Proposed Article 6.1 Lawfully Created Lots and Parcels replaces language in § 3.3.800.

Current Language that will be replaced, removed or reformatted.

SECTION 3.3.800. Lawfully Created Lots and Parcels. The following lots or parcels shall remain discrete lots or parcels, unless individual lot or parcel lines are changed or vacated or the individual lot or parcel is further divided as provided by this Ordinance:

1. Lots or parcels created prior to January 1, 1986; or
2. All lots or parcels lawfully created after January 1, 1986. (OR-00-05-014PL)
3. Separate tax lot or tax account numbers do not in themselves divide property into separate discrete lots or parcels.
4. Mortgages, trust deeds, or liens do not divide property.
5. Deeds for lawfully created lots or parcels not in the “same ownership” do divide property. “Same ownership” shall include land deeded to the same persons (initials are considered the same full names).

<table>
<thead>
<tr>
<th>OWNERS OF PROPERTY “A”</th>
<th>OWNERS OF CONTIGUOUS PROPERTY “B”</th>
<th>DOES A SEPARATE TRACT, LOT OR PARCEL EXIST</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Adam Doe</td>
<td>John Doe</td>
<td>No</td>
</tr>
<tr>
<td>J. Adam Doe</td>
<td>John A. Doe</td>
<td>No</td>
</tr>
<tr>
<td>John &amp; Mary Doe</td>
<td>J.A. &amp; M.S. Doe</td>
<td>No</td>
</tr>
<tr>
<td>John A. Doe</td>
<td>Mary S. Doe</td>
<td>Yes</td>
</tr>
<tr>
<td>John &amp; Mary Doe</td>
<td>M.S. Doe</td>
<td>Yes</td>
</tr>
</tbody>
</table>

6. Land sales contracts and trust deeds do divide property if there are no applicable planning, zoning or partitioning ordinances or regulations.
7. The presence of public road easements or public road dedications do not of themselves divide property into separate discrete lots or parcels. (OR 93-02-001PL 3-31-93)
8. Submerged lands claimed by the state in fee and other intervening ownerships, do divide property into separate discrete lots or parcels.
9. Private road easements do not divide property.
Proposed Article 6.2 Land Divisions replaces Articles 6.1, 6.2, 6.3(Reserved) 6.4, and 6.5. This Proposed revision includes Article 6.6 and 6.7 but they have not been changed just renumbered. The current language has been provided below so that you can compare to the proposed language.

Current Language that will be replaced, removed or reformatted.

ARTICLE 6.1 GENERAL PROVISIONS, ENFORCEMENT

SECTION 6.1.100. General Purpose. The general purpose of this Chapter is to prescribe the form and content of subdivision plats and partition plats (minor and majors) and the procedures to be followed in their development and approval and to designate those authorized to give such approval; to establish the minimum requirements and standards necessary for efficient, safe, and attractive subdivisions and partitions consistent with the natural resources of the County; and to provide penalties for violations. It is intended that this Chapter be consistent with ORS Chapters 92 and 215.

It is further the intent of this Chapter:

1. To ensure that land be subdivided or partitioned in a manner which will promote the public health, safety, convenience, and general welfare.
2. To aid in the implementation of the Coos County Comprehensive Plan.
3. To protect the natural assets of the County by providing the means for encouraging orderly developments by relating the number, design, and distribution of lots or parcels to existing topographical, ecological, hydrological, and other natural conditions.
4. To minimize through proper design and layout, the danger to life and property by the hazards of fire, flood, water pollution, soil erosion and land slippage.
5. To ensure that proper consideration are given for adequate light and air, and prevention of overcrowding of land.
6. To provide lots, parcels, and development sites of sufficient size and appropriate shape and character for the purpose for which they are to be used.
7. To provide for adequate water supply, sewage disposal, storm drainage, and other utilities needed for public health, safety, and welfare.
8. To provide adequate provisions for transportation designed to handle the anticipated usage and to ensure that they minimize safety hazards and adverse impact on the neighboring area.
9. To ensure that the costs of providing rights-of-way and improvements for vehicular and pedestrian traffic, utilities, and public areas serving new developments be borne by the benefited persons rather than by the people of the County at large.
10. To encourage new concepts and innovations in the arrangement of building sites, lots, and parcels within divisions by means of a Planned Unit Development or clustering. Deviations from the traditional approaches of dividing lands may be considered for approval when such deviations will facilitate the ultimate development of the land in a unique manner that will be compatible with the purpose of this Chapter.

SECTION 6.1.200. Approval of Partitions, PUD’s and Subdivisions Required.
1. No person shall divide land, except after approval of such division pursuant to this Chapter.
2. No person shall sell any lot in any subdivision or convey any interest in a parcel in any partition until the plat of the subdivision or partition or declaration of partition described in Section 6.4.450 has been acknowledged and recorded with the recording officer of Coos County.
   a. No person shall negotiate to sell any lot in a subdivision until a tentative plan has been approved.
   b. A person may negotiate to sell any parcel in a partition prior to the approval of the tentative plan.
   c. In negotiating to sell a lot in a subdivision or convey any interest in a parcel in any partition, a person may use the approved tentative plan for such subdivision or partition. [OR-92-07-012PL]
3. No person shall create a road or street for the purpose of land division without the approval of the County.
4. Coos County shall refrain from issuing any permit or approval for any application other than approval pursuant to this Section, including building permits or verification letters for any parcel of land not complying with this Section. [OR-93-12-017PL 2/23/94]

SECTION 6.1.300. Inter-relationship with Other County Ordinances, Codes, Orders and Policies.

1. Comprehensive Plan. All land divisions shall be in conformity with the Coos County Comprehensive Plan.
2. Coos County Zoning and Land Development Ordinance. All land divisions shall conform to all applicable requirements of this ordinance.
3. Whenever any department of the County finds that the provisions of a Chapter have apparently been or may be violated by any person, the director of said department shall report such finding to the Planning Department Director for investigation and enforcement.
4. (RESERVED)
5. Under no circumstances shall Coos County be responsible for the administration of city codes on specific properties after annexation.
6. (RESERVED)

SECTION 6.1.350. (RESERVED)

SECTION 6.1.400. Application for Land Divisions.

1. Applications: All applications for land divisions shall be submitted to the Planning Department as required by this Chapter.

SECTION 6.1.500. Amendment of Subdivision Plat or Partition Plat.

1. Any plat of a subdivision or partition filed and recorded under provisions of ORS 92.018 to 92.190 may be amended by an affidavit of correction:
   a. To show any courses or distances omitted from the subdivision or partition plat;
b. To correct an error in any courses or distances shown on the subdivision or partition plat;
c. To correct an error in the description of the real property shown on the subdivision or partition plat; or
d. To correct any other errors or omissions where the error or omission is ascertainable from the data shown on the final subdivision or partition plat as recorded.

2. Nothing in this Section shall be construed to permit changes in courses or distances for the purpose of redesigning lot or parcel configurations.

