



PARTITION APPLICATION

**Applications will no longer be accepted by email or mail.
All applications must be submitted in person.**

Marion County Planning Division
5155 Silverton Rd. NE
Salem OR 97305
Phone: (503) 588-5038 – Email: Planning@co.marion.or.us
<https://www.co.marion.or.us/PW/Planning>

PROCEDURE:

- A. Once a complete application is received, the Planning Division will request comments from other County departments, other affected government agencies, and special districts.
- B. Planning staff will review the application for compliance with the County Comprehensive Plan, County Zoning Code, Statewide Planning Goals, and other applicable ordinances and regulations. The Planning Division will approve or conditionally approve the application if it clearly complies with all land use laws and regulations.
- C. Notice of the decision is sent to the applicant and property owners within the notification area. Please note there is a 15-day appeal period. The appeal process is explained in the Notice of Decision. If approved, the conditions of approval will be listed in the notice. Other findings of facts and conclusions will be included in the notice.

WARNING: Due to well, septic, and drain field replacement area requirements, a property is not always able to support a dwelling. Contact the Marion County Building Inspection Division for more information (503)-588-5147.

APPLICATION REQUIREMENTS:

Do not double-side or spiral bind any documents being submitted as our office will be scanning this information.

Incomplete applications will not be accepted. A complete application consists of the following that must be submitted:

- A. The attached application form completed in ink or printed.
- B. Copy of the most recent officially recorded title transfer instrument (deed, warranty deed, or contract) that shows the legal description for the subject parcel(s). Available at the Clerk's Office, 2nd floor, 555 Court St. NE, Salem.
- C. Site Plan (see attached example). The site plan should be on a separate **8½ x 11 inch sheet of paper**, drawn or printed in ink, and show the location of the proposed use and its distance from other structures, property lines, roads and other features.
- D. A written statement which explains your reasons for the proposal and how your request conforms to Marion County land use policies and regulations. A copy of the pertinent regulations is available from the Planning Division.
- E. If the partition includes the creation of a private roadway, the applicant must include 4 (four) proposed road names in the order of preference (see the attached application form).
- F. If the property is within a Sensitive Groundwater Overlay Zone, any study of water supply required by Chapter 17.181 of the Rural Zone Code shall accompany the application. If the Code requires peer review of the study, this must be completed prior to submission of the Partition application. See the attached instructions, "*Water Studies for Partition.*"
- G. Filing fee: checks payable to Marion County, or payment by card.

Please note: Land development fees are charged by various offices within Marion County Public Works. Most development requests are reviewed by a number of these offices and there may be several fees you will incur during the development process.

If all the required information is not submitted with the application form, it will not be accepted. If the application is withdrawn after a file has been set up or fee deposited, the entire fee cannot be refunded. Partial refunds are at the discretion of the Planning Director based on the amount of staff work undertaken.

It is unlawful to disturb an archaeological site. In the event of unintentional discovery of an archeological site please stop work, protect the discovery site and contact the Oregon State Historic Preservation Office PH: 503-986-0690; Confederated Tribes of Grand Ronde PH: 503-879-5211; Confederated Tribes of Siletz Indians PH: 541-444-2532; Confederated Tribes of Warm Springs Reservation of Oregon PH: 541-553-3257. If human remains are encountered, do not disturb them in any way, instead please contact the Oregon State Police PH: 800-442-0776.

Water Studies for Partitions

Chapter 17.181 of the Marion County Rural Zone Code requires certain materials be submitted prior to submitting an application for a partition in the AR zone and within the boundaries of the Sensitive Groundwater Overlay Zone (SGO). A summary of the requirements is provided below.

SGO Zone

Chapter 17.181 of the Marion County Rural Zone Code contains the requirements of the Sensitive Groundwater Overlay Zone and establishes a “threshold lot size” of 5 (five) acres. If the size of the smallest lot in a proposed partition is larger, in acres, than the threshold lot size, the County will presume your development will not result in long-term over-use of the groundwater resource in the area of the property. If the minimum lot size of the partition is smaller than the threshold, a “Hydrogeology Review” must be prepared by a registered geologist and submitted to the County for peer review **prior to** submitting the application for the partition. The partition application will not be accepted without a peer reviewed Hydrogeology Review for the lots being proposed. Instructions for preparation of a Hydrogeology Review are provided separately. The Code limits who may prepare a Hydrogeology Review to registered geologists who are in good standing with the Oregon Board of Geologist Examiners.

Chapter 17.181 requires further study of the water supply if the Hydrogeology Review shows that the development may cause or worsen a groundwater supply problem in the area of the request. If this is the case, a “Hydrogeology Study” is required. Hydrogeology Studies are similar to Hydrogeology Reviews, except they are more in-depth and they include development of new data regarding the groundwater resource, rather than just a review of existing information. These studies must also be completed by a registered geologist.

Chapter 17.181 also requires that both Hydrogeology Reviews and Hydrogeology Studies be reviewed by another registered geologist (a process called “Peer Review”). The peer reviewer is a geologist of the County’s choice. Chapter 17.181 explains the requirements for both a Hydrogeology Review and a Hydrogeology Study.

In addition to completing a study of groundwater conditions, Chapter 17.181 requires static water level measurements in all existing wells prior to recording the plat. Chapter 17.181 explains the procedures for collecting these measurements in section 17.181.120(A).



Do not double-side or spiral bind any documents being submitted

Fee: Please check the appropriate box:

- Partition - \$1250
- Partition in an SGO Zone - \$1450

PROPERTY OWNER(S):	ADDRESS, CITY, STATE, AND ZIP:
PROPERTY OWNER(S) (if more than one):	ADDRESS, CITY, STATE, AND ZIP
APPLICANT REPRESENTATIVE:	ADDRESS, CITY, STATE, ZIP
DAYTIME PHONE (if staff has questions about this application):	E-MAIL (if any):
ADDRESS OF SUBJECT PROPERTY:	SIZE OF SUBJECT PROPERTY:
<p>The property owners of the subject property request to divide a _____ acre parcel into two or three parcels containing _____, _____, and _____ acres or square feet each. Provide detailed information on the attached "Applicant Statement" page.</p>	
<p>Will a railroad highway crossing provide the only access to the subject property? () Yes () No If yes, which railroad:</p>	

FOR OFFICE USE ONLY:			
Township	Range	Section	<u>Application elements submitted:</u>
Tax lot number(s)			<input type="checkbox"/> Title transfer instrument
Zone:			<input type="checkbox"/> Site plan
Zone map number:			<input type="checkbox"/> Applicant statement
			<input type="checkbox"/> SGO Peer Review (if applicable)
			<input type="checkbox"/> GeoHazard Peer Review (if applicable)
			<input type="checkbox"/> Road name information (if applicable)
Case Number:			<input type="checkbox"/> Filing fee
<input type="checkbox"/> Urban <input type="checkbox"/> Rural			Application accepted by: Set up by:
Date determined complete:			Date:

IF THE PARTITION INCLUDES THE CREATION OF A PRIVATE ROADWAY PLEASE LIST BELOW FOUR (4) PROPOSED ROAD NAMES, IN THE ORDER OF PREFERENCE (see the attached information sheet):

(1)

(2)

(3)

(4)

ATTACH A MAP SHOWING ALL PARCELS THAT WILL HAVE ACCESS OFF THIS EASEMENT, AND INCLUDE THE ADDRESS AND LOCATION OF ALL DWELLINGS ON THE PARCEL, ALONG WITH THE DRIVEWAY LOCATION.

THE APPLICANT(S) SHALL CERTIFY THAT:

- A. If the application is granted the applicant(s) will exercise the rights granted in accordance with the terms and subject to all the conditions and limitations of the approval.
- B. I/We hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that all the above information and statements and the statements in the plot plan, attachments and exhibits transmitted herewith are true; and the applicants so acknowledge that any permit issued on the basis of this application may be revoked if it is found that any such statements are false.
- C. I/We hereby grant permission for and consent to Marion County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.
- D. The applicants have read the entire contents of the application, including the policies and criteria, and understand the requirements for approving or denying the application.

PRINTED NAME AND SIGNATURE of each owner of the subject property.

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

DATED this _____ day of _____, 20_____

Applicant Statement (required)

It is up to the applicant to fully explain your proposal and how it conforms to Marion County land use regulations. This is **your** opportunity to provide detailed information on the “who, what, where, when and why” that is specific to your proposal.

There are specific criteria and regulations for each zone; these are available from the Planning Division. We strongly encourage you to obtain a copy of this information, review it, and then prepare your “applicant’s statement”.

These are a few items you should consider including (where applicable):

- Describe the property as it exists now and after implementation of the proposal: topography, existing structures and their use, new or alteration of structures, etc.
- Describe surrounding properties: type of land use, scale of development, etc. and any impact your proposed use might have on these properties such as dust, noise, fumes or odors, traffic, etc. And, if so, what measures will you take to mitigate these impacts?

