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Article 17: Lots and Creation of Lots

17.010 Purpose

The purpose of this section is to protect the public health, safety, welfare, and convenience and to provide a means to meet the goals of the Comprehensive Community Development Plan for the City of Grants Pass and the Urbanizing Area. It provides procedures, standards, and criteria for the vacation and adjustment of property lines, and for the creation of lots and parcels which are consistent with state statutes and the standards of this Code, and with a consideration for future development. The intention is to create lots and parcels for which development permits and/or building permits can be issued without varying applicable site development standards, and for which urban services and necessary off-site improvements are provided.

17.020 Applicability

The provisions of this section apply to all lands within the City of Grants Pass or within Grants Pass Urban Growth Boundary. Unless otherwise provided for in this Code, no property, land, interests in land, unit ownership, lots, or parcels shall be created prior to approval of a partition or subdivision. No property line vacation, property line adjustment, partition, or subdivision shall be made or recorded with the Josephine County Recorder without meeting the requirements of this section.

17.030 Procedures

The following procedures are structured to expedite those applications that are minor in scope and impact, and to ensure thorough public review and comment for applications that may have greater impact to neighborhoods and public facilities.

17.031 **Review Procedure Schedule.** Land divisions applications shall be processed according to Schedule 2-1.

17.100 Property Line Vacations

17.101 Effect.

The Property Line Vacation process provides an alternative to vacate a property line or property lines, in lieu of the Property Line Adjustment process. Through the Property Line Vacation process, a property line may be vacated by ordinance, rather than through recording of a property line adjustment plat.

A property line vacation shall act to remove the lot, parcel, or property lines separating the properties and consolidate them into a single authorized lot. Once the ordinance vacating the property line(s) is adopted and recorded, the original property lines may not then be recovered except through a partition or subdivision.

17.110 Petition for Property Line Vacation

- 17.111 Submittal Requirements. Petitions for property line vacations shall be on a form provided by the Director, and shall contain the following:
- (1) Location: Location by street address and assessor's map and tax lot number.
 - (2) Legal Description: A legal description of the property by metes and bounds, subdivision lot or partition parcel number, or similar description.
 - (3) Existing Uses: General location and/or description of existing uses on each property.
 - (4) Names: Name, address and telephone number of the property owner(s), applicant(s).
 - (5) Signatures: Signatures of all property owners indicating their consent and approval to vacate the property lines. The ownership of the original properties must be identical at the time of application for a property line vacation.

17.112 Criterion for Approval, Property Line Vacations. The City Council shall approve, approve with conditions, or deny the request, based upon the following criteria. The property line vacation shall be by ordinance.

- (1) The resultant property configuration does not create a substandard condition relative to the requirements of this Code, such as place two single family dwellings on one lot where only one single family dwelling per lot is allowed.
- (2) The proposal is not contrary to the public health, safety, welfare, and convenience or any other purpose of Article 17.

17.114 Filing a Property Line Vacation Order. The Finance Department shall file the approved vacation ordinance with the County Recorder within 30 days of adoption.

17.200 Property Line Adjustments

17.201 Effect. A property line adjustment shall act to vacate and replace the existing property line(s) separating adjacent properties. The number of parcels resulting from the property line adjustment may be equal to or fewer than the number or original lots, parcels, or properties.

17.202 Property to Be Included. All property within any of the original authorized lots proposed for adjustment shall be included within the property line adjustment plat.

17.210 Tentative Property Line Adjustment Plan

17.211 Submittal Requirements. The applicant shall submit eight (8) copies of a tentative plan and any supporting materials to the Director. The following shall be included:

- (1) Plan: No smaller than 8 1/2 inches x 11 inches and legible with north arrow, scale (an engineering scale appropriate to the area involved and sufficient to show detail of the plan and related data, such as 1 inch : 30 feet, 1 inch : 50 feet, 1 inch : 100 feet, or less), and date of preparation.
- (2) Location: Location by street address and assessor's map and tax lot number.
- (3) Names: Name, address and telephone number of each of the following: property owner(s), applicant(s), and preparer of the plan.
- (4) Property Dimensions: Existing and proposed property lines and their dimensions, and parcel size in square feet or acres.
- (5) Parcel numbers or letters: Parcel numbers or letters for each property line adjustment parcel.
- (6) Streets: Names and rights-of-way locations.
- (7) Existing Uses: Location and outline of existing buildings and structures with distances in feet to new parcel lines created by the proposed property line adjustment, and an indication if they are to be removed prior to the adjustment.
- (8) Future Divisions: If the proposed property line adjustment results in parcels greater than twice the minimum lot size allowed, indicate by dashed lines how future divisions and streets can be created.
- (9) Signatures: A signature by the property owner or stamp of a registered land surveyor that guarantees that all information shown on the plan is accurate and correct, and the applicant accepts responsibility for same.
- (10) For the area that is adjusted from one parcel to other, the following must be shown:
 - (a) Easements: The location, dimensions and purpose of all recorded and proposed public and private easements.
 - (b) Flood Areas: Location of floodplain and floodway.
 - (c) Slope: Degree and approximate direction of slope and drainage, and an indication of areas within in Slope Hazard District.
 - (d) Natural Features: Location and extent of streams, rivers, their high banks, wetlands, any required setbacks, and the location of dominant and co-dominant trees.
 - (e) Utilities: Location and size of all storm drains and other drainage ways; sewer mains, laterals, septic tank leach fields, or other facilities;

water mains, laterals, wells, or other facilities; irrigation facilities or other pertinent utilities.

17.212 Criteria for Tentative Property Line Adjustment Plan Approval. The review body shall approve, conditionally approve or deny the request based upon the following criteria:

- (1) An additional property is not created by the property line adjustment.
- (2) A property is not reduced in size below the minimum lot size established by the applicable zone district.
- (3) If one or more properties are less than the minimum lot size, no property is reduced smaller than the size of the original smallest property.
- (4) The adjusted property configuration does not create a substandard condition relative to the applicable standards of this Code.
- (5) The proposal is not contrary to the public health, safety, welfare, and convenience or any other purpose of Article 17.

