



Land Division Application – Tentative Plat

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division
P.O. Box 490
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Albany, OR 97321
Phone (541) 917-7550 Fax (541) 917-7598
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TO BE FILLED OUT BY STAFF

File No. _____ Date of Preapplication Conference _____

REVIEW FEES: (Fees subject to change every July 1)

<u>Partition</u>	Tentative Plat [standard (PA1L) or expedited (PAELD)]:	\$1,976
	Tentative Plat [floodplain, cluster development (PA3)]:	\$2,842
<u>Subdivision</u>	Tentative Plat [standard (SD1L) or expedited (SDELD)]:	\$2,224 plus \$50 per lot
	Tentative Plat [floodplain, 20 or more lots, cluster development (SD3)]:	\$3,088 plus \$50 per lot
	Additional fee if traffic report required	\$618

Date Fee and Application Received: _____ Amount Paid: _____

Receipt No.: _____ Received By: _____

LAND DIVISION APPLICATION CHECKLIST

Before you submit an application to the Planning Division, please check this list to verify you are not missing essential information. An incomplete application will delay the approval process.

- BASIC INFORMATION.** Provide all the basic information about the site and proposal.
- REVIEW CRITERIA RESPONSES.** On a separate paper, prepare a detailed explanation describing how this proposal complies with each of the review criteria. See Attachment B for an example.
- HILLSIDE DEVELOPMENT.** Refer to Development Code Sections 6.170-6.230 to determine if Hillside Development standards apply to this property. If applicable, attach written findings of fact that demonstrate how this project meets these standards and provide a geotechnical report on the site with this application.
- CLUSTER DEVELOPMENT.** If this is a Cluster Development, attach written findings of fact that demonstrate how this project meets Development Code Sections 11.400 through 11.510.
- TENTATIVE PLAT.** Submit **NINE (9)** full-size copies (typically 18 x 24-inch or larger paper) and **NINE (9)** reduced-size copies (8 ½ x 11-inch or 11 x 17-inch paper) of the Tentative Plat. The scale of the full-size drawing must be large enough that all dimensions and distances can easily be measured for accuracy. The Plat must include all the required items. If any item listed for inclusion on the Plat is not provided, please include a written explanation.
- URBAN CONVERSION.** If this Land Division request results in any parcels or lots which are divisible again in the future, or there is an undeveloped remainder, submit a separate map that shows how the rest of the site can be developed to City standards with City services.
- VICINITY INFORMATION.** Submit one copy of a map that clearly identifies the subject site in relationship to surrounding properties and streets.
- PROPERTY NOTIFICATION LIST.** Submit one copy of a list of the names, addresses and County Tax Assessor's map and tax lot identification of all properties within 100 feet (partitions) or 300 feet (subdivisions) of the subject property. This list must be signed and dated by the preparer; the source of the data should also be indicated. See Attachment A for an example.
- SURROUNDING PROPERTY MAP.** Submit one map (usually a County Tax Assessor's map) that outlines the area used to prepare the notification list.
- APPLICANT/PROPERTY OWNER INFORMATION.** List all current owners of record and others to be notified, such as agents and engineers. All property owners of record must sign the form. Agents may sign only with an attached Power of Attorney or letter of authorization from the actual owner(s).
- NEIGHBORHOOD MEETING REPORT.** If a neighborhood meeting was required, submit a report of that meeting, as outlined in Section 1.207(7) of the Development Code.
- REVIEW FEE.** Submit a check made payable to the City of Albany in the appropriate amount for this application. See the front of the application form for choices.

LAND DIVISION OVERVIEW

A subdivision divides a parcel of land into four or more lots. A partition divides a parcel of land into two or three parcels. The City's regulations for Land Divisions are primarily located in Article 11 of the Development Code. Regulations covered in other Articles also apply.

Land Divisions, both subdivisions and partitions, are reviewed in two stages. The first stage is the Tentative Plat to review the application primarily for design compliance aspects, such as lot/parcel area and dimension standards of the zoning district; connection to and/or extension of public facilities such as streets, sanitary sewer, storm drainage, and water; consideration for natural features such as floodplain, wetlands, significant vegetation, steep slopes, and drainage ways; and compliance with other applicable standards of the Development or Municipal Codes. The second stage is the Final Plat to review for conformance to the approved Tentative Plat. *This application is for Tentative Plat approval only.*

LAND DIVISION APPLICATION

NOTE: Some properties may have covenants or restrictions, which are private contracts between neighboring landowners. These frequently relate to density, minimum setbacks, or size and heights of structures. While these covenants and restrictions do not constitute a criterion for a City land use decision, they may raise a significant issue with regard to the City's land use criteria. It is the responsibility of the applicant to investigate private covenants or restrictions.

