

5.12-100 Land Divisions—Partitions and Subdivisions

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5.12-105	Purpose and Applicability
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- A.** Purpose. The purpose of the Partition and Subdivision process is to: Facilitate and enhance the value of development; Maintain the integrity of the City's watercourses by promoting bank stability, assisting in flood protection and flow control, protecting riparian functions, minimizing erosion, and preserving water quality and significant fish and wildlife areas; Minimize adverse effects on surrounding property owners and the general public through specific approval conditions; Ensure the provision of public facilities and services; Provide for connectivity between different uses; Utilize alternative transportation modes including walking, bicycling and mass transit facilities; Implement the Metro Plan, applicable refinement plans, specific area plans and specific development plans; Minimize adverse effects on surrounding property owners and the general public through specific approval conditions; and Otherwise protect the public health and safety.
- B.** The Partition process regulates land divisions that create 2 or 3 parcels within a calendar year. If the Director determines that a property proposed to be partitioned has been, or is in the process of being divided into 4 or more lots, full compliance with the Subdivision regulations specified in this Code may be required.
- C.** The Subdivision process regulates land divisions that create 4 or more lots within a calendar year.
- D.** Applicability.
1. The Partition process applies within the city limits and the City's urbanizable area. Generally, no more than 3 parcels may be created from 1 tract of land in the City's urbanizable area until annexation, as specified in SDC 5.12-125(1)(2)(b)(iii).
 2. The Subdivision process applies only within the city limits.

3. No lot/parcel may be created without being divided as specified in this Code.
4. No development permit will be issued by the City prior to approval of the Partition or Subdivision Tentative Plan application.

EXCEPTION: As may be permitted in the Springfield Municipal Code, 1997 and/or by Resolution No. 03-40, the Director may issue a Land and Drainage Alteration Permit prior to approval of the Partition or Subdivision Tentative Plan.

5.12-110	Tentative Plan Review
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Tentative Plans are reviewed under Type 2 procedure.

5.12-115	Tentative Plan—General
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Any residential land division shall conform to the following standards:

- A. The lot/parcel dimensions shall conform to the minimum standards of this Code. When lots/parcels are more than double the minimum area permitted by the zoning district, the Director shall require that these lots/parcels be arranged:
 1. To allow redivision; and
 2. To allow for the extension of streets to serve future lots/parcels.
 3. Placement of structures on the larger lots/parcels shall be subject to approval by the Director upon a determination that the potential maximum density of the larger lot/parcel is not impaired. In order to make this determination, the Director may require a Future Development Plan as specified in Section 5.12-120E.
- B. Double frontage lots/parcels shall be avoided, unless necessary to prevent access to residential development from collector and arterial streets or to overcome specific topographic situations.
- C. Panhandle lots/parcels shall comply with the standards specified in SDC 3.2-215 and SDC 4.2-120A. In the case of multiple panhandles in Subdivisions, construction of necessary utilities to serve all approved panhandle lots/parcels shall occur prior to recording the Plat.
- D. Public street standards as specified in SDC 4.2.105.

5.12-120	Tentative Plan Submittal Requirements
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A Tentative Plan application shall contain the elements necessary to demonstrate that the provisions of this Code are being fulfilled.

EXCEPTION: In the case of Partition applications with the sole intent to donate land to a public agency, the Director, during the Application Completeness Check Meeting, may waive any submittal requirements that can be addressed as part of a future development application.

A. General Requirements.

1. The Tentative Plan, including any required Future Development Plan, shall be prepared by an Oregon Licensed Professional Land Surveyor on standard sheets of 18" x 24". The services of an Oregon Licensed Professional Engineer may also be required by the City in order to resolve utility issues (especially stormwater management, street design and transportation issues), and site constraint and/or water quality issues.
2. The scale of the Tentative Plan shall be appropriate to the area involved and the amount of detail and data, normally 1" = 50', 1" = 100', or 1" = 200'.
3. A north arrow and the date the Tentative Plan was prepared.
4. The name and address of the owner, applicant, if different, and the Land Surveyor and/or Engineer who prepared the Partition Tentative Plan.
5. A drawing of the boundaries of the entire area owned by the partitioner or subdivider of which the proposed land division is a part.
6. City boundaries, the Urban Growth Boundary (UGB) and any special service district boundaries or railroad right-of-way, which cross or abut the proposed land division.
7. Applicable zoning districts and the Metro Plan designation of the proposed land division and of properties within 100 feet of the boundary of the subject property.
8. The dimensions (in feet) and size (either in square feet or acres) of each lot/parcel and the approximate dimensions of each building site, where applicable, and the top and toe of cut and fill slopes to scale.
9. The location, outline to scale and present use of all existing structures to remain on the property after platting and their required setbacks from the proposed new property lines.
10. The location and size of existing and proposed utilities and necessary easements and dedications on and adjacent to the site, including, but not limited to, sanitary