3. The affidavit of correction shall be prepared by the registered professional land surveyor who filed the plat of the subdivision or partition. In the event of the death, disability, or retirement from practice of the surveyor who filed the subdivision or partition plat, the County Surveyor may prepare the affidavit of correction. The affidavit shall set forth in detail the corrections made and show the names of the present fee owners of the property materially affected by the correction. The seal and signature of the registered professional land surveyor making the correction shall be affixed to the affidavit of correction.

4. The County Surveyor shall certify that the affidavit of correction has been examined and that the changes shown on the certificate are permitted under this Section.

5. The surveyor who prepared the affidavit of correction shall cause the affidavit to be recorded in the office of the County Recorder where the subdivision or partition plat is recorded. The County Clerk shall promptly provide a recorded copy of the affidavit to the County Surveyor. The County Surveyor shall note the correction and the recorder’s filing information with permanent red ink, upon the original subdivision or partition plat and upon any true and exact copies filed in accordance with ORS 92.1203. The corrections and filing information shall be marked in such a manner so as not to obliterate any portion of the subdivision or partition plat.

6. For recording the affidavit in the County deed records, the County Clerk shall collect a fee set by the County governing body. The County Clerk also shall collect a fee set by the County governing body to be paid to the County Surveyor for services provided under this Section.

SECTION 6.1.550. **Replating:** The act of replatting shall allow the reconfiguration of lots and public easements within a recorded plat. Upon approval by Coos County, pursuant to the process prescribed in Article 6.5, replats will act to vacate the platted lots, parcels, and easements within the replat areas with the following conditions:

1. A replat, as defined in Section 2.1.200 shall apply only to a recorded plat.

2. When the replat is replatting all of an undeveloped subdivision as defined in ORS 92.225, Coos County shall notify in writing each owner of record (of land described in the plat) not later than 30 days before the date of a hearing to determine whether the undeveloped subdivision should be replatted.

3. Notice, consistent with County approval of a tentative plan of a subdivision plat or partition plat, shall be provided by Coos County to the owners of property adjacent to the exterior boundaries of the tentative replat.

4. When a utility easement is proposed to be realigned, reduced in width, or omitted by a tentative replat approval, all affected utility companies or public agencies shall be notified, consistent with notice to owners of property contiguous to the tentative plat.

5. A replat shall comply with all applicable subdivision and partition plat provisions of this Ordinance.
ARTICLE 6.2    DESIGN AND DEVELOPMENT STANDARDS

SECTION 6.2.100.  **Purpose.** All land divisions shall conform to the design and development standards specified in the following sections. The standards so specified shall be considered as the minimum appropriate for land division, partition, PUD or subdivision development and are not intended to limit the developer from using higher standards of design and development.

SECTION 6.2.150.  **Roads or Streets.** The standards of Chapter VII shall apply.

SECTION 6.2.200.  **Control Strip.** The County may require, or at the request of the developer, the creation of a 1 (one) foot wide strip of land contiguous to a road, whereby such strip of land would be deeded to the County for the purpose of restricting access to said road from an adjacent lot or parcel. Control strips shall not be regarded as a lot or parcel. Control strips may be permitted for any of the following reasons:
1. to prevent access to abutting land at the end of a road right-of-way in order to assure the proper extension of the road pattern and the orderly division of land lying beyond the road;
2. to prevent access to the side of a road where additional width or improvement is required or future partition or subdivision action is needed;
3. to prevent access to the side of a road from abutting property that is not part of the division until proportional road construction costs are conveyed to the appropriate developer.

SECTION 6.2.250.  **Access.**

1. The development of land shall be such as to provide each lot or parcel with one of the following alternative means of access:
a. a lot or parcel shall abut upon a public street, other than an alley; or
b. a lot or parcel shall abut upon a private easement (restricted agricultural, mining, and forestry easements may be used for land divisions, but not for siting dwellings and other development uses); or
2. Any access approval request under this section shall be reviewed to assure that no development occurs in known natural hazard areas without appropriate safeguards. The Planning Director or designee may condition its approval of a request on the provision of such safeguards, or otherwise condition approval of such requests to insure compatibility with the objectives of this ordinance, and the Coos County Comprehensive Plan.
3. Any land division that involves the creation of a public or private road or street or “foot access” will require a partition, planned community or subdivision approval. [OR-92-07-012PL]
4. All private road right-of-way easements shall be part of a lot, parcel or designated common areas. The area within the private easement can only be considered as part of a required minimum lot size pursuant to Section 3.3.500.
5. As used in this section, the following definitions shall apply:
a. “foot access” means a private way, other than a street or road, legally created to provide access across the entire parcel or lot of land lying within the shoreland boundary from a
waterbody to an “upland” lot or parcel which shall abut the coastal shoreland boundary. Said access shall terminate at the shoreland boundary and shall have an improved permeable surface as deemed appropriate by the Coos County Roadmaster (i.e. sand, gravel, etc.)

b. “upland lot or parcel” means a lot or parcel not abutting a waterway and partially or totally outside a coastal shoreland boundary.

SECTION 6.2.300. Easements. Easements may include but are not limited to the following:

1. Private Road Access. Pursuant to Chapter VII (Roads or Streets).
2. Utility Easements. Easements including but not limited to sewers, water mains and electrical lines shall be at least 15 feet wide, except for utility pole tieback easements which may be reduced to 6 feet in width.
3. Pedestrian and Bicycle Ways. When necessary for public convenience, safety or if designated on an adopted County or State recreation or transportation system plan, the County Planning Director will require a developer of a subdivision, PUD, and office park complex to dedicate to the public, public access easements 10 feet in width. Said easements may be deemed necessary to provide access:
   a. through unusually long or oddly shaped lots or parcels; or
   b. to schools, parks, or other public areas; or
   c. for pedestrian travel adjacent to streets; or
   d. to water bodies or other natural amenities; or
   e. between streets or cul-de-sacs; or
   f. between office structures and through parking facilities.


SECTION 6.2.350. Lots and Parcels.
1. Lot and parcel sizes shall meet the minimum lot sizes as established by the applicable zoning district (also see Section 3.3.500 maintenance of minimum requirements).
2. Panhandle lots or parcels shall be an acceptable method of land division. More than two contiguous panhandles (as opposed to the panhandle “lots” themselves) shall not be permitted. Where two panhandles are contiguous, the County may require easements and construction of an access road.

EXAMPLE:
3. **Dimensional Standards.**
   a. Minimum access frontage for any lot or parcel shall be fifty feet (50’).
   b. Minimum panhandle width for any lot or parcel shall be 20 feet (20’).
4. Side lot and parcel lines shall be avoided, except when needed to overcome specific disadvantages of topography and orientation.
5. Double frontage lots or parcels shall be avoided, except when needed to overcome specific disadvantages of topography and orientation.
6. Lot and parcel size, width, shape and orientation shall be appropriate for the location of the property being developed, the topography and the type of development and use proposed as determined by the County Surveyor.
7. Lots or parcels shall not be unreasonably shaped or laid out, or the lots or parcels shall not violate or destroy the lay of the land contrary to the provisions of this ordinance.
8. Within UGB’s only, lot, tract, or parcel width shall be at least 25% of the depth, and not less than otherwise required by this ordinance.

