



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Land Division – Tentative Replat

Checklist and Review Criteria

INFORMATION AND INSTRUCTIONS:

- See fee schedule for filing fee (*subject to change every July 1*); additional fee if Natural Resource Impact Review is required. Staff will contact you for payment after submittal.
- All plans and drawings must be to scale, and review criteria responses should be provided as specified in this checklist.
- Email all materials to cd.customerservice@cityofalbany.net. Please call 541-917-7550 if you need assistance.
- Depending on the complexity of the project, paper copies of the application may be required.
- Before submitting your application, please check the following list to verify all applicable information is included. An incomplete application will delay the review process.

TENTATIVE REPLAT SUBMITTAL CHECKLIST:

NOTE: The replat process does not create additional lots or parcels or vacate any existing recorded private covenants or restrictions or public streets or roads. The replat process is used only for moving or removing existing subdivision or partition property lines.

PLANNING APPLICATION FORM WITH AUTHORIZING SIGNATURES.

REVIEW CRITERIA RESPONSES. On a separate sheet of paper, prepare detailed written responses, using factual statements (called findings of fact), to explain how the adjustment complies with each of the following review criteria (ADC Section 11.180). Each criterion must have at least one finding of fact and conclusion statement. (See Example Finding of Facts on last page.)

1. ***The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.*** Describe how the proposal will be consistent with Lot and Block standards obtained in ADC 11.090.

2. ***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 ADC 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.

3. ***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 the application’s property for access? If so, the application may need to provide a street stub.

4. ***The Public Works Director has determined that transportation improvements are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.*** 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.

5. ***The Public Works Director has determined that the public facilities and utilities are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.*** 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?
 6. ***Activities and developments within special purpose districts must comply with the regulations described in Article 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.*** Refer to ADC Articles 4, 6, and 7.
- URBAN CONVERSION PLAN.** If the Land Division results in any parcels or lots that 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. (This relates to review criterion 2.)
- CLUSTER DEVELOPMENT.** If Cluster Development provisions are being applied to this project, attach written findings of fact that demonstrate how this project meets Albany Development Code (ADC) Sections 11.400 through 11.530.

TENTATIVE PLAT REQUIREMENTS

- 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 of the area to be dedicated.
- 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 drainpipes, and 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:
 - One-foot intervals for ground slopes less than five percent.
 - Two-foot intervals for ground slopes between five and ten percent.
 - 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 approximate location of areas subject to stormwater inundation or overflow with approximate high-water elevation.
- 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 flooding or ponding. Show the base flood elevation (BFE); label and show the floodplain boundary on the map.
- Label and show location of the following significant natural resources: 1) Significant Wetlands identified on the City's Local Wetlands Inventory; 2) significant Riparian Corridors on the City's Riparian Inventory; 3) significant wildlife habitat, if known; 4) existing channels as shown on the most current version of the City of Albany Stormwater Master Plan; and 5) slopes greater than 12 percent.
- Label and show location of the following natural features: 1) non-significant wetlands identified on the City's Local Wetlands Inventory and other wetlands; 2) wooded areas with five or more trees over eight 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.
- If the project is a subdivision***, give the Tentative Replat 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-unit dwellings, shopping centers, churches, industry, parks, schools, playgrounds, and public or semi-public buildings.
- VICINITY INFORMATION.** Provide the following information on the Tentative Plat or a separate map:
 - Current zoning, names of owners of record, uses, and location of structures on all properties within the plat area and contiguous to the plat.
 - 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.

- PUBLIC UTILITY PLANS.** Submit full-sized preliminary water, sewer, and storm sewer plans and systems. 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.

Please also include information explaining the approximate time of installation and method of financing for all public improvements proposed to be installed. (ADC Sections 12.440, 12.500, and 12.535)

- o **Preliminary Water Plans**
- o **Preliminary Sanitary Sewer Plans**
- o **Preliminary Storm Sewer Plans.** Include detention calculations which demonstrate that the proposed detention facility is correctly sized, and which show how the Storm Drain Control structure will function.