sewer mains, stormwater management systems, water mains, power, gas, telephone, and cable TV. Indicate the proposed connection points.

11. The locations, widths and purpose of all existing or proposed easements on and abutting the proposed land division; the location of any existing or proposed reserve strips.
 12. The locations of all areas to be dedicated or reserved for public use, with the purpose, condition or limitations of the reservations clearly indicated.
- B.** A Site Assessment of the Entire Development Area. The Site Assessment shall be prepared by an Oregon Licensed Landscape Architect or Engineer and drawn to scale with existing contours at 1-foot intervals and percent of slope that precisely maps and delineates the areas described below. Proposed modifications to physical features shall be clearly indicated. The Director may waive portions of this requirement if there is a finding that the proposed development will not have an adverse impact on physical features or water quality, either on the site or adjacent to the site. Information required for adjacent properties may be generalized to show the connections to physical features. A Site Assessment shall contain the following information.
1. The name, location, dimensions, direction of flow and top of bank of all watercourses that are shown on the Water Quality Limited Watercourses (WQLW) Map on file in the Development and Public Works Department;
 2. The 100-year floodplain and floodway boundaries on the site, as specified in the latest adopted FEMA Flood Insurance Maps or FEMA approved Letter of Map Amendment or Letter of Map Revision;
 3. The Time of Travel Zones, as specified in SDC 3.3-200 and delineated on the Wellhead Protection Areas Map on file in the Development and Public Works Department;
 4. Physical features including, but not limited to significant clusters of trees and shrubs, watercourses shown on the (WQLW) Map and their riparian areas, wetlands, and rock outcroppings;
 5. Soil types and water table information as mapped and specified in the *Soils Survey of Lane County*; and
 6. Natural resource protection areas as specified in SDC 4.3-117.
- C.** A Stormwater Management Plan drawn to scale with existing contours at 1-foot intervals and percent of slope that precisely maps and addresses the information described below. In areas where the percent of slope is 10% or more, contours may be shown at 5-foot intervals. This plan shall show the stormwater management system for the entire development area. Unless exempt by the Director, the City shall require that an Oregon

Licensed Civil Engineer prepare the plan. Where plants are proposed as part of the stormwater management system, an Oregon Licensed Landscape Architect may also be required. The plan shall include the following components:

1. Roof drainage patterns and discharge locations;
 2. Pervious and impervious area drainage patterns;
 3. The size and location of stormwater management systems components, including but not limited to: drain lines, catch basins, dry wells and/or detention ponds; stormwater quality measures; and natural drainageways to be retained;
 4. Existing and proposed site elevations, grades and contours; and
 5. A stormwater study and management system plan with supporting calculations and documentation as required in SDC 4.3-110 shall be submitted supporting the proposed system. The plan, calculations and documentation shall be consistent with the *Engineering Designs Standards and Procedures Manual* to allow staff to determine if the proposed stormwater management system will accomplish its purposes.
- D.** A response to transportation issues complying with the provisions of this Code.
1. The locations, condition, e.g., fully improved with curb, gutter and sidewalk, AC mat, or gravel, widths and names of all existing streets, alleys, or other rights-of-way within or adjacent to the proposed land division;
 2. The locations, widths and names of all proposed streets and other rights-of-way to include the approximate radius of curves and grades. The relationship of all proposed streets to any projected streets as shown on the Metro Plan or Springfield Comprehensive Plan, including the Springfield Transportation System Plan (including the Conceptual Street Map) and, any approved Conceptual Development Plan;
 3. The locations and widths of all existing and proposed sidewalks, multi-use paths, and accessways, including the location, size and type of plantings and street trees in any required planter strip;
 4. The location of existing and proposed traffic control devices, fire hydrants, power poles, transformers, neighborhood mailbox units and similar public facilities, where applicable;
 5. The location and dimensions of existing and proposed driveways demonstrating conformance with lot or parcel dimensions and frontage requirements for single-family and duplex lots/parcels established in Section 3.2-215, and driveway width and separation specifications established in Section 4.2-120, where applicable;

