

Title 17: SUBDIVISIONS AND PARTITIONS

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Chapter 17.04: DEFINITIONS

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- 17.04.010 Definitions-Generally.**

As used in this title, the masculine includes the feminine and neuter, the singular includes the plural, and the following words, unless the context otherwise requires, shall have the meanings set forth in this chapter. Where terms or words are not defined, they shall have their ordinary accepted meanings within the context of their use. The contemporary edition of "Webster's Third New International Dictionary of the English Language" (principal copyright 1961) shall be considered as providing accepted meanings

17.04.020 Access.

"Access" means the way or means by which pedestrians and vehicles shall have ingress and egress to the property.

17.04.021 Adjacent.

"Adjacent" means near or close, but not necessarily abutting or contiguous. For example, a parcel next to, or across the street from, another parcel shall be considered "adjacent."

17.04.022 Alley.

"Alley" means a narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

17.04.030 Arterial.

"Arterials" are roadways that are primarily intended to serve traffic entering and leaving the urban area. While arterials may provide access to adjacent land, that function is subordinate to the travel service provided to major traffic movements. Arterials are the longest-distance, highest-volume roadways within the urban growth boundary. Although the streets focus on serving longer distance trips, pedestrian and/or bicycle activities often are also associated with the arterial streetscape.

17.04.040 Building line.

"Building line," means a line of a plat indicating the limit beyond which buildings or structures may not be erected.

17.04.050 Collector.

"Collector" means a street supplementary to the arterial street system and a means of intercommunication between this system and smaller areas; used to some extent for through traffic and to some extent for access to abutting properties.

17.04.051 Common Open Space.

"Common Open Space" means an area; feature, building or other facility within a development intended from the use by the residents of the development.

17.04.060 Cul-de-sac.

"Cul-de-sac" means a short street having one end open to traffic and being terminated by a vehicle turnaround.

17.04.070 Development plan.

"Development plan" means any plan adopted by the planning commission for the guidance of growth and improvement of the City, including modifications or refinements, which may be made from time to time.

17.04.071 Director.

For purposes of Chapters 16, 17, and 18, "Director" means the Director of Public Works or his designate approved by the City Council.

17.04.080 Easement.

"Easement" means a grant of the right to use another's land for specific purposes.

17.04.090 Flag lot.

"Flag lot," means a lot, the major portion of which has access to a public road or street by means of a narrow strip of the lot.

17.04.100 Half Street.

"Half Street" means a portion of the width of a street, usually along the edge of a subdivision where the remaining portion of the street could be provided in another subdivision.

17.04.110 Lot.

"Lot" means a parcel of land intended as a unit for transfer of ownership or for development.

17.04.120 Marginal Access Street.

"Marginal Access Street" means a minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.

17.04.130 Minor Street.

"Minor Street" means a street intended exclusively for access to abutting properties.

17.04.140 Partition.

"Partition" means either an act of partitioning land or an area or tract of land partitioned as defined in this title.

17.04.150 Partition land.

"Partition land" means to divide land into two or three parcels of land within a calendar year, but does not include:

1. A division of land resulting from a lien foreclosure, foreclosure of a recorded contract for the sale of real property or the creation of cemetery lots;
2. An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created and where the existing unit of land reduced in size by the adjustment complies with any applicable zoning ordinance;
3. The division of land resulting from the recording of a subdivision or condominium plat;
4. A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right of way purposes provided that such road or right of way complies with

the applicable comprehensive plan and ORS 215.213 (2)(p) to (r) and 215.283 (2)(p) to (r). However, any property divided by the sale or grant of property for state highway, county road, city street or other right of way purposes shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned; or

5. A sale or grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, city streets or other right of way purposes when the sale or grant is part of a property line adjustment incorporating the excess right of way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

17.04.160 Pedestrian way.

"Pedestrian way" means a right-of-way for pedestrian traffic.

17.04.170 Person.

"Person" means an individual, firm, partnership, corporation, company, association, syndicate, or any legal entity, and including any trustee, receiver, assignee, or other similar representative thereof.

17.04.190 Planning commission.

"Planning Commission" means the Planning Commission of the City of Molalla, Oregon.

17.04.200 Plat. "Plat" includes a final subdivision plat, replat or partition plat.

17.04.201 Property line adjustment.

"Property line adjustment" means a relocation of a common boundary between two (2) adjoining legal lots of record.

17.04.202 Reserve strip.

"Reserve Strip" is a strip of land at the end of a street at a property boundary that is dedicated to the City as a means of controlling access to City streets.

17.04.210 Right-of-way.

"Right-of -way" means the area between lines of a street or other easement.

17.04.220 Roadway.

"Roadway" means the portion or portions of a street right-of-way developed for vehicular traffic.

17.04.230 Sidewalk.

"Sidewalk" means a pedestrian walkway with permanent surfacing to City standards.

17.04.240 Street.

"Street" means the entire width between the boundary lines of every way which provides for public use for the purpose of vehicular and pedestrian traffic, and the placement of utilities and

including the terms "road," "highway," "land," "place," "avenue," "alley," or their similar designations.

17.04.250 Subdivide land.

"Subdivide land" means to divide land into four or more lots within a calendar year.

17.04.260 Subdivision.

"Subdivision" means either an act of subdividing land or a tract of land subdivided as defined in this chapter.

17.04.261 Sub divider.

A sub divider is a person submitting an application to subdivide property.

17.04.270 Through lot.

"Through lot" means a lot having frontage on two parallel or approximately parallel streets other than alleys.

17.04.280 Undersized lot or parcel.

"Undersized lot or parcel" means a lot, parcel or tract of land that does not satisfy the area requirements of the underlying zoning district.

