

Lot Line Adjustment

Applicant Handbook



This packet will guide an applicant through the City's Lot Line Adjustment process. While this packet is comprehensive, an applicant should read the applicable Code Sections.

This Packet includes:

- 1) Process Steps
- 2) Preliminary Map Requirements
- 3) Approval Criteria
- 4) Application Form Preliminary Plat
- 5) Application Form Final Plat
- 6) Fee Agreement
- 7) Fee Schedule

Please use the following as a check list to guide you through the process. **The Steps in Bold are those that the applicant has a significant role in completing.** The other steps are those taken by the City the applicant should track through the process. The Process Steps section gives a more detailed description of these steps.

Preliminary Lot Line Adjustment

- Step 1: Submit the Preliminary Application**
- Step 2: Application Acceptance
- Step 3: Notice of Decision
- Step 4: Appeal of an Administrative Decision** (If Applicable)

Final Lot Line Adjustment, contingent on Preliminary Approval

- Step 5: Submit the Final Application**
- Step 6: Application Acceptance
- Step 7: Notice of Decision
- Step 8: Appeal of an Administrative Decision** (If Applicable)
- Step 9: City Administrator Signature**
- Step 10: Recording Partitions**
- Step 11: Reporting County Recording to the City**

Lot Line Adjustment Applicant Handbook Process Steps



NOTE: These steps are extracted from the Cascade Locks Community Development Code. Items that are the applicant's responsibility are in bold.

A lot line adjustment approval is required for any adjustment to a property line which does not create an additional lot of record nor make the existing lots in violation of the base zone minimum lot requirements. (8-6.184.020)

Preliminary Lot Line Adjustment

Step 1: Application Submittal for Preliminary Lot Line Adjustment

Applications for development actions shall be submitted in accordance with the format and upon such forms as may be established by the City Administrator. (8-6.24.030)

In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit items specific to a lot line adjustment. (8-6.184.040)

Step 2: Application Acceptance (8-6.24.040)

Within 7 calendar days of receiving an application the City shall determine whether the application is complete. The City shall notify the applicant when the application is accepted as complete or rejected as incomplete if deficiencies are found. The applicant may resubmit but shall be subject to another 7 calendar day completeness check.

Step 3: Notice of Decision

Written notice of the decision of the City Administrator shall be provided to the applicant (8-6.24.050). The decision is based on the approval criteria listed on the attached sheet and in Section 8-6.184.060 of the City's Municipal Code.

Step 4: Appeal of an Administrative Decision 8-6.36

An administrative decision may be appealed to the Planning Commission by filing a petition for review within 14 calendar days after written notice of the decision is provided. An appeal can be initiated by any anyone who files a petition for review or at the direction of the City Council. On appeal the party

who files the appeal has the burden of proof. At the public hearing before the Planning Commission of an appeal of an administrative or City Administrator action, participants shall be limited to the applicant, those who made the appeal (8-6.36.050)



Final Lot Line Adjustment (Contingent on Preliminary Approval)

Step 5: Application Submittal for Final Lot Line Adjustment

Applications for development actions shall be submitted in accordance with the format and upon such forms as may be established by the City Administrator. (8-6.24.030)

In addition to the application form and information required in Section 8-6.24.030, the applicant shall submit items specific to a lot line adjustment. (8-6.184.080)

Step 6: Application Acceptance (8-6.24.040)

Within 7 calendar days of receiving an application the City shall determine whether the application is complete. The City shall notify the applicant when the application is accepted as complete or rejected as incomplete if deficiencies are found. The applicant may resubmit but shall be subject to another 7 calendar day completeness check.

Step 7: Notice of Decision

Written notice of the decision of the City Administrator shall be provided to the applicant (8-6.24.050). The decision is based on the approval criteria listed on the attached sheet and in Section 8-6.184.060 of the City's Municipal Code.