6. The location of existing and proposed street trees, associated utilities along street frontage(s), and street lighting: including the type, height and area of illumination;
 7. The location of existing and proposed transit facilities;
 8. A copy of a Right-of-way Approach Permit application where the property has frontage on an Oregon Department of Transportation (ODOT) facility; and
 9. A Traffic Impact Study prepared by a Oregon Licensed Traffic Engineer, where necessary, as specified in SDC 4.2-105A.4.
- E.** A Future Development Plan. Where phasing and/or lots/parcels that are more than twice the minimum lot/parcel size are proposed, the Tentative Plan shall include a Future Development Plan that:
1. Indicates the proposed redivision, including the boundaries, lot/parcel dimensions and sequencing of each proposed redivision in any residential district, and shall include a plot plan showing building footprints for compliance with the minimum residential densities specified in SDC 3.2-205;
 2. Addresses street connectivity between the various phases of the proposed development based upon compliance with the Springfield Transportation System Plan (including the Conceptual Street Map), the Regional Transportation Plan (RTP), applicable Refinement Plans, Plan Districts, Master Plans, or this Code;
 3. Accommodates other required public improvements, including, but not limited to, sanitary sewer, stormwater management, water and electricity;
 4. Addresses physical features, including, but not limited to, significant clusters of trees and shrubs, watercourses shown on the Water Quality Limited Watercourse Map and their associated riparian areas, wetlands, rock outcroppings and historic features; and
 5. Discusses the timing and financial provisions relating to phasing.
- F.** Additional information and/or applications required at the time of Tentative Plan application submittal shall include the following items, where applicable:
1. A brief narrative explaining the purpose of the proposed land division and the existing use of the property;

2. If the applicant is not the property owner, written permission from the property owner is required;
3. A Vicinity Map drawn to scale showing bus stops, streets, driveways, pedestrian connections, fire hydrants and other transportation/fire access issues within 200 feet of the proposed land division and all existing Partitions or Subdivisions immediately adjacent to the proposed land division;
4. How the Tentative Plan addresses the standards of any applicable overlay district;
5. How the Tentative Plan addresses Discretionary Use criteria, where applicable;
6. A Tree Felling Permit as specified in SDC 5.19-100;
7. A Geotechnical Report for slopes of 15% or greater and as specified in SDC 3.3-500, and/or if the required Site Assessment in SDC 5.12-120B. indicates the proposed development area has unstable soils and/or high water table as specified in the *Soils Survey of Lane County*;
8. An Annexation application as specified in SDC 5.7-100 where a development is proposed outside of the city limits but within City's urban growth boundary and can be serviced by sanitary sewer;
9. A wetland delineation approved by the Department of State Lands shall be submitted concurrently where there is a wetland on the property;
10. Evidence that any required Federal or State permit has been applied for or approved shall be submitted concurrently;
11. All public improvements proposed to be installed and to include the approximate time of installation and method of financing;
12. Proposed deed restrictions and a draft of a Homeowner's Association Agreement, where appropriate;
13. Where the Subdivision of a manufactured dwelling park or mobile home park is proposed, the Director may waive certain submittal requirements specified in Subsections A. through M. However, the Tentative Plan shall address the applicable standards listed under the park Subdivision approval criteria specified in SDC 5.12-125.

5.12-125	Tentative Plan Criteria
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The Director shall approve or approve with conditions a Tentative Plan application upon determining that all applicable criteria have been satisfied. If conditions cannot be attached to satisfy the approval criteria, the Director shall deny the application. In the case of Partitions that involve the donation of land to a public agency, the Director may waive any approval criteria upon determining the particular criterion can be addressed as part of a future development application.

