



Type II _____ Fee \$ _____

Type III _____ Fee \$ _____

CITY OF PENDLETON

Planning Department (541) 966-0204 Fax (541) 966-0251
500 SW Dorion Avenue, Pendleton, OR 97801

Boundary Line Adjustment Application

File No. _____

NOTICE TO APPLICANT: On original application form, please print legibly using blue or black ink, or type. Applicants are advised to review the list of submittal requirements indicated on each application form prior to submitting an application. **Incomplete applications will not be acted upon until the Planning Department receives all required submittal materials and fees.**

SITE LOCATION AND DESCRIPTION

Frontage street or address of lot to be **reduced** _____

Frontage street or address of lot to be **increased** _____

Nearest cross street _____

Current zoning City of Pendleton _____ County _____

Site size (*acres or square feet*) _____ Dimensions _____

Lot to be reduced in size Tax Map #(S) _____ Tax Lot #(s) _____

Existing area (sf) _____ Proposed area _____

Property Owner(s) _____

Mailing address _____

Phone _____ Fax _____ Email _____

Signature _____ **Date** _____

Lot to be increased in size Tax Map #(S) _____ Tax Lot #(s) _____

Existing area (sf) _____ Proposed area _____

Property Owner(s) _____

Mailing address _____

Phone _____ Fax _____ Email _____

Signature _____ **Date** _____

The applicant bears the burden of proof to show that the application meets all standards and criteria contained in the Zoning and Subdivision Ordinances. Applicants should demonstrate compliance with all applicable criteria and standards as part of the application materials.

Failure to submit materials adequate to support approval of the request may result in delay or denial of the application.

Although not required with the application, you will be required to submit a survey in order to record an adjustment with Umatilla County. A proper survey prepared as part of the application can save many headaches later on, especially if there may be a potential setback issue. Trust us on this.

OFFICE USE ONLY.

This institution is an equal opportunity provider and employer.

120 day time limit Accepted as complete _____ Final decision by _____

Planning Commission hearing date _____ Notice mailed _____

Notice to media Publication date _____ Emailed _____

Notice of Decision Date mailed _____ Appeal deadline _____

Associated applications _____

SPECIFIC DETAILS FOR LOT TO BE REDUCED IN SIZE

STRUCTURES Please indicate the type and number of structures currently on the site, and proposed for construction

Single Family Residence(s) _____ Multi Family Residence(s) _____
Manufactured Home(s) _____ Travel Trailer(s) _____
Other residential structure(s) _____ Barn/other ag building(s) _____
Commercial building(s) _____ Industrial Building(s) _____
Accessory buildings/structures _____ Other _____

SERVICE PROVIDERS Please indicate which of the following services are provided on the property

Water City of Pendleton _____ Well _____ Other/None _____
Sewer City of Pendleton _____ Septic _____ Other/None _____
Fire City of Pendleton _____ RFD _____ Other/None _____
Does the property have access to **City streets**? (Y/N, please explain what and where) _____

Does the property have access to **County Roads**? (Y/N, please explain what and where) _____

If the property is subject to special assessment or debt from any special districts (fire, road, etc), please provide details.

LIVESTOCK Please list the number and type of all livestock currently present on the property (*horses, cattle, sheep, goats, chickens, etc.*
Do not include domestic pets such as cats and dogs) _____

BUSINESSES Are any businesses operating on the property? If yes, please describe. _____

All businesses operating within the City of Pendleton must obtain a Business License.

SPECIFIC DETAILS FOR LOT TO BE INCREASED IN SIZE

STRUCTURES Please indicate the type and number of structures currently on the site, and proposed for construction

Single Family Residence(s) _____ Multi Family Residence(s) _____
Manufactured Home(s) _____ Travel Trailer(s) _____
Other residential structure(s) _____ Barn/other ag building(s) _____
Commercial building(s) _____ Industrial Building(s) _____
Accessory buildings/structures _____ Other _____

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BUSINESSES Are any businesses operating on the property? If yes, please describe. _____

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ARTICLE III. RESIDENTIAL ZONES

3.08.2 **Lot Size.** In all of the residential zones, the minimum lot sizes shall be as shown in Table 3.1.

3.08.6 **Maximum Lot Coverage.** In all of the residential zones, the maximum lot coverage shall be as shown in the adjacent diagram and Table 3.1.

