

Yamhill County Department of Planning & Development

APPLICATION FOR LOT-LINE ADJUSTMENT

Docket _____
 Date _____
 Rec'd by _____
 Receipt # _____
 Fee \$661.67

400 NE Baker Street, McMinnville, OR 97128 • Tel: 503-434-7516 • Fax: 503-434-7544

APPLICANT			LEGAL OWNER (IF DIFFERENT)		
Last name	First	MI	Last name	First	MI
Mailing address (Street or PO Box)			Mailing address (Street or PO Box)		
City	State	Zip	City	State	Zip
Telephone			Telephone		
Email Address:			E-Mail Address:		
PROPERTY INFORMATION					
Tax Lot #1: _____		Zone: _____			
Tax Lot #2: _____		Site Address: _____			

PROPERTY INFORMATION:

- Size of original parcels: _____
- Proposed size of parcels after adjustment: _____
- Reason for the adjustment: _____

- Is there a dwelling or other buildings on the portion of the lot that is being transferred to the adjacent lot?
 Yes No
 If yes, describe the type and use of the building(s): _____

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I hereby declare under penalties of false swearing (ORS 162.075 and 162.085) that the above information is true and correct to the best of my knowledge. I understand that issuance of an approval based on this application will not excuse me from complying with other effective ordinances and laws regulating the use of the land and buildings.

I hereby grant permission for and consent to Yamhill County, its officers, agents, and employees coming upon the above-described property to gather information and inspect the property whenever it is reasonably necessary for the purpose of processing this application.

Parcel #1 Owner(s)

Name Date Name Date

State of _____)
County of _____)

Signed or attested before me on this _____ day of _____, 20 _____
by _____ .

Notary Public for Oregon
My Commission expires _____

Parcel #2 Owner(s)

Name Date Name Date

State of _____)
County of _____)

Signed or attested before me on this _____ day of _____, 20 _____
by _____ .

Notary Public for Oregon
My Commission expires _____

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PRELIMINARY MAP. The application must include a preliminary map on a separate sheet, showing the proposed property line adjustment. 8 1/2 x 11 paper is preferred. A copy of an Assessor's map is acceptable to use as a base. The map should be labeled with the date, a north point, the scale of the map, the name, address and telephone number of the record owner(s) of each lot, and the name of the surveyor (if any). Each parcel should be labeled with its tax lot number. The map should show all existing and proposed lot lines, with the estimated dimensions and size of each parcel after the adjustment, existing and proposed access roads, easements, and public rights-of-way and their dimensions, and the location of all existing structures, sewage disposal facilities, and wells, with the distance of these improvements from the proposed lot lines.

APPROVAL STANDARDS:

1. All parcel sizes, property-line setbacks, and other dimensional attributes resulting from a lot line adjustment shall conform to the provisions of the Zoning and Land Division Ordinances or other ordinance.
2. Lot line adjustments shall conform to the Comprehensive Plan and Official Map, any criteria of the Zoning Ordinance, and any state requirements of Oregon Revised Statutes chapters 92, 197 and 215.
3. A lot line adjustment shall not result in the creation of a new lot or a re-plat of an existing subdivision or partition. A parallel adjustment of a partition or subdivision line is not considered a re-plat.
4. All lots resulting from a lot line adjustment shall have legal access to a public road pursuant to Sections 6.010 and 6.020 of the Land Division Ordinance..

APPROVAL CRITERIA FOR ADJUSTMENTS IN F, EF, AND AF ZONES. In addition to the approval standards listed above, lot line adjustments in Forestry, Exclusive Farm Use and Agriculture/Forestry Large Holding districts (not AF-10) must comply with the following criteria. Please use a separate sheet of paper to explain how the proposed adjustment complies with these criteria. Other information such as air photos (available in the Assessor's office) that would help to show how the adjustment complies with the criteria may also be submitted.

1. When one or more of the parcels is larger than the minimum lot size in the zone, the same number of parcels shall be as large or larger than the minimum lot size after the adjustment. When all parcels are as large or larger than the minimum lot size, no parcel shall be reduced below the minimum lot size.
2. In the EF zone and for parcels in the AF zone that are predominantly in farm use, parcels to be adjusted shall be shown to be of a size that is at least as appropriate to maintain the existing commercial agricultural enterprise in the area as were the parcels prior to the lot line adjustment.
3. In the F zone and for parcels in the AF zone that are predominantly forested shall be shown to be at least as economically efficient for forest practices, provide for continuous growing and harvesting of forest tree species at least as well as, and conserve other forest values at least as well as did the parcel prior to the lot line adjustment.
4. If the proposed adjustment involves the transfer of a dwelling from one parcel to another, the parcel that will acquire the dwelling must either receive land use approval for the dwelling, or a deed affidavit shall be recorded by the owner of the parcel where the dwelling was originally located, prohibiting the establishment of any new principal dwellings on that parcel.

PRELIMINARY DECISION. Upon review and recommendation by Planning Department staff, the Planning Director will issue a decision to approve or deny the request based on compliance with the approval standards and with the approval criteria if the parcels are in an F, EF, or AF zoning district. If the application is approved, the decision will be preliminary, subject to satisfaction of any conditions placed on the approval.

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APPEALS. The applicant is entitled to appeal a denial or any condition of a preliminary approval to the Board of County Commissioners. Anyone else that is aggrieved by the decision also has the right to appeal. There is a \$250 fee to file an appeal. The Board will hold a public hearing on the appeal, and their decision may be appealed to the state Land Use Board of Appeals.

SURVEY REQUIREMENTS. A lot line adjusted by relocation of a common boundary shall be surveyed and monumented except when both parcels affected are greater than 10 acres or when the adjusted property line is a distance of equal width along the common boundary of lots in a subdivision or partition. Please contact Surveyors Department for applicable fees.

FINAL REQUIREMENTS. The lot line adjustment is completed by recording a deed or other instrument conveying the adjusted property in the deed and mortgage records with the County Clerk. It is the applicant's responsibility to prepare and record the deed(s). Prior to recording, a copy of the deed(s) should be submitted to the Planning Department, who will review the documents to verify that they comply with all conditions of approval. The deed(s) must be recorded within one year of the preliminary approval, or the preliminary approval becomes null and void.

THE APPLICATION MUST INCLUDE:

1. Completed application form, signed by the applicant and all property owners. The owner's signatures must be notarized.
2. Completed preliminary map.
3. Written explanation of how the adjustment complies with the standards for an adjustment if in an F, EF or AF zone.
4. Copy of most recent deed or contract for each parcel involved.
5. Copies of the recorded partition or subdivision plat that created the subject properties and/or a copy of the deed or land sales contract dated on or prior to October 3, 1975 which describes the subject properties. A lot or parcel does not include a unit of land created on or after October 4, 1975 solely to establish a separate tax account or to obtain financing for construction or other purposes.

NOTE: Fees are not refundable.
