



Community Development Land Use Application

Mailing: 989 Broadway Seaside, OR 97138
Location: 1387 Avenue U. Seaside, OR 97138

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Property Information:					
STREET ADDRESS OR LOCATION OF PROPERTY					
ZONE	OVERLAY ZONE	TOWNSHIP	RANGE	SECTION	TAX LOT(S)

Owner:	Applicant/Representative Other than Owner:
NAME	NAME OF APPLICANT / REPRESENTATIVE
ADDRESS	ADDRESS
PHONE	PHONE
EMAIL	EMAIL
SIGNATURE	SIGNATURE

Proposed Use:

Existing Use:

Site Plan:

Please attach a site plan of the property showing lot dimensions, sizes, and locations of all existing and proposed structures. The site plan must show the structure's setbacks to all property lines as well as access to the site and the parking area layout. Site plans must be drawn to scale and show the needed information pertinent to the request. Parking Maps for VRDs must have scaled dimensions showing the location of required 9'x18' car spaces.

Specific of Request:			
Conditional Use	Non-conforming	Subdivision	Zoning Code Amendment
Landscape/Access Review	Planned Development	Temporary Use	Zoning Map Amendment
Major Partition	Property Line Adjustment	Vacation Rental	Appeal
Minor Partition	Setback Reduction	Variance	

For Office Use Only	
Application Received:	File Number:
Application Deemed Complete:	120-Day Decision:
Staff Decision (Type 1)	PC Decision (Type 2)



Community Development Minor Partition

Please describe the scope of your project.

Subdivision and land partitioning regulations for the City provide for better living conditions within new land divisions; ensure necessary streets, utilities, and public areas are available or provide for their installation or improvement; enhance and secure property values in land divisions and adjacent land; simplify and make land descriptions more certain and in general to promote the health, safety, and convenience and general welfare of the people of Seaside.

Please review the following ordinance requirements for your submittal.

MAJOR LAND PARTITIONING

SECTION 18- MINIMUM STANDARDS

The minimum standards for design and improvements in a major land partitioning shall conform to Sections 32-45. The Planning Commission may 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:

- The establishment of the public street is initiated by the City Council or Board of County Commissioners 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.
- The tract in which the street is to be dedicated is a major partition within a solitary ownership situation either of not over one acre or of such size and characteristics as to make it impossible to develop building sites for more than three dwelling units.
- The street is the only reasonable method by which the rear portion of an extraordinarily deep land parcel of a site to warrant partitioning into not over two parcels may be provided access.

SECTION 19 – PROCEDURE FOR REVIEW

The applicant shall submit ten (10) copies of a tentative partition plan, a completed application form and the fee required by Section 49. The tentative partition plan shall follow the format outlined in Sections 20 & 21.

The City shall review the submitted tentative partition plan to determine whether the application is complete. If the application is complete, a public hearing before the Planning Commission shall be scheduled. If the application is incomplete, the applicant will be informed of the additional information that is required. Upon submission of the information, a public hearing shall be scheduled.

Public notice shall be mailed to property owners within two hundred feet (200) of the boundary of the proposed partition. The content of the public notice shall be in accordance with Section 10.062 of the Zoning Ordinance.

The City Manager may transmit one copy of the tentative partition plan to the City Engineer and affected special district and any county, state or federal agency that may have an interest in the proposed partition. Written comments will be incorporated into the record of the public hearing.

The City Manager shall notify the partitioner of the requirement to file a statement of water right and if a water right is appurtenant, a copy of the acknowledgment from the Water Resources Department must be attached before the county recording officer may accept the plat of the subdivision for recording pursuant to ORS 92.120.

The Planning Commission shall hold a public hearing on the tentative partition in accordance with Section 10.070 of the Zoning Ordinance.

The Planning Commission shall make a decision on the tentative partition in accordance with Section 10.076 of the Zoning Ordinance. A decision of the Planning Commission may be appealed to the City Council in accordance with Section 10.030 of the Zoning Ordinance.

The tentative partition plan approval shall be binding on the City and the partitioner for the purpose of preparing a final partition plat provided there are no changes of the plan of the partition and it complies with all conditions set forth by the City in its tentative partition plan approval.

Any final partition not submitted prior to the expiration of the tentative plan approval shall be considered void.

The applicant shall submit a final partition plat prior to the expiration of the tentative partition plan approval.

The final partition plat shall conform to the information requirements of Section 25. The Planning Commission shall review the final partition plat to determine that it conforms with the tentative plan and any applicable conditions. The Planning Commission may request the City Engineer to review the final partition plat in conformance with Section 11 (2).

