

## CHAPTER 17.34: PROPERTY LINE ADJUSTMENTS

### 17.34.010 General provisions.

- A. Property line adjustments shall be consistent with all of the following requirements provided the following circumstances substantially exist:
  - 1. The adjustment of property lines results in no more parcels than originally existed;
  - 2. The proposed property line adjustment results in parcels that meet all area and dimension standards of this Code;
  - 3. The proposed property line adjustment does not locate lot lines in violation of the setback and height provisions of the Code relative to existing structures and improvements.
- B. Property line adjustments shall not be used in lieu of the procedures required for replats of subdivisions or partition plats. A property line adjustment that reconfigures property lines for three (3) or more properties within any twelve (12) month period shall be considered a replat.
- C. Except as provided in subsection D of this section, property line adjustments shall be surveyed and monumented in accordance with Oregon law, and a survey conforming to Oregon law shall be filed with the City Recorder and the County Surveyor.
- D. The requirements of subsection C of this section shall not apply to the relocation of a common boundary of a lot in a subdivision or a parcel in a partition when the adjusted property line is a distance of even width along the common boundary.
- E. Property line adjustment deeds shall contain the names of the parties, the description of the adjusted line, references to the original recorded documents and signatures of all parties with proper acknowledgement. The deeds shall be recorded and a copy of the deed shall be filed with the City Recorder.
- F. Property line adjustment approvals are valid for a period of one (1) year. If at the end of one (1) year the property line adjustment has not been completed and recorded, the approval shall be null and void.
- G. No property line adjustment shall be approved which leaves any parcel without direct access to a public street.

#### **17.34.020 Submittal requirements.**

- A. Applications for property line adjustments shall be submitted to the City on forms provided for that purpose, and accompanied by a fee to be set by resolution of the City Council.
- B. Each application shall be accompanied by a tentative plan drawn to scale of not less than one inch equals twenty feet (1": 20'), nor more than one inch equals two hundred feet (1": 200'), and containing at least the following:
  1. Complete names, addresses and phone numbers of the owners of the properties to be adjusted;
  2. A description of the affected properties by quarter section, tax lot numbers, addresses and lot area;
  3. A description of the property to be transferred, including dimensions and size in square feet or acres;
  4. Identification arrows showing the land to be transferred;
  5. North arrow;
  6. All adjacent roads, noting whether public or private, including name and road width;
  7. Zoning of affected properties;
  8. All existing structures on the tracts and their setbacks to property lines, with notations as to whether property lines referred to are existing or proposed;
  9. Location of any septic tanks and drain fields;
  10. The location of any natural drainage ways, streams, wetlands, escarpments, slopes forty (40%) percent or greater, outcroppings, or other significant natural features of the tracts;
  11. Other pending applications, including building permits, on the subject tracts;
  12. All easements, including widths and types, labeled as existing or proposed, and noting the use and which properties they serve;
  13. A copy of the unsigned deed by which the adjustment is proposed.

**17.34.030 Approval process.**

- A. The approval of a property line adjustment shall follow Type 1 land use procedures as specified in Chapter 16.06.
- B. A property line adjustment in conjunction with another proposed land use action shall be processed as a consolidated application and shall follow the most restrictive land use procedure as specified in Chapter 16.06.
- C. If the property line adjustment application and its supporting materials conform with the provisions of this chapter, and if all conditions of approval have been satisfied, the Director and the City Planner shall signify approval by signature on the survey map (if applicable) and the issuance of an approval letter.
- D. The property line adjustment survey shall be filed with the County Surveyor's office, along with copies of the deeds to be used for the property line adjustment. No building permits or development permits shall be issued for a tract that is dependent on a property line adjustment until the survey has been filed with the County Surveyor and the deed has been recorded.