- A.** The request conforms to the provisions of this Code pertaining to lot/parcel size and dimensions.
- B.** The zoning is consistent with the Metro Plan diagram and/or applicable Refinement Plan diagram, Plan District map, and Conceptual Development Plan.
- C.** Capacity requirements of public and private facilities, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls shall not be exceeded and the public improvements shall be available to serve the site at the time of development, unless otherwise provided for by this Code and other applicable regulations. The Director or a utility provider shall determine capacity issues.
- D.** The proposed land division shall comply with all applicable public and private design and construction standards contained in this Code and other applicable regulations.
- E.** Physical features, including, but not limited to: steep slopes with unstable soil or geologic conditions; areas with susceptibility of flooding; significant clusters of trees and shrubs; watercourses shown on the WQLW Map and their associated riparian areas; other riparian areas and wetlands specified in SDC 4.3-117; rock outcroppings; open spaces; and areas of historic and/or archaeological significance, as may be specified in Section 3.3-900 or ORS 97.740-760, 358.905-955 and 390.235-240, shall be protected as specified in this Code or in State or Federal law.
- F.** Parking areas and ingress-egress points have been designed to: facilitate vehicular traffic, bicycle and pedestrian safety to avoid congestion; provide connectivity within the development area and to adjacent residential areas, transit stops, neighborhood activity centers, and commercial, industrial and public areas; minimize driveways on arterial and collector streets as specified in this Code or other applicable regulations and comply with the ODOT access management standards for State highways.
- G.** Development of any remainder of the property under the same ownership can be accomplished as specified in this Code.

- H.** Adjacent land can be developed or is provided access that will allow its development as specified in this Code.
- I.** Where the Partition of property that is outside of the city limits but within the City's urbanizable area and no concurrent annexation application is submitted, the standards specified below shall also apply.
- 1.** The minimum area for the partitioning of land in the UF-10 Overlay District shall be 10 acres.
 - 2. EXCEPTIONS:**
 - a.** Any proposed new parcel between 5 and 10 acres shall require a Future Development Plan as specified in Section 5.12-120E. for ultimate development with urban densities as required in this Code.
 - b.** In addition to the standards of Subsection 2.a., above, any proposed new parcel that is less than 5 acres shall meet 1 of the following standards:
 - i.** The property to be partitioned shall be owned or operated by a governmental agency or public utility; or
 - ii.** A majority of parcels located within 100 feet of the property to be partitioned shall be smaller than 5 acres.
 - iii.** No more than 3 parcels shall be created from 1 tract of land while the property remains within the UF-10 Overlay District.
- EXCEPTION:** Land within the UF-10 Overlay District may be partitioned more than once as long as no proposed parcel is less than 5 acres in size.
- J.** Where the Subdivision of a manufactured dwelling park or mobile home park is proposed, the following approval criteria apply:
- 1.** The park was approved before July 2, 2001 and is in compliance with the standards in SDC3.2-235 or other land use regulations in effect at the time the site was approved as a manufactured dwelling park or mobile home park; or the park is an approved non-conforming use. In the latter case, a park is in compliance if the City has not issued a notice of noncompliance on or before July 2, 2001.
 - 2.** The number of lots proposed shall be the same or less than the number of mobile home spaces previously approved or legally existing in the park.
 - 3.** The external boundary or setbacks of the park shall not be changed.

4. The use of lots, as shown on the Tentative Plan, shall be limited to the installation of manufactured dwellings; i.e., “stick-built” houses are prohibited.
5. Any other area in the Subdivision other than the proposed lots shall be used as common property, unless park streets have previously been dedicated to the City or there are public utilities in the park. All common property shall be addressed in a Homeowner’s Association Agreement.
 - a. Areas that are used for vehicle circulation (streets), driveways that serve more than 2 lots/parcels or common parking areas, shall be shown in a Tract or easement on the Tentative Plan.
 - b. All other services and utilities that serve more than 1 lot shall be in a Tract or easement. Where a service or utility serves only 1 lot, but crosses another, that service or utility shall also be in an easement shown on the Tentative Plan.
 - c. Existing buildings in the park used for recreational, meetings or other purposes for the park residents shall be in a Tract shown on the Tentative Plan.
6. Any public utilities shall be within a public utility easement.
7. If public utilities or services are required to serve the Subdivision, the park owner shall sign and execute a waiver of the right to remonstrate against the formation of a local improvement district to provide the public utilities or services.

