

ORDINANCE NO. 2576

AN ORDINANCE amending Chapter 17.07 of the Camas Municipal Code by revising the regulations for boundary line adjustments.

The Council of the City of Camas do ordain as follows:

Section I

Chapter 17.07 of the Camas Municipal Code relating to boundary line adjustments is amended to provide as set forth in Exhibit "A" attached hereto and by this reference incorporated herein.

Section II

This Ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this 21ST day of December, 2009.

SIGNED: Paul D.
Mayor

ATTEST: John M. Auger
Clerk

APPROVED as to form:

Shelley M. Matheson
City Attorney

Exhibit "A"

Chapter 17.07 BOUNDARY LINE ADJUSTMENTS

Sections:

17.07.010 Purpose and Intent.

17.07.020 Review Procedures

17.07.030 Application Requirements

17.07.040 Approval Criteria

17.07.050 Recording

17.07.060 Expiration

17.07.010 Purpose and Intent.

It is the purpose and intent of this chapter to provide an efficient and timely process that allows consistent review of boundary line adjustments to ensure such actions do not create nonconformities with zoning and other city regulations, to provide a permanent record of boundary line adjustments, and to ensure provisions are made for necessary access and utility easements.

17.07.020 Review Procedures.

Boundary line adjustments shall be processed as set forth in CMC Chapter 18.55.

17.07.030 Application Requirements

No application will be deemed complete nor a decision issued until a complete application is submitted to the city. A complete application consists of the following:

- A. A completed application on a form provided by the city. The application shall include the signatures of all owners of the lots involved in the boundary line adjustment, and submitted together with the application fee;
- B. A brief narrative that includes a statement of the purpose for the boundary line adjustment, demonstrating how the request can or will meet the approval criteria in Section 17.07.040;
- C. A neat and readable plan, drawn to a standard decimal (engineer) scale, that includes the following information:
 1. Property lines, with those that remain in their existing location shown as a solid line, those that are being moved or removed shown as a dashed line, and those that have been relocated shown as a solid line and clearly identified as a relocated line;
 2. Dimensions of all property lines and total square footage of the lots, before and after the adjustment;
 3. Location and footprint of all structures on the site and their setbacks from existing and newly created property lines;
 4. Location and purpose of all easements and utilities on the site;
 5. Location, purpose of any newly created or extended easements proposed;
 6. Location of adjacent public roads and points of access from the public road(s). If a lot does not front on a public road, demonstrate how and where access is provided; and,
 7. The location of any known critical areas located within the lots.
- D. Copies of documents that verify current ownership and legal descriptions of all parcels involved in the boundary line adjustment, such as deeds or title reports; and,
- E. Other documentation necessary to demonstrate compliance with other applicable city permits or regulations.

17.07.040 Approval Criteria

The approval authority shall approve, approve with conditions, or deny a request for a boundary line adjustment in writing based on findings addressing the following criteria:

- A. No additional lots, sites, parcels, tracts, or divisions are created.
- B. The adjustment will not create nonconforming lots, with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards identified in CMC Chapter 18.09 or to fire, building, other applicable codes.
- C. The degree of nonconformance on existing nonconforming lots with respect to zoning dimension and area standards, zoning setbacks, and floor area ratio are not increased, except that a one time exception may be allowed to create a lot that exceeds the maximum lot size permitted in the underlying zone. Any future partitioning/reduction of the oversized lot must comply with the lot size requirements of the underlying zone.
- D. All lots have legal access to a public road. Existing required private road improvements and easements are not diminished below city street standards for lots that are served by a private road, and shall not create unreasonably restrictive or hazardous access to a property;
- E. The boundary line adjustment will not result in a lot that contains area in two zone designations.
- F. Boundary lines adjustments that are used to circumvent subdivision or short subdivision procedures set forth in this title are not allowed. Factors which indicate that the boundary line adjustment process is being used in a manner inconsistent with statutory intent include: numerous and frequent adjustments to existing contiguous lot boundaries, and/or a large number of contiguous lots being proposed for boundary line adjustments at the same time.
- G. Approval of a boundary line adjustments shall not result in the need for a reasonable use exception as defined in CMC 16.51.
- H. Existing easements for utilities conform to adopted standards for their intended function, or they are extended, moved or otherwise altered to an approved location. The applicant shall be responsible for the relocation of any installed utilities.

17.07.050 Recording

Upon approval, prior to recording the boundary adjustment, the following must be submitted to the community development department for review.

- A. Survey of the Boundary Line Adjustment. If the approval authority finds, based upon an exhibit to the legal descriptions, that conformance with existing area and dimensional or use standards will clearly be satisfied without the need of a survey, the approval authority may waive the requirement for a survey, otherwise a survey shall be prepared by a Washington State licensed professional land surveyor.
- B. Legal descriptions of the proposed property configuration.
- C. The applicant will be responsible for recording the boundary line adjustment, including an exhibit that corresponds to the drawing approved by the city, with the Clark County auditor's office. A copy of the recorded documents must be returned to the planning division within one year.

17.07.060 Expiration

The boundary line adjustment application shall expire if it has not been recorded within one year from the date of approval unless a different time frame is specified in a decision for a consolidated review. Upon written request from the applicant prior to the expiration date, the community development director is authorized to grant one extension, not to exceed six months.