

Major and Minor Partitions

Applicant Handbook



This packet will guide an applicant through the City's Major and Minor Partition process. While this packet is comprehensive, an applicant should read the applicable Code Sections.

This Packet includes:

- 1) Process Steps
- 2) Preliminary Map Requirements
- 3) Final Partition Plat Requirements
- 4) City Street Naming Policy
- 5) Preliminary Plat Approval Criteria
- 6) Application Form Preliminary Plat
- 7) Application Form Final Plat
- 8) Fee Agreement
- 9) Fee Schedule

Please use the following as a check list to guide you through the process. **The Steps in Bold are those that the applicant has a significant role in completing.** The other steps are those taken by the City the applicant should track through the process. The Process Steps section gives a more detailed description of these steps.

Preliminary Partition

- Step 1: Request a Pre-Application Conference**
- Step 2: Attend the Pre-Application Conference**
- Step 3: Submit the Preliminary Partition Application**
- Step 4: Application Acceptance
- Step 5: Public Notice
- Step 6: Applicant Opportunity to Respond to Comments**
- Step 7: Notice of Decision
- Step 8: Appeal of a City Administrator Decision**

(If applicable)

Final Partition, Contingent on Preliminary Approval

- Step 9: Improvement Agreement (Major Partition Only)**
- Step 10: Submit the Final Partition Application**



- Step 11: Application Acceptance
- Step 12: Notice of Decision
- Step 13: Appeal of an Administrative Decision**
(If Applicable)
- Step 14: City Administrator Signature**
- Step 15: Recording Partitions**
- Step 16: Reporting County Recording to the City**

Major and Minor Partitions (Preliminary and Final)

Applicant Handbook

Process Steps



NOTE: These steps are extracted from the Cascade Locks Community Development Code. Items that are the applicant's responsibility are in bold.

A major land partition approval is required when a division of land creates 3 lots or less within one calendar year, including a public street or road. A minor land partition approval is required when three lots or less are created without creating of a public street or road within one calendar year. (8-6.184.020)

Preliminary Partition

Step 1: Requesting the Pre-Application Conference (8-6.24.020)

Before submitting a land use application a potential applicant must attend a pre-application conference. Such a conference can be requested at City Hall and will be scheduled by the City Administrator at the earliest reasonable time

Step 2: Attending the Pre-Application Conference (8-6.24.020)

The purpose of the pre-application conference is to acquaint the applicant with the requirements of the application, the Comprehensive Plan and other relevant criteria. It is designed to assist the applicant and should answer many questions the applicant may have about the process. It will also be a time at which issues can be identified and discussed.

Step 3: Submitting the Application

Applications include the application form and additional required information described Section 8-6.24.030 and Section 8-6.184.040 of the City's Municipal Code. It is the applicant's responsibility to show the partition meets all applicable criteria.

Applications are submitted to the City Administrator in the number specified on the application form. (8-6.24.040)

Step 4: Application Acceptance (8-6.24.040)

Within 14 calendar days of receiving an application the City shall determine whether the application is complete. The City shall notify the applicant when the application is accepted as complete or rejected as incomplete if deficiencies are found. The

applicant may resubmit but shall be subject to another 14 calendar day completeness check.



Step 5: Public Notice (8-6.24.050)

A public notice of pending review shall be mailed to:

- a. The applicant and/or representative;
- b. All property owners of record within 250 feet of the subject property; and
- c. Affected jurisdictions.

Step 6: Applicant Opportunity to Respond to Comments (8-6.24.050)

Prior to making a decision, the City Administrator will consider any written comments actually received by the City within a 14 calendar day comment period. The applicant can respond to submitted comments if the applicant requests to do so.

Step 7: Notice of Decision

Written notice of the decision of the City Administrator shall be provided to the applicant (8-6.24.050). The decision is based on the approval criteria listed on the attached sheet and in Section 8-6.184.050 of the City's Municipal Code.