(use additional paper if needed)

ROAD NAMING GUIDELINES

When submitting road names for approval, certain words have been used repeatedly over the years causing confusion for emergency services. As such, the following words, in any form, cannot be used for naming a new road in Marion County:

- EAST
- EASTERN (unless paired with another word)
- NORTH
- NORTHEAST or NORTHEASTERN
- NORTHWEST or NORTHWESTERN
- NORTHERN (unless paired with another word)
- NUMBERED NAME (spelled out or numeric)
- SOUTH
- SOUTHEAST or SOUTHEASTERN
- SOUTHWEST or SOUTHWESTERN
- SOUTHERN (unless paired with another word)
- WEST
- WESTERN (unless paired with another word)

- All private roads must end in either WAY, PLACE or LANE
- New roads cannot exceed two words, total, or 20 letters
- New road names cannot include or contain the following:
 - initials - for example, “HMS Sternwheeler”
 - punctuation – for example, “Smith-Jones Road”
 - made-up words – for example, “hoobosko”
 - street type – for example, “Dead End Lane NE”

- Additional review will be given to street names that are difficult to pronounce and/or spell, could be offensive, and/or have spelling variations.
- Other criteria such as the actual street type will also be considered on a case by case basis.

You must submit four (4) separate names for each road name needing approval. Do not submit four variations of the same name (Sparky Way, Sparky Lane, etc.) The following is an example of four separate names:

SPARKY LN
BAMBI WY
SEAHAWKS LN
DUSTY PL

Note: All parcels that have direct access off the access easement will be required to change their address to the new road name and a new number will also be assigned.



INSTRUCTIONS FOR PREPARATION OF A SITE PLAN

Site plan must be **current**, drawn to scale, and **show all property lines**. If unable to draw to scale, property lines must still be shown noting actual dimensions or total acreage.

Failure to include all of the items listed below may delay the review necessary to obtain a permit

ITEMS THAT MUST BE SHOWN ON YOUR SITE PLAN:

- 1. **NORTH ARROW.**
- 2. **SCALE OF DRAWING.**
- 3. **STREET NAME** accessing the parcel.
- 4. **ALL PROPERTY LINES AND DIMENSIONS** – existing and proposed.
- 5. **DRIVEWAYS, ROADS, INTERNAL ROADS, PARKING AND CIRCULATION AREAS** – existing and proposed and label as *“Paved”* or *“Gravel.”* Show driveway to public right-of-way.
- 6. **EXISTING AND PROPOSED STRUCTURES** - label as *“Proposed”* and *“Existing”*. Include dimensions and distance to all property lines and other structures.
- 7. **UTILITY LINES AND EASEMENTS.**
- 8. **GEOGRAPHIC FEATURES** – ground slope and direction of slope, escarpments, streams, ponds, or other drainage ways.
- 9. **WELLS** – existing and proposed on this parcel and adjacent parcels within 100 feet.
- 10. **FENCES, RETAINING WALLS** – location of existing and/or proposed.
- 11. **PARTITIONING** (if applicable) – proposed new property line shown by dashed lines, with parcels labeled as *“Parcel 1”*, *“Parcel 2”*, etc.
- 12. **SEPTIC SYSTEM and REPLACEMENT AREA** – existing and proposed. Show existing septic tank, drain field lines and distance from structure(s).
- 13. **STORM WATER SYSTEMS OR DETENTION BASINS** – show existing and proposed.
- 14. **CUTS/FILLS** – show existing and proposed.
- 15. **ELEVATIONS** – at lot corners or construction area and at corners of building site.
- 16. **FLOODPLAIN** – if applicable, show the boundary of the 100 year floodplain.

If sanitary sewer service is not available, a septic system must be installed. Include the following additional items on the site plan:

- 17. **TEST HOLES** – show distances between holes and property lines. One test hole should be located in the center of the initial system installation site, the other in the center of the replacement area. Accuracy of location is very important.
- 18. **PROPOSED SEPTIC SYSTEM AND REPLACEMENT SYSTEM** – show septic tank and distance from structure; show disposal trenches and length, width, and distance between trenches.

Commercial development must also include the following:

- 19. **FIRE DEPARTMENT ACCESS**
- 20. **FIRE HYDRANTS** – locations
- 21. **HANDICAP ACCESS**
- 22. **LANDSCAPING** – existing and proposed landscaping areas.
- 23. **PARKING** – lot configuration, number of parking spaces, and off-street loading area.

Additional information such as patio slabs, walkways, roof overhangs, etc. may be required for the issuance of your permit.

