

ARTICLE 6

LAND DIVISIONS

10.6.000 OVERVIEW OF ARTICLE 6

This Article guides what is often the first major step in the development process, how land is divided into blocks, lots and streets. Land divisions define the pattern of a community, which in turn may shape the character of the community. This Article establishes the procedures for lot line adjustments, expedited land divisions, partitions and subdivisions. The provisions of this Article should be read together with the General Development Standards of Article 8. In particular, the standards for Public Improvements that are applicable to all development, including land divisions, are addressed in Article 8.

Land divisions occur through either a partition or subdivision process.

- A partition procedure is used when three (3) or fewer units (generally referred to as “parcels”) are created in a calendar year and may or may not involve creation of a street. Partitions are reviewed through a two-step process.
- A subdivision is used when four (4) or more units (generally referred to as “lots”) of land are created in a calendar year. Subdivisions are also reviewed through a two-step process. Subdivision applications may include a concurrent request for Planned Development (PD) approval to permit greater flexibility in the design of the subdivision. Provisions for Planned Developments are addressed in Article 4.

The following list summarizes topics covered in this Article:

- General Provisions
- Expedited Land Divisions
- Lot Line Adjustments
- Partitions
- Subdivisions
- Land Division Standards

These headings can assist the user in locating information. The table of contents contains a complete list of the material included in this Article.

GENERAL PROVISIONS

10.6.005 INTRODUCTORY PROVISIONS

Land divisions are governed by State Law, several related provisions of this Code and other chapters of the Forest Grove Municipal Code. An introduction to these related regulations is provided below.

- A. Relationship to State Law. ORS Chapter 92 governs all land divisions. State law permits the City to develop its own procedures and review criteria for land divisions. However, because the state law limits the City’s discretion in land divisions, users of this Code are encouraged to review ORS 92 to be aware of all state requirements applicable to land divisions. Pursuant to

ORS 197.015(10)(b)(G), a City decision to approve or not approve a final plat is not a land use decision.

- B. Relationship to Public Improvements Standards in Article 8. All proposed land divisions must meet the applicable design and construction standards for public improvements included in Article 8, and related construction specifications adopted by the City of Forest Grove separate from this Code.
- C. Relationship to Other Local Regulations. All proposed land divisions must meet the applicable standards of the base zoning district (i.e., residential, commercial, industrial, etc.), the provisions of any applicable overlay districts (such as Environmental Review), and other development standards included in Article 8 (such as Clear Vision Area, Grading, Drainage and Erosion Control). A pre-application conference is required to highlight all of the key provisions of this Code and other regulations that will apply to the proposed land division application.
- D. Phased Subdivision.
 - 1. The review body may authorize a time schedule for platting a subdivision in phases. Each phase may be for a period of time in excess of one (1) year, but the total time period for all phases shall not be more than eight (8) years without resubmission of the tentative plan. Each phase so platted and developed shall conform to the applicable requirements of this Code.
 - 2. For a phased project, the right-of-way for streets within the development that provide connectivity to arterials or collectors outside the project site shall be dedicated with the first phase of the project.
- E. Prohibition on Sale of Lots. No person shall sell or convey any interest in any subdivision or partition lot until the final plat has been approved and recorded with the recording officer of Washington County.
- F. Future Re-Division. When dividing tracts into large lots, the review authority shall require that the lots be of such size and shape to facilitate future re-division in accordance with the density targets established in Article 3.
- G. A building permit for the construction of a structure shall not be issued unless all applicable and needed services including vehicular access, power, sewerage, domestic and fire water supply and storm water drainage are available to the lot or parcel where the structure is to be built. This provision does not apply to permits for a structure that does not require such services (such as a storage shed).

EXPEDITED LAND DIVISIONS

10.6.010 ALTERNATIVE PROCESS

- A. At the request of the applicant, certain land division applications may be processed as expedited land divisions under the provisions of ORS 197.360 - .380. In general, the expedited land division process shall be available as a more expedient means of processing certain land divisions.
- B. The provisions of ORS 197.360 shall be followed to determine the eligibility of an application for the expedited land division process.
- C. The notice and comment provisions of ORS 197.365 shall apply to all expedited land division applications.
- D. While the decision making process is strictly controlled by statute, the approval standards and criteria shall be the same as those provided within this Code for the type of permit requested.
- E. A decision on an expedited land division application must be reached within 63 days of the application being deemed complete. Decisions on expedited land division applications shall be made in accordance with the rules and exceptions on timing as provided in ORS 197.370.
- F. A decision on an expedited land division application may be appealed to a hearings referee in accordance with the procedures established under ORS 197.375. The decision of the hearing referee may be appealed to the court of appeals.

LOT LINE ADJUSTMENTS

10.6.015 PURPOSE

This section provides the opportunity for adjustment of a common boundary between two lots. A lot line adjustment does not result in the creation of a new lot.

10.6.020 PROCEDURE

Lot line adjustments shall be processed under the Type I procedure.

10.6.025 APPLICATION REQUIREMENTS

An application for a lot line adjustment consists of a completed application, signed by all property owners involved in the proposed adjustment, and a map showing the following details:

- A. The scale, north arrow and date of the map.
- B. The tax map and lot number identifying each parcel involved in the adjustment.
- C. The location, width and purpose of any easements and driveway access to public right-of-way, existing or proposed.
- D. The area, before and after the lot line adjustment, of each parcel.
- E. The proposed property lines and dimensions of each parcel.
- F. Existing and proposed utility services and stub locations, including water, sanitary sewer, drainage, power, gas and telephone.
- G. Adjacent rights-of-way, with width shown.

10.6.030 REVIEW CRITERIA

The Director shall approve or deny a lot line adjustment based on the following criteria:

- A. An additional parcel is not created by the lot line adjustment, and the parcel reduced in size by the adjustment is not reduced below the minimum lot size established by the zoning district.
- B. The resulting parcels conform to the dimensional standards of the zoning district, including:
 - 1. The minimum width of the lots shall meet the requirements of the applicable zoning district; and
 - 2. Setbacks shall be as required by the applicable zoning district.

10.6.035 EXEMPTIONS FROM DEDICATIONS

A lot line adjustment is not considered a development action for purposes of determining whether floodplain or right-of-way dedication is required.

10.6.040 RECORDING REQUIREMENTS

Upon the Director’s approval of the proposed lot line adjustment, the applicant shall record the lot line adjustment with Washington County and submit a copy of the recorded document to the City, to be incorporated into the record. The recorded document shall convey property by deed and comply with the requirements of ORS Chapter 92. The document shall be recorded prior to the issuance of any building permits on the re-configured lots.

Approval of the lot line adjustment is evidenced by the signature of the Director or his designee, together with the date of approval. If the documents effectuating the lot line adjustment as approved are not properly prepared, executed and recorded with Washington County within six (6) months following approval, the adjustment shall be null and void. Approval shall not be reinstated without a new application.

PARTITIONS

10.6.045 PURPOSE

Land division review procedures for partitions are established for the following purposes:

- A. Ensure building sites are of sufficient size and appropriate design for their intended uses and lots to be created are within density ranges permitted by the Comprehensive Plan;
- B. Minimize negative effects of development upon the natural environment and incorporate natural features into the proposed development where possible;
- C. Ensure economical, safe, and efficient routes for pedestrians, bicycles, and motor vehicles;
- D. Create residential living environments that foster a sense of neighborhood identity and are protected from the adverse effects of heavy traffic and more intensive land uses; and
- E. Promote energy efficiency.

10.6.050 PROCEDURE

Partitions are reviewed through a two-step procedure. A tentative plat for a partition is reviewed through the Type II procedure primarily for design aspects, connections to existing and future streets, preservation of natural features, drainage and floodplain considerations, and compliance with other requirements of this Code. General compliance with the public improvement standards of Article 8 is assessed at the tentative partition plat review stage.

The final partition plat is reviewed through the Type I procedure for conformance with the approved tentative plat and conditions, and applicable state or county laws or rules. Detailed and specific compliance with the public improvement standards of Article 8 is assessed at the final partition plat review stage. An Oregon-licensed land surveyor must prepare the tentative and final plats.

Refer to Article 1 for information on Type I and Type II procedures.