Step 8: Appeal of a City Administrator Decision (8-6.36)

City Administrator decisions may be appealed to the Planning Commission by filing a petition for review within 14 calendar days after written notice of the decision is provided. An appeal can be initiated by any person entitled to a notice of the decision if they file a petition for review or at the direction of the City Council (8-6.24.050). On appeal the party who files the appeal has the burden of proof. At the public hearing before the Planning Commission of an appeal of an City Administrator action, participants shall be limited to the applicant, those who made the appeal (8-6.36.050)

Final Partition, Contingent on Preliminary Approval

Step 9: Improvement Agreement (Major Partition Only)

Before City approval is certified on the final plat, and before approved construction plans are issued by the City, the subdivider shall:

- 1. Execute and file an agreement with the Administrator specifying the period**

within which all required improvements and repairs shall be completed; and



2. Include in the agreement provisions that if such work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the subdivider.

The subdivider shall file with the agreement an assurance of performance supported by one of the following:

1. An irrevocable letter of credit executed by a financial institution authorized to transact business in the State of Oregon;
2. A surety bond executed by a surety company authorized to transact business in the State of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated; or
3. Cash.

Step 10: Application Submittal for Final Partition Plat

Applications for development actions shall be submitted in accordance with the format and upon such forms as may be established by the City Administrator. (8-6.24.030)

In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit items specific to a final partition plat. (8-6.184.070)

Step 11: Application Acceptance (8-6.24.040)

Within 7 calendar days of receiving an application the City shall determine whether the application is complete. The City shall notify the applicant when the application is accepted as complete or rejected as incomplete if deficiencies are found. The applicant may resubmit but shall be subject to another 7 calendar day completeness check.

Step 12: Notice of Decision

Written notice of the decision of the City Administrator shall be provided to the applicant (8-6.24.050). The decision is based on the approval criteria listed on the attached sheet and in Section 8-6.184.060 of the City's Municipal Code.

Step 13: Appeal of an Administrative Decision 8-6.36



Administrative decisions may be appealed to the Planning Commission by filing a petition for review within 14 calendar days after written notice of the decision is provided. An appeal can be initiated by any person entitled to a notice of the decision if they file a petition for review or at the direction of the City Council (8-6.24.050). On appeal the party who files the appeal has the burden of proof. At the public hearing before the Planning Commission of an appeal of an administrative action, participants shall be limited to the applicant, those who made the appeal (8-6.36.050)

Step 14: City Administrator Signature

Submit the original Mylar copy of the final plat to the City for required signatures of the City Officials

Step 15: Recording Partitions (8-6.184.110)

Upon the Planning Commission's approval of the proposed partition or lot line adjustment and the Council's acceptance of any dedicated land to the City, the applicant shall record the partition or lot line adjustment with Hood River County.

Step 16: Reporting County Recording to the City (8-6.184.110)

The applicant shall submit a recorded reproducible copy of the final survey to the City within 15 days of recording.

Preliminary Map Requirements

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Partition or Lot Line Adjustment

8-6.184.040

1. The preliminary partition map and necessary data or narrative shall include the name and address of the following:
 - a. The owner(s) of the subject property;
 - b. The owner(s)' authorized agent; and
 - c. The land surveyor and engineer;
2. The map scale, north arrow, and date;
3. Sufficient description to define the location and boundaries of the proposed area to be partitioned or adjusted;
4. The scale shall be an engineering scale;
5. The location, width, and names of streets or other public ways and easements within and adjacent to the proposed partition;
6. Other important features to include:
 - a. The location of all permanent buildings on and within 25 feet of all property lines;
 - b. The location and width of all drainageways and/or floodplain areas;
 - c. Any identified wetlands or riparian areas;
 - d. Any trees or groupings of trees having a 6-inch caliper or greater at 4 feet above ground level;
 - e. All slopes greater than 15 percent; and
 - f. The location of existing utilities and utility easements;
7. In the case of a major land partition, the applicant shall include the proposed right-of-way location and width, and a scaled cross section of the proposed street (to include any reserve strip);
8. Any deed restrictions that apply to the existing lot; and
9. Where it is evident that the subject property can be further partitioned, the applicant

must show that the land partition will not preclude the efficient division of land in the future.