Step 8: Appeal of an Administrative Decision (8-6.36)

Administrative and City Administrator decisions may be appealed to the Planning Commission by filing a petition for review within 14 calendar days after written notice of the decision is provided. An appeal can be initiated by any anyone who files a petition for review or at the direction of the City Council. On appeal the party who files the appeal has the burden of proof. At the public hearing before the Planning Commission of an appeal of an administrative or City Administrator action, participants shall be limited to the applicant, those who made the appeal (8-6.36.050)

Step 9: City Administrator Signature

Submit the original Mylar copy of the final plat to the City for required signatures of the City Officials



Step 10: Recording Partitions (8-6.184.110)

Upon the Planning Commission's approval of the proposed partition or lot line adjustment and the Council's acceptance of any dedicated land to the City, the applicant shall record the partition or lot line adjustment with Hood River County.

Step 11: Reporting County Recording to the City (8-6.184.110)

The applicant shall submit a recorded reproducible copy of the final survey to the City within 15 days of recording.

Preliminary Map Requirements

Applicant Handbook



Partition or Lot Line Adjustment

8-6.184.040

1. The preliminary partition map and necessary data or narrative shall include the name and address of the following:
 - a. The owner(s) of the subject property;
 - b. The owner(s)' authorized agent; and
 - c. The land surveyor and engineer;
2. The map scale, north arrow, and date;
3. Sufficient description to define the location and boundaries of the proposed area to be partitioned or adjusted;
4. The scale shall be an engineering scale;
5. The location, width, and names of streets or other public ways and easements within and adjacent to the proposed partition;
6. Other important features to include:
 - a. The location of all permanent buildings on and within 25 feet of all property lines;
 - b. The location and width of all drainageways and/or floodplain areas;
 - c. Any identified wetlands or riparian areas;
 - d. Any trees or groupings of trees having a 6-inch caliper or greater at 4 feet above ground level;
 - e. All slopes greater than 15 percent; and
 - f. The location of existing utilities and utility easements;
7. In the case of a major land partition, the applicant shall include the proposed right-of-way location and width, and a scaled cross section of the proposed street (to include any reserve strip);



8. Any deed restrictions that apply to the existing lot; and
9. Where it is evident that the subject property can be further partitioned, the applicant must show that the land partition will not preclude the efficient division of land in the future.

Lot Line Adjustment (Preliminary)

Applicant Handbook



Approval Criteria

8-6.184.060

The Administrator shall approve a request for a lot line adjustment when the following criteria are satisfied.

- A. A maximum of two adjacent lots are involved in the lot line adjustment.
- B. An additional lot is not created by the lot line adjustment, and neither lot is reduced below the minimum lot size for the applicable zoning district.
- C. By reducing the lot size, the lot or structures on the lot will not be in violation of the site development or regulations for the applicable zoning district.
- D. Both lots shall have a minimum street frontage of 15 feet or an access easement to a street with a minimum width of 15 feet.
- E. It conforms with all state regulations set forth in ORS Chapter 92, Subdivision and Partitions.
- F. Proposed lots which are greater than twice the minimum lot size shall be of such a configuration to facilitate the future repartitioning of such lot in accordance with the requirements of the zoning district and this title.

City Hall
P.O. Box 308
Cascade Locks, Oregon 97014
Phone: 541-374-8484
Fax: 541-374-8752



PRELIMINARY LOT LINE ADJUSTMENT APPLICATION

I. BACKGROUND INFORMATION

Applicant

Applicant Name: _____ Phone: _____

Address: _____

Applicant Standing (Fee Owner, Contract Purchaser, etc.): _____

Property Owner (if different)

Name: _____ Phone: _____

Address: _____

Property Information

First Property Address: _____

Township; Range; Section; Tax Lot: _____

Property Size: _____ Proposed Property Size: _____ Zone: _____

Existing Use/Structures: _____

Second Property Address: _____

Township; Range; Section; Tax Lot: _____

Property Size: _____ Proposed Property Size: _____ Zone: _____

Existing Use/Structures: _____

Application Proposal: _____



II. APPLICATION REQUIREMENTS

- (A) _____ Completed and signed application form.
- (B) _____ Written response to the approval criteria. It is the applications responsibility to show how the lot line adjustment meets the approval criteria.
- (C) _____ TEN copies of the preliminary lot line adjustment map drawn to scale. The map must include the information required under Sections 8-6.184.040 of the Community Development Code. These requirements are described on the attached Preliminary Plat Requirements and City staff is also available to assist applicants. If any required information cannot be reasonably articulated through the map that information may be included in the application through a narrative.
- (D) _____ Copy of the latest deed, sales contract, or title report indicating property ownership.
- (F) _____ A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property
- (G) _____ A signed fee agreement and payment for filing fee.

