

Received
Planning Division
09/20/2024

CITY OF BEAVERTON

Community Development
Department
Planning Division
12725 SW Millikan Way
PO Box 4755
Beaverton, OR. 97076
Tel: (503) 526-2420
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BeavertonOregon.gov



OFFICE USE ONLY

FILE #:
FILE NAME::
TYPE: RECEIVED BY:
FEE PAID: CHECK/CASH:
SUBMITTED:: LWI DESIG:
LAND USE DESIG: NAC:

LAND DIVISION APPLICATION

PLEASE SELECT THE SPECIFIC TYPE OF CONDITIONAL USE FROM THE FOLLOWING LIST:

- TYPE 1 FINAL LAND DIVISION
TYPE 2 PRELIMINARY PARTITION
TYPE 2 PRELIMINARY SUBDIVISION
REPLAT TYPE 2
TYPE 2 PRELIMINARY FEE OWNERSHIP PARTITION
TYPE 2 PRELIMINARY FEE OWNERSHIP SUBDIVISION

APPLICANT: Use mailing address for meeting notification. Check box if Primary Contact

COMPANY: Habib Matin - Emerald Honor NW
ADDRESS: 10475 SW Helenius Street
(CITY, STATE, ZIP) Tualatin, OR 97062
PHONE: 503-781-8226 FAX: E-MAIL: habib.emerald@comcast.net
SIGNATURE: CONTACT: Habib Matin
(Original Signature Required)

APPLICANT'S REPRESENTATIVE: Check box if Primary Contact

COMPANY: Pioneer Design Group
ADDRESS: 9020 SW Washington Square Rd, Suite 170
(CITY, STATE, ZIP) Portland, OR 97223
PHONE: 503-643-8286 FAX: E-MAIL: msprague@pd-grp.com
SIGNATURE: CONTACT: Matt Sprague
(Original Signature Required)

PROPERTY OWNER(S): Attach separate sheet if needed. Check box if Primary Contact

COMPANY: DRM 10860 SW Beaverton-Hillsdale LLC
ADDRESS: 10860 SW Beaverton-Hillsdale Highway
(CITY, STATE, ZIP) Beaverton, OR 97005
PHONE: 971-322-5249 FAX: E-MAIL: deanmacbale@gmail.com
SIGNATURE: CONTACT: Dean Macbale

Note: A land use application must be signed by the property owner(s) or by someone authorized by the property owner(s) to act as an agent on their behalf. If someone is signing as the agent of the property owner(s), that person must submit a written statement signed by the property owner(s), authorizing the person to sign the application.

PROPERTY INFORMATION (REQUIRED)

SITE ADDRESS: 4670,4680,4690 & 4700 SW Beech Dr

AREA TO BE DEVELOPED (s.f.): 0.99 acre=43124 sf

EXISTING USE OF SITE: detached residential

PROPOSED DEVELOPMENT ACTION: 6 lot subdivision

PRE-APPLICATION DATE: 01/03/2024

Table with 3 columns: ASSESSOR'S MAP & TAX LOT #, LOT SIZE, ZONING DISTRICT. Rows include 1S115AC 1100, 1S115AC 1200, and 1A115AC 1300, 1400.

LAND DIVISION SUBMITTAL CHECKLIST

WRITTEN STATEMENT REQUIREMENTS- *REQUIRED FOR ALL LAND DIVISION APPLICATIONS*

- A. APPLICATION FORM.** Provide **one (1) completed** application form with original signature(s).
 ▪ *Have you submitted for a permit from another division?*
- B. CHECKLIST.** Provide **one (1) completed** copy of this four (4) page checklist.
- C. WRITTEN STATEMENT.** Submit **three (3) copies** of a detailed description of the proposed project including, but not limited to, the changes to the site, structure, landscaping, parking, and land use. In the written statement, please:
- Address all applicable provisions of Chapter 20 (Land Uses) including but not limited to provisions for minimum land area, minimum lot dimensions, and minimum residential density, if applicable.
 - Address all applicable provisions of Section 60.15 (Land Division Standards).
 - Provide individual findings specifically addressing how and why the proposal satisfies each of the criteria for the specific type of land division specified in either Section 40.45.15.2 (Preliminary Partition), Section 40.45.15.3 (Preliminary Subdivision), Section 40.45.15.4 (Preliminary Fee Ownership Partition), Section 40.45.15.5 (Preliminary Fee Ownership Partition), and Section 40.45.15.6 (Final Land Division), of the City's *Development Code* (ORD 2050), attached. Please note that an application for an expedited land division is subject to the provisions of Oregon Revised Statutes (ORS) 197.360 through 197.380.
 - Address all Facilities Review Technical Criteria from Section 40.03 of the City's *Development Code* (ORD 2050). (**REQUIRED FOR TYPE 2, 3, & 4 APPLICATIONS ONLY**)
- D. FEES,** as established by the City Council. Make checks payable to the City of Beaverton.
- E. SITE ANALYSIS INFORMATION.**
- | | |
|---|--|
| <input type="checkbox"/> Existing site area: _____sq. ft. | <input type="checkbox"/> Land set aside in separate tracts or dedicated to a public entity for schools, parks, or open space: _____sq. ft. |
| <input type="checkbox"/> Minimum required density: _____lots | |
| <input type="checkbox"/> Proposed density: _____lots | |
| <input type="checkbox"/> Environmentally constrained lands: _____sq. ft | <input type="checkbox"/> Proposed street dedication or private streets or common driveways: _____sq. ft. |
- F. CLEAN WATER SERVICES (CWS) DOCUMENTATION.** Pursuant to Section 50.25.1.F of the City's *Development Code* requires that all development proposals provide written documentation from Clean Water Services (formerly Unified Sewerage Agency) stating that water quality will not be adversely affected by the subject proposal. Therefore, the City recommends that you contact CWS in order to obtain the required documentation. For more information, please contact Lindsey Obermiller Environmental Plan Reviewer, at (503) 681-3653 or ObermillerL@CleanWaterServices.org

- G. PRE-APPLICATION CONFERENCE NOTES. (REQUIRED FOR TYPE 2, 3, & 4 APPLICATIONS ONLY)**
Provide a copy of the pre-application conference summary as required by the City's *Development Code Section 50.25.1.E*. The Pre-Application Conference must be held within the one (1) year prior to the submission date of the proposed project application.
- H. OTHER REQUIREMENTS.** Provide documentation showing that the project proposed is permitted by, or satisfies the requirements of, other agencies and/or jurisdictions OR submit a schedule that details the forecasted submission and approval timelines for permits/applications to the respective agencies and/or jurisdictions.

PLANS & GRAPHIC REQUIREMENTS - REQUIRED FOR ALL LAND DIVISION APPLICATIONS

All plans, except architectural elevations, shall be presented at a minimum of **1" = 20'** engineering scale and on a **maximum** sheet size of **24" x 36"**. A total of **three (3) copies of each plan** shall be submitted, unless otherwise noted. **All plans shall be folded** to fit a legal size file jacket.

Each of the following plans and drawings shall be submitted on **separate sheets**. If the size of the project requires the use of match line sets, each set of match line sets must include a sheet (at a scale to fit a 24" x 36" sheet) depicting the entire site, including match lines, as a cover sheet.

Include all of the following information:

- A. EXISTING CONDITIONS PLAN (Required for all land division applications except Final Land Division):**
 - 1. North arrow, scale and date of plan.
 - 2. Vicinity map.
 - 3. All existing lot sizes, lot lines, and dimensions. (NOTE: it is strongly recommended that a professional land surveyor produce a survey of the subject site)
 - 4. Points of existing access, interior streets, driveways, and parking areas.
 - 5. Location of all existing buildings and structures, including refuse storage locations, pedestrian/bike paths, swimming pools, tennis courts, tot lots, and lighting.
 - 6. Existing right-of-way and improvements.
 - 7. Dimension from centerline to edge of existing right-of-way.
 - 8. Dimensions of all existing improvements, including setbacks.
 - 9. Existing topographical information, showing 2 ft. contours.
 - 10. Surrounding development and conditions within 100 ft. of the property such as zoning, land uses, buildings, driveways, and trees.
 - 11. Location of existing public and private utilities, easements, and 100-year floodplain.
 - 12. Location, quantities, size (diameter breast height), genus and species of Significant Trees and Groves, Historic Trees, Trees within a Significant Natural Resource Area, Landscape Trees, Street Trees, and Community Trees, as applicable.
 - 13. Sensitive areas, as defined by Clean Water Services (CWS) standards.
 - 14. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*
- B. PROPOSED PRELIMINARY PLAT (Required for all land division applications except Final Land Division):**
 - 1. North arrow, scale and date of plan.
 - 2. Total gross acreage of the plat.
 - 3. Total net acreage of the plat.
 - 4. Identification of all lots proposed to be created including lot dimensions, lot sizes (sq. ft.), and lot numbers.
 - 5. Location, widths, and names of all existing or proposed streets, public ways, or private streets within or adjacent to the plat.

