

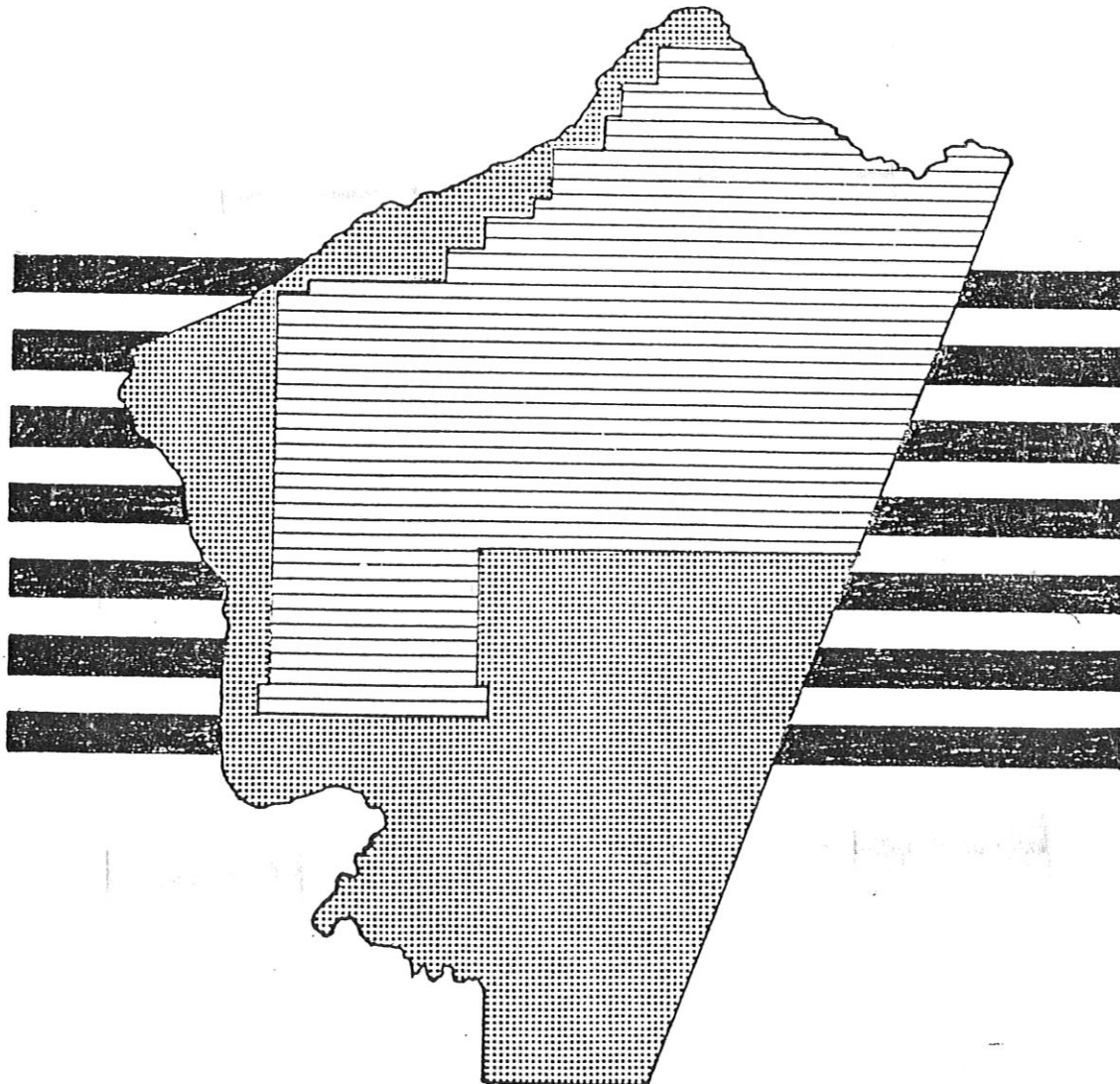
SUBDIVISION MANUAL

CONFEDERATED TRIBES of the UMATILLA INDIAN RESERVATION



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SUBDIVISION MANUAL
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Sub-Division Manual

CONFEDERATED TRIBES OF THE
UMATILLA INDIAN RESERVATION

SECTION 1 General Provisions

1.01 Title

These regulations shall hereafter be known cited and referred to as the Subdivision Manual of the Confederated Tribes of the Umatilla Indian Reservation.