Final Partition Plat Requirements

8-6.184.080

1. Sheet sizes for the final partition map shall be prepared as required by Hood River County.
2. The scale of the map shall be an engineering scale;
3. The name and address of the following:
 - a. The owner(s) of the subject property;
 - b. The owner(s)' authorized agent; and
 - c. The land surveyor and engineer.
4. The map scale, north arrow, and date;
5. Dimensions, area (in square feet or acres), and legal descriptions of the parent lot and all proposed lots;
6. Boundary lines and names of adjacent partitions and subdivisions, and tract lines abutting the site;
7. The locations, width, and names of streets or other public ways and easements within and adjacent to the proposed partition;
8. The location of existing utilities and utility easements;
9. In the case of a major land partition, the applicant shall include the proposed right-of-way location and width, and a scaled cross section of the proposed street (to include any reserve strip);
10. Any deed restrictions that apply to the existing lot; and
11. Signature blocks for City approval and acceptance of public easements or rights-of-way.

Partition (Preliminary)

Applicant Handbook



Approval Criteria

8-6.184.060

The City Administrator shall approve a request for a Partition when the following criteria are satisfied.

1. The proposal conforms with the provisions of this title;
2. The proposed partition complies with all statutory requirements and regulations;
3. Adequate public facilities are available and shall be installed to serve the proposed lots;
4. All proposed lots conform to the size and dimensional requirements of this title;
5. All lots have a minimum street frontage of 15 feet or an access easement to a street with a minimum width of 15 feet.
6. All proposed improvements meet City and applicable agency standards;
7. It conforms with all state regulations set forth in ORS Chapter 92, Subdivision and Partitions; and
8. Lot Size Limitation for Partitions. A parcel of land or the aggregate of contiguous parcels under the same ownership, containing sufficient net buildable area to allow creation of four or more lots meeting the minimum requirements of this Code, shall be divided only in conformance with the procedures and standards specified in the Subdivision standards of Chapter 8-6.180. The calculation of the net buildable area for the parcel or lot to be divided shall be determined by the City Administrator or designee.

City Hall
P.O. Box 308
Cascade Locks, Oregon 97014
Phone: 541-374-8484
Fax: 541-374-8752



PRELIMINARY PARTITION APPLICATION

I. BACKGROUND INFORMATION

Applicant

Applicant Name: _____ Phone: _____

Address: _____

Applicant Standing (Fee Owner, Contract Purchaser, etc.): _____

Property Owner (if different)

Name: _____ Phone: _____

Address: _____

Property Information

Property Address: _____

Township; Range; Section; Tax Lot: _____

Zone: _____ Number of Properties Created: _____

Current Property Size: _____ Proposed Property Sizes: _____

Existing Use/Structures: _____

Check One

Minor Partition (Division into 2 or 3 lots without creating a public street)

Major Partition (Division into 2 or 3 lots and creating a public street)

II. APPLICATION REQUIREMENTS



- (A) _____ Completed and signed application form.
- (B) _____ THREE copies of the final partition plat drawn to scale at the size to be recorded. The plat shall be prepared in accordance with the requirements of the Hood River County Surveyor. The plat must include the information required under Sections 8-6.184.070 of the Community Development Code. These requirements are described on the attached Final Partition Plat Requirements and City staff is also available to assist applicants. If any required information cannot be reasonably articulated through the map that information should be included in the application through a narrative.
- (C) _____ The county assessor's map showing the property
- (D) _____ Copy of the latest deed, sales contract, or title report indicating property ownership and a document containing a legal description of the land to be partitioned.
- (E) _____ A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property
- (G) _____ If all public improvements have not been built and accepted by the city, submit a copy of the approved public works construction permits and signed improvement agreements. (Major Partitions Only)
- (G) _____ A signed fee agreement and payment for filing fee.