- 6. Dimension from centerline to edge of proposed right-of-way.
- 7. Location of storm water quality/detention facilities.
- 8. Boundaries of development phases, if applicable.
- 9. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
- 10. Sensitive areas, as defined by CWS standards.
- 11. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*

NOTE: Do not add physical improvements to the Proposed Preliminary Plat. Proposed physical improvements should be included on the Grading Plan and Utility Plan.

C. GRADING PLAN (Required for all land division applications except Final Land Division):

- 1. North arrow, scale and date of plan.
- 2. Identification of all lots proposed to be created including lot dimensions, lot sizes (sq. ft.), and lot numbers.
- 3. Points of access, interior streets, driveways, and parking areas.
- 4. Proposed rights-of-way, dedications and improvements.
- 5. Dimension from centerline to edge of proposed right-of-way.
- 6. Topographical information, (maximum 2 ft. contour lines) of existing and proposed grades for every proposed lot of the land division showing that each lot can feasibly accommodate the proposed use.
- 7. Appropriate spot elevations for existing and proposed features such as walls, retaining walls (top and bottom elevations), catch basins, stairs, sidewalks, and parking areas.
- 8. Topographical information, (maximum 2 ft. contour lines) of existing grades within the abutting 25 feet of the entire boundary of the subject site.
- 9. Location of 100 year flood plain.
- 10. Location of storm water quality/detention facilities.
- 11. Boundaries of development phases, if applicable.
- 12. Sensitive areas, as defined by the CWS standards.
- 13. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*

TREE INFORMATION (The following information is only required to be shown on the Grading Plan for all land division applications WITHOUT an associated Tree Plan application):

- 14. Location (on site and within the abutting 25 feet of the entire boundary of the subject site), quantities, size (diameter breast height), genus and species of Significant Trees and Groves, Historic Trees, Trees within a Significant Natural Resource Area, and Community Trees, and identification of whether they are proposed to be removed or proposed to remain. Trees within Significant Natural Resource Areas and Significant Groves are trees greater than 6" DBH for western hemlock (*Tsuga heterophylla*), mountain hemlock (*Tsuga mertensiana*), Pacific madrone (*Arbutus andrachne*) and big-leaf maple (*Acer macrophyllum*). All other trees measuring at least 10" DBH shall be shown on the plan. Community Trees measure at least 10" DBH and are not trees that are grown for the purpose of bearing edible fruits or nuts for human consumption. Preserved trees shall be set aside in a separate tract.
- 15. Root zone area of each tree to be protected on site and within the abutting 25 feet of the entire boundary of the subject site. Root zone is defined as an area 5 feet beyond the drip line of the tree.
- 16. Construction disturbance areas and methods proposed to minimize construction impact including but not limited to the identification and location of construction fencing, the identification and location of erosion control measures, and the location of construction access roads including access to the public right-of-way.

D. GRADING CROSS SECTIONS (*Required for all land division applications except Final Land Division*):

- 1. Typical cross-sections of all graded areas, existing and proposed widths and maximum cuts and fills at intervals not exceeding 500 feet.

E. UTILITY PLAN (*Required for all land division applications except Final Land Division*):

- 1. North arrow, scale and date of plan.
- 2. Identification of all lots proposed to be created including lot dimensions, lot sizes (sq. ft.), and lot numbers.
- 3. Points of access, interior streets, driveways, and parking areas.
- 4. Proposed right-of-way, dedications and improvements.
- 5. Proposed topographical information, showing 2 ft. contours.
- 6. Location of 100 year flood plain.
- 7. Location of existing and proposed public and private utilities, easements, surface water drainage patterns, and storm water quality/detention facility.
- 8. Boundaries of development phases, if applicable.
- 9. Natural Resource Areas, Significant trees, and Historic trees, as established by the City of Beaverton's inventories.
- 10. Sensitive areas, as defined by the CWS standards.
- 11. Wetland boundaries, upland wooded area boundaries, riparian area boundaries, rock outcroppings, and streams. *Wetlands must be professionally delineated.*
- 12. Plans and profiles of proposed sanitary and storm sewers, showing that gravity service is feasible for all lots.
- 13. Cross-section of all street, common access drives and bike path improvements.