Chapter 17.08: INITIATING PROCEDURE

Sections:

17.08.010 Scope of regulations.

17.08.010 Scope of regulations.

- A. All subdivision preliminary plats and all streets or ways created for the purpose of partitioning land shall be approved by the City Council under a Type III procedure in accordance with these regulations.
- B. A person desiring to subdivide land or desiring to partition land by creation of a street or way shall submit preliminary plans and final documents for approval as provided in this title and the state law.
- C. Such plans and documents will, at a minimum, cover one (1) full tax lot.
- D. A person desiring to sell or subdivide any portion less than an entire tax lot shall first partition the land in accordance with Chapter 17.32, then commence the subdivision requirements in accordance with Chapter 17.

Chapter 17.12: PRELIMINARY PLAT

Sections:

- 17.12.010 Submission.
- 17.12.020 Scale.
- 17.12.030 General information.
- 17.12.040 Existing conditions.

- 17.12.050 Proposed plan.
- 17.12.060 Explanatory information required.
- 17.12.070 Master plan.
- 17.12.080 Preliminary review of proposal.
- 17.12.090 Tentative approval.
- 17.12.100 Approval criteria.

17.12.010 Submission.

- A. The sub divider shall prepare a preliminary plat in accordance with ORS 92 and 209 and this chapter, together with improvement plans and supporting documentation as required in this chapter to indicate the general program and objectives of the project.
- B. The preliminary plat and supporting documentation shall also provide information regarding any potential environmental, social and economic affects of any subsequent development and proposed mitigation for such effects.
- C. The sub divider shall submit all supporting documentation and up to twenty-one (21) copies of the preliminary plat-to the Directors office at least forty-five (45) calendar days prior to the hearing on the plat.
- D. Except as provided for in section 17.12.070 below, the preliminary plat shall include a minimum of one (1) tax lot.

17.12.020 Scale.

The preliminary plat shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet nor greater than one (1) inch equals two hundred (200) feet.

17.12.030 General information.

The following general information shall be shown on the preliminary plat:

- A. Proposed name of the subdivision. This name must not duplicate nor resemble the name of another subdivision in the county and shall be approved by the County Surveyor;
- B. Date, north point, and scale of drawing;
- C. Appropriate identification clearly stating the map is a preliminary map;
- D. Location of the subdivision by section, township, range and lot or lots.
- E. Names and addresses of the owner, subdivider, and engineer or surveyor;
- F. Gross acreage of proposed development.

17.12.040 Existing conditions.

The following existing conditions shall be shown on the preliminary plat and explained in the supporting documentation:

- A. The grade, location, width and names of all existing or platted streets and rights-of-way within or adjacent to the tract, together with approximate radius of curves, easements, railroad right-of-ways and other important features, such as section lines and corners, City boundary lines and monuments;

- B. Contour lines related to some established bench mark or other datum as approved by the Director and having contour intervals of five (5) feet or less;
- C. Location and direction of all watercourses and areas subject to flooding on and abutting the property;
- D. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees;
- E. Existing uses of the property, including location of all existing structures to remain on the property after platting;
- F. The location within the subdivision and in the adjoining streets and property of existing sewers, water mains, culverts, drain pipes and electric lines proposed to service the property to be subdivided;
- G. Existing zoning of the property.
- H. The location of the urban growth boundary, if within 1000 feet.
- I. Adjacent property boundaries and abutting land uses.
- J. Flood area.

17.12.050 Proposed plan

The following information shall be included on the preliminary plat and explained in the supporting documentation:

- A. The location, width, names, approximate grades and approximate radius of curves, of all proposed streets and how they will line up with other existing or platted streets within and adjacent to the tract, subject to the requirements of section 17.12.070 below;
- B. Approximate width, location and purpose of all existing and proposed easements, including references to the Book and Page of the County records;
- C. Lots, showing approximate dimensions, minimum lot size and proposed lot numbers and block letters;
- D. Sites allocated for required parks, open space, storm water detention and for any other purposes other than single-family dwellings;
- E. Property boundaries and dimensions;
- F. A preliminary utilities layout including the size and location of water, sewer, storm drainage and street lighting services and how and where such utilities will connect with existing utilities.
- G. Scaled location and present uses of all structures. Indicate if the structure is to be removed, demolished or if it is to remain on the site.
- H. All tracts of land intended to be deeded or dedicated for public use.

17.12.060 Explanatory information required.

The following information shall be submitted as supporting documentation accompanying the preliminary plat:

- A. A vicinity map covering an area extending at least five hundred (500) feet from the boundary of the area to be subdivided, showing existing subdivisions, streets and un-subdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets may be extended to connect the existing streets;
- B. Proposed deed restrictions in outline form;
- C. Improvements to be requested of the City and the approximate time such request will be made, and the approximate costs and date of completion of such improvements;
- D. Improvements to be made by the developer and the approximate time such improvements are to be completed.
 - 1. Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of the ordinance, state laws and other applicable City ordinances.
 - 2. If the nature of the improvements is such that it is impractical to prepare all necessary details prior to approval of the preliminary plat the additional detail shall be submitted at least thirty (30) days prior to the time of requesting approval of the final plat.
 - 3. Agreements on any recommended changes shall be obtained prior to approval of the final plat.
- E. An analysis of existing traffic flows and traffic flows projected as a result of the subdivision;
- F. A wetlands inventory, and certification from the Division of State Lands that wetlands are either not an issue or that appropriate mitigation will be required and what that mitigation will be;
- G. The location and method of operation of required storm water detention facilities;
- H. The location of required parks and recreation facilities; and
- I. An analysis of the effects of the subdivision on the provision of other services, including but not limited to police and fire protection, water, sewer, and storm drainage.
- J. Other public ways, sidewalks, bicycle routes and bikeways, pedestrian/bicycle access ways and other pedestrian connections;
- K. Transit streets, facilities and stops (if any);
- L. Neighborhood activity centers;
- M. Any other information deemed necessary by the Director.

