

**City of Carlton**  
**191 E. Main St.**  
**Carlton, OR 97111**  
Phone: 503-852-7575  
Fax: 503-852-7761  
[www.ci.carlton.or.us](http://www.ci.carlton.or.us)



## Partition

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A partition means to divide an area or tract of land into two (2) or three (3) parcels in a calendar year. Parcels created through the partition process shall meet the Development Standards for Land Divisions found in Carlton Development Code (CDC)\* Chapter 17.88, and other applicable development standards found in the Carlton Development Code and Public Works Design Standards (PWDS). Each parcel shall satisfy the dimensional standards of the applicable zoning district, unless a variance from these standards is approved. In addition, adequate public facilities shall be available to serve the existing and newly created parcels (CDC 17.172.010).

No parcel within an approved partition may be redivided within the same calendar year in which it was recorded, except through the subdivision process. A master plan is required for any partition application that leaves a portion of the subject property capable of replatting (CDC 17.172.040).

### **Application Process**

Partitions are reviewed through a two-step process. Preliminary plats for partitions are first reviewed in accordance with the Type II land use review procedures found in CDC Section 17.188.020. The Planning Commission conducts a public hearing to review the request and makes a final decision on whether or not to grant preliminary partition approval. The Planning Commission's decision may be appealed to the City Council by filing an appeal application within 12 days following the final written notice of the Commission's decision.

Upon receiving preliminary partition approval, the applicant has eighteen (18) months to complete the required conditions of approval and record the final survey plat. Final plats are reviewed in accordance with the provisions found in CDC 17.176.040 - 17.176.050. No final plat shall be approved by the city unless:

1. The plat is in substantial conformance with the Carlton Development Code and the provisions of the preliminary plan as approved, including any conditions imposed in connection therewith;
2. The plat contains free and clear of all liens and encumbrances a donation to the public of all common improvements, including but not limited to streets, roads, sewage disposal and water supply systems, the donation of which is required by

the Carlton Development Code or was made a condition of the approval of the preliminary plat;

3. Explanations of all common improvements required as conditions of approval of the preliminary plan have been recorded and referenced on the plat;
4. All reserve blocks shown on the preliminary plan or required as conditions of approval have been deeded in fee simple to the city;
5. The city has received adequate assurances that the applicant has agreed to make all public improvements that are required as conditions of approval of the preliminary plan. The following constitute acceptable adequate assurances:
  - a. Certification by the City Engineer that all required public improvements are completed and approved by the city; or
  - b. The City Engineer certifies that seventy-five (75) percent of the improvements are completed and a performance guarantee as provided by CDC Section 17.216.010.

### **Application Requirements**

To request a partition, there shall be submitted to the City Recorder:

\_\_\_ **One (1) paper copy** and **one (1) electronic copy** (PDF format preferred) of the application form and the application attachments. Copies must be clear and legible.

\_\_\_ **Application filing fee**

### **Expiration of Approval**

If the final survey plat is not recorded within eighteen (18) months, the preliminary approval shall lapse. The City Manager shall upon written request by the applicant and payment of the required fee; grant an extension not to exceed six (6) months provided that:

1. No changes are made to the approved preliminary plat;
2. There have been no changes in existing conditions, facts, or applicable policies or ordinance provisions on which the original approval was based (CDC 17.172.050).

\*The Carlton Development Code is available online at: [www.ci.carlton.or.us/municode](http://www.ci.carlton.or.us/municode)

# Partition Application

## City of Carlton

Docket No.: \_\_\_\_\_  
Date: \_\_\_\_\_  
Fee: \_\_\_\_\_  
Receipt No.: \_\_\_\_\_

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**Applicant:** Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_

**Title Holder:** Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
\_\_\_\_\_

**Surveyor and/or Engineer (if applicable):**

Name \_\_\_\_\_  
Phone \_\_\_\_\_

**Location:** Street Address \_\_\_\_\_  
Tax Lot Number \_\_\_\_\_ Map \_\_\_\_\_

**Description:** Comprehensive Plan Designation: \_\_\_\_\_  
Current Zoning: \_\_\_\_\_

**Prerequisites:**

To request a hearing and approval of a partition, there shall be submitted to the City Recorder with this application and filing fee, the following information:

\_\_\_\_ A preliminary partition plan on sheets that are not less than 11 inches by 17 inches and no more than 24 inches by 36 inches in size. Preliminary plans shall be drawn to a scale of one-inch equals 50 feet or larger.

