



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

File Number: _____
Application Fee: _____
Date Received: _____

RESOURCE LAND PARTITIONING APPLICATION

LANDOWNER INFORMATION

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

APPLICANT INFORMATION Check box if same

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

ORIGINAL PROPERTY INFORMATION

Township: _____ Range: _____ Section: _____ Tax Lot: _____ Ref #: _____ Acres: _____ Zoning: _____

Names and addresses of the lien holder/mortgage, if applicable

Names of the engineer or surveyor employed (to be employed) to make necessary surveys and prepare the legal descriptions of each new parcel

PROPOSED PARTITIONS INFORMATION

How many partitions are intended to be created? _____

New resulting size of parent parcel:	Proposed use:
Size of proposed partition #1:	Proposed use:
Size of proposed partition #2:	Proposed use:

DETAILED SPECIFIC WRITTEN REQUEST

**Indicate the purpose of partitioning the original property*

MCC 7-7-2: PROCEDURES AND REQUIREMENTS FOR FILING

Any person proposing a land partition, or his authorized agent or representative, shall provide the following documents, in the manner prescribed below, along with the appropriate filing fee to the planning department: Proposals for land partitioning in an EFU, ERU or EFFU zone shall submit one copy of a **tentative map** for partitioning as provided below:

1. The tentative map for partitioning may be submitted on the Malheur County assessor's map which includes the property to be partitioned.
2. A plan of the proposed partitioning drawn in on the Assessor's map which shows the dimensions and legal descriptions of the parcels to be created, location of all existing and proposed easements, and location of existing residential structures on the subject parcel.
3. For partitioning to accommodate legally existing dwelling site: intended access route to county road or state highway and legal description of access easement.
For all other partitions: intended route of proposed new road right of way necessary to provide frontage upon a public road or street for all parcels created and to serve lands beyond, and a legal description of that proposed right of way. Location of any proposed right of way shall be agreed to by the planning director after consultation with the county engineer and shall be consistent with the transportation system plan. Direct preliminary discussion with the county engineer is recommended. (Ord. 125, 6-20-2000).
4. Date of preparation, signature of preparer and signature of land owner.

MCC 7-7-3: REQUIREMENTS FOR APPROVAL

No application for partitioning in any zone shall receive tentative approval unless the following minimum requirements are met:

1. Did a minimum of 5 years since the subject land was last involved in a partition creating 3 parcels pass? Indicate the date and number of parcels created, through the last known partition. If only 2 parcels were created, the 3rd parcel may be created without resetting the five 5 clock.

2. Does the proposal conflict with acquired public access easements within or adjacent to the partition and contributes its appropriate share to widening, extension and improvement of public rights of way and easements? _____

3. Explain how each parcel is suited for the use intended or offered?

4. If water rights are involved in the action, is there an approved water rights division plan provided?

5. Was a statement secured from the administrative officer of any incorporated city within six (6) miles of the proposed partition stating any recommendations planning, engineering or other appropriate staff of the city have regarding the proposed partition? If so, statement must be attached as an exhibit.

MCC 7-7-4: IMPROVEMENT REQUIREMENTS

In all zones, partitions which do not have frontage on a County or public road shall provide a road from the nearest County or public road to the parcels which are to be created by the partitioning.

Exception: Those cases where a single flag lot can be used to provide necessary frontage on an existing public road or street, the nearest one-half ($\frac{1}{2}$) right of way of which conforms to the width standards of Malheur County Code. The road shall be constructed to the standards specified by the road department for the area of the County in which the property is located, and by the adopted road standards and access management guidelines, or by the standards of the appropriate road district. Major partition roads shall be dedicated to the public, and may be accepted into the County road system. Said roads shall be provided as prescribed by MCC [7-6-13](#).

Describe what is the proposed access way to each new partition created.

Is there a dedication of additional right of way and widening of the existing streets adjacent to or within a tract where such existing facilities do not conform to dimensional standards herein or are inadequate to safely accommodate traffic anticipated by the County Road Department? Through lanes, turn lanes, frontage roads or walkways may be required to ensure traffic and pedestrian safety and to ensure efficient traffic flow.

MCC 6-3A-5: DIVISION OF LAND

Subdivisions and planned developments are not consistent with the purpose and intent of this zone and are prohibited. Persons proposing a division of land to create parcels for farm or ranch use shall satisfactorily demonstrate to the planning director in writing, photographs, maps, charts, statistics and other easily preserved means of communication that the proposal will conform to the following requirements. Failure to bring adequate and convincing facts to bear on this issue will result in no approval being granted.

1. Is the proposed land division consistent with the state legislature's agricultural land policy? How?

2. Are the proposed parcels appropriate for the continuation of the existing commercial agricultural operations in the area? Show substantiation. The evaluation shall include the subject property and commercial agricultural operations located in the same zone within one mile of the subject property.

3. Are the proposed parcels equal or greater in size than the typical commercial agricultural units in the area?

4. Are the proposed parcels appropriate for more intensive commercial agricultural operations such as the growing of nursery stock, greenhouse or hydroponic products, the raising of small fur-bearing animals or poultry in large quantity, drylot dairies or feedlots? Describe in detail for each proposed partition.

8. Will the proposed land division materially alter the stability of the overall land use pattern of the area, assuming a principal dwelling may be allowed on the lot? Why not?

SIGNATURES:

Property Owner(s): _____ Date: _____

Property Owner(s): _____ Date: _____

Applicant(s): _____ Date: _____

Applicant(s): _____ Date: _____

Planner Approval: _____ **Date:** _____

Comments: