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CHELAN COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT
316 WASHINGTON STREET, SUITE 301, WENATCHEE, WA 98801
TELEPHONE: (509) 667-6225

BOUNDARY LINE ADJUSTMENT

Parcel A Contact Information

Owner:_____

Agent: _____

Mailing Address: _____

City:_____ State: _____ Zip: _____

Email:_____ Phone: _____

Parcel B Contact Information

Owner:_____

Agent: _____

Mailing Address: _____

City:_____ State: _____ Zip: _____

Email:_____ Phone: _____

**This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Section 14.08.030, except variance, planned development, and rezone requests.*

Purpose:

The purpose of a Boundary Line Adjustment is to provide a process and standards for boundary line adjustments consistent with RCW 58.17.040(6). Boundary line adjustments are exempt from Washington State and Chelan County's subdivision requirements under certain specific conditions. This procedure is intended to provide an efficient, low-cost procedure to affirm changes to existing property lines. Chelan County shall issue a certificate of exemption for boundary line adjustments in conformance with the requirements and/or provisions of this title or to aggregate existing lots. The issuance of a certificate of exemption for a boundary line adjustment is a memorialization that a particular boundary line adjustment is recognized by the county as a legal lot of record that is not in a condition of noncompliance with the requirements of Title 11 CCC. The procedures and requirements of this chapter are intended, among other things, to quiet concerns about a lot's legal status as a legal lot of record. Issuance of a certificate of exemption for a boundary line adjustment is not a guarantee that the resulting property configuration or parcel is a buildable lot; it does represent that Chelan County considers the lot to be a legal lot of record. However, the county makes no representation of warranty, expressed or implied, or any guaranty of warranty, expressed or implied, as to the condition of the title to the land or fitness or suitability for any uses, permits, development or buildability whatsoever.

Chelan County does not warrant or guarantee:

(A) Legal or physical access to parcels for which a certificate of exemption has been issued;
(B) Suitability of parcels for which a certificate of exemption has been issued for on-site sewage disposal;
(C) Water availability for domestic or irrigation purposes to parcels for which a certificate of exemption has been issued; and/or
(D) The issuance of building/development permits for lots, tracts or parcels, divisions or sites for which a certificate of exemption has been issued.

Boundary line adjustments are limited to legally established contiguous lots, tracts, parcels, sites or divisions, parcels or tracts. This process may not be used to accomplish the purposes for which platting, replatting, plat alterations, or plat vacations were intended and required. Upon the

submittal and acceptance of a technically complete boundary line adjustment application, and the Administrator determines that it contains sufficient information to furnish as a basis for its approval or disapproval, a file number will be assigned and the application date stamped for processing.

Boundary Line Adjustments, Limitations:

All boundary line adjustment certificates of exemption requests shall be subject to the following criteria:

(1) A boundary line adjustment shall not result in the creation of any additional lots, sites, tracts, or parcels.

(2) A boundary line adjustment shall not create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site as established herein, nor shall such adjustment or adjustments create a building setback violation.

(3) A boundary line adjustment shall not result in the entire relocation of lots, sites, tracts, or parcels. Lots may be reoriented within the perimeter of the contiguous lots.

(4) A boundary line adjustment shall not violate or be inconsistent with any conditions for approval of a previously filed plat, short plat, or binding site plan.

(5) Only legal lots of record shall qualify for a boundary line adjustment certificate of exemption.

(6) No lot, as a result of the boundary line adjustment, shall be smaller than the minimum lot size required by Title 11, Zoning, in effect at the time the application is accepted. Whenever any one or more lots involved in the proposed change is smaller than the minimum lot size requirement of the current zoning designation, the change may be approved so long as no resulting lot becomes more nonconforming than the smallest lot prior to the boundary line adjustment, except as follows:

   (a) Whenever deviations from the lot size requirement of Title 11, Zoning, are required to accommodate natural features related to topography and/or terrain that establish natural physical barriers or boundaries.

   (b) Whenever deviations from the lot size requirements of Title 11, Zoning, are required to accommodate structures such as buildings, roads, driveways, fences, utilities, drain fields, ditches or similar structures in existence prior to June 20, 2006.

   (c) Whenever deviations from the lot size requirements of Title 11, Zoning, are required to accommodate developed open space such as orchards, parks or similar improved, cultivated or developed open space areas.

(7) The applicant(s) shall record conveying documents with the Chelan County auditor.

