

# LINN COUNTY PLANNING AND BUILDING DEPARTMENT

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## **PARTITION APPLICATION** **Application Fee \$350.00**

### INTRODUCTION

This application is for partitioning land into two or three parcels. No parcel may be created which does not have an approved access to a public road. **A partitioning which will create a parcel or parcels which use a flag strip or an easement for access, or when a public road is created, requires concurrent submittal and review of an access recognition application.** The partition application will be approved when the requirements of the attached decision criteria, and any other land use reviews which may be required in conjunction with this application, are met.

Except for parcels created in a resource zone exclusively for resource use, **you must provide proof with your partition application that the Linn County Environmental Health Program (EHP) has approved a location on each proposed parcel for an on-site sewage disposal system.** The application will not be accepted without prior EHP certification. A complete application must include a diagram of the proposed partitioning and a proposed site development plan for each resulting parcel. The site plan must be prepared in a manner which is similar to the sample attached to the application.

A partition application is normally conducted as a staff review. When a partition application does not involve an access review, or other concurrent land use review requiring interpretation or judgment, it is a ministerial act, and is classified as a Type 1B application. A ministerial decision does not require notice to any party except the applicant and the landowner. Once a Type 1B application is deemed complete, it will take approximately three weeks to process the application and prepare a decision.

When a partition application includes an access review or other concurrent land use review requiring discretionary interpretation or judgment, it is classified as a Type IIA application. Once a Type IIA application is deemed complete, it will take approximately six to eight weeks to process the application and prepare a decision. Adjoining property owners will be notified of the proposal and asked to respond. After a decision is made, there is a 14-day appeal period during which any individual who has legal standing may appeal the decision to the Planning Commission. If there is no appeal within 14 days, the decision becomes final.

Certain conditions of approval will be included as part of the decision. The conditions of approval will pertain to road improvements, access and easement requirements, surveys and property descriptions. **Building permits, sewage disposal system installation permits, and other primary use development permits will be issued only after the decision becomes final and the conditions of approval are satisfied.** The Department recommends that you wait until the decision is made before preparing final surveys, property descriptions, and easement documents.

If you have any questions about the partition process, please feel free to contact the Department. Planning staff is available Monday through Friday from 8:30 a.m. to 12:00 noon, and from 1:00 p.m. to 5:00 p.m. and can be contacted by telephone at (541) 967-3816.

### PARTITION APPLICATION

#### Application Check List (for departmental use only)

Date Received: \_\_\_\_\_ Receipt number: \_\_\_\_\_ Fee paid: \_\_\_\_\_

Application accepted by: \_\_\_\_\_ Completeness reviewed by: \_\_\_\_\_

Date deemed complete: \_\_\_\_\_ Final action time limit date: \_\_\_\_\_

File number assigned: \_\_\_\_\_ Planner assigned: \_\_\_\_\_

Other applications included: \_\_\_\_\_

\_\_\_\_\_ Proposed parcels include recognized access. Type 1B. Criteria : \_\_\_\_\_ LCC 924.200-210

\_\_\_\_\_ Proposal Requires Access Review(s). Type IIA. Criteria: \_\_\_\_\_ LCC 924.200 & LCC 924.250

\_\_\_\_\_ Access Recognition Application Attached

#### **Environmental Health Program Certification**

The proposed parcels each contain approved sewage disposal system and repair areas.

Signed: \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Verification of ownership

\_\_\_\_\_ Property is a legal unit of land

\_\_\_\_\_ Owner/applicant name(s), address(es)

\_\_\_\_\_ Owner/application signature(s)

\_\_\_\_\_ Tentative Partition Plan

\_\_\_\_\_ Complete Site Development Plans

\_\_\_\_\_ Property development standards can be met:

Lot size \_\_\_\_\_ Setbacks \_\_\_\_\_ Coverage \_\_\_\_\_

Width \_\_\_\_\_ Depth \_\_\_\_\_ Frontage \_\_\_\_\_

\_\_\_\_\_ Proposal is located within:

UGB \_\_\_\_\_ Planning area \_\_\_\_\_

A.O. Zone/Airport notification area \_\_\_\_\_

Floodplain \_\_\_\_\_ S.B.H.O. \_\_\_\_\_ Habitat \_\_\_\_\_ Historic \_\_\_\_\_ Greenway \_\_\_\_\_

**THIS FORM MUST BE FILLED OUT COMPLETELY, IN INK OR TYPEWRITTEN**

**I. Property Owner/Applicant Information**

- A. Applicant(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number (home) \_\_\_\_\_ (work) \_\_\_\_\_
- B. Property owner(s) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number (home) \_\_\_\_\_ (work) \_\_\_\_\_
- C. Applicant's representative (if any) \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone number (home) \_\_\_\_\_ (work) \_\_\_\_\_

**II. Property Information**

- A. Legal description of property: Township \_\_\_\_\_ Range \_\_\_\_\_ Section(s) \_\_\_\_\_  
Tax Lot(s) \_\_\_\_\_
- B. Property size \_\_\_\_\_
- C. Site Address (if any): \_\_\_\_\_
- D. Zoning designation \_\_\_\_\_ Comp Plan designation \_\_\_\_\_
- E.. Name of Fire Protection District \_\_\_\_\_

**III. Development Information**

- A. Proposed Parcel Sizes:  
Parcel 1: \_\_\_\_\_ Parcel 2: \_\_\_\_\_ Parcel 3: \_\_\_\_\_
- B. Describe any existing and proposed structures, fences, wells, septic systems or other improvements. Indicate the distance of each feature from each property boundary. Show these improvements and distances on your site plan.  
Parcel 1: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Parcel 2: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Parcel 3: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Describe any natural features on the property such as drainage ways, creeks, streams, swales, ponds, steep slopes or hills. (Show these features on your site plan.)

