

## **CHAPTER 2.14**

### **PARTITIONS, MINOR REPLATS, AND PROPERTY LINE ADJUSTMENTS**

#### **Section 2.14.10 - BACKGROUND**

The division of land through a Subdivision process is addressed in Chapter 2.4 - Subdivisions and Major Replats. A Subdivision occurs where four or more lots are created in a calendar year, and requires review and approval as specified in Chapter 2.4 - Subdivisions and Major Replats. The division of land through an Expedited Land Division process is addressed in Chapter 2.5 - Planned Development. An Expedited Land Division occurs where four or more lots are created in a calendar year on a site with an approved Detailed Development Plan.

This Chapter provides procedural requirements for Residential and Nonresidential Partitions, which involve creation of three or fewer lots in a calendar year, and for Minor Replats and Property Line Adjustments. For the purposes of this Chapter, Residential Partitions, Minor Replats, and Property Line Adjustments are those involving lands with a Zoning Designation of RS-1, RS-3.5, RS-5, RS-6, RS-9, RS-9(U), RS-12, RS-12(U), RS-20, and MUR. Nonresidential Partitions, Minor Replats, and Property Line Adjustments are those with a Zoning Designation other than those for Residential Partitions, Minor Replats, and Property Line Adjustments. Except on appeal, each of these is reviewed through a General Development process without a public hearing. As with Subdivisions, Partitions, Minor Replats, and Property Line Adjustments are subject to design requirements contained in Article IV of this Code.

#### **Section 2.14.20 - PURPOSES**

Land Division procedures are established in this Chapter for the following purposes:

- a.** Ensure that building sites are of sufficient size and appropriate design for their intended uses and that lots to be created are within density ranges permitted by the Comprehensive Plan;
- b.** Minimize negative effects of development upon the natural environment and incorporate Significant Natural Features into the proposed development where possible;
- c.** Ensure economical, safe, and efficient routes for pedestrians, bicycles, and motor vehicles;

- d. Ensure appropriate levels of urban facilities and services including provisions for water, drainage, and sewage;
- e. Create residential living environments that foster a sense of neighborhood identity and are protected from the adverse effects of heavy traffic and more intensive land uses; and
- f. Promote energy efficiency.

### **Section 2.14.30 - TENTATIVE PARTITION PLAT REVIEW PROCEDURES**

Whenever an application is filed for a Partition, it shall be reviewed in accordance with the following procedures.

#### **2.14.30.01 - Application Requirements**

When the Director deems any requirement below unnecessary for the proper evaluation of a proposed application, it may be waived.

Applications shall be made on forms provided by the Director and shall be accompanied by:

- a. Location and description of the subject property(ies), including all of the following, as relevant: address; tax assessor map and tax lot number; parcel number; written description of the boundaries of the proposal; and one set of assessor's maps of the subject site and surrounding area, with the subject site outlined in red;
- b. Signed consent by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of ability to be a signatory shall be furnished to the City. The owner's name(s) and address(es), and the applicant's name, address, and signature shall also be provided;
- c. An electronic version of these documents (both text and graphics, as applicable) if an applicant has produced part or all of an application in an electronic format. The applicant shall coordinate with the City regarding compatible electronic formats, to the greatest extent practicable;
- d. **Graphic Requirements** - The Tentative Plat and other graphics for both Nonresidential and Residential Partitions shall be drawn to scale and shall contain a sheet title, date, north arrow, and legend placed in the same

location on each sheet and contain the information listed below. The Tentative Plat and other graphics shall not exceed 24 by 36 in. and shall include the following information, as applicable:

1. Names of the owner, partitioner, engineer, and surveyor as appropriate;
2. Property line boundaries of all contiguous land in the same ownership as the area encompassed in the application;
3. Sufficient description to define location and boundaries of the area to be partitioned, re-platted, and/or adjusted;
4. Location of existing structures;
5. Number and type of units proposed when known and appropriate;
6. Location and width of all existing or proposed public or private accessways (rights-of-way) including any reserve strips and parking areas;
7. Location of all existing and proposed public and private utilities, including water, sewer, and storm drainage;
8. Proposed parcel layout indicating dimensions, parcel lines, and lot areas;
9. Approximate location and width of Watercourses for review in accordance with Chapter 4.5 - Natural Hazard and Hillside Development Provisions and Chapter 4.13 - Riparian Corridor and Wetland Provisions; and
10. All areas to be dedicated to the public and their proposed Uses including street rights-of-way, drainageways, easements, and reserve strips.
11. Significant Natural Features Map(s) - Maps shall identify Significant Natural Features of the site, and provide all Code-required Significant Natural Feature information including but not limited to:
  - a) All information and preservation plans required by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter

4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions, as applicable;

- b) All Jurisdictional Wetlands not already shown as part of “a,” above. While not all Jurisdictional Wetlands are locally regulated by Chapter 4.13 - Riparian Corridor and Wetland Provisions, they need to be shown so that the City can route the application to the appropriate state and federal agencies for comment; and
- c) Archaeological sites recorded by the State Historic Preservation Office (SHPO).

12. Tentative Plat and Other Graphics -

a) General -

- 1) Nonresidential Partition Graphics - Nonresidential Partition graphics shall include features within a minimum 150-ft. radius of the site, such as existing streets and parcel boundaries; existing structures; driveways; utilities; Significant Natural Features regulated by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions; Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable; and any other information that, in the Director’s opinion, would assist in providing a context for the proposed development. The Director may require that an applicant’s graphics include information on lands in excess of 150 ft. from a development site (e.g., such as in cases where an adjacent property is large and a view of the whole parcel would be helpful, or when existing infrastructure is far away from the site).
- 2) Residential Partition Graphics - Residential Partition graphics shall include features within a minimum of 300

feet from all exterior boundaries of the site, showing existing streets and parcel boundaries; existing structures in excess of 100 sq. ft.; driveways; utilities; Significant Natural Features regulated by Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions; and Minimum Assured Development Area information from Chapter 4.11 - Minimum Assured Development Area (MADA), if applicable. Additionally, if existing infrastructure is more than 300 ft. from an exterior boundary of the Residential Partition site, the Residential graphics shall extend beyond the required 300 ft. to include said features and all lands between the Residential Partition site and the existing infrastructure.

- b) Conceptual Grading Plans - Existing and proposed topographic contours at two-ft. intervals. Where the grade of any part of the Partition exceeds 10 percent and where the Partition abuts existing developed lots, a conceptual grading plan shall be required as follows:
1. Nonresidential Partitions - Conceptual grading plans for Nonresidential Partition applications shall contain adequate information to evaluate impacts to the site and adjacent areas, consistent with Chapter 4.5 - Natural Hazard and Hillside Development Provisions. If a grading plan is required for a Nonresidential Partition, it shall indicate how these objectives are met, how runoff or surface water from individual lots will be managed, and how the proposal's surface waters will be managed. Additionally, Nonresidential Partition applications shall include two design alternatives demonstrating that the applicant has achieved the optimal balance of applicable criteria;
  2. Residential Partitions - Conceptual grading plans for Residential Partition applications shall identify all proposed cuts and fills and the associated grade changes in ft. to demonstrate adherence to the provisions in Chapter 4.5 - Natural Hazard and Hillside

Development Provisions. The conceptual grading plan shall also indicate how runoff and surface water from individual lots will be managed, and how the proposal's surface waters will be managed. Additionally, the conceptual grading plan for Residential Partitions shall meet the requirements in "c," and "d," below;

- c) For residential development, excavation and grading shall maintain hydrology that supports existing wetland and riparian areas and the application shall demonstrate adherence;
- d) For residential development, the graphics, including the conceptual grading plan, must demonstrate that each lot can be served by streets and infrastructure in a manner that is consistent with the clear and objective approval standards contained in the following: the City's development standards outlined in by the applicable underlying zoning designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards;

13. Where it is evident that the parcel can be further divided, the applicant shall show, either on the Tentative Plat or as an attachment, that the Partition will not preclude efficient division of land in the future;

14. Narrative Requirements -

- a) Phasing - Statement describing phases of project, if proposed. Phases shall be:
  - 1) For Nonresidential Partitions, substantially and functionally self-contained and self-sustaining with regard to access, parking, transportation facilities, utilities, Green Areas, and drainage without reliance on any uncompleted phase; capable of substantial occupancy, operation, and maintenance upon completion of construction and development, and be

designed such that the phases support the infrastructure requirements for the project.