3.08.7 Miscellaneous Lot Provisions.

- A. Building Lots must abut a public right of way or other public access. No residential, commercial, or industrial building shall be erected on a lot which does not abut at least one street. Where there is a residence constructed, as of the date of this Ordinance, on an interior lot not abutting on a public street, such property shall continue unaffected except that in the case of reconstruction of such a structure, as provided in Section 11.07 of this Ordinance, nothing more than a single family dwelling and accessory buildings may be constructed upon such interior lot, and then only when easements for ingress and egress are recorded.
- B. The primary access shall be via a street that is improved or will be improved to City standards prior to occupancy of any unit, unless otherwise approved by the Planning Commission.
- C. Parking, Storage or Use of Recreational Equipment. No equipment shall be used for living, employment, sleeping or housekeeping purposes, nor connected to utilities, when parked or stored on a residential lot, or in any location not approved for such use. Recreational vehicles may be used for guest accommodation for a maximum of 14 days within a three month period.
- D. Parking and Storage of Certain Vehicles. Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially used property other than in completely enclosed buildings.

3.08.8 Yard (Setback) Regulations – Primary Structures

- A. Front Yard: The minimum front setback shall be as shown in Table 3.1.
- B. Side Yard: The minimum side setback shall be as shown in Table 3.1, except on corner lots, where ten (10) feet are required on the side abutting the street, and in the case of attached single-family dwellings, where a zero lot line is allowable (with the provision of common “party” wall construction);
- C. Rear Yard: The minimum rear setback shall be as shown in Table 3.1, except in the case of attached single-family dwellings, where a zero rear lot line is allowable (with the provision of common “party” wall construction).
- D. Garage or carport face: 20 feet from any property line. The front wall of a garage, and any portion of a carport, shall not be permitted less than twenty (20) feet from a property line for primary and accessory structures.
- E. The required front yard depths may be reduced in any residential zone as follows:
 - 1. If there are dwellings on both abutting lots with front yards of depths less than the required depth for the zone, the depth of the front yard for the intervening lot need not exceed the average depth of the front yards of the abutting lots;
 - 2. If there is a dwelling on one abutting lot with a front yard of less depth than the required depth for the zone, the front yard for the lot need not exceed a depth one-half way between the depth of the abutting lot and the required front yard depth;
 - 3. In determining the depth of a front yard, the required depth shall be measured at right angles to the nearest street right-of-way, except as provided in subsection (F) below.
- F. No building shall be erected on a lot which fronts upon a street having only a portion of its required width dedicated (as set forth in the Comprehensive Plan), unless the yards provided and maintained in connection with such building have a width and/or depth needed to complete the street right-of-way width plus the width and/or depth of the yards required on the lot by this Ordinance.
- G. Only under adverse topographical circumstances will a variance be granted for a front yard setback less than ten (10') feet.
- H. Projecting Building Features: The following building features may project into the required front yard no more than five (5') feet, and into the required interior yards no more than two (2) feet, provided that such projections are no closer than three (3) feet to any interior lot line:
 - 1. Architectural features such as gutters, flues, eaves, cornices, belt courses, sills, awnings, buttresses, or similar features;
 - 2. Chimneys and fireplaces.

3.08.8 Setbacks – Accessory Structures, Fences and Walls

- A. The front wall of a garage or carport shall not be permitted less than twenty (20) feet from a property line fronting an existing street or a future street as shown in the Transportation System Plan. Garages and carports on alley frontages shall have a minimum setback of five (5) feet.
- B. In any zone, open work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps, stairs or retaining walls, may be located in required yards, provided such devices are not more than three and one-half feet (42”) in height. Only stairs and protective railings may be located within the first ten (10’) feet of the required front yard.
- C. Accessory Structure: In the interior rear and/or side yards, an accessory structure may be located so that its walls and/or projecting features shall be no closer than three (3) feet to the property line.
- D. Solar energy collectors and equipment used for the mounting or operation of such devices, and any other on-site energy generating device shall be exempt from the interior yard requirements.
- E. Satellite dish antennas shall not be located in the front yard (setback) of a dwelling.
- F. Porches, patios, decks and associated covers, and unattached solar energy systems shall be permitted with a minimum ten (10’) foot front yard setback. Such structures shall not be enclosed to extend the living areas of the house.
- G. Stairs and other means of access to side and/or rear decks and patios may project into the minimum side and/or rear setback provided they are permitted in accordance with all applicable Structural, Fire or other codes.
- H. Fences and Walls. In any residential zone, a sight obscuring fence or wall, not exceeding six (6) feet in height, may be located or maintained within the required interior yards, except where the requirements of vision clearance apply. Such fences or walls may be placed in front or side yards abutting a street, provided such fences or walls do not exceed three and one-half (3.5’) feet in height. Non-sight obscuring fences of six (6’) feet or less in height may be erected within any required yard. This Section does not apply to retaining walls.
- I. Retaining walls. Retaining walls, steps, ramps and other associated elements associated with site grading are exempt from setback standards but must observe all other applicable permitting requirements.