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- D. How is access to be provided to each parcel?

Parcel 1: Public Road (name)\_\_\_\_\_ Flag strip\_\_\_\_\_ Easement\_\_\_\_\_

Parcel 2: Public Road (name)\_\_\_\_\_ Flag strip\_\_\_\_\_ Easement\_\_\_\_\_

Parcel 3 Public Road (name)\_\_\_\_\_ Flag strip\_\_\_\_\_ Easement\_\_\_\_\_

- E. Describe the proposed driveway(s):

1. Will it be a public or private road? \_\_\_\_\_

2. How wide will the road right-of-way be? \_\_\_\_\_

3. How wide will the road surface be? \_\_\_\_\_

4. Will any water bodies be crossed by the road? \_\_\_\_\_

5. If so, will the crossing be by bridge or culvert(s)? \_\_\_\_\_

6. Will the road intersect with a county/public road at an existing access point or will this be a new access point? \_\_\_\_\_

- F. Will the property be partitioned again in the future? \_\_\_\_\_

If yes, when? \_\_\_\_\_

#### IV. Site Plan

**You must submit a site plan showing the property dimensions, location of existing and proposed structures and natural features with this application. Include the distance of any existing and proposed structures, wells and septic systems to each property line. A more complete description of what is required in a site plan is attached to the application.**

#### V. Owner/Applicant Certifications

**YOUR SIGNATURE CERTIFIES THAT YOU HAVE READ AND AGREE WITH THE FOLLOWING STATEMENTS. PLEASE READ BEFORE SIGNING THIS DOCUMENT.**

1. I understand that, under State law, no person may at any time negotiate to sell a parcel until the preliminary plat has been approved.
2. I understand that, under State law, no person shall sell or convey any interest in a parcel until the plat has been signed by the Director and recorded with the County Clerk.
3. I understand that, Pursuant to *ORS 92.050-92.080*, parcels being created that are 10 acres or smaller are required to be surveyed and to have a partition plat map prepared. Those parcels being created that are larger than 10 acres require the preparation of a partition plat map. The plat map must receive final approval from the Planning and Building Department within **180 days** of the tentative approval. Once Planning and Building Department approval has been given, the plat map must be recorded with the Linn County Clerk.

4. I hereby certify that the statements, attachments, exhibits, plot plan and other information submitted as a part of this application are true and any approval granted based on this information may be revoked if it is found that such statements are false.

Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_

Owner/applicant signature \_\_\_\_\_ Date \_\_\_\_\_

VI. Verification of Ownership

**Only the owner of the property is authorized to complete this section.**

- A. I hereby certify that this application does not violate any recorded codes, covenants or restrictions that are attached to the subject property.

- B. I have the following legal interest in the property:

\_\_\_\_\_ owner of record

\_\_\_\_\_ land sales contract purchaser

\_\_\_\_\_ holder of a recorded exclusive option to purchase

- C. **Property Owner Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

PLEASE NOTE: County ordinance does not allow an application to be reviewed unless the owner has first authorized it. The Assessor's office records are used to verify the ownership.

The Linn County Assessor's office records indicate that:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section(s) \_\_\_\_\_ Tax Lot(s) \_\_\_\_\_

is owned or is being purchased by: \_\_\_\_\_

If more than one owner is included, please list all other owners.

Other owners:

(1) \_\_\_\_\_

(3) \_\_\_\_\_

(2) \_\_\_\_\_

(4) \_\_\_\_\_

\_\_\_\_\_  
Assessor or Planning Staff Signature

\_\_\_\_\_  
Date

## STANDARD SITE PLAN DRAWING

For a complete and accurate evaluation of your proposal, it is necessary to include sufficient information and detail on a site plan drawing. An example is provided as a guide to the preparation of your plan. The site plan you submit will constitute the formal development plan upon which your request is based.

You may submit separate plans to show details of particular aspects of your proposal, i.e. landscaping, off-street parking, topography and drainage plans.

Any public or semi-public use or activity will require written detail and description of such use, i.e. number of employees, hours of operation, unusual equipment or activities that may produce noise, odor, glare, vibration, etc., equipment storage areas, guard or watchman requirements, aerial hazards and road access needs.

This site plan requirement is in addition to any other requirements for zoning, building, sanitation or other governmental permits or standards compliance.

### SITE PLAN REQUIREMENTS:

- (1) The site plan must be submitted on paper no larger than 8½ inches by 14 inches and drawn to scale.
- (2) Indicate the scale (for example, 1" = 200') on the site plan.
- (3) Include a North arrow indicating the direction of North on the map.
- (4) Include the applicant's name and address in an information block at the bottom of the page.
- (5) Show the dimensions of the property. These may be taken from surveys, deeds and assessor's records.
- (6) Indicate the names of roads adjacent to the property.
- (7) Indicate the approximate distance and direction to nearest city or town.
- (8) Indicate the dimensions and distance from property lines to all structures, both existing and proposed, as well as fences, culverts, light standards and signs on the property and adjacent properties.
- (9) Indicate the location of existing and proposed access ways, parking and loading areas, approaches and barriers. The type of surfacing should be indicated.
- (10) Identify the location of significant land features, such as streams, creeks, drainage areas and slope.
- (11) Identify the location of existing and/or proposed septic tanks, repair areas and wells. If known, indicate any wells or septic systems on adjacent properties if they are within 10 feet of this property.
- (12) Indicate existing uses of land (cultivation, pasture, timber, etc.). Indicate types of crops, pasture, grass and timber species.

Attach sample plot plan (see sample plotplan on Planning and Building webpage)