2) Designed to Address Compatibility -

- a. For Nonresidential Partitions, addressing compatibility means arranging the phases to avoid conflicts between higher and lower density development.
- b. For Residential Partitions, Uses permitted outright within a zone are considered to be compatible and not to conflict. Between zones, compatibility is addressed at the time the zone is established. A Residential Use permitted outright within an existing zone is considered to be compatible with Uses permitted outright within existing neighboring zones;
- c. For Residential Partitions, each proposed phase must meet all required clear and objective standards for access, parking, transportation facilities, utilities, Green Areas, and drainage without reliance on any uncompleted phase. Each proposed phase, and the proposal as a whole, must be designed so that in addition to each proposed phase meeting all required infrastructure standards for that phase, at the completion of each phase all completed phases together will cumulatively meet all infrastructure standards that would be required for a project consisting of the completed phases. The Partition and each phase must also be designed so that by completion of all proposed phases all the phases together will meet all infrastructure requirements for the project.

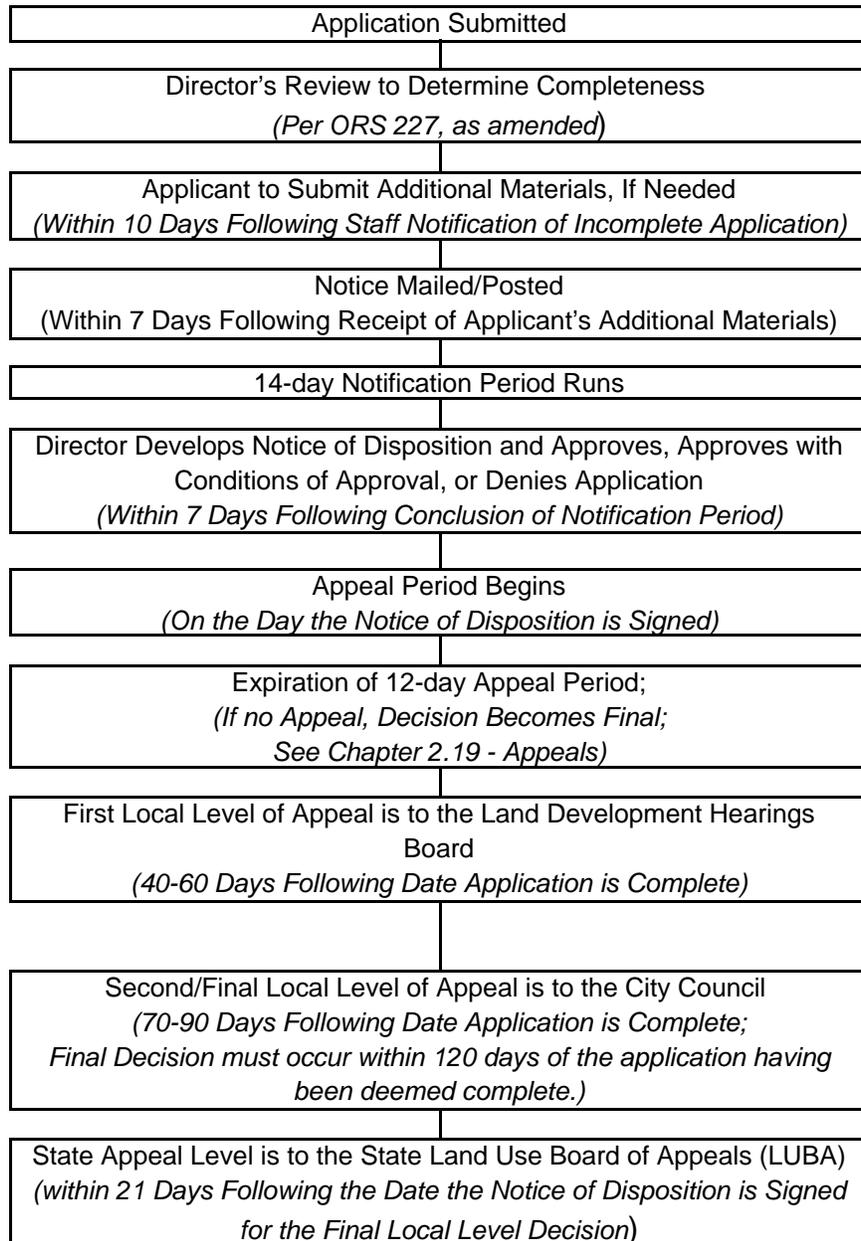
- b) Explanation of how the proposal complies with the review criteria in Section 2.14.30.05; and