YOU MAY USE THE REVERSE SIDE OF THIS FORM TO DRAW YOUR SITE PLAN

Property Owner(s) Name: _____ Phone: _____

Site Address: _____ City: _____ Zip _____

Subdivision: _____ Lot: _____ Block: _____

Manufactured Home Park: _____ Space: _____

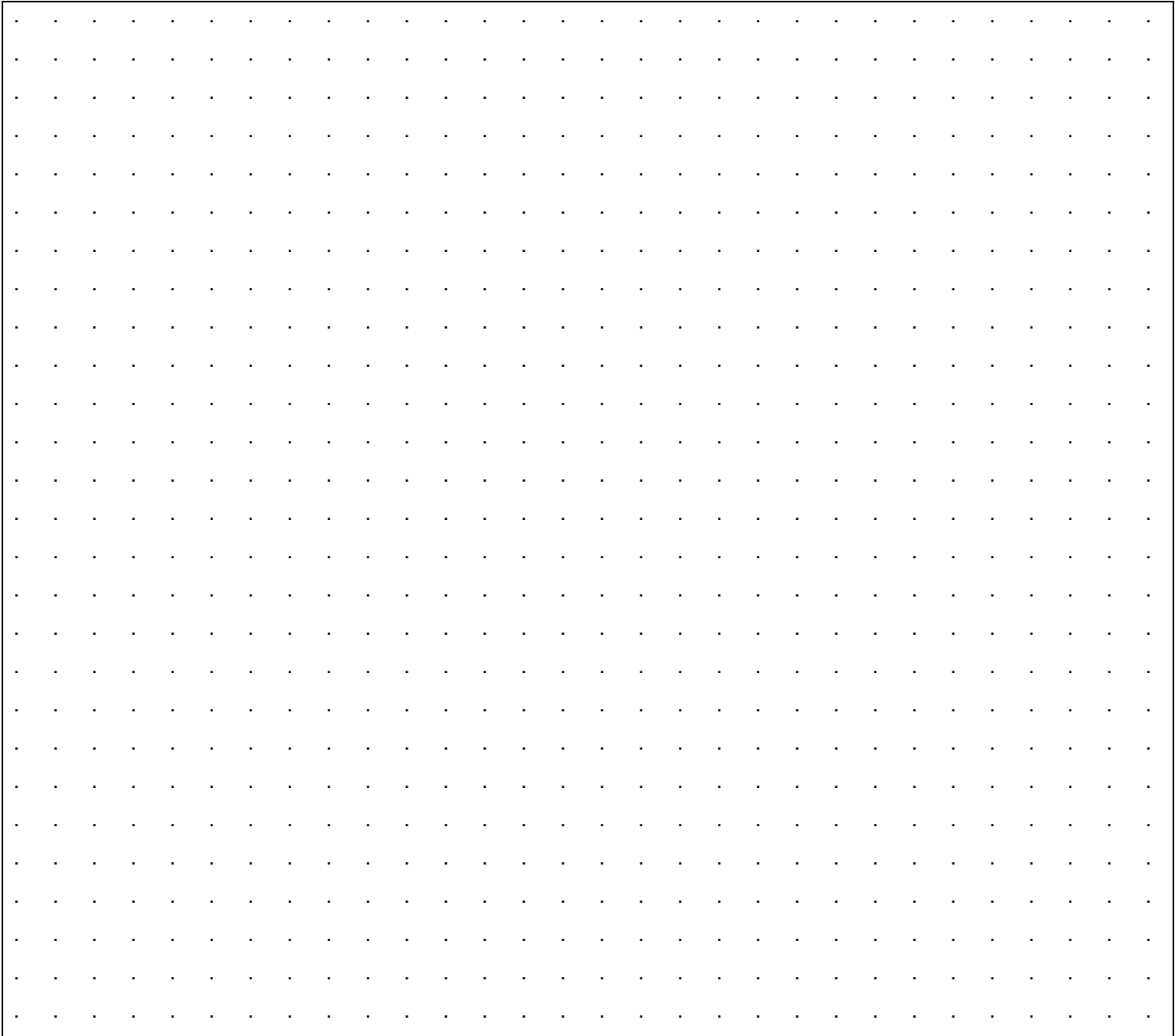
Assessor Map # (T-R-Sec-TL(s)): _____ Total # Acres _____

Zoning Designation: _____ Planning Map _____

Permit Specialist Review: _____ Date: _____

SITE PLAN MUST SHOW ALL PROPERTY LINES AND DIMENSIONS

Drawn to Scale: 1 square = _____ Feet Not Drawn to Scale: Total Acres _____



I certify that the above information is accurate to the best of my knowledge. I AM THE [] Owner or [] Authorized Agent

NAME (please print): _____ Telephone # _____

Applicant's Signature: _____ Date: _____

Applicant's Mailing Address: _____ City: _____ Zip: _____

FOR OFFICE USE ONLY

PLANNING: _____ Date: _____

PUBLIC WORKS: _____ Date: _____

BUILDING INSPECTION (Acceptable for Planning requirements only) _____ Date: _____

SAMPLE RESIDENTIAL SITE PLAN

SCALE: 1"=50'