17.213 Expiration and Extension of Tentative Property Line Adjustment Plan.

- (1) Expiration. Within eighteen months following the effective date of the written decision approving a tentative plan, the applicant shall fulfill all conditions of tentative plan approval and submit the final plat and all required documents.
- (2) Extension. The Director may, upon written request by the applicant, grant up to two extensions of the expiration date of six months each. Upon granting such an extension, the Director shall make written findings that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan and that no other development approval would be affected.

17.220 Final Property Line Adjustment Plat

17.221 Plat Required. Except as exempted in section 17.223 below, all final property line adjustment plats shall be prepared in accordance with all requirements of final partition plats per Section 17.320, except that the City Finance Department need not sign the plat. This requires a survey of all property lines by a registered land surveyor.

17.222 Deeds Required. A property line adjustment plat does not convey ownership. When the final plat is submitted to the City for signatures, the applicant shall submit a copy of the deeds that will convey ownership, corresponding to the adjusted property lines.

- 17.223 Final Property Line Adjustment Map Option. Preparation of a surveyed final property line adjustment plat is the option of the applicant when all properties affected are 10 acres or greater. When the properties are not surveyed, a final map of the property line adjustment shall be prepared and shall be considered the final plat of the property line adjustment. The map shall contain the following:
- (1) The map shall be 18 inches x 24 inches. No part of the drawing shall be nearer to the edge of the sheet than one inch. The map shall reserve a space one inch by three inches in the most upper right corner for County recording information.
 - (2) All property lines and their dimensions.
 - (3) Revised property descriptions of each property affected by the property line adjustment.
 - (4) The names and signatures of the property owners and other applicable parties with the proper acknowledgments.
 - (5) References to the original recorded documents.
 - (6) Any plat notes, restrictions, notices, and special conditions that were required to be placed on the final plat as part of tentative plan approval.
- 17.224 Signatures on Final Property Line Adjustment Plat.
- (1) When the property line adjustment is surveyed, the City or County Surveyor shall sign to verify compliance with applicable survey laws of the State of Oregon.
 - (2) The Director may sign the final plat and release it for recording if the final plat is in conformity with the approved tentative plan, and when all conditions of tentative plan approval have been met.
 - (3) All signatures shall be in black permanent India type ink.
- 17.225 Filing an Approved Property Line Adjustment Plat. The applicant shall file the approved original plat with the County Recorder and an exact duplicate with the County Surveyor, and shall file one print or copy of the recorded plat with the Director.
- 17.226 Filing Deeds for the Adjusted Properties. Concurrent with filing the plat, the applicant shall record the deeds conveying ownership consistent with the adjusted property lines. After the deed is recorded, the applicant shall file one copy of the recorded deed with the Director.
- 17.227 Expiration of an Approved Property Line Adjustment Plat. The approved final plat shall become null and void if the plat and deeds are not filed and recorded with the County Recorder within 30 days from the date the Director signs the plat.

17.300 Partitions

17.301 Effect. A partition acts to divide land into two or three parcels. All previous property lines within the plat area are vacated by the partition plat.

17.310 Tentative Partition Plan

17.311 Submittal Requirements. The applicant shall submit eight (8) copies of a tentative plan and any supporting materials to the Director. The following shall be included:

- (1) Plan: No smaller than 8 1/2 inches x 11 inches and legible with north arrow, scale (an engineering scale appropriate to the area involved and sufficient to show detail of the plan and related data, such as 1 inch : 30 feet, 1 inch : 50 feet, 1 inch : 100 feet, or less), and date of preparation.
- (2) Location: Location by street address and assessor's map and tax lot number.
- (3) Names: Name, address and telephone number of each of the following: property owner(s), partitioner, and preparer of the plan.
- (4) Parcel Dimensions: Existing and proposed parcel lines and their dimensions, and parcel size in square feet or acres.
- (5) Parcel numbers or letters: Parcel numbers or letters for each parcel.
- (6) Streets and Sidewalks, Existing: Names, rights-of-way locations and widths, curb locations, sidewalk locations, vehicular access points, public or private status, and any recorded reservations or restrictions.
- (7) Streets and Sidewalks, Proposed: Names, rights-of-way locations and widths, curb locations, pavement widths, sidewalk locations, street lights, vehicular access points, public or private status, any recorded reservations or restrictions, approximate radii of curves, grades, and typical cross-sections showing all utility improvements proposed within the street right-of-way and adjacent easements at such scale to clearly show the details thereof.
- (8) Easements: The location, dimensions and purpose of all recorded and proposed public and private easements.
- (9) Utilities: Location and size of all existing and proposed storm drains and other drainage ways; sewer mains, laterals, septic tank leach fields, or other facilities; water mains, laterals, fire hydrants, wells or other facilities; irrigation facilities or other pertinent utilities.
- (10) Natural Features: Location and extent of streams, river, their high banks, wetlands, and any required setbacks.
- (11) Flood Areas: Location of floodplain and floodway.

- (12) Slope: Degree and approximate direction of slope and drainage.
- (13) Slope Hazard District: If the property is located within the Slope Hazard District see Section 13.120 for additional submittal requirements.
- (14) Submit an existing Tree Plan (required for all developments even those outside of the Slope Hazard District) in accordance with Section 11.040.
- (15) Districts: The designated zoning district, special purpose district, and any zoning district boundary, special purpose district boundary, political subdivision boundary, or the Urban Growth Boundary that are adjacent to or that divide the property.
- (16) Existing Uses: Location and outline of existing buildings and structures with distances in feet to new parcel lines created by the proposed partition, and an indication if they are to be removed prior to final platting.
- (17) Future Development Plan: A future development plan shall be submitted for the property being partitioned in accordance with Section 17.540.
- (18) Future Street Plan: A future street plan shall be submitted in accordance with Section 17.550.
- (19) Signatures: A signature by the property owner or stamp of a registered land surveyor that guarantees that all information shown on the plan is accurate and correct, and the applicant accepts responsibility for same.