Prior to approval of the final subdivision plat, the applicant shall complete the proposed improvements. Improvements shall conform to the approved tentative plan, conditions of approval, Hazard Mitigation Plan and Grading and Erosion Control Plan. Improvements shall not occur until a bond or other assurance has been submitted and approved by the City Engineer. The amount of the bond or other assurance shall be equal to 110% of the cost of the improvements as determined by the City Engineer.

If the final plat conforms to the tentative plan and applicable conditions, the Chair of the Planning Commission shall sign and date the final plat.

The applicant shall deliver the final plat to the County Surveyor for review and recording according to the requirements of ORS 92. Approval of the final plat shall be null and void if the plat is not recorded within ninety (90) days after the date the last required approving signature has been obtained.

The major partition is considered complete after the final plat is recorded by the County Clerk.

The County Surveyor shall furnish the City with a copy of the recorded plat.

SECTION 20 – SCALE

The tentative map shall be drawn on a tracing eighteen by twenty-four inches (18" x 24") or an even multiple thereof at a scale of one inch (1") equals one hundred feet (100') or, for areas over 100 acres, one inch (1") equals two hundred feet (200').

SECTION 21 – INFORMATION ON TENTATIVE PARTITION PLAN

The tentative partition plan shall include the following information:

- The date, northpoint, and scale of the drawing.
- Names and addresses of the owner, partitioners, engineer and/or surveyor employed in the preparation of the plan.
- The amount of acreage in the original parcel and the acreage of the resulting parcels, and dimensions of all parcels.
- The location, names and widths of all streets and easements adjacent to and within the parcel to be partitioned.
- The existing use or uses of the property, including locations of all structures on the property.
- The width and location of all proposed easements for drainage or public purposes.
- Approximate location of physical features such as wetlands and streams on the property, when required by the City Manager.
- Location, name, width, approximate radius of curves and grade of all proposed streets, the relationship of such streets to any projected or existing streets adjoining the proposed partition.

SECTION 22 --TENTATIVE PARTITION PLAN SUBMISSION REQUIREMENTS, SUPPLEMENTAL DATA

Any of the following may be required by the City to supplement the tentative partition plan of a major partition:

- Contour lines at two foot (2') contour intervals.
- Approximate center line profiles with extensions for a reasonable distance beyond the limits of the proposed major partition showing the finished grade of streets and the nature and extent of street construction.
- A Hazard Mitigation Plan as required by the Hazards Overlay Zone provisions of the Zoning Ordinance. Approval of a tentative plat shall be conditioned on the

applicants' agreement to provide the safeguards and construction techniques provided in the approved HMP.

SECTION 23 – PROCEDURES FOR REVIEW OF FINAL PARTITION PLAT

Within one year after approval of the tentative plan or such extension as may have been granted by the City, the subdivider shall cause the proposed partition to be surveyed and a plat thereof prepared in conformance with the tentative plan as approved or conditionally approved. An original reproducible drawing and five (5) blue-line or black-line prints of the plat shall be submitted to the City. The tracing and prints are in addition to those required by Oregon statutes. The final plat shall conform to the requirements of Sections 24, 25, and 26. No partitioner shall submit a plat of a partition for record until all requirements of ORS 209.250 and the plat requirements of the partition have been met.

The City Manager shall forward a copy of the plat and other data submitted to the City Engineer who shall examine it to determine that the partition as shown is substantially the same as it appeared on the tentative plan as approved; that all provisions of the law and this ordinance applicable at the time of approval of the tentative plan have been complied with; and that the plan is technically correct. The City Engineer may make checks in the field as he may desire to verify that the map is sufficiently correct on the ground and he may enter the property for this purpose. If the City Engineer determines that full conformity has not been made, the City shall advise the partitioner of the changes or additions that must be made for these purposes and shall afford the partitioner an opportunity to make the changes or additions. If the City Engineer determines that full conformity has been made, he shall so certify on the plat and shall transmit the plat to the City for further review.

The Planning Commission shall review the final plat to determine that it conforms with the tentative plan and with changes permitted and all requirements imposed as a condition of its acceptance. If the Planning Commission determines that the plat submitted does not conform to the tentative plan or applicable conditions, the applicant shall be afforded an opportunity to make corrections.

Prior to the approval of the final plat by the Planning Commission, the applicant shall complete improvements as proposed or enter into an agreement for improvements together with a bond, pursuant to the provisions of Sections 16 and 17.

If the final plat conforms to the tentative plan and applicable conditions have been met, the Chair of the Planning Commission shall sign and date the final plat.

