

TITLE 11
CHAPTER 4

PARTITION AND SUBDIVISION FINAL PLAT

SECTION:

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11-4-1: APPLICATION: An application for a partition or subdivision final plat approval shall be made by the person proposing the partition or subdivision, or his authorized agent or representative, on a form prescribed by the City and submitted to the Planning Director after the effective date of tentative plan approval. Applications for a Final Plat are reviewed through a Type I Review as defined in Section 10-1-1-6. Said applications shall be accompanied by revised plans and additional information as prescribed in this Chapter.

11-4-2: REQUIREMENTS:

A. Drafting: Provisions for drafting shall be as follows:

1. Partition or Subdivision Plats: Two (2) full-size copies, one (1) reduced copy of 11" x 17" or less, and an electronic copy. Original plats shall conform to the Lane County Surveyor's specifications and requirements pertaining to material that has characteristics of adequate strength and permanency as well as suitability for binding and copying.

Plats shall be in clear and legible form and may be placed on as many sheets as necessary but a face sheet and an index page shall be included for all plats placed on both sides of a sheet. Scale requirements shall be the same as specified for tentative plans. Lettering and the dedication and affidavit of the surveyor shall be of such size or type as will be clearly legible and no part of the plat shall come nearer than one inch (1") to any edge of any sheet.

B. Information Required: The application itself, or the proposed partition or subdivision plat, must contain the following with respect to the subject area:

1. Traverse computation sheets. The registered engineer or licensed land surveyor signing the surveyor's affidavit on the plat shall submit traverse computation sheets for the use of the City in checking the plat. Said sheets shall include the calculation of each course and distance by latitude and departure of all the boundary lines and of all lot lines in the subdivision area, and for all boundaries and all lots in the plat which are not completely rectangular in shape. Each course and distance, and each latitude and departure shall be tabulated on the traverse computation sheet in the proper order to show the closure limits of each area, and rectangular coordinates of every angle point shall be extended and shown from a single meridian and from a single point of origin.
2. The lengths of all chords, radii points of curvature and tangent bearings.
3. The lot lines of all lots or parcels within the partition or subdivision, with dimensions in feet and hundredths of feet and with all bearings shown; the acreage or square footage of each lot.
4. Numbers designating each block and lot in subdivisions, lots in each block to be numbered consecutively.

5. Where a plat is an addition to a plat previously recorded, numbers of blocks and lots in consecutive continuation from such previous plat.
6. The description and location of all permanent reference monuments.
7. An affidavit of a surveyor, who is an Oregon registered engineer or Oregon licensed land surveyor and who surveyed the partition or subdivision, conforming to the requirements of ORS 92.
8. The date, north point and scale of the drawing, and a sufficient description to define the location and boundaries of the partition or subdivision.
9. The locations, names and widths of all streets, existing or being created.
10. The width and location of all existing easements for public utilities, and such easements being created, and also all reserve strips required as provided for by this Chapter.
11. A designation of all areas covered by water, and the location, width and direction of flow of all watercourses.
12. A designation of all area being dedicated by the applicant including proposed uses, and an effective written dedication thereof.
13. Designation of all donations to the public of all common improvements including but not limited to streets, roads, parklands, multi-use trails and paths, sewage disposal and water systems, the donation of which was made a condition of approval of the tentative plat for the partition or subdivision.
14. A copy of all protective deed restrictions, Covenants, Conditions, and Restrictions (CC&R's), easements, maintenance agreements and other documents pertaining to common improvements recorded and referenced on the plat.
15. A title report issued by a title insurance company licensed by the State of Oregon verifying ownership by the applicant of the real property that is to be dedicated to the public (Ord. 626, 6-30-80)
16. A landscaping plan will be required delineating shrubs, trees, screen planting and natural vegetation corridors. The plan will show approximate height, species (and alternatives), placement and areas. The location of all trees measuring ten inches (10") minimum (DBH) existing prior to development will be shown and those proposed to be removed. A maximum number of these trees will be retained, subject to provision of adequate area for building, parking and yard area, protection from windthrow hazard and solar access. (Ord. 626, 6-30-80; amd. Ord. 669, 5-17-82)

11-4-3: REVIEW BY OTHER AGENCIES AND DEPARTMENTS: Within five (5) working days after the partition or subdivision application is duly submitted the Planning Director shall distribute copies thereof to the City Manager, to each public utility, the County Health Department, and to each government division that may be affected by the application for review, comments and recommendations. If no written response is received by the Planning Director within thirty (30) days, it shall be assumed that the agency(s) approves of the application as submitted unless an extension is requested.

11-4-4: APPROVAL OF FINAL PLAT: Within ten (10) days of the receipt of all comments and recommendations requested from appropriate agencies and departments or within forty five (45) days of the receipt of a partition or subdivision plat application as provided for in this Title, the Planning Director shall approve, deny or, when further information is required, postpone a decision on the application. The Planning Director may or its designee shall approve, deny or, when further information is required, postpone a decision on the application. The Planning Director may require its designee to submit any tentative approval to the Director for review prior to notification of the applicant. In the event of a denial, the application shall be reviewed by the Planning Director within forty-five (45) days. Approval shall be based on the following criteria:

- A. Streets, roads and alleys for public use are dedicated without any reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities.
- B. Streets and roads held for private use and indicated on the tentative plan of such partition or subdivision have been approved by the City.
- C. The proposal conforms to the requirements of this Title, Title 9, all applicable provisions of the Oregon Revised Statutes, the Florence Zoning Ordinance, Comprehensive Plan, and all other applicable laws and regulations as well as Section 11-1-1, Purpose, of this Title.
- D. The final plat is consistent in design with the approved preliminary plat, and all conditions of approval have been satisfied.
- E. The plat and deed contains a donation to the public of all common improvements including but not limited to streets, roads, parklands, multi-use trails and paths, sewage disposal and water supply systems, the donation of which was made a condition of the approval of the tentative plan for the partition or subdivision or in the case of parklands could also have been voluntarily donated.
- F. Explanations of all common improvements required as conditions of approval of the tentative plan of the partition or subdivision have been accounted for and referenced on the plat or map.
- G. Verification by the City that water and sanitary sewer service is available to every lot depicted on the plat.
- H. Either:
 - 1. Improvements as required by Titles 9 and 10, or as a condition of tentative plan approval have been completed and filed with the City; or
 - 2. A performance agreement (bond) or suitable substitute as agreed upon by the City and applicant has been filed with the Finance Officer in a sufficient amount of time to insure the completion of all required improvements; or
 - 3. A petition for improvements has been properly executed by the applicant and will be assessed for said improvements.
- I. Taxes, as well as public liens, assessments and fees with respect to the partition or subdivision have been paid; or adequate guarantee has been provided assuring said taxes, liens, assessments and fees will be paid prior to recordation.
- J. As applicable, the applicant has furnished acceptable copies of Covenants, Conditions, and Restrictions (CC&R's), easements, maintenance agreements and other documents pertaining to common improvements recorded and referenced on the plat.
- K. The plat contains an affidavit by the surveyor who surveyed the land, represented on the plat to the effect the land was correctly surveyed and marked with proper monuments as provided by ORS Chapter 92, indicating the initial point of the survey, and giving the dimensions and kind of each monument and its reference to some corner approved by the County Surveyor for purposes of identifying its location.

11-4-5: EXPIRATION OF TENTATIVE PLAN APPROVALS: If the conditions set at the time of approval are not fulfilled and the plat or map offered for recording by the partitioner or subdivider in the office of the County Recording Officer within two (2) years, unless approved as a phased subdivision tentative plan consistent with FCC 11-3-8, the tentative plan approval, is null and void, and a new application for plat or map approval must be submitted for reconsideration.

An extension of the tentative plan may be pursued consistent with FCC 11-3-6.

11-4-6: DELIVERY OF FINAL PLAT TO COUNTY RECORDER:

- A. Partition: Within sixty (60) days of City approval of the final plat, the Planning Director shall deliver it to the office of the County Clerk and notify the partitioner that such has been done and that the partition may be offered for recording.
- B. Subdivision: Within sixty (60) days of City approval of the final plat, the Planning Director shall:
 - 1. Obtain on the approved subdivision plat the signature of the County Assessor, whose signature shall certify that all taxes on the property have been paid;
 - 2. Obtain on the approved subdivision plat the signature of the Planning Director, whose signature shall certify that the platting laws of the State and the requirements of this Title have been complied with; (Amd. Ord 30, Series 1990).
 - 3. Deliver the approved subdivision plat to the office of the County Clerk;
 - 4. Notify the subdivider that the approved subdivision plat has been delivered to the office of the County Clerk and may be offered for recording.
- C. Prerequisites to Recording the Plat:
 - 1. No plat shall be recorded unless all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed on the tax roll have been paid in the manner provided by ORS Chapter 92.
 - 2. No plat shall be recorded until the County Surveyor approves it in the manner provided by ORS Chapter 92.

11-4-7: DELIVERY OF RECORDED FINAL PLAT TO CITY: In addition to the requirements of Oregon Revised Statutes pertaining to filing and recording of approved partition or subdivision plats, the applicant shall furnish the City one exact reproducible copy thereof, composed of the same materials as required by the County Surveyor, or if not so required, of such materials and specifications as required by the City. Said copy shall be furnished to the City within two (2) working days of recordation.

Amended by Ord No. 30, Series 1990

11-4-2-B13 & 11-4-4-E Amended by Ord 2, Series 2011 (effective 3-11-11)

Sections 11-4-4-C and 11-4-4-H Amended by Ord. No. 18, Series 2011 (effective 9-19-11)

All sections amended by Ord. No. 7, Series 2019 (effective 12-18-19)