III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

Applicant/Owner Date

Applicant/Owner Date

FOR OFFICE USE ONLY			
File Number:	_____		
Submittal Date:	Fee:	Received by:	_____
Application Type:	Completeness:	120th Day:	_____

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LOT LINE ADJUSTMENT APPLICATION FINAL PLAT

I. BACKGROUND INFORMATION

Applicant

Applicant Name: _____ Phone: _____

Address: _____

Applicant Standing (Fee Owner, Contract Purchaser, etc.): _____

Property Owner (if different)

Name: _____ Phone: _____

Address: _____

Property Information

First Property Address: _____

Township; Range; Section; Tax Lot: _____

Second Property Address: _____

Township; Range; Section; Tax Lot: _____

Date of Preliminary Plat approval: _____

Application Proposal: _____

II. APPLICATION REQUIREMENTS



- (A) _____ Completed and signed application form.
- (B) _____ THREE copies of the final lot line adjustment map drawn to scale. The map must include the information required under Sections 8-6.184.080 of the Community Development Code. These requirements are described on the attached Final Map Requirements and City staff is also available to assist applicants. If any required information cannot be reasonably articulated through the map that information should be included in the application through a narrative.
- (C) _____ The county assessor's map showing the property
- (D) _____ Copy of the latest deed, sales contract, or title report indicating property ownership and a document containing a legal description of the land to be partitioned.
- (F) _____ A current Hood River County tax map(s) showing the subject property(ies) and all properties within 250 feet of the subject property
- (G) _____ A signed fee agreement and payment for filing fee.

III. SIGNATURES

NOTE: ALL OWNERS MUST SIGN THIS APPLICATION OR SUBMIT A LETTER OF CONSENT AUTHORIZING ANOTHER INDIVIDUAL TO MAKE APPLICATION. INCOMPLETE OR MISSING INFORMATION WILL DELAY THE REVIEW PROCESS.

Applicant/Owner Date

Applicant/Owner Date

FOR OFFICE USE ONLY

File Number: _____

Submittal Date: _____ Fee: _____ Received by: _____

Application Type: _____ Completeness: _____ 120th Day: _____

street with a minimum width of 15 feet.

- E. It conforms with all state regulations set forth in ORS Chapter 92, Subdivision and Partitions.
- F. Proposed lots which are greater than twice the minimum lot size shall be of such a configuration to facilitate the future repartitioning of such lot in accordance with the requirements of the zoning district and this title.

 8-6.184.070 Final Partition Plat Submittal Requirements

- A. All final applications for major and minor land partitions shall be submitted within 2 years of the final partition approval. They shall be made on forms provided by the City Administrator and shall be accompanied by 3 copies of the partition map prepared by a land surveyor or engineer licensed to practice in Oregon, and necessary data or narrative.
- B. The partition map and data or narrative shall include the following:
 - 1. Sheet sizes for the final partition map shall be prepared as required by Hood River County.
 - 2. The scale of the map shall be an engineering scale;
 - 3. The name and address of the following:
 - a. The owner(s) of the subject property;
 - b. The owner(s)' authorized agent; and
 - c. The land surveyor and engineer.
 - 4. The assessor's map and lot number and a copy of the deed, sales contract, or document containing a legal description of the land to be partitioned;
 - 5. The map scale, north arrow, and date;
 - 6. Dimensions, area (in square feet or acres), and legal descriptions of the parent lot and all proposed lots;
 - 7. Boundary lines and names of adjacent partitions and subdivisions, and tract lines abutting the site;
 - 8. The locations, width, and names of streets or other public ways and easements within and adjacent to the proposed partition;
 - 9. The location of existing utilities and utility easements;
 - 10. In the case of a major land partition, the applicant shall include the proposed right-of-way location and width, and a scaled cross section of the proposed street (to include any reserve strip);
 - 11. Any deed restrictions that apply to the existing lot; and
 - 12. Signature blocks for City approval and acceptance of public easements or rights-of-way.