III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

Applicant/Owner

Date

Applicant/Owner

Date

FOR OFFICE USE ONLY

File Number: _____

Submittal Date: _____ Fee: _____ Received by: _____

Application Type: _____ Completeness: _____ 120th Day: _____

**NOTICE TO APPLICANT
REIMBURSEMENT TO CITY OF CASCADE LOCKS
FOR ADMINISTRATIVE FEES**



TO: APPLICANT

The City of Cascade Locks, like many other small cities in Oregon, is faced with a severely reduced budget for the administration of the City's Ordinances. The land use planning process in the State of Oregon has become increasingly complex. To properly process land use applications, the city must rely upon professional consultants to assist in preparing the legal notices, conducting on-site inspections, preparation of staff reports, and, in some cases, actual attendance at the Planning Commission and/or City Council meetings. The City utilizes a consultant to ensure that applications are processed fairly and promptly. Because of reduced budgets, the City finds it necessary to transfer some administrative costs to you, the applicant, as part of the land use planning process. Therefore, you are asked to read and sign the agreement below indicating that you understand and agree to this requirement.

**AGREEMENT TO REIMBURSE CITY
FOR ADMINISTRATIVE COSTS**

I/We, the applicant(s), _____,
hereby agree to reimburse the City of Cascade Locks for administrative costs over and above the costs covered by the Basic Fee, which we have paid. We have been advised that an estimated cost is \$ _____, but that actual costs could exceed this amount. In the event the City is required to commence litigation to recover these costs, the prevailing party shall be awarded costs and reasonable attorney's fees, including any costs and fees on appeal.

The amount not paid shall also become a lien against the property on which the land use action is sought, in favor of the City of Cascade Locks, and shall be docketed in the City Lien Docket.

DATED this _____ day of _____, 20 ____.

LAND USE APPLICANT(S): _____

PROPERTY OWNER(S): _____

(If Different Than Above)

City Hall
P.O. Box 308
Cascade Locks, Oregon 97014
Phone: 541-374-8484
Fax: 541-374-8752



PARTITION APPLICATION - FINAL PLAT

I. BACKGROUND INFORMATION

Applicant

Applicant Name: _____ Phone: _____

Address: _____

Applicant Standing (Fee Owner, Contract Purchaser, etc.): _____

Property Owner (if different)

Name: _____ Phone: _____

Address: _____

Property Information

Property Address: _____

Township; Range; Section; Tax Lot: _____

Current Zone: _____ Property Size: _____

Existing Use/Structures: _____

Number of Lots: _____ Date of Preliminary Plat approval: _____

General description of subdivision or other pertinent information: _____



Application Proposal: _____

II. APPLICATION REQUIREMENTS

- (A) _____ Completed and signed application form.
 - (B) _____ Written response to the approval criteria. It is the applications responsibility to show how the proposal meets the approval criteria.
 - (C) _____ The following numbers of preliminary partition map drawn to scale at the specified size:
 - Three - 18X24
 - Eight - 11X17
- The map must include the information required under Sections 8-6.184.040 of the Community Development Code. These requirements are described on the attached Preliminary Plat Requirements and City staff is also available to assist applicants. If any required information cannot be reasonably articulated through the map that information may be included in the application through a narrative.
- (D) _____ Copy of the latest deed, sales contract, or title report indicating property ownership and containing a legal description of the land to be partitioned.
 - (F) _____ A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property
 - (G) _____ A signed fee agreement and payment for filing fee.



III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

Applicant/Owner Date

Applicant/Owner Date

FOR OFFICE USE ONLY

File Number: _____

Submittal Date: _____ Fee: _____ Received by: _____

Application Type: _____ Completeness: _____ 120th Day: _____

RESOLUTION NO. 1178

A RESOLUTION SETTING A FEE SCHEDULE FOR VARIOUS LAND USE AND DEVELOPMENT PERMIT APPLICATIONS; AND REPEALING RESOLUTION NO. 1120.