17.12.070 Master plan.

A master plan for subdivision development shall also be submitted at the time of application if the subdivision is to be developed in more than one (1) phase. Master Plans shall be processed pursuant to a Type I procedure. Such master plan shall include an analysis of effects on the City from the entire subdivision using the informational requirements of sections 17.12.050 and 17.12.060 and shall describe the anticipated timing of development of each phase. The Director prior to processing any preliminary plats for the development must approve the Master Plan. In reviewing the master plan the Director shall ensure that the public facilities for the proposed

development are adequate for the subdivision, consistent with all city standards and plans, and consistent with any existing or proposed development in the surrounding area.

1. A separate preliminary plat shall be submitted for each phase of the subdivision and each preliminary plat shall be consistent with the Master Plan.
2. A Master Plan may be revised at any time, but any revisions must be approved pursuant to a Type I procedure. When all phases of a subdivision are not completed within five (5) years of the date of approval of the Master Plan, the Master Plan shall be revised prior to approval of any new phases,
3. The city shall establish a fee for Master Plan review, which shall be set by City Council resolution.

17.12.080 Preliminary review of proposal.

Within ten (10) days after being submitted by the sub divider, the Director shall furnish one (1) copy of the preliminary plat and the appropriate supporting documentation to the County Surveyor, the Fire Chief, the Chief of Police, the appropriate utility companies, and the Oregon Department of Transportation. These agencies will be given at least five (5) days to review the plan, suggest revision, and return the plans to the Director's office.

17.12.090 Tentative approval.

Preliminary plat approval for subdivisions with less than 25 lots shall be processed under a Type III Land Use Procedure as stated in Chapter 16.04. Preliminary plat approval for subdivisions with 25 or more lots shall be processed under a Type V procedure.

17.12.100 Approval Criteria.

A preliminary plat shall be approved if the plat meets following the following approval criteria:

- A. The development is consistent with the Comprehensive Plan;
- B. The development meets all the requirements of Chapters 17 and 18;
- C. Adequate public facilities are available or are approved and scheduled to be completed before construction commences or conditions are included in the approval so that public facilities adequate to support the development are in place as development occurs.
- D. The development of any remainder of property under the same ownership can be accomplished in accordance with this code; and
- E. Adjoining land can be developed or is provided access that will allow its development in accordance with this code.

Chapter 17.16: FINAL PLAT

Sections:

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| 17.16.030 | Supplemental information and fees. |
| 17.16.040 | Technical review. |
| 17.16.050 | Final plat approval. |
| 17.16.060 | Agreement for improvements. |
| 17.16.070 | Bond. |

17.16.080 Filing.

17.16.010 Submission.

- A. Within twelve (12) months after tentative approval of the preliminary plat, the subdivider shall cause the subdivision or any part thereof to be surveyed and a final plat prepared in conformance with the preliminary plat as tentatively approved.
- B. The subdivider shall submit the original drawing of the final plat that conforms to ORS Chapters 92 and 209 and any supplementary information to the Director.
- C. If the subdivider wishes to proceed with the subdivision after the expiration of the twelve (12) month period following the tentative approval of the preliminary plat, the sub divider must re-apply for tentative approval of the preliminary plat and update the supporting documentation required in Chapter 17.12.

17.16.020 Information required.

In addition to that otherwise specified by law, the following information shall be shown on the final plat:

- A. The date, scale, north point (generally pointing up), and legend;
- B. Legal description of the tract boundaries;
- C. Name and address of the owner, subdivider, and engineer or surveyor;
- D. Reference points of existing surveys identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - 1. All stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the subdivision,
 - 2. Adjoining corners of all adjoining subdivisions,
 - 3. Any City coordinate system lines.
 - 4. Whenever the City or County has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset,
 - 5. All other monuments found or established in making the survey of the subdivision or required to be installed by provisions of this title;
- E. The exact location and width of streets and easements intersecting the boundary of the tract;
- F. Lines with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings for tract, lot and block boundaries, and street right-of-ways and centerlines. Tract boundaries and street bearings shall be shown to the nearest (.01) feet. No ditto marks shall be used;
- G. The width of the portion of streets being dedicated, the width of any existing right-of-way and the width each side of the centerline. For streets on curvature, curve data shall be based on the street centerline and in addition to centerline dimensions the radius and central angle shall be indicated;

- H. Easements denoted by fine dotted lines, clearly identified and, if already of record, its recorded reference. If the location of any easement is not described with particularity, a statement of the easement, the width of the easement, its length and bearing and sufficient ties to definitely locate the easement with respect to the subdivision must be shown. If the map is dedicating the easement, it shall be properly referenced in the owner's certificates of dedication;
- I. Lot numbers beginning with the number "1" and numbered consecutively in each block;
- J. Block numbers beginning with the number "1" and continuing consecutively without omission or duplication throughout the subdivision. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Block numbers in an addition to a subdivision of the same name shall be a continuation of the numbering in the original subdivision;
- K. Land parcels to be dedicated for any purpose, public or private, to be distinguished from lots intended for sale;
- L. Building setback lines, if any are to be made a part of the subdivision restrictions;
- M. The following certificates, which may be combined where appropriate:
 - 1. A certificate signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of said map.
 - 2. A certificate signed and acknowledged as above, dedicating all parcels of land shown on the final map and intended for any public use except those parcels which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants,
 - 3. A certificate signed by the engineer or the surveyor responsible for the survey and final map. The signature of the engineer or surveyor to be accompanied by his seal,
 - 4. Provisions for all other certification now or hereafter required by law.

17.16.030 Supplemental information and fees.

The following data shall accompany the final plat, and the sub divider shall pay the appropriate fees to the City Recorder at the time the final plat is filed with the Director.

