
DIVISION 3. LAND SPLITS

SECTIONS:

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- 4.3.1 PURPOSE.** The purpose of this Division is to establish a review process for land divisions, other than subdivisions, by which owners and prospective purchasers can be advised whether a proposed division of land complies with the City regulations relating to land splits. This review is intended to:
- Protect and promote the public health, safety, convenience, and welfare.
 - Assure that newly created lots are of sufficient size to meet the requirements of the applicable zoning classification.
 - Assure that all lots resulting from a land split will have adequate access as specified by Sec. [3.2.14.5](#).
- 4.3.2 APPLICABILITY.** Any proposed land split, as defined by this Chapter, shall be submitted to the Development Services Department (DSD) for review as provided in Sec. 4.3.3. (Ord. No. 9392, §1, 5/22/00)
- 4.3.3 REVIEW PROCEDURES.**
- 4.3.3.1 Application Submittal. Prior to recording any land split, a property owner shall submit an application containing the following information. (Ord. No. 9392, §1, 5/22/00)
- A. A completed application form.
 - B. A drawing or sketch showing the proposed land split. The drawing or sketch should be fully dimensioned and prepared at a scale which maintains legibility. The drawing or sketch shall show the following information.
 1. The boundaries of the original parcel or lot prior to the land split.
 2. The proposed lots.
 3. The rights-of-way adjacent to or within the property, including streets and easements.
 4. The locations and dimensions of any existing structures.
 5. The setbacks of existing buildings from existing and proposed property lines.
 6. The land area of each proposed lot in square feet or acreage.
 7. Access to all proposed lots in compliance with Sec. [3.2.14.5](#).
 8. Whether there is any shared use of facilities between properties.

C. Documentation of the land division history of the parcel. Documentation may consist of Assessor's maps and records, deeds, title history search, or any other information that would credibly show the number of land divisions that have occurred from the original parcel over the last twenty (20) years or from the date of annexation if the annexation occurred within the last twenty (20) years.

D. If applicable, a copy of any easement agreement or other legal document which permits shared facilities.

For specific information on the preparation of the drawing or sketch and other submittal requirements, refer to Development Standard 2-03.0 for land splits.

4.3.3.2 Review. The land split application shall be reviewed in accordance with procedures established in Sec. 23A-33.2. Determinations are made on the following. (Ord. No. 9392, §1, 5/22/00; Ord. No. 9967, §4, 7/1/04)

A. Whether the proposed land division constitutes a subdivision as defined in Sec. 4.1.2 requiring compliance with platting requirements of Division 1 of this Article.

B. If the proposed land split does not constitute a subdivision, whether:

1. The lots resulting from the proposed land split conform to the minimum lot size requirements for the zoning classification of the property.
2. Access to the proposed lots is in compliance with Sec. 3.2.14.5.
3. The location of any existing building on any lot resulting from the proposed land split complies with building setbacks for the applicable zone.

4.3.3.3 Decision and Findings. The applicant shall be notified in writing of the review decision and findings within ten (10) working days after the land split application is filed. (Ord. No. 9392, §1, 5/22/00)

A. If it is determined that the proposed land split constitutes a subdivision, compliance with Division 1 or 2 of this Article, as applicable, shall be required for the proposed land division. (Ord. No. 9392, §1, 5/22/00)

B. If it is determined that the proposed land split complies with minimum requirements of this Division, a letter of approval shall be issued to the applicant together with an approved copy of the land split drawing. (Ord. No. 9392, §1, 5/22/00)

C. If it is determined that the proposed land split does not comply with minimum requirements of this Division, a letter of denial shall be issued to the applicant. (Ord. No. 9392, §1, 5/22/00)

D. If a decision is not issued within the ten (10) day time period for issuance of a decision required by this Section, the land split shall be deemed not to constitute a subdivision requiring approval as a subdivision plat. (Ord. No. 9392, §1, 5/22/00)

E. Compliance with City ordinances and regulations not reviewed as part of the land split review process will be determined at the time of application for building permits when more detailed information is provided on the proposed development of each lot.

4.3.4 **COMPLIANCE.** No building permit or zoning compliance certificate shall be issued for development on any parcel that does not comply with the land split regulations of this Article.