



## Expedited Land Division Procedure (ORS 197.360-380)

### What is an Expedited Land Division?

An expedited land division provides an alternative procedure for land division applications. An applicant may choose to use the expedited land division process if the proposal meets all of the requirements in Oregon Revised Statutes (ORS) 197.360.

### What projects qualify for the Expedited Land Division Process?

The requirements for the expedited land division process are provided in ORS 197.360, which are summarized below. The full text is provided on the reverse side of this form. To utilize the expedited process, a partition, subdivision or re-plat must meet all of the following:

1. The project must be located on residentially zoned land and must be solely for the purpose of residential use;
2. The proposal must not create building lots that provide for dwellings or accessory buildings within areas that are designated for protection of natural features, such as but not limited to: environmental overlay zones; historic and conservation districts and landmarks; and scenic overlays;
3. The proposal must satisfy all City street standards and connectivity requirements; and,
4. The project must either:
  - a. Create enough lots or parcels to allow building residential units at 80% 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.

### What is the difference between the Expedited and Regular Land Division process?

Under state law, the City is required to render a decision and resolve any appeals within a 120-day time period. An expedited land division is intended to streamline the review of land divisions under state law, which requires a decision within a 63-day time period. Most land division applications that use the land use procedures take less than 120-days to process, and are typically decided in much less time. In the event additional information or time is needed for a land division application (regular), the applicant can request that the 120-day timeline be extended. In contrast, extension of the 63-day limit for expedited land divisions may only be granted by Council action. Additionally, the Land Use Board of Appeals (LUBA) does not have jurisdiction to review the City’s final decision on an expedited land division.

### Comparison: Regular vs. Expedited Process

Procedural Step	Regular Land Division Process	Expedited Land Division Process
Application reviewed and accepted as complete.	14-days (Partition) 30-days (Subdivision)	21-days
Time applicant has to submit additional materials if deemed incomplete.	180-days	180-days
Public Notice Period	20-days	14-days
Deadline for decision from date the application is deemed complete	120-days	63-days
Ability to extend the deadline to address issues identified during review	Yes	No
Deadline to file an appeal from date of decision	14-days	14-days
Timeline for local appeal decision	Within 120-day rule deadline (above)	42-days from appeal filing

**ORS 197.360 - Expedited Land Division Requirements**

**197.360 “Expedited land division” defined; applicability.**

- 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.
- 2) “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.  
 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.  
 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
- 3) 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.

**Are you applying for an Expedited Land Division?**

Yes  No  (If yes, your application must include a written description of how the proposal satisfies the requirements in ORS 197.360.

Applicant Name: \_\_\_\_\_ Telephone No. : \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_ Email: \_\_\_\_\_  
 Site Address: \_\_\_\_\_

---

Print Name
Signature
Date