1.05 Purpose

The purpose of this manual is to provide for the public health, safety and general welfare of the people of the Umatilla Reservation by establishing uniform procedures and standards for partitioning and subdividing of land within the boundaries of the Reservation. These regulations are necessary to:

1. Guide the future development of the Reservation in accordance with the Comprehensive Plan.
2. Insure that public facilities including but not limited to sanitation systems, water supply systems, streets and fire protection, are

adequate to serve the partitioned or subdivided area, and;

3. Protect and conserve land throughout the Umatilla Reservation by providing for its most beneficial use and enhancement of the quality of air, land, and water resources,

1.10 Authority:

Authority for enactment of this manual is contained in Section 1 (d) of Article VI of the Constitution and By-Laws of the Confederated Tribes of the Umatilla Indian Reservation which states:

"To promulgate and enforce ordinances governing the conduct of all persons and activities within the boundaries of the Umatilla Indian Reservation".

The Natural Resource Commission or Board of Trustees as the case may be shall review, approve and disapprove plans, plats and maps for the subdivision and partitioning of land within the boundaries of the Umatilla Indian Reservation.

1.15 Jurisdiction:

This Subdivision manual shall apply to all subdivisions and partitions of lands, as defined herein, located within the boundaries of the Umatilla Indian Reservation.

The Natural Resource Commission or Board of Trustees as case may be, shall review and comment on plans, plats, or maps for subdivisions or partitions beyond the boundaries of the Umatilla Reservation.

1.20 Enactment:

In order that land may be subdivided and partitioned in accordance with these purposes and policies this manual is hereby adopted.

1.25 Severability:

Were any word, phrase, clause, sentence, paragraph, section or other part of this manual is held invalid by a court of competent jurisdiction, the judgement shall affect only that part held invalid, and shall not impair the validity of the remainder of this manual.

1.30 Administrative Provisions:

The administrative provisions for carrying out the policy, and enforcement of this manual shall be done in accordance with Chapter X Administrative Provisions, Sections 10.005 through 10.050 of the Land Development Code.

SECTION 2

Subdivision and Partition Application Procedure
and Approval Process.

2.01 Subdivisions:

Before any permit for the erection of any structure in a proposed subdivision is granted, and before any contract for sale of any part thereof is made, the subdividing owner or his authorized agent shall apply for and secure approval of the proposed subdivision in accordance with the following procedure.

2.05 Scope of Regulation: (1) Before a plat of any subdivision or the map of any partition may be made and recorded, the person proposing the subdivision or the partition, or his authorized agent or representative, shall make an application in writing to the Natural resources Department for approval of the proposed subdivision or partition in accordance with the requirements and procedures established by this Code.

2.10 Discussion of Requirements:

Before preparing the development plan as required in Section 2.01 the applicant shall discuss with the Natural Resources Department the procedure for adoption of a subdivision plat and the improvement requirements provided for in this Manual.

2.15 Minimum Standards: No proposed subdivision shall be approved unless it complies with the Comprehensive Plan for the reservation and the Land Development Code.

2.20 Subdivision Review Committee: There is hereby established a Subdivision Review Committee to review all tentative subdivision plans, final plats, planned unit developments and other proposals as indicated elsewhere in this manual, and make recommendations to the Natural Resources Commission. The Committee shall consist of the following members.

- (1) Department of Natural Resources, (Director)-Chairman
- (2) Planning Staff
- (3) Tribal Engineer
- (4) Tribal Sanitarian
- (5) Executive Director Housing ~~Director~~
- (6) Other ex-officio members of the Committee may be designated by the Natural Resources Commission and may include, among others, as follows:
 - (A) Public Utility Representative (S)
 - (B) Department of Environmental Quality Representative (S)
 - (C) County Roads Director

(7) Each member authorized by subsections (1) through (6) of the section may designate a substitute representative to serve in case of the members absence. Such designation shall be in writing and filed with the Chairman. It will be the responsibility of the member to ensure the designee's informed participation at each meeting in which the designee is substituting for the member.