OTHER PERMITS, PLANS, OR REPORTS THAT MAY BE REQUIRED

- FLOODPLAIN DEVELOPMENT PERMIT.** If any of the property is within the Floodplain Development (FP) overlay, refer to ADC Sections 6.070-6.125 to determine if the Floodplain Development standards apply and if a Floodplain Development Permit is required.
- NATURAL RESOURCE IMPACT REVIEW.** If any of the property is within one of Albany’s Significant Natural Resource Overlay Districts (SW, RC, HA), refer to ADC Sections 6.260-6.470 to determine if a Natural Resource Impact Review may be required.
- HILLSIDE DEVELOPMENT GEOTECHNICAL REPORT.** If any of the property is within this Hillside Development (HD) overlay, refer to ADC Sections 6.170-6.230 to determine if the /HD standards apply. If applicable, attach written findings of fact that demonstrate how this project meets these standards and provide a geotechnical report on the site.

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.

GENERAL INFORMATION ABOUT THE SITE AND DEVELOPMENT PROPOSAL

- Submit answers to the following proposal questions (separately or submit this sheet):

Current address(es) on the property(s) to be divided: _____

Assessor’s Map # _____ Tax Lot # _____ Current Size: _____ Zone: _____

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Assessor’s Map # _____ Tax Lot # _____ Current Size: _____ Zone: _____

Assessor’s Map # _____ Tax Lot # _____ Current Size: _____ Zone: _____

Current use(s) of the property(s): _____

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

	<u>Current Uses</u>	<u>Zoning</u>
North:	_____	_____
South:	_____	_____
East:	_____	_____
West:	_____	_____

Gross land area of the property(s) to be divided: _____

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

Minimum Lot Size: Provide this info for the zoning district in the development proposal:

Zone Min. Lot Size: _____ Average Lot Size: _____ % of lots < zone minimum: _____

Density Bonuses. If you are requesting application of any density bonus provisions, attach a separate narrative outlining, in detail, which ones and how they apply to this site. Include calculations used to determine the new average lot size of all lots/parcels after applying any bonus provisions. Average lot size after density bonuses: _____

Lot and Block arrangement. Please explain how the lot and block arrangement requirements in ADC Section 11.090 are met. What is the average block length? _____

Phases. If the development is proposed in phases, indicate here how many phases are proposed and clearly outline and label the boundaries of each of the proposed phases on the tentative plat. (See ADC 11.300(1)(j)). Proposed number of phases: _____

Proposed timing of the final plats for each phase: _____

LAND DIVISION – PURPOSE AND PROCEDURE

Difference Between Partitions and Subdivisions (11.150). A subdivision relates to the division of land into four or more lots within a calendar year. A partition relates to the division of land into two or three parcels within a calendar year. A partition does not include the three exclusions set forth in ORS 92.010 (7), including property line adjustments as described in Section 11.100 of this article.

Process (11.160). Partitions and subdivisions are reviewed at two stages. A tentative plat is reviewed primarily for design aspects, such as connections to existing and future streets, preservation of natural features, drainage and floodplain considerations, and compliance with requirements of other portions of this Code. The tentative plat need not be prepared by a surveyor. The final plat is reviewed for conformance to the tentative plat as approved (with or without conditions) and applicable state or county laws or rules. The final plat must be prepared by a licensed land surveyor and is the instrument by which the land division is recorded.

Procedure (11.170).

1. Except as provided in subsection (2), a tentative subdivision or partition plat is reviewed through the Type I-L procedure.
2. A tentative subdivision plat that is reviewed concurrently with a Planned Development or a Cluster Development is subject to the Type III procedure.
3. A final subdivision or partition plat is reviewed through the Type I procedure.

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 ADC, and to 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.

Facts: 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: There is no remainder of land to consider with the application.