17.312

Criteria for Tentative Partition Plan Approval. The review body shall approve, approve with conditions or deny the request based upon the following criteria:

- (1) The plan conforms to the lot dimension standards of Article 12, the base lot standards of Section 17.510, and the requirements of any applicable overlay district.
- (2) When required, the proposed future development plan allows the properties to be efficiently further developed, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.
- (3) When one is required or proposed, the street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.
- (4) The proposed utility plan conforms to the applicable requirements of adopted utility plans, the requirements of Article 28 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.

- (5) The tentative plan allows for the preservation or establishment of natural features or the preservation of historic features of the property including
 - (a) Providing the necessary information to complete the tree chart identified in Section 11.041.
 - (b) No cuts shall result in retaining walls greater than 15 feet high in a single wall from the finish grade or create any un-retained slopes greater than 100%.
 - (c) No fills may result in a retaining wall within the required setback from a property not included in the development plan greater than six (6) feet in height from the finish grade nor create any un-retained slopes greater than 100%.
- (6) The plan complies with applicable portions of the Comprehensive Plan, this Code, and state and federal laws.

17.313 Expiration and Extension of Tentative Plan.

- (1) Expiration. Within eighteen months following the effective date of the written decision approving a tentative plan, the applicant shall fulfill all conditions necessary for a development permit, obtain a development permit, fulfill all conditions of tentative plan approval necessary to file the final plat, and submit the final plat and all required documents.
- (2) Extension. The Director may, upon written request by the applicant, grant up to two extensions of the expiration date of six months each. Upon granting such an extension, the Director shall make written findings that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan and that no other development approval would be affected.

17.320 Final Partition Plat

17.321 Plat Requirements. After tentative plan approval, the applicant shall submit a final plat to the Director. The plat shall be prepared by a registered professional land surveyor and shall contain the following:

- (1) The plat shall be 18 inches x 24 inches. No part of the drawing shall be nearer to the edge of the sheet than one inch. The plat shall reserve a space one inch by three inches in the most upper right corner for County recording information.
- (2) All requirements of ORS 209.250 and ORS 92 and any other applicable state or federal regulations.
- (3) Any dedications or changes required as part of tentative plan approval. Dedications shall be done in accordance with applicable local or state laws.

- (4) Any plat notes, restrictions, notices, and special conditions that were required to be placed on the final plat as part of tentative plan approval. The review body shall not require that the plat show graphically any information or requirement that is or may be subject to administrative change or variance.
- (5) As a separate document, a land division guarantee from a title company.
- (6) A letter submitted by the Responsible Engineer stating the Engineer supervised the grading and construction for the entire parcel and individual lots and the grading and construction was completed according to approved Plans.
- (7) Submittal requirements in accordance with Section 11.060.

17.322 Signatures on a Final Partition Plat.

- (1) The surveyor who prepared the plat, the property owner(s), and all other parties required to sign under ORS Chapter 92 shall sign the plat.
- (2) The City or County Surveyor shall sign to verify compliance with applicable survey laws of the State of Oregon.
- (3) The City Finance Department shall sign to verify that all financial obligations on the property have been met.
- (4) The Director may sign the final plat and release it for recording if the final plat is in conformity with the approved tentative plan, and when all conditions of tentative plan approval have been met.
- (5) All signatures shall be in black permanent India type ink.

17.323 Filing an Approved Final Partition Plat. The applicant shall file the approved original partition plat as per ORS 92.120. After recording, the applicant shall also file one print with the Director.

17.324 Expiration of Final Partition Plat. The approved final plat shall become null and void if not filed and recorded with the County Recorder within 30 days from the date the Director signs the plat.

17.400 Subdivisions

17.401 Effect. A subdivision acts to divide land into four or more lots. All previous property lines within the plat area are vacated by the subdivision plat.

17.402 Exclusion of Property. All property within the original authorized lot or lots being proposed for platting shall be included on the plat, except that an area may be

excluded from a final subdivision plat provided all of the following conditions are met:

- (1) The area to be excluded is equal to or greater than to 2.5 acres.
- (2) Only one such area is created per subdivision.
- (3) The approved future development plan allows for the property to be further partitioned or subdivided.
- (4) The remaining area is not developed until it is further partitioned or subdivided in accordance with the provisions of this Code, or all facilities are provided to that area as if it were a lot in the subdivision.

17.410 Tentative Subdivision Plans

17.411 Submittal Requirements. The applicant shall submit eight (8) copies of a tentative plan and any supporting materials to the Director. The following shall be included:

- (1) Plan: No smaller than 8 1/2 inches x 11 inches and legible with north arrow, scale (an engineering scale appropriate to the area involved and sufficient to show detail of the plan and related data, such as 1 inch: 30 feet, 1 inch : 50 feet, 1 inch : 100 feet, or less), and date of preparation.
- (2) Location: Location by street address and assessor's map and tax lot number.
- (3) Vicinity map: A vicinity sketch shall be shown on the plan at a small scale (i.e., 1 inch : 400 feet) showing all existing and adjacent subdivisions, streets, property lines of acreage properties, names of the recorded owners of properties adjoining the land to be divided and between it and the nearest existing or proposed public street, adjacent railroad rights-of-way, and adjacent political subdivisions.
- (4) Names: Name, address and telephone number of each of the following: property owner(s), sub-divider, and preparer of the plan.
- (5) Lot Dimensions: Existing and proposed lot lines and their dimensions, and lot size in square feet or acres.
- (6) Lot numbers or letters: Lot numbers or letters for each lot.
- (7) Streets and Sidewalks, Existing: Names, rights-of-way locations and widths, curb locations, sidewalk locations, vehicular access points, public or private status, and any recorded reservations or restrictions.
- (8) Streets and Sidewalks, Proposed: Names, rights-of-way locations and widths, curb locations, pavement widths, sidewalk locations, street lights, vehicular access points, public or private status, any recorded reservations or restrictions, approximate radii of curves, grades, and typical cross-sections

showing all utility improvements proposed within the street right-of-way and adjacent easements at such scale to clearly show the details thereof.

