

CHAPTER 152: PLANNING AND DEVELOPMENT

Section

Plans and Regulations; Adopted by Reference

- 152.01 Comprehensive Plan
- 152.02 [Reserved]
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- 152.04 Transportation System Plan
- 152.05 Public Facilities Plan

Minor Partition Vacation Procedures

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Cross-reference:

Zoning amendments to the Comprehensive Plan and Zoning Maps, see TSO IX

PLANS AND REGULATIONS; ADOPTED BY REFERENCE

§ 152.01 COMPREHENSIVE PLAN.

The revised Comprehensive Plan text for the city and its urban growth area is hereby adopted by reference as if set out in full herein. Copies are available through city offices.

(1993 Code, Comp. No. 8-4) (Ord. 588, passed 6-23-2003; Ord. 611, passed 10-17-2005; Ord. 621, passed 8-21-2006; Ord. 635, passed 12-17-2007)

§ 152.02 [RESERVED].

§ 152.03 [RESERVED].**§ 152.04 TRANSPORTATION SYSTEM PLAN.**

The Transportation System Plan for the city, adopted to assist in providing for future transportation system needs in the city and the city's urban growth area, is hereby adopted by reference as if set out in full herein. Copies are available through city offices.

(Ord. 587, passed 6-23-2003; Ord. 611, passed 10-17-2005)

§ 152.05 PUBLIC FACILITIES PLAN.

The revised Public Facilities Plan for the city and the city's urban growth area is hereby adopted by reference as if set out in full herein. Copies are available through city offices.

(Ord. 589, passed 6-23-2003)

MINOR PARTITION VACATION PROCEDURES**§ 152.20 FINDINGS; DEFINITION.**

(A) The City Council finds that no procedure currently exists for vacation of a minor partition.

(B) ***MINOR PARTITION*** means a partition that does not include creation of a street.

(C) The Council further determines it is in the public interest to adopt procedures for application and approval of vacation of minor partitions. Upon receipt of application complying with the terms of this subchapter and following the procedures of this subchapter, the City Council shall be authorized to vacate minor partitions.

(1993 Code, Comp. No. 8-7) (Ord. 368, passed 7-2-1984)

§ 152.21 APPLICATION; FEE.

All applications requesting vacation of a minor partition shall be submitted on forms approved by

the city and shall be accompanied by the fee established by the City Council from time to time by motion. Initially the application fee shall be \$100. The application shall be signed by all persons owning an interest in the real property which is the subject of the proposed vacation, including fee title holder, contract sellers, contract purchasers, mortgagees and trust deed beneficiaries.
(1993 Code, Comp. No. 8-7) (Ord. 368, passed 7-2-1984)

§ 152.22 PUBLIC HEARING.

Upon receipt of an application, a public hearing before the Planning Commission shall be scheduled and notice of the public hearing shall be given to all owners of property within 250 feet of the subject property. At the public hearing the Planning Commission shall consider all evidence presented, including any legitimate objections from neighboring property owners and shall consider, among other things, whether grant of the application for vacation would adversely affect construction or development patterns in the area and the existing zoning and Comprehensive Plan for the area. The Planning Commission shall recommend vacation if it finds the vacation is in the public interest.
(1993 Code, Comp. No. 8-7) (Ord. 368, passed 7-2-1984)

§ 152.23 DECISION.

Upon receipt of recommendation from the Planning Commission, the City Council shall schedule a public hearing on the proposed vacation, giving notice thereof to owners of property within 250 feet of the proposed vacation. At the hearing the City Council shall consider the findings and recommendation of the Planning Commission, the evidence submitted at the Planning Commission hearing and may consider any additional evidence presented at the City Council hearing. The City Council shall grant the request for vacation if it finds it is in the public interest, and if the subject property has not been developed as separate parcels.
(1993 Code, Comp. No. 8-7) (Ord. 368, passed 7-2-1984)