**SECTION 6.2.400. Improvement Specifications.** Improvements shall conform to the following standards:
1. **Water supply systems**, both public and private, shall conform to the requirements of state law.
2. **Sewage disposal systems**, both public and private, shall conform to the requirements of state law.
3. **Grading** shall be performed and drainage facilities installed (i.e. French drains, catch basins, etc.) as is necessary to provide proper drainage within the partitioned area.
4. The **Hearings Body** may require the installation of storm sewers where necessary to insure proper drainage, to conform with an established or proposed drainage system or to eliminate threat to the public health and safety.
5. **Streets or roads** shall conform to the improvement standards stated in Chapter VII of this Ordinance.

“(5.5) For developments affecting State road facilities by more than 300 trips per day, as estimated using the most recent edition of the ITE Trip Generation Manual, or where the development causes traffic impacts that bring a State road below acceptable levels of service standards, or impacts a State road that is already operating below acceptable levels of service, or impacts a State road that has a documented safety problem, the applicant shall be required to provide a traffic impact study that identifies traffic impacts attributable to the development and appropriate mitigation measures. Mitigation must be provided in order for the development to be approved. The determination of impact effect, scope of the impact study, scheduling, and funding of improvements shall be coordinated between the developer, the County and the Oregon Department of Transportation.”
6. **Sidewalks** of an all-weather material not less than 5 feet in width, nor more than 8 feet in width shall be constructed as close to the center of pedestrian and bicycle ways as practical, when required. Also see Section 6.2.300.
7. **Erosion prevention.** When necessary to prevent erosion all cuts and fills and other graded areas shall be protected from erosion by appropriate seeding or planting of grass shrubs, trees or other soil stabilizing vegetation. (OR 98-12-009PL)
ARTICLE 6.4. REVIEW COMMITTEE
SECTION 6.4.100. Land Division Technical Review Committee.

1. Establishment. The land division Technical Review Committee (TRC) is established to act in a technical review capacity for the Board of Commissioners, and is authorized to perform such functions as provided for in this Ordinance. The TRC shall consist of the following members or their duly authorized representatives:
   a. Director – County Planning Department, who shall serve as Chairman;
   b. Director – County Public Works (i.e., Roadmaster);
   c. County Surveyor;
   d. County Assessor;
   e. County Counsel;
   f. County Hearings Body Chairman;
   g. Representative of Affected City;
   h. Representative of Affected Special District.

2. Responsibility of TRC. When requested by the Planning Director the TRC shall examine all tentative (preliminary) partition plats, subdivision plats, and planned unit development plats, and assist the Planning Director in rendering a decision relating to the approval, conditional approval, or disapproval of said applications. In case of a variance request, the TRC shall form a committee recommendation to the Planning Director. The following notification requirements shall apply:
   a. The applicant shall be given notice of any TRC meeting pertaining to his or her request.
   b. Notice of all Planning Director decisions shall be provided to all affected property owners pursuant to the requirements of Section 5.7.100 and any affected cities and special districts.
   c. If no appeals or reconsideration hearing requests are received pursuant to Article 5.8, the decision shall be binding. If any appeals are received, the application shall be scheduled for an appeal hearing before the Hearings Body. If a reconsideration hearing request is received from an affected city or special district, the matter shall be scheduled for review before the Hearings Body.[OR-92-07-012PL]

SECTION 6.4.450. Required Declaration of Partition. After final approval of any partition plat creating unsurveyed partitioned parcels, the partitioner shall cause to be recorded in the County deed records a “Declaration of Partition” which shall be numbered as required under ORS 92.1202. and shall include:
   a. the declaration described in ORS 92.075(1) to (3);
   b. a description of each parcel being created, prepared by a registered professional land surveyor together with the seal, signature, and address of the registered professional land surveyor; and
   c. evidence of any approval required by this Ordinance. The County Surveyor shall review the “Declaration of Partition” to determine that the “Declaration of Partition” complies with the provisions of this Section and other applicable laws and with the partition requirements established by this Ordinance. [OR-93-12-017PL 2/23/94]
ARTICLE 6.5.  PARTITIONS AND SUBDIVISIONS.  A property divided by the sale or grant of property for state highway, county road, city street or other right-of-way shall continue to be considered a single unit of land until such time as the property is further subdivided or partitioned.  (OR 92-07-012PL)

SECTION 6.5.100.  Filing Schedule.  The following is a general outline of the process for the review of subdivision and partitioning of land in Coos County:

1. Applicant files pre-application (optional at the Planning Director’s discretion);
2. Planning Director reviews pre-application;
3. Applicant files tentative plans;
4. TRC reviews tentative plans;
5. Planning Director makes a decision;
6. Applicant submits construction drawings for any new public roads or access easements;
7. County Roadmaster reviews construction drawings and applicable specifications for public roads and access easements;
8. Applicant constructs or bonds for required improvements;
9. County Roadmaster inspects construction unless improvements are bonded;
10. Applicant submits final plat;
11. Planning Department coordinates review of final plat by affected County Departments;
12. Board of Commissioners reviews final plats for subdivisions and for partitions proposing public dedications; Planning Director reviews final plats for partitions not proposing public dedications;
13. If the final plat is approved, the applicant shall comply with Section 6.1.350 and file the plat with the County Clerk.  (OR 92-07-012PL)

SECTION 6.5.200.  Pre-Application.

1. Submittal of Sketch Plan.  The applicant at the discretion of the Planning Director shall submit to the Planning Department a sketch plan(s) of the proposed partition or subdivision.  The sketch plan(s) shall be clearly and legibly drawn in a manner which may be photo copied without loss of detail.  The overall size of the plans or map shall not be less than 11” x 17”.
2. Review of Sketch Plan.  The Planning Director shall review the sketch plan(s) in relation to:
   i. Coos County Comprehensive Plan;
   ii. state law requirements;
   iii. the provisions of this ordinance;
   iv. special problems associated with the land or proposed development;
   v. development of adjacent properties;
   vi. general scope of all streets and utilities.  [OR-92-07-012PL]

SECTION 6.5.250.  Tentative Plan and Base Map.  (Tentative Plan)

1. Application
   a. All proposed tentative partition and subdivision plats and base maps shall comply with all applicable sections of this Ordinance.  Applicants shall secure appropriate zoning authorization or clearance prior to submittal.
b. A tentative partition or subdivision plat map and base map, complete with all submittal requirements and the appropriate fee, shall be submitted to the Planning Department.

c. Within ten (10) days of receiving a complete application, the Planning Department shall distribute copies of the tentative partition or subdivision plat map and base map to affected cities, special districts and County departments.