2.25 Subdivision Committee Review Factors: (1) In review of proposed subdivisions, the committee shall consider the following factors:

- (A) Tentative plan requirements.
- (B) Conformance to zoning and Comprehensive Plan.
- (C) Quantity and quality of existing or proposed water supply and adequacy of the existing or proposed sewage disposal system to support the projected population. In the event that subsurface sewage disposal is proposed for any or all of the parcels of the development, the capability of the soil for the proper long-term support of such system or systems shall be considered.
- (D) Adequacy of public services, existing or committed and funded, in the area of the proposed development, such as schools, police and fire protection, health facilities, highway and arterial road networks and other transportation facilities, parks and other

recreational facilities, to serve the increase in population expected to be created by the development.

- (E) Effect of the development in relation to industrial plants, livestock, feed lots, solid waste disposal sites (existing and proposed), mining and quarrying operations and other possible conflicting land uses, particularly agricultural and forestry use.
- (F) Possible adverse effects on the development by natural hazards, such as floods, slides or faults, etc.
- (G) Possible adverse effects of the development on adjacent or area agricultural, grazing, forest or industrial lands and operations.
- (H) Design and development for retention of the maximum feasible amount of vegetation and other natural amenities.
- (I) Possible environmental damage to the area or possible effects on fish, wildlife or their habitat.
- (J) Possible conflicts with easements acquired by the public for access through or use of property within or adjacent to the proposed development.
- (K) Unusual conditions of the property involved such as high water table, slope, bedrock, or other topographic or geologic conditions which might limit the

capability to build on the land when using ordinary and reasonable construction methods.

- (L) Marketable title or other interest contracted for.
- (M) Adequate financial arrangements for onsite and off-site improvements proposed or required.
- (N) Evidence that each and every parcel can be used for the purpose for which it is intended and is to be offered.
- (O) Agreement or by-laws to provide for management, construction, maintenance, or other services pertaining to common facilities or elements in the development.
- (P) Protective covenants or deed restrictions.

2.30 The Subdivision Review Committee is not empowered to agree to conditions; therefore, recommendations made by the Committee do not bind the Tribe but are only intended to aid the applicant to determine what requirements will probably be necessary for satisfaction of the Comprehensive Plan and this Code. Any conditions not addressed by the Committee shall not be considered to be met and shall not be precluded from future considerations if determined to be necessary to comply with the Comprehensive Plan or this Code.

2.35 The application shall:

- a) Be made on forms available from the Umatilla Confederated Tribes;
- b) Be accompanied by the appropriate fee, based on the fee schedule adopted by the Board of Trustees.
- c) The application shall include an address and telephone number of an agent or owner;

2.40 Natural Resource Commission recommendation:

Within twenty one days after the Planning Committee reviews the tentative or development plan, it shall advise the applicant of the specific changes or additions, if any, it has determined necessary.

2.45 Application Procedure

Application Submission

- A. 1. Any person proposing a subdivision, or his authorized agent or representative, shall include with an application for a subdivision either an outline development plan as described in Section 3.10 or a tentative plan as set forth in Sections 3.25 for the proposed subdivision, together with improvement plans and other supplementary material as may be

required. The applicant must submit 6 copies of any plan required together with all required accompanying material to the Department of Natural Resources.

- B. 2. An outline development plan or a tentative plan for a subdivision on a form provided by the Department of Natural Resources together with the appropriate filing fee.
- C. 3. The time for filing shall be construed to be the time when the outline development plan or tentative plan is received by the Department of Natural Resources in completed form, together with the appropriate filing fee, required supplemental material and subdivision application form.

SECTION 3.0 Required Findings for Approval:

An outline development plan or a tentative plan for a proposed subdivision unless the requirements and standards set forth in this code, that the subdivision as proposed or modified will satisfy the intent and requirements of this code and will be in compliance with the Comprehensive Plan. Such findings shall include the following:

- (a) The subdivision contributes to orderly development and land use patterns in the area, and provides for

the preservation of natural features and resources such as streams, lakes, natural vegetation, special terrain features, agricultural and forest lands, and other natural resources.

