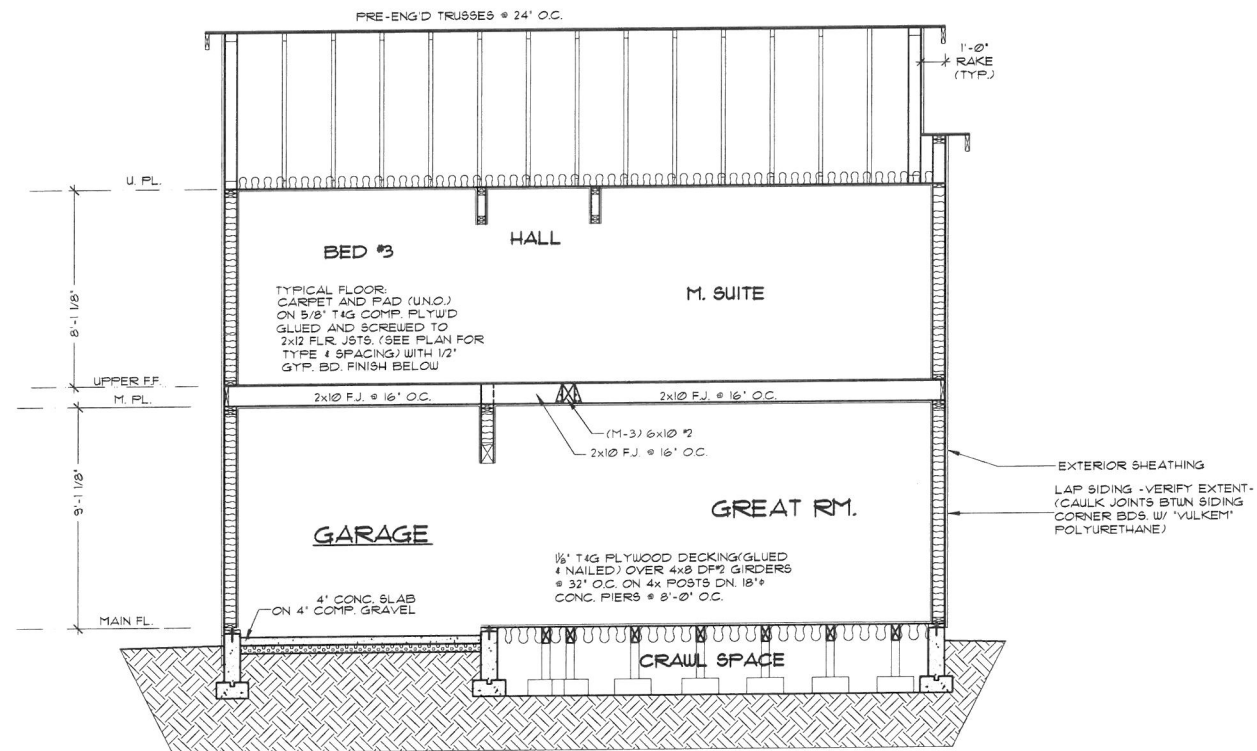
DEPENDING ON TRUSS DESIGN - OVERBUILD  
AREAS MAY OCCUR IN SOME AREAS - USE  
2X8 DF #2 JOISTS AT 24" O.C. AS NEEDED TO  
CREATE ROOF LINES AS SHOWN ON PLANS  
UNLESS OVERBUILD AREAS ARE DESIGNED  
W/ TRUSSES PER TRUSS MANUFACTURER

MANUFACTURER'S TRUSS LAYOUT TO  
BE ON SITE FOR FRAME INSPECTIONS.  
PER I.R.C. SEC. R106.12.

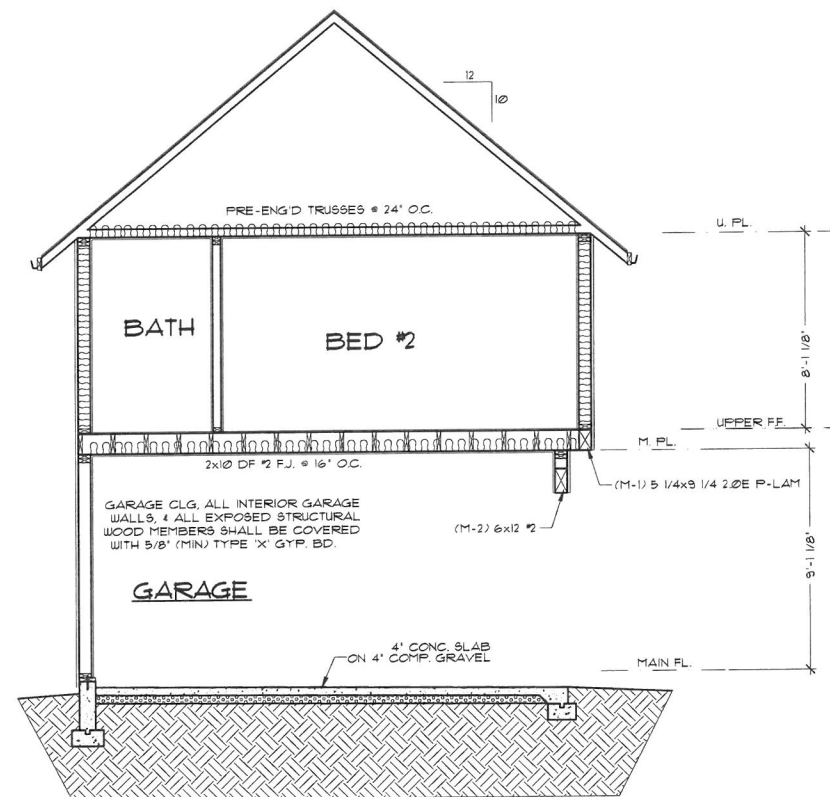
#### TRUSS NOTES:

- ALL TRUSSES TO BE PRE-ENGINEERED AND CARRY  
MANUFACTURER'S STAMP.
- ALL TRUSSES SHALL BE INSTALLED & BRACED TO  
MANUFACTURER'S SPECIFICATIONS.
- NON-BEARING WALLS SHALL BE CONNECTED TO THE  
TRUSS BOTTOM CHORD W/ SIMPSON STC (OR EQ.) TO  
INSURE THAT THE TRUSS BOTTOM CHORD WILL NOT  
BEAR ON THE WALL.
- ALL CONNECTIONS WITH RAFTERS, MONO OR JACK  
TRUSSES AND HIF TRUSSES TO MAIN GIRDER TO BE  
PROVIDED BY THE TRUSS MANUFACTURER.
- TRUSS LAYOUT SHOWING GIRDER TRUSS LOCATIONS  
ARE NOT PERMITTED TO CHANGE AND MUST BE  
FOLLOWED CORRECTLY. IF TRUSS MANUFACTURER  
REQUESTS TO CHANGE IN PART OR IN WHOLE THE  
LAYOUT DESIGNED HEREIN, HE/SHE MUST CONTACT  
THE DESIGNER TO INSURE STRUCTURAL DESIGN  
IS MAINTAINED ON THE BUILDING CORRECTLY. ALSO  
IF THE DESIGN LAYOUT IS DETERMINED TO CHANGE,  
THE BUILDING DEPARTMENT WILL REQUIRE APPROVAL  
AND NEW ENGINEERING CALC'S





A BUILDING SECTION  
SCALE: 1/4"=1'-0"



B BUILDING SECTION  
SCALE: 1/4"=1'-0"

#### STAIR & GUARDRAIL NOTES:

**STAIRWAYS:** STAIRWAYS SHALL NOT BE LESS THAN 36" IN CLEAR WIDTH AT ALL POINTS ABOVE THE PERMITTED HANDRAIL HEIGHT. THE MINIMUM WIDTH AT AND BELOW THE HANDRAIL HEIGHT SHALL NOT BE LESS THAN 32" INCHES WHERE A HANDRAIL IS INSTALLED ON ONE SIDE AND 28" INCHES WHERE HANDRAILS ARE PROVIDED ON BOTH SIDES.

