

ORDINANCE NO. 731-A

Introduced by Commissioner Dennis DUNN

AN ORDINANCE AMENDING THE CITY OF WARRENTON SUBDIVISION
REGULATION ORDINANCE 612-A

WHEREAS, certain changes are necessary to bring the City of Warrenton Subdivision Regulation into compliance with the Oregon Land Conservation and Development Commission Statewide Planning Goals; and

WHEREAS, the Warrenton Planning Commission has recommended said changes to the Warrenton City Commission;

NOW, THEREFORE, the City of Warrenton ordains as follows:

Section 1. The City of Warrenton Subdivision Regulation, Ordinance No. 612-A, is hereby amended as set forth in Exhibit "A", attached hereto and by this reference incorporated herein, adding Sections 39, 40, 41 and 42.

Section 2. Inasmuch as these amendments are of paramount importance to bring the City of Warrenton Subdivision Regulation, Ordinance No. 612-A into compliance with the Oregon Land Conservation and Development Commission Statewide Planning Goals, for the health, welfare and best interests of the citizens of the City of Warrenton, an emergency is hereby declared to exist and this ordinance shall go into full force and effect immediately.

Section 3. If any article, section, subsection, subdivision, phrase, clause, sentence, or word in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of the ordinance, but shall be confined to the article, section, subsection, subdivision, clause, sentence, or word so held invalid or unconstitutional.

Passed by the City Commission of the City of Warrenton, Oregon, this 21st day of June, 1982.

Examined and approved by the Mayor of the City of Warrenton, Oregon this 21st day of June, 1982.

Leslie W. Newton
Mayor

ATTEST:

Albert A. Hanson
Auditor and Police Judge

MINOR LAND PARTITIONING

SECTION 39 - PROCEDURE

- (1) An application for a minor partition shall be processed administratively by the zoning administrator without a need for a public hearing or public notice. The decision of the zoning administrator may be to approve, approve with conditions, or deny the application.
- (2) An appeal from a ruling of the zoning administrator shall be made to the city commission.
- (3) A ruling of the zoning administrator pursuant to this ordinance may be appealed to the city commission within fifteen (15) days after the decision is rendered. Written notice of the appeal shall be filed with the city recorder. If the appeal is not filed within the fifteen-(15)day period, the decision of the zoning administrator shall be final. If the appeal is filed, the city commission shall receive a report and recommendation thereon from the zoning administrator and shall hold a public hearing on the appeal.
- (4) The city manager, upon direction by the city commission, may appeal any zoning administrator action or ruling.

SECTION 40 - PLAN REQUIREMENTS

An applicant for a minor partition shall submit a copy of a plan for partitioning, showing the following information:

- (1) A sketch of the original parcel of land (all contiguously-owned property);
- (2) The date, northpoint, scale, and metes and bounds description adequate to define the location and boundaries of the property to be partitioned;
- (3) The name, signature and address of the owner of the property and the applicant's name and address, if different;
- (4) The amount of acreage of the original parcel to be partitioned;
- (5) The area of the newly-created lots;
- (6) The location, names and widths of all streets and easements adjacent to and within the parcel to be partitioned;
- (7) The existing use or uses of the property including the existing structures to remain on the property.

SECTION 41 - CRITERIA FOR APPROVAL OF TENTATIVE PLAN

A tentative minor partition plan shall comply with the following:

- (1) The partition will comply with all zoning ordinance requirements (e.g. minimum lot size, minimum width and depth, growth management standards if applicable, etc.);
- (2) Development of any remainder of property under the same ownership can be accomplished in accordance with the comprehensive plan and zoning ordinances.

SECTION 42 - APPROVAL OF FINAL MAP

- (1) Within one year following the date of approval of a tentative land division plan, two copies of the final map shall be submitted and shall incorporate any modification or condition required by approval of the tentative plan. The zoning administrator may, upon written request by the applicant, grant an extension of the expiration date of up to six (6) months upon a written finding that the facts upon which the approval was based have not changed to an extent sufficient to warrant refiling of the tentative plan and after finding no other development approval would be affected.
- (2) Within ten (10) days of the submission of the final map, the zoning administrator shall determine whether the material conforms with the approved tentative plan and with the applicable requirements of this ordinance. If the zoning administrator determines that there is a failure to conform, the applicant shall be advised and afforded an opportunity to make corrections. When the map is found to conform, it shall be signed and dated by the zoning administrator. One copy shall be returned to the applicant and one copy retained in the planning commission files.