

33.675 Replat

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33.675.010 Purpose

This chapter states the procedures and regulations for removing or reconfiguring lot lines within a site to combine into one to three lots. The regulations ensure that the replat does not circumvent other requirements of this Title, and that lots and sites continue to meet development standards and conditions of land use approvals.

33.675.050 When These Regulations Apply

A replat may be used to remove or reconfigure lot lines within a site to combine into no more than three lots. The perimeter of a replatted site must follow existing lot lines. Lot lines cannot be created through this process however lot lines can be moved. A replat cannot result in the creation of a flag lot or the creation of a buildable lot from an unbuildable lot remnant or lot of record. The applicant may also remove or reconfigure lot lines through a land division. A replat may be required by other provisions of this Title.

33.675.100 Review Procedure

- A. Generally.** Replats are reviewed through Type Ix procedure.
- B. Sites in PUDs or PDs.** If any portion of the site is within a Planned Unit Development (PUD) or Planned Development (PD), an amendment to the PUD or PD is also required. The amendment to the PUD or PD must be reviewed concurrently with the replat.

33.675.200 Application Requirements.

An application for a replat must contain the following:

- A. Application form.** One copy of the completed application form bearing an accurate legal description, tax account numbers and location of the property. The application must include the name, address, telephone number, and original signatures of the applicant and all property owners and the nature of the applicant's interest in the property.
- B. Surveys.**
 1. Three copies of a survey of the site prepared, stamped and signed by a registered land surveyor showing all existing property lines and the location, dimensions and setbacks from property lines for all structures and other improvements and utilities on the site. The survey may not be larger than 18 inches by 24 inches in size. The survey must be drawn to a scale no less than 1 inch = 200 feet, and no greater than 1 inch = 20 feet;
 2. If the site is part of an existing plat, a copy of the recorded plat; and

3. Three copies of a Final Partition Plat showing the reconfigured lot or lots. Copies of the Final Plat must be drawn to scale and of a format, material, and number acceptable to the Director of BDS. The following statement must be on the Final Plat: "This plat is subject to the conditions of the City of Portland Case File No. LUR..."

C. Other.

1. Title reports. A current title report issued by a title insurance company verifying ownership and detailing any deed restrictions; and
2. Narrative. A written narrative explaining how the regulations and approval criteria of this chapter have been met;
3. Fees. The applicable filing fees.

33.675.300 Approval Criteria

A replat will be approved if the review body finds that the applicant has shown that all of the approval criteria have been met:

A. Lots. The replatted lots must meet the standards of Chapters 33.605 through 33.615, with the following exceptions:

1. Lot dimension standards.
 - a. Lots and adjusted lots that do not meet the minimum lot area required for new lots are exempt from the minimum lot area requirement if they do not move further out of conformance with the minimum lot area required for new lots, and they meet the following:
 - (1) No portion of the lot or adjusted lot is in an environmental protection, environmental conservation, or river environmental overlay zone;
 - (2) No portion of the lot or adjusted lot is in the special flood hazard area; and
 - (3) The lot or adjusted lot has an average slope of less than 25 percent;
 - b. Maximum lot area. If any of the lots within the replat site are larger than the maximum lot area allowed, the same number of lots in the replat site are exempt from maximum lot area requirements;
 - c. Minimum lot width. Lots and adjusted lots that do not meet the minimum lot width required for new lots are exempt from the minimum lot width requirement if they do not move further out of conformance with the minimum lot width required for new lots, and they meet the following:
 - (1) No portion of the lot or adjusted lot is in an environmental protection, environmental conservation, or river environmental overlay zone;
 - (2) No portion of the lot or adjusted lot is in the special flood hazard area; and
 - (3) The lot or adjusted lot has an average slope of less than 25 percent;

2. Maximum density. If the replat does not move the site further out of conformance with maximum density requirements, the replat does not have to meet maximum density requirements;
 3. Lots without street frontage. If the replat consolidates lots that do not have street frontage with lots that have street frontage, the replat does not have to meet minimum density and maximum lot area requirements;
 4. Through lots. If any of the existing lots within the replat site are through lots with at least one front lot line abutting an arterial street, then the consolidated or reconfigured lots may be through lots;
 5. Split zoning. If any of the existing lots within the replat site are in more than one base zone, then the consolidated or reconfigured lot may be in more than one base zone.
- B. Development standards.** If existing development is in conformance with the development standards of this Title, the development must remain in conformance after the replat. If existing development is not in conformance with a development standard of this title, the replat will not cause the development to move further out of conformance with the standard unless an adjustment is approved.
- C. Conditions of land division approvals.** The replat must meet one of the following:
1. All conditions of previous land division approvals continue to be met or remain in effect; or
 2. The conditions of approval no longer apply to the site, or to development on the site, if the lots are reconfigured.
- D. Conditions of other land use approvals.** Conditions of other land use approvals continue to apply, and must be met.
- E. Services.** The replat does not eliminate the availability of services to the lots, and the reconfigured lots are not out of conformance with service bureau requirements for water, sanitary sewage disposal, and stormwater management.

33.675.400 Recording an Approval

The Final Plat and the deed for the replat must be recorded with the County Recorder and Surveyor within 90 days of approval by the Director of BDS.

(Added by: Ord. No. 177701, effective 8/30/03; amended by Ord. No. 185915, effective 5/1/13; Ord. No. 188259, effective 3/31/17; Ord. No. 190093, effective 9/11/20; Ord. No. 190851, effective 6/30/22.)