1. The following general information shall be shown on the preliminary plan:

- a. Vicinity map extending 800 feet in each direction showing all streets, property lines, streams, and other pertinent data to locate the proposal.
- b. North arrow, scale of drawing and date of preparation.
- c. Tax map and tax lot number or tax account of the subject property.
- d. Dimensions and size in square feet or acres of the subject property.
- e. The names and addresses of the property owner, partitioner and engineer, surveyor, or other individual responsible for laying out the partition.

2. Existing Conditions:

- a. Location of all existing easements within the property.
- b. Location of City utilities (water, sanitary sewer, storm drainage) within or adjacent to the property proposed for use to serve the development.
- c. The location and direction of watercourses or drainage swales. The location and disposition of any wells, wetlands identified on the State Wetland Inventory, septic tanks and drain fields in the partition.
- d. Existing uses of the property, including location of existing structures on the property. It should be noted whether the existing structures are to be removed or to remain on the property.

2. The preliminary plan shall clearly show to scale the following:

- a. Locations, approximate dimensions and area in square feet of all proposed parcels. All parcels shall be numbered consecutively.
- b. Location, width and purpose of any proposed easements.

3. Supplemental Information.

- a. Proposed deed restrictions, if any, in outline form.
- b. A master plan for development is required for any application that leaves a portion of the subject property capable of replatting.

\_\_\_\_\_ The names and addresses of all property owners within 100 feet of the partition site boundaries, as shown on the last preceding tax roll of the Yamhill County Assessor. Note: A list of property owner names and addresses within 100 feet of the property may be obtained from a title company or the Yamhill County Assessor Department located at: 535 NE 5<sup>th</sup> Street, Room 42, McMinnville, OR, phone: (503) 434-7521.

\_\_\_\_\_ **One (1) paper copy** and **one (1) electronic copy** (PDF format preferred) of this application and all of the application attachments. Copies must be clear and legible.

**Review Standards:** All partitions shall conform to all applicable Zoning District standards, development standards, and other provisions of the Carlton Development Code.

**Variance Application:** When necessary, the Planning Commission may authorize variances to the requirements of the Carlton Development Code in conjunction with a partition request. Application for a variance shall be made by petition of the subdivider, stating fully the grounds for the application. The Planning Commission shall review the Variance in accordance with CDC Section 17.148. An Application for a Variance \_\_\_\_ **Does** \_\_\_\_ **Does not** accompany this partition application.

**I HEREBY CERTIFY THAT ALL STATEMENTS CONTAINED HEREIN, ALONG WITH THE EVIDENCE SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title Holder's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title Holder's Signature

\_\_\_\_\_  
Date

**NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT LETTERS OF CONSENT. INCOMPLETE OR MISSING INFORMATION MAY DELAY THE APPROVAL PROCESS.**

## LAND USE FEE SCHEDULE ACKNOWLEDGMENT

Land use planning fees ("fees") are an estimate of the costs necessary to process land use applications. Fees include, but are not limited to, preparation of required public notices, staff reports and decisions, and are inclusive of the time allocated by the City Planner, City Engineer, and City Attorney. Fees must be paid at the time of application.

If there are any funds remaining after the project is complete, the applicant will receive a refund for the balance. Alternatively, if the application fee is exhausted before the project is complete, the project will be billed monthly for any additional costs until all land use stages are finished.

Please note that contracted service provider fees are subject to change and may include the fees of their hired staff. For current contractor fees, please call the city at 503-852-7575.

By reading and understanding the above information, I acknowledge the terms of the land use fee agreement as outlined above. Failure to comply with the fee agreement will result in the rejection of the application.

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Applicant Signature

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Date