

IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL

FILED  
YAMHILL COUNTY OREGON  
1968 NOV - 7 AM 9:19 2:48  
JACK BEELER CO. CLERK

In the Matter of Amending the  
Subdivision Regulations of Yamhill  
County adopted on the 1st day of  
April, 1959.

ORDINANCE  
No. 29 DEPUTY

This matter came on to be heard before the Board of County Commissioners on the 29th day of October, 1968, meeting in special session, Chairman C. N. Teegarden and Commissioners Morris Majors and R. A. Schaad being present; and

It appearing to the court that on the 1st day of October, 1968, the Yamhill County Planning Commission held a public hearing regarding proposed amendments to the Subdivision Regulations of Yamhill County adopted on the 1st day of April, 1959, due notice of which public hearing was published as required by law; and

It further appearing that after holding such public hearing the Yamhill County Planning Commission recommended to the Board of County Commissioners the approval of the proposed amendments to the Subdivision Regulations for Yamhill County; and

It further appearing that a motion was duly made and regularly passed to adopt the following amendments to the Subdivision Regulations for Yamhill County.

IT IS, THEREFORE, HEREBY ORDAINED:

That the Subdivision Regulations for Yamhill County adopted on the 1st day of April, 1959, be and hereby are amended as follows:

SECTION 1.

Section (2), DEFINITIONS, subsection (a), is amended to read:

(a) SUBDIVISION. "Subdivision" means either an act of subdividing land, or a tract of land subdivided, as defined in this ordinance.

SECTION 2.

Section (2), DEFINITIONS, is amended by adding:

- (o) SUBDIVIDING LAND. "Subdividing land" means the act of dividing a parcel of land into four or more parcels of less than five acres for the purpose of transfer of ownership, or building development, whether immediate or future, when such parcel exists as a unit, or contiguous units, under a single ownership, as shown on the tax roll for the year preceding the division; and said meaning also includes resubdividing.
- (p) PARTITION. "Partition" means either an act of partitioning land, or a tract of land partitioned, as defined in this ordinance.
- (q) PARTITIONING. "Partitioning" means the act of dividing a parcel of land into any number of smaller parcels of not more than 10 acres, where such act does not constitute subdividing land as defined in subsection (o) of this section, for the purpose of transfer of ownership, or building development, whether immediate or future, when such parcel exists as a unit, or contiguous units, under a single ownership, as shown on the tax roll for the year preceding the partitioning.

SECTION 3.

The Subdivision Regulations of Yamhill County are amended to add:

- I. PROCEDURE. When any person contemplates a partitioning of land, a finished sketch for the partitioning shall be submitted to the Yamhill County Planning Director, attached to an application for approval on a form prescribed by the Yamhill County Planning Commission, together with five additional copies of the finished sketch.
- II. REQUIREMENTS. Requirements for the finished sketch:
  - A. DRAFTING. The finished sketch shall be drawn with pencil or India ink on substantial tracing paper, and show all pertinent information to scale.

B. INFORMATION REQUIRED. The finished sketch shall contain the following information with respect to the partitioned area:

- (1) The outer boundaries of all parcels of land from which the partitioned lots are taken.
- (2) The north point and scale of the sketch, and a sufficient description to define the location and boundaries of the partitioned area.
- (3) The location, name, and present width of all streets and alleys.
- (4) The dimensions and lot lines of all lots and proposed lots, and relationship to existing or proposed streets and utility easements.
- (5) The location of all existing structures located on the partitioned area that are to remain in place.
- (6) When required by the County Planning Director, the sketch shall be accompanied by profiles of the proposed streets and their extension a reasonable distance beyond the proposed partitioned area, sections of necessary grading in and adjacent to the proposed streets, and cross sections of the proposed streets showing roadways and sidewalks; all elevations thereon shall be based upon mean sea level datum.
- (7) Name and address of the record owner, or owners, and of the person who prepared the finished sketch.

III. INVESTIGATIONS. Upon receipt of an application for approval of partitioning of land, the Yamhill County Planning Director shall refer the application to the County Engineer and to the County Sanitarian, and to any other county or city officials deemed appropriate by the Yamhill County Planning Director. The Engineer, Sanitarian, or other officers, shall conduct such investigation as may be necessary to determine whether the applicant has complied with the requirements of this ordinance, with the requirements of any other county ordinance, rules or regulations, and with the state law. Each officer charged with the duty of making the investigation shall make a report thereon to the Yamhill County Planning Director within 10 days after the time of the receipt of the referral.

IV. ISSUANCE AND DENIAL OF APPROVAL.

A. If it appears to the Yamhill County Planning Director that the applicant has complied with this ordinance, all other applicable county ordinances, rules and regulations, and state law, and if no adverse reports from investigating officers have been received by the Yamhill County Planning Director within 10 days after referral of the partitioning applicant by the Yamhill County Planning Director to the county or city officers, the County Planning Director shall note approval of the finished sketch upon the finished sketch and one copy thereof, with the date of such approval, and the copy of said finished sketch shall be returned to the applicant within one week, and no further approval shall be required. The

County Planning Director shall forthwith file the finished sketch with the Yamhill County Surveyor.

- B. If the applicant has not complied with the applicable county ordinances, rules, regulations, or state law, or if adverse reports have been received by the Yamhill County Planning Director within the 10-day period specified for investigations, the Yamhill County Planning Director shall refer the application to the Yamhill County Planning Commission. In such case, the Yamhill County Planning Commission shall hold a hearing upon said application at the next regular meeting, and shall determine whether said approval shall be granted or denied. If the Yamhill County Planning Commission denies the application, it shall send to the applicant, within 10 days, a written notice of its denial, together with the reasons for the denial. If said approval is granted, such approval shall be noted upon the finished sketch, and a copy thereof, by the secretary of the Yamhill County Planning Commission, with the date of such approval; and the copy of said finished sketch shall be returned to the applicant within one week, and no further approval shall be required. The County Planning Director shall forthwith file the finished sketch with the Yamhill County Surveyor.
- V. PRINCIPLES OF ACCEPTIBILITY. A partition shall conform to the requirements of state law and to the general requirements and minimum standards of design and development required for subdivision, as set forth in Section 4 of the Subdivision Regulations of Yamhill County.

SECTION 4.

The Subdivision Regulations of Yamhill County are amended to add:

This ordinance shall not apply to the division of land when such land is divided or transferred by the owners solely among themselves, either in court or by deeds; nor shall this ordinance apply to the division or transfer of land resulting solely from the death of the owner thereof.

DATED this 1st day of November, 1968.

BOARD OF COUNTY COMMISSIONERS  
FOR YAMHILL COUNTY, OREGON

By C. N. Teegarden  
Chairman

By Marvin Boyer  
Commissioner

By R. H. School  
Commissioner

ATTEST:

JACK BEELER  
Yamhill County Clerk

By Samuel E. Pearson  
Deputy