10.6.055 APPLICATION REQUIREMENTS FOR TENTATIVE PLAT REVIEW

Applications shall be on forms provided by the Director and shall be accompanied by the tentative partition plat. The tentative plat shall be sufficiently accurate to ensure proper review and shall not exceed 24 inches x 36 inches. The tentative plat shall include the following information where applicable:

- A. Names of the owner, applicant, engineer, and surveyor as appropriate.
- B. Date, scale, and north arrow.
- C. Property line boundaries of all contiguous land in the same ownership as the area encompassed in the application.
- D. Sufficient description to define location and boundaries of the area to be partitioned.

- E. Location of existing structures.
- F. Number and type of units proposed where known.
- G. Location and width of all existing or proposed public or private accessways (rights-of-way) including any reserve strips and parking areas.
- H. Location of all existing and proposed public and private utilities, including water, sewer, and storm drainage.
- I. Proposed parcel layout indicating dimensions, parcel lines and lot areas of parcels.
- J. Approximate location and width of watercourses.
- K. All areas to be dedicated to the public and their proposed uses including street rights-of-way, drainageways, easements and reserve strips.
- L. Location and use of adjacent structures within 150 feet of the development site.
- M. Identification of significant natural features including heavily wooded areas.
- N. Where it is evident that the subject can be further partitioned the applicant shall show, either on the tentative plat or as an attachment, that the land partition will not preclude efficient division of land in the future.

The Director may waive any of the submittal requirements where determined that the information is unnecessary to properly evaluate the proposed partition. The Director may also require any additional information needed to evaluate the proposal.

The tentative partition plat application shall be reviewed for compliance with the application requirements above according to Type II procedures. Please refer to Article 1 for a summary of the procedures.

10.6.060 REVIEW CRITERIA

Approval of a tentative partition plat will be granted if the Director finds that the applicant has met all of the following criteria:

- A. The tentative partition plat complies with all applicable requirements for submittal.
- B. The tentative partition plat complies with all applicable standards and design requirements of this Code.
- C. Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and addressed in the design of the tentative plat.

- D. All parcels shall be suitable for their intended use. No parcel shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the occupants of such parcel or partition.
- E. Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
- F. Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
- G. The proposed street plan provides safe, convenient and direct options for pedestrian, bicycle and vehicular circulation.
- H. Adequate public facilities are available or can be provided by the applicant to serve the proposed partition.

10.6.065 EFFECTIVE PERIOD OF TENTATIVE PLAT APPROVAL

Approval of a tentative partition plat shall be valid for a period of one (1) year from the effective date of the approval.

10.6.070 APPLICATION REQUIREMENTS FOR FINAL PLAT REVIEW

- A. The final partition plat shall conform to the tentative partition plat and any conditions of approval.
- B. The partition plat shall be prepared in accordance with ORS Chapters 92 and 209 by an Oregon-licensed surveyor and conform to the partition plat standards established by the County Surveyor.
- C. An Oregon-licensed land surveyor shall survey and monument the parcels. All monuments on the exterior boundary and all parcel corner monuments of a partition shall be placed before the partition is offered for recording.
- D. The plat shall include or be accompanied by:
 1. Notarized signature of the owner declaring the ownership and consenting to recording of the plat.
 2. Legal descriptions of areas proposed for dedication including street rights-of-way, drainageways, easements, and reserve strips (legal descriptions shall meet the approval of the City Engineer).
 3. Notarized copy of any deeds dedicating land to the City signed by the grantor.
 4. A description of streets, driveways, utilities, and improvements proposed to be made or installed, as well as a time within which such improvements are to be completed.

5. A designated space for approval signatures shall be placed on the plat.
6. All easements and adjacent streets shall be placed on the plat.

10.6.075 FINAL PLAT REVIEW CRITERIA

Type I approval of the final partition plat will be granted if the Director finds that the applicant has met all of the following criteria:

- A. The final plat is in substantial conformance with the approved tentative plat.
- B. Conditions of approval attached to the tentative plat have been satisfied.
- C. All public facilities serving the land division are fully improved and adequate, or full improvement of such public facilities can be provided or guaranteed prior to issuance of any permit for development of any lot in the land division.
- D. The final plat shall be checked, and such measurements taken and computations made as necessary to determine that the plat is correct, and that all requirements of state law and this code are met.

