

9.8415 **Property Line Adjustment Approval Criteria.** The planning director shall approve, approve with conditions, or deny the property line adjustment application. Approval or approval with conditions shall be based on compliance with the following criteria:

- (1) Any buildings to be retained on the properties comply with the minimum front and interior yard setbacks as defined in this land use code.
- (2) The final configuration of property lines shall not reduce an existing lot below the minimum lot standards established in this land use code or otherwise violate standards of this land use code, building codes, fire codes, and Chapter 7.
- (3) The final configuration of property lines shall not violate any previous requirements or conditions of approval imposed with a prior applicable land use decision.
- (4) Public assessments, liens, and fees with respect to the property line adjustment have been paid, or:
 - (a) A segregation of assessments and liens has been applied for and granted by the city; or
 - (b) An adequate guarantee in a form acceptable to the city manager has been provided assuring the liens, assessments and fees will be paid prior to recording the property line adjustment.Approval of a property line adjustment does not relieve the applicant from complying with all applicable codes or statutory requirements.
- (5) Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:
 - (a) The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
 - (b) The /WQ Management Area.
- (6) Within the R-1 zone in the city-recognized boundaries of Amazon Neighbors, Fairmount Neighbors and South University Neighborhood Association, property lines may only be adjusted up to 5 feet, measured perpendicularly from the current location of the property line. A Property Line Adjustment allowed under this section may be up to 10 feet if the adjustment is necessary to accommodate an encroachment that existed as of April 12, 2014.

(Section 9.8415, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; administratively corrected March 15, 2005; amended by Ordinance No. 20351, enacted November 14, 2005, effective January 1, 2006; amended by Ordinance 20430, enacted March 9, 2009, effective June 10, 2009; amended by Ordinance No. 20457, enacted March 8, 2010, effective April 10, 2010; amended by Ordinance No. 20526, enacted March 12, 2014, effective April 12, 2014.)