- (9) Easements: The location, dimensions and purpose of all recorded and proposed public and private easements.
- (10) Utilities: Location and size of all existing and proposed storm drains and other drainage ways; sewer mains, laterals, septic tank leach fields, or other facilities; water mains, laterals, fire hydrants, wells or other facilities; irrigation facilities or other pertinent utilities.
- (11) Natural Features: Location and extent of streams, rivers, their high banks, wetlands, and any required setbacks
- (12) Flood Areas: Location of floodplain and floodway.
- (13) Slope: Topographic contour lines having the following minimum intervals:

Overall Site Slope	Contour Interval
0 to 5 percent	2 feet
5 to 15 percent	5 feet
15 percent or more	10 feet

Slope hazard areas shall be indicated as follows:

Slopes 15% to 25%	light shading
Slopes exceeding 25%	heavy shading

A Tentative Grading Plan indicating cuts, fills, and retaining walls.

- (14) Slope Hazard District: If the property is located within the Slope Hazard District see Section 13.120 for additional submittal requirements.
- (15) Submittal an existing Tree Plan (required for all developments even those outside of the Slope Hazard District) in accordance with Section 11.040.
- (16) Districts: The designated zoning district, special purpose district, and any zoning district boundary, special purpose district boundary, political subdivision boundary, or the Urban Growth Boundary that are adjacent to or that divide the property.
- (17) Existing Uses: Location and outline of existing buildings and structures with distances in feet to new subdivision lines created by the proposed subdivision and an indication if they are to be removed prior to final platting.

- (18) Future Development Plan: A future development plan shall be submitted for the property being subdivided in accordance with Section 17.540.
- (19) Future Street Plan: A future street plan shall be submitted in accordance with Section 17.550.
- (20) Signatures: A signature by the property owner or stamp of a registered land surveyor that guarantees that all information shown on the plan is accurate and correct, and the applicant accepts responsibility for same.
- (21) Title: The proposed name and the title "Tentative Plan".
- (22) Dedication: locations of all areas to be dedicated or reserved for public use, with the purpose, condition, or limitations of such reservations clearly indicated.
- (23) Deed Restrictions: Previously recorded and proposed deed restrictions.
- (24) Phasing: If the subdivision will be platted in phases, indicate the lots to be included in each phase, all street, utility, and other improvements to be constructed in conjunction with each phase, and proposed timing for each phase.
- (25) Solar Lot Design Standard: Documentation shall be provided indicating compliance with Section 22.630 of this Code.
- (26) Watermaster compliance: If groundwater is proposed as a source of water for the subdivision, and the subdivision is located in a designated area of groundwater availability concern, the applicant shall submit a certificate of compliance with applicable ground water testing ordinances.
- (27) The City Engineer may require a traffic analysis, as per Section 27.121(3), for any new development to determine the development's potential impact on the existing transportation system. At a minimum, the impact of development on transportation facility performance shall be mitigated to the standards set forth in Section 27.121(2).

17.412 Referral for Review. The Director shall distribute copies of the tentative plan to such agencies as would have an interest in reviewing the plan, which may include:

- (1) Applicable School District.
- (2) Applicable Citizen Participation Committee.
- (3) Grants Pass Irrigation District.
- (4) Affected Governmental Agencies and Other Special Districts.

- (5) Affected Public and Private Utilities.
- (6) Applicable Site Plan Review Committee.
- (7) Department of Environmental Quality.
- (8) Josephine County Public Works Department.
- (9) Oregon State Highway Division.
- (10) Oregon Department of Fish and Wildlife.
- (11) Others, as determined by Director.

17.413

Criteria for Tentative Subdivision Plan Approval. The review body shall approve, approve with conditions or deny the request, based upon the following criteria:

- (1) The plan conforms to the lot dimension standards of Article 12, the base lot standards of Section 17.510, and the requirements of any applicable overlay district.
- (2) When required, the proposed future development plan allows the properties to be further developed, partitioned, or subdivided as efficiently as possible under existing circumstances, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.
- (3) When one is required or proposed, the street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.
- (4) The proposed utility plan conforms to the applicable requirements of adopted utility plans, the requirements of Article 28 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.
- (5) The tentative plan allows for the preservation or establishment of natural features or the preservation of historic features of the property, and allows access to solar energy to the extent possible under existing circumstances including:
 - (a) Providing the necessary information to complete the tree chart identified in Section 11.041.
 - (b) No cuts shall result in retaining walls greater than 15 feet high in a single wall from the finish grade or create any un-retained slopes greater than 100%.

(c) No fills shall result in a retaining wall within the required setback from a property not included in the development plan greater than 6 feet in height from the finish grade or create any slopes which are greater than 100%.

(6) The plan complies with applicable portions of the Comprehensive Plan, this Code, and state and federal Laws.

17.414 Revised Tentative Subdivision Plan. Prior to receiving a development permit for the tentative plan, the applicant shall submit a revised tentative plan demonstrating compliance with the conditions of tentative plan approval. The review body may waive this requirement if no significant modifications are required.

17.415 Expiration and Extension of Tentative Subdivision Plan.

(1) Expiration. Except as provided in Section 17.416 for a phased development, within 24 months following the effective date of the written decision approving a tentative plan, the applicant shall fulfill all conditions necessary for a development permit, obtain a development permit, fulfill all conditions of tentative plan approval necessary to file the final plat, and submit the final plat and all required documents for final approval. For a phased development, the applicant shall obtain a development permit, complete construction, and file the final plat for each phase in accordance with the approved phasing schedule.