5.12-130	Tentative Plan Conditions
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To the extent necessary to satisfy the approval criteria of SDC 5.12-125, comply with all applicable provisions of this Code and to mitigate identified negative impacts to surrounding properties, the Director shall impose approval conditions. All conditions shall be satisfied prior to Plat approval. Approval conditions may include, but are not limited to:

- A. Dedication of right-of-way and/or utility easements.
 1. Right-of-way, when shown in the Springfield Transportation System Plan (including the Conceptual Street Map), the transportation elements of refinement plans, or as specified in Table 4.2-1.
 2. Easements as specified in SDC 4.3-140, when necessary to provide services, including, but not limited to: sanitary sewers, stormwater management, water and electricity, to the site and neighboring properties. The dedication of easements shall

also include any easements required to access and maintain watercourses or wetlands that are part of the City's Stormwater Management System.

- B.** Installation of a sight obscuring fence, and/or vegetative screen whenever a party of record or the Director identifies a land use conflict.
- C.** Installation of traffic signals and signs; restricting access to and from arterial or collector streets; requiring a frontage road; restricting and strategically locating driveways; and/or requiring the joint use of driveways to serve 2 or more lots/parcels through a Joint Use/Access Agreement when transportation safety issues are identified by the Transportation Planning Engineer and/or a Traffic Impact Study.
- D.** Modification of the layout of parcel lines caused by the location of streets, required stormwater management systems, including, but not limited to: swales and detention basins or when required by the Geotechnical report specified in SDC 5.12-120.
- E.** Installation of a noise attenuating barrier, acoustical building construction and/or site modifications as specified in SDC 4.4-110, or similar measures approved by an acoustical engineer registered in the State of Oregon, to minimize negative affects on noise sensitive property from noise found to exceed acceptable noise levels prescribed in the Oregon Administrative Rules or the Federal Highway Administration Noise Abatement Criteria.
- F.** Phasing of development to match the availability of public facilities and services, including but not limited to, water and electricity; sanitary sewer and stormwater management facilities; and streets and traffic safety controls when these facilities and services are near capacity, as determined by the Public Works Director or the utility provider.
- G.** Submittal of a Land and Drainage Alteration Permit.
- H.** The Director may waive the requirement that buildable City lots/parcels have frontage on a public street when the following apply:
 - 1.** The parcel or parcels have been approved as part of a land division application; and
 - 2.** Access has been guaranteed via a private street to a public street or driveway by an irrevocable joint use-access agreement.
- I.** Retention and protection of existing physical features and their functions, including but not limited to: significant clusters of trees and shrubs, watercourses shown on the WQLW Map and their riparian areas and wetlands, by:
 - 1.** Planting replacement trees where encroachment is allowed into riparian areas shown on the WQLW Map on file in the Development Services Department;

2. Re-vegetation, including, but not limited to: trees and native plants, of slopes, ridgelines, and stream corridors;
 3. Restoration of native vegetation;
 4. Removal of invasive plant species, based upon the Invasive Plants List on file in the Development Services Department;
 5. Relocating the proposed development on another portion of the site;
 6. Reducing the size of the proposed development; and/or
 7. Mitigation of the loss of physical features caused by the proposed development with an equivalent replacement either on site or on an approved site elsewhere within the City's jurisdiction, as approved by the Director.
- J.** The applicant shall submit copies of required permits to demonstrate compliance with applicable: Federal programs, regulations and statutes; State programs, regulations and statutes; and/or local programs, regulations and statutes prior to the approval of the Plat. When a Federal or State agency issues a permit that substantially alters an approved Tentative Plan, the Director shall require the applicant to resubmit the Tentative Plan for additional review.
- K.** Approval of a Stormwater Management Plan for the development demonstrating compliance with the applicable provisions of SDC4.3-110 and the *Engineering Design Standards and Procedures Manual*.
- L.** Where there are multiple panhandles, compliance with approval criteria SDC 5.12-125 shall require construction of necessary utilities to serve all approved panhandle parcels prior to recording the Plat.
- M.** Where there is a land division with a concurrent annexation application, if there is an existing dwelling, that dwelling shall connect to sanitary sewer prior to recording the Plat.
- N.** Where there is a land division with a panhandle parcel, if a noticed party requests screening, a solid screen, as specified in SDC 4.4-110 shall be provided along the property line of the abutting property and the proposed panhandle driveway. If a fence is required, the standards of SDC 4.4-115 shall apply.
- O.** In the case of the Subdivision of a manufactured dwelling park or mobile home park, the following approval conditions shall be completed prior to the recording of the Subdivision Plat;