(8) The property owner(s), on forms provided by Chelan County, shall agree to indemnify, release and hold Chelan County harmless for any losses or claims which may result from the inability of Chelan County to issue building/development permits for lots, tracts or parcels for which a certificate of exemption has been issued including but not limited to the following: lack of legal or physical access; water availability for domestic and/or irrigation purposes; and suitability of parcels for on-site sewage disposal.

All Land Use Applications Require Proof Property Is A Legal Lot Of Record.

Pursuant to Chelan County Code Section14.98.1090, a legal lot of record means:

(1) A lot created by a recorded subdivision or short subdivision, or

(2) A lot greater twenty acres in size meeting the requirements for an exempt parcel as defined in Chelan County Subdivision Code or

(3) An approved certificate of exemption, or boundary adjustment, or

(4) A lot created prior to October 17, 2000 *

Please note: A legal description that describes a portion of a lot, or a meets and bounds description, may not constitute a legal lot.

*You must prove the lot existed prior to this date by providing a copy of the deed that shows the recorded date. Contact a title company or the Auditor's Office for assistance with this research.

If none of the above applies, then you must legalize the lot through a short plat, major subdivision, certificate of exemption, or increase the lot size to greater than 20 acres.

A recorded survey does not create a legal lot of record unless the lots are greater than 20 acres.

CANNABIS DISCLOSURE SECTION

SUB-SECTION I: Circle

I AFFIRM there **IS NOT** or **IS** (circle one) an existing or pending Liquor and Cannabis Board (LCB) license or approval for cannabis production, processing, or retail located on the property that is the subject of the requested development permit or approval.

If you circled "**IS NOT**" above, proceed to Sub-Section III of this form.

If you circled "**IS**" above, proceed to Sub-Section II of this form.

SUB-SECTION II: You must read the below statements, initial on the space provided, and then proceed to Sub-Section III.

_____ I ACKNOWLEDGE AND UNDERSTAND that all cannabis-related activities, development, uses and construction must comply with Chelan County regulations, including but not limited to Chelan County Code Section 11.100.

_____ I ACKNOWLEDGE AND UNDERSTAND that only those cannabis-related uses authorized pursuant to Chelan County Code Section 11.100 are permitted within Chelan County. All other commercial and noncommercial licensed or registered cannabis uses, including but not limited to cannabis research facilities and medical cannabis cooperatives, are prohibited within all zones of Chelan County.

_____ I ACKNOWLEDGE AND UNDERSTAND that pursuant to Chelan County Code Section 11.100 a conditional use permit is required to engage in the production or processing of cannabis within Chelan County, and that all cannabis producers and processors must register annually with Chelan County and pay the appropriate registration fee.

_____ I ACKNOWLEDGE AND UNDERSTAND that it is the responsibility of the property owner to submit for and obtain all necessary development permits and approvals prior to engaging in cannabis-related activities, development, uses or construction, including but not limited to conditional use permits for the production or processing of cannabis, building permits, change of use/occupancy permits, shoreline permits, variances, and mechanical permits.

SUB-SECTION III: Please select one of the following:

☐ I certify with the signature below that the building or land use permit requested **IS NOT** related to or in any way supportive of existing or planned cannabis-related activities, development, uses or construction on the property. I further certify that any authorized activities, development, uses or construction **WILL NOT** be utilized to support or expand cannabis-related activities, development, uses or construction.

☐ I certify with the signature below that the building or land use permit requested **IS** related to or in support of existing or planned cannabis- related activities, development, uses or construction on the property. I certify that any authorized activities, development, uses or construction will be in strict compliance with LCB licensure requirements and all applicable laws and regulations including but not limited to Chelan County Code, Chapter 69.50 RCW (Uniform Controlled Substances Act), Chapter 69.51A (Medical Cannabis), Chapter 19.27 RCW and WAC Title 51 (State Building Code), Chapter 58.17 RCW (Plats-Subdivisions-Dedications), Chapter 90.58 RCW (Shoreline Management Act), Chapter 314.55 WAC, and the Chelan County Shoreline Master Program.