**TREADS & RISERS:** THE MAXIMUM RISER HEIGHT SHALL BE 7 3/4" INCHES AND THE MINIMUM TREAD DEPTH SHALL BE 10" INCHES. THE RISER HEIGHT SHALL BE MEASURED VERTICALLY BETWEEN LEADING EDGES OF THE ADJACENT TREADS. THE TREAD DEPTH SHALL BE MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FOREMOST PROJECTION OF ADJACENT TREADS AND AT A RIGHT ANGLE TO THE TREADS LEADING EDGE. THE WALKING SURFACE OF TREADS AND LANDINGS OF A STAIRWAY SHALL BE SLOPED NO STEEPER THAN ONE VERTICAL IN 48 UNITS HORIZONTAL (2% SLOPE). THE GREATEST RISER HEIGHT WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY MORE THAN 3/8" INCH. THE GREATEST TREAD DEPTH WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED THE SMALLEST BY 3/8" INCH.

**PROFILE:** THE RADIUS OF CURVATURE AT THE LEADING EDGE OF THE TREAD SHALL BE NO GREATER THAN 3/16" INCH. A NOSING NOT LESS THAN 3/4" INCH BUT NOT MORE THAN 1 1/4" INCHES SHALL BE PROVIDED ON STAIRWAYS WITH SOLID RISERS. BEVELING OF NOSING SHALL NOT EXCEED 1/2" INCH. RISERS SHALL BE VERTICAL OR SLOPED FROM THE UNDERSIDE OF THE LEADING EDGE OF THE TREAD ABOVE AT AN ANGLE NOT MORE THAN 30 DEGREES FROM THE VERTICAL. EXCEPTION: A NOSING IS NOT REQUIRED WHERE THE TREAD DEPTH IS A MINIMUM OF 11 INCHES.

**HEADROOM:** THE MINIMUM HEADROOM IN ALL PARTS OF THE STAIRWAY SHALL NOT BE LESS THAN 6 FEET 8 INCHES MEASURED VERTICALLY FROM THE SLOPED PLANE ADJOINING THE TREAD NOSING OR FROM THE FLOOR SURFACE OF THE LANDING OR PLATFORM.

**ILLUMINATION:** ALL STAIRS SHALL BE PROVIDED WITH ILLUMINATION PER CODE.

**HANDRAILS:** HANDRAILS HAVING MINIMUM AND MAXIMUM HEIGHTS OF 34 INCHES AND 38 INCHES, RESPECTIVELY, MEASURED VERTICALLY FROM THE NOSING OF THE TREADS, SHALL BE PROVIDED ON AT LEAST ONE SIDE OF STAIRWAYS OF THREE OR MORE RISERS. SPIRAL STAIRWAYS SHALL HAVE THE REQUIRED HANDRAIL LOCATED ON THE OUTSIDE RADIUS. ALL REQUIRED HANDRAILS SHALL BE CONTINUOUS THE FULL LENGTH OF THE STAIRS. ENDS SHALL BE RETURNED OR SHALL TERMINATE IN NEWEL POSTS OR SAFETY TERMINALS. HANDRAILS ADJACENT TO A WALL SHALL HAVE A SPACE OF NOT LESS THAN 1 1/2 INCHES BETWEEN THE WALL AND THE HANDRAIL.

#### EXCEPTIONS:

- HANDRAILS SHALL BE PERMITTED TO BE INTERRUPTED BY A NEWEL POST AT A TURN.
- THE USE OF A VOLUTE, TURNOUT OR STARTING EASING SHALL BE ALLOWED OVER THE LOWEST TREAD.

**GUARDRAIL DETAILS:** PORCHES, BALCONIES OR RAISED FLOOR FLOOR SURFACES LOCATED MORE THAN 30 INCHES ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARDRAILS NOT LESS THAN 36 INCHES IN HEIGHT. OPEN SIDES OF STAIRS WITH A TOTAL RISE OF MORE THAN 30 INCHES ABOVE THE FLOOR OR GRADE BELOW SHALL HAVE GUARD-RAILS NOT LESS THAN 34 INCHES IN HEIGHT MEASURED VERTICALLY FROM THE NOSING OF THE TREADS.



Outlook

**EXHIBIT B**

---

**120 Alder Str (between 1st & 2nd) Partition (for Common Wall Bldgs) , Land Use Application Review Comments & Proposed/Suggested Conditions**


---

**From** Denny Muchmore <dmuchmore@westech-eng.com>

**Date** Mon 7/14/2025 8:59 AM

**To** Don Cutler, Dayton PW (dcutler@daytonoregon.gov) <dcutler@daytonoregon.gov>

**Cc** Curt Fisher <cfisher@MWVCOG.ORG>; Jeremy Caudle, Dayton (jcaudle@daytonoregon.gov) <jcaudle@daytonoregon.gov>

 1 attachment (5 MB)

Utility map excerpts, 2nd & Alder.pdf;

**External:** Please report suspicious email to

[security@wesd.org](mailto:security@wesd.org)

Don,

We assume that you will review the information below and add any additional comments you may have (*we are cc'ing the City Planner as well*).

We are also cc'ing this email to Scott Law (*Dayton Fire Chief*) for his information and reference as well (*water discussions are near the end of this email*).

Per the City's request, we have reviewed the land use application and associated lot layout drawing submitted for the proposed partition at on Alder Street between 2<sup>nd</sup> & 1<sup>st</sup> Street (*this partition assumes construction of attached single family homes on the three resulting lots*). We reviewed the application for conformance with applicable City requirements, with regards to recommended street, access and utility improvements to mitigate anticipated impacts. For the most part, our review is limited to public works & infrastructure issues. We understand that the City Planner will be reviewing the application from a planning/zoning standpoint and preparing the staff report.

The following review comments are based on the assumption that the land use application for this property is approved in a manner that does not require significant changes to the proposed development layout in a manner not addressed by the proposed approval conditions (*if the street, access, infrastructure & utility recommendations in this review are addressed, the property should be able to be served by City street & utility systems*).

We recommend that the suggested conditions and requirements under City standards (*as noted below*) be included by reference in the land use decision, so that the applicant & developer are aware of these requirements as they move forward with the project.

If the Planning staff or Planning Commission wishes to modify any of the recommended requirements or suggested conditions outlined below, or grant any other variances based on information that we may not be aware of, we assume that this will be coordinated with Public Works as part of the land use approval process. The City Planner should exercise care and coordinate with Public Works staff if any of the suggested conditions are reworded, to avoid changing the meaning of the requirements.

It is important to be aware that the PWDS (*and Oregon Fire Code - OFC*) provisions referenced herein are not land use regulations, and are not intended to have an impact on the decision as to whether to approve or deny the application,

but are listed so that the applicant is made aware of some of the design/construction standards which must be addressed during the final design & construction phase of the development (*ie. approval or denial should be based on the land use regulations, while conditions regarding specific improvements may reference the PWDS & OFC to clarify the extent of improvements required in order to provide service to or mitigate impacts from the development*).

**BACKGROUND INFORMATION & APPLICATION OVERVIEW.**

By City convention and to minimize confusion regarding directions, "plan" north (for purposes of this review) is considered to be perpendicular to Alder Street and parallel with 1<sup>st</sup> & 2<sup>nd</sup> Street.

Excerpts from the City utility maps are attached for reference. These maps show the approximate location and layout of the surrounding properties and known utilities.

The proposed development is generally located on the south side of Alder Street between 2<sup>nd</sup> & 1<sup>st</sup> Street. The current application is to partition the property into three parcels (*from ~3,504 to 4,272 ft<sup>2</sup> each*). The new lots are proposed for attached single family homes.

The proposed site consists of Taxlot 4316CB-00900 (*120 Alder Street*).

There are two existing buildings on the site (*a house & a detached garage*), which are apparently to be removed from the site in conjunction with development.

The property is currently zoned Residential (R-2). The zoning of land bordering the development is as follows:

---North: Residential R-2 – across Alder Street

---South: Residential R-2 – across alley

---West: Residential R-2

---East: Residential R-2

**Suggested Approval Conditions/Requirements.** We recommend referencing this email and/or the following suggested conditions/requirements in the land use approval. As noted above, much of the information provided below is for the development team's reference during the infrastructure design and construction process. The PWDS and OFC requirements are not land use regulations and for the most part are not subject to modification under the land use approval process (*any modifications proposed to PWDS & OFC standards which are outside of the land use regulations must be addressed through the applicable process after the land use process is finalized*).

