Planning and Zoning
Department of Transportation and Development
Development Services Building
150 Beavercreek Road | Oregon City, OR 97045
503-742-4500 | zoninginfo@clackamas.us
www.clackamas.us/planning

STAFF USE ONLY

Staff Initials: *File Number:*

Land use application for:

PROPERTY LINE ADJUSTMENT

Type II (applies in AG/F, EFU and TBR zones)

APPLICANT INFORMATION

Applicant name:	Applicant email:	Applicant phone:	
Applicant mailing address:	City:	State:	Zip:
Contact person name (if other than applicant):	Contact person email:	Contact person phone:	
Contact person mailing address:	City:	State:	Zip:

SITE INFORMATION

LOT OF RECORD 1

Site address: | Comprehensive Plan designation: | Zoning district:

Map and tax lot #:
Township: *Range:* *Section:* *Tax Lots:*
Township: *Range:* *Section:* *Tax Lots:*

Lot of Record 1's current land area: | Lot of Record 1's proposed land area after adjustment:

LOT OF RECORD 2

Site address: | Comprehensive Plan designation: | Zoning district:

Map and tax lot #:
Township: *Range:* *Section:* *Tax Lots:*
Township: *Range:* *Section:* *Tax Lots:*

Lot of Record 2's current land area: | Lot of Record 2's proposed land area after adjustment:

Printed names of all property owners:	Signatures of all property owners:	Date(s):

I hereby certify that the statements contained herein, along with the evidence submitted, are in all respects true and correct to the best of my knowledge.

Applicant signature: Date:

A. Review applicable land use rules:

This application is subject to the provisions of Section 1107, *Property Line Adjustments* of the Clackamas County Zoning and Development Ordinance (ZDO).

It is also subject to the ZDO's definitions, procedures, and other general provisions, as well as to the specific rules of the subject properties' zoning district(s) and applicable development standards, as outlined in the ZDO.

Note that a property line adjustment is subject to the 80-acre minimum lot size standard except as allowed by ZDO 1107.04. In addition, a property line adjustment is prohibited if the two lots are separated by certain types of boundaries. See ZDO 1107.03(D) and (E). There are also limits on property line adjustments for a lot in an AG/F, EFU or TBR zone if the lot was created through a Ballot Measure 49 (2007) waiver. See ZDO 1107.04(C)(4).

B. Turn in all of the following:

☐ **Complete application form:** Respond to all the questions and requests in this application, and make sure all owners of the subject property sign the first page of this application. Applications without the signatures of *all* property owners are incomplete.

☐ **Application fee: Refer to the FAQs at the end of this form and to the adopted *Fee Schedule* for applicable fees and refund policies**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional card processing fee using the *Credit Card Authorization Form* available from the Planning and Zoning website. Payment is due when the application is submitted.

☐ **Tentative plan:** A tentative plan for the proposed property line adjustment must be provided. The plan must be drawn to scale of not less than one inch equals 20 feet and not more than one inch equals 200 feet and shall include the following information:

- Lot line dimensions and size in square feet or acres of the two lots of record that are the subject of the application;
- Identification of the area(s) proposed to be adjusted from one lot of record to the other;
- North arrow;
- Adjacent roads (noting whether public or private), including road names and road rights-of-way or easement widths;
- Locations and dimensions of existing and proposed driveways;
- Location of wells or name of water district;
- Location of on-site wastewater treatment facilities (e.g., septic tanks, septic drainfield areas, replacement drainfield areas, drywells) or name of sanitary sewer district;
- Easements, including widths and types, labeled as existing or proposed, specifically noting whom they serve; and
- Existing structures and the distance from each structure to existing and proposed lot lines.

☐ **Evidence that the two properties proposed for a property line adjustment are each lots of record:** Lot of record is defined by Section 202 of the ZDO. Evidence may include prior research conducted by Planning and Zoning, deeds, ownership logs from the Office of Assessment and Taxation, or a map demonstrating that the property is a lot or parcel in a recorded plat. *If you would like Planning & Zoning staff to conduct this research for you, complete a Research Request Form and submit it with the required research fee.*

A. Answer the following questions:

1. A property line adjustment is subject to the minimum setback standards of the applicable zoning district, except that if a lawfully established nonconforming setback exists, the property line adjustment may be approved if it does not further reduce the setback.

Will the property line adjustment result in a setback depth for a structure that is less than the minimum setback standards for any applicable zoning district?

