

Expedited Land Division Application Form (ORS 197.360-380)

What is an Expedited Land Division?

The expedited land division process provides an alternative to the standard procedures for certain land division requests. An applicant may choose to use the expedited land division process if their land division request meets all of the applicable requirements specified in Oregon Revised Statute (ORS) 197.360 (see reverse side). The steps in this procedure differ from the regular subdivision procedure, but still include a public review and opportunity for appeal. The steps are described in ORS 197.365-375.

Is it faster than the regular subdivision process?

The expedited land division process is intended to streamline the regular land use process that land divisions normally follow under state law, which allows up to 120 days for final city approval. In Salem, however, the typical processing time for a land division application (subdivision, partition, or replat) that meets city standards and is complete when submitted, is far less than the 120 days that state law allows. Therefore, in Salem, in many cases there is no difference in processing time between a regular land division and expedited land division.

What are the requirements to qualify for the Expedited Land Division process?

ORS 197.360 lists the requirements to qualify for an expedited land division review. These requirements are summarized below. The full text of ORS 197.360 is included on the reverse side of this form.

The proposed land division (i.e. subdivision, partition, or replat):

1. Must be on residentially zoned land and must be solely for the purposes of residential use;
2. Must not create building lots that provide for dwellings or accessory buildings within areas that contain natural resource protections, such as, but not limited to, the Willamette Greenway;
3. Must satisfy all City street standards and connectivity requirements; and
4. Must either:
 - a. *Create enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or*
 - b. *Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.*

Why am I receiving this application form for Expedited Land Division now?

The expedited land division process has existed since 1995; however, the 2015 Oregon Legislature required that all land division applicants be notified of the expedited land division option and how to apply.

Are you applying for an Expedited Land Division?

Yes ☐ No ☐ (If yes, then attach a written description of how the proposal satisfies ORS 197.360)

Applicant Name: _____ Telephone: _____

Applicant Mailing Address: _____

Site Address: _____

(Signature)

(Print Name)

(Date)

ORS 197.360:

(1) *As used in this section:*

(a) *“Expedited land division” means a division of land under ORS 92.010 to 92.192, 92.205 to 92.245 or 92.830 to 92.845 by a local government that:*

(A) *Includes only land that is zoned for residential uses and is within an urban growth boundary.*

(B) *Is solely for the purposes of residential use, including recreational or open space uses accessory to residential use.*

(C) *Does not provide for dwellings or accessory buildings to be located on land that is specifically mapped and designated in the comprehensive plan and land use regulations for full or partial protection of natural features under the statewide planning goals that protect:*

(i) *Open spaces, scenic and historic areas and natural resources;*

(ii) *The Willamette River Greenway;*

(iii) *Estuarine resources;*

(iv) *Coastal shorelands; and*

(v) *Beaches and dunes.*

(D) *Satisfies minimum street or other right-of-way connectivity standards established by acknowledged land use regulations or, if such standards are not contained in the applicable regulations, as required by statewide planning goals or rules.*

(E) *Will result in development that either:*

(i) *Creates enough lots or parcels to allow building residential units at 80 percent or more of the maximum net density permitted by the zoning designation of the site; or*

(ii) *Will be sold or rented to households with incomes below 120 percent of the median family income for the county in which the project is built.*

(b) *“Expedited land division” includes land divisions that create three or fewer parcels under ORS 92.010 to 92.192 and meet the criteria set forth in paragraph (a) of this subsection.*

(2) *An expedited land division as described in this section is not a land use decision or a limited land use decision under ORS 197.015 or a permit under ORS 215.402 or 227.160.*

(3) *The provisions of ORS 197.360 to 197.380 apply to all elements of a local government comprehensive plan and land use regulations applicable to a land division, including any planned unit development standards and any procedures designed to regulate:*

(a) *The physical characteristics of permitted uses;*

(b) *The dimensions of the lots or parcels to be created; or*

(c) *Transportation, sewer, water, drainage and other facilities or services necessary for the proposed development, including but not limited to right-of-way standards, facility dimensions and on-site and off-site improvements.*

(4) *An application for an expedited land division submitted to a local government shall describe the manner in which the proposed division complies with each of the provisions of subsection (1) of this section.*