**General Items.**

- Except for items specifically exempted by the planning approval, the development shall fully comply with the public facility requirements of the Dayton Land Use & Development Code (LUDC) and the Public Works Design Standards (PWDS), including information outlined in this email to the Public Works Director Don Cutler. The applicant/developer is responsible for the construction costs of required public or private infrastructure improvements associated with the development (*both onsite and offsite*).
- After issuance/finalization of the land use approval, the developer and his engineer shall schedule and participate in a pre-design conference with City Public Works for the purpose of coordinating any required site / grading / street / sidewalk / utility work (PWDS 1.9). This conference shall occur after the issuance of land use approval (*and expiration of any appeal period*), but prior to submitting site / grading / street / sidewalk / utility construction drawings for review by Public Works. Participants shall include the developer, developer's engineer, City Public Works and the City Engineer, as well as public/franchise utility providers as applicable or desired by the development team. The developer shall provide all information required under PWDS 1.9 prior to the predesign conference (*including ensuring that a current title report is available*), as well as providing

information on how each land use approval condition and Public Works issues identified herein will be addressed.

- After the pre-design conference, the applicant shall prepare and submit applicable final street, grading, parking, storm drainage, sewer, water and other infrastructure plans conforming to the requirements of the Public Works Design Standards (PWDS) for review by the City Engineer and Public Works.
- Public Works construction permits for site / street / sidewalk / utility / infrastructure work shall not be issued until after the developer has received final approval of any required engineered site, street/sidewalk, utility and/or infrastructure construction drawings per PWDS requirements, a Developer-City construction agreement has been executed, and a performance security satisfactory to the City has been submitted guaranteeing that all improvements will be completed in accordance with the approved drawings and City Standards within the specified time period (PWDS G.10). The engineered site / street / sidewalk / utility construction drawings shall be based on a topographic survey showing the location of all property lines, right-of-way lines and existing easements (*including recording references*), and existing utilities. The construction drawings shall show any new easements required (*including recording references*), and all required site and utility improvements, addressing site grading, street improvements/repairs, sidewalk & pedestrian plans, street lights, waterlines, fire hydrants, sanitary sewer, storm drainage, access driveways/fire lanes and parking area layout/dimension plans as applicable, and irrigation plans & backflow device locations for all phases of the development as applicable, as well as information on how streets and/or utilities can be extended to serve adjacent or upstream undeveloped property as applicable.
- Any required off-site easements shall be approved by the City and recorded by the Developer prior to approval of the construction drawings by the City.
- Building permits for new residential structures shall not be issued prior to completion of all required improvements and applicable conditions of approval, and written acceptance by the City, including submission of maintenance bonds and reproducible as-built drawings.

#### **Prior Land Use Approval for Property.**

The property was previously partitioned in 1978 (CSP 6794). Given the age of the previous partition, we assume there are no outstanding issues from any previous land use approval.

#### **Existing Plats, Easements, etc.**

As noted above, this property is part of a previous partition (CSP 6794), although the previous partition did not involve a partition plat.

A current title report was provided to us with the application. There were no recorded instruments listed which are of concern from a Public Works perspective.

New easements (*to the City*) will be required along any City or public utilities or drainage ways located outside of public right-of-ways, as well as providing for PUEs along all public street frontages (*excluding alleys*) where such easements (*meeting current City standards*) do not already exist.

Private easements (*with provisions complying with City standards*) will be required where any private accesses, driveways or private/franchise utilities cross property other than that being served (*private easements will need to include the specific language provisions required by the City PWDS*).

#### **Plat Approval Timeframe.**

- The final plat shall be recorded within 1 year of the approval of the tentative plat (LUDC 7.3.105.06.A), unless otherwise provided by the land use approval. The plat shall substantially conform to the approved preliminary



plat as conditioned by the land use approval, as well as any required easements.

### **Phasing.**

Phasing is not proposed for the project.

### **Site Layout, Grading, etc.**

The preliminary layout drawing included information on proposed water & sewer utilities. This information will be verified in conjunction with the predesign conference and the final construction drawings. The City is not responsible for any discrepancies or missing information not shown on the application drawings.

- Any fills within public rights-of-ways or fire lanes, or lot fills, shall be compacted and tested to City standards and per the Oregon Structural Specialty Code requirements as applicable (*95% optimum per ASTM D1557 within right-of-ways, and 90% optimum within lot building envelopes*).
- Any existing unsuitable fills within the public right-of-way or new building envelopes will need to be removed or remediated in conjunction with the development and infrastructure construction.

Unless otherwise approved, driveways and/or parking spaces shall be constructed as required to provide a minimum of two off-street parking spaces for each new dwelling unit at the time of house construction. Per LUDC 7.2.303.09.A, all driveways and parking areas shall be paved with asphalt or concrete.

### **Streets, Sidewalks, etc.**

The property has frontage on Alder Street, with a frontage length of about 94 feet.

The property also fronts on the public alley south of the property.

New driveway access will be from Alder Street.

#### *(Frontage street – Alder Street).*

Alder Street in this location is a City right-of-way, and is classified as a local street. The current right-of-way width is shown as 80 feet on current City & County maps.

The portion of Alder Street fronting this property is currently a turnpike street section, without curbs on either side, and no sidewalks on the development side of the street.

There is an existing property line sidewalk on the north side of the street (*opposite side*).

---PWDS 2.11 (table) specifies the typical minimum street right-of-way and minimum improvement widths for streets of various classifications (*with modifications determined on a case-by-case basis, per LUDC 7.2.302.04*).

---Local streets require a 34 foot curb-to-curb width, within a 50 feet typical right-of-way width.

---Additional R/W dedication does not appear to be required along Alder Street in conjunction with this development, since the R/W width exceeds the minimum requirements.

#### *(Street Frontage Improvements).*

As noted above, the frontage of this property along Alder Street is about 94 feet. Since the total frontage is less than 250 feet, street improvements along both frontages are not required, subject to a non-remonstrance agreement as approved by the City.

---Per LUDC 7.2.307.08.B, "*Frontage improvements for partitions shall be subject to provisions in Section 7.2.307.05*".

--- LUDC 7.2.307.05.B.2 requires that "*if the street frontage of the subject property exceeds 250 feet, or extends an existing dedicated right-of-way, the applicant shall improve . . . public streets upon which the property fronts to public standards . . .*"

---LUDC 7.2.307.05.B.1 states that "*If the street frontage of the subject property is less than or equal to 250 feet, the applicant shall sign a non-remonstrance agreement with the City of Dayton. This agreement shall stipulate that the applicant or future property owner will agree to participate in right-of-way improvements. The agreement may include provisions for the following: street paving, curbing, sidewalks, water lines, storm sewer facilities and sanitary*

*sewer facilities. The agreement shall be recorded at the County Clerk's Office at the time of the recording of the final plat."*

- The Developer shall sign and record a Construction Deferral Agreement and Waiver of Rights to Remonstrance Agreement for the construction of future street and public utility related improvements for Alder Street fronting the property. This agreement shall be on a form approved by the City and cover scope of improvements as approved by Public Works, and shall be approved by the City prior to recording. The Developer shall be responsible for recording the agreement with the County and having a recorded copy of the agreement returned to the City.

*(Sidewalks).*

Since street improvements are not required in conjunction with the plat, new sidewalks (*property line sidewalks along public street frontages*) will not be triggered until issuance of building permits on the new parcels. These sidewalk requirements are referenced in conjunction with the partitioning application in order to avoid confusion (*ie. to clarify that property line sidewalks will be required in conjunction with building permits*). The following is included for reference by the developer/homebuilder.

- Alder Street Property Line Sidewalk. New property line sidewalks will be required in conjunction with the building permits for each lot. Based on the assumed future 34 foot street width noted above (*centered within the 80 foot ROW*), a property line sidewalk (*set an assumed 6" to 1' from the ROW line*) will allow for a ±16-17 foot planter/landscape strip between the sidewalk and the future back of curb for the future street.

*(PUEs).*

PUEs a minimum of 8 feet wide are required along all property lines fronting public street right-of-ways (*excluding alleys*) as required by PWDS 1.10.j.

- Street frontage PUEs shall be provided along the frontage of all right-of-ways where such easements do not already exist (*PWDS 1.10.j*). Language for these PUEs per PWDS 1.10.j will need to be included on any plat.