2. **Tentative Plat Map and Base Map Standards.** An application for a partition or subdivision shall include a tentative plat map and a base map, each drawn on mylar or substantial high quality tracing paper measuring 18" x 24" using archival ink and drafting material. The maps shall be clearly and legibly drawn to a standard engineer's scale. All maps shall be drawn to the same scale except as otherwise authorized by the County Surveyor. Each map shall be clearly titled as being part of a tentative partition, subdivision plat, or planned community. (OR 00-5-014PL)

3. **Required Maps.** A tentative partition or subdivision plat map and base map shall be submitted for the lot or parent parcel to be divided.

   A. **Base Map.** A base map shall be submitted containing the following information:
      
      i. **Map Data.**
         a. Property Boundaries;
         b. Lot or parcel area in acres or square feet;
         c. North point, scale of drawing, and date;
         d. Location of the property by quarter-quarter section, township, range, and tax lot number(s);
         e. Names and addresses of the owner(s) and any other person employed in the preparation, layout or design of the base map;
         f. Section lines;
         g. City boundaries;
         h. Location(s) of existing zoning districts applicable to the subject property.
      
      ii. **Topography.** All existing natural features including:
         a. Contour lines (may be taken from USGS 7.5 minute quad sheets);
         b. Areas subject to inundation;
         c. Lakes, streams, creeks, rivers, and other bodies of water;
         d. Identified wetlands;
         e. Identified geologic hazards and other features affecting development.
      
      iii. **Existing Improvements.** All existing improvements including:
         a. Location, name, right-of-way width and road improvement width of all existing streets, roads, highways, alleys, and other easements;
         b. Existing monuments;
         c. Adjacent subdivisions;
         d. Existing non-dedicated roads, trails, and driveways;
         e. Existing dwellings, farm buildings or other structures.
      
      iv. **Utilities.** The location(s) of existing utilities including:
         a. Sewer and water mains;
         b. Wells or springs that provide potable water;
         c. Septic systems;
         d. Culverts and drainage lines or pipes.
B. **Tentative Plan.** This map shall show the following additional information proposed for the development:

i. **Map Data.**
   a. Appropriate identification clearly stating the map is part of a tentative plan. Proposed subdivision name if applicable.
   b. Names and addresses of the owners and any other person employed in the preparation, layout or design of the tentative plan.
   c. North point, scale of drawing, and date.
   d. Property boundaries.

ii. **Proposed Developments.** The following improvements where applicable shall be shown as approximate:
   a. the name, location, width, grade and radii of the streets, roads or private access easements. Stationing shall be shown at 100-foot intervals;
   b. the location, width and purpose of all proposed easements;
   c. the location, dimension, acreage and numbers of all proposed lots or parcels;
   d. proposed finish grades of the property and streets, showing all cut and fill areas, location of proposed retaining walls or slope protection and proposed drainage systems or drainageways;
   e. sites, if any, allocated for purposes other than residential structures;
   f. any proposed public areas;
   g. locations, grade and size of proposed utilities including water, sewer, fire hydrants, storm drains, electricity and communication lines, and service and utility structures. All facilities shall be considered in their relation to existing and planned facilities, topographical conditions, public convenience and safety, and proposed use of the land;
   h. existing structures to remain;

i. location and area of all open spaces, setbacks where applicable. Buffers, screens, recreational facilities, or landscaping.

4. **Written Information.** The following written information shall be submitted with the tentative plan:

   A. **Property Report:** indicating any taxes, assessment or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development. A title report is acceptable. A subdivision guarantee may be acceptable, additional information may be required.

   B. If applicable, the conceptual method and obligations of a homeowners association, covenants, or deed restrictions.

   C. **Phasing.** A statement describing and explaining the rationale for any proposed phasing of construction, the sale of lots or parcels, and the placement of utilities and construction of streets.

   D. **Public Services.** A statement of available public services, such as police and fire protection, schools and school buses and electric, telephone, or other utilities. The statement shall indicate the proximity of such services in addition to giving an estimate of
the capacity of the service to effectively absorb the increased demand reasonably anticipated to be placed on the services as a result of the land development.

E. Water Supply. A statement of the proposed method of water supply including source, quantity, quality and method of distribution.

F. Sewage Disposal. A statement of the proposed method of sewage disposal.

5. Supplemental Information. The following supplemental information shall be submitted with the tentative plan, or, prior to or with the construction drawings that may be required for roadways:

A. Geologic Report. For proposed roadways with slopes greater than 3:1 or where otherwise required by the County, a site specific geologic investigation report. This report shall be prepared by a licensed engineering geologist, soils engineer, or other qualified expert, who must carry errors and omissions insurance. Verification of the insurance must be submitted with the report. The report shall indicate the structural integrity of improvements, including but not limited to any proposed structures, cuts or fills, recommended storm drains both on and off the site, erosion control measures and slope stabilization devices, and trees or other stabilizing vegetation to be retained.

B. Public Services. Pursuant to the statement of public services, Section 6.5.250(4)(D), the applicant shall submit a copy of any agreement with the appropriate companies, districts, agencies or cooperatives providing electrical, telephone or other required service.

C. Water Supply. Pursuant to the statement of water supply, Section 6.5.250(4)(E), the applicant shall submit and comply with the following:

i. a certification by a city-owned domestic water supply system or by the owner of a privately owned domestic water supply system that water will be available to the lot line of each and every lot or parcel depicted in the proposed land division; or

ii. a statement that no domestic water supply facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division, even though a domestic water supply source may exist. This statement must be shown on the face of the final plat. It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS 92.090(4)(c).

iii. Where the proposed source of water is by individual or community wells, proof of an adequate supply of potable water for all anticipated needs of the platted area shall be presented. Proof of an adequate supply of potable water may consist of:

a. Test wells, must have at least one well per five lots or parcels, or, in the case of lots or parcels averaging less than two acres, one well per ten acres. The test wells shall produce at least 1,000 gallons per day for two consecutive days for each proposed single-family residential site; and

b. certificate of the water as potable by the County Health Department or appropriate state agency; or by an approved private laboratory.

c. a hydrology report documenting the availability of potable water by describing the average depth, yield and quality and by giving a general history of wells in the area.

iv. Where the proposed source of water is by a spring, creek, stream, pond, lake or other natural or man-made surface water impoundment, the following information shall be provided:
a. Certificate of the water as potable by the County Health Department, appropriate state agency or by an approved private laboratory.
b. Whether the source will be distributed through a community water system or through individual delivery systems;
c. Whether water rights exist to the supply and, if so, the names of persons holding such rights and amounts allotted to each;
d. The location of the sources of water supply;
e. The year-round or seasonal nature of the water supply;
f. Proof of an adequate water supply for all anticipated needs of the proposed development.
g. When the water supply is distributed through a community system the proposed method of assuring the continued maintenance of the water system shall be provided.