1. A Homeowners' Association Agreement shall be submitted that discusses the maintenance for all common areas shown in Tracts, unless otherwise specified in the Tentative Plan decision;
 2. The recording of any required public or private easements;
 3. The signing of a remonstrance waiver and establishment of a local improvement district, if public utilities are required to serve the subdivision; and
 4. Any other condition of approval required during the Tentative Plan review process.
- P.** In the case of a Partition of property that is outside of the city limits but within the City's urban growth boundary and no concurrent annexation application is submitted, Consent to Annex forms shall be signed and recorded by the property owner prior to recording the Partition Plat.
- Q.**
- R.** When required as specified in SDC 5.12-120E., the Final Future Development Plan shall be recorded at Lane County at the applicant's expense. The applicant shall then deliver a reproducible copy of the recorded Future Development Plan to the Director.

5.12-135	Plat Review
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Plats are reviewed under Type 1 procedure.

EXCEPTION: Until the intergovernmental Agreement with Lane County regulating planning outside of the city limits, but within Springfield's UGB is amended, Partition Plats for Partitions within Springfield's UGB shall be reviewed and approved by the Lane County Surveyor.

5.12-140	Plat Submittal Requirements
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- A.** The Plat Pre-Submittal Meeting and Timelines.
1. For Partitions, the Plat Pre-Submittal Meeting shall be held within 1 year of the date of Tentative Plan approval.
 2. For Subdivisions, the Plat Pre-Submittal Meeting shall be held within 2 years of the date of Tentative Plan approval.
 3. In both cases, the mylars and application fee shall be submitted within 180 days of the Pre-Submittal Meeting. If the applicant has not submitted the Plat within these times, Tentative Plan approval shall become null and void and re-submittal of the Tentative Plan is required.
 4. **EXCEPTIONS:**

- a.** The applicant may request an extension of the Partition Plat submittal time line for up to 1 year, and an extension of the Subdivision Plat time line for up to 2 years, in most situations. In either case, the applicant shall submit the request writing to the Director no later than 30 days prior to the expiration of the Tentative Plan approval and shall explain why the request is necessary and demonstrate how the Plat application will be submitted within the requested extension time line. The Director may grant or amend the request if a determination can be made that the applicant is making progress on the Plat application.
- b.** For a Subdivision subject to Master Plan approval, where Subdivision Tentative Plan approval is granted for the entire Subdivision and then portions are allowed to be platted in phases over time, the Director may allow consecutive 2-year periods for the completion of each phase up to and not to exceed the duration of the Master Plan. This issue shall be addressed as a condition of Subdivision Tentative Plan approval under SDC 5.12-130. Where the agreed to Plat submittal time line can not be met, the applicant may submit a time line extension for Subdivision Plats as specified in Subsection a., above.

B. The Plat submittal shall:

- 1.** Be surveyed and monumented as specified in ORS Chapters 92 and 209;
- 2.** Include documentation addressing all conditions of Tentative Plan approval. Conditions may include showing the following information on the Plat: floodplain boundaries and spot elevations; riparian area boundaries; building envelopes; and any other information required by the Director; and
- 3.** The applicant shall also submit the following information:
 - a.** A copy of any deed restrictions.
 - b.** A copy of any dedication requiring separate documents.
 - c.** Boundary and lot/parcel closure computations and the total area of each lot/parcel and any open space dedication in square feet or acres.
 - d.** A statement of water rights.
 - e.** A copy of any document required as a condition of Tentative Plan approval.
 - f.** A current title report.

