

33.664 Review of Land Divisions on Large Sites in Industrial Zones

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General

33.664.010 Purpose

These special land division review procedures accommodate the unique needs of industrial developments on large sites. Lot dimensions and service and utility needs may vary widely among different industrial users, and the needs of industrial users are often not known until the Final Plat phase of a land division. This chapter allows applicants with larger sites to set only the basic pattern of streets and blocks during the Preliminary Plan phase, and show that it is feasible to meet service, utility, and other requirements at Final Plat. Lot lines may be created at either the Preliminary Plan phase or Final Plat phase. The Final Plat may be reviewed and recorded in several phases, as individual lot lines are drawn.

33.664.020 Where These Regulations Apply

Sites in industrial zones that meet the minimum size thresholds of this section are eligible to use the regulations and procedures of this chapter. If the applicant chooses, the regulations and procedures of Chapter 33.662, Review Of Land Divisions In Commercial, Employment, and Industrial Zones, may be met instead of the regulations and procedures of this chapter. The applicant may choose which chapter to use. The minimum size thresholds for use of this chapter are:

- A. IG1 zone.** Sites in the IG1 zone that are at least 200,000 square feet in area; and
- B. IG2 and IH zones.** Sites in the IG2 and IH zones that are at least 340,000 square feet in area.

Review of Preliminary Plan

33.664.110 Review Procedures

Review of Preliminary Plans are processed through a Type III procedure.

33.664.120 Approval Criteria

A Preliminary Plan for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met. The approval criteria are:

- A. The applicant must show that the proposal can meet the following standards and approval criteria at the time of Final Plat. These standards and criteria do not have to be met as part of the Preliminary Plan, but the proposal must show that the standards and criteria can be met using the proposed configuration of blocks and the approaches included in the proposal:
 - 1. Lots. The standards of Chapter 33.615 can be met using the proposed configuration of blocks;
 - 2. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, can be met by the proposal;
 - 3. Special flood hazard area. If any portion of the site contains special flood hazard area, the approval criteria of Chapter 33.631, Sites in Special Flood Hazard Areas, can be met by the proposal;
 - 4. Potential Landslide Hazard Area. If any portion of the site is in a Potential Landslide Hazard Area, the approval criteria of Chapter 33.632, Sites in Potential Landslide Hazard Areas, can be met by the proposal;
 - 5. Services and utilities. The regulations and criteria of Chapters 33.651 through 33.654, which address services and utilities, can be met by the proposal.
- B. The following standards and criteria must be met as part of the Preliminary Plan:
 - 1. Clearing, grading, and land suitability. The approval criteria of Chapter 33.635, Clearing, Grading, and Land Suitability must be met;
 - 2. Tracts and easements. The standards of Chapter 33.636, Tracts and Easements, must be met; and
 - 3. Streams, springs, seeps, and wetlands. The approval criteria of Chapter 33.640, Streams, Springs, Seeps, and Wetlands must be met.

Review of Final Plat

33.664.210 Review Procedure

Final Plats are reviewed through a Type Ix procedure.

33.664.215 Voiding of Final Plat Application

An application for Final Plat review will be voided where:

- A. The Director of BDS sends a letter to the applicant, requesting additional information; and
- B. The applicant does not provide the requested information within 180 days of the date the Director's letter was mailed.

33.664.220 Approval Criteria

These approval standards apply to land divisions where the Preliminary Plan was reviewed under the regulations of this chapter. The Final Plat for a land division will be approved if the review body finds that the applicant has shown that all of the following approval criteria have been met. The approval criteria are:

- A. **Conformance with Preliminary Plan.** Each Final Plat must conform to the approved Preliminary Plan. Variations are allowed only as specified by the Preliminary Plan approval.
- B. **Conformance with requirements of this Title.** Where lot lines are proposed as part of the Final Plat process:
 - 1. The following must be met for the portion of the site where lot lines are proposed:
 - a. Lots. The standards of Chapter 33.615, must be met;
 - b. Trees. The standards and approval criteria of Chapter 33.630, Tree Preservation, must be met;
 - c. Special flood hazard area. If any portion of the site contains special flood hazard area, the approval criteria of Chapter 33.631, Sites in Special Flood Hazard Areas, must be met;
 - d. Landslide Hazard Area. If any portion of the site is in an Potential Landslide Hazard Area, the approval criteria of Chapter 33.632, Sites in Landslide Hazard Areas, must be met;
 - e. Clearing and grading. The approval criteria of Chapter 33.635, Clearing and Grading, must be met;
 - f. Tracts and easements. The standards of Chapter 33.636, Tracts and Easements, must be met;
 - g. Springs, streams, seeps, and wetlands. The approval criterion of Chapter 33.640, Springs, Streams, Seeps, and Wetlands must be met;
 - h. Transportation impacts. The approval criteria of Chapter 33.641, Transportation Impacts, must be met; and
 - i. Services and utilities. The regulations and criteria of Chapters 33.650 through 33.654, which address services and utilities, must be met.
 - 2. The approval criteria of Section 33.664.120 must be met for the balance of the site, where a Final Plat has not yet been approved.
- C. **Conditions of approval.** All conditions of approval that apply to the Final Plat must be met. All other conditions of approval remain in effect;
- D. **Services.** All services must meet the requirements of the City Code;

E. Dedications, Tracts, and Easements

1. Dedications. All dedications of property to the City or the public must be shown on the Final Plat, and must be made before the Final Plat is recorded; and
2. Tracts and easements.
 - a. All tracts and easements must be shown on the Final Plat, and the requirements of Chapter 33.636, Tracts and Easements, must be met.
 - b. All environmental resource tracts, special flood hazard area tracts, and landslide hazard tracts for the entire site must be met with the first Final Plat.

F. Sureties. All sureties, including performance guarantees and improvement guarantees, required by the Portland City Code must be approved by the appropriate City bureau prior to Final Plat approval; and

G. Legal Documents. Required legal documents, such as maintenance agreements, Conditions, Covenants and Restrictions (CC&Rs), and acknowledgements of tree preservation requirements or other conditions of approval, must be reviewed and approved by the Bureau of Development Services prior to Final Plat approval. These documents must also be reviewed and approved by the City Attorney prior to final plat approval or submitted on forms approved by the City Attorney. The required legal documents must be submitted to the County Recorder to be recorded with the Final Plat within 90 days of the Final Plat approval.

Changes to Final Plat

33.664.610 Changes to Final Plat Before Recording

Before a Final Plat has been recorded with the County Recorder and Surveyor, changes may be processed as a new Final Plat review.

33.664.620 Changes to Final Plat After Recording

After a Final Plat has been recorded with the County Recorder and Surveyor, changes are processed as a new land division.

(Added by: Ord. Nos. 175965 and 176333, effective 7/1/02. Amended by: Ord. No. 178509, effective 7/16/04; Ord. No. 181357, effective 11/9/07; Ord. No. 184235, effective 11/26/10; Ord. No. 185915, effective 5/1/13; Ord. No. 186053, effective 1/1/15; Ord. No. 188259, effective 3/31/17; Ord. No. 189488, effective 12/2/19.)