D. Sewage Disposal. Pursuant to the statement of sewage disposal, Section 6.5.250(4)(F):
   i. a certificate by a city-owned sewage disposal system, special district sewage disposal system or by the owner of a privately owned sewage disposal system that sewage disposal will be available to the lot line of each and every lot or parcel depicted in the proposed land division; or
   ii. a statement that no sewage disposal facility will be provided to the purchaser of any lot or parcel depicted in the proposed land division. This statement must be shown on the face of the final plat. It is the responsibility of the applicant to deliver a copy of the statement to each prospective purchaser of a lot or parcel depicted in the land division pursuant to ORS 92.090(5)(c).
   iii. If the sewage disposal system is by private septic system or another Department of Environmental Quality (DEQ) approved system then DEQ feasibility (approved test holes) must be submitted for each lot or parcel. [OR96-06-007PL 9/4/96]

E. Foot Access. If “foot access” is proposed pursuant to Section 6.2.250 the application shall also include the following:
   i. a copy of any easements providing access to the parent parcel;
   ii. a written statement explaining why extension of any road system is impractical for this particular situation;
   iii. delineation of the coastal shoreland boundary on the tentative map;
   iv. evidence establishing that approval of the proposed foot access would be consistent with Coos County Comprehensive Plan, Coos Bay Estuary Management Plan, or the Coquille River Estuary management Plan.

F. Public Road Access. If a lot or parcel abuts a public road, verification of a road access permit shall be submitted. [OR-92-07-012PL]
Section 6.5.300. Review of Tentative Plan.

1. Distribution to Affected Bodies. The Planning Department shall furnish a copy of the tentative plan to all affected special districts and cities which have a coordination agreement with Coos County; and

2. Within twenty (20) days of postmark, each city, special district and County Department receiving a copy of the tentative plan should submit a written statement to the Planning Department with respect to any matter, information, or recommendation deemed necessary for the applicant’s or public’s benefit.

3. The Planning Department shall make copies of all written statements available to the applicant and others interested.

4. Planning Director Review. The Planning Director, after reviewing the tentative plan and comments, may approve, conditionally approve, or disapprove any application. The Planning Director shall take action within forty-five (45) days of the date the application was accepted as complete, unless additional time is deemed necessary to complete the review.

   A. Approval. If the Planning Director approves an application, the Planning Director shall make findings of fact which substantiate the following conclusions:
      i. The plan complies with the requirements of its submittal (Section 6.5.250. Tentative Plan).
      ii. The plan complies with the objective of the Comprehensive Plan.
      iii. The plan complies with all applicable laws, regulations, or ordinances.
      iv. That any divisions of EFU land comply with Table 4.2-b.

   B. Conditional Approval. The Planning Director may impose special conditions upon the approval of a tentative plan when it is established that such conditions are necessary to protect health, safety or welfare. Conditions may include but are not limited to the following:
      i. roadway and plat design modifications;
      ii. utility design modifications;
      iii. conditions deemed necessary to provide safeguards against documented geologic hazards;
      iv. other conditions deemed necessary to implement the objectives of the Comprehensive Plan. The Planning Director may establish a specific time limit to complete the conditions.

   C. Disapproval. The Planning Director shall disapprove a tentative plan if the plan cannot be found in compliance with “A” or “B” above.

   D. Notice. Notice of the Planning Director’s decision shall be mailed to all property owners of record, pursuant to the requirements of Section 5.7.100, and any affected cities and special districts.

   E. Effective Date. Unless the action of the Planning Director is appealed, the action shall be effective upon the expiration of the appeal period pursuant to Article 5.8.

   F. Effect of Approval. Following approval of a tentative plan, the applicant may proceed with preparation of any required construction drawings. Development as per the tentative plan may yet be subject to approval of the supplemental information as require by Section 6.5.250(5), and approval of construction drawings as required by Section 6.5.350. [OR-92-07-012PL]

SECTION 6.5.350. Construction Plans and Specifications.
1. **Submittal.** After approval of the tentative plan, and if the tentative plan includes the creation of access roadways, the applicant shall submit to the Planning Department five (5) copies of the following construction plans:
   a. road or street profiles, cross-sections and drawings pursuant to Chapter VIII. In lieu of cross-sections and profiles, the Roadmaster may field check the proposed road and if the subject topography does not warrant the requirement of cross-sections and profiles such requirements may be waived by the Roadmaster.
   b. specifications for the required utilities, road or streets and monumentation, provided the applicant intends to bond for said improvements pursuant to Section 6.5.400.
   c. A base map indicating accurate contour lines related to a bench mark established pursuant to Chapter VIII and as determined from Table 6.5. [OR-92-07-012PL]

**TABLE 6.5. AVERAGE LOT SIZE** (omit largest and smallest lots, average of remainder)

<table>
<thead>
<tr>
<th>SLOPE</th>
<th>CONTOUR INTERVAL</th>
<th>A – UP TO 5 ACRES</th>
<th>B – 5 OR MORE ACRES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. up to 5%</td>
<td>2’</td>
<td>1. Contours may be taken from USGS 7-1/2’ Quad sheets, 1972</td>
<td>2. Contours may be as shown in A. 1, 2, 3 of this table</td>
</tr>
<tr>
<td>2. 5% - 20%</td>
<td>5’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. 20%+</td>
<td>10’</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Road centerline profiles and cross-sections may be plotted from these contours.</td>
<td>3. TRC may require spot elevations.</td>
<td>4. Road profiles and cross-sections to be surveyed in the field if contours are taken from USGS.</td>
<td></td>
</tr>
<tr>
<td>5. Contour lines shall extent at least 50 feet beyond land division boundaries.</td>
<td>5. Contours shall extend 50 feet beyond land division boundaries.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| d. Supplemental information pursuant to Section 6.5.250 5. |
| e. Homeowners association bylaws, ownership arrangement of common open space and any covenants or deed restrictions. |

2. **Within 7 days of the mailing date,** each city, special district and County Department receiving a copy of the tentative plan should submit a written statement to the Planning Department with respect to any matter, information, or recommendation deemed necessary for the applicant’s or public’s benefit.

It shall be the responsibility of the County Road Department to review the drawings and submittals relevant to road or street and utility construction. The Road Department shall also be responsible for reviewing the specifications pertaining to roads or streets and utilities pursuant to bonding.
It shall be the responsibility of the County Surveyor to review the drawings and submittals relevant to surveying. The Surveyor shall also be responsible for reviewing the specifications pertaining to surveying and monumentation pursuant to bonding.

The County Roadmaster and County Surveyor shall within twenty (20) days after receipt of the construction drawings return the completed approval form to the Planning Director. If all approval forms are positive, the Planning Director shall approve the construction drawings.

If any approval form is negative or with conditions, the applicant shall if necessary resubmit new construction drawings revised to correct any discrepancies. Upon approval of the construction drawings, the Planning Director shall within five (5) days of approval notify the applicant, County Roadmaster and County Surveyor.

