

ARTICLE 30

LAND PARTITION

SECTION 30.010, PURPOSE: The purpose of the land partitions procedure is to insure that the division of lands into parcels or subsequent use and development is conducted in an orderly manner and in compliance with this ordinance.

SECTION 30.015, REVIEW PROCEDURE: Application for the review or a tentative plan of a partition shall be subject to Administrative Review unless specified otherwise by requirements of the zone in which the partition is proposed.

SECTION 30.020, REVIEW CRITERIA: Application for the review of a tentative plan for a partition may be approved only if the reviewing authority shall find that it satisfies the following criteria.

01. The proposed tentative plan is in conformance with all applicable provisions of this ordinance.
02. The proposed partitioning of land does not land lock or prevent access to adjacent properties or prohibit the extension of dedicated streets or roads.
03. The proposed partitioning will not conflict with easements or access within or adjacent to the proposed land partition.
04. The parcels are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities.
05. The proposed partition size meets the minimum lot size of the zone in which it is located.

SECTION 30.025, PROCESSING: In processing a land partition, the following procedures shall be followed:

01. **INITIATION:** An application for land partition shall be initiated by the owner of the property for which the partition is sought or by the representative of the owner. The authorization of said agent shall be in writing and filed with the application.
02. **FILING:** An application for a land partition shall be filed on forms provided by the Planning Department and shall set forth in detail all the information requested and include an assessor's map indicating the proposed partition boundaries and any required road improvements.

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03. **CONDITIONS:** The tentative plan for a partition may be approved subject to conditions.
04. **SURVEY OF PARCELS:** Following the approval of a tentative plan for partition, the partitioner shall cause the parcels created to be accurately surveyed and monumented in accordance with standards established in ORS 209.250, as revised, unless the review authority waives the requirement for a survey requirement for some or all of the parcels created only if it makes one of the following findings.
 - A. Given the size, number, and proposed use of the parcels created; the requirement for the survey would impose an undue financial burden on the partitioner.
 - B. An accurate property description, acceptable to the Wallowa County Surveyor, as evidenced by his written statement to this effect, can be provided.
05. **SUBMISSION OF FINAL MAP:** Within six months of the date of approval of a tentative plan, the partitioner shall prepare and submit a final map which conforms with the approved tentative plan.
06. **EXTENSION OF TIME LIMIT:** Prior to the expiration date of the time limit for the submission of a final map, a partitioner may request a time extension. A maximum of one such extension for six months may be granted by the Planning Director upon a written finding that the facts upon which the approval of the tentative plan was based have not changed to an extent sufficient to warrant refileing of the tentative plan and after a finding that no other development approval would be affected. If a final map is not submitted within the time limit, as it may be extended, the partitioner shall file a new application for review of the tentative plan.
07. **APPROVAL OF COUNTY SURVEYOR:** Upon its receipt, the Wallowa County Planning Director shall transmit the final map and other related information to the Wallowa County Surveyor who shall review the final map and information to determine that there has been full compliance with all applicable statutes and provisions that the map is technically correct and in conformance with the approved tentative plan.
08. **FILING OF FINAL MAP:** After obtaining approval of the Wallowa County Surveyor, the partitioner shall file the final map with the Wallowa County Clerk. Approval of the final map shall be null and void if the map is not filed within 30 days after the Wallowa County Surveyor's approval.
09. **APPEAL:** The applicant or any interested deed holder or contract vendee of property within 250 feet of the property affected by decisions pursuant to this section may, within ten days from the date of the decision regarding approval or denial of a

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tentative plan, appeal the decision pursuant to the provisions of Article 7, Appeals.

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