15. Traffic Impact Study -

- a) Nonresidential Partitions - Any proposal generating 30 or more trips per hour shall include Level of Service (LOS) analysis for the affected intersections. A Traffic Impact Analysis (TIA) is required, if required by the City Engineer. The TIA shall be prepared by a registered professional engineer. The City Engineer shall define the scope of the traffic impact study based on established procedures.
- b) Residential Partitions - A Traffic Impact Analysis (TIA) is required. The TIA shall be prepared by a registered professional engineer, in accordance with the most current ITE standards, and shall address both current conditions and those within a 20-year horizon. The TIA shall quantify the trip generation effects of the proposal. The TIA shall estimate trip distribution patterns. Any proposal generating 30 or more trips per hour shall include Level of Service (LOS) analysis for the affected intersections. If any affected intersection LOS is or will fall be below LOS D during any hour, mitigation shall be proposed. The mitigation shall demonstrate that LOS D will be maintained for 20 years.

16. Information required by Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions, as applicable.

**Figure 2.14-1**  
**Typical Time Frame for Partitions, Minor Replats, and Property Line Adjustments**  
 (Total length of time per ORS 227, as amended)



**2.14.30.02 - Acceptance of Application**

- a. Per ORS 227, the Director shall review the Tentative Plat application for compliance with the application requirements in 2.14.30.01. If the application is incomplete, the Director shall notify the applicant and state what information is needed to make the application complete. The applicant shall have 10 days from this notification to submit additional materials.

- b. Any revisions to an accepted application that result in the need for an additional public notice to be mailed shall be regarded as a new application. Such new application shall require additional filing fees.

#### **2.14.30.03 - Public Notice**

- a. The Director shall notify affected parties that an application for a Tentative Plat review has been filed.
- b. Affected parties shall mean any owners and occupants of property within 100 ft. of the subject property and any other persons whom the Director determines are affected by the application. In addition, notice shall be provided to any neighborhood or community organization recognized by the City and whose boundaries include or are adjacent to the site.
- c. The notice will state that all comments concerning the proposed Tentative Plat review must be submitted in writing and received by the Director within 14 calendar days from the date of mailing the notice. The notice shall include the following:
  - 1. Street address or other easily understood geographical reference to the subject property;
  - 2. Applicable criteria for the decision;
  - 3. Place, date, and time comments are due;
  - 4. Statement that copies of all evidence relied upon by the applicant are available for review, and that copies can be obtained at cost;
  - 5. Name and phone number of staff contact person;
  - 6. Statement that a Notice of Disposition shall be provided to the applicant and any person who submits comments;
  - 7. An explanation of appeal rights; and
  - 8. A summary of the local decision making process.

#### **2.14.30.04 - Staff Evaluation**

The application and any comments that have been received shall be reviewed to ensure consistency with the review criteria in Section 2.14.30.05 below.

