



Planning and Zoning
Department of Transportation and Development
 Development Services Building
 150 Beaver Creek 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:

REPLAT

(Relocation/elimination of all or a portion of more than one platted property line, and changes to a plat that do not relocate/eliminate all or a portion of a property line, without addition of new lots/parcels)

Application Fee: \$315

| 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: |

| PROPOSAL |
|--------------------------------|
| Brief description of proposal: |

| SITE INFORMATION | | |
|--|---------------------------------|------------------|
| Affected plat name and/or plat number: | Comprehensive Plan designation: | Zoning district: |
| Affected lots/parcels (attach additional pages, if necessary): | | |
| Lot/parcel number: _____ | Site Address: _____ | |
| (Township: _____ Range: _____ Section: _____ Tax Lot: _____) | | |
| Lot/parcel number: _____ | Site Address: _____ | |
| (Township: _____ Range: _____ Section: _____ Tax Lot: _____) | | |
| Lot/parcel number: _____ | Site Address: _____ | |
| (Township: _____ Range: _____ Section: _____ Tax Lot: _____) | | |

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

| | |
|---|-------|
| <i>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.</i> | |
| Applicant signature: | Date: |
| | |

A. Review applicable land use rules:

This application is subject to the provisions of [Section 1105, Subdivisions, Partitions, Replats, Condominium Plats, and Vacations of Recorded Plats](#) 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.

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:** The cost of this application is **\$315**. Payment can be made by cash, by check payable to "Clackamas County", or by credit/debit card with an additional 2.55% card processing fee using the [Credit Card Authorization Form](#) available from the Planning and Zoning website. Payment is due when the application is submitted. Refer to the FAQs at the end of this form and to the adopted [Fee Schedule](#) for refund policies.
- Preliminary plat:** The preliminary plat must be drawn to a scale of not less than one inch = 20 feet and not more than one inch = 200 feet. If the preliminary plat is larger than 11 x 17 inches, five reduced-sized, legible copies of the preliminary plat shall be submitted on 8.5 x 14-inch or 11 x 17-inch paper. The preliminary plat must include all of the following (when applicable):
 - Source of domestic water and location of any existing and proposed wells;
 - Method of wastewater disposal and location of any existing and proposed on-site wastewater treatment systems;
 - Existing and proposed utility lines and facilities;
 - Calculations demonstrating that the proposed density complies with the minimum and maximum density standards of ZDO [Section 1012, Lot Size and Density](#), or for zoning districts not subject to Section 1012, demonstrating compliance with the minimum lot size in the applicable zoning district;
 - Locations, dimensions, and area of each lot, parcel, and tract;
 - The north-south dimension and front-lot-line orientation of each proposed lot or parcel, except for lots or parcels for which an exception from the solar design standard of ZDO [Subsection 1017.03](#) is requested pursuant to Subsection 1017.04. For the purpose of this submittal requirement, "north-south dimension" and "front lot line" are defined in Subsection 1017.02;
 - Date the preliminary plat was prepared;
 - North arrow;
 - Identification of each lot or parcel by number;
 - Locations and widths of all roads abutting the subject property, including road names, direction of drainage, approximate grades, and whether public or private;
 - Locations and widths of all proposed roads, including proposed names, approximate grades, radii of curves, and whether public or private;
 - Location and width of legal access to the subdivision, other than public or County roads, if applicable;
 - Contour lines at two-foot intervals if 10 percent slope or less or five-foot intervals if exceeding 10 percent slope within an urban growth boundary (UGB); contour lines at 10-foot intervals outside a UGB; and the source of contour information;
 - Locations of all seasonal and/or perennial drainage channels, including their names if known, and flow direction;

- Locations and widths of all existing and proposed easements, to whom they are conveyed and for what purpose;
- Locations and dimensions of all existing and proposed driveways and walkways;
- Locations and dimensions of existing structures to be retained and their setbacks from existing and proposed lot lines;
- Locations and dimensions of all areas to be offered for public use;
- Boundaries and type of restricted areas identified in ZDO Subsection [1012.05](#), as applicable; and
- Locations of all significant vegetative areas, including, but not limited to, wooded areas, specimen trees, and bearing trees.

For a property with designated Open Space: If the subject properties include land designated Open Space by the County's [Comprehensive Plan](#), an *existing conditions map* of the subject property with the Open Space designation must also be provided. The existing conditions map must illustrate all of the following (when applicable):

- Contour lines at two-foot intervals for slopes of 20 percent or less within a UGB; contour lines at five-foot intervals for slopes exceeding 20 percent within a UGB; contour lines at 10-foot intervals outside a UGB; and the source of contour information;
- Slope analyses designating portions of the site according to the following slope ranges and identifying the total land area in each category: zero to 20 percent; greater than 20 percent to 35 percent; greater than 35 percent to 50 percent; and greater than 50 percent;
- Drainage;
- Potential hazards to safety, including areas identified as mass movement, flood, soil, or fire hazards pursuant to ZDO [Section 1003, Hazards to Safety](#);
- Marsh or wetland areas, underground springs, wildlife habitat areas, and surface features such as earth mounds and large rock outcroppings;
- Location of wooded areas, significant clumps or groves of trees, and specimen conifers, oaks, and other large deciduous trees. Where the subject property is heavily wooded, an aerial photography, at a scale of not more than one inch = 400 feet, may be submitted and only those trees that will be affected by the proposed development need be sited accurately;
- Location of any overlay zoning districts regulated by ZDO Section 700, *Special Districts*;
- Noise sources;
- Sun and wind exposure;
- Significant views; and
- Existing structures, impervious surfaces, utilities, landscaping, and easements.