*(CBU Mailboxes, PWDS 1.10.h.2.k & 2.21.j).*

---If mail delivery is proposed, the location of the required CBU mailbox will need to be shown on the applicable drawings, at a location acceptable to the local postmaster. An ADA pedestrian curb ramp must be located within 50 feet of the CBU (*PWDS 2.21.i.5 & Oregon Structural Specialty Code 1111.4.1*), and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.

- In conjunction with the house construction, CBU mailboxes per City & postal service standards (*and CBU access*) shall be installed by the Developer in conjunction with building construction per City and state standards. An ADA compliant pedestrian ramp from the street must be located within 50 feet of the new CBU mailboxes, per City standards, and any sidewalk between the ramp & CBU will need to be constructed in conjunction with the CBU installation.

*(Street Lights).*

Street lights must be provided along new street and existing frontage streets, per City spacing standards, where such street lights do not already exist (*PWDS 2.32.f, maximum of 200 feet spacing, or 3 lot widths, whichever is less*).

---There are existing street lights within the required distance along the Alder Street frontage of this property.

---Per PWDS 2.32 spacing standards, additional street lights do not appear to be required for this development.

#### **Vehicular Access Driveways.**

The application layout drawing show the proposed location and alignment of the new driveways to serve the new parcels.

The following is a summary of the requirements that will apply at the time building permits are applied for, for reference by the developer.

--- If the alley is used as a driveway to a garage, it will need to be paved along the vehicular access portion (*18' minimum paved width, per PWDS 2.11.a*) and extend far enough beyond the garage to provide for back-out turning.

This does not appear to apply to this partition.

--- Per LUDC 7.2.303.09.A & PWDS 2.30.e, all driveways and parking areas shall be paved with asphalt or concrete.

--- Driveway approaches at the property line sidewalks shall conform with Detail 213.

--- If street frontage improvements are not required, the new driveways will need to be constructed in conformance with PWDS 2.30.k, which requires in part that *"for driveways connecting to a street that has not been improved to its ultimate width, the driveway profile (ie. vertical design) shall be designed to allow for future street widening"* without reconstruction of the driveway. Driveways on turnpike or streets narrower than standard shall be constructed such that the surface of the driveway matches the future back of sidewalk elevation (*ie. future back of sidewalk elevation to be based on design street width and cross slope per current City standards, assuming the future street will be centered in the future right-of-way unless otherwise directed by the City*).

### **Storm Drainage.**

The preliminary drawings did not include information on the how proposed storm drainage improvements will be provided.

The property slopes to the south toward the existing alley, and the alley slopes from west to east.

*(Existing Storm Mainlines).*

Based on the utility maps, there are no existing storm drain lines along the alley behind the property, or along Alder Street fronting the property.

From the information available, it appears that a storm drainage pipe can be installed along the alley in accordance with PWDS standards, which will allow storm drainage service to be provided to the property. The new storm drain will discharge at the top of the Palmer Creek ravine on the east side of 1<sup>st</sup> Street & the alley intersection.

A new storm drainage main along the alley and storm drain service laterals serving each parcel will need to be provided, with drainage to be extended to a point of disposal acceptable to Public Works (PWDS 3.9.b).

- Prior to approval of the final plat, the developer shall submit a storm drainage plan conforming to the requirements of the PWDS and LUDC 7.2.304.03 & 04. Drainage maps and calculations for existing and developed conditions shall be included on the construction drawing. The storm drainage plan shall be designed to accommodate roof and foundation drains, as well as from the new driveways and parking areas, and shall convey all storm water runoff to an approved point of disposal per PWDS requirements. The storm drainage plan shall demonstrate that there are no impacts to the downstream properties and shall provide for drainage from upstream properties as applicable. Unless otherwise approved by the City Engineer, a new public storm drain pipe shall be installed along the alley to an approved disposal point and configuration on the east side of the 1<sup>st</sup> & alley intersection, with storm drain laterals shall be provided for all new lots. Easements meeting PWDS requirements shall be provided for private storm lines that cross property other than that which they solely serve.

### **Sanitary Sewer.**

The preliminary drawings included information on proposed sanitary sewer system improvements.

*(Existing Sewer Mainlines).*

Based on the utility maps, there is an existing 8-inch sewer along the alley behind the property (*8" concrete per utility maps, installed in 1965*).

*(New Sewer Mainlines)*.

Since there is an existing mainline available to serve this property, mainline sewer improvements along the alley will not be required.

The sewer design will need to provide for a separate gravity sewer service lateral meeting City standards to serve each of the new parcels. While there is currently one sewer service lateral (*installed many years ago*) to serve the property, it does not appear to meet current City standards, and will need to be capped at the mainline and replaced as noted below (*see discussion below*).

As outlined under PWDS 4.18.d, the City is under mandate from the Oregon Department of Environmental Quality (DEQ) to reduce infiltration and inflow (I/I) of storm runoff and groundwater into the City's sanitary sewer system. A significant portion of the (I/I) problems in the City's sewage collection system are attributable to leaking sewer service laterals or drains connected to service laterals. DEQ and City standards require that "*No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage to any sanitary sewer.*" The City requires applicants to demonstrate compliance with this ordinance by testing existing sanitary sewer service laterals that are proposed for continuing use. This requirement is based on public health and sanitation regulations adopted by the City to meet Oregon DEQ and USEPA requirements under the City's NPDES permit.

Unless otherwise approved in writing by Public Works, any existing sewer service laterals shall be capped at the mainline and replaced (*unless it is air tested in conformance with PWDS 4.18.d.2 from the mainline to the building site to verify that it is free of leaks or defects*). Any existing service lateral shall be replaced if defective or replaced (*ie. disconnected and capped at the mainline connection*). A property line cleanout shall be provided for all existing or new service laterals.

- The Developer shall submit sanitary sewer system construction drawings conforming to the requirements of the PWDS, showing a separate sewer service to serve each of the parcels. The new sewer service laterals must be installed prior to recording of the partition plat, and any old service laterals disconnected and capped at the mainline connection. New easements meeting PWDS requirements shall be provided for any private sewer lines which cross property other than that which they serve.

### **Water.**

The preliminary drawings included information on proposed water system improvements.

*(Existing Waterlines & Hydrants)*

---Alder Street WL. There is an existing 8-inch water mainline along Alder Street fronting this property (*8" PVC per utility maps, installed in 2003/2004*).

---Existing Hydrants. There is an existing fire hydrant at 2<sup>nd</sup> & Alder, which appears to be within the coverage distance for all three new parcels.

*(Water Services)*

While one water service to this property, but it was installed more than 20 years ago and does not meet current City standards (*for either pipe material or size*). Three new water services & meter boxes will be required to serve each of the new parcels.

- The Developer shall submit water system construction drawings conforming to the requirements of the PWDS, showing a new water service to serve each of the parcels. The old water service which does not meet City standards shall be disconnected and capped at the mainline connection. The new water services must be completed prior to recording of the partition plat.

Franchise Utilities.

LUDC 7.2.305.02.C states in part that: *"All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be underground."*

---Franchise utility service will need to be arranged with the applicable utility provider.

---Easements meeting PWDS requirements shall be provided for any franchise utility service located outside of the street right-of-way, which crosses property other than that which it serves.

If you have any questions or need additional information regarding this review, please contact us to discuss.