3. **Effect of Approval.** Following approval of the construction drawings, the applicant may proceed with bonding or other security arrangements or construction of improvements and monumentation. Any construction of further site work shall be in conformance with the approved construction drawings and specifications. [OR 92-07-012PL]

**SECTION 6.5.400. Agreement for Improvements.**

Before the final plat may be approved, the partitioner or subdivider shall either:

1. install required monumentation, improvements and repair existing streets and other public facilities damaged in the construction of the subdivision or partition; or
2. execute and file with the County Surveyor or Roadmaster, pursuant to directions below, an agreement between himself and the County.

A. **Interior Monuments:** If the corners of a partition or subdivision are to be monumented on or before a specified date after the recording of the plat, a bond, surety, cash or other security deposit at the option of the Surveyor shall be furnished prior to the recording of the plat. The estimated cost of performing the work shall be prepared by the surveyor or engineer performing the work on the described plat and shall be approved by the County Surveyor. When the subdivider wishes to bond for improvements and post-monumentation of the plat, the following notes and calculations will be submitted with the plat in addition to those listed in Section 8.1.400 (Survey Calculations) (OR-00-05-014PL):

   i. copies of all original field notes made in connection with the survey of the plat;
   ii. calculation sheets for:
      a. bearings;
      b. bearings adjustments;
      c. traverse;
      d. traverse adjustment;
      e. all other calculations made in connection with the survey of the subdivision.

B. **Improvements.** If the road, street, utility, or other improvements for a partition or subdivision are to be completed on or before a specified date after recording of the plat,
the estimated cost (See figure 6.5) of performing the work shall be prepared by the surveyor or engineer performing the work on the described plat and shall be approved by the County Roadmaster.

C. Bond, Surety, Cash or Other Security Deposit Requirements. The bond, surety, cash or other security deposit agreement shall:
   i. specify the time within which the required monumentation, improvements or repairs shall be completed;
   ii. be filed in the amount of 120% of the approved estimated cost, as per the sample Bond Request, Figure 6.5;
   iii. be conditioned upon the final approval and acceptance of the development;
   iv. be forfeited to the County if the applicant does not complete the requirements within the agreed-upon time limit, not to exceed two years from date of final plat approval, or if the applicant has created a hazard causing imminent danger to the public health and safety within or adjacent to the development which the developer is financially unable to correct. If the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder to the rightful claimant. If the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the subdivider or partitioner shall be liable to the County for the difference.
   v. Cover any costs, attorney fees, and liquidation damages resulting from delay or failure to meet the deadline.

D. Phasing. The agreement may provide for the construction of improvements in units and for an extension of time under specific conditions. See Section 6.5.500 (Extension of Time).

FIGURE 6.5 SAMPLE BOND REQUEST (Sample was removed)

SECTION 6.5.450. FINAL PLAT.

1. Application. An application for a final partition plat or subdivision plat complete with all submittal requirements and the appropriate fee shall be submitted to the Planning Department for approval not later than five years after the date of approval of the tentative plan.

   A. No final plat may be submitted for consideration and approval unless a tentative plan, and any required construction drawings for the proposed land division have been submitted previously and approved by the County pursuant to this Article.
   B. The final plat map shall be clearly titled as being a final:
      i. partition plat;
      ii. subdivision plat; or
      iii. planned community.

2. Final Plat Map Standards. A final partition plat or subdivision plat shall meet the following standards (OR 00-05-014PL):
   A. One original, clearly and legibly drawn to a standard engineer's scale approved by the County Surveyor;
B. Be drawn on good quality mylar or similar plastic film measuring 18" x 24" using archival inks and drafting material;
C. One exact copy or additional original drawn to the same standards as in A and B above, measuring 18" x 27" with at least 3" on left edge being blank for binding purposes. (OR 98-01-002PL 5-4-98)

**EXAMPLES**

![Example Maps](image)

D. Upon request, the person offering the plat for recording shall also file with the County Assessor an exact copy, certified by the surveyor who made the plat and by the County Clerk, to be a true copy of the final plat.
E. If additional sheets are required, then all sheets will be indicated as being part of the final plat and as sheet 1 of 2, sheet 2 of 2, etc. and shall comply with the requirements established by the County Surveyor.

3. **Plat Map.** The final plat map shall contain the following information:

A. the date, scale, north point, legend, controlling topography such as bluffs, creeks and other bodies of water and existing cultural features such as highways and railroads;
B. legal description of the tract boundaries, including a statement of the total acreage within the tract;
C. names of the owners, subdivider, engineer, and surveyor;
D. reference points of existing surveys identified, related to the plat by distances and bearings, and references to a field book or map as follows:

   i. monuments, stakes, or other evidence found or set on the ground and used to determine boundaries of the partitioned area shall be shown as follows on the final plat:

   ![Plat Map Diagram](image)
Monuments to be set after Final Plat is filed.

This information shall include all references to OSHD monument information including map/drawing number;

ii. adjoining corners of adjacent developed areas;
iii. city boundary lines when crossing or adjacent to the subdivision or partition plat;
iv. township, section, and donation land claim within or adjacent to the subdivision or partition plat;
v. the established centerline monumentation of a street adjacent to or within the subdivision or partition plat;
vi. all other monuments found or established in making the survey of the subdivision or partition plat as required to be installed by the provisions of this Ordinance.

E. the exact location and width of streets or roads and easements intersecting the boundary of the tract;
F. the names of all streets or roads;
G. tract, lot or parcel boundary lines; (OR 00-05-014PL)
H. the width of the streets or roads, the width of any existing right-of-way, and the width on each side of the centerline. For streets on curvatures, curve data shall be based on the street centerline. In addition to the street centerline dimensions, the radius and central angle shall be indicated.
I. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not definitely located of record, a statement of the easement, the width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the subdivided or partitioned area. If the easement is being dedicated by the map, it shall be properly referenced to the owner’s certificate of dedication. If private easements are being created to provide access, language shall be placed on the plat creating an easement to all proposed lots or parcels.
J. Lot or parcel numbers beginning with number “1” and numbered consecutively and the area of each lot or parcel to the nearest hundredth of an acre.
K. Land parcels to be dedicated or reserved for public use or common ownership as distinguished from lots intended for sale.
L. Declaration.
   i. A written declaration shall be included on the face of the partition or subdivision final plat stating that the declarant has caused the subdivision or partition plat to be prepared and the property subdivided or partitioned in accordance with ORS chapter 92. Any dedication of land to public purposes or any public or private easements created, or any other restriction made, shall be stated in the declaration.
   ii. If the declarant is not the fee owner of the property, the fee owner and the vendor under any instrument of sale shall also execute the declaration for the purpose of consenting to the property being subdivided or partitioned.
   iii. If the subdivision or partition plat contains any dedication or donation of land to public purposes, the holder of any mortgage or trust deed shall also execute the declaratin for the purpose of consenting to the property being submitted to the provisions of ORS chapter 92.
iv. Notwithstanding the provisions of subsections i. through iii. above, the fee owner, vendor or the mortgage or trust deed holder may record an affidavit consenting to the declaration of property being subdivided or partitioned and to any dedication or donation of property to public purposes. Such affidavit shall indicate the recorded document by which the interest in the property was acquired and all information required by ORS 93.410 to 93.530 and shall be recorded in deed records at the same time as the subdivision or partition plat. The county clerk shall note the recording information of the affidavit on the original and any exact copies of the subdivision or partition plat.