Master plan, if required by ZDO Section 1012: Minimum density and maximum lot size standards apply in certain zoning districts. Section 1012 allows for lots that do not meet required minimum density and maximum lot size standards, provided a master plan is submitted demonstrating that the standards could be met for the entire property through future land division.

C. Answer the following questions:

Accurately answer the following questions in the spaces provided. Attach additional pages, if necessary.

1. What is the name and/or number of the affected plat?

Plat name/number: _____

2. In an Urban Low Density Residential District, the replat may be designated as a zero-lot-line development. In a zero-lot-line development, there are no minimum rear and side setbacks for single-family dwellings, manufactured homes, and structures accessory to single-family dwellings and manufactured homes, except from rear and side lot lines on the perimeter of the final plat.

Are you requesting the replat be designated as a zero-lot-line development?

NO YES

3. a. Do the subject properties include common areas and facilities, including, but not limited to, open space, private roads, access drives, parking areas, and recreational uses, and snow removal and storage in Government Camp?

NO

YES (answer Question 4)

- b. Identify all the proposed common areas and facilities:

c. Who will own, improve, operate, and maintain the common areas and facilities?

- A nonprofit, incorporated homeowners association that:
 1. Will continue in perpetuity unless the requirement is modified pursuant to either ZDO [Section 1309, Modification](#), or the approval of a new land use permit application;
 2. Mandates membership in the homeowners association for each lot owner; and
 3. Is incorporated prior to recording of the final plat.

A government entity named: _____

A nonprofit conservation organization named: _____

An alternative entity named and described in the box below:

4. Are any of the subject properties in a future urban area, as defined by [Chapter 4](#) of the Comprehensive Plan?

NO

YES, and the location of proposed easements, road dedications, structures, wells, and on-site wastewater treatment systems are consistent with the orderly future development of the subject property at urban densities for the following reasons:

D. If the property is in the AG/F, EFU, or TBR District:

If the partition constitutes a replat and is in the AG/F, EFU, or TBR District, answer all of the following questions. Attach additional pages, if necessary.

1. Would the replat **decrease** the size of a lot of record that, before the replat, is smaller than 80 acres *and* contains an existing dwelling or is approved for the construction of a dwelling?
 - NO
 - YES, it would decrease the size of a lot of record that is currently smaller than 80 acres and contains an existing dwelling.
 - YES, it would decrease the size of a lot of record that is currently smaller than 80 acres and is approved for a dwelling per the following building permit or land use permit number: _____

2. Would the replat **decrease** the size of a lot of record that contains an existing dwelling or is approved for construction of a dwelling to a size smaller than 80 acres?
 - NO
 - YES, it would decrease the size of a lot of record that contains an existing dwelling to a size smaller than 80 acres.
 - YES, it would decrease the size of a lot of record that that has been approved for a dwelling to a size smaller than 80 acres. The following building permit or land use permit number is the approval for the dwelling: _____

3. Would the replat **increase** the size of a lot of record to a size as large as or larger than the minimum lot or parcel size required for it to qualify for a dwelling?
 - YES, the replat would increase the size of one of the lots of record to a size that would be large enough for it to qualify for a dwelling.
 - NO, the lot of record that will be increased in size will *not* be as large or larger than the minimum lot or parcel size required for it to qualify for a dwelling, for the following reasons:
 - NO, because the replat would not increase the size of any lot of record.

4. ZDO Subsection 1105.04(A)(3)(c)(iv) **prohibits** replats in a natural resource zone when the replat would allow an area of land used to qualify a lot of record for a dwelling based on an acreage standard to be used to qualify another lot of record for a dwelling if that land use approval for a dwelling would be based on an acreage standard.

In the box below, explain how the proposed replat would *not* be used to allow an area of land used to qualify a lot of record for a dwelling based on an acreage standard to be used to qualify another lot of record for a dwelling based on an acreage standard.

5. ZDO Subsection 1105.04(A)(3)(c)(v) **prohibits** the replat of a property line that resulted from a subdivision or partition authorized by a waiver so that any lot of record affected by the replat is larger than:
- Two acres if the lot of record is, before the replat, two acres in size or smaller and is high-value farmland, high-value forestland, or within a ground water restricted area; or
 - Five acres if the lot of record is, before the replat, five acres in size or smaller and is *not* high-value farmland, high-value forestland, or within a groundwater restricted area.

Would the proposed replat comply with Subsection 1105.04(A)(3)(c)(v)?

NO

YES

6. ZDO Subsections 1105.04(A)(3)(c)(vi) and (vii) **prohibit** replats 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 Subsection 401.05(C)(12), except as provided in OAR 660-033-0010(24)(B).

In the box below, explain how the proposed replat 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 Replat permit required?

The County's Zoning and Development Ordinance (ZDO) allows relocation or elimination of all or a portion of more than one platted property line, as well as other changes to recorded plats that do not relocate or eliminate all or a portion of a property line. Relocation or elimination of all or a portion of more than one *platted* property line, and changes to recorded plats that do not relocate or eliminate all or a portion of a property line, must be requested using this application form for a Replat permit.

The relocation or elimination of all or a portion of the of a common property line between *just two* abutting lots of record, and not creating an additional lot of record, would be considered a property line adjustment, whether or not the property line is platted. A property line adjustment requires approval of a [Property Line Adjustment application](#).

What is the permit application process?

Replat permits are subject to a "Type I" land use application process, as provided for in [Section 1307](#) of the ZDO. Public notice of Type I applications and decisions is not provided. A written decision on a Type I application is made by Planning and Zoning staff, and there is no County-level process to appeal that decision. If the 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?

Type I applications for a replat *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.

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 I land use application within 20 days of when we deem the application to be complete. State law generally requires a final County decision on a 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?

If a submitted Type I application is withdrawn before a decision on the application is issued, 75% of the application fee paid will be refunded. No refund will be given after a decision is issued.

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?