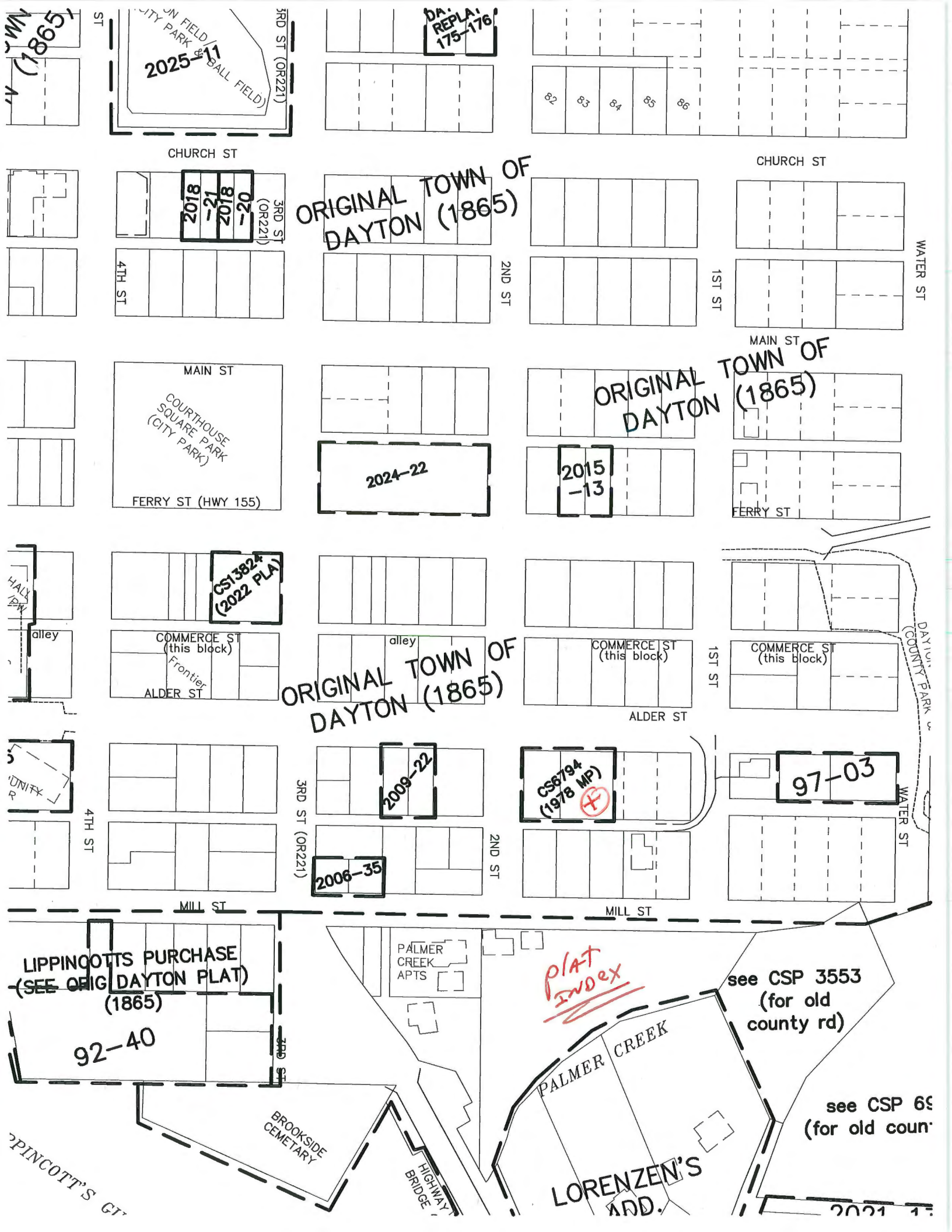
Denny Muchmore, PE (OR, WA)

Westech Engineering, Inc. *Celebrating 57 Years of Service 1968-2025*

3841 Fairview Industrial Drive SE, Suite 100, Salem, OR 97302

503-585-2474 ph 503-585-3986 fax 503-931-8708 cell

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2025-11

DA. REPL. 175-176

ORIGINAL TOWN OF DAYTON (1865)

ORIGINAL TOWN OF DAYTON (1865)

ORIGINAL TOWN OF DAYTON (1865)

LIPPINCOTT'S PURCHASE (SEE ORIG DAYTON PLAT) (1865)

92-40

2006-35

2009-22

CS6794 (1978 MP)

97-03

PLAT INDEX

see CSP 3553 (for old county rd)

see CSP 69 (for old coun

LORENZEN'S ADD.

LIPPINCOTT'S GT





The map displays a grid of streets and lots. Streets shown include Church St, Main St, Mill St, 1st St, 2nd St, 3rd St, 4th St, and Water St. Lot numbers are provided for many of the blocks. Notable landmarks and areas include:

- City Park & Ball Field** (top left)
- Courthouse Square Park (City Park)** (center left)
- Palmer Creek Apts** (bottom center)
- Brookside Cemetery** (bottom left)
- County Park & Boat Ramp** (right edge)
- Highway 155** (center left, labeled as Ferry St)

Large, semi-transparent labels are overlaid on the map:

- 4317DB** (top left)
- 4317AD** (top right)
- 4317DA** (center)
- 4316CB** (bottom right)

A red handwritten note "TAX MAP & TAX LOT" is located near the Palmer Creek area.





LEGION FIELD/  
(CITY PARK & BALL FIELD)

3RD ST (OR221)

CHURCH ST

3RD ST  
(OR221)

CHURCH ST

WATER ST

1ST ST

MAIN ST

MAIN ST  
02600  
COURTHOUSE  
SQUARE PARK  
(CITY PARK)  
FERRY ST (HWY 155)

02700

FERRY ST

06600  
06700  
06800  
07000

COMMERCE ST  
(this block)  
Frontier  
ALDER ST

06000  
alley

COMMERCE ST  
(this block)

ALDER ST

COMMERCE ST  
(this block)

1ST ST

DAYTON LANDING & BOAT RAMP  
(COUNTY PARK & BOAT RAMP)

WATER ST

4TH ST

MILL ST

3RD ST (OR221)

2ND ST

MILL ST

PALMER  
CREEK  
APTS

HISTORIC  
PROPERTIES.