(2) Extension. The Director may, upon written request by the applicant, grant up to two extensions of the expiration date of six months each. Upon granting such an extension, the Director shall make written findings that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan and that no other development approval would be affected.

17.416 Phased Development. When an applicant desires to record and develop a subdivision plat in phases, then the approving body may authorize a time for the submittal of the final plat and development of various phases. The time period may exceed eighteen months but in no case shall the total time period for all phases exceed five years without resubmission of the tentative plan for review and approval. Each phase so platted and developed shall conform to the applicable requirements of this Code. Phases platted after eighteen months are subject to modifications in accordance with any changes in the Comprehensive Plan or implementing regulations.

17.420 Final Subdivision Plat

17.421 Standards for Approval. If the final plat substantially conforms to the approved tentative plan, it shall be reviewed through a non-discretionary, administrative procedure. The decision of the Director is final and is indicated through a signature on the final plat.

17.422

Modification to Final Plat. The applicant may petition for modification of the approved tentative plan.

- (1) Major Modification. When modification to an approved tentative plan is determined to be a Major Modification the final plat shall be reviewed using the same review procedure that the tentative plan required. A Major Modification constitutes one or more of the following:
 - (a) An increase in the density of the development.
 - (b) Modifications or changes to the proposed utility plan. Changes must conform to the adopted utility plans and the requirements of Article 28.
 - (c) Modifications or changes to the proposed street plan. Changes must conform to the adopted street plans and the requirements of Article 27.
- (2) Minor Modification. A minor modification to an approved tentative plan, such as phasing the development, may be made by the Director provided the Director determines the modification does not constitute a major modification.

17.423

Approval Standards for Final Plat.

- (1) The approved tentative plan shall be considered to have met the requirements outlined in the approval for the tentative plan if it meets all of the following:
 - (a) A letter has been submitted by the Responsible Engineer stating he/she supervised the grading and construction for the entire parcel and individual lots and the grading and construction was completed according to approved plans.
 - (b) All water, sewer and storm facilities have been installed, tested and tentatively approved per the approved plans. The final testing and acceptance of the water, sewer and storm facilities may be secured per Article 29.
 - (c) All street facilities have either been installed, tested and accepted per the approved plans, or security has been posted per Article 29.
 - (d) Notwithstanding Article 29 regarding Security, construction of all remaining improvements not including sidewalks and tree planting if required, shall be completed within seven months of the recording of the final plat. Occupancy of homes shall not be permitted until all public improvements have been installed, tested, and accepted by the City, and final inspection of the home has occurred.
 - (e) A tree re-vegetation plan has been submitted and approved in accordance with Section 11.060.

- (2) Plat Requirements. After completing the requirement for tentative subdivision plan approval, the applicant shall submit a final plat and ten (10) prints to the Director. The plat shall be prepared by a registered professional land surveyor and shall contain the following:
- (a) The plat shall be 18 inches x 24 inches. No part of the drawing shall be nearer to the edge of the sheet than one inch.
 - (b) All requirements of ORS 209.250 and ORS 92 and any other applicable state or federal regulations.
 - (c) Any dedications or changes required as part of tentative plan approval. Dedications shall be done in accordance with applicable local or state laws.
 - (d) When a future development plan is required, a note stating that development of the property is subject to the conditions of such plan.
 - (e) Any plat notes, restrictions, notices, and special conditions that was required to be placed on the final plat as part of tentative plan approval. The review body shall not require that the plat show graphically any information or requirement that is or may be subject to administrative change or variance.
 - (f) Statement or certifications verifying the source of water and sewage disposal in accordance with ORS 92.090.
 - (g) As a separate document, a land division guarantee from a title company.

17.424 Signatures on a Final Subdivision Plat.

- (1) The surveyor who prepared the plat, the property owner(s), and all other parties required to sign under ORS Chapter 92 shall sign the plat.
- (2) The City or County Surveyor shall sign to verify compliance with applicable survey laws of the State of Oregon.
- (3) The City Finance Department shall sign to verify that all financial obligations on the property have been met.
- (4) The Director of any special district shown on the final plat or any other official required by law shall sign the plat or provide certifications as required by law.
- (5) The Director may sign the final plat if the final plat is in conformity with the approved tentative plan, and when all conditions of tentative plan approval have been met.

- (6) The County Assessor shall sign certifying that all taxes on the property have been paid or bonded for in accordance with state law.
- (7) Following (5) above, the Chairperson or the Board of County Commissioners shall sign.
- (8) All signatures shall be in black permanent India type ink.

17.425 Filing an Approved Final Subdivision Plat. The applicant shall file the approved original subdivision plat as per ORS 92.120. After recording, the applicant shall also file one print with the Director.

17.426 Expiration of Final Subdivision Plat. The approved final plat shall become null and void if not filed and recorded with the County Recorder within 30 days from the date the Director signs the plat.

17.500 General Provisions

17.501 Subdivision Name. New subdivisions shall not bear a name similar to or pronounced the same as the name of any other subdivision in the Josephine County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name.

17.502 Lot and Parcel Numbers or Letters. All lots in a subdivision and parcels in a partition or property line adjustment shall be numbered or lettered consecutively. No partition or subdivision shall use block numbers or letters unless the subdivision is a continued phase of a previously recorded subdivision, bearing the same name, which has previously used block numbers or letters. All parcel and lot numbers or letters shall begin with the number "1" or the letter "A", except for a subdivision that is a continued phase of a previously recorded subdivision, bearing the same name, in which case the lots shall be numbered consecutively following the highest numbered or lettered lot of the previous phase(s).

17.503 Properties Split by the Urban Growth Boundary. When only a portion of a property is within the Urban Growth Boundary, only the portion of the property inside the boundary shall be required to meet the standards of this Code.