- A. A title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises;
- B. Sheets and drawings showing the following:
 - 1. Traverse data, including the coordinates of the boundary of the subdivision and ties to the City coordinate system, and showing the error of closure, if any,
 - 2. The computation of all distances, angles and courses shown on the final map,
 - 3. Ties to existing monuments, proposed monuments, adjacent subdivisions and street corners;
- C. A copy of any deed restrictions applicable to the subdivision;

- D. A certificate by the Director certifying that the sub divider has complied with one of the following alternatives:
1. All improvements have been installed in accordance with the requirements of these regulations and with the action of the City Council giving conditional approval of the preliminary plat,
 2. An agreement has been executed as provided in Sections 17.16.060 and 17.16.070 to assure completion of all required improvements;
- E. A certificate of the sub divider of the total cost or estimate of the total cost for the development of the subdivision, in accordance with the provisions and requirements of this title or any other ordinances or regulation of the City relating to subdivision development. This certificate is to be accompanied by a final bid estimate of the sub divider's contractor engaged to perform the work, and the Director must first approve the certificate of the total cost estimate;
- F. A subdivision development fee as established by resolution of the City Council.

17.16.040 Technical review.

Upon receipt by the City, the final map and other data shall be reviewed by the Director who shall examine them to determine that the subdivision as shown is substantially the same as it appeared on the approved preliminary plat and that there has been compliance with provisions of the law and of this title. The City may make such checks in the field as are desirable to verify that the map is sufficiently correct on the ground, and its representatives may enter the property for this purpose. If the Director determines that at full conformity has not been made, he shall advise the sub divider of the changes or additions that must be made and shall afford the sub divider an opportunity to make the changes or additions. The Director shall use the certification of the City engineer or the County Surveyor in determining if the map and surveys are technically correct.

17.16.050 Final plat approval.

- A. Final plat approval shall be subject to Type I land use procedures in the procedures ordinance codified in Chapter 16.04.
- B. The final plat shall comply with the preliminary plan approval.

17.16.060 Agreement for improvements.

Before approval is certified on the final plat, the sub divider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the subdivision, or execute and file with the City Recorder an agreement between himself and the City specifying the period within which required improvements and repairs shall be completed; and, providing, that if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense from the sub divider.

17.16.070 Bond.

- A. The sub divider shall file with the agreement, to assure his full and faithful performance thereof, one of the following:
1. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the City Attorney;
 2. Cash or such security as the City approves.

- B. Such assurance of full and faithful performance shall be for a sum approved by the Director as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses, and to cover the cost of City inspection.
- C. In the event the sub divider fails to carry out provisions of the agreement and the City has unreimbursed costs or expenses resulting from such failure, the City shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash deposit exceeds cost and expense incurred by the City, it shall release the remainder; and, if the amount of the bond or cash deposit is less than the cost and expense incurred by the City, the sub divider shall be liable to the City for the difference.

17.16.080 Filing.

The sub divider shall, without delay, submit the final plat for signatures of other public officials required by law.

- A. The final plat shall be recorded within six (6) months after the final signature is obtained.
- B. No building permits will be issued until the final plat has been recorded.

Chapter 17.20: DESIGN STANDARDS

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- 17.20.010 Principles of acceptability.
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- 17.20.040 Streets-Reserve strips.
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- 17.20.220 Lots-Access.
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- 17.20.240 Lots-Access ways.
- 17.20.250 Lots-Through.
- 17.20.260 Lots-Side lines.
- 17.20.270 Large lot subdivision.
- 17.20.280 Building lines.
- 17.20.290 Parks
- 17.20.300 Entrances

17.20.010 Principles of acceptability.

The subdivision shall be in conformity with any development plans and shall take into consideration any preliminary plans made in anticipation thereof. The subdivision shall conform to the requirements of state laws and the standards established by this title.

17.20.020 Streets-Generally.

All existing and planned streets shall be shown on development plans. The location, width, and grade of street shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets.

17.20.030 Streets-Minimum right-of-way and roadway widths.

Unless otherwise shown, in a development plan, the width of streets and roadways in feet shall not be less than the following:

Table 2: Minimum Right-of-Way and Roadway Widths

Classification	Cross Section	Minimum Right-of-Way	Center Turn Lanes?	Travel Lanes	Bike Lanes?	Sidewalks?	On-Street Parking	Landscape Strip
Local	2 Lanes	50 Feet	No	Not Striped	No	5 Foot	Yes	Yes
Neighborhood Street Minor Collector	2 Lanes	50 Feet	No	12 Foot	No	5 Foot	Yes	No
Major Collector	2 Lanes	60 Feet	No	12 Foot	No	10 Foot	Yes	No
-Downtown	3 Lanes	60 Feet	Yes	12 Foot	6 Foot	5-8 Foot*	No	No
-Rest of the City								
Arterial	2 Lanes	60 Feet	No	12 Foot	No	Yes	Yes	No
-Downtown	3 Lanes	60 Feet	Yes	12 Foot	6 Foot	Yes	No	No
-Rest of City	2 Lanes	60 Feet	Raised	12 Foot	6 Foot	Yes	No	No
-Molalla Forest Rd. + Median			Median					

*8 feet in C-1 and C-2 zones; 5 feet elsewhere

17.20.040 Streets-Reserve strips.

Reserve strips or street plugs controlling the access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land composing such strips shall be placed within the jurisdiction of the City under conditions approved by the City Council.

17.20.050 Streets-Alignment.

All streets other than minor streets or cul-de-sacs, as far as practical, shall be in alignment with existing streets by continuations of the centerlines thereof. The staggering of street alignment resulting in "T" intersections shall leave a minimum distance of two hundred (200) feet between the centerlines of streets having approximately the same direction, and otherwise shall not be less than one hundred (100) feet.

17.20.060 Streets-Future extension.

Where necessary to give access to or permit a satisfactory future subdivision of adjoining land and to be consistent with the requirements of sections 17.12.050 through 17.12.070, streets shall be extended to the boundary of the subdivision.

- A. The resulting dead-end may be approved without a turnaround, if such extension is less than two hundred fifty (250) feet in length.
- B. Reserve strips and street plugs may be required to preserve the objectives of street extensions. No building permit shall be issued at the end of any street without prior approval of the Director.