M. Certificates. The following certificates, which may be combined where appropriate, must be included on the final plat or on an additional sheet pursuant to 6.5.450(2)(c).

i. If the plat contains the creation of a private road, the following statement shall be presented in the form of a certificate signed and acknowledged by all parties having any record title interest in the land being developed:

“As a condition of approval of this map/plat the undersigned hereby agrees that he/she will hold Coos County harmless from and indemnify the County for any liability for damage which may occur to the undersigned or his/her property or to any other persons or property whatsoever as a result of the undersigned’s failure to build, improve or maintain roads in this proposed land division.”

This certificate shall include a statement as to whether any roads depicted on the final subdivision or partition plat that provide access to the lots or parcels are public or private and if the are publicly or privately maintained. If they are publicly or privately maintained, then the statement shall identify who is responsible for the maintenance.

IT IS SO AGREED THIS day of ______________ day

DEVELOPER (Signature. ________________________________)

ii. A certificate with the signature and seal of the engineer or the surveyor responsible for the survey and final plat. The certificate shall state that the surveyor has correctly surveyed and marked with proper monuments the lands as represented, and has placed a proper monument indicating the initial point of beginning and has indicated the dimensions and kind of monuments and their location in accordance with ORS 92.060(1), and has accurately described the tract of land upon which the parcels or lots are laid out. (OR 00-05-014PL)

iii. For subdivisions only, a certificate with signature block for the County Road Department’s approval that the subdivider has complied with the following alternatives: (OR 98-01-002PL)
   a. all improvements have been installed in accordance with the requirements of these regulations; or
   b. an agreement has been executed as provided in Section 6.5.400 to ensure completion of the required improvements.

iv. A certificate with a signature block for the County Surveyor's approval, to-wit:
a. the plat complies with the requirements for accuracy and completeness and that all monuments have been set pursuant to this Ordinance; or
b. an agreement has been executed as provided in Section 6.5.400 to ensure completion of the required monumentation.

v. A certificate with a signature block for County Assessor's approval, to-wit:
a. "all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed upon the tax roll which have become a lien upon the lot or parcel, have been paid or which will become a lien during the tax year have been paid."

vi. A certificate with a signature block for the approval of the Planning Director indicating that the plat is in conformity with the requirements of this Ordinance.

vii. For all subdivision, and for partition plats with public dedication a certificate with a signature block for the Board of Commissioners indicating that:
a. The Board determines that the plat is in conformity with the requirements of this Ordinance; and
b. The Board accepts any and all dedications as represented on the final plat.
c. If the plat contains the creation of a private road the following statement shall precede the Board of Commissioners signature certificate:
   “Coos County hereby gives notice to all developers, purchasers, potential purchasers and all third parties whatsoever that the County disclaims any liability whatsoever for any damage which may occur as a result of the failure of the developer to construct, improve or maintain roads in this proposed land division.”

N. RESERVED (OR-98-01-002PL 5/4/98)

O. Approval of Subdivision by Special Districts. All plats of subdivisions located within the boundaries of an irrigation district, drainage district, water control district or district improvement company shall be submitted to the board of directors of the district or company and its approval thereof shall be endorsed thereon by the board of directors before approval of such plat of any subdivision may be approved by the Board of Commissioners pursuant to Section 6.5.450(3)(L)(viii), unless the procedures and requirements of ORS 92.110 are otherwise met.

P. Survey Dimensions. Survey dimensions shall comply with Article 8.1 Surveying Standards of this Ordinance and the County Surveyor shall be responsible for ensuring compliance.

4. Supplementary Information with Final Plat. The following data shall accompany the final plat:
   A. address of the owner, developer, engineer, surveyor, planner, or any other professional persons engaged in the design and/or preparation of the plat;
   B. a preliminary title report issued by a title insurance company in the name of the owner of the land showing all parties whose consent is necessary and their interest in the premises;
   C. a copy of any deed restrictions applicable to the subdivision, partition plat or planned community (OR 00-05-014PL);
   D. a copy of any dedication requiring separate documents;
   E. written proof that all ad valorem taxes and all special assessments, fees, or other charges required by law to be placed upon the tax roll have been paid which have
become a lien upon the subject properties or which will become a lien during the calendar year;
F. sheets and drawings concerning survey drawings and calculations specified in Chapter VIII.

5. Final Plat Monumentation Standards.
A. Except as provided by subsection (5)(e), the following points shall be monumented:
   a. the initial point;
   b. points on the exterior boundary;
   c. the intersection of all streets and roads;
   d. all lot and parcel corners; and
   e. road centerline curve point and points of tangency (PI may be substituted if approved by the County Surveyor in advance.)
B. Minimum size and type of all monuments shall be 5/8" x 30" steel reinforcing rod, or ¾" galvanized iron pipe. (interior diameter)
C. The County Surveyor may authorize the setting of another type of monument if it is impractical to set the size required in B above.
D. Points shall be plainly and permanently marked upon monuments so that measurements may be taken to them to within one-hundredth of a foot.
E. All monuments at angle points on the exterior boundaries of a partition/subdivision shall be placed and the monuments shall be referenced on the plat before the plat is offered for recording. However, remaining monuments need not be set prior to the recording of the plat if the land surveyor performing the survey work certifies that the remaining monuments will be set on or before a specified date as provided in Section 6.5.400, and if the person partitioning or subdividing the land furnishes to the county Surveyor a bond, cash deposit or other security as required by the County guaranteeing the payment of the cost of setting the remaining monuments for the subdivision or partition plat as provided in Section 6.5.400. (OR 00-05-014PL)
F. All parcels in a partition plat that consist of ten 10. acres in size or more need not be monumented on the property corners, except that any corner of a ten 10. acre or larger parcel must be monumented if that corner is also a corner of a parcel smaller than ten 10. acres which is a part of the same partition. All roads created through a partition plat or subdivision shall, without exception, be monumented in conformance with the requirements of this Section.