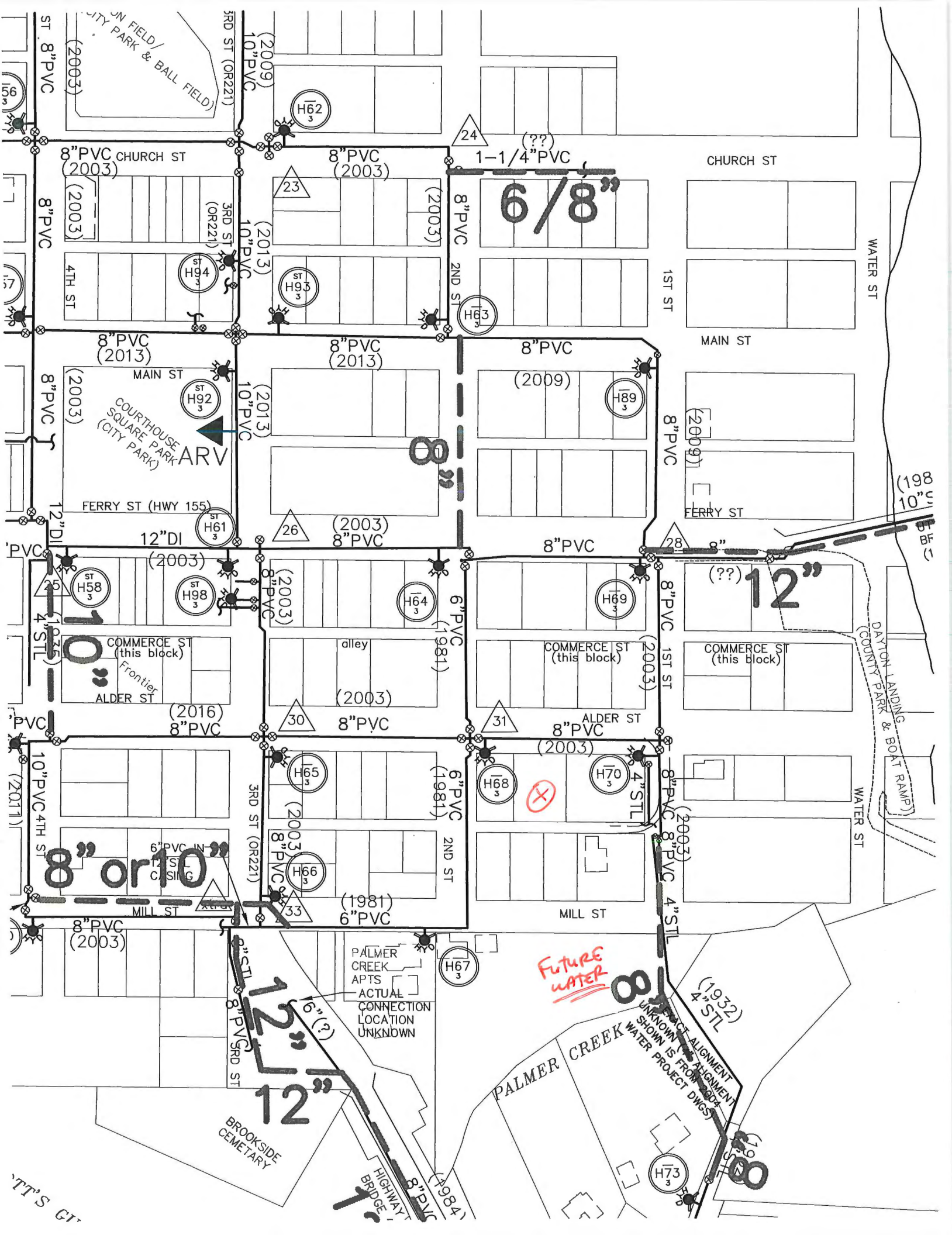
PALMER CREEK

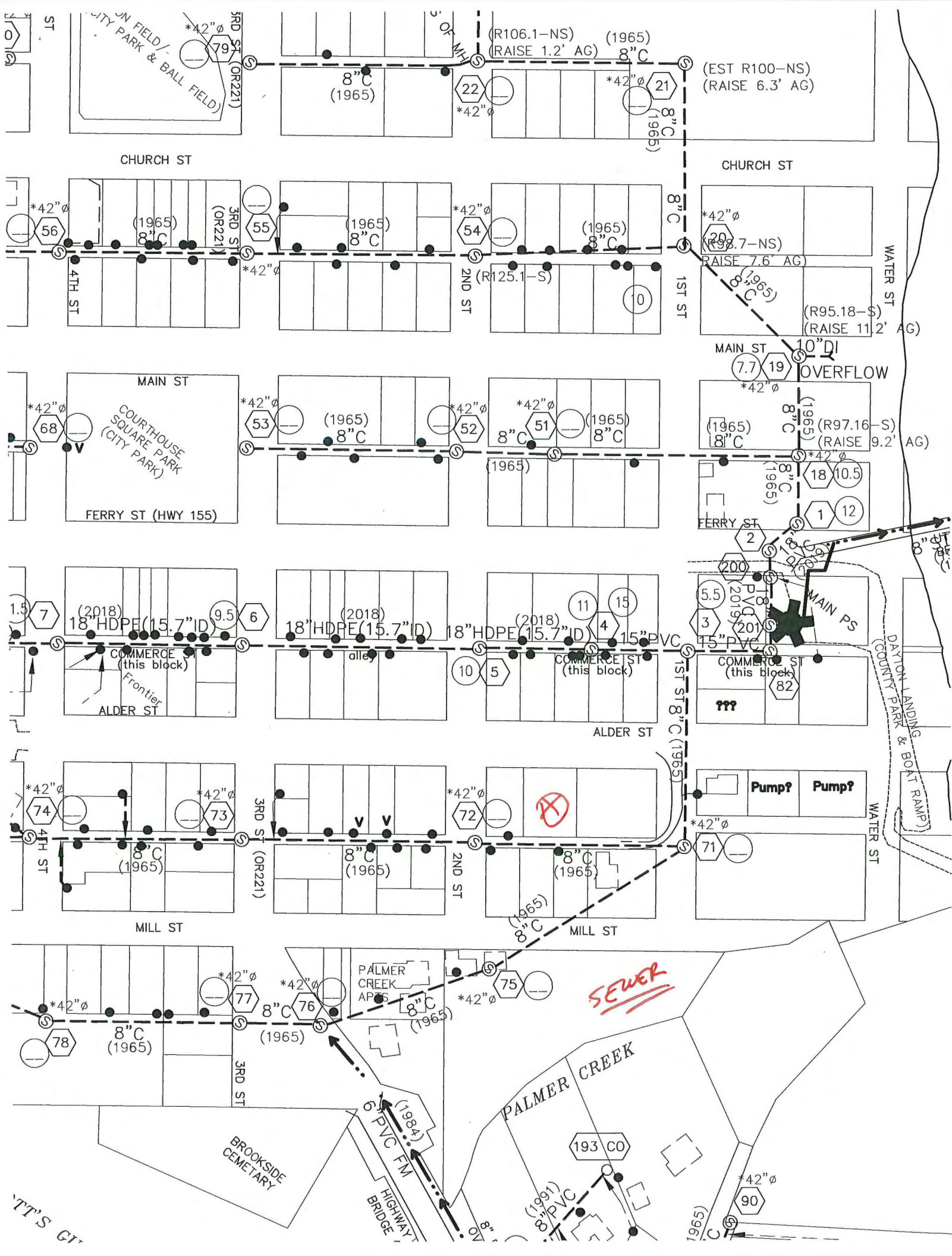
02700  
BROOKSIDE  
CEMETARY

HIGHWAY  
BRIDGE

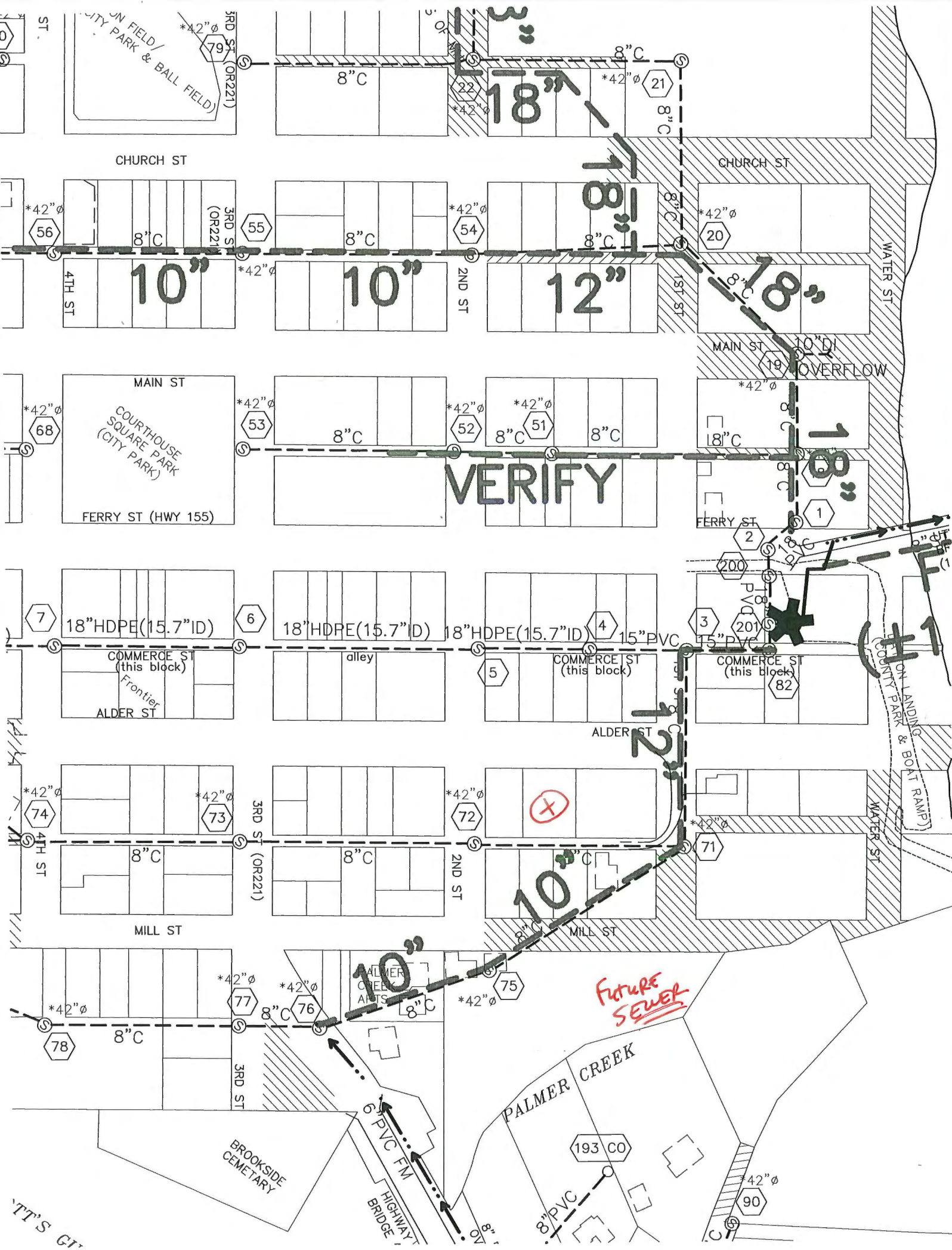


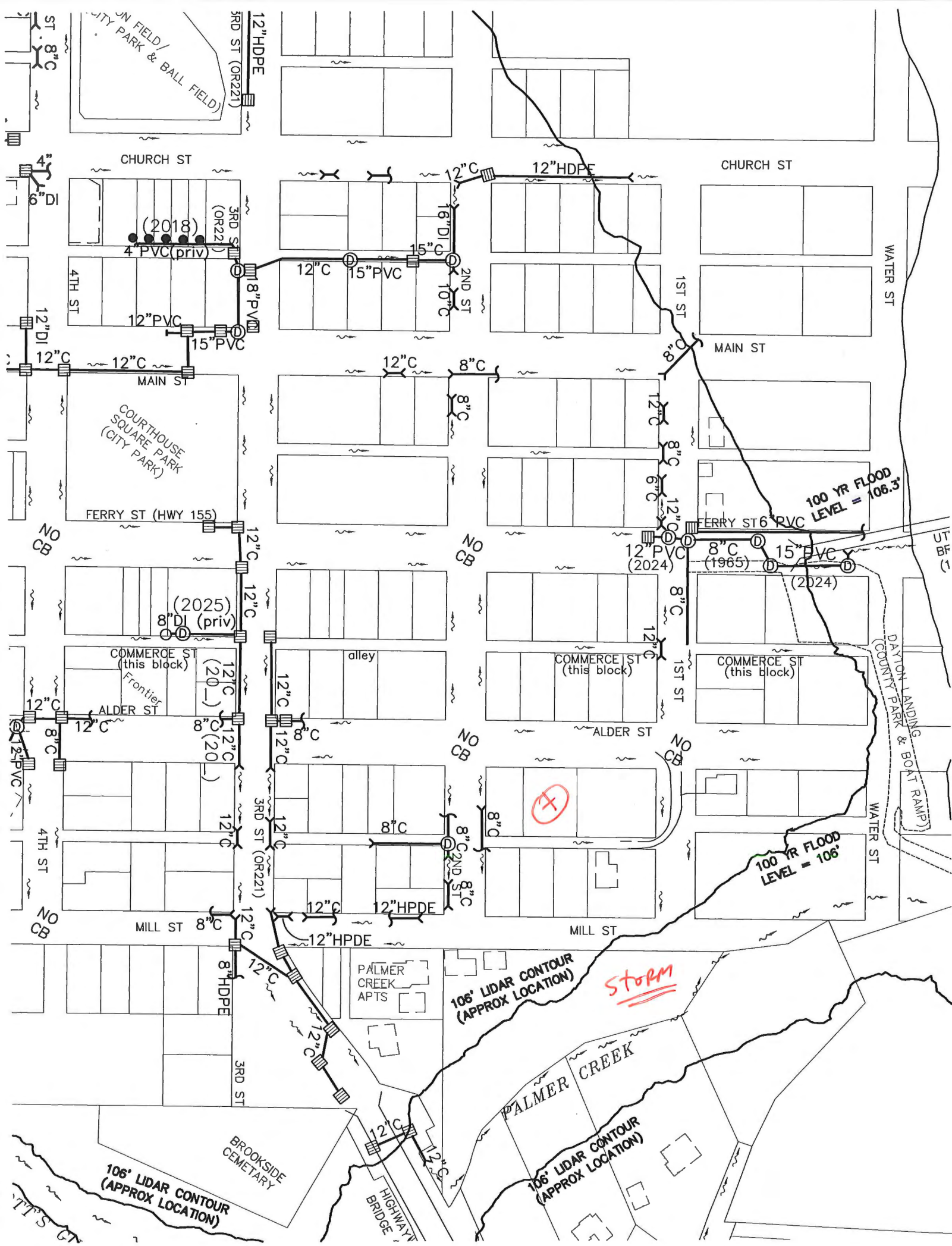




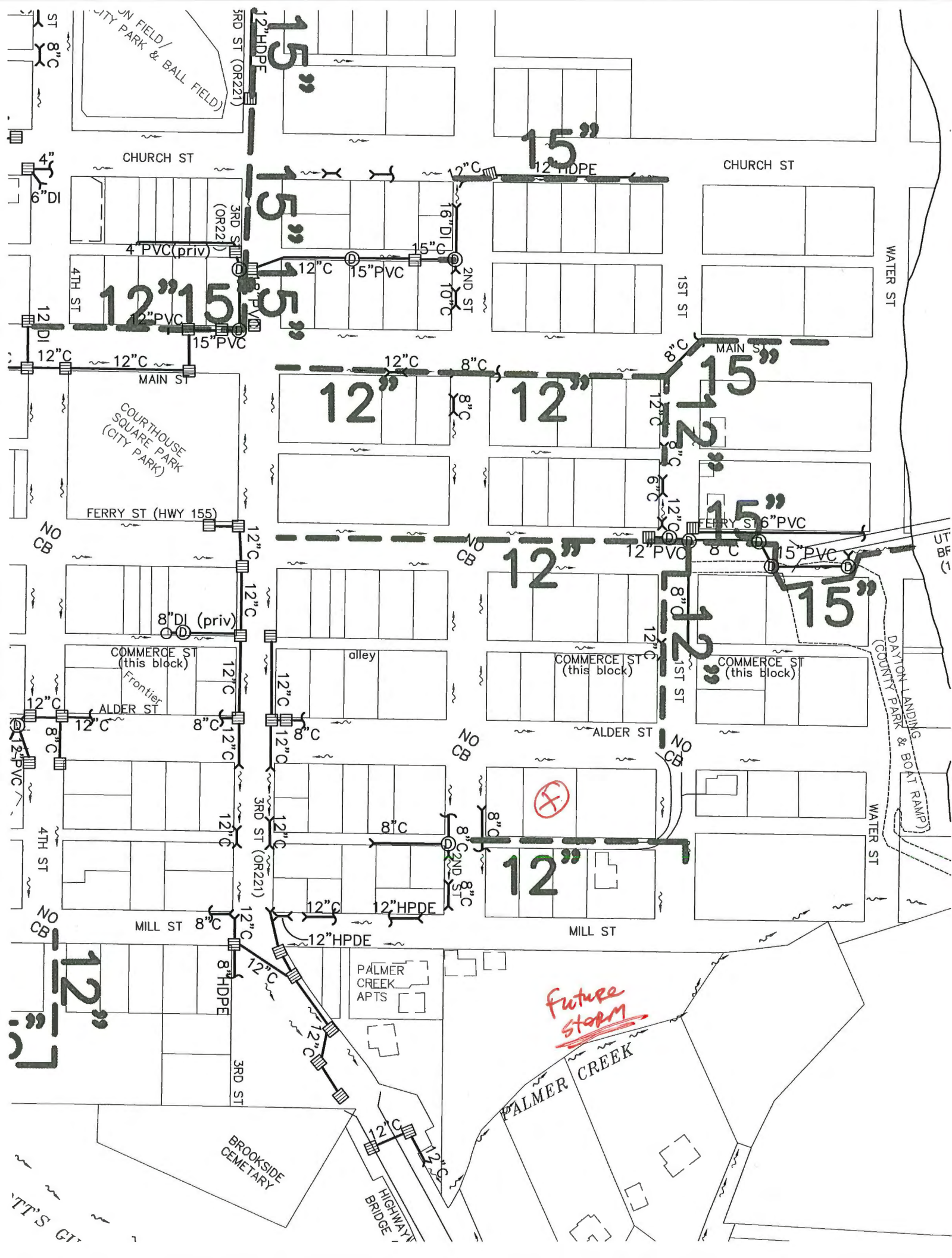


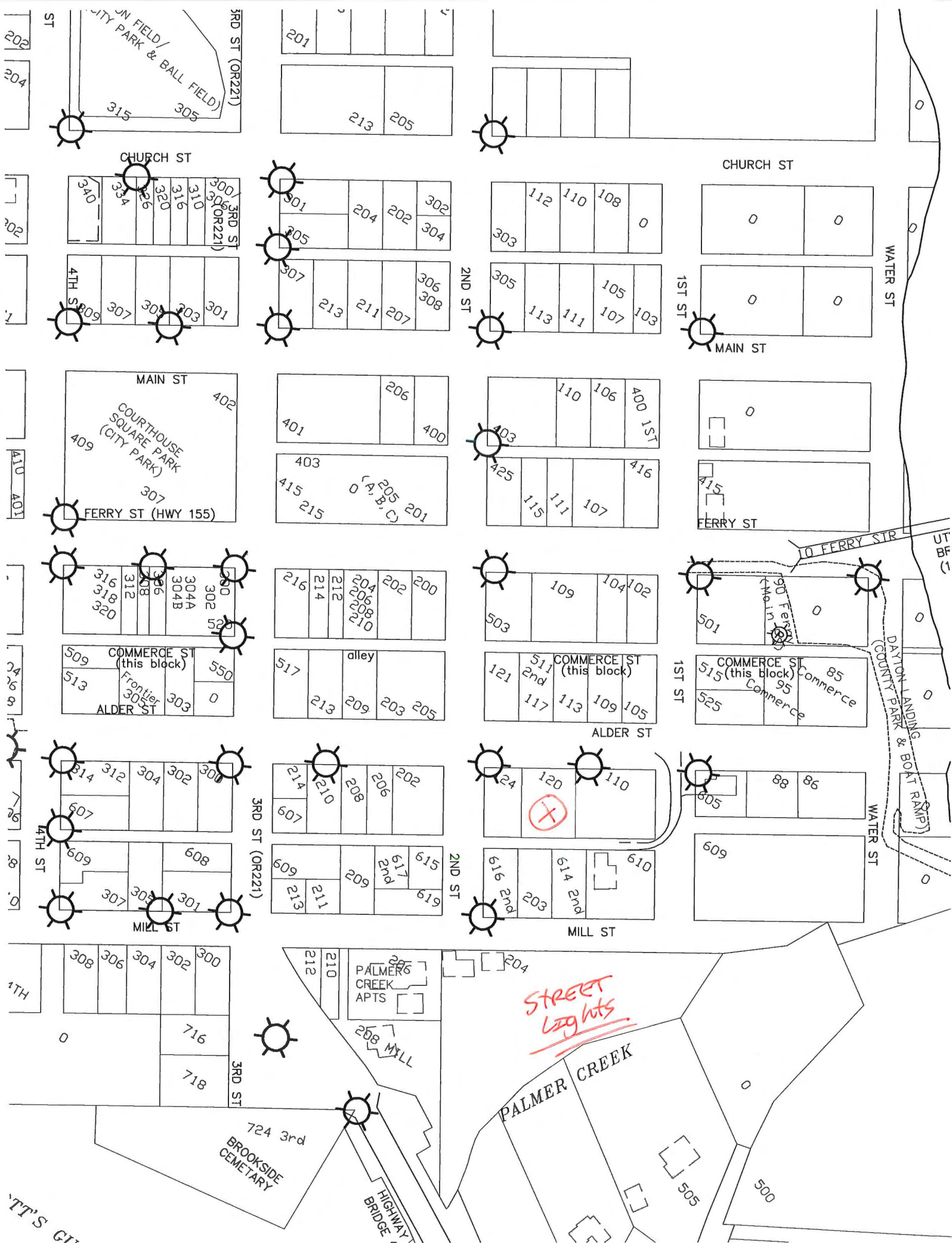