BASIC INFORMATION ABOUT THE SITE AND PROPOSAL

Briefly describe the project: _____

Current site address(es) _____

Assessor's Parcel Map No(s). _____ Tax Lot No(s). _____

Comprehensive Plan designation _____ Zoning designation _____

Gross land area of the site to be divided _____

Net land area (gross land minus land to be dedicated to the public) _____

Does the site contain any existing structures, private wells, septic tanks, drain fields? _____

If yes, describe: _____

(Show the location of these on the Tentative Plat map, indicating whether or not they will remain.)

Current use of the property _____

Number and surface type of all existing driveways at the site _____

Are you requesting application of any density bonus provisions? _____

If yes, attach a separate narrative outlining in detail which ones and how they apply to this site.

What is the average square footage of all lots/parcels after applying any bonus provisions? _____

Are the lot and block arrangement requirements met? (See ADC Section 11.090) If no, explain on separate sheet.

What is the average block length? _____

Existing uses and zoning of properties adjacent to the site (including across the street, if applicable):

North _____

South _____

East _____

West _____

Is there a phasing plan? _____ If yes, describe here and show on the Tentative Plat. _____

Are you applying the Cluster Development provisions to this project? _____

If yes, attach written findings of fact that demonstrate how this project meets Sections 11.400 through 11.510 of the Albany Development Code. If you are using wetlands in whole or in part to meet eligibility, the delineation must be submitted with the land use application.

Is there a remainder area that can be further divided? _____

If yes, you must submit an "Urban Conversion Plan" for that area.

To assess whether the City will need additional information, and/or whether you must obtain additional permits or applications from other agencies or departments, please answer the following questions.

Will the development:

- a) Require removal or demolition of any existing structure(s)? Yes ___ no ___
- b) Affect historic structures or historically significant features? Yes ___ no ___
- c) Be located within a 100-year floodplain? Yes ___ no ___
- d) Be located within the designated Willamette Greenway? Yes ___ no ___
- e) Affect an identified wetland? Yes ___ no ___
- f) Require a Variance or Adjustment from a development standard? Yes ___ no ___
- g) Involve fill or removal of contaminated soils or hazardous material? Yes ___ no ___
- h) Involve grading/fill: within the 100-year floodplain or a watercourse, as shown on the City's Drainage Master Plan; over an existing public storm drain, sanitary sewer or waterline; or more than 50 cubic yards in areas that have an average slope of 12% or greater? Yes ___ no ___
- i) Involve land that has a current average slope of 12% to 25%? Yes ___ no ___
- j) Involve removal of vegetation or trees (diameter of 10 in. or greater)? Yes ___ no ___
- k) Be within the Airport Approach District? Yes ___ no ___
- l) Involve access onto an Oregon State Highway? Yes ___ no ___
- m) Generate 50 or more a.m. or p.m. peak hour vehicle trips? Yes ___ no ___

(Note: In some cases, fewer than 50 peak hour trips can create a need for a traffic analysis.)

Note: If you answered yes to any of the above, contact the Planning Division before submitting your application. Additional information and/or reports may be required with the application.

LAND DIVISION REVIEW CRITERIA

On a separate sheet of paper, prepare a detailed written response using factual statements (called Findings of Fact) to explain how the proposed Land Division complies with each of the following review criteria [ADC 11.180]. Each criterion must have at least one Finding of Fact and Conclusion statement. See Attachment B for an example.

1. **Development of any remainder of property under the same ownership can be accomplished in accordance with the Code.** Can the proposed land area be further divided? **If yes, submit a separate expanded plat map, called an "Urban Conversion Plan,"** that shows how the property can be further divided, and how access and utilities complying with the various regulations of the

Development Code can be provided. An Urban Conversion Plan is used only to evaluate the current request against the review criteria and does not convey any approval rights.

2. ***Adjoining land can be developed or is provided access that will allow its development in accordance with the Code.*** Assess each adjoining parcel/lot for further development potential. For example, will any adjoining lot depend upon this application's property for access? If so, this application may need to provide a street stub.
3. ***The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.*** Describe how the plan makes the best use of existing and proposed streets for access to the proposed parcels/lots, including for pedestrians and bicycles.
4. ***The location and design allows for development to be conveniently served by various public utilities.*** Indicate the location and size of each of the nearest public facilities for water, sewer, and storm drainage, and explain how the project will connect to those facilities. If public facilities are not available, how will the property be served?
5. ***Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and utilized.*** If physical features of the land (hillside, wetlands, natural vegetation, floodplain, etc.) or nearby land uses (historic district, Willamette River Greenway, Open Space Overlay District, Airport Overlay District, etc.) limit development of the property, explain how the Land Division plan addresses those limitations. Refer to Development Code Articles 6 and 7 for Special Purpose Districts.