17.504 Recording Multiple Plats During One Calendar Year.

- (1) Only one partition or subdivision plat may be recorded on the same land during the same calendar year, unless the subsequent plat fully encompasses all the land contained in the previous plat.
- (2) A partition or subdivision plat may be recorded on one or more of the parcels of a property line adjustment plat that was recorded previously that calendar year as long as the property proposed to be platted is under, and has been under since the beginning of the year, separate legal ownership from all other abutting parcels in the property line adjustment.

- 17.505 Creation of Street without Partitioning or Subdividing and Properties Split by Streets. Streets may be created through processes other than partitioning or subdividing provided the street is constructed according to the standards of Section 27 of this Code or other applicable standards, is officially accepted by the City or other governing body responsible for the street, and is deeded and/or recorded with the County Recorder in accordance with all applicable laws. Any property divided by such a street shall be considered one property until it is partitioned or subdivided.
- 17.506 Arterial Access. Where possible, when driveway access from arterial or major collector streets is necessary for several abutting properties, the review authority shall require that such properties be served by a combined access driveway in order to limit possible traffic hazards on such streets. An access control line shall be placed along all properties abutting arterial streets requiring access onto the lesser class street where possible.
- 17.507 Reciprocal Easements. Where a common drive is to be provided to serve more than one property, a reciprocal easement which will ensure access rights shall be shown on the final plat.
- 17.508 Blocks. Blocks shall not exceed 1200 feet in length without street separation and shall not exceed 800 feet without improved pedestrian way separation, except blocks adjacent to arterial streets or unless previous adjacent layout or topographical conditions justify a variation. The recommended minimum distance between arterial street intersections is 1800 feet.
- 17.510 Base Lot Standards
- All new lots shall conform to the provision of Article 12, other applicable sections of this Code, and the following standards:
- 17.511 Lot Width to Depth Ratio. Lot depth shall not exceed four times lot width. This standard may be exceeded where a portion of a lot is located within the floodway and the portion outside of the floodway cannot be further divided.
- 17.512 Buildable Lots. The lot arrangement shall be such that there will be no foreseeable difficulties, by reason of topography or other conditions, in securing development permits or building permits for typical permitted uses allowed in that zone in compliance with this Code, with the exception of properties designated for open space use.
- 17.513 Through Lots. Lots that have frontage on more than one street, except corner lots, shall be avoided except where necessary to provide separation of residential developments from streets of collector and arterial street status or to overcome specific disadvantages of topography and/or orientation.

- 17.514 Side Property Lines. As far as practical the side property lines of a lot shall run at right angles to the street upon which it faces, except that on a curved street the side property line shall be radial to the curve.
- 17.515 Curved Property Line at Street Intersections. At all street intersections, an arc along the property line shall be established to allow construction of standard curb and sidewalk wholly within the right-of-way.
- 17.516 Commercial Properties. Any modification to a commercial property through a property line vacation, property line adjustment, partition, or subdivision shall address the following:
- (1) The applicant has demonstrated the property configuration does not preclude development in accordance with Article 20, including the building orientation standards.
 - (2) The applicant has demonstrated the property configuration meets public street block length and perimeter standards of Articles 17 and 27, and has provided right-of-way and public street and pedestrian way improvements as necessary to meet these standards.
 - (3) The applicant has provided, or revised as necessary, vehicular, pedestrian, and bicycle easements on and between properties to meet the connectivity requirements of Article 27.
 - (4) When required by the Director, the applicant has provided a conceptual site plan to demonstrate the property configuration will enable development in compliance with the provisions of this Code.
 - (5) Conditions relating to the issues in this section may be imposed as part of the decision as may be necessary to enable future coordinated development of the properties in accordance with the provisions of this Code.

17.520 Flag lots

No flag lot shall be approved by the review body unless the following requirements are met:

- (1) A street cannot reasonably or practically be created to serve the properties.
- (2) The flag pole shall be at least the minimum width allowed in the appropriate zone. The maximum length for a flag pole shall be twice the width of the lot, or twice the length of the lot, whichever dimension is less.
- (3) The flag pole shall be designed such that a driveway meeting the standards of Section 27.121 (8) could be constructed within the flag pole, unless an alternative access is provided by easement. The access shall not encroach upon or cross a live stream, ravine, irrigation ditch, or similar topographic feature without provision of an adequate structure, fill, or culvert to provide

access for emergency vehicles. Any such required structure shall be constructed prior to final plat or plan approval. The review body may require the structure to be certified by a registered engineer as meeting this standard.

- (5) Flag lots shall not be created off minimum access streets.
- (6) Not more than two abutting flag poles are permitted.

17.530 Authorized and Unauthorized Lots

17.531 Authorized Lots. The following are considered discrete units of land for purposes of this Code:

- (1) A parcel in a partition or property line adjustment, or a lot in a subdivision.
- (2) A property resulting from a property line vacation.
- (3) A unit of land that was created by deed or land sales contract, duly recorded with the County Recorder, where both of the following apply:
 - (a) The property was created prior to September 3, 1980 for properties inside city limits, or was created prior to July 13, 1978 for properties outside city limits.
 - (b) The property was created in accordance with the lot frontage, dimension, or similar standards in effect at the time of its creation.
- (4) A unit of land on one side only of a public right-of-way which was created by the conveyance of that right-of-way through an original property, where the unit of land had been approved in writing by the City of Grants Pass or Josephine County as a single unit of land for planning, zoning, and land use and development purposes prior to August 5, 1991.
- (5) Any other unit of land which had written approval by the City or County to be a discrete unit of land for planning, zoning, and land use and development purposes, prior to requirements for partitioning or subdividing.
- (6) A unit of land created by the sale, grant, or other conveyance of property that was formerly all or part of a public road, street, highway, or other right-of-way, that meets the applicable lot dimension standards in effect at the time of its creation.
- (7) A unit of land that remained after the recording of a subdivision or condominium plat, and that was not included as a lot or lots in the subdivision or condominium, and that has been provided all required public facilities as if it were a lot in a subdivision.
- (8) A unit of land declared to be a lot by the appropriate review body in accordance with the provisions of Section 17.534.