- (b) The subdivision will be compatible with the uses surrounding the project site, and will not create an excessive demand on public facilities and services required to serve the development.
- (c) Financing will be available to the applicant to assure completion of the subdivision as proposed and required. Such financing arrangement may be contingent upon tentative plan approval. A performance bond may be required if it is determined that it will be necessary to assure proper completion. The applicant may substitute a adequate performance bond for other evidence of financial sufficiency required by this subsection.
- (d) That there will be no undue adverse impacts on neighboring properties, natural resource quality, area livability, and public services and facilities.

3.05 Additional Findings for Approval

1. Streets, alleys and adjacent areas.
2. Sewers and sewage.
3. Water lines and supply.

4. Parks, Playgrounds and Recreational Areas.
5. Fire Hazard Restrictions.

3.10 Outline Development Plan If an outline development plan is prepared and submitted with the application for a subdivision, it shall include both maps and written statements as set forth in this section. The information shall discuss the area surrounding the proposed subdivision in sufficient detail to demonstrate the relationship of the subdivision to adjoining land uses, both existing and allowable under applicable zoning and comprehensive plan classifications.

The maps which are part of the outline development plan may be in general schematic form, but shall be to scale, and shall contain the following information:

- (A) The existing topographic character of the land.
- (B) Existing and proposed uses and the approximate location of buildings and other structures on the project site and adjoining lands.
- (C) The approximate density of the proposed subdivision.
- (D) The approximate location of street and roads within and adjacent to the subdivision.
- (E) Public uses including schools, parks, playgrounds and other public open spaces or facilities.
- (F) Common open spaces and facilities and a description

of the proposed use of these spaces and facilities.

(G) Landscaping, irrigation and drainage plans.

3.15 Written statements which are part of the outline development plan shall contain the following information:

- (A) An explanation of the character of the subdivision and the manner in which it has been planned and will be designed to be in compliance with the comprehensive plan, applicable zoning and this ordinance.
- (B) A statement and description of all proposed onsite and offsite improvements proposed.
- (C) A statement of the proposed financing for completion of the subdivision as proposed.
- (D) A statement of the present ownership of all land included within the subdivision.
- (E) A general schedule of development and improvements.
- (F) A statement setting forth expected types of housing and other uses to be accommodated, traffic generation, population and sectors thereof to be served, and any other information relative to demands on public services and facilities and public needs.
- (G) A statement relative to compatibility with adjoining and area land uses, present and future, the comprehensive plan and applicable zoning ordinance.

- 3.20 (A) A review of an outline development plan will be conducted by the Subdivision Review Committee and is intended only as a preliminary examination of the proposal for the Comprehensive Plan and zoning compliance, offered as a service to the applicant. Approval by the Subdivision Review Committee shall not constitute approval by the Natural Resource Commission.
- (B) The Subdivision Review Committee shall complete its recommendations concerning the outline development plan within 10 days following receipt of the plan by the Tribal Development Office, and shall notify the applicant of its decision in writing. The notification shall be accompanied by a report of the reasons for the decision, including facts and conclusions utilized in the Committee's consideration of the plan for conformance with the Comprehensive Plan and zoning provisions.
- (C) Upon receipt of notification by the Subdivision Review Committee the applicant may resubmit a revised outline development plan or submit a tentative plan pursuant to Section 3.5 or withdraw the application.

3.25 Tentative Plan Required

Following submitted and approval of an outline development

plan and subdivision application, or as an initial subdivision application, any person proposing subdivision in accordance with Section 2.9 of this article, the tentative plan for a subdivision shall be prepared and submitted in compliance with the provisions of Sections 3.5 through 3.7 of this article.

3.30 Scale of Tentative Plan: The tentative plan of a proposed subdivision shall be drawn on a sheet 18 by 24 inches or smaller at a scale of one (1) inch per 50 feet for subdivisions up to 10 acres in size, one (1) inch per 200 feet for subdivisions up to 100 acres in size, and for subdivisions up to 100 acres in size, and for subdivisions of more than 100 acres in size, a scale not greater than one (1) inch per 400 feet.

