

**City of Prineville**

**ORDINANCE NO. 1194**

**AN ORDINANCE AMENDING CHAPTER 153 OF THE PRINEVILLE CODE  
MODIFYING SUBDIVISION AND PARTITION IMPROVEMENT REQUIREMENTS**

**WHEREAS**, The City of Prineville Planning Commission on its own motion requested a text amendment to the Prineville Code in order to modify the improvement requirements of the City's subdivision and partition criteria to best serve the City; and

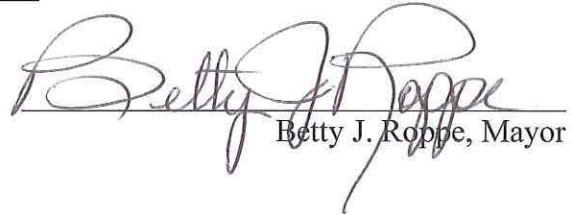
**WHEREAS**, required notice was submitted to the Department of Land Conservation and Development (DLCD) and posted locally in accordance with the requirements of a text amendment in section 153.233 of the Prineville Code; and

**WHEREAS**, the Prineville Planning Commission held two public hearings on August 21<sup>st</sup>, 2012 and September 4<sup>th</sup>, 2012 at the end of which they recommended that City Council approve the proposed text amendment as shown in Attachment A & B;

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE  
ORDAIN AS FOLLOWS:**

The specific sections of Chapter 153 of the City of Prineville Code of Ordinances shall be amended in accordance with the attached documents referred to as Attachments A & B.

APPROVED BY THE CITY COUNCIL ON THE 25<sup>th</sup> DAY OF SEPTEMBER, 2012.

  
Betty J. Roppe, Mayor

Attest:

  
Lisa Morgan, City Recorder

**153.157 Subdivisions, applications section (J) shall be amended to read as follows:**

(J) Improvement Requirements. In the approval of any subdivision, the need for a survey, and the need for street and other public facility improvements shall be required as a condition of approval. Streets and roads for private use are approved by the city as a variance to public access requirements. (O.R.S. 92.090(2)(b))

(1) Provisions are made for access to abutting properties that will likely need such access in the future, including access for vehicular and pedestrian traffic, public facilities and services and utilities.

(2) All required agreements shall be recorded at the Crook County Clerk's Office at the same time of recording of the final subdivision plat.

(3) If the existing street right-of-way is not consistent with City standards or new right of way is required through a City master plan or "to and through" standard, Street right of way shall be dedicated, in compliance with the City's Standards and Specifications and frontage requirements.

(4) Public infrastructure including right of way, water, sewer, streets and sidewalks shall be extended and constructed, per the City's Standards and Specifications, "to and through" each lot created by the subdivision, unless otherwise approved by the City due to the following:

(a) Phased development

(b) Certain aspects of the "to and through" standard may be deferred for one clearly defined remainder lot of at least 5 acres where future development or division is likely and the infrastructure will be brought through the remainder lot at that time. Right-of-way shall be extended to and through but street, water and sewer infrastructure may be deferred until new development or division of the remainder lot.

(5) All public utilities are available to each lot line within an adjacent street or alley.

(6) Paved access is guaranteed to each lot.

(7) Future development is to be connected to the City's sewer and water systems.

**153.160 Land Partitioning section (G) shall be amended to read as follows:**

(G) Improvement Requirements. The approval of any land partitioning, the need for a survey, and the need for street and other public facility improvements shall be considered and such may be required as a condition of approval. Any survey and/or improvement requirements that may be required for a subdivision or other land development may be required for a partitioning, including infrastructure, bonding or other assurance of compliance.

(1) Provisions are made for access to abutting properties that will likely need such access in the future, including access for vehicular and pedestrian traffic, public facilities and services and utilities.

(2) All required agreements shall be recorded at the Crook County Clerk's Office at the same time of recording of the final partition plat.

(3) If the existing street right-of-way is not consistent with City standards or new right of way is required through a City master plan or "to and through" standard, Street right of way shall be dedicated, in compliance with the City's Standards and Specifications and frontage requirements.

(4) Public infrastructure including right of way, water, sewer, streets and sidewalks shall be extended and constructed, per the City's Standards and Specifications, "to and through" each lot created by the partition; unless otherwise approved by the City due to the following:

(a) Certain aspects of the "to and through" standard may be deferred for one clearly defined remainder lot of at least 5 acres where future development or division is likely and the infrastructure will be brought through the remainder lot at that time. Right-of-way shall be extended to and through but street, water and sewer infrastructure may be deferred until new development or division of the remainder lot.

(5) All public utilities are available to each lot line within an adjacent street or alley.

(6) Paved access is guaranteed to each lot.

(7) Future development is to be connected to the City's sewer and water systems.