☐ NO, all existing and proposed structures will continue to meet the minimum setback standards for their zoning district.

☐ YES, the adjustment will result in a setback depth for (an) existing or proposed structure(s) that is less than the minimum standards for their zoning district, **as shown on the tentative plan**. The structure(s) was/were lawfully established in their current location, as demonstrated in attached evidence (e.g. building permits, tax records, dated photographs, dated aerial images, signed affidavits, and previous land use approvals).

2. A property line adjustment shall not result in the adjustment of a dwelling from one lot of record to the other unless the lot of record receiving the dwelling otherwise complies with all applicable standards of the ZDO for the siting of a dwelling. Do you propose such an adjustment?

☐ NO.

☐ YES, but the receiving lot otherwise complies with all applicable standards of the ZDO for the siting of a dwelling as explained below or supported by attached evidence (e.g., previous land use approvals).

3. Would the property line adjustment **decrease** the size of a lot of record that, before the adjustment, is smaller than 80 acres *and* contains an existing dwelling or is approved for the construction of a dwelling?

☐ NO

☐ YES, but the other lot of record will not be increased to a size as large or larger than the minimum lot or parcel size required to qualify the lot for a dwelling as explained below or attached.

4. ZDO Subsections 1107.04(C)(5) and (6) **prohibit** property line adjustments in a natural resource zone that would separate:

- A temporary dwelling for care, home occupation, relative farm help dwelling, or processing facility from the lot of record on which the primary residential use or other primary use exists; or
- An accessory dwelling in conjunction with a farm use approved pursuant to ZDO Subsection 401.05(C)(12), except as provided in Oregon Administrative Rules 660-033-0130(24)(B).

In the box below, explain how the proposed property line adjustment will comply with these subsections. For example, if there is no temporary dwelling for care, home occupation, relative farm help dwelling, processing facility, or accessory dwelling on either property affected by the adjustment, say so.

FAQs

When is a Property Line Adjustment permit required?
A Property Line Adjustment (PLA) permit is required to move or eliminate the property line between two abutting lots of record. A PLA cannot create an additional lot.

What is the permit application process?
Property Line Adjustment permits in the Ag/Forest (AG/F), Exclusive Farm Use (EFU), or Timber (TBR) zones are subject to a "Type II" land use application process, as provided for in Section 1307 of the County's Zoning and Development Ordinance (ZDO). Type II decisions include notice to owners of nearby land, the Community Planning Organization (if active), service providers (sewer, water, fire, etc.), and affected government agencies. The Planning Director's decision on a Type II application can be appealed to the County Land Use Hearings Officer. If the Type II application is approved, the applicant must comply with any conditions of approval identified in the decision.

What is needed for the County to approve a land use permit?
Property line adjustments *may* be permitted after an evaluation by the County of applicable standards of the ZDO. The applicant is responsible for providing evidence that their proposal does or can meet those standards. In order to address the standards, the information requested in this application should be as thorough and complete as possible. A permit will only be approved or denied after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards or can meet the standards with conditions.

If approved, how long would the Property Line Adjustment permit be valid?
The permit would be valid for two years from the date of the final decision. During this two-year period, all applicable conditions must be met, or the approval will become void.

How long will it take the County to make a decision about an application?
The County makes every effort to issue a decision on a Type II land use application within 45 days **of when we deem the application to be complete.** State law generally requires a final County decision on a Type II land use permit application in an urban area within 120 days of the application being deemed complete, and within 150 days for a land use permit in a rural area, although there are some exceptions.

If an application is submitted and then withdrawn, will a refund be given?
Please see Planning & Zoning Fee Schedule under "Other Fees" *here.* The $5 Technology Fee is non-refundable.

Who can help answer additional questions?
For questions about the County's land use permit requirements and this application form, contact Planning and Zoning at **503-742-4500** or zoninginfo@clackamas.us. You can also find information online at the Planning and Zoning website: www.clackamas.us/planning.

Clackamas County is committed to providing meaningful access and will make reasonable accommodations, modifications, or provide translation, interpretation or other services upon request. Please contact us at 503-742-4545 or drenhard@clackamas.us.

503-742-4545: ¿Traducción e interpretación? | Требуется ли вам устный или письменный перевод? 翻译或口译？| Cần Biên dịch hoặc Phiên dịch? | 번역 또는 통역?