5.12-145	Plat Criteria
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The Director, in consultation with the City Surveyor and City Engineer, shall approve or deny the Plat. Approval shall be based on compliance with the following criteria:

- A.** The City Surveyor has approved the Plat for compliance with applicable platting requirements in accordance with State law, Lane County Ordinances and any other applicable regulations.
- B.** Streets, bicycle paths, accessways, and alleys for public use have been dedicated without any reservation or restriction other than reversionary rights upon vacation.
- C.** Public improvements, as required by this Code or as a condition of Tentative Plan approval, are completed, or:
 - 1.** A petition for public improvements and for the assessment of the real property for the improvements has been signed by the property owner seeking the land division and the petition has been accepted by the City Engineer; or
 - 2.** A performance bond or suitable substitute as agreed upon by the City Engineer and the applicant has been filed with the City in an amount sufficient to assure the completion of all required public improvements.
- D.** Public assessments, liens, and fees with respect to the land division have been paid, or:
 - 1.** A segregation of assessments and liens has been applied for and granted by the City, or
 - 2.** An adequate guarantee in a form acceptable to the City has been provided assuring the liens, assessments and fees will be paid prior to recording the Plat.
- E.** All conditions of Tentative Plan approval have been met and the Plat substantially conforms to the provisions of the approved Tentative Plan.

5.12-150	Plat—Recording at Lane County and City Development Approval
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- A.** After the Plat has been signed by the City, the applicant's surveyor or other designated person shall deliver the Plat to the Lane County Surveyor for recording.
- B.** The applicant shall deliver a reproducible copy of the recorded Plat to the City Engineer. Once the City has proof that the Plat has been recorded, the parcels may be sold and the City may issue a Building Permit.

5.12-155 Major or Minor Replat—General

- A.** A Major Replat is the elimination and/or relocation of more than 2 exterior and/or interior common boundary lines or property lines within a recorded Subdivision; or an increase in the number of lots; or decrease of 2 or more lots within a recorded Subdivision.
- B.** A Minor Replat is the elimination and/or relocation of no more than 2 exterior and/or interior common boundary lines or property lines within a recorded Subdivision or Partition; or a decrease of 1 lot/parcel within a recorded Subdivision or Partition.
- C.** No Replat shall be used to vacate public right-of-way in a recorded Subdivision or Partition. In this case, a concurrent Vacation application is reviewed under Type 4 procedure as specified in SDC 5.20-100. (6267)

5.12-160 Major or Minor Replat Review
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- A.** All Replat Plats are reviewed under Type 1 procedure.
- B.** All Replat Tentative Plans are reviewed under Type 2 procedure.
- C.** In addition to the Type 2 notice requirement specified in SDC 5.1-130, when a utility easement is proposed to be realigned, reduced or increased in width or omitted by any Replat, all affected utility companies shall also be notified. Any utility company that desires to maintain an easement subject to vacation under this Section shall notify the City in writing within 14 days of the mailing of the notice. (6279; 6267)

5.12-165 Major or Minor Replat—Application Processing
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All Replat Tentative Plans and Plats shall comply with all current land division provisions as specified in SDC 5.12-105 through SDC 5.12-165.

EXCEPTIONS:

- A.** All of the following additional information shall be required on the Tentative Plan. Items 1. through 5. shall also be required on the Replat Plat:
 - 1.** The word "Major Replat" or "Minor Replat" shall be shown in the title block;
 - 2.** The name or reference number of the previous Plat and any additional recording information shall be retained in the title of the Replat;
 - 3.** Blocks, lots/parcels and portions thereof which are being replatted shall be identified, where applicable;

- 4.** Original Plat information being deleted, abandoned, or changed by the Replat shall be shown in a distinct line type on the drawing with a note of explanation;
 - 5.** Any Replat of existing lots/parcels containing buildings shall show existing building outlines including their setbacks from the proposed property lines and lot/parcel coverage requirements, where applicable; and
 - 6.** If applicable, obtain conveyance approval from the mortgage holder.
- B.** The Director may exempt certain aspects of and/or reports required at Tentative Plan submittal, if a finding is made that the exemption will not have an adverse impact on public safety. However, the applicant shall submit a written request for an exemption to the Director prior to submittal of the Tentative Plan.
- C.** If the existing land division abuts the riparian area of a Water Quality Limited Watercourse (WQLW), as shown on the WQLW Map the water quality protection specified in SDC 4.3-115 shall not apply to the Tentative Plan where that Plan includes one or more existing single unit dwellings, detached or middle housing in R-1 District on lots/parcels 10,000 square feet in size or less. However, the water quality protection specified in SDC 4.3-115 shall apply if the intent of the Replat Tentative Plan is to create additional lots/parcels and/or if the size of the lots/parcels containing existing single-unit dwellings, detached or middle housing is increased to more than 10,000 square feet in size.