#### **2.14.30.05 - Review Criteria**

Requests for approval of a Tentative Partition Plat shall be reviewed to ensure:

**a. Nonresidential Partitions** - Requests for the approval of a Tentative Partition Plat shall be reviewed to ensure:

1. Consistency with the purposes of this Chapter and the following: the City's development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; the adopted City Off-street Parking Standards; and any other applicable policies and standards adopted by the City Council;
2. Pursuant to Comprehensive Plan Policy 3.2.7, demonstrated compatibility in the areas in "a," through "m," below, as applicable:
  - a) Basic site design (the organization of Uses on a site and the Uses' relationships to neighboring properties);
  - b) Visual elements (scale of potential development, etc.);
  - c) Noise attenuation;
  - d) Odors and emissions;
  - e) Lighting;
  - f) Signage;
  - g) Landscaping for buffering and screening;
  - h) Transportation facilities;

- i) Traffic and off-site parking impacts;
  - j) Utility infrastructure;
  - k) Effects on air and water quality (note: a DEQ permit is not sufficient to meet this criterion);
  - l) Consistency with the applicable development standards, including the applicable Pedestrian Oriented Design Standards; and
  - m) Preservation and/or protection of Significant Natural Features, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards;
3. Approval does not impede future development of property under the same ownership or on adjacent lands planned for urban densities with respect to the provision of City services and access from a public street;
  4. Consistency with the density requirements of the Zone. When calculating the applicable density range for a subject property, applicants may include in their acreage calculation 50 percent of the area of any streets that front the subject site, for the distance the streets front the subject site.; and
  5. For properties with Natural Resources or Natural Hazards subject to Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, or Chapter 4.13 - Riparian Corridor and Wetland Provisions, no Partition or Minor Replat shall create new lots or parcels unless each new and remaining lot or parcel contains:
    - a) An area unconstrained by Natural Resources or Natural Hazards;

- b) An area that includes Formerly Constrained Areas; or
- c) Contains an area that includes the areas in 5.a) and 5.b) above;

and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:

- d) Lots created for public park purposes; and
- e) Privately- or publicly-owned lots completely contained within an area zoned Conservation - Open Space.

New Partitions may contain common open space tracts for the purpose of protecting Natural Resources and/or avoiding Natural Hazards.

**b. Residential Partitions** - Requests for the approval of a Tentative Partition Plat shall be reviewed to ensure:

1. Consistency with the clear and objective approval standards contained in the following: the City's development standards outlined in the applicable underlying Zoning Designation standards in Article III of this Code; the development standards in Article IV of this Code; the standards of all acknowledged City Facility Master Plans; the adopted City Design Criteria Manual; the adopted Oregon Structural Specialty Code; the adopted International Fire Code; the adopted City Standard Construction Specifications; the adopted City Erosion Prevention and Sediment Control Ordinance; and the adopted City Off-street Parking Standards;
2. The following criteria are met for Residential Partitions and the application demonstrates adherence to them:
  - a) Approval will permit City services and access from a public street to be provided to property under the same ownership and on adjacent lands planned for urban densities;
  - b) Consistency with the density requirements of the zone. When calculating the applicable density range for a subject property, applicants may include in their acreage calculation 50 percent

of the area of any streets that front the subject site, for the distance the streets front the subject site;

- c) Preservation and/or protection of Significant Natural Features, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, and Lighting, Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.11 - Minimum Assured Development Area (MADA), Chapter 4.12 - Significant Vegetation Protection Provisions, and Chapter 4.13 - Riparian Corridor and Wetland Provisions. Streets shall also be designed along contours, and structures shall be designed to fit the topography of the site to ensure compliance with these Code standards;
- d) Land uses shall be those that are outright permitted by the existing underlying zoning designation;
- e) Excavation and grading shall not change hydrology (in terms of water quantity and quality) that supports existing Locally Significant Wetlands and/or Riparian Corridors that are subject to this Code's Wetlands and/or Riparian Corridor provisions in Chapter 4.13 - Riparian Corridor and Wetland Provisions; and
- f) For properties with Natural Resources or Natural Hazards subject to Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, or Chapter 4.13 - Riparian Corridor and Wetland Provisions, no Partition or Minor Replat shall create new lots or parcels unless each new and remaining lot or parcel contains remaining lot or parcel contains:
  - 1) An area unconstrained by Natural Resources or Natural Hazards;
  - 2) An area that includes Formerly Constrained Areas; or
  - 3) Contains an area that includes the areas in e.1) and e.2) above;

and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:

- 4) Lots created for public park purposes; and
- 5) Privately- or publicly-owned lots completely contained within an area zoned Conservation - Open Space.