3.35 Preliminary Review by Health Department: Upon receipt of the application for tentative plan approval, the Department of Natural Resources shall furnish one copy of the application to the Health Department. The Health Department shall review the tentative plan and prepare a preliminary report to present to the Natural Resources Commission at its next regular meeting.

(A) Natural Resources Commission:

At its next regular meeting the Commission shall review the tentative plan and the preliminary report of the Tribal Health Department when applicable.

- (B) The Natural Resource Commission shall schedule a public hearing for the purposes of approving, approving conditionally, denying or tabling of the request.
- (C) Notices shall be done in accordance with the Administrative Provision, Chapter X, of the Land Development Code.
- (D) After the hearing has been conducted, the Natural Resources Commission shall notify the applicant in writing of its official decision within 15 days. If the decision is favorable with regards to the tentative plan the approval shall be effective for one year.

3.40 Final Subdivision Plat:

- a) Trust Lands; and subdivisions thereof shall be recorded with Real Property Management of the Bureau of Indian Affairs and shall comply with provisions of Title 25, Indians, Code of Federal Regulations.
- b) Fee simple; or deeded lands and subdivisions thereof shall be recorded at appropriate County Governmental Agencies such as the Assessor's Office.

3.45 Final Plat:

Submission of the Final Plat.

- (1) Filing Time Period Requirements. Within nine (9) months after the date of approval of the tentative plan for a subdivision, the applicant shall prepare and submit to the Tribal Development Office a final plat that is in conformance with the tentative plan as approved. The applicant shall submit the original drawing, five prints, and any supplementary information required by this ordinance and the Natural Resource Commission.
- (2) If the applicant fails to proceed with the subdivision before the expiration of the nine (9) month period following the approval of the tentative plan, the plan approval shall be void. The applicant may submit a new plan together with the appropriate filing fee.
- (3) The Natural Resource Commission may, upon submittal of a formal request prior to expiration of the nine month period provided for by subsection (2) of this section, grant an extension of not more than 90 days of the nine (9) month period set forth in section

SECTION 4.0 Form of Final Plat. The final plat shall be submitted in the form prescribed by state statute and this ordinance. All plats subdividing any tract of land in the reservation, dedications of streets, roads or public parks and squares, and other writings made a part of such plats offered for record shall be made in black Indian ink, upon material

that is 18 inches by 24 inches, suitable for binding and copying, having such characteristics of strength and permanency as may be required by the County. The plat shall be of such a scale, and the indication of the approvals thereof and of the dedication and affidavit of the surveyor, shall be of such a size or type as will be clearly legible, but no part shall come nearer any edge of the sheet than one inch. The plat may contain as many sheets as necessary, but a face sheet and an index page shall be included for plats of two or more sheets.

4.05 Information on Plat. In addition to that required for the tentative plan or otherwise specified by law, the following information shall be shown on the plat.

- (1) Name of Subdivision.
- (2) Name of owner, applicant, and engineer or surveyor.
- (3) The date, scale, north point, legend, controlling topography such as bluffs, creeks, and other bodies of water, and existing highways and railroads.
- (4) Legal description of the tract boundaries.
- (5) Reference points of existing surveys, identified, related to the plat by distances and bearings, and referenced to a field book or map as follows:
 - (A) Stakes, monuments, or other evidences found on the ground and used to determine the boundaries of the subdivision.

- (B) Adjoining corners of adjoining subdivisions.
- (C) Other monuments found or established in making the survey or required to be installed by provisions of this ordinance.
- (6) The exact location and width of streets and easements intercepting the boundary of the tract.
- (7) Tract, block and lot boundary lines and street rights-of-way and center lines, with dimensions, bearing or deflecting angles, radii, arcs, points of curvature and tangent bearings. Normal high water lines for any creek, bay or other body of water. Tract boundaries and street bearings shall be shown to the nearest 30 seconds with basis of bearings. Distances shall be shown to the nearest 0.01 feet. No ditto marks shall be used.
- (8) Streets. The width of the streets being dedicated and the curve data shall be based on the street center line. In addition to the center line dimensions, the radius and central angle shall be indicated together with the long chord distance and bearing.
- (9) Easements. Easements shall be noted by fine dotted lines, clearly identified and, if already of record, their recorded reference. If an easement is not of record, a statement of the easement shall be given. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to

the subdivision shall be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificates of dedication.

