

Yamhill County Department of Planning & Development

APPLICATION FOR PARTITION

400 NE Baker Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

Docket _____
 Date _____
 Rec'd by _____
 Receipt # _____
 Fee **\$2992.72**

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Last name	First	MI	Last name	First	MI
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
City	State	Zip	City	State	Zip
Telephone:			Telephone:		
E-mail address:			E-mail address:		
PROPERTY INFORMATION					
Tax Lot(s) _____			Zone: _____		
Size of original parcel: _____			Plan designation: _____		
PROPOSED PARTITION					
Parcel #1 _____ acres		Dimensions: _____	Width: _____		
		(Average)	Depth: _____		
Parcel #2 _____ acres		Dimensions _____	Width: _____		
		(Average)	Depth: _____		
Parcel #3 _____ acres		Dimensions _____	Width: _____		
		(Average)	Depth: _____		

PROPERTY INFORMATION:

1. Is there a septic system on the property? ☐ Yes ☐ No
 If yes, which parcel(s) is the septic system on? _____
2. How will water be provided? ☐ Well: _____ existing _____ proposed
☐ On-site spring or creek ☐ Water Association (name) _____
3. What road or easement will be used as access? _____
4. Is the property in a Fire District? _____ Name of Fire District: _____
5. Is the property within two miles of any city limits? _____ If yes, name of city: _____

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To your knowledge, do any of the following exist on the property?

☐ Floodplain ☐ Areas of erosion ☐ Steep slopes ☐ Fish or wildlife habitat

☐ Soil limitations for building or septic

6. What is the proposed use of the new parcels (e.g. residence, farm, business)?

I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

Applicant's signature

Date

Property owner's signature (if different)

Date

State of _____)
)
County of _____)

Signed or attested before me on this _____ day of _____, 20____
by _____.

Notary Public for Oregon
My Commission expires

PARTITION APPLICATION PROCEDURES AND FEES

The information supplied in this section applies to most partitions in Yamhill County. There may, however, be additional requirements that will be explained at the time of the pre-application conference.

PREAPPLICATION CONFERENCE This conference involves discussion of the proposal, explanation of zoning and other requirements that pertain to the request, and identification of potential problems. There is no fee for this conference.

SUBMITTAL OF PRELIMINARY PLAT The application must include a preliminary plat on a separate sheet. 8 1/2 x 11 paper is preferred. The plat should be drawn on reproducible paper at a scale no less than 1" to 200'. A copy of an Assessor's map is acceptable to use as a base. The drawing should be labeled as a preliminary plat and include a north arrow, the date, the map scale, and the name, address, and telephone number of the property owner, the owner's representative, applicant, and surveyor. All proposed parcels should be numbered in consecutive order. The estimated dimensions and boundaries of all parcels to be created should be shown, along with the size of each lot in acres or square feet. The preliminary plat should show all existing and proposed access roads, easements, and public rights-of-way, and their dimensions, the location of sewage disposal facilities and wells, if known, and the location of all existing and proposed structures.

PARCEL SIZE AVERAGING In the AF-10, VLDR, and LDR zones, some of the parcels that will be created may be smaller than the minimum lot size, as long as the average size of all of the parcels complies with the minimum lot size. For example, a 30-acre parcel in the AF-10 zone may be partitioned into three parcels, but each parcel need not be ten acres in size as long as the average parcel size is ten acres.

NOTICE Yamhill County is required to send notice of all partition requests to surrounding property owners, and to publish a notice in a newspaper of general circulation in the county, prior to making a decision on the request. The notice distance varies by zone, from 100 to 500 feet. Those people that receive notice, and others that may be affected, can make comments or request that the application be considered at a public hearing before the county Planning Commission. If no one requests a hearing, the Planning Director will make the decision on whether to approve or deny the partition application.

PRELIMINARY DECISION Upon review and recommendation by Planning Department staff, the Planning Director renders a decision to approve, approve with modifications, or deny the request. The decision will be based on whether the application complies with the requirements of the Yamhill County Land Division Ordinance and the standards of the zoning district. The applicant and surrounding property owners will receive written notice of the decision. If the request is approved, the decision will be preliminary, subject to satisfaction of any conditions placed on the approval.

APPEALS The applicant is entitled to appeal a denial or any condition of a preliminary approval to the Board of County Commissioners. Anyone else that is aggrieved by the decision also has the right to appeal. There is a \$250 fee to file an appeal. This fee is refunded if the appellant prevails in the appeal. The Board will hold a public hearing on the appeal, and their decision may be appealed to the state Land Use Board of Appeals.

ROADWAY DEDICATION REQUIREMENTS A maximum of three parcels of land may have access to a public road via one easement. Dedication of a public road to serve the parcels will be required if the partition would result in more than three parcels having access by one easement. Also, if a parcel being partitioned abuts a county road with a right-of-way less than 60 feet wide, additional dedication along the frontage may be required prior to final plat approval.

ROADWAY CONSTRUCTION Generally, all roadways providing access to a new parcel (not driveways to building sites) shall be constructed, or security arranged, prior to final plat approval. If the access is an easement (not dedicated right-of-way), you may enter into a road construction agreement in lieu of the security requirement. Road construction standards are available from the Public Works Department. Fees are available by contacting Public Works or from the Public Works Web site. New accesses on a state highway must be approved by the Oregon Department of Transportation.

SURVEY REQUIREMENTS All parcels resulting from the partition that are 10 acres or less in size, and the centerline of any access easement or new public right-of-way, must be surveyed prior to final plat approval. Fees are available by contacting the County Surveyor or the County Surveyor web site.

SEPTIC APPROVAL REQUIREMENTS New parcels are required to be approved for on-site subsurface sewage disposal prior to final plat approval, unless it can be demonstrated that other sewage disposal facilities are available. The septic site evaluation is required for all vacant parcels created by the partition. The only way to waive this requirement is if a parcel is labeled on the final plat as nonresidential, and a statement is placed on the face of the final plat attesting that no sewage disposal system will be provided for parcels labeled as nonresidential. In some instances, an evaluation of an existing septic system may also be required when there is a concern about the location of the system and replacement area in relation to the new property lines.

FINAL PLAT APPROVAL When all conditions of the preliminary approval have been satisfied and a final partition plat prepared, final approval can be granted. The final plat is prepared by a registered land surveyor, even if no lot or road surveys are required. The property owner must sign the plat in black india type ink (not ball point pen) before a notary public. The plat must be delivered to the County Surveyor's office, where it will be reviewed by the County Engineer and County Surveyor and signed if no deficiencies are found. The plat will be forwarded by the County Surveyor to the Planning Department, where it will be reviewed and signed by the County Sanitarian and Planning Director if all conditions of the preliminary approval have been met. The Planning Department will forward the plat to the County Tax Collector. Before the County Tax Collector will sign the plat, all taxes must have been paid in full. Once the plat has all the necessary signatures, it must be recorded in the deed and mortgage records with the County Clerk. This is the applicant's responsibility. The final plat must be submitted within one year from the date of preliminary approval, and recorded within 90 days of that date, or the preliminary approval becomes null and void. Please contact the Surveyors Department.

THE APPLICATION MUST INCLUDE:

1. Completed application form, signed by the applicant and property owner (if different). The owner's signature must be notarized.
2. Preliminary plat.
3. Deed or other proof of ownership.
4. Filing fee (Make check payable to Yamhill County).

NOTE: Fees are not refundable.