10.6.080 FINAL PLAT APPROVAL

Prior to final approval, the City shall be assured that:

- A. The applicant has installed or agreed to install required public improvements in accordance with the provisions of Article 8.
- B. Public assessments, liens, and fees with respect to the partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the City Council.
- C. The City Engineer shall review a signed and notarized deed for any areas being dedicated to the City prior to the final signing of the partition plat.
- D. The partition shall be signed by the Director or designee.
- E. Approval does not relieve the applicant from other applicable provisions of this Code or from the Oregon Revised Statutes (ORS).

10.6.085 RECORDING OF FINAL PLAT

When all required signatures have been obtained on the final partition plat, the applicant shall record the plat and any required covenants with the County Recorder.

10.6.090 EFFECTIVE DATE

Authorization of the final partition plat shall become effective when the plat is recorded.

SUBDIVISIONS

10.6.095 PURPOSE

Land division review procedures for subdivision are established for the following purposes:

- A. Ensure building sites are of sufficient size and appropriate design for their intended uses and lots to be created are within density ranges permitted by the Comprehensive Plan;
- B. Minimize negative effects of development upon the natural environment and incorporate natural features into the proposed development where possible;
- C. Ensure economical, safe, and efficient routes for pedestrians, bicycles, and motor vehicles;
- D. Create residential living environments that foster a sense of neighborhood identity and are protected from the adverse effects of heavy traffic and more intensive land uses; and
- E. Promote energy efficiency.

10.6.100 PROCEDURE

Subdivisions are reviewed through a two-step procedure. A tentative plat for a subdivision is reviewed through the Type II procedure primarily for design aspects, connections to existing and future streets, preservation and natural features, drainage and floodplain considerations, and compliance with other requirements of this Code. General compliance with the public improvement standards of Article 8 is assessed at the tentative plat review stage.

The final subdivision plat is reviewed through the Type I procedure for conformance with the approved tentative plat and conditions, and applicable state or county laws or rules. Detailed and specific compliance with the public improvement standards of Article 8 is assessed at the final plat review stage. An Oregon-licensed land surveyor must prepare the tentative and final plats.

Refer to Article 1 for information on Type I and Type II procedures.

10.6.105 APPLICATION REQUIREMENTS FOR TENTATIVE PLAT REVIEW

- A. Application. Applications shall be made on forms provided by the Director. The person filing the application must be the owner or a person having an interest in the land to be included in the subdivision. If the development is to include a territory with more than one ownership, the application must be submitted jointly and be signed by all of the owners or persons having an interest in each of the separately owned properties to be included.

The application shall be accompanied by the following:

- 1. One (1) copy of the narrative on 8 ½ x 11 inch sheets;
- 2. Four (4) sets of full-scaled black line drawings of the tentative plat and any other graphic(s), with a sheet size not to exceed 24 x 36 inches. One set of the graphics shall

be reduced to fit on 8 ½ x 11-inch sheets of paper. Graphics and related names/numbers must be legible on this sheet size. When necessary, an overall plan with additional detail sheets may be submitted.

B. Graphics. A tentative subdivision plat application shall include the following information where applicable:

1. Public notice map
2. Existing land use map. Typically an aerial photo that extends at least 500 feet beyond the site boundaries shall be submitted unless the Director accepts a different map type and/or extent. This map includes building footprints and makes a distinction between residential, commercial and industrial land uses, as well as noting other significant features such as roads, drainageways, parks, transit stops and schools.
3. Tentative subdivision plat and other graphics drawn to scale and containing sheet titles, date, north arrow, and legend placed in the same location on each sheet and containing the following:
 - a. Name and address of owner(s) of record, applicant, and registered land surveyor who prepared the plat;
 - b. Sufficient description to define location and boundaries of the development site;
 - c. Location and use of adjacent structures within 150 feet of the development site;
 - d. Number of lots and their dimensions including frontage, depths, and area in square feet;
 - e. General locations of existing and proposed structures including building types and gross density per acre and proposed use restrictions. An indication of approximate building envelopes may be required where necessary to evaluate building relationships;
 - f. General location and size of areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semipublic uses;
 - g. Existing and proposed general circulation system including bikeways, off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way. Notations of proposed ownership (public or private) should be included where appropriate;
 - h. Existing and proposed general pedestrian circulation system, including its interrelationship with the vehicular circulation system and indicating proposed treatments of points of conflict;
 - i. Existing and proposed utility systems including sanitary sewer, storm sewer, drainageways, and water;
 - j. Identification of significant natural features including heavily wooded areas and significant trees;
 - k. Topographic contours at two (2)-foot intervals for slopes under 20% and at five (5)-foot intervals for slopes at or greater than 20%. Where the grade of any part of the subdivision exceeds 10% or where the subdivision abuts existing developed lots, a conceptual grading plan may be required to show features adjacent to or within a reasonable distance from the subdivision that would

