



CITY OF PASCO

BOUNDARY LINE ADJUSTMENT

CHAPTER 26.44

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26.44.010 PURPOSE. The purpose of a boundary line adjustment is to provide an administrative method of modifying the boundary lines between two (2) or more lots of record. The intent of a boundary line adjustment (or lot line adjustment) is to address existing problems pertaining to building encroachment, irregular shaped lots, non-conforming lots sizes or to modify lot lines to promote orderly and efficient community growth. (Ord. 3398 Sec. 2, 1999.)

26.44.020 APPLICABILITY. The boundary lines separating two (2) or more lots of record may be adjusted under the provisions of this chapter, provided that such adjustment:

- (1) Will not result in the creation of any additional lot, tract, parcel, site or division;
- (2) Will not create any lot, tract, parcel, site or division which contains insufficient area and dimensions to meet all of the requirements of the zoning ordinance (PMC Title 25);
- (3) Will not adversely affect access, easement or drain fields;
- (4) Will be consistent with any applicable health, building or similar regulations;
- (5) Will not increase the nonconforming aspects of an existing nonconforming lot or structure. (Ord. 3398 Sec. 2, 1999.)

26.44.030 APPLICATION. (1) A complete application for a lot line adjustment shall be made on forms to be provided by the Planning Department, and shall be submitted to the Planning Department together with the applicable fee identified in 26.52.010 and six (6) copies of the proposed adjustment, drawn to scale and accurately dimensioned, clearly showing the following information:

- (a) The proposed lot lines for all affected lots, indicated by heavy solid lines;
 - (b) The existing lot lines proposed to be changed, indicated by heavy broken lines;
 - (c) The location of all structures existing upon the affected lots;
 - (d) The location and dimensions of any drain field, wellhead protection area, easement or right-of-way existing within or adjacent to any affected lot;
 - (e) The area and dimensions of each lot following the proposed adjustment;
 - (f) Parcel numbers for all affected lots;
 - (g) Legal description of the existing lots and a legal description of the area involved in the boundary line adjustment;
 - (h) The existing and if applicable, proposed future method of sewage disposal for each affected lot. Where any lot affected by a proposed lot line adjustment is served or is likely to be served in the future by an on-site sewage disposal system, a percolation test for each such lot may be required by the City Engineer when the City Engineer finds that the proposed adjustment could adversely affect the ability of such lot to be adequately served by such on-site system.
- (2) The City Planner may require the lot line adjustment to be prepared by a licensed land surveyor in order to ensure the accuracy of the new legal descriptions and drawing. (Ord. 3398 Sec. 2, 1999.)

26.44.040 ADMINISTRATIVE REVIEW. An application for a lot line adjustment shall be approved, approved with conditions, returned to the applicant for modifications or denied within fifteen (15) days of its receipt by the City Planner. The City Planner shall not be considered to be in receipt of a

complete application unless and until such time as the application meets the requirements of Section 26.44.030, as determined by the City Planner.

(1) The City Planner shall forward one (1) copy of the proposed lot line adjustment plan to the City Engineer and Fire Department who shall review the plan and submit comments to the City Planner within ten (10) days of receipt.

(2) The City Planner shall forward one (1) copy of the proposed lot line adjustment plan to the Franklin County P.U.D., Franklin County Irrigation District if applicable and all other effected utility providers. These agencies identified in this subsection shall review the plan and submit comments to the City Planner within ten (10) days of receipt. Failure of a utility provider to respond to the application within ten (10) days shall be deemed as approval by the specific utility provider.

(3) Following receipt of the comments of those consulted under Subsections A and B above, but not later than fifteen (15) days following receipt of a complete application, the City Planner shall approve or deny the requested lot line adjustment. If the boundary line adjustment is denied, the City Planner shall make appropriate findings of fact in writing. Following approval, the City Planner shall notify the applicant and the County Assessor. The applicant shall then record new deeds reflecting the changes of ownership for the effected properties and when required record the boundary line adjustment survey of the lot line adjustment with the County Auditor within thirty (30) days or the lot line adjustment shall be null and void.

(4) Appeals of an administrative decision relating to a binding site plan may be made to a hearing examiner pursuant to Chapter 25.84 of the title. Such an appeal must be made in writing and filed together with the appeal fees listed in 26.52.010 with the City Planner within ten (10) working days from the date on which the decision was rendered if not, the decision of the City Planner is final and no further appeal may be made.

(5) The written appeal shall include a detailed explanation stating the reason for the appeal. The decision of the hearing examiner shall be the final action. (Ord. 3398 Sec. 2, 1999.)

