

Chapter 16.130
LAND PARTITIONING

16.130.000 Definition

Partition: A partition is required for a land division that creates two (2) or three (3) parcels in a calendar year.

16.130.005 General Provisions

- A. All partitions shall conform to all applicable Zoning District Standards, Development Standards of this ordinance and the comprehensive plan.
- B. A master plan for development shall be required for any application which leaves a portion of the subject property capable of redevelopment.
- C. Partition approval is valid in perpetuity, upon recording of the final partition plat.
- D. A parcel within an approved partition may not be re-divided within the same calendar year in which it was recorded except through the subdivision process.
- E. A tentative partition that creates a public road to access any of the proposed parcels shall be reviewed at a public hearing of the Planning Commission pursuant to the provisions of Public Hearings in this chapter.
- F. Notice of the public hearing shall be provided in accordance with the provisions of Public Notice Requirements in this chapter.
- G. Approval of a Tentative Map for a partition is valid for one (1) year after the date of the written decision. A final plat map for a partition shall be approved and recorded within this one (1) year time period or the tentative approval shall lapse.
- H. Requests for extensions of partition approvals may be made in accordance with the provisions of this chapter.

16.130.010 Submittal Requirements for Tentative Partition Review

- A. An application for a partition shall be submitted on forms provided by the City and accompanied by the appropriate filing fee.
- B. An application shall include one (1) copy of a tentative partition drawn to scale and shall contain, at a minimum, the following:

1. Name and address of the owner of the property to be divided.
2. Legal description of the property and Tax Lot ID (TLID) by Township, Range, Section and Tax Lot.
3. North arrow and scale.
4. Comprehensive Plan and Zoning designations for the subject property.
5. Individual parcel designation, e.g. Parcel I, Parcel II.
6. Dimensions and size in square feet or acres of all proposed parcels.
7. Adjacent property under the same ownership.
8. All adjacent roads (public or private), including name and road width.
9. Location and size of all existing and proposed utilities.
10. All existing structures on the property and their setbacks.
11. Natural drainage ways, streams, wetlands or other significant natural features of the property.
12. Existing or proposed easements.

16.130.015 Process for Tentative Partition Review

A tentative partition that does create a public road to access any of the proposed parcels shall be reviewed administratively by the City. Conditions may be attached to the approval of a tentative partition.

A tentative partition that creates a public road to access any of the proposed parcels shall be reviewed at a public hearing of the Planning Commission. The Planning Commission may require dedication of land and easements and may specify conditions or modifications in the tentative plan as necessary. In no event, however, shall the Planning Commission require greater dedications or conditions than would be required if the tract were subdivided.

16.130.016 Partition Approval Criteria

The City may approve, approve with conditions or deny a preliminary partition plat based on the approval criteria of this chapter including the Subdivisions section.

16.130.020 Process for Final Partition Approval

A. Survey Submitted

Within one (1) year of the written decision approving a tentative partition, two (2) copies of the final survey of the approved partition shall be submitted to the City for review. If the final survey is not submitted within one year, the tentative approval shall lapse.

B. Final Approval

If the final survey of the partition is consistent with the approved partition, if the conditions of approval have been satisfied, and if the City Council has accepted dedication of any newly created public roads by either accepting a deed of dedication on a form acceptable to the City or authorizing the mayor or other City Council designee to sign an acceptance of dedication on the final plat map, the City shall mark the survey map "Approved" and shall:

1. Transmit one copy of the approved partition or the original mylar with acceptance of public road dedication to the applicant for recording, and
2. Retain one copy for the City's files, and
3. Send a final approval letter to the County Surveyor with instructions for final review and recording of the final plat.

C. Recording of Approved Partition Required

The applicant is responsible for recording the approved Partition with the Washington County Records Office. A building permit shall not be issued, or parcel sold, transferred or assigned, until the approved Partition has been recorded.

D. Improvements/Bonding

Prior to issuance of a building permit, all improvements required by the Conditions of Approval shall be constructed or the construction shall be guaranteed through an irrevocable letter of credit, assignment of bank account, performance bond or other instrument acceptable to the City Attorney. If ownership of a parcel is transferred prior to satisfaction of the Conditions of Approval, the new owner shall be notified in writing of these Conditions by the transferor.