affect the subdivision and adjacent areas. If a grading plan is required, it shall show how runoff or surface water from individual lots will be managed and ultimate disposal of all subdivision surface waters;

- l. Approximate location of proposed easements and/or dedications for drainage, sewage, or other public utilities;
 - m. Location of waterways and drainageways, showing top of existing banks and channel depth, and if requested, a separate sheet showing cross section at fifty (50)-foot intervals of all such watercourses; and
 - n. For residential development, identification of which lots are intended to have solar access protection.
4. The Director may waive any of the above requirements when determined the information required by this section is unnecessary to properly evaluate the proposed development. The Director may also require additional information, if determined necessary, to adequately evaluate the proposal.

C. Narrative. A written statement shall include:

1. Proposed uses and development objectives;
2. Statement of on-site and off-site improvements to be constructed or installed, date of their anticipated completion, and availability of off-site rights-of-way and/or easements to the site to allow extension of off-site improvements to the site. Improvements include:
 - a. Domestic water supply;
 - b. Sewage disposal, storm drainage, and flood control;
 - c. Pedestrian, bicycle and vehicular access;
 - d. Maintenance of common areas, if proposed; and
 - e. Landscaping.
3. General description of intentions concerning timing, installation and maintenance responsibilities, and assurances for all public and non-public improvements and facilities, such as irrigation, private roads and drives, landscape, and open space, water quality and stormwater detention facilities and sensitive land buffers;
4. General data not included on the tentative plat such as:
 - a. Total number and type of dwelling units;
 - b. Lot sizes;
 - c. Proposed lot coverage of buildings and structures where known;
 - d. Densities per net acre;
 - e. Total amount of open space (lands not designated for buildings or vehicle parking and maneuvering areas); and
 - f. Total amount of nonresidential construction.
5. Any proposed Conditions, Covenants and Restrictions (CC&Rs)

6. How the proposed project meets each of the approval criteria.
- D. An application for a subdivision within the City of Forest Grove must include a certification from the City Engineer and Light and Power Director for electricity as follows:
1. Certification from the City Engineer and Light and Power Director on forms provided by the City that the following are available to the site:
 - a. Municipal water with legal access to the site and sufficient volume and pressure to serve the proposed development.
 - b. Sanitary sewer with legal access to the site and sufficient treatment plant capacity and line capacity to serve the proposed development.
 - c. Storm sewer with legal access to the site and sufficient line capacity to adequately provide the necessary drainage.
 - d. Road access with available public right-of-way and capacity to serve the proposed development.
 - e. Electrical power with legal access to the site and sufficient capacity to serve the development.
 2. The City Engineer or Light and Power Director may require such information from the applicant as deemed necessary to make the determination whether to issue the certifications described in Subsection (1) above.
 3. When any of the certifications described in Subsection (1) above cannot be made because the utilities lack sufficient capacity or line availability to the property boundary, the City Engineer, or the Light and Power Director for electricity, shall state on the form, based on the information provided by the applicant, whether the utilities could be provided by the extension or replacement of existing lines or construction of pumping stations, transformers or other facilities needed to provide capacity. If offsite improvements are required, the applicant shall be responsible for constructing or installing any such improvements.
 4. The application shall include a written statement from the applicant that the applicant understands that development of the site will not be authorized until the utilities are available and that the City cannot provide a time schedule for their availability.
 5. The City will not accept or review an application when certification under Subsection (1) above cannot be given due to a lack of legal access to extend the service to the site through offsite easements or rights-of-way for any service identified in Subsection (1) above.