8-6.184.080 Final Lot Line Adjustment Submittal Requirements

- A. All final applications for a lot line adjustment shall be submitted within 2 years of the final lot line adjustment approval. They shall be made on forms provided by the City Administrator and shall be accompanied by 3 copies of the lot line adjustment map prepared by a land surveyor or engineer licensed to practice in Oregon, and necessary data or narrative.
- B. The lot line adjustment map and data or narrative shall include the following:
 - 1. Sheet sizes for the final partition map shall be prepared as required by Hood River County.
 - 2. The scale of the map shall be an engineering scale;
 - 3. The name and address of the following:
 - a. The owner(s) of the subject property;
 - b. The owner(s)' authorized agent; and
 - c. The land surveyor and engineer.
 - 4. The assessor's map and lot number and a copy of the deed, sales contract, or document containing a legal description of the land to be partitioned;
 - 5. The map scale, north arrow, and date;
 - 6. Dimensions and legal descriptions of the two original lots and the two adjusted lots;
 - 7. Boundary lines and names of adjacent partitions and subdivisions, and tract lines abutting the site;
 - 8. The locations, width, and names of streets or other public ways and easements within and adjacent to the proposed lot line adjustment;
 - 9. The location of existing utility easements;
 - 10. Any deed restrictions that apply to the existing lots; and
 - 11. Signature blocks for City approval and acceptance of public easements or rights-of-way.

8-6.184.090 City Council Acceptance of Dedicated Land

The City Council shall, upon creation by partition, accept any proposed right-of-way dedication prior to recording a land partition.

8-6.184.100 Centerline Monumentation: Monument Box Requirements

- A. Centerline-Monumentation for All Major Partitions
 - 1. The centerlines of all street and roadway rights-of-way shall be monumented before City acceptance of street improvements; and
 - 2. The following centerline monuments shall be set:
 - a. All centerline-centerline intersection points;

**NOTICE TO APPLICANT
REIMBURSEMENT TO CITY OF CASCADE LOCKS
FOR ADMINISTRATIVE FEES**



TO: APPLICANT

The City of Cascade Locks, like many other small cities in Oregon, is faced with a severely reduced budget for the administration of the City's Ordinances. The land use planning process in the State of Oregon has become increasingly complex. To properly process land use applications, the city must rely upon professional consultants to assist in preparing the legal notices, conducting on-site inspections, preparation of staff reports, and, in some cases, actual attendance at the Planning Commission and/or City Council meetings. The City utilizes a consultant to ensure that applications are processed fairly and promptly. Because of reduced budgets, the City finds it necessary to transfer some administrative costs to you, the applicant, as part of the land use planning process. Therefore, you are asked to read and sign the agreement below indicating that you understand and agree to this requirement.

**AGREEMENT TO REIMBURSE CITY
FOR ADMINISTRATIVE COSTS**

I/We, the applicant(s), _____, hereby agree to reimburse the City of Cascade Locks for administrative costs over and above the costs covered by the Basic Fee, which we have paid. We have been advised that an estimated cost is \$ _____, but that actual costs could exceed this amount. In the event the City is required to commence litigation to recover these costs, the prevailing party shall be awarded costs and reasonable attorney's fees, including any costs and fees on appeal.

The amount not paid shall also become a lien against the property on which the land use action is sought, in favor of the City of Cascade Locks, and shall be docketed in the City Lien Docket.

DATED this _____ day of _____, 20 ____.

LAND USE APPLICANT(S): _____

PROPERTY OWNER(S): _____

(If Different Than Above)

RESOLUTION NO. 1178

A RESOLUTION SETTING A FEE SCHEDULE FOR VARIOUS LAND USE AND DEVELOPMENT PERMIT APPLICATIONS; AND REPEALING RESOLUTION NO. 1120.