F. LOT INFORMATION (*Required for all land division applications except Final Land Division*):

- 1. North arrow, scale and date of plan.
- 2. Identification of all lots proposed to be created including lot dimensions, lot sizes (sq. ft.), and lot numbers.
- 3. Identification of each lot's dimensions, setbacks, and building envelope.
- 4. Label the front, rear and side yards of each proposed lot and each abutting lot.
- 5. Location of all existing buildings and structures proposed to remain on the subject site and on all abutting properties.

G. LANDSCAPE PLAN (*Required for all land division applications except Final Land Division*):

- 1. Submit proposed landscaping of water quality, water quantity, wetland mitigation, common space and other non-buildable tracts. Plantings of water quality or quantity facilities shall be designed in accord with Clean Water Services (CWS) standard plant list.

H. **FINAL LAND DIVISION: *Prior to submittal of a Final Land Division application, a Site Development Permit shall be issued.***

Submit six [6] copies of a plat showing the following:

- 1. The date, scale, north point (generally point up), legend and controlling cadastral topography such as creeks, highways, railroads, and FEMA-designated flood zones (include base flood elevation and date of flood study).
- 2. Legal descriptions of the plat boundary.
- 3. Name and address of the owner, partitioner, and engineer or surveyor.
- 4. Reference points of existing surveys identified, related to the plat by distances and bearing, and referenced to a Field book or map as follows:
 - A. All stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the plat.
 - B. Township, section, and donation land claim lines within or adjacent to the plat.
 - C. Adjoining corners of all adjacent lots.
 - D. Whenever the City has established the centerline of a street adjacent to or within the proposed partition, the location of this line and monument found or reset.
 - E. All other monuments found or established in making the survey of the partition or required to be installed by provisions of this ordinance. Street intersections (both public and private) shall be monumented using City standard monument boxes. All other street centerline monumentation shall be with metallic caps.
- 5. Tract and lot lines, right-of-way lines, and centerline of streets, lot and block lines with dimensions, bearing and deflection angles and radii, arcs, points of curvature, and tangent bearings. Boundaries and street bearings shall be shown to the nearest ten seconds with basis of bearings. All distances shall be shown to the nearest one hundredth of a foot. Error of closure shall be within the limit of one foot in 10,000 feet. No ditto marks shall be used. Lots containing one acre or more shall show total acreage to nearest one hundredth. Lots less than one acre shall indicate lot size to the nearest square foot.
- 6. The location of additional monuments, including benchmarks, which are to be set upon completion of improvements.
- 7. The width of the portion on street(s) being dedicated, the width of any existing right(s)-of-way and the width each side of the centerline. For street(s) with curvature, all curve data shall be based on the street centerline. In addition, centerline dimensions shall indicate the radius and central angle of each curve.
- 8. All easements shall be denoted by fine dotted lined, clearly identified and, if already of record, its recorded reference. If any easement location is not clearly identified in the record, a statement of such easement problem will be included. The widths of the easement and the lengths and bearings of the lines thereof and sufficient ties thereto to definitely locate the easement with respect to the partition must be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's declaration of dedication.
- 9. Lot numbers shall begin with the number "1" and continue consecutively without omission or duplication throughout the partition. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Block numbers in addition to a partition of the same name shall be a continuation of the numbering in the original partition.
- 10 Tracts of land to be created for any purpose, public or private, shall be distinguished from lots intended for sale.
- 11. Supplemental Information Required:
 - A. STREET TREE INFORMATION (required for Residential Land Divisions). The applicant shall provide total dimensions of the lineal street frontage within the plat. Street trees are required every 30 lineal feet. The Developer shall pay a fee for purchase, planting, and maintenance for one year. The fee shall be established from time to time by resolution of the City Council.
 - B. Submit one (1) copy of the following:
 - 1. A preliminary Title Report is issued by a title insurance company in the name of the property owner, showing all parties whose consent is necessary and their interest in the premises.

- 2. If applicable, a copy of any conditions, covenants and restrictions (C.C.& R.'s) applicable to the partition.
- 3. If applicable, copies of final plat related documents such as LID Waivers of Remonstrance, dedications and easements and all other certification now or hereafter required by law.
- 4. If applicable, a completed copy of the City's Land Division Agreement form including all conditions of approval of the Preliminary Plat.
- 5. An 8½ x 11 list of all lots conformance with Solar Access requirements in accordance with Chapter 60.45 of the Development Code. List those which conform to the basic standard of Chapter 60.45.10.3 and those lots approved as Exemptions, Chapter 60.45.10.4 and Adjustments, Chapter 60.45.10.5.
- 6. Deed Restrictions document (if proposed).
- 7. Letter of assurance that all lots are buildable without variance.