10.6.110 TENTATIVE PLAT REVIEW CRITERIA

Type II approval of a tentative subdivision plat will be granted if the Director finds that the applicant has met or can meet all of the following criteria without reliance on other parties not associated with the subject development, unless agreements with such other parties are in place prior to project approval to the satisfaction of the Director:

- A. The tentative subdivision plat complies with all applicable requirements for submittal.
- B. The subdivision plat complies with all applicable standards and design requirements of this Code.
- C. Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and addressed in the design of the tentative plat.
- D. All lots shall be suitable for their intended use. No parcel shall be of such size or design as to be detrimental to the health, safety, or sanitary needs of the occupants of such lot or subdivision.
- E. Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
- F. Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
- G. The proposed street plan provides safe, convenient and direct options for pedestrian, bicycle and vehicular circulation.
- H. Adequate public facilities are available to or within the site, including sufficient legal access, or can be provided by the applicant to serve the proposed subdivision.
- I. Protection and assurance of access to incident solar radiation and/or wind as defined by ORS 92.044 for potential electrical generation or mechanical application.

10.6.115 EFFECTIVE PERIOD OF TENTATIVE PLAT APPROVAL

Tentative subdivision plat approval shall be valid for a period of two (2) years from the effective approval date. If the applicant has not submitted a final subdivision plat within two (2) years (with appropriate assurances for improvements, if applicable), the approval shall expire. The applicant may file for an extension in accordance with the provisions of Section 10.1.135 E.

10.6.120 APPLICATION REQUIREMENTS FOR FINAL PLAT REVIEW

The final subdivision plat and two (2) copies shall be submitted to the Director and meet Washington County's survey and subdivision plat standards and shall conform to the approved tentative subdivision plat and with Article 8 Development Standards, except where modified by a Planned Development approval (See Article 4). The plat shall contain or be accompanied by the following information:

- A. Name of the subdivision;
- B. Date, north arrow, scale, legend, and existing features such as highways and railroads;
- C. Legal description of subdivision boundaries;
- D. Reference and bearings to adjoining recorded surveys;
- E. Exact location and width of streets and easements intersecting the boundary of the subdivision;
- F. Subdivision, block, and lot boundary lines;
- G. Street rights-of-way, center lines with dimensions to the nearest 0.01 foot, bearings or deflection angles, radii, arc, points of curvature, and tangent bearings. Subdivision boundaries, lot boundaries, and street bearings shall be shown to the nearest thirty (30) seconds with basis for bearings;
- H. Name and width of proposed and existing streets (subject to approval by the Director), width of any existing right-of-way, and width on each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to centerline dimensions, the radius and center angle shall be indicated;
- I. Easements, denoted by fine dotted lines clearly identified and, if already of record, their recorded reference. If an easement is not definitely located or recorded, there shall be a written statement of the easement. The easement's width, length, bearing, purpose and sufficient ties to locate it with respect to the subdivision shall be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's certificates of dedication. The City Engineer shall approve wording of all easements;
- J. Locations and widths of waterway and drainageways;
- K. Location and widths of railroad rights-of-way and reserve strips at the end of stub streets or along the edge of partial-width streets on the subdivision boundary;
- L. Parcels to be dedicated shall be distinguished from lots intended for sale, with acreage and alphabetic symbols for each parcel;
- M. Notations indicating any limitations on rights of access to or from streets and lots or other parcels of land;
- N. Clear identification of lots that have solar access height limitations;
- O. All certificates, acknowledgements, and other requirements established by State law. Such certificates may be combined where appropriate.
- P. A signature line for the Community Development Director.

- Q. A signature line for the City Engineer verifying all easements and rights-of-way for public improvements and verifying that all required public improvements have either been installed to City standards or have been guaranteed for installation to the satisfaction of the City Engineer.

10.6.125 ADDITIONAL MATERIALS

The following additional information shall be submitted to accompany the final subdivision plat:

- A. Complete and accurate survey of land to be subdivided made by an Oregon-registered or licensed surveyor;
- B. Traverse data on standard-form work sheets or accurate and complete electronic computations, showing closure of the exterior boundaries of the subdivision and of each block in the subdivision;
- C. Three (3) copies of all proposed covenants, conditions, and restrictions (CC & Rs), or a written statement signed by the applicant that no such restrictions will be established;
- D. Title guarantee by a title company doing business in Washington County, showing names of persons whose consent is necessary for preparation of the final plat and for any dedication to public use, and their interests therein. This guarantee shall certify, for benefit and protection of the City, that persons therein named are all of the persons necessary to give clear title to streets and other easements therein to be offered for dedication; and
- E. Copy of solar envelopes for each lot as necessary for solar access protection consistent with Article 5, Solar Access Standards.