WHEREAS, the City receives requests from property owners and developers for approval of various land use actions; and

WHEREAS, the City processes development permits for construction of public facilities which includes permit handling, plan review, and inspections;

WHEREAS, the City processes permits for performing work within the public right-of-way;

WHEREAS, it is important that the City recover the costs associated with processing these;

NOW, THEREFORE, THE CITY COUNCIL RESOLVES AS FOLLOWS:

SECTION 1. Application Fee Schedule. The following fees shall be paid with the application:

Type of Application:

<u>Administrative Review</u> (8-6.20.020)	\$75.00 Base Fee which includes all staff time and One (1) hour Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer Over costs covered by Base Fee
<u>Variance</u>	\$450.00 Base Fee which includes all staff time and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Partitions</u>		
Minor	\$500.00 Base Fee	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
Major	\$500.00 Base Fee Which includes all Staff time, four (4) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Wetland/Riparian Permits</u>	\$400.00 Base Fee Which include all Staff time, and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered By Base Fee
<u>Planned Unit Development</u>	\$1,400.00 Base Fee Which includes all Staff time and eight (8) hours Planning Consultant and one hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Subdivision</u>	\$1,200.00 Base Fee Which includes all Staff time, eight (8) hours Planning Consultant, and three (3) hours Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Lot Line Adjustment</u>	\$125.00	
<u>Signs</u>	\$75.00 + \$2.00 per square foot	

<u>Conditional Use</u>	\$625.00 Base Fee Which include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Site Plan Review</u>	\$625.00 Base Fee Which include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Zone Change</u>	\$625.00 Base Fee Which include all Staff time, five (5) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Comprehensive Plan Amendment</u>	\$1,000.00 Base Fee Which include all Staff time, eight (8) hours Planning Consultant, and one (1) hour Engineer.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Vacations</u>	\$600.00 Base Fee Which include all Staff time and four (4) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Temporary Permit</u> A temporary permit will not be allowed until a building permit is purchased through Hood River County	\$300.00 Base Fee Which include all Staff time and two (2) hours Planning Consultant.	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Annexation</u>	\$1,000.00 Base Fee Which include all Staff, eight (8) hours Planning Consultant, and one (1) hour Engineer	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Amendment to Urban Growth Boundary</u>	\$1,000.00 Base Fee Which include all Staff time, eight (8) hours Planning Consultant, and one (1) hour Engineer	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Pre-application Conference Costs</u>		\$ 225.00
<u>Zoning/Building Review Plan</u>		
A. Accessory Structure, minor review		\$ 50.00
B. House or Mobile Home		\$ 100.00
C. Multi-family dwellings		\$ 100.00 + \$25.00 per unit
D. Commercial, Industrial, Other Projects		\$ 200.00

SECTION 2. Multiple Applications. If multiple land use applications are necessary on a single project and a single applicant, the applicant shall pay the highest Base fee of the applications necessary, plus 20% of the other Base fees involved.

SECTION 3. Appeal Fee Schedule. Fees for Appeal of Decision will be \$450.00. This base charge include all Staff, eight (8) hours Planning Consultant, and one (1) hour Engineer; plus any extra costs for the Planner, Attorney or Engineer over costs covered by Base Fee.

SECTION 4. Fee Refunds

A. A refund of an application fee will be issued if an application is withdrawn. The refund will be equal to the original Base Fee plus any additional deposits made less the actual costs paid to the planner, attorney, or engineer directly attributable to the application and less any direct costs for publishing or mailing of public hearing notices.

B. A refund of an appeal fee will be issued if the application on which the appeal is based is withdrawn.

SECTION 5 – Public Works Permit Fees. The following fees will be paid with the application: (Note that these fees do not include any hookup charges or systems development charges.)

<u>Type A Construction Permit</u>	\$250.00 Non-refundable Fee Base Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Type B Construction Permit</u>	\$500.00 Non-refundable Fee Base Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee
<u>Right of Way Permit</u>	\$50.00 Non-refundable Fee Base Fee includes plan review and inspection by Public Works Staff	PLUS Actual Costs for Planner, Attorney or Engineer over costs covered by Base Fee

SECTION 6. Payment Agreement Required. Each applicant shall be required to sign an agreement developed by the City Attorney that requires the Applicant to pay any and all costs determined by the City Staff to be above the costs covered by the Base Fees.

SECTION 7. Annual Review. The Planning Commission shall review these fees each year and make a report to the Council as to whether any change should be made to them.

SECTION 8. Resolution No. 1120 Repealed. Resolution No. 1120 is hereby repealed.

ADOPTED by the City Council this 27th day of July, 2009.

APPROVED by the Mayor this 27th day of July, 2009.

Mayor

ATTEST:

City Recorder