17.20.070 Street-Intersection angles.

Streets shall be laid out to intersect at an angle as near to a right angle as practical, except where topography requires a lesser angle, but in no case less than sixty (60) degrees unless there is a special intersection design. Streets shall have at least fifty (50) feet of tangent adjacent to the intersection, unless topography requires a lesser distance.

17.20.080 Streets-Existing.

Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision.

17.20.090 Streets-Half-streets.

Half-streets, while generally not acceptable, may be approved where essential to the reasonable developments of the subdivision, when in conformity with the other requirements of these regulations and when it will be practical to require the dedication of the other half when the adjoining property is subdivided. Whenever a half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half-streets.

17.20.100 Streets-Cul-de-sac.

- A. Cul-de-sac shall be approved only when street connections are otherwise not possible due to topography or natural area constraints.
- B. A street terminating with a cul-de-sac shall be as short as possible, and shall have a maximum length of four hundred (400) feet, and serve no more than eighteen (18) single-family dwellings, if classified by the Director to be the final terminus of a street.
- C. The circular portion of the cul-de-sac shall have a minimum radius of fifty (50) feet or shall otherwise be approved by the Director.
- D. Parking in the circular portion shall be prohibited unless approved by the Director.
- E. If a street is projected to continue in a given area, then the Director or Hearings Officer may require a temporary cul-de-sac to be constructed.
- F. The temporary cul-de-sac or turnaround shall be constructed in any new subdivision in which the cul-de-sac street is over two hundred fifty (250) feet in length and extends to the property line. The construction standards for the area outside the projected curb line shall be as follows:
 - 1. The sub grade roadbed shall be graded and compacted;

2. Two (2) inches of asphalt concrete shall be installed over the compacted sub grade;
 3. An asphalt concrete roll curb shall be provided around the perimeter of the turnaround;
 4. The cost of future curb extensions and a removal of a temporary turnaround shall be required of the developer in accordance with the following procedure:
 - a. The Director shall calculate cost of removal of a temporary turnaround and curb extension.
 - b. This cost of construction shall be deposited with the City Treasurer by the developer prior to the final plat being approved by the Director.
- G. After the above items are completed, the City shall then be responsible for the removal of the turnaround and the placement of the curb at the time the street is to be extended into the adjacent property.
- H. The temporary turnaround shall be indicated on the final plat as an easement to be vacated outside of the dedicated right-of-way when the street is extended into the adjacent property.
- I. The building setbacks for the areas abutting the temporary turnaround shall be computed from the projected extension of the street right-of-way.

17.20.110 Streets-Names.

No street name shall be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the City, and shall be subject to the approval of the City.

17.20.120 Streets-Grades and curves.

Grades shall not exceed seven (7%) percent on major or secondary arterials, ten (10%) percent on collector streets, or fifteen (15%) percent on any other street. In flat areas, allowance shall be made for finished street grades having a minimum slope of five-tenths (.05%) percent. Centerline radii of curves shall not be less than three hundred (300) feet on major arterials, two hundred (200) feet on secondary arterials, or one hundred (100) feet on other streets, and shall be to an even ten (10) feet. On arterials there shall be a tangent of not less than one hundred (100) feet between reversed curves.

17.20.130 Streets-Adjacent to railroad right-of-way.

Wherever the proposed subdivision contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel to and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting along the railroad right-of-way.

17.20.140 Streets-Access.

- A. Any subdivision or portion thereof proposed to have twenty-five (25) or more dwelling units shall be laid out with two (2) or more means of access to collector streets. Access to collector streets shall be by permanent dedicated public roadways built to city standards.

- B. Where a subdivision abuts or contains an existing or proposed arterial street, the Director may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or such other treatment as may be necessary for adequate protection of residential properties to afford separation of through and local traffic.

17.20.150 Streets-Alleys.

- A. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the Director.
- B. While alley intersection and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than ten (10) feet.

17.20.160 Blocks-Generally.

The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control and safety of street traffic, and recognition of limitations and opportunities of topography.

17.20.170 Blocks-Sizes.

Blocks shall not exceed one thousand two hundred feet in length between street lines, except blocks adjacent to arterial streets or unless the previous adjacent layout or topographical conditions justify a variation. The recommended minimum distance between intersections on arterials is one thousand eight hundred (1,800) feet.

17.20.180 Blocks-Easement for utility lines.

Easements for sewers, drainage, water mains, electric lines, or other public utilities shall be dedicated wherever necessary. The easements shall be a minimum of twelve (12) feet in width and centered on interior lot lines except for guy wire tie-back easements, which shall be six (6) feet wide by twenty feet long along lot lines at change of direction points of easements.

17.20.190 Blocks-Easement for watercourses.

Where a subdivision is traversed by a watercourse such as a drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of the watercourse, and such further widths as will be adequate for the purpose. Streets or parkways parallel to major watercourses may be required.

17.20.200 Blocks-Pedestrian ways.

In blocks over eight hundred (800) feet in length, a pedestrian way with a minimum width of ten (10) feet shall be provided through the middle of the block when desirable for public convenience. If unusual conditions require blocks longer than one thousand two hundred (1,200) feet, two (2) pedestrian ways may be required. When desirable for public convenience, pedestrian ways may be required to connect to cul-de-sac or to pass through unusually shaped blocks.

17.20.210 Lots-Size and shape.

Lot size, width, shape and orientation shall be appropriate for the location of the subdivision and for the type of development and use contemplated and shall meet the following conditions.

- A. The minimum dimension of a lot shall conform to that required in the subject zoning district.

- B. The square footage of a lot shall not be less than that allowed in the subject zoning district, with the following exception:
1. Where property is zoned and planned for business or industrial use, other widths and areas may be permitted at the discretion of the Director. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.
 2. Lots facing the circular end of a cul-de-sac shall have a minimum street frontage of forty (40) feet.

17.20.220 Lots-Access.

Each lot shall abut upon a public street.