Note: Complete sets of plans reduced to 8 ½"x11" (11"x17" are not acceptable) will be required at the time the application is deemed complete.

I have provided all the items required by this four (4) page submittal checklist. I understand that any missing information, omissions or both may result in the application being deemed incomplete, which may lengthen the time required to process the application.

Print Name

Matthew L. Spayne

Telephone Number

Signature

Date

Land Division Name

City File Number



LAND DIVISION AGREEMENT

WHEREAS, the undersigned _____ (herein called 'Subdivider'), heretofore filed with the Community Development Director of the City of Beaverton, Oregon, a final plat of a division of lands within the City of Beaverton, Washington County, Oregon, (hereinafter called 'City'), designated as _____, and located _____;
and

WHEREAS, detailed plans and specifications for the improvement of said Land Division by the construction of streets (including curbs and gutters), sidewalks, water mains and lines, sanitary sewers, storm sewers, drainage facilities and other public improvements have been approved by the City Engineer and are on file with the City's Development Services Division; and

WHEREAS, said plat of said Land Division has been given final approval by the City Community Development Director, subject to Subdivider complying with the conditions of the City's Development Code and such further conditions as may be specified herein;

NOW, THEREFORE, in consideration of the premises and in compliance with the City's Development Code and such other conditions of approval imposed by the Community Development Director, the Subdivider does hereby covenant with the City of Beaverton:

- A. Except as otherwise provided in Paragraph 1, Subdivider will, within 2 years from the date of execution of the agreement, or as the same may be extended with written approval from the City, construct or cause to be constructed, in and upon said Land Division improvements in accordance with the aforementioned plans and specifications on file in the City's Development Services Division.
- B. Subdivider will comply with all applicable ordinances of the City, including, but not limited to, the City's Development Code, The Beaverton Code (General Ordinances) and the City Engineer's Design Manual and Standard Drawings.
- C. Subdivider covenants to pay the City of Beaverton for a reasonable cost of inspection of said improvements by the Engineering Division a sum equal to that determined by City of Beaverton Resolution 3177.
- D. If the improvements herein provided for, or any part thereof, shall not be completed within the time specified, or as the same may be extended, the City may complete such work and Subdivider will pay the City its costs and expenses of completing the same.
- E. The time within which the above-mentioned improvements shall be completed shall be extended for such time as Subdivider or Subdivider's contract shall be prevented from prosecuting such work by reason of act of the City, strikes, unavailability of material, lack of labor, weather conditions, government prohibition or restriction, act of God, or other condition beyond the control of subdivider or contractor. Any other extension shall be given in the sole discretion of the City.

- F. If, during the time of construction of any of said improvements, such improvements of any part thereof shall be constructed pursuant to a local improvement assessment district and such improvement shall be at least the equivalent of the improvements herein agreed to be constructed by Subdivider, then this agreement shall, as the such improvements so made, be deemed terminated upon the completion of the proceedings under said local improvement assessment district, including the spreading of final assessments.
- G. The Engineering Division will provide adequate and timely progress inspection of said work and upon completion of said improvements in accordance herewith will issue to the under signed a final certificate of inspection and acceptance thereof. The improvements shall not be deemed accepted by the City until issuance of this certificate indicating acceptance in writing.
- H. Subdivider will file with the City Recorder of the City of Beaverton a faithful performance bond or other acceptable security for performance in the sum of \$_____ ; and this agreement shall not be effective or binding until such bond or security has been furnished and approved by the City Attorney of the City of Beaverton. Said bond shall also guarantee that the improvements, as made, shall be free from any defects that are discovered and apparent within one (1) year after completion of the improvements due to and caused by faulty workmanship or faulty materials or failure to construct the same according to City specifications.
- I. Subdivider will comply with the following additional conditions imposed through the approval process. (Subdivider: Attach all Conditions of Approval of the Project; and mark them Exhibit A)
- J. All statements of things to be done by Subdivider contained in this agreement shall constitute a covenant on the part of Subdivider to perform the same, and shall be binding on Subdivider's successors in interest and assigns.
- K. The approval of this agreement by the Community Development Director of the City of Beaverton shall constitute an agreement between Subdivider and the City of Beaverton in accordance with the terms and provisions hereof. The undersigned represents that he/she is the duly authorized representative of Subdivider and has authority to enter into this agreement and to bind Subdivider to the terms hereof.

EXECUTED this _____ day of _____, 20_____.

