

**1311 COMPLETION OF IMPROVEMENTS, SURETIES, AND MAINTENANCE**

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1311.01 COMPLIANCE WITH APPROVED PLANS

Development authorized by an approved land use permit shall be completed pursuant to the approved final plans prior to recording of a final plat or issuance of a certificate of occupancy, except as provided under Section 1311.

1311.02 COMPLETION OF REQUIRED IMPROVEMENTS AND CONDITIONS AND SURETIES

To ensure the timely and satisfactory completion of improvements required pursuant to conditions of approval and other conditions of a land use permit, a performance surety may be required from an applicant by the Planning Director prior to the release of a final plat, issuance of a certificate of occupancy, or similar approval sought.

- A. The principles and procedures for performance surety, warranty, and acceptance of work set forth in Section 190 of the County Roadway Standards shall apply to any improvements required pursuant to conditions of approval and other conditions of a land use permit for which a performance surety is sought.
- B. The receipt and acceptance of performance sureties and warranties shall be administered by the County consistent with the principles and procedures set forth in Section 190 of the County Roadway Standards.

1311.03 DAMAGE AND MAINTENANCE

The developer of any subdivision, partition, or other development shall construct, maintain, repair, replace, and shall be responsible for any damage to curbs, sidewalks, pavement, and driveway approaches; shall keep the pavement area free of debris, soil, or foreign matter at all times; and shall be responsible for the efficient operation of all drainage facilities in all streets included in the development until the surety is released by the County.

1311.04 MAINTENANCE MECHANISMS

All approved on-site improvements shall be the ongoing responsibility of the property owner or occupant. The County may require the recording of a maintenance agreement or other suitable mechanism, in the County Deed Records, to ensure that the following maintenance responsibilities are adequately addressed:

- A. To improve, operate, and maintain common facilities, including open space, landscaping, parking and service areas, roads, surface water management, recreation areas, signing, lighting, shared wells, and similar facilities; and
- B. To maintain landscaping, street furniture, storm drainage, and similar streetscape improvements developed in the public right-of-way.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[Added by Ord. ZDO-253, 6/1/15]