New Partitions may contain common open space tracts for the purpose of protecting Natural Resources and/or avoiding Natural Hazards. See also Section 4.11.30.

A Residential Partition that conforms to these criteria in “1,” and “2,” above, is considered to meet all of the compatibility standards in this Section and shall be approved. A Residential Partition that involves Uses subject to Plan Compatibility or Conditional Development review, or that involves a Zone Change, shall be the applicable compatibility criteria for those Plan Compatibility, Conditional Development, and Zone Change applications.

#### **2.14.30.06 - Action on Application**

Based on the review criteria above and any comments received from affected parties, the Director shall review the proposed development and either approve, conditionally approve, or deny the application at the completion of the 14-day comment period.

#### **2.14.30.07 - Notice of Disposition**

The Director shall provide the applicant with a Notice of Disposition that includes a written statement of the decision, a reference to findings leading to it, any Conditions of Approval, and appeal period deadline. A Notice of Disposition shall also be mailed to persons who provided written comment on the mailed notice. A Notice of Disposition and all applicable information shall be available in the Development Services Division of the Community Development Department.

#### **2.14.30.08 - Appeals**

The decision of the Director may be appealed to the Land Development Hearings Board in accordance with the provisions of Chapter 2.19 - Appeals.

### **2.14.30.09 - Effective Date**

Unless an appeal has been filed, the decision of the Director shall become effective 12 days after the Notice of Disposition is signed.

### **2.14.30.10 - Effective Period of Tentative Partition Plat Approval**

Approval of a Tentative Partition Plat shall be valid for a one-year period from the effective approval date. Upon request, the Director may approve a single one-year extension to the approval.

## **Section 2.14.40 - FINAL PLAT REVIEW PROCEDURES**

### **2.14.40.01 - Application Requirements**

- a.** The Final Partition Plat shall conform to the approved Tentative Partition Plat, as defined in Chapter 4.4 - Land Division Standards, and any Conditions of Approval.
- b.** An Oregon licensed land surveyor shall prepare the Final Partition Plat in accordance with ORS Chapters 92 and 209, as amended, and in conformance with the Final Partition Plat standards established by the County Surveyor.
- c.** An Oregon-licensed land surveyor shall survey and place monuments on the parcels. All monuments on the exterior boundary and all parcel corner monuments for a partition shall be placed before the partition is offered for recording.
- d.** The Final Plat shall include or be accompanied by:
  1. Notarized signature of the owner declaring the ownership and consenting to recording of the Plat;
  2. Legal descriptions of areas proposed for dedication, including street rights-of-way, drainageways, easements, and reserve strips. Legal descriptions shall meet the approval of the City Engineer;
  3. Notarized copy of any deeds, signed by the grantor, dedicating land to the City;

4. A description of streets, driveways, utilities, and proposed improvements , as well as a time frame for completion of such.
  5. A designated space on the Plat for approval signatures in accordance with Section 2.14.40.03; and
  6. All easements and adjacent streets .
- e.** The surveyor shall submit one copy of the Plat to the Development Services Division. The surveyor shall also submit the original Plat and one copy, along with the appropriate recording fee, to the County Surveyor.

#### **2.14.40.02 - Review of Final Partition Plat Application**

- a.** Within 14 days after receiving the Final Partition Plat application, the Director shall review it for compliance with the above submittal requirements. If an application is incomplete, the Director shall notify the applicant within 10 days and state what is needed for a complete application.
- b.** Any required improvements not completed shall be subject to the Agreement for Improvement provisions in Section 2.4.40.08 of Chapter 2.4 - Subdivisions and Major Replats.