Table 3.1 Development Standards in Residential Zones

Lot size and Density	R-1	R-2	R-3
Minimum Density (DU/acre)	3.9	6	12
Maximum Density (DU/acre)	9	18	35
Minimum Lot Size (<10% slope)	6000sf	5000sf	5000sf
Single Family attached	3000sf	3000sf	3000sf
Minimum Lot Size (10-20% slope)	7000sf	7000sf	6000sf
Single Family attached	3500sf	3500sf	3500sf
Minimum Lot Size (>20% slope)	9000sf	8000sf	7000sf
Single Family attached	4000sf	4000sf	4000sf
Planning Commission approval required for any lot or parcel more than 2X the minimum - see Section 3.8			
Maximum height (feet / stories)	30 / 2	40 / 3	50 / 5
Maximum lot coverage (%)	35	40	45
Setbacks (feet)	R-1	R-2	R-3
Front	15	15	10
Front (unenclosed elements)	10	10	10
Side	5	4	3
Rear	5	5	5
Street/Side	10	10	10
Garage/Carport Face all sides	20	20	20
Front - accessory structure	20	20	20
Side - accessory structure	3	3	3
Rear - accessory structure	3	3	3
Street/Side - accessory structure	10	10	10

ARTICLE IV. **COMMERCIAL ZONES**

4.04 **General Provisions for Commercial Zones**

4.04.1 Lot Size. There is no minimum lot size in Commercial zones.

4.04.2 Yards. No yards shall be required in commercial zones, with the following exceptions:

- A. When the property abuts or is less than sixty (60') feet from a residential zone, the same yards shall be required as those in the abutting zone.
- B. New development on corner lots shall observe all standards for Vision Clearance.
- C. The use of landscaped areas may be required by the Planning Commission to buffer commercial uses from residential uses.

4.04.3 Lot Coverage. There shall be no maximum lot coverage regulations for commercial zones; however, new residential buildings in commercial zones shall provide at least 10% of the building site as accessible open space and meet applicable parking standards. The 10% open space standard does not apply to redevelopment of existing or historic structures if on-site space is not available.

ARTICLE IX. **INDUSTRIAL ZONES**

5.08 **General Provisions for Industrial Zones**

5.08.1 Except as modified by applicable subdistricts, the following development standards apply within industrial zones:

- A. Lot size. Minimum lot sizes shall be as set forth on Figure 5.8 of this Ordinance.
- B. Yards. No yards shall be required in industrial zones, except when the property abuts or is less than sixty (60') feet from a residential zone, in which case the same yards shall be required as those in the abutting zone. The provision of landscaped areas may be required by the Planning Commission to buffer industrial uses from residential and commercial uses unless topographical or other circumstances make such buffering impractical.
- C. Lot Coverage. There shall be no maximum lot coverage regulations for industrial zones.

ARTICLE X. **Land Divisions.**

10.12 **Boundary Line Adjustments**

10.12.1 Boundary Line Adjustments may only be used to adjust lot or parcel lines within a recorded land division, and may not result in the creation of a new lot.

10.12.2 Boundary Line Adjustments shall be processed according to the standards for a land division.

10.12.3 The tentative plat, upon being submitted to the City Planner and distributed to appropriate departments and agencies for their review and comment, will be checked against the Comprehensive Plan and City Ordinances; and if conforming, may be processed pursuant to the standards for a Type II action contained in Article 13.

10.12.4 If the proposed tentative plat does not appear to comply with the Comprehensive Plan, or if it appears to comply only if conditions are imposed, the application shall be submitted to the Planning Commission under the standards for a Type III action contained in Article 13.

SUBMITTAL REQUIREMENTS. The following items must be completed upon submittal of a boundary line adjustment application. If you need assistance completing the forms, please contact the Planning Department. If you do not have a copy of the deed to your property to verify ownership and/or a legal description of your property, contact the Umatilla County Office of County Records at (541) 278-6236 or www.co.umatilla.or.us/records.htm.

1. Original, signed **Application form**. This information is public record and must be reproduced so please type or write clearly using dark ink. *Electronic submittals are encouraged.*
2. **Site Plan showing all lot lines (existing and proposed) and structures**. Include utility and/or other easements, water ways, flood plain, and other items outlined in the approval criteria above.
3. **Narrative** specifically addressing compliance with each section listed above.
4. Please submit all **plans to scale**; use 1" = 20' or 1" = 40' unless plans are exceptionally large.
5. Any additional information you wish to supply to support your request.
6. **One application is sufficient for Type II applications; Type III applications require ten complete sets of materials.**
7. The appropriate **fee**.