4.10 Supplemental Information with Plat.

The following information, if applicable, shall accompany the plat:

- (1) Title Report. A preliminary title or subdivision guarantee report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary and their interest in the premises; such report shall show evidence of a clear and marketable title.
- (2) Survey Data Sheets. Sheets and drawings shall contain the following information:
 - (A) Traverse data including the coordinates of the boundary of the subdivision and ties to section corners and donation land claim corners, and showing the error of closure, if any. A survey control work sheet may be substituted for this item.
 - (B) The computation of distances, angles and courses shown on the plat.
 - (C) Ties to existing monument, proposed monuments, adjacent subdivisions, street corners, and state highway stationing.
- (3) Deed Restrictions. A copy of any deed restrictions applicable to the subdivision.

- (4) Dedications. A copy of any dedication requiring separate documents with specific reference to parks, playgrounds, etc.
- (5) Improvements. If grading, street improvements, sewer or water facilities are required as a condition of approval of the final plat, the following shall be required to be submitted with final plat:
 - (A) Plans and profiles of proposed sanitary sewers, location of manholes and proposed drainage system.
 - (B) Plans and profiles of the proposed water distribution system showing pipe sizes and location of valves and fire hydrants.
 - (C) Specifications for the construction of all proposed utilities.
 - (D) Grading plans and specifications as required for areas other than streets and ways.
 - (E) Planting plans and specifications for street trees and other plantings in public areas.
 - (F) Plans for improvement, design factors, or other provisions for fire protection or fire hazard reduction.

4.15 Technical Review of Plat

- (1) Upon receipt by the Department of Natural Resources the plat and other data shall be reviewed by the Subdivision Review Committee to determine that the subdivision as shown is substantially the same as it appeared on the

such as to provide separation of water sources and sewage disposal facilities as the Health Department considers adequate for soil and water conditions. Fire hydrants may be required.

(2) Water System:

Water lines with valves and fire hydrants serving a subdivision and connecting the subdivision to a water system shall be installed in accordance with plans approved by the Health Department. In the event it is impractical to connect the subdivision to a community system, the Subdivision Review Committee may authorize the use of individual wells provided lot areas are deemed adequate. New water systems shall conform to the standards specified by Appendix B, Land Development Code, "Water Systems Manual."

4.20 Final Plat Approval: After the final plat has been checked and approved as provided in this section, the Land Development Code administrator shall certify the final plat and submit it to the Natural Resource Commission for final approval.

4.25 Recording of Plat:

(1) No plat shall have any force or effect until the same has been finally approved by the Natural Resources Commission. No title to any offer of dedication shall pass until the final plat has been recorded.

- (2) The Land Development Code Administrator or his representative shall file the approved final plat, including an exact copy thereof as described in Section 3.40, with the County Clerk.
- (3) The final plat shall be accompanied by a filing fee as set by the Natural Resources Commission.

4.30 Improvements Required:

The following improvements shall be installed at the expense of the subdivider.

(1) Water supply:

Lots with a subdivision shall be served by a public domestic water supply system or lot size shall be size as determined by the Tribal Health Department.

(4) Surface Drainage and Storm Sewer System:

Drainage facilities shall be installed as are necessary to provide proper unrestricted drainage within the subdivision. Drainage facilities shall be connected to drainage ways or storm sewers outside the subdivision. Dike and pumping systems shall be installed if deemed necessary by the Land Use Planning Committee.

(5) Streets and Roads:

Easements serving subdivisions with lots of one acre or more shall conform to the following minimum specifications:

- a) Right of Way or easement width shall be 30 feet.