TENTATIVE PLAT REQUIREMENTS

Submit **NINE (9)** full-size copies (typically 18 x 24-inch or larger paper) and **NINE (9)** reduced-size copies (on 8 ½ x 11 or 11 x 17-inch paper) of the Tentative Plat. The Plat must include the following:

- Existing address (if any), section, township, range, and legal description sufficient to define the location and boundaries of the proposed land division site.
- Names and addresses of the owner(s), developer(s), surveyor and engineer, as applicable.
- Date plat was drafted and north arrow.
- Scale of plat. (Use 1 inch = 20 feet, unless otherwise approved by Planning staff. For parcels over 100 acres, use 1 inch = 100 feet.) Map must be clearly readable and measurable.
- Total gross and net land areas of the entire site. ("Net" is minus the square footage of any land proposed for dedication to the public, not including easements.)
- Label and show the area of any land to be dedicated to the public; include purpose and square footage.
- Label and show the lengths of all *existing* and *proposed* property lines.
- Indicate existing zoning and uses on the subject property and on adjacent property within 100 feet.
- Label and show the approximate dimensions, net square footage, and proposed identification number of each lot/parcel.
- Label and show the locations of all existing driveways, structures, wells, septic tanks and drain fields, and distances between them and the existing and proposed property lines and each other. Indicate what is to be removed, moved, and/or retained.
- Label and show the locations of all public improvements to be constructed as part of the development of the site (e.g., streets, sidewalks, and utilities).

- Label and show the sizes and locations of all *existing* and *proposed* sanitary sewers, storm sewers, and water mains and services, culverts, ditches, and drain pipes, all other utilities such as electric, gas and telephone conduits with invert elevations of sanitary and storm sewers at points of proposed connections.
- Label and show the locations, widths, and names of all *existing* or *platted* adjacent public streets, alleys, sidewalks, planter strips, curbs, and other public rights-of-way or uses, railroad rights-of-way, and other important features such as city boundary lines.
- Label and show the locations, widths, names, approximate radii or curves, and the relationship of all streets to any proposed streets shown on any plan approved by the City or proposed with this application.
- Label and show the locations, widths, ownership, and purpose of all *existing* and *proposed* easements on the site and on adjoining properties.
- Label and show *existing* and *proposed* contour (topography) lines drawn at the following intervals:
 - a) One-foot intervals for ground slopes less than five percent.
 - b) Two-foot intervals for ground slopes between five and ten percent.
 - c) Five-foot intervals for ground slopes exceeding ten percent.

Indicate the elevations of all control points used to determine the contours. Contours must be related to City of Albany data. See the Engineering Division for data.

Additional Plat information. The following may not apply to every site. If an item does apply, show the information on the proposed Tentative Plat and check the box. Write "NA" in the box if the item does not apply to this proposal, and attach a short explanation.

- Label and show the width, direction and flow of all watercourses on the site.
- Label and show areas within the 100-year floodplain and other areas subject to inundation or storm water overflow, with approximate high-water elevation. State the base flood elevation (BFE); label and show the floodplain boundary on the map.
- Label and show the boundaries of all jurisdictional wetlands. Sources: Plate 6 of the Comprehensive Plan, the National Wetland Inventory, and Local Wetland Inventory maps. Land not on these maps still may contain wetlands.
- Label and show location of the following significant natural resources: 1) significant wetlands identified on the city's Local Wetlands Inventory; 2) riparian areas on the city's Riparian Inventory; 3) existing channels as shown on Figure 7.1 of the draft North Albany Storm Water Master Plan; and 4) of hillsides or slopes greater than 25 percent.
- Label and show location of the following natural features: 1) non-significant wetlands identified on the city's Local Wetlands Inventory; 2) wooded areas with 5 or more trees over 8 inches in diameter measured 4½ feet from the ground; and 3) springs.
- Location of historic districts, structures and sites on the City's adopted Local Historic Inventory, including individually designated National Register Historic Landmarks and archaeological sites.
- Label and show proposed Plat phase lines.
- If the project is a subdivision*, give the Tentative Plat a name. Check with the appropriate County to see if the desired name is available for use. This is necessary with street name choices as well.

- Label sites allocated for multiple-family dwellings, shopping centers, churches, industry, parks, schools, playgrounds, and public or semi-public buildings.
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PUBLIC UTILITY PLANS SUBMITTAL

- Preliminary Water Plans.** Preliminary water plans and systems must be submitted to the City Engineer as part of the tentative plat review application.
- Preliminary Sewer Plans.** Preliminary sanitary sewer plans and systems must be submitted to the City Engineer as part of the tentative plat review application.
- Preliminary Storm Sewer Plans.** Preliminary storm sewer plans and systems must be submitted to the City Engineer as part of the tentative plat review application.

These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible, but are not required to be detailed construction level documents.

The City's Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.