6. Consideration of Final Plat.
A. Within ten 10. days after a final partition or subdivision plat is submitted according to the provisions of this Ordinance, the Planning Director shall distribute the original mylar of the proposed land division to the surveyor for review. A copy of said proposed land division shall be sent to the Roadmaster for review and comment.
B. Within not less than twenty (20) days from the date the application for final plat is distributed, the Planning Director shall review the final plat and make a decision to review the final plat and make a decision to either approve or conditionally approve the final plat application, unless there is a specific finding that the plat map does not substantially conform to the approved tentative plan and any required construction
drawings or to one or more of the requirements of this Ordinance or any other applicable laws and regulations.

i. The Planning Director shall notify the applicant within seven (7) working days of any decision to deny the final plat.

ii. The Planning Director shall notify the applicant within seven (7) working days of any decision to conditionally approve the final plat, and said notice shall identify the conditions of approval. The applicant shall correct or comply with all conditions, and said conditions shall appear on the final plat prior to approval signatures.

iii. If the Planning Director approves the final plat application, then the County Roadmaster, County Assessor, County Surveyor and County Planning Director shall sign the respective certificates on the final plat.

C. If the final plat does not require the signature of the Board of Commissioners (i.e. partition plat without any public dedications), then within seven (7) working days of the Planning Director’s final decision and signing, the Planning Director shall notify the applicant of said decision.

D. If the final plat requires the signatures of the Board of Commissioners (i.e., subdivisions and partition plats including public dedications), the Planning Director shall schedule a date before the Board of Commissioners to obtain signatures at the earliest available date after obtaining all other required approval signatures.

E. Following final action by the Board of Commissioners, the Planning Director shall notify the applicant of the action within seven (7) working days.

F. Within twenty (20) days of such notification to the applicant that the final plat has been approved and signed, the applicant shall deliver the signed plat to the office of the County Clerk to be offered for the record. The same day of recording, the applicant shall submit the exact copy to the County Surveyor pursuant to this Article.

i. If a water right is appurtenant, a copy of the acknowledged statement of water rights pursuant to Section 6.1.350 of this Ordinance must be attached to the final plat before the County Clerk may accept the final plat.

G. If the final plat is not recorded within twenty (20) days of notification of final approval and signing, the plat shall be filed as a new plat application as provided in Section 6.5.100.

7. Distribution of Final Plat. Following the recording of the final plat, the County Surveyor shall furnish and distribute a copy of the plat to the Planning Director, Assessor and Roadmaster.

SECTION 6.5.500. Extension of time. The Board of Commissioners may extend the time period allowed for the filing of a final plat provided the subdivider or partitioner can establish that a diligent effort has been made toward completion of the final plat. Pursuant to Section 6.5.450 a final plat (and appropriate fee) shall be submitted to the Planning Department not later than five (5) years after the date of approval of the tentative plan.

A request for an extension based upon this provision, must be submitted prior to the expiration of the five (5) year deadline. (OR 00-05-014PL)
Proposed Article 6.3 Property Line Adjustments replaces § 3.3.150, 3.3.151 and 3.3.152.

Current Language that will be replaced, removed or reformatted.

SECTION 3.3.150. Property Line Adjustments. A property line adjustment is the relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel and where an existing unit of land that is reduced in size by the adjustment complies with all other provisions of this Ordinance. Property line adjustments may be permitted in any zone or across zones, or between lots or parcels in a recorded subdivision or partition plat.

SECTION 3.3.151. Procedure. A single adjustment of one line between two abutting properties will be approved as a ministerial act.

Multiple adjustments between more than two abutting properties will be processed as a land use decision and may be approved as a single application on condition that each adjustment is completed prior to the next, in accordance with ORS Chapter 92. Land owners seeking property line adjustment(s) must file with the Planning Department:

1. A scaled plot plan shall be submitted with an application for a property line adjustment showing:
   a. All existing property lines;
   b. The proposed location of the adjusted property line;
   c. The location of existing buildings, with distances to the existing and the proposed property line;
   d. The location of septic systems, wells and easements, and their distances from the existing and the proposed property line; and
   e. The existing size and the proposed size of each lot or parcel, in square feet or acres.

2. Written consent from all owners of the properties that will be modified by the property line adjustment.

3. If the application is approved, the adjusted property line must be surveyed and monumented by an Oregon licensed surveyor in accordance with the procedures of ORS 92, except, a survey and monumentation are not required when:
   a. all parcels will be greater than 10 acres or when the property line adjustment involves the sale; or
   b. there is a grant by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision or special district for highways, county roads, city streets or other right-of-way purposes property.

4. If required, a survey complying with ORS 209.250 must be filed with the County Surveyor within one year of the date of final approval of an application for a property line adjustment.

5. Within one year of the date of final approval of an application for a property line adjustment a deed must be recorded with the County Clerk. The deed shall contain the names of the parties, the description of the adjusted property line,
references to original recorded documents, and signatures of all parties with proper acknowledgement (ORS 92.190). The deed shall also contain a separate description of the area being conveyed from one parcel to the other and shall contain a statement that the conveyance is part of a property line adjustment.

SECTION 3.3.152 Approval Criteria. A property line adjustment may be approved if it complies with all of the following:

1. The existing lots or parcels were lawfully created in accordance with Section 3.3.800;
2. No new parcels will result from the adjustment;
3. All buildings and improvements (e.g., septic systems, wells, etc.) will comply with the minimum setback requirements from the adjusted property line, unless the building or improvement does not currently comply, in which case the building or improvement shall not be rendered more nonconforming by the adjustment;
4. All adjusted parcels shall be large enough to accommodate a use allowed in the zone where the property is located, including an on-site septic system.
5. Resulting lots or parcels shall comply with all applicable zoning ordinance provisions after the adjustment, unless the adjustment meets one of the following exceptions:
   a. One or both abutting properties are smaller than the minimum lot or parcel size for the applicable zone before the property line adjustment and, after the adjustment, one is as large or larger than the minimum lot or parcel size for the applicable zone; or
   b. Both abutting properties are smaller than the minimum lot or parcel size for the applicable zone before and after the property line adjustment, or
   c. Property line adjustments by a public body for the purpose of incorporating excess right-of-way property into adjacent property shall not be subject to minimum lot size requirements.
6. Property line adjustments on land zoned Exclusive Farm Use, Forest and Forest Mixed Use may not be used to:
   a. Decrease the size of a lot or parcel that, before the relocation or elimination of the common property line, is smaller than the minimum lot or parcel size for the applicable zone and contains an existing dwelling or is approved for the construction of a dwelling, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling;
   b. Decrease the size of a lot or parcel that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than the minimum lot or parcel size, if the abutting vacant tract would be increased to a size as large as or larger than the minimum tract size required to qualify the vacant tract for a dwelling; or
   c. Allow an area of land used to qualify a tract for a dwelling based on an acreage standard to be used to qualify another tract for a dwelling if the land use approval would be based on an acreage standard.
7. The adjustment shall not result in parcel(s) that overlap a city limit or county line.
8. The adjustment shall not result in the loss of access to any parcel unless alternative access complying with Article 7.1 is provided.
9. If any of the parcels involved in the lot line adjustment(s) is subject to conditions of a prior land use permit, then the area added to that parcel shall be subject to any conditions imposed under the permit.