

DRAFT

**Boundary Line Adjustment Code
NEW KCC Chapter 16.04.xxx**

Revised: 3/9/2026

A. Purpose.

The purpose of this section is to provide an administrative process for reviewing and approving adjustments to property lines between abutting properties.

B. Applicability and Exemptions.

This chapter applies to boundary line adjustments between existing properties, including those involving mergers or aggregations. For the purposes of this section, “property” is a generic term that applies to all original or resulting lots, tracts, parcels, sites, or divisions; when a more specific term is used, the definition of that term in Chapter 16.10 shall apply. Boundary line agreements used solely to resolve boundary disputes consistent with RCW 58.04.007 are exempt from the provisions of this chapter.

C. Adjustments Prohibited.

~~1.~~ Alteration of the area, dimensions, or location of tracts, or easements, ~~vacated rights-of-way, and tax title strips~~ are not permitted through a boundary line adjustment.

~~However,~~

~~1.2.~~ ~~vacated rights-of-way and tax title strips~~ may be combined with one or more abutting properties through a property combination as provided in subsection F. Once merged the land can be subject to boundary line adjustment. For the purposes of this section, “tax title strip” is a narrow, often unusable strip of land associated with a tax-foreclosed property.

~~2.3.~~ Adjustment of a property shall not be permitted ~~where~~ when a resulting separate property ~~ies are~~ will be newly located on either side of a road or street as respectively defined in KCC chapters 16.10.290 and 17.110.698. This provision does not apply to a property that is already bisected by a road or street prior to the adjustment.

~~3.4.~~ No boundary line adjustment shall result in a property that crosses a zoning district, urban growth area, overlay district, tidelands, or jurisdictional boundaries.

D. Permit Type and Review Authority.

Applications for boundary line adjustments shall be processed as a ministerial Type I application under Chapter 21.04. The Department Director or their designee (hereinafter Director) is authorized to review and approve, approve with conditions, or deny the application based on compliance with this chapter and other applicable county codes.

E. Review Criteria.

The Director shall approve a boundary line adjustment only if the following criteria are met:

1. No additional property, tract, parcel, or division results from the adjustment.
2. All resulting properties must comply with applicable zoning standards for total area, density, and dimensions, except as provided below:
 - a. The Director may allow a boundary line adjustment that adjusts a nonconforming property or properties, provided that the total number of nonconforming lots is not increased, and no resulting lot becomes smaller than the smallest existing nonconforming lot. For the purposes of this section, “nonconforming lot” has the meaning provided in KCC 17.110.508.; or
 - b. The Director may allow a minor deviation for each resulting lot of up to ten percent of the required lot size, area, and width not to exceed that required by the zone, or up to ten thousand eight hundred ninety square feet, whichever is smaller.
3. A conforming structure shall not become nonconforming to the standards required by the applicable zoning, and a nonconforming structure shall not be increased in its degree of nonconformity to the standards required by applicable zoning, through a boundary line adjustment. For the purposes of this section, “nonconforming structure” has the meaning provided in KCC 17.110.510. For the purposes of this section only, a structure means anything that meets the definition in KCC 17.110.705 and would require a development permit from the Department of Community Development.
4. No new public roads or extensions of public infrastructure would be required solely to serve the adjusted properties.
5. No conflicts with existing plat or permit conditions are created, and no existing plat or permit conditions are diminished, reduced, or eliminated.
6. All easements, including those for access, and utilities are kept or properly modified, such as through a plat alteration.
7. No adverse impacts on water supply, septic systems, or access will result.
8. All resultant properties must have a building site and suitable access. An applicant may request an exemption from this requirement. The applicant shall demonstrate the proposed adjustment qualifies for a legitimate exemption under the following criteria:
 - a. adjustment is to occur on public property;
 - b. adjustment is to occur on utility property; or
 - c. adjustment is to occur on parcels adjusted solely to support the conservation or preservation of critical areas or habitat.Approval of any such exemption shall be at the discretion of the Director.

9. The adjustment is not part of a concurrent or sequential series of adjustments which would result in the creation of additional lots, tracts, or building sites, or otherwise circumvent the subdivision regulations in Chapter 16.40.
10. Boundary line adjustments within a recorded plat are permissible provided they do not modify dedications, roads, easements, notes, or other features shown on the face of the plat, or its recorded conditions, which would require a formal plat alteration.
11. The adjustment will not create a building site from or on tracts or easements.
12. Properties proposed to be served by onsite sewage disposal systems must be reviewed and approved by the Kitsap Public Health District prior to Director approval. Applicants must demonstrate compliance with applicable health and sanitation standards, including resultant properties' suitability for septic and primary and reserve areas, minimum separation distances between structures and wells or between structures and septic primary or reserve areas, located both on the subject properties and nearby properties.
- ~~13. None of the properties included in an approved boundary line adjustment may be further adjusted or altered within a period of five years, unless a short plat or preliminary plat application is made for such property or properties.~~

F. Property Combinations (Mergers).

Boundary line adjustments may be used to permanently merge or aggregate abutting properties under the following conditions:

1. Properties, before or after adjustments, may not be separated by a dedicated right-of-way.
2. Properties that do not individually meet current development standards may be combined to create a conforming lot.
3. ~~Vacated rights-of-way, and tax~~ title strips, may be combined with one or more abutting properties.
4. Mergers result in new permanently-established properties, which may only be subdivided in the future according to the requirements of Title 16.

Applicants are encouraged to be aware of the 'Declaration of Aggregation' program the County Auditor provides.

G. Legal Lot Determination.

When a boundary line adjustment is proposed under this chapter, requirements for legal lot determination may be deemed satisfied if the lots to be adjusted were previously determined legal under Chapter 16.62, or if the adjustment resolves discrepancies discovered in the determination process.

H. Hourly-Rate Conference

Prior to submittal of an application for a boundary line adjustment, applicants are encouraged, but are not required, to schedule an hourly-rate meeting as provided in Section 21.04.120.

I. Submittal Requirements

Submittal requirements shall be specified in the BLA application guide and the submittal checklist and forms prepared by the Department.

J. Acknowledgements and Signatures.

The applicant shall acknowledge by signature on the BLA application form, and as statements on notice to title, that County approval of a BLA proposal is subject to the following limitations:

1. A BLA approval does not guarantee or imply that the subject property may be developed or subdivided or involved in further BLAs;
2. Critical area and shoreline review has not been performed for the subject properties as part of the BLA review;
3. Additional information and approvals may be required during review of a subsequent development or land use permit application; and
4. Property configurations ~~or topography~~ resulting from a BLA approval cannot be used to justify a future variance, buffer reduction, or other exception from County code.

K. Final Documents - Recording and Signatures.

Within ~~six months~~ one year of approval of the application for a boundary line adjustment or a property combination (merger), the applicant is required to record all final documents with the County Auditor, including the survey map signed and stamped by the Surveyor, revised legal descriptions, notice to title, and any deeds conveying property. If the adjustment is not recorded within one year of approval, the approval shall expire unless an extension is otherwise approved in advance by the Director. The face of the BLA shall also conspicuously state the requirements in J.1. through J.4 in this section. All recording of documents shall be at the expense of the applicant. The applicant shall obtain all required signatures prior to recording, including those of the Director, County Auditor, and County Treasurer.