WHEREAS, the City receives requests from property owners and developers for approval of various land use actions; and

WHEREAS, the City processes development permits for construction of public facilities which includes permit handling, plan review, and inspections;

WHEREAS, the City processes permits for performing work within the public right-of-way;

WHEREAS, it is important that the City recover the costs associated with processing these;

NOW, THEREFORE, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Application Fee Schedule. The following fees shall be paid with the application:

Type of Application:

<u>Administrative Review</u> (8-6.20.020)	\$75.00 Base Fee which includes all staff time and One (1) hour Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer Over costs covered by Base Fee.
<u>Variance</u>	\$450.00 Base Fee which includes all staff time and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Partitions</u>		
Minor	\$500.00 Base Fee	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
Major	\$500.00 Base Fee Which includes all Staff time, four (4) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Wetland/Riparian Permits</u>	\$400.00 Base Fee Which include all Staff time, and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered By Base Fee
<u>Planned Unit Development</u>	\$1,400.00 Base Fee Which includes all Staff time and eight (8) hours Planning Consultant and one hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Subdivision</u>	\$1,200.00 Base Fee Which includes all Staff time, eight (8) hours Planning Consultant, and three (3) hours Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Lot Line Adjustment</u>	\$125.00	
<u>Signs</u>	\$75.00 + \$2.00 per square foot	

<u>Conditional Use</u>	\$625.00 Base Fee Which include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Site Plan Review</u>	\$625.00 Base Fee Which include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Zone Change</u>	\$625.00 Base Fee Which include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Comprehensive Plan Amendment</u>	\$1,000.00 Base Fee Which include all Staff time, eight (8) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Vacations</u>	\$600.00 Base Fee Which include all Staff time and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Temporary Permit</u> A temporary permit will not be allowed until a building permit is purchased through Hood River County	\$300.00 Base Fee Which include all Staff time and two (2) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Annexation</u>	\$1,000.00 Base Fee Which include all Staff, eight (8) hours Planning Consultant, and one (1) hour Engineer	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Amendment to Urban Growth Boundary</u>	\$1,000.00 Base Fee Which include all Staff time, eight (8) hours Planning Consultant, and one (1) hour Engineer	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Pre-application Conference Costs</u>		\$ 225.00
<u>Zoning/Building Review Plan</u>		
A. Accessory Structure, minor review		\$ 50.00
B. House or Mobile Home		\$ 100.00
C. Multi-family dwellings		\$ 100.00 + \$25.00 per unit
D. Commercial, Industrial, Other Projects		\$ 200.00

SECTION 2. Multiple Applications. If multiple land use applications are necessary on a single project and a single applicant, the applicant shall pay the highest Base fee of the applications necessary, plus 20% of the other Base fees involved.

SECTION 3. Appeal Fee Schedule. Fees for Appeal of Decision will be \$450.00. This base charge include all Staff, eight (8) hours Planning Consultant, and one (1) hour Engineer; plus any extra costs for the Planner, Attorney or Engineer over costs covered by Base Fee.

SECTION 4. Fee Refunds

A. A refund of an application fee will be issued if an application is withdrawn. The refund will be equal to the original Base Fee plus any additional deposits made less the actual costs paid to the planner, attorney, or engineer directly attributable to the application and less any direct costs for publishing or mailing of public hearing notices.

B. A refund of an appeal fee will be issued if the application on which the appeal is based is withdrawn.

SECTION 5 – Public Works Permit Fees. The following fees will be paid with the application: (Note that these fees do not include any hookup charges or systems development charges.)

<u>Type A Construction Permit</u>	\$250.00 Non-refundable Fee Base Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Type B Construction Permit</u>	\$500.00 Non-refundable Fee Base Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Right of Way Permit</u>	\$50.00 Non-refundable Fee Base Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee

SECTION 6. Payment Agreement Required. Each applicant shall be required to sign an agreement developed by the City Attorney that requires the Applicant to pay any and all costs determined by the City Staff to be above the costs covered by the Base Fees.

SECTION 7. Annual Review. The Planning Commission shall review these fees each year and make a report to the Council as to whether any change should be made to them.

SECTION 8. Resolution No. 1120 Repealed. Resolution No. 1120 is hereby repealed.

ADOPTED by the City Council this 27th day of July, 2009.

APPROVED by the Mayor this 27th day of July, 2009.

Mayor

ATTEST:

City Recorder