17.20.230 Lots-Flag.

Flag lots shall not be created unless it is the only feasible way of developing property. Flag lots shall be subject to the following standards:

- A. The creation of a flag lot shall not conflict with a proposed street extension.
- B. Flag lots created on adjoining properties shall have adjoining access ways, but in no case shall more than two adjoining access ways be created.
- C. The location of flag lot access ways shall be subject to approval by the director. The director may disapprove the location of any flag lot access way which is not consistent with the requirements of the Comprehensive Plan, City ordinances and standards, or which could create a traffic hazard.
- D. No more than eight dwelling units may be located on a flag lot.
- E. Access ways shall meet the following requirements:

TABLE 3: MINIMUM ACCESS WAY AND IMPROVEMENT WIDTHS

<i>Number of Lots or Units:</i>	<i>Minimum Access way Width</i>	<i>Minimum Improvement Width</i>
1 flag lot, with an access way serving 1 or 2 dwelling units:	20 feet	16 feet
1 flag lot, with an access way serving 3 - 8 dwelling units:	24 feet	20 feet
2 flag lots with adjoining access ways, each serving 1 dwelling unit:	20 feet	16 feet
2 flag lots with adjoining access ways, each serving a total of 2 – 8 dwelling units:	24 feet	20 feet

1. Access ways shall be paved with a minimum of two (2) inch asphalt surfacing and four (4) inches of crush rock base.
2. Access ways shall be contoured to meet the existing ground level.

3. The access way shall be for access for a lot(s) and shall not be included as part of the minimum area required for the lot.
 4. Access ways shall not be extended more than one hundred fifty (150) feet unless written approval for a longer access way is obtained from the Fire Chief.
- F. The Director may require other requirements necessary to carry out the intent of this title and the Comprehensive Plan.

17.20.240 Lots-Access ways.

- A. All lots serviced by an access way shall provide a continuous traffic flow pattern as approved by the Director.
- B. Single-family lots containing a single-family residence are exempt from this requirement.
- C. No parking shall be allowed within an access way.

17.20.250 Lots-Through.

Through lots shall be avoided, except where essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, across which there shall be no right of access, may be required along the line of lots abutting such as a traffic artery or other disadvantageous use. Through lots with planting screens shall have a minimum average depth of one hundred ten (110) feet. The City may impose conditions regarding maintenance of the planting screen. This section shall not apply to through lots created for the purpose of condominium or row house developments.

17.20.260 Lots-Side lines.

The sidelines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.

17.20.270 Large lot subdivision.

In subdividing tracts into large lots which at some future time are likely to be re-subdivided, the Director may require that the blocks shall be of a size and shape, be divided into lots and contain building side restrictions to provide for extension and opening of streets at intervals which will permit a subsequent division of any parcel into lots or smaller size.

17.20.280 Building lines.

If special building setback lines are to be established in the subdivision, they shall be shown on the subdivision plan and included in the deed restrictions.

17.20.290 Parks

- A. New subdivisions or portions thereof shall provide space for parks in the ratio of one acre to every one hundred estimated residents. For purposes of this calculation there shall be a rebuttal presumption that each dwelling unit contains 2.8 individuals. For subdivisions of 10 units or less the Director in his discretion may approve other recreational facilities.

- B. Wetlands and other required open space shall not be used in the acreage calculations for Part A of this section.

17.20.300 Entrances

- A. Subdivisions with 25 or more lots shall have at least one clearly defined entrance, which shall conform with the following:
1. There shall be an improved area of at least five hundred (500) square feet on both sides of the roadway, which provides the entrance to the subdivision.
 2. Entrances shall be landscaped and maintained. Landscaping shall be designed with due regard to corner vision and site distance requirements.
 3. Entrances shall have an illuminated stone or masonry structure with the name of the development, and at least six inch (6) inch lettering.
 4. The design of the entrance shall be consistent with the character of the surrounding area.

Chapter 17.24: IMPROVEMENT INSTALLATION

Sections:

- 17.24.010 Procedures.
- 17.24.020 Requirements generally.
- 17.24.030 Streets.
- 17.24.040 Sidewalks.
- 17.24.050 Surface drainage and storm sewer system.
- 17.24.060 Sanitary sewers.
- 17.24.070 Water system.
- 17.24.080 Underground utility and service facilities.
- 17.24.090 Street lighting.
- 17.24.100 Monuments.
- 17.24.110 Guarantee.

17.24.010 Procedures.

In addition to other requirements, improvements installed by the sub divider either as a requirement of these regulations or at the sub divider's own option shall conform to the requirements of this title and improvement standards and specifications adopted by the City, and shall be installed in accordance with the following procedure:

- A. Improvement work shall not be commenced until plans have been checked for adequacy and approved by the City. To the extent necessary for evaluation of the subdivision proposal, the plans may be submitted on retracing cloth in accordance with requirements of the City.
- B. Improvement work shall not be commenced 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.
- C. Improvements shall be constructed under the inspection and to the satisfaction of the Director. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.
- D. All underground utilities, sanitary sewers and storm drains installed in streets by the sub divider shall be placed to a length eliminating the necessity for disturbing the street improvements when service connections are made.

- E. A map showing all public improvements as built shall be filed with the Director upon completion of the improvements.

17.24.020 Requirements generally.

The improvements required by Sections 17.24.030 through 17.24.110 shall be installed at the expense of the sub divider.

17.24.030 Streets.

- A. Before issuance of a preliminary plat approval, the subdivision must comply with the following:
 - 1. The development within the subdivision shall have frontage on a public street.
 - 2. The development of the subdivision will not cause traffic generation and a level of service beyond the street's current capacity, including pavement width and signalization.
 - 3. The development of the subdivision will not create dangerous or hazardous traffic conditions.
- A. All streets including alleys within the subdivision, streets abutting or only partially within the subdivision, and the extension of subdivision streets to the intercepting paving line of existing streets within which subdivision streets intersect shall be improved to the following minimum standards:
 - 1. The roadway shall be improved in accordance with the standards adopted by the City for acceptance of streets for maintenance.
 - 2. The entire right-of-way shall be brought up to proper grade, and paved as per City standards.
 - 3. Concrete curbs shall be constructed along all street frontages, and shall be designed and located as established in standards adopted by the Director.
 - 4. Other street improvements installed at the sub divider's option, such as street trees, shall be in accordance with City standards.

