

## **APPLYING FOR A LOT OF RECORD DETERMINATION**

A lot of record is any lot or parcel of land that was lawfully created by a subdivision or partition plat of record in the County Clerk's Office, or a lawfully created unit of land that was created by deed or land sales contract prior to land use subdivision and partitioning requirements, and of record in the deed records of Columbia County.

A lot of record determination is used to determine whether an individual property may actually contain two or more separate legal lot of record parcels within its boundaries. This method is typically used when the subject property is under the minimum lot size requirements for the zoning district it is located in, thus making it ineligible for a land division.

An individual property may be considered two or more separate lots or parcels if it can be shown that the subject property contains separate parcels that have since been combined into one tax lot. Deed records must indicate that the subject property completely encompasses the area that was once described as two or more separate properties. The legal lot of record parcels inside of the subject property must have been lawfully created by a subdivision or partition plat, or must have been conveyed individually by deed or land sales contract and recorded with the County Clerk's Office.

If an individual property is found to contain two or more separate legal lot of record parcels, then the owners of the property may re-establish the original parcels by filing deeds with the original legal descriptions of the property at the County Clerk's Office. If the owners wish to change the configuration of the original parcels, then they must apply for a Property Line Adjustment Application from the Department of Land Development Services, prior to recording the new legal descriptions of the property.

### **REQUIRED INFORMATION**

**Applicants must submit legible copies of all deed records relevant to the subject property. Older deeds, dated prior to 1975, are preferred unless accompanied by documentation indicating subdivision or partition plat approval by the County.**

A site map shall be included with the application indicating the highlighted legally described property lines subject to the determination, and the location of all property lines and existing improvements (i.e. houses, barns, driveways, septic, well, etc.).

Multiple or complex legal descriptions should also include a color coded map of each described area.

Staff will review the submitted documents and make a determination if two or more separate legal lot of record parcels exist on the subject property.

## **NOTICE**

Deeds can be researched at the County Clerk's Office, however, a title search conducted by a title company, while not required, may be helpful to applicants who are unfamiliar with conducting deed research.

The presence of a lot of record parcel does not guarantee the right to develop the property. Development standards for building on the property are still in effect. Requirements for water, sanitation, access, setbacks, and other overlay and zoning district requirements are still applicable, pursuant to Section 211 of the Columbia County Zoning Ordinance. Consequently, a lot of record parcel is not necessarily a buildable lot.

Development of a lot of record parcel must meet all other applicable development standards, except for the minimum lot size or lot dimensions of the zone. Development standards include all applicable requirements of the zone, overlay district, and rule found in the Columbia County Zoning Ordinance, Columbia County Subdivision and Partitioning Ordinance as well as all pertinent state and federal rules and statutes.

ORS 92.017 - When lawfully created lots and parcels remain discrete lots and parcels, a lot or parcel lawfully created shall remain a discrete lot or parcel, unless the lot or parcel lines are vacated or the lot or parcel is further divided as provided by law.

## **PROCEDURE FOR DETERMINING LOT OF RECORD**

1. Obtain deed records and/or title report.
2. Complete attached application; submit with documentation and fee.
3. Typical County review time is up to 30 days.
4. A letter will be mailed to the applicant informing them of the outcome of the review. This will include a staff report justifying the decision.
5. If you feel the decisions was made in error, an appeal of the director's decision must be filed within 12 days of receiving the notice of decision. Appeals must be filed at the Land Development Services office, on the County appeal form, and must be accompanied by the appropriate fee.



# APPLICATION FOR LOT-OF-RECORD DETERMINATION

Land Development Services ♦ Planning Division  
Columbia County Courthouse ♦ 230 Strand, St. Helens, Oregon 97051 ♦ (503) 397-1501

### APPLICANT:

_____ Name	_____ Date of Application
_____ Mailing Address	_____ City, State, Zip
_____ Signature	_____ Daytime Phone #

### PROPERTY OWNER: (If different than applicant)

_____ Name	_____ City, State, Zip
_____ Mailing Address	_____ Daytime Phone #
_____ Signature	

### PROPERTY FOR WHICH DETERMINATION REQUESTED:

Tax Account # _____	_____ Deed # _____	_____ Acres _____	_____ Zone _____
Tax Account # _____	_____ Deed # _____	_____ Acres _____	_____ Zone _____

**LOCATION OR ADDRESS OF PARCEL:** \_\_\_\_\_

**SPECIFIC REQUEST:** \_\_\_\_\_

### CONTIGUOUS PROPERTY DESCRIPTION:

Tax Account # _____	_____ Deed # _____	_____ Acres _____	_____ Zone _____
Tax Account # _____	_____ Deed # _____	_____ Acres _____	_____ Zone _____

**PREVIOUS LAND USE ACTIONS OR PROPERTY LINE ADJUSTMENTS:** \_\_\_\_\_

<b>For Office Use Only</b>			
Date Rec'd _____	Receipt # _____	Check # _____	Staff Member _____