Unauthorized Lots. Notwithstanding Section 17.531 above, the following are not considered discrete units of land for purposes of this Code.

- (1) Any unit of land that was not created in compliance with all applicable planning, zoning, property line adjustment, partition, and subdivision regulations in effect at the time of its creation, or that was not duly recorded with the County Recorder.
- (2) A unit of land resulting from a lien foreclosure or foreclosure of a recorded contract for the sale of real property.
- (3) A unit of land that existed prior to proper recordation with the County Recorder of a superseding plat, property line vacation, or similar legal deed or document.
- (4) A cemetery lot.
- (5) A public street, road, highway, square, right-of-way or open space.
- (6) A private street or unit of land reserved as private open space.
- (7) A unit of land on one side only of a public right-of-way which was created by the conveyance of that right-of-way through an original property, unless the unit of land had been approved in writing by the City of Grants Pass or Josephine County as a single unit of land for planning, zoning, and land use and development purposes prior to August 5, 1991.
- (8) A unit of land adjusted in dimension through the sale, grant or other conveyance of the property for a public road, street, or highway that, as a result of said conveyance, does not meet the applicable lot dimension standards of this Code.
- (9) A unit of land created by the sale, grant, or other conveyance of property that was formerly a public road, street, highway, square, or other right-of-way, that did not meet the applicable lot standards in effect at the time of its creation.
- (10) A unit of land that remained after the recording of a subdivision or condominium plat, and that was not included as a lot or lots in the subdivision or condominium, and that has not been provided all required public facilities as if it were a lot in a subdivision.
- (11) A unit of land that was previously required by the City or County to be consolidated with another unit of land, unless the City or County has approved the unit to be discrete lot in accordance with applicable regulations in effect at the time.
- (12) A unit of land created solely to establish a separate tax account.

17.533 Signatures Required when Platting Unauthorized Lots. Where application is made to plat lots or parcels which were previously unauthorized lots, the review body may approve the plat even though less than all of the owners of the existing authorized lot have applied for plat approval or have signed the plat.

17.534 Lot Authorization

In unusual circumstances the review body may authorize an unauthorized lot provided all of the following criteria are met:

- (1) Either the unauthorized lot was created prior to adoption of applicable subdivision and partitioning laws, or it was not created in conflict with applicable subdivision regulations.
- (2) No other procedure provided in this Code could be used to authorize the lot, such as partitioning.
- (3) No safety problems, significant public harm or undue public burden would result from declaring the property a lot.
- (4) Potential negative impacts to the public are mitigated to the extent possible.

17.540 Future Development Plan

17.541 Applicability. Whenever property is proposed to be partitioned or subdivided and there is potential for additional partitions or subdivisions of the property in accordance with the provisions of this Code, the partitioner/subdivider shall submit a future development plan for approval.

17.542 Submittal Requirements, Future Development Plan. The future development plan shall be submitted with the tentative subdivision or partition plan, either on the face of the plan or on a separate document included with each plan. The plan shall be prepared by a registered surveyor or similar professional, and shall contain the following:

- (1) The label "Future Development Plan."
- (2) Potential future lots and their dimensions, and approximate lot sizes in square feet or acres.
- (3) The location of current and potential future street rights-of-way with pavement widths that would adjoin or go through the property, including those streets planned in the Street Plan.
- (4) A future street plan when required by section 17.551 below.
- (5) Present and proposed future access points and street plugs for the subject and affected surrounding properties.

- (6) Present and proposed future storm drains, water mains, sewer mains, and utilities, including those identified in adopted public facility plans.

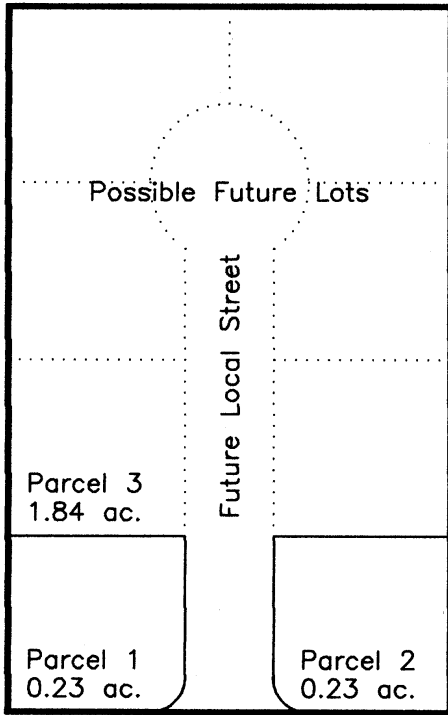
17.543 Criterion for Future Development Plan Approval. The review body may approve, approve with conditions, or deny the proposed future development plan in accordance with the following criterion:

The proposed future development plan allows the properties to be further developed, partitioned, or subdivided as efficiently as possible under existing circumstances, in accordance with requirements for typical permitted uses in the applicable zone and comprehensive plan district, and in conjunction with other development in the neighborhood.