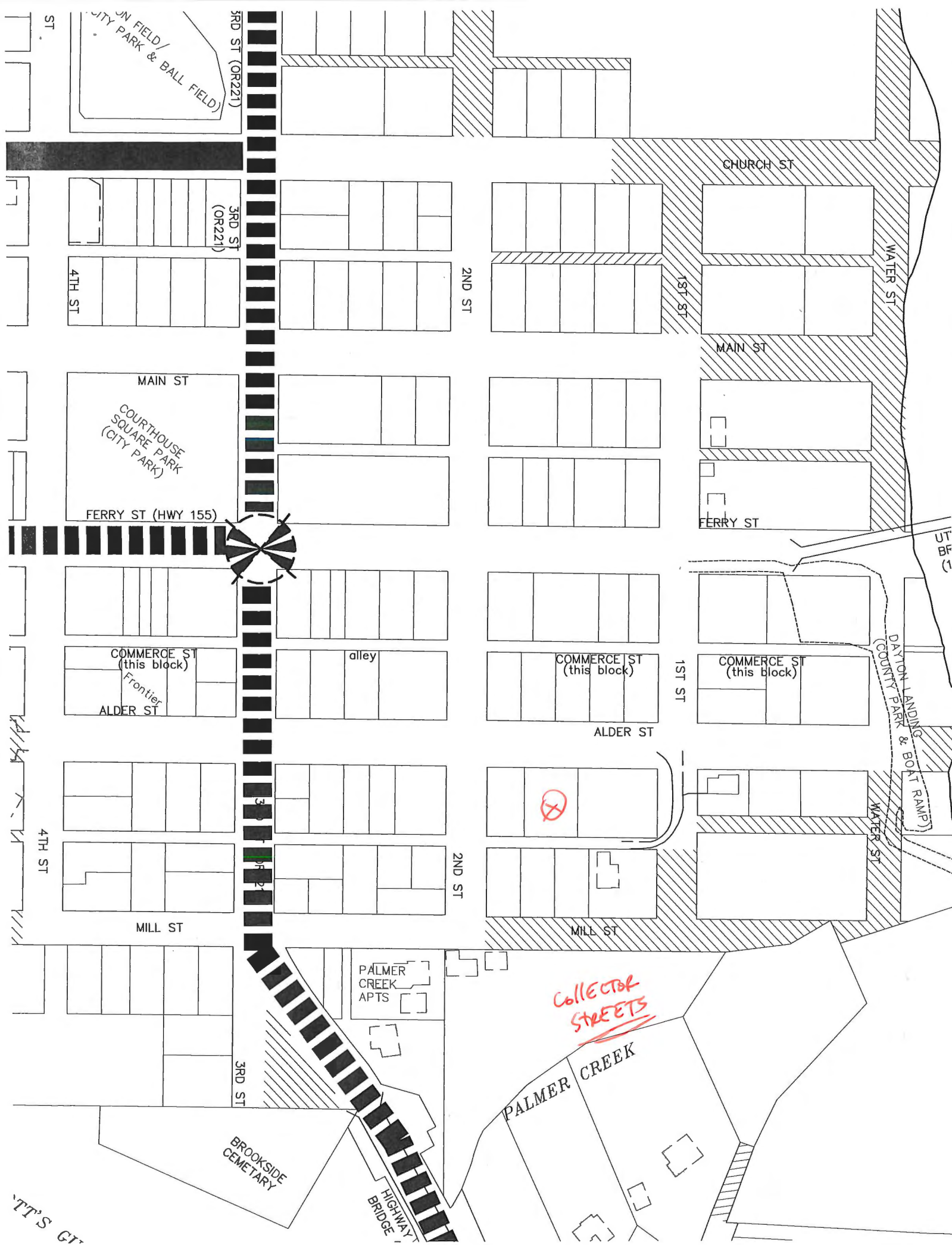












ON FIELD/  
CITY PARK & BALL FIELD

3RD ST (OR221)

CHURCH ST

WATER ST

3RD ST (OR221)

4TH ST

2ND ST

1ST ST

MAIN ST

MAIN ST

COURTHOUSE  
SQUARE PARK  
(CITY PARK)

FERRY ST (HWY 155)

FERRY ST

UT  
BF (1)

COMMERCE ST  
(this block)  
Frontier  
ALDER ST

alley

COMMERCE ST  
(this block)

ALDER ST

COMMERCE ST  
(this block)

1ST ST

DAYTON LANDING  
& BOAT RAMP  
COUNTY PARK

WATER ST

4TH ST

2ND ST

MILL ST

MILL ST

PALMER  
CREEK  
APTS

COLLECTOR  
STREETS

PALMER CREEK

BROOKSIDE  
CEMETARY

HIGHWAY  
BRIDGE

TT'S ST

