

## Chapter 17.34

### PARTITIONS

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**17.34.010 Applicability.**

(1) A partition is the division of a lot of record into three or fewer parcels in one calendar year and shall be governed by this chapter.

(2) Except as provided in GMC Chapter 17.32 (subdivisions), no parcel in an approved partition may be divided in the same calendar year in which the final partition plat is recorded unless the initial partition created only two parcels and the second partition will create only one additional parcel.

**Statutory Reference:** ORS Ch. 92,197 and 227

**History:** Ord. 1131 §2 (part), 1990; Ord. 1171 §1(P) and §1(T), 1993; Ord 1323 §1 (part), 2002.

**17.34.020 Partitions - Generally.**

(1) Submittal Requirements. An application for a partition shall include a tentative plan drawn to scale. A minimum of five (5) copies of the tentative plan shall be provided with an application for a Type I partition. A minimum of twelve (12) copies of the tentative plan shall be provided with an application for a Type II partition. The following information shall be provided on the tentative plan or, where it is impractical to include an item on the tentative plan, in a separate attachment:

(a) Date the tentative plan was drawn;

(b) North arrow;

(c) Scale of drawing;

(d) Township, Range, Section and Tax Lot numbers of the subject property and any contiguous property under the same ownership as the subject property;

(e) Complete names, addresses and telephone numbers of the property owner(s), applicant(s) and person(s) who prepared the tentative plan;

(f) Gross acreage of the subject property;

(g) A general description of the topography of the subject property;

(h) The locations, widths and names of all proposed streets and all existing or platted streets within or adjacent to the partition-site. Include proposed new curbs and sidewalks. Include existing curbs and sidewalks where necessary to show a connection to new curbs and sidewalks;

(i) The locations and direction of flow of all watercourses and areas subject to flooding, including boundaries of areas of special flood hazard regulated by GMC Chapter 17.29 (FM -flood management area district);

(j) The location of natural features, such as rock outcroppings, wetlands, wooded areas and individual large trees;

(k) The location of proposed and existing utilities within the partition and the location of adjacent off-site utilities to which on-site utilities will connect. Include water; sanitary sewer; storm drainage with width, depth and direction of flow of any drainage channels; gas; electric, including power poles; and other utilities;

(l) Zoning of the subject property;

(m) The location, including width, of existing and proposed easements, to which property they are conveyed and for what purpose(s). Include easements on the subject property and off-site easements conveyed to the subject property;

(n) Identification of existing uses of the subject property, including the location of all existing structures. Identify whether existing structures will remain on the property or be removed. When a structure will remain, identify its setbacks from new property lines;

(o) Proposed parcels, including location, dimensions, area and parcel numbers;

(p) A master plan, to include a tentative layout of possible future lots and streets, may be required when proposed parcels or adjacent properties have the potential for additional land division;

(q) The location of any existing on-site sewage

disposal systems and wells.

(2) Type I and Type II Partitions. A Type I partition is any partition where the proposed parcels conform to the dimensional standards of the zoning district in which the subject property is located, creation of a flag lot is not proposed and access will be provided from a local street. Any other partition is a Type II partition.

(3) Review. An application for a partition shall be reviewed pursuant to GMC Division VII (administrative procedures).

**Statutory Reference:** ORS Ch. 92, 197 and 227

**History:** Ord. 1131 §2 (part), 1990; Ord. 1171 §1(Q), 1993; Ord. 1179 §13, 1993; Ord. 1323 §1 (part), 2002; Ord. 1334 §6, 2002.

### 17.34.025 Final plat.

(1) Form and Content. The form and content of the final plat shall be consistent with relevant provisions of Oregon Revised Statutes Chapters 92 and 209.

(2) Review. Prior to recording, the final plat shall be submitted to the City Administrator, or designee, who shall review it to determine whether the partition as shown is substantially the same as it appeared in the approved tentative plan and whether there has been compliance with conditions of tentative plan approval.

(3) Approval. When satisfied that the final plat is consistent with the tentative plan approval and that compliance with conditions of tentative plan approval has been met, the City Administrator, or designee, shall sign the final plat.

(4) Filing. Following city approval of the final plat, the final plat shall be submitted to those Clackamas County officials who are required by state law to sign it. One copy of the recorded plat shall be submitted to the city.

**Statutory Reference:** ORS Ch. 92, 197 and 227

**History:** Ord. 1323 §1 (part), 2002.

[Ed. Note: The publication(s) referred to or incorporated by reference in this ordinance are available from the office of the City Recorder.]

### 17.34.030 Improvements.

The same improvements shall be installed to serve each building site of a partition as are required of a subdivision. However, if the Planning Commission finds that the nature of development in the vicinity of the partition makes installation of

some improvements unreasonable, the Planning Commission may except those improvements. In lieu of excepting an improvement, the Planning Commission may recommend to the City Council that the improvement be installed in the area under special assessment financing or other facility extension policies of the city.

**Statutory Reference:** ORS Ch. 92, 197 and 227

**History:** Ord. 1131 §2 (Part), 1990; Ord. 1323 §1 (part), 2002.

17.34.040 **History:** Ord. 1131 §2(part), 1990; Repealed by Ord. 1171 §1(R), 1993. 17.34.050 **History:** Ord. 1131 §2(part), 1990; Repealed by Ord. 1171 §1(S), 1993.