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Application Required Elements

Any person desiring approval of a boundary line adjustment, shall file application forms provided by the Administrator along with such other data that when read together discloses the following information:

- ❑ **Existing legal descriptions** for each lot being adjusted (i.e., existing Lot A and existing Lot B). You may obtain those documents from a title company or the assessor's office, which will also convey whether your lot is a legal lot of record (to be provided on a separate sheet).
- ❑ **Proposed legal descriptions** for each lot being adjusted (i.e., proposed Lot A, and proposed Lot B). The department strongly recommends a licensed surveyor by the State of Washington draw up those descriptions as it provides an accurate description and property boundaries (to be provided on a separate sheet).
- ❑ Documentation all lots are Legal Lots of Record (i.e., short plat, major subdivision, CE, recorded prior to October 17, 2000 – see attached sheet)
- ❑ Property owner Lot A and property owner Lot B (Title holder signature is required on all applications. Properties being purchased on a Real Estate Contract require title holder signature.)
- ❑ Current zoning designation.
- ❑ Current Assessor's Parcel Numbers for properties A & B.
- ❑ A scaled drawing (example 1" = 200') of the existing lot with present lot lines being shown as dashed lines and the proposed lot being shown as solid lines. Label them new lines and old lines. Indicate according to property owners - Lot A and Lot B in the appropriate properties.
    - To ensure proper scanning and recording, site plans shall not contain any imagery overlay layers.
- ❑ All lot measurements must be shown in feet.
- ❑ Show existing improvements such as buildings, wells, septic systems, roads and easements and their widths, an arrow-indicating north, and any other pertinent features.
- ❑ Signed, dated and notarized signatures <u>for all persons</u> having interest in the property. Signature page must be an original (containing all original signatures).
- ❑ Documentation or a letter of project approval from associated irrigation and/or domestic water purveyor, if applicable.
- ❑ Any documents attached as separate pages or exhibits must maintain 1" margins around the entire page (for recording purposes).
- ❑ Provide a brief narrative of the proposed boundary line adjustment and cite what code provision is being used to allow for the boundary line adjustment.
- ❑ An application fee made payable to Chelan County Community Development Department. Please call for current fees.

Required Prior To Recording

- ◆ **ALL TAXES AND ASSESSMENTS FOR THE YEAR MUST BE PAID** pursuant to RCW 84.56.345 any division, alteration, or adjustment of real property boundary lines, except as provided for in RCW 58.04.007 (1) and 84.40.042(1)(c), shall present a certificate of payment from Treasurer's. All taxes current and delinquent must be paid for.
- ◆ If properties are to be conveyed between two (2) separate property owners, **Excise Tax Affidavit** forms (check with the Chelan County Treasurer if excise tax is required or only filing fee) and **Quit Claim Deeds** will need to be prepared. The department strongly recommends an attorney, or a licensed surveyor draft the deeds for that portion of the property being transferred.
- ◆ A **recording fee** made payable to the Chelan County Auditor.

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For Official Use Only:

Chelan County
Boundary Line Adjustment Application

BLA _____

RECEIPT # _____

PARCEL A

Owner & Mailing Address:

_____

_____

_____

_____

Additional names on page:_____

Present lot size:_____

Proposed lot size:_____

Abbreviated legal description:
(i.e. lot, block, subdivision, or section, township, and range):

_____

_____

Additional legal on page_____

Assessor's parcel #:

_____

Property Address:

_____

_____

Zoning District: _____

PARCEL B

Owner & Mailing Address:

_____

_____

_____

_____

Additional names on page:_____

Present lot size: _____

Proposed lot size: _____

Abbreviated legal description:
(i.e. lot, block, subdivision, or section, township, and range):

_____

_____

Additional legal on page _____

Assessor's parcel #:

_____

Property Address:

_____

_____

Zoning District: _____

 Applications may be accepted during normal office hours

SIGNED, DATED, AND NOTARIZED SIGNATURES FOR ALL PROPERTY OWNERS

I (we), the undersigned, swear under penalty of perjury that the above responses and accompanying documentation are made truthfully and to the best of my (our) knowledge. I (we) further understand that, should there be any willful misrepresentation or willful lack of full disclosure on my (our) part, Chelan County may withdraw any approval that it might issue in reliance on this application.

I, (we) the owner(s) of all the property described herein do hereby acknowledge and agree to hold Chelan County harmless in any cause of action arising out of the boundary line adjustment or recordation of same. Furthermore, I, (we), the owner(s) of all the property involved in this boundary adjustment, hereby consent to the adjustment of property lines as proposed in this application.

_____	_____	_____
Tax Parcel #	Owner (signature)	Date
	_____	_____
	Owner (signature)	Date
_____	_____	_____
Tax Parcel #	Owner (signature)	Date
	_____	_____
	Owner (signature)	Date

ACKNOWLEDGMENT

This is to certify that on the _____ day of _____, 20___.

Before me, the above signed,

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personally appeared to me known to be the person(s), who executed the foregoing statement and acknowledged to me that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned. WITNESS my hand and official seal the day and year last above written.

_____

NOTARY PUBLIC in and for the State of

Washington, residing in _____

My appointment expires _____