CITY OF BEAVERTON, OREGON
By its Planning Division

By: _____
(signature)

By: _____
(Planning Manager)

(print name)

Date: _____

Title: _____

State of OREGON
(County of Washington)

Signed and sworn/affirmed before me this _____ day of _____, 20_____.

Notary Public for the State of Oregon

NOTARY STAMP

My Commission Expires: _____.

PRELIMINARY PARTITION APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Preliminary Partition shall address compliance with all of the following Approval Criteria as specified in 40.45.15.3.C.1-4 of the Development Code:

- 1. The application satisfies the threshold requirements for a Preliminary Partition. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all the provisions of Section 40.47.C have been met.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the partition process to comply with current Code standards and requirements.
- 4. Oversized parcels (oversized lots) resulting from the Partition shall have a size and shape that facilitates the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of this Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed partition and future potential development on oversized lots.
- 5. Applications that apply the lot area averaging standards of Section 20.05.50.1.B shall demonstrate that the resulting land division facilitates the following:
 - a) Preserve a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,
 - b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where street improvements are proposed, provides a standard street cross section with sidewalks.
- 6. Applications that apply the lot area averaging standards of Section 20.05.50.1.B do not require further Adjustment or Variance for the Land Division.
- 7. The proposal does not create a parcel which will have more than one (1) zoning
- 8. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

PRELIMINARY SUBDIVISION APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Preliminary Subdivision shall address compliance with all of the following Approval Criteria as specified in 40.45.15.4.C.1-5 of the Development Code:

- 1. The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all the provisions of Section 40.47.C have been met.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.
- 4. Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of this Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential on oversized lots
- 5. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.
- 6. Applications that apply the lot area averaging standards of Section 20.05.50.1.B shall demonstrate that the resulting land division facilitates the following:
 - a) Preserve a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,
 - b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed, provides a standard street cross section with sidewalks.
- 7. Applications that apply the lot area averaging standards of Section 20.05.50.1.B do not require further Adjustment or Variance for the Land Division.
- 8. The proposal does not create a parcel which will have more than one (1) zoning designation.
- 9. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

OWNERSHIP PARTITION / PRELIMINARY FEE APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Preliminary Fee Ownership Partition shall address compliance with all of the following Approval Criteria as specified in 40.45.15.5.C.1-4 of the Development Code:

- 1. The application satisfies the threshold requirements for a Preliminary Fee Ownership Partition application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all the provisions of Section 40.47.C. have been met.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the Preliminary Fee Ownership Partition process to comply with current Code standards and requirements.
- 4. The parent parcel shall meet the minimum setback requirements for the applicable zoning district unless the setback is subject to an Adjustment, Variance, or Zero Side Yard Setback for a proposed Non-Residential Land Division application which shall be considered concurrently with the subject proposal.
- 5. The proposal does not create a parcel which will have more than one (1) zoning designation.
- 6. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

PRELIMINARY FEE OWNERSHIP SUBDIVISION APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Preliminary Fee Ownership Subdivision shall address compliance with all of the following Approval Criteria as specified in 40.45.15.6.C.1-4 of the Development Code:

- 1. The application satisfies the threshold requirements for a Preliminary Fee Ownership Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all the provisions of Section 40.47.C. have been met.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The parent parcel shall meet the minimum setback requirements for the applicable zoning district unless the setback is subject to an Adjustment, Variance, Flexible Setback or Zero Side Yard Setback for a proposed Non-Residential Land Division application which shall be considered concurrently with the subject proposal.
- 4. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the Preliminary Fee Ownership Subdivision process to comply with current Code standards and requirements.
- 5. If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provide for necessary public improvements for each phase as the project develops.
- 6. The proposal does not create a parcel which will have more than one (1) zoning designation.
- 7. Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

FINAL LAND DIVISION APPROVAL CRITERIA

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS “NOT APPLICABLE” OR “THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS” ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

An applicant for a Final Land Division shall address compliance with all of the following Approval Criteria as specified in 40.45.15.6.C.1-5 of the Development Code:

- 1. The application satisfies the threshold requirements for a Final Land Division.
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.
- 3. The application contains all applicable submittal materials as specified in Section 50.25.1 of the Development Code.
- 4. The Final Land Division substantially conforms to the previously approved and unexpired Preliminary Partition, Preliminary Subdivision, Preliminary Fee Ownership Partition, Preliminary Fee Ownership Subdivision, or Replat.
- 5. Applications and documents related to the Final Land Division requiring further City approval shall be submitted to the City in the proper sequence.