10.6.130 DEDICATIONS AND PUBLIC UTILITY REQUIREMENTS

- A. The following items shall be offered for dedication for public use at the time the final subdivision plat is filed:
 - 1. Parcels of land shown on the final subdivision plat as intended for public use.
 - 2. Streets, pedestrian ways, drainage channels, easements, and other rights-of-way shown for public use on the final subdivision plat.
 - 3. Rights of access to and from streets, lots, and parcels of land shown on the final subdivision plat as intended to be surrendered.
- B. Evidence of unencumbered and clear title shall be submitted prior to approval of the final subdivision plat for all land proposed to be dedicated for public use.

10.6.135 DESIGNATION AND CONVEYANCE OF RESERVE STRIPS

Reserve strips one (1)-foot wide across the ends of stubbed streets adjoining unsubdivided land or along half streets adjoining unsubdivided land may be required. These strips shall be designated on the final subdivision plat. The reserve strip shall be included in the dedication granting the City right to

control access over the reserve strip to assure continuation or completion of the street. These reserve strips shall overlay the dedicated street right-of-way.

10.6.140 MONUMENTATION REQUIREMENTS

Monuments shall be set according to provisions of State law and Article 8.

10.6.145 FINAL PLAT REVIEW CRITERIA

The Director shall coordinate the review of the final subdivision plat. Approval of the final subdivision plat will be granted through the Type I procedure if the Director finds that the applicant has met all of the following criteria:

- A. The final subdivision plat is in substantial conformance with the approved tentative plat.
- B. Conditions of approval attached to the tentative subdivision plat have been satisfied.
- C. All public facilities serving the subdivision are fully improved and adequate, or full improvement of such public facilities is guaranteed prior approval of the final plat map.
- D. The final plat shall be checked, and such measurements taken and computations made as necessary to determine that the plat is correct, and that all requirements of state law and this code are met.

Upon notification by each agency that the final subdivision plat is satisfactory, the Director shall circulate the original copy of the final subdivision plat for all signatures required by State law.

The City Engineer may make field checks to verify that the map is sufficiently correct on the ground and may enter the property for this purpose.

10.6.150 INSTALLATION OF REQUIRED IMPROVEMENTS

Before the approval of the City Engineer is obtained, the applicant shall enter into an agreement with the City Engineer for the construction of all required public and private improvements and shall either install required improvements, guarantee the installation of improvements through an acceptable form of surety or have gained approval to form an improvement district for installation of improvements required with the tentative plat approval. Acceptable form of surety includes only one of the following: corporate surety bond, cash deposit, cash in escrow, or other form acceptable to the Finance Director. This condition is required for acceptance and approval of the final subdivision plat. Procedures for required improvements are more fully described in Article 8.

10.6.155 FRANCHISE UTILITY SERVICE

Prior to approval of the final subdivision plat, the applicant shall install or provide financial assurances to the satisfaction of the City Engineer that electrical power, natural gas, cable television, and telephone service is or will be provided for each lot unless specifically exempted during the review of the tentative subdivision plat.

10.6.160 FINAL PLAT TIME LIMITS, APPROVAL AND RECORDING

When all required signatures have been obtained on the final subdivision plat, the applicant shall record the subdivision plat and any required covenants with the County Recorder. Consistent with Section 10.1.130 G.2., recordation shall occur within one year after the plat has been submitted to the City.

10.6.165 EFFECTIVE DATE

Authorization of the final subdivision plat shall become effective when the subdivision plat is recorded.

10.6.170 VACATING PLATS

Applications for vacating a plat shall be reviewed and processed in accordance with ORS Chapter 271.

10.6.200 LAND DIVISION STANDARDS

Land division standards are intended to preserve, protect, and promote the public health, safety, convenience, and general welfare. See Section 10.8.900.