- b) Road surface shall be 20 feet.
- c) Materials base 4" minus
 - Sub-base, 4 inch consisting of 1 1/2" or 3/4 " minus.
- 6) Streets serving subdivisions with lots of less than an acre shall conform to the following minimum specifications for all weather roads:
 - a) Right of ways or streets shall be 40 feet.
 - b) Road surface shall be 24 feet.
 - c) Materials
 - (1) Base 4" minus.
 - (2) Sub-base 4" consisting of 1 1/2" or 3/4" minus.
 - (3) Asphalt 2 inches.
 - (4) Asphalt mix shall be Class C.
 - (5) Extruded curbs are considered acceptable.
- 7) Sidewalks: Pedestrian traffic shall be accomodated by sidewalks of lot less than 5 feet in width.
- 8) Other Utilities:

Underground utilities shall be installed by the developer in a coordinated manner that will minimize maintenance costs.
- 9) Maintenance of Improvements:

The applicant shall be required to file a maintenance bond with the Confederated Tribes which stipulates that the applicant will maintain or cause to be maintained the lots and improvements within the subdivision.

SECTION 5.0 Land Partitioning

5.01 Applicability of Regulations

1. All land partitionings within the said boundaries of the Reservation shall be approved or denied by the Natural Resources Commission, minor land partitions may be approved or denied by the Land Development Code Administrator. Said approvals shall only be granted in accordance with the provisions of this manual.

5.05 Filing Procedures and Requirements

1. Any person proposing a land partitioning, or his authorized agent or representative, shall prepare and submit five (5) copies of the documents hereinafter described, in accordance with the prescribed procedures, and the appropriate filing fee, to the Department of Natural Resources.
2. The tentative map or preliminary drawing shall include the following:
 - (A) A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and adjoining land use and ownership patterns. The map must include names of all existing roadways shown therein.
 - (B) A plan of the proposed partitioning showing

LA PARTITION

tract boundaries and dimensions, the area of each tract or parcel, locations of all easements, and the names, right-of-way widths and improvement standards of existing roads.

- (C) Names and addresses of the landowner, the applicant (if different), a mortgagee if applicable, the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created, and record owners of land contiguous to the proposed partition. *- if CTUIR as ordered sequential design shall be made*
- (D) A statement regarding contemplated water supply, sewage disposal, solid waste disposal, fire protection and access, etc.
- (E) North point, scale and date of map, and property identification by tax lot, section, township and range.
- (F) Statement regarding past, present and intended use of the parcels to be created, or the use for which the parcels are to be offered.
- (G) If a tract of land has water rights, the application shall be accompanied by a water rights diversion plan approved by the Umatilla Indian Reservation.

- (H) Location of all existing buildings, canals, ditches, septic tanks and drainfields.
- (I) Location of any topographical feature which could impact the partition, such as canyons, bluffs, rock outcroppings, natural springs, and flood plains.
- (J) Location, width, name, curve ratio and approximate grade of all proposed rights-of-way.

5.10 Requirements for Approval

- (1) No application for partitioning shall be approved unless the following requirements are met;
 - (A) Proposal is in compliance with the Comprehensive Plan and applicable zoning.
 - (B) Proposed partitions on trust lands shall comply with provisions of Title 25, Indians, Code of Federal Regulations.
 - (C) Proposal does not conflict with acquired public access easements within or adjacent to the partition.
 - (D) Each parcel is suited for the use intended or offered.
 - (E) Proposal is compatible with adjoining and area land uses.

(F) All required public services and facilities are available and adequate or are proposed to be provided by the petitioner.

(G) Proposal will not have any undue adverse impacts on adjoining or area land uses, public services and facilities, and natural resource carrying capacities.

(H) An approved water rights division plan.

(2) The Natural Resource Commission shall deny an application for partitioning when it appears the partitioning is part of a plan or scheme to create more than three (3) parcels without going through subdivision, or is part of a development pattern having the effect of creating more than three (3) parcels without subdividing.

SECTION 5.15 Additional Factors to be Considered

In addition to the requirements set forth in Section 4.4 the following additional factors shall be considered by the Natural Resource Commission when appropriate.

- (1) Placement and availability of utilities.
- (2) Safety from fire, flood and other natural hazards.
- (3) Adequate provision of public facilities and services.
- (4) Possible affects on natural, scenic and historical resources.

- (5) Need for onsite or offsite improvements.
- (6) Need for additional setback, screening, landscaping and other requirements relative to the protection of adjoining and area land uses.

