

CHAPTER 4.4 LAND DIVISION STANDARDS

Section 4.4.10 - PURPOSES

The land division standards in this chapter are intended to preserve, protect, and promote the public health, safety, convenience, and general welfare. These standards are implemented in conjunction with the subdivision, expedited land division, and partition procedures in chapters 2.4, 2.5, and 2.14, respectively, and with Chapter 4.0 - Improvements Required with Development.

Section 4.4.20 - GENERAL PROVISIONS

4.4.20.01 - Applicability

All land divisions shall be in compliance with the requirements of the applicable zone and this chapter, as well as with all other applicable provisions of this Code. Modifications to these requirements may be made through a Planned Development (Chapter 2.5).

4.4.20.02 - Blocks

- a. **General** - Length, width, and shape of blocks shall be based on the provision of adequate lot size, street width, and circulation, and on the limitations of topography.
- b. **Size** - Blocks shall be sized in accordance with the block perimeter provisions within Chapter 4.0 - Improvements Required with Development.

4.4.20.03 - Lot Requirements

- a. **Size and Shape** - Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. No lot shall be dimensioned to contain part of an existing or proposed street. All lots shall be buildable, and depth shall generally not exceed 2.5 times the average width. Lot sizes shall not be less than required by the Code for the applicable zone. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking and service facilities required by the type of use proposed, unless offsite parking is approved per Chapter 4.1 - Parking, Loading, and Access Requirements.
- b. **Access** - Each lot shall abut a street other than an alley for a distance of at least 25 ft. unless the lot is created through a land partition or minor replat, in which case section 4.4.30.01 below shall apply. Exempt from this provision are residential developments involving detached single-family, 2-unit attached single-family, or duplex dwellings in which front doors are less than

100 ft. from a street and are accessed by a sidewalk or multi-use path, and in which vehicular access is provided via an alley. Also exempt from this provision are residential (except as specified above), commercial, and industrial lots in which front doors are less than 200 ft. from a street and are accessed by a sidewalk or multi-use path, and in which vehicular access is provided via an alley.

- c. **Through Lots** - Through lots shall be avoided except where essential to overcome specific disadvantages of topography and orientation. A planting screen easement at least 20 ft. wide shall be required between through lots and adjacent streets, in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting. No vehicular rights of access shall be permitted across this planting screen easement. All through lots having frontage on parallel or approximately parallel streets shall provide the required front yard on each street, except as specified in Chapter 4.2.
- d. **Lot Side Lines** - Side lines of lots, as much as practicable, shall be at right angles to the street the lots face.
- e. **Lot Grading** - Lot grading shall conform to the City's excavation and fill provisions.
- f. **Building Lines** - Building setback lines may be established in a final plat or included in covenants recorded as a part of a final plat.
- g. **Large Lots** - In dividing land into large lots that have potential for future further subdivision, a conversion plan shall be required. The conversion plan shall show street extensions, utility extensions, and lot patterns to indicate how the property may be developed to Comprehensive Plan densities and to demonstrate that the proposal will not inhibit development of adjacent lands.

Section 4.4.30 - SPECIAL PROVISIONS FOR LOTS CREATED THROUGH LAND PARTITIONS OR MINOR REPLATS

In addition to complying with the provisions of section 4.4.20 above, partitions and minor replats shall be subject to the following standards and procedures.

4.4.30.01 - Accessway

- a. For residential lots, access requirements of section 4.4.20.03.b. may be reduced and combined to provide an accessway (a narrow strip of land connecting a parcel to a dedicated right-of-way or private street within a separate tract) in accordance with the following:

1. An accessway to a single lot and one dwelling unit shall be a minimum of 17 ft. wide;
2. An accessway to a single lot and two dwelling units or combined accessways to two lots and two dwelling units shall be a minimum of 23 ft. wide;
3. An accessway to a single lot with more than two dwelling units shall be a minimum of 28 ft. wide;
4. A combined accessway to two or three lots and three or four dwelling units with a common drive shall be a minimum of 28 ft. wide; and
5. A combined accessway to two or three lots and five or more dwelling units with a common drive shall be a minimum of 34 ft. wide.

The accessway ensures access to the parcel. Actual pavement widths within an accessway are in accordance with the City's Off-Street Parking and Access Standards, established by and available through the City Engineer and amended over time.

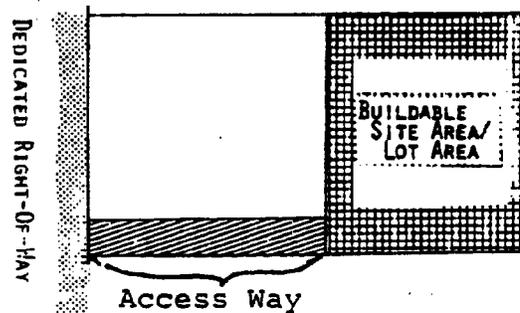
- b. Accessways must connect to a dedicated right-of-way at least 40 ft. wide and paved to City standards. An exception to the paving requirements for the existing dedicated right-of-way may be allowed if all of the following conditions are met:
 1. The accessway connects to a street paved to a minimum of 20 ft. wide;
 2. The accessway serves a single lot and not more than two dwelling units;
 3. The property owner signs an irrevocable petition for public street improvements and records it with the property through the Benton County Recorder's Office; and
 4. The property owner demonstrates that the grade of the property will allow foundation drainage to be carried by gravity (without pumping) to a public storm drain or other drainage facility approved by the City Engineer.
- c. The City Engineer may require that any private accessway or driveway over 50 ft. long or serving two or more lots shall be constructed at the same time that the adjacent public street is constructed. This provision includes all required drainage, sewage, and utility facilities.

4.4.30.02 - Lot Width

The minimum lot width shall be as required by the applicable zone.

4.4.30.03 - Lot Area

The lot area shall be as required by the applicable zone and shall be provided entirely within the building site area exclusive of any accessway (see the figure below).



4.4.30.04 - Front Yard Determination

If the partitioned lot is a flag lot, the property owner may determine the location of the front yard, provided that no side yard is less than 10 ft. long.

4.4.30.05 - Site Improvements

These requirements shall be in addition to others in Chapter 4.0 - Improvements Required with Development.

- a. **Screening** - A screen shall be provided along the property line of a lot of record where a paved driveway is within 5 ft. of the lot line; if the driveway is shared, the lot is exempt from this provision. Screening also may be required to maintain privacy for abutting lots. These screening requirements may be waived if the adjacent affected property owner consents in writing to such a waiver. Required screening shall be provided in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting.
- b. **Fire Protection** - The Fire Chief may require installation of a fire hydrant and turnarounds if the length of an accessway would have a detrimental effect on fire fighting capabilities.

4.4.30.06 - Existing Vegetation

Significant beneficial vegetation including trees and shrubbery shall be preserved wherever possible, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting.

4.4.30.07 - Reciprocal Easements

If a common driveway serves more than one lot, a reciprocal easement to ensure access rights shall be recorded with the approved partition map.