17.24.040 Sidewalks.

Sidewalks shall be constructed along all street frontages, and shall be designed and located as established in the Public Works Design Standards.

17.24.050 Surface drainage and storm sewer system.

All new subdivisions shall have adequate storm water detention facilities in accordance with City Public Works design standards and as approved by the Director, and shall meet the following minimum standards:

- A. Drainage facilities shall be provided within the subdivision and shall connect the subdivision drainage-to-drainage ways or storm sewers outside the subdivision.
- B. The design of the drainage flow 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.

- C. Surface storm water detention facilities shall have a minimum setback of seven (7) feet from any property line.
- D. Along public rights-of-way, surface storm water detention facilities shall be fenced and screened with continuously maintained permanent vegetation that is ninety (90) percent opaque year around.
- E. Drainage shall be designed to prevent adverse impacts on adjacent property.
- F. The Director may impose conditions of approval to ensure that storm water facilities are properly maintained.
- G. Manholes shall not be place in the centerlines of streets.

17.24.060 Sanitary sewers.

Sanitary sewers shall be installed to serve the subdivision and to connect the subdivision to the City trunk sewer system. Sewer mains and laterals shall be of such size and specifications as may be directed by the City. Manholes shall not be placed on the centerlines of streets.

17.24.070 Water system.

Water lines with valves and fire hydrants to serve the subdivision and to connect the subdivision to existing mains shall be installed to such specifications as may be directed by the City. The design shall take into account provisions for extension beyond the subdivision and to adequately grid the City system. No dead-end lines are allowed.

17.24.080 Underground utility and service facilities.

All facility improvements shall conform to the requirements and specifications of the City of Molalla Department of Public Works and the following requirements:

- A. All utility lines, including but not limited to those required for electricity, communications, street lighting and cable television services and related facilities, shall be placed underground when practicable.
- B. The sub divider shall make all necessary arrangements with the serving utility to provide the underground services.
- C. 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.
- D. Transformers, connection boxes, and meter cabinets shall be placed underground when practicable.
- E. Temporary utility service facilities during construction, high capacity electric and communication feeder lines and utility transmission lines operating at twelve thousand five hundred (12,500) volts or above may also be placed above ground.

17.24.090 Street lighting.

Street lighting shall be installed in accordance with the Public Works Design Standards. The developer shall notify the City when streetlights are installed and ready to be activated.

17.24.100 Monuments.

Monuments shall be placed as required by ORS 92.060. The County Surveyor may require centerline monument boxes.

17.24.110 Guarantee.

All improvements installed by the sub divider shall be guaranteed as to workmanship and material for a period of one (1) year following acceptance by the City. The sub divider shall provide the City with a guarantee bond for five (5%) percent of the total costs of improvements in the development.

CHAPTER 17.32: PARTITIONING

Sections:

- 17.32.010 General provisions.
- 17.32.020 Submittal of map and information.
- 17.32.030 Approval process.

17.32.010 General provisions.

Partitioning shall be consistent with all of the following requirements:

- A. Partitioning shall satisfy the dimension, density, yard and property area requirements of the underlying zoning district.
- B. Access ways must meet the requirements in section 17.20.230.
- C. No partition shall be approved which leaves any parcel without direct access to a public street.
- D. Property shall not be partitioned more than once in any twelve (12) month period.
- E. Partitions shall be surveyed and monumented in accordance with Oregon law, and a survey conforming to Oregon law shall be filed with the City Recorder and the County Surveyor.
- F. The partition must be consistent with ORS Chapter 92.

17.32.020 Submittal of map and information.

- A. Applications of partitions shall be submitted to the City on forms provided for that purpose, and accompanied by a fee to be set by resolution of the City Council.
- B. Each application shall be accompanied by six (6) copies of a tentative plan drawn to a scale of not less than one inch equals twenty feet (1": 20'), nor more than one inch equals two hundred feet (1": 200'), and containing the following information:
 - 1. The date, north point, scale and sufficient description to define the location and boundaries of the parcel to be partitioned and its location in the planning control area;
 - 2. Name and address of the record owner and of the person who prepared the map;
 - 3. Approximate acreage of the parcel under a single ownership or, if more than one (1) owner is involved, the total contiguous acreage of all owners of land directly involved in the partitioning;

4. For land adjacent to and within the parcel to be partitioned, the location, width and names of all streets; location and size of sewers, water lines, drainage ways and power poles;
5. Outline and location of existing buildings to remain in place;
6. Lot layout showing size and relationship to existing or proposed streets and utility easements;
7. Such additional information as required by the Director or his designate approved by the City Council.

17.32.030 Approval Process.

- A. The approval of a partition shall follow Type I land use procedures in the procedures ordinance codified in Chapter 16.04.
- B. A partition in conjunction with another proposed land use action shall be processed as a consolidated application using the most restrictive land use procedure that applies as specified in Chapter 16.04.
- C. If the partition application and its supporting materials conform with the provisions of this chapter, and all conditions of approval have been satisfied, the Director and the City Planner shall signify approval by their signatures on the survey map and the issuance of an approval letter.
- D. The partition plat shall be recorded and filed with the County Surveyor's office, along with legal descriptions of the properties affected by the partition.
- E. No building permits or developments permits shall be issued for a tract that is dependent on a partition until the plat has been recorded and filed with the County Surveyor.

CHAPTER 17.34: PROPERTY LINE ADJUSTMENTS

Sections:

- 17.34.010 General provisions.
17.34.020 Submittal requirements.
17.34.030 Approval process.