#### **2.14.40.03 - Final Plat Approval**

Prior to final approval, the City shall be assured that:

- a.** The applicant has installed or has agreed to install required improvements in accordance with the provisions of Section 2.4.40.08;
- b.** Public assessments, liens, and fees with respect to the partition area have been paid, or a segregation of assessments and liens has been applied for and granted by the City Council;
- c.** The City Engineer has reviewed a signed and notarized deed for any areas dedicated to the City prior to the Partition Plat's final signing; and
- d.** The Partition Plat has been signed by the Director and City Engineer.

Approval does not relieve the applicant from other applicable provisions of this Code or from the Oregon Revised Statutes.

#### **2.14.40.04 - Recording of Final Plat**

When all required signatures have been obtained on the Final Partition Plat, the Director shall record the Plat and any required covenants with the County Recorder.

#### **2.14.40.05 - Effective Date**

Authorization of the Final Partition Plat shall become effective when the Plat is recorded by the Director.

#### **2.14.40.06 - Notice of Recording**

After the Final Partition Plat is recorded, the Director shall notify the applicant of the recording.

### **Section 2.14.50 - MINOR REPLAT PROCEDURES**

- a. An application for a Minor Replat shall be administered in accordance with the Tentative Partition Plat review procedures in Section 2.14.30.
- b. A Final Minor Replat shall be prepared by an Oregon-licensed surveyor in accordance with Section 2.4.40 in Chapter 2.4 -Subdivision and Major Replats, with the exception that the Final Replat shall be signed by the Director instead of the Planning Commission Chair.

### **Section 2.14.60 - Property Line Adjustment**

- a. An application for a Property Line Adjustment shall be administered in accordance with the Tentative Partition Plat review procedures in Section 2.14.30, with the exception that the application shall be exempt from public notice provisions in Section 2.14.30.03 and the review criteria in Section 2.14.30.05;
- b. A Property Line Adjustment shall be approved if the following criteria have been met:
  - 1. The Property Line Adjustment shall not result in creation of an additional unit of land;
  - 2. Any unit of land reduced in size by the Property Line Adjustment shall comply with all applicable zoning regulations;
  - 3. The Property Line Adjustment shall not increase the degree of nonconformity that may exist on the subject lots; and

4. The availability of both public and private utilities and required access shall not be adversely affected by a Property Line Adjustment;
- c. For properties with Natural Resources or Natural Hazards subject to Chapter 4.5 - Natural Hazard and Hillside Development Provisions, Chapter 4.12 - Significant Vegetation Protection Provisions, or Chapter 4.13 - Riparian Corridor and Wetland Provisions, the Property Line Adjustment shall not adjust properties unless each resultant property contains an area unconstrained by Natural Resources or Natural Hazards and that area is equal to or greater than the applicable Minimum Assured Development Area(s) for the zone or zones in which the site falls. Exceptions to this requirement are:
    1. Properties with public park purposes; and
    2. Privately- or publicly-owned properties completely contained within an area zoned Conservation - Open Space.
  - d. Property Line Adjustments may not create new tracts. Where such tracts are proposed and/or required by this Code, a Land Division is required; and
  - e. Approvals shall be subject to the following minimum Conditions of Approval:
    1. Deeds based on a metes and bounds legal description for all adjusted lots from the Property Line Adjustment shall be recorded with the Benton County Recorder's Office;
    2. A Certified Boundary Survey map that reflects the approved Property Line Adjustment shall be reviewed by the City and signed by the Director and the City Engineer; The map shall then be filed with the County Recorder; and
    3. Copies of the recorded deeds and filed survey map shall be provided to the City following recording.

#### **Section 2.14.70 - MAJOR REPLATS**

An application for a Major Replat shall be reviewed and processed in accordance with Chapter 2.4 - Subdivisions and Major Replats.

#### **Section 2.14.80 - VACATING PLATS**

An application for vacating a plat shall be reviewed and processed in accordance with Chapter 2.8 - Vacating of Public Lands and Plats, and with ORS Chapter 271.080, as amended.