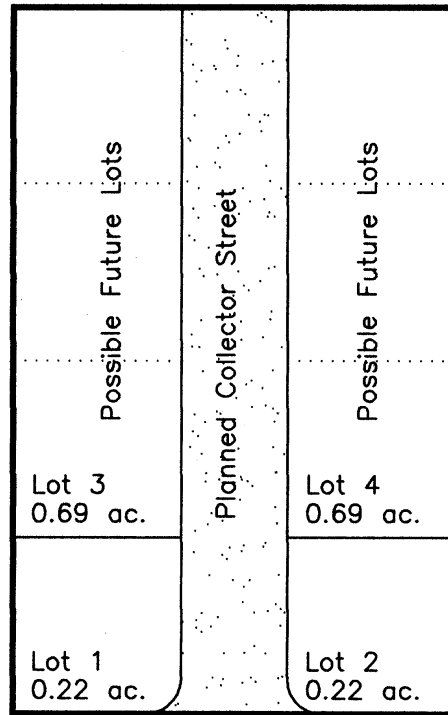
17.544 Conditions of Approval for Future Development Plan. To the extent necessary to meet the criterion for approval of a future development plan, the review body may make any of the following requirements (See Concept Sketch 17 - Future Development Requirements):

- (1) For properties smaller than 2.5 acres, require construction and dedication of streets and utilities in accordance with the provisions of Article 28.
- (2) For properties equal to or larger than 2.5 acres, require dedication of easements for streets and rights-of-way shown on adopted street and utility plans that abut or cross the property.
- (3) Restrict or allow present and/or future access at specific locations. The review body may require easements, street plugs, or access control lines to be placed on the plat to fulfill this purpose.
- (4) Require standards and locations for future street and utilities.
- (5) Require that certain utilities, streets, or accesses be abandoned at such a point that the City or County, as applicable, deems necessary.
- (6) Require that future structures meet setbacks from future property lines.

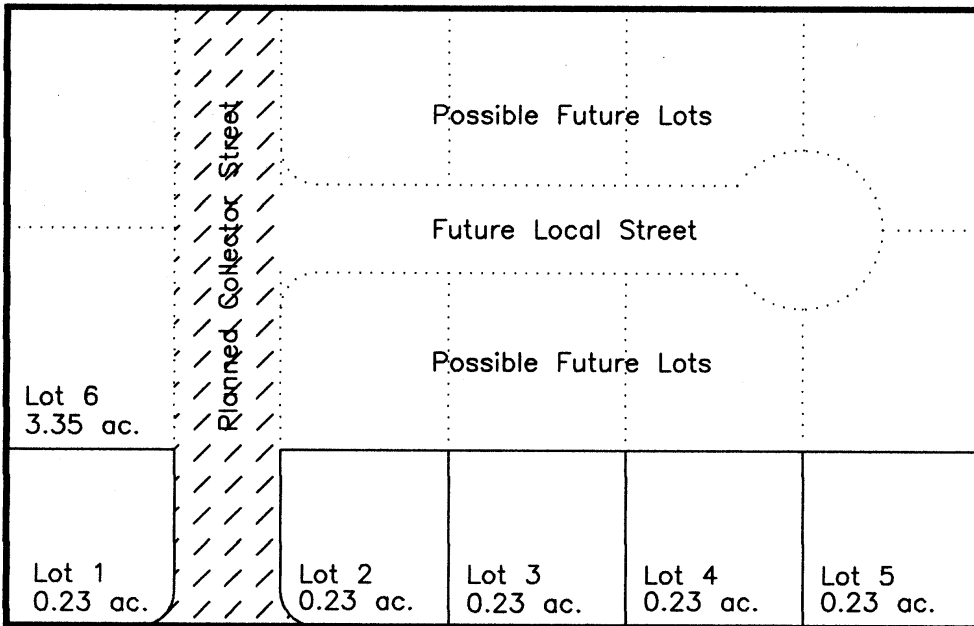
17.545 Filing a Future Development Plan. The future development plan shall be recorded with the County Recorder as an exhibit to the approved plat. When a plan is amended, that amendment shall reference the original plan, and shall be recorded with the County Recorder.



Scenario 1: No Street Dedication Required



Scenario 2: Street Construction Required



Scenario 3: Dedication of Easement for Collector Required

Concept Sketch: Future Development Requirements

17.546 Code Revisions. In the event that this Code or other regulations change after the approval of a future development plan to the extent that future development plan could not be permitted under the new regulations, the applicant shall not be required to meet those portions of the plan not so permitted.

17.547 Amendment to an Approved Future Development Plan. At any time after the approval of a future development plan, the owner of the property may submit a revised future development plan to supersede the previously approved plan. The revised plan shall be submitted in accordance with the requirements outlined above. The plan shall meet the applicable criterion and may be subject to conditions as listed above.

17.550 Future Street Plan

17.551 Applicability. A future street plan shall be submitted along with a tentative subdivision or partition plan when either the tentative plan or the future development plan would affect the creation of streets on properties adjacent to the property being planned, other than streets already planned on the Street Plan. Otherwise, an owner of the subject properties, the Planning Commission, the City Council, or the Board of County Commissioners may initiate review of a future street plan for properties that are not under review for subdivision or partition.

17.552 Submittal Requirements, Future Street Plan.

The future street plan shall be submitted either on the tentative plan, the future development plan, or on a separate sheet. The plan shall contain the following:

- (1) Labeled as a future street plan for the streets involved.
- (2) North arrow, scale (an engineering scale appropriate to the area involved and sufficient to show detail of the plan and related data, such as 1 inch : 100 feet or 1 inch : 400 feet).
- (3) Existing and proposed property lines in the vicinity of the streets being created and their approximate size and dimensions.
- (4) Existing public rights-of-way and street names in the vicinity.
- (5) Existing uses that would affect street layout.
- (6) The general location and general right-of-way width for any future street that would be affected by the proposed subdivision or partition development.

17.553 Criterion for Future Street Plan Approval. The review body may approve, amend, or deny the proposed future street plan based on the following criterion:

The street layout conforms to the applicable requirements of the adopted street plans, meets the requirements of Article 27 and other applicable laws, and best balances needs for economy, safety, efficiency, and environmental compatibility.

REVISIONS

DATE	ORD #
6/6/90	4663
2/16/94	4787
11/15/95	4843
3/6/96	4849
5/31/97	4889
9/4/02	5152
6/21/04	5240
4/20/05	5285
1/18/06	5333
1/16/13	5567
2/17/16	5673
6/6/18	5735