





DEPARTMENT OF PLANNING AND DEVELOPMENT

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## GENERAL INFORMATION

### REGARDING AN APPLICATION FOR A LAND USE ACTION

#### ***IMPORTANT – PLEASE READ BEFORE STARTING YOUR APPLICATION***

Attached is an application for an approval of a land use action. Completion of this application form and providing the supporting information is the most important part of the application process. The information requested is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or it may result in a denial of the request.

In all land use actions, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request. In preparing your application, a planner can explain which sections of the ordinances pertain to your specific request. **You must address each ordinance criteria in writing, on a point-by-point basis, in order for this application to be deemed complete.**

The planning staff can answer questions regarding the process and procedures, but they cannot prepare responses to the applicable criteria. If you require assistance with the application, you may want to confer with a professional land use consultant or attorney.

## INFORMATION REQUIRED

For a

### LAND DIVISION / REPLAT

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**For all land division or replat applications, the following minimum information must be submitted for the application to be considered complete:**

1. Plot plan, drawn to scale, of the subject property showing:
  - A. all existing and approximate location and dimensions of all proposed parcels or lot lines
  - B. size of all proposed parcels or lots in acres and in square feet
  - C. location of all proposed streets, a street cross-section showing proposed construction standards, profiles showing approximate grades of all streets, and whether they are proposed to be public or private streets
  - D. relationship of proposed roads to adjoining existing and proposed streets
  - E. all existing and proposed buildings and setbacks from all property lines
  - F. the location of water and sewer lines, septic system, well, and all existing and proposed easements
  - G. access to the property, and whether it is a state highway, county road, public road or private easement. Note: Applicant should check to determine if an access permit is required
  - H. all wetland areas, areas of geological hazard, streams and waterways, and areas subject to flood hazard
  - I. description of the topography and vegetation. Note: Subdivision plats shall show contours in maximum of 10' intervals
  - J. the date, north point and scale of drawing
  - K. width, depth and direction of flow of all drainage channels on or directly adjacent to the property, and tentative plans of disposal of additional storm water generated by developing the property
  - L. if there are to be phases of development, the identification and sequence of each phase
  - M. adjacent land owned by the applicant
  - N. address any requested modifications to required development standards
  - O. state width to depth ratios of each lot
  - P. name, address and phone of registered surveyor to be used
  
2. Other information as may be required by staff to determine compliance with the provisions of standards and requirements of Section 1.3230 of the Lincoln County Development Code.

**NOTE: ALL APPLICATIONS MUST BE COMPLETE. FAILURE TO SUBMIT A COMPLETE APPLICATION WILL DELAY THE ACCEPTANCE AND PROCESSING OF YOUR APPLICATION.**

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Signature of Property Owner

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Date

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Signature of Applicant (if other than property owner)

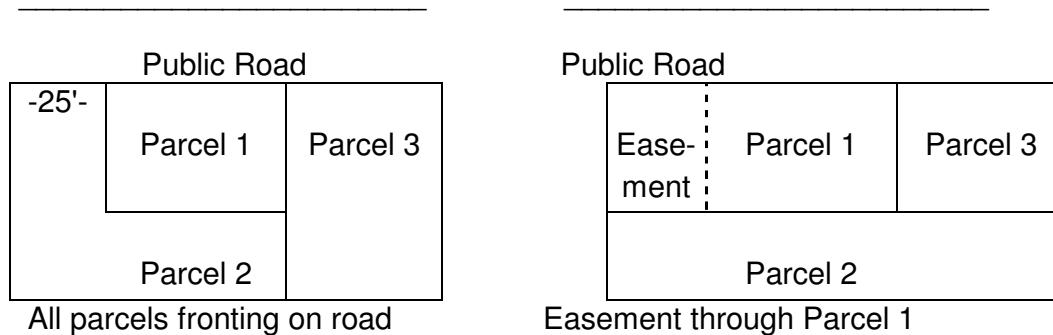
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Date

# LAND PARTITION

**What is a partition?** A division of a tract of land into two or three parcels within one calendar year. The tract of land is considered to be all of a person's contiguous ownership, which has not previously been partitioned or subdivided through this office and does not meet the "lot of record" definition. Some partitions may require the construction of a road to access new parcels without road frontage, as shown in Figure 1.

Figure 1



**When is a partition required?** Whenever a landowner wishes to sell or transfer a part of a tract of land, or place a second home or mobile home on property that already has a home on it, a land division is necessary.

## Application procedure:

- Step 1 Contact the Lincoln County Planning Division to determine zoning requirements for the property.
- Step 2 Complete application forms and submit to the Lincoln County Department of Planning and Development along with appropriate supporting information and fees:

## Application Review Process

- Step 1 Staff evaluates the partition plans against standards in the Land Use Code.
- Step 2 Staff will grant tentative approval or denial by a written staff report. Most partition applications are tentatively approved. The most common conditions placed on partitions are:
  - A. If parcels are to be served by community water, a letter from water district indicating water lines have been extended to the lot line of each parcel.
  - B. Septic approval for each parcel if not connected to sewer.
  - C. Access road improvements.
  - D. If parcels are to access onto county road or state highway, appropriate road approach permits.
  - E. Final partition plat prepared by a registered land surveyor in compliance with Oregon Revised Statutes.

Other conditions may be placed on a partition depending on circumstances.

**Appeals** Appeals of a decision to approve or deny a partition must be filed in written form to the Lincoln County Planning Division within 15 days of the date of recording of the decision. The appeal must state the nature of the interpretation being appealed and be accompanied by the filing fee.

### **Completion of Conditions for Final Partition Approval**

- Step 1 The applicant has 2 years to fulfill all the conditions, and submit the necessary materials and documents to the Lincoln County Planning Department.
- Step 2 Staff reviews these documents. Once all conditions are satisfied, the final partition plat is reviewed by the Lincoln County Planning Division, and, if approved, is forwarded to the County Surveyor for signature.
- Step 3 The final partition plat is recorded in the Lincoln County Clerk's Office.
- Step 4 A copy of the recorded final plat is submitted by the applicant and is placed in the applicant's file. Once the final plat is recorded and a copy is submitted to the Planning Division, the partition is complete.

**Subsequent Partitions** No more than 3 parcels, including the 'parent' parcel, can be created within one calendar year by partitioning. Any further partitioning of the lots (regardless of who owns the property) must be processed as a subdivision (4 or more parcels).

**NOTE: THE GUIDELINES LISTED ABOVE ARE GENERAL IN NATURE. APPLICANTS ARE REQUESTED TO REFER TO THE LINCOLN COUNTY DEVELOPMENT CODE FOR COMPLETE REQUIREMENTS.**