17.34.010 General provisions.

- A. Property line adjustments shall be consistent with all of the following requirements provided the following circumstances substantially exist:
 1. The adjustment of property lines results in no more parcels than originally existed;
 2. The proposed property line adjustment results in parcels that meet all area and dimension standards of this Code;
 3. The proposed property line adjustment does not locate lot lines in violation of the setback and height provisions of the Code relative to existing structures and improvements.
- B. Property line adjustments shall not be used in lieu of the procedures required for replats of subdivisions or partition plats. A property line adjustment that reconfigures property lines for three (3) or more properties within any twelve (12) month period shall be considered a replat.

- C. Except as provided in subsection D of this section, property line adjustments shall be surveyed and monumented in accordance with Oregon law, and a survey conforming to Oregon law shall be filed with the City Recorder and the County Surveyor.
- D. The requirements of subsection C of this section shall not apply to the relocation of a common boundary of a lot in a subdivision or a parcel in a partition when the adjusted property line is a distance of even width along the common boundary.
- E. Property line adjustment deeds shall contain the names of the parties, the description of the adjusted line, references to the original recorded documents and signatures of all parties with proper acknowledgement. The deeds shall be recorded and a copy of the deed shall be filed with the City Recorder.
- F. Property line adjustment approvals are valid for a period of one (1) year. If at the end of one (1) year the property line adjustment has not been completed and recorded, the approval shall be null and void.
- G. No property line adjustment shall be approved which leaves any parcel without direct access to a public street.

17.34.020 Submittal requirements.

- A. Applications for property line adjustments shall be submitted to the City on forms provided for that purpose, and accompanied by a fee to be set by resolution of the City Council.
- B. Each application shall be accompanied by a tentative plan drawn to scale of not less than one inch equals twenty feet (1": 20'), nor more than one inch equals two hundred feet (1": 200'), and containing at least the following:
 - 1. Complete names, addresses and phone numbers of the owners of the properties to be adjusted;
 - 2. A description of the affected properties by quarter section, tax lot numbers, addresses and lot area;
 - 3. A description of the property to be transferred, including dimensions and size in square feet or acres;
 - 4. Identification arrows showing the land to be transferred;
 - 5. North arrow;
 - 6. All adjacent roads, noting whether public or private, including name and road width;
 - 7. Zoning of affected properties;
 - 8. All existing structures on the tracts and their setbacks to property lines, with notations as to whether property lines referred to are existing or proposed;
 - 9. Location of any septic tanks and drain fields;
 - 10. The location of any natural drainage ways, streams, wetlands, escarpments, slopes forty (40%) percent or greater, outcroppings, or other significant natural features of the tracts;
 - 11. Other pending applications, including building permits, on the subject tracts;

12. All easements, including widths and types, labeled as existing or proposed, and noting the use and which properties they serve;

13. A copy of the unsigned deed by which the adjustment is proposed.

17.34.030 Approval process.

- A. The approval of a property line adjustment shall follow Type 1 land use procedures as specified in Chapter 16.06.
- B. A property line adjustment in conjunction with another proposed land use action shall be processed as a consolidated application and shall follow the most restrictive land use procedure as specified in Chapter 16.06.
- C. If the property line adjustment application and its supporting materials conform with the provisions of this chapter, and if all conditions of approval have been satisfied, the Director and the City Planner shall signify approval by signature on the survey map (if applicable) and the issuance of an approval letter.
- D. The property line adjustment survey shall be filed with the County Surveyor's office, along with copies of the deeds to be used for the property line adjustment. No building permits or development permits shall be issued for a tract that is dependent on a property line adjustment until the survey has been filed with the County Surveyor and the deed has been recorded.

CHAPTER 17.36: STREET AND EASEMENT CREATION

Sections:

- 17.36.010 Creation of streets.
- 17.36.020 Creation of access ways.

17.36.010 Creation of streets.

- A. The creation of streets shall be in conformance with the subdivision requirements except as provided in Subsection B.
- B. The City Council shall approve the creation of a street to be established by deed without full compliance with the regulations applicable to subdivisions, provided any of the following conditions exist:
 - 1. The establishment of the street is initiated by the City Council and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the street; or
 - 2. The tract in which the street is to be dedicated is an isolated ownership of one (1) acre or less; or
 - 3. The tract in which the street is to be dedicated is an isolated ownership of a size and with special existing physical conditions making it impractical to develop more than three (3) lots.
- C. In those cases where approval of a street is to be without full compliance with the regulations applicable to subdivisions, a copy of the proposed deed shall be submitted to the Director at least twenty-one (21) days prior to hearing at which consideration is desired.

D. The deed and such information as may be submitted shall be reviewed, and, if not in conflict with the standards of Sections 17.20.020 through 17.20.150 and 17.20.280, shall be approved with conditions necessary to preserve these standards.

17.36.020 Creation of access ways.

A. Any access way easement providing access to property and which is created in order to allow the partitioning of land for the purpose of transfer of ownership or building development, whether immediate or future, shall be in the form of a street in a subdivision or as provided in Section 17.36.010, except as provided in Subsection B.

B. A private access way easement to be established by deed without full compliance with these regulations shall be approved by the Director, provided it is the only reasonable method by which the rear portion of an unusually deep lot large enough to allow partitioning into two (2) parcels may be provided with access.

C. The creation of an access way specified in Subsection B shall be part of the partitioning process specified in Section 17.32 and shall meet the requirements of that section

CHAPTER 17.40: VIOLATIONS

Sections:

17.40.010 Fine.
17.40.020 Each day's violation a separate offense.
17.40.030 Prosecution.

17.40.010 Fine.

Any person or corporation who violates any provision of this title shall be subject upon conviction to a fine of not more than one thousand (\$1,000) dollars.

17.40.020 Each day's violation a separate offense.

Each day a violation continues or occurs shall be deemed to be a separate offense.

17.40.030 Prosecution.

No intent, knowledge or other mental element is required to be proven in a prosecution under this section.