





DEPARTMENT OF PLANNING AND DEVELOPMENT

210 SW 2nd Street  
Newport, OR 97365  
(541) 265-4192  
Fax (541) 265-6945

# GENERAL INFORMATION

## REGARDING AN APPLICATION FOR A LAND USE ACTION

### ***IMPORTANT – PLEASE READ BEFORE STARTING YOUR APPLICATION***

Attached is an application for an approval of a land use action. Completion of this application form and providing the supporting information is the most important part of the application process. The information requested is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or it may result in a denial of the request.

In all land use actions, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request. In preparing your application, a planner can explain which sections of the ordinances pertain to your specific request. **You must address each ordinance criteria in writing, on a point-by-point basis, in order for this application to be deemed complete.**

The planning staff can answer questions regarding the process and procedures, but they cannot prepare responses to the applicable criteria. If you require assistance with the application, you may want to confer with a professional land use consultant or attorney.

**INFORMATION REQUIRED**  
**For a**  
**PROPERTY LINE ADJUSTMENT**

---

**For all property line adjustment applications, the following minimum information must be submitted for the application to be considered complete:**

1. Plot plan, drawn to scale, of the subject property showing:
  - A. all existing, and approximate location and dimensions of all new lot lines
  - B. size of all proposed parcels or lots in acres and in square feet
  - C. all existing and proposed buildings and setbacks from all property lines
  - D. the location of water and sewer lines, septic system, well, and all existing and proposed easements
  - E. access to the property, and whether it is a state highway, county road, public road or private easement
  - F. all wetland areas, areas of geological hazard, streams and waterways, and areas subject to flood hazard
  - G. general description of the topography and vegetation
  - H. the date, north point and scale of drawing
  - I. width, depth and direction of flow of all drainage channels on or directly adjacent to the property
  
2. Describe the purpose of the proposed property line adjustment.
  
3. Other information as may be required by staff to determine compliance with the provisions of standards and requirements of Section 1.3247 of the Lincoln County Development Code.

**NOTE: ALL APPLICATIONS MUST BE COMPLETE. FAILURE TO SUBMIT A COMPLETE APPLICATION WILL DELAY THE ACCEPTANCE AND PROCESSING OF YOUR APPLICATION.**

---

Signature of Property Owner

---

Date

---

Signature of Applicant (if other than property owner)

---

Date

**Application for Property Line Adjustment**

Page 3

Case File # \_\_\_\_\_ Applicant \_\_\_\_\_

THIS APPLICATION FOR A PROPERTY LINE ADJUSTMENT IS TENTATIVELY APPROVED SUBJECT TO THE FOLLOWING CONDITIONS (AS CHECKED):

- \_\_\_\_\_ 1) Within one (1) year of tentative approval, the applicant shall submit a copy of a filed survey of the property line adjustment in accordance with ORS 92.060(7) and in substantial conformance with the tentative approval, except that property line adjustments where all lots, tracts or parcels affected are greater than ten (10) acres need not be surveyed or monumented.
- \_\_\_\_\_ 2) The applicant shall submit a description of the adjusted property line prepared and stamped by a registered professional land surveyor.
- \_\_\_\_\_ 3) The applicant shall submit copies of recorded conveyances conforming to the tentatively approved property line adjustment and contains the names of the parties, the description of the adjusted lines, references to original recorded documents and signatures of all parties with proper acknowledgment.
- \_\_\_\_\_ 4) The submitted survey shall document the location of all existing structures and compliance with all required setbacks to the adjusted property line.
- \_\_\_\_\_ 5) The submitted survey shall document the location of on-site sewage disposal systems and compliance with all setback requirements of the Lincoln County On-Site Waste Management Division and Oregon Department of Environmental Quality.
- \_\_\_\_\_ 6) Other information as determined by Planning Division staff.

\_\_\_\_\_  
\_\_\_\_\_

COMMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature Date

# PROPERTY LINE ADJUSTMENTS

**What is a Property Line Adjustment?** A property line adjustment is the relocation of a common (or shared) property line or lines. Whenever landowners wish to relocate the boundary between contiguous or adjoining lots or parcels of land, approval of a property line adjustment is required. A property line adjustment does not involve the creation of additional lots or parcels.

**Limitations on Property Line Adjustments** Property line adjustments generally result in the reduction in size of one or more lots or parcels. Certain limitations are imposed on such reductions in size by the Lincoln County Land Use Code and other related regulations. In general, property line adjustments are permitted if:

- No additional lots or parcels of land will be created.
- No lots or parcels will be reduced in size to below the minimum required by applicable zoning.
- All setbacks, yards, street frontages and similar dimensional requirements will be maintained in conformance with the code.

Lot size and other dimensional requirements vary depending on the zone in which a property is located; the Department of Planning and Development should be contacted for information on specific properties.

In addition, state law governing the "platting" of subdivisions and partitions limits the extent of property line adjustments, which may be accomplished within existing plats. In general, any substantial reconfiguration of existing platted lots or parcels must be accomplished through the "replatting" procedure rather than as a property line adjustment. If a property is within an existing platted area, the Department of Planning and Development should be consulted regarding the proper procedure for relocating property lines.

**Application and Review Procedure** The property line adjustment review and approval procedure is a two-step process:

1. Tentative Approval

An application for tentative approval of a property line adjustment is filed with the Department of Planning and Development, on a form provided by the department. This application is accomplished by information (typically a scaled sketch or "plot plan") on the proposed adjustment, which allows the department staff to review the proposal for compliance with applicable code requirements.

Once determined to be in conformance with applicable code provisions, a proposed property line adjustment is issued a tentative approval by the planning staff. This approval will specify any requirements or conditions, which have to be fulfilled in order to complete the adjustment and be granted final approval. This tentative approval is valid for a period of one year.

2. Final Approval

Final approval of a property line adjustment is granted when all of the conditions and requirements of the tentative approval are completed. Requirements typically include a completed survey of the newly adjusted boundary and the recording of the deeds or other conveyances for the adjusted lots or parcels. Upon receipt of copies of these and any other required documents, the planning staff will grant final approval of the property line adjustment and the process is complete.

**NOTE: THE GUIDELINES LISTED ABOVE ARE GENERAL IN NATURE. APPLICANTS ARE REQUESTED TO REFER TO THE LINCOLN COUNTY DEVELOPMENT CODE FOR COMPLETE REQUIREMENTS.**