

LAND MANAGEMENT DIVISION



LAND DIVISION

PUBLIC WORKS DEPARTMENT 3050 NORTH DELTA HIGHWAY, EUGENE OR 97408
PLANNING: 541-682-3577 BUILDING: 541-682-4651 SANITATION: 541-682-3754

This guide outlines zoning and land use laws concerning Land Divisions. This guide is for informational purposes only and is not to be considered a substitute for the language of state or local regulations. The information in this handout is derived from Oregon Revised Statutes (ORS) Chapter 13 and the policies of the Lane County Land Management Division.

PARTITION OR SUBDIVISION?

A partition is the creation of two or three lots out of one parcel in one calendar year.

A subdivision is the creation of four or more lots from one parcel in one calendar year.

HOW DO I KNOW IF MY PROPERTY IS DIVIDABLE?

1. DETERMINE THE ZONING

Request to speak with the Planner On Duty (available between the hours of 9am to 1pm) to determine the zoning of the property in question. Generally, the zoning will determine the minimum size of the parcels that can be created.

2. DETERMINE LEGAL LOT STATUS

Ask the Planner On Duty to review the property for legal lot status. If the County records do not contain the information already, legal lot verification will be required. This will require you to research the deed records, complete an application form, and submit a processing fee. Please see the **LEGAL LOT** handout available.

MAKING APPLICATION: A 2-STEP PROCESS

1. PRELIMINARY APPLICATION

Once you have determined that you can divide your property, you can start the process by making application for a Preliminary Partition or a Preliminary Subdivision. This is when you will submit your preliminary map for your proposal

along with the required fee. A planner will then review your proposed parcels for access, size, water availability, sewage disposal system, hazardous areas, and water courses. This review includes the referral of the proposal to neighbors and various agencies that provide service to the property such as the local fire district and the Transportation Division. The responses from these referrals may become conditions that must be met in order to divide the property. Upon completion of the referral period, a planner will issue a decision that contains a series of conditions to meet prior to recording the final plat for the new parcels. The decision may be appealed by the applicant or a neighboring property owner if a perceived error in the approval is identified.

2. FINAL APPLICATION

If no appeal is filed within the allotted time period, then you may make application for Final Partition or Final Subdivision. This is when you will submit proof that you have met the Conditions of Approval along with the required fee.

Conditions required for each parcel will usually include proof of adequate potable water, adequate sewage disposal, any necessary easements, the construction and inspection of an access road to each parcel, a title search, a survey, and the preparation of a final plat by a professional licensed surveyor.

This information will then be reviewed by both the Planning Department and the Surveying Department. Often, there will be comments made by both departments at this stage and you will receive correspondence from both of them alerting you of any inadequacies or additions that need to be addressed.

Once all conditions have been satisfactorily met, the plat can then be recorded. Upon recording, each parcel will be legally separate and may be sold and developed separately.