SECTION 5.20 Improvement Requirements

- (1) In the approval of a land partitioning the Natural Resource Commission shall consider the need for street and other improvements, any may require as a condition of approval any improvements that may be required for a subdivision under the provisions of this code. All roads in major portions shall be dedicated to the public without reservation or restriction.
- (2) Existing Streets. The dedication of additional right-of-way and widening of the existing roadway shall be required whenever existing streets adjacent to or within a tract area are inadequate to safely accommodate traffic anticipated by the Natural Resource Commission and the County Road Department.
- (3) Dedication of additional right-of-way widening shall be required where topography requires cut or fill slopes for roads under the criteria above, where state law requires rights-of-way for utilities to be dedicated or where a rationally supported

traffic engineering study states that additional through lanes, lanes for turning, exists, bike paths, or walkways are needed for public safety or efficient traffic flow.

SECTION 5.25 Final Map or Drawing for Partitioning

Following approval of the tentative plan for a proposed partitioning, the applicant shall prepare and submit to the Tribal Development Office the final map or drawing for the subject partitioning. Such filing shall be completed within six months from the date of the approval, or the approval shall be void. The final map or drawing shall be prepared in accordance with the following requirements and the original and two (2) copies thereof submitted by Department of Natural Resources to the Natural Resource Commission for approval. The original shall be recorded by the Planning Director (LDC Administrator) in the office of the County Clerk following approval by the Natural Resource Commission.

1. Final map or drawing requirements:

(A) Maps shall be drawn to a scale of one inch ^{equals} per 100 feet.

(B) Name of the owner, developer and engineer or surveyor shall be shown on the map or drawing.

- (C) Date, scale, north point, legal description of boundaries, and a tie by actual survey to a section or donation land claim corner.
- (D) Parcel boundary lines, with Distances and bearings; bearings shall be to the nearest 30 seconds, and distances to the nearest 0.01 feet. The area of each parcel shall be shown.
- (E) An affidavit by the engineer or surveyor having surveyed the land involved in the major partitioning.
- (F) A certification of acceptance of any public dedication.
- (G) A guarantee of approved or required improvements, including identification of maintenance responsibilities for proposed or existing roads and streets.
- (H) A certification of approval for execution by the Land Development Code Administrator.
- (I) Water rights to be assigned to each parcel shall be indicated on the map or drawing and certification of approval thereof.

2. Approval Requirements: No final map or drawing for a land partitioning shall be approved by the Natural Resource Commission unless all of the following requirements are met:

- (A) The final map or drawing in strict confor-

mance with the approved tentative plan.

- (B) The final map or drawing is in conformance with the requirements set forth in subsection (1) of this section.
- (C) Access is guaranteed to each parcel.
- (D) Each parcel is approved for subsurface sewage disposal if applicable to the intended or offered use.
- (E) All required public utilities are available.
- (F) All conditions of the tentative plan approval have been met or guaranteed.
- (G) A guarantee of all proposed or required improvements has been submitted and approved or such improvements completed and approved as set forth by the Natural Resource Commission.

SECTION 5.30 Application Review

1. Within 30 days following submission of an application for a land partitioning the Natural Resource Commission shall review the plans and application submitted, and shall either deny or recommend application.

SECTION 5.35 Appeal. An appeal of a decision or requirement of the Natural Resource Commission relative to a land partitioning shall be made in accordance with the provisions of Section of this code.

SECTION 6.0 Special Partitioning Regulations

- (1) The partitioning of a tract of land in which not more than one (1) parcel is created and transferred to a public or semi-public agency for the purpose of a road, railroad or electric substation may be approved by the Land Development Code Administrator. A filing fee shall be required.
- (2) The Land Development Code Administrator may waive the requirements for land partitioning for adjustments of a lot line by the relocation of a common boundary which meets the minimum lot size established by the applicable zone.

- SUBDIVISION MANUAL
of the
UMATILLA INDIAN RESERVATION

Adopted on the 24th day of August, 1983,
by Resolution No. 83-74 of the Board of
Trustees of the Confederated Tribes of the
Umatilla Indian Reservation, Oregon.

Edward A. Patena
CHAIRMAN, BOARD of TRUSTEES

ATTEST:

Marquitta J. Allman
SECRETARY, BOARD of TRUSTEES