The applicant shall deliver the final plat to the County Surveyor for review and recording according to the requirements of ORS 92. Approval of the plat shall be null and void if the plat is not recorded within ninety (90) days after the date the last required approving signature has been obtained.

The partition is considered complete after the final plat is recorded by the County Clerk.

The County Surveyor shall furnish the City with a copy of the recorded plat.

SECTION 24 – FORM OF PLAT

The partition plat shall be prepared in accordance with the requirements of Section 46 and State Laws, including but not limited to ORS 92.080 and 92.120

The format of the plat shall be as follows:

Permanent black India-type ink or silver halide permanent photocopy, upon material that is eighteen inches (18”) by twenty-four inches (24”) in size with an additional three inch (3”) binding edge on the left side, when required by the County Clerk or the County Surveyor, that is suitable for binding and copying purposes, and that has such characteristics of strength and permanency as may be required by the County Surveyor. The partition plat shall be of such a scale as required by the County Surveyor. The plat has such characterative partition plan. The City Manager may apply only those conditions necessary to bring tentative partition plan in conformance with the requirements of this Ordinance. The City Manager’s decision shall meet the requirements of Section 10.077 of the Zoning Ordinance.

A decision of the City Manager may be appealed by the applicant to the Planning Commission in conformance with the provisions of Section 10.010.

The tentative partition plan approval shall be binding on the City and the partitioner for the purpose of preparing a final partition plat, provided that there are no changes of the plan of the partition and it complies with all conditions set forth by the City in its tentative partition plan approval.

The tentative partition plan shall be valid for one year from the date of its approval. The City Manager may, upon written request by the applicant, grant an extension of the tentative plan approval for a period of one year. In granting an extension, the City Manager shall make a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refilling of the tentative plan. The applicant shall submit a final partition plat prior to the expiration of the tentative partition plan approval. Prior to approval of the final plat, the applicant shall complete the proposed improvements. Improvements shall conform to the approved tentative plan, conditions of approval, Hazard Mitigation Plan and Grading and Erosion Control Plan. Improvements shall not occur until a bond or other assurance has been submitted and approved by the City Engineer. The amount of the bond or other assurance shall be equal to 110% of the cost of the improvements as determined by the City Engineer.

No partitioner shall submit a plat of a partition for record until all requirements of ORS 209.250 and the plat requirements of the partition have been met.

The final partition plat shall conform to the information requirements of Section 31. The City Manager shall review the final partition plat to determine that it conforms with the tentative plan and any applicable conditions.

If the City Manager determines that the partition plat submitted does not conform to the tentative plan and applicable conditions, the applicant shall be afforded an opportunity to make corrections.

If the final plat conforms to the tentative plan and applicable conditions, the City Manager shall sign and date the final plat. The applicant shall deliver the final plat to the County Survey for review and recording according to the requirements of ORS 92.

The partition is considered complete after the final plat is recorded by the County Clerk.

The County Surveyor shall furnish the City with a copy of the recorded plat.

SECTION 25 – INFORMATION ON FINAL PARTITION PLAT.

The final map shall show the following:

- The name of the partition, the date the plat was prepared, the scale, northpoint, legend and existing features such as highways and railroads.
- Legal description of the partition boundaries.
- Reference and bearings to adjoining surveys.
- The locations and descriptions of all monuments found or set shall be carefully recorded upon all plats and the property courses and distances of all boundary lines shall be shown.
- Exact location and width of streets and easements intersecting the boundary of the subdivision.
- Partition and lot boundary lines; Number of lots as follows: Lot numbers beginning with the number “1” and numbered consecutively in each block. Number sequence to generally follow the same system as sections are numbered in a township.
- Acreage of each parcel.
- Street right-of-way center lines with dimensions to the nearest 1/100th of a foot, bearing or deflection angles, radii, arc, points of curvature, chord bearings and distances, and tangent bearing. Partition boundaries, lot boundaries, and street bearings shall be shown to the nearest thirty (30) seconds.
- The name and width of the streets being dedicated, the width of any existing right-ofway, and the width on each side of the center line. For streets on curvature, curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated.
- Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, there shall be written statement of the easement. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the partition must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner’s certificate of dedication.
- Locations and widths of drainage channels, railroad rights-of-way, reserve strips at the end of stubbed streets or along the edge of partial width streets on the boundary of the partition.
- Parcels to be dedicated shall be distinguished from lots intended for sale with acreage and alphabetical symbols for each parcel indicated. Any conditions specified by the Commission or Council upon granting preliminary approval. A statement of water rights noted on the partition plat.