OTHER INFORMATION

- The approximate time of installation and method of financing for all public improvements proposed to be installed.
 - Special improvements to be made by the developer and the approximate time such improvements are to be completed (examples include entrance signs or walks, berms, bus stands, etc.). Sufficient detail regarding proposed improvements shall be submitted so that they may be checked for compliance with the objectives of these regulations, State laws and other applicable City ordinances. If, however, the nature of the improvement is such that it is impractical to prepare all necessary details prior to approval of the tentative plat, the additional details shall be submitted at least 30 days prior to approval of the final plat.
 - An urban conversion plan for large acreage subdivisions.
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VICINITY INFORMATION

If the Tentative Plat does not have room, you may submit **NINE (9)** copies of a separate map to show the following:

- Current zoning, names of owners of record, and location of structures on all properties contiguous to the site.
- All existing subdivisions, streets, and tract lines of acreage parcels immediately adjoining the proposed subdivision and between it and the nearest existing arterial streets.
- How proposed streets and alleys in the proposed land division may connect with existing or proposed streets and alleys in adjacent properties for the most advantageous development of the neighborhood. If adjacent sites have future development potential, to support the design layout for your plat, show how public facilities may be extended onto and within the adjacent properties. Check the City Transportation Master Plan for future street patterns.

NEIGHBORHOOD MEETING PROCEDURES

If a neighborhood meeting was required for this proposed development (see ADC 1.203), this application must include a report documenting the meeting results and including:

- a) The dates and locations of all meetings where citizens were invited to discuss the proposal;
- b) The method(s) of publicizing each meeting;
- c) The number of people who attended the meeting or otherwise contacted the applicant;
- d) A summary of the concerns, issues, and problems raised by neighbors;
- e) A discussion of how the applicant has addressed or intends to address concerns, issues, and problems; and
- f) A discussion of any concerns, issues, and problems the applicant is unable or unwilling to address and why.

LIST OF SURROUNDING PROPERTY OWNERS

The notification area includes the property and all tax lots within 100 feet (partitions) or 300 feet (subdivisions) of its boundary.

- Using the County Tax Assessor's maps, submit a map that shows the subject property to be developed and outlines or highlights the appropriate notification area. In addition, using the County Tax Assessor database, prepare a typed (or clearly printed) list of the names, addresses, and map and tax lot numbers of all tax lots within the notification area. (See Attachment A for approved format.)
- At the bottom of the notification list, indicate the name of the preparer, the date the list was compiled, and the source of the data.

APPLICATION AUTHORIZING SIGNATURES

Each current property owner of record must sign the application or provide a letter authorizing an agent or representative to act on his or her behalf.

I hereby apply for approval of the Land Division as requested in this application and certify that the information provided is accurate. I further certify that I am authorized to make the application and that there are no covenants, conditions, or restrictions that may limit or prohibit the Land Division.

Property Owner(s)

Name (print or type) _____

Current Mailing Address _____

Daytime Telephone No. _____ Fax No. _____

Email (optional) _____

Signature _____

Name (print or type) _____

Current Mailing Address _____

Daytime Telephone No. _____ Fax No. _____

Email (optional) _____

Signature _____

Authorized Agent or Representative

Authorized agents must submit evidence of their authority to act on the property owner's behalf.

Name (print or type) _____

Current Mailing Address _____

Daytime Telephone No. _____ Fax No. _____

Email (optional) _____

Relationship to property owner(s) _____

Signature of Authorized Agent _____

Engineer, Surveyor or Other Agent

Name (print or type) _____

Current Mailing Address _____

Daytime Telephone No. _____ Fax No. _____

Email (optional) _____

Signature _____

ATTACHMENT B

EXAMPLE OF FINDINGS OF FACT

CRITERIA FOR FINDINGS OF FACT:

A Land Division will be approved if the approval authority finds the application conforms with the criteria found in Section 11.180 of the Albany Development Code, and with applicable development standards. Before the reviewing authority can approve an application, the applicant must submit information that adequately supports the application. In its review, the City must consider both the positive and negative elements of the application. If the applicant submits insufficient or unclear information, the application will be denied or delayed.

FORMAT FOR FINDINGS OF FACT:

Statements addressing individual criteria must be in a “finding of fact” format. A finding of fact consists of two parts:

1. Factual information, such as the distance between buildings, the width and type of streets, the particular operating characteristics of a proposed use, etc. Facts should reference their source: on-site inspection, a plot plan, City plans, etc.
2. An explanation of how those facts result in a conclusion supporting the criterion.

EXAMPLE:

Criterion: Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Fact: State fact(s) relating to the question – “The proposed Land Division divides all of the land area within the subdivision boundary into 11 lots, so there is no remainder. None of the proposed lots is large enough to divide further at the current zoning category. The developer does not own any of the adjacent properties.”

Conclusion: State conclusion – “There is no remainder of land to consider with this application.”