

Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Application Requirements for Lot Boundary Adjustments

Updated February 10, 2016

Washington State law allows adjustments of boundary lines if certain conditions are met. Applications for lot boundary adjustments in Seattle are filed by appointment with the Seattle Department of Construction and Inspections (SDCI).

Lot boundary adjustments must satisfy public concerns of health, safety and welfare as detailed in Seattle's Land Use Code (Chapter 23.28 of the Seattle Municipal Code or SMC).

Seattle codes and regulations are available on our website at www.seattle.gov/sdci/codes codes or from the Public Resource Center (PRC), located on the 20th floor of Seattle Municipal Tower, 700 Fifth Ave., (206) 684-8467.

Definition

RCW 58.17.040 (6) describes a boundary line adjustment as follows:

A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor 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.

Application Instructions

1. **For assistance on fees and procedural requirements** related to your application, please talk with staff at the PRC (see address and phone to the left).
2. **Requesting an Appointment**—Lot boundary applications are filed by a scheduled appointment at the Applicant Services Center. The Lot Boundary Adjustment may be submitted via an appointment using our Seattle Services Portal at: <https://cosacela.seattle.gov/Portal/welcome.aspx>.

In order to schedule an intake appointment you must receive a SDCI **project number**. In order to get a project number you must submit a Preliminary Application Form (PAF)

3. **A 18"x24" survey may be required** by us for a lot boundary adjustment application (per SMC Section 23.76.010D6) to obtain information that cannot otherwise be verified, such as when aerial photos show structures encroaching on lot lines.

The survey should be prepared by/or under the supervision of a Washington state licensed land surveyor who certifies on the plat that it is a true and correct representation of the lands actually surveyed.

Your surveyor should refer to the standard survey example on page 6. The full size (18"x24") survey template is available online in AUTOCAD format at www.seattle.gov/sdci. Go to the "Tools & Resources" menu and choose "Tips" under the Forms & Publications section. The file is listed as a supporting file to Tip 213B called "Lot Boundary Adjustment."

4. **If the survey requirement is waived, the applicant may use the form containing the 8½" X 14" template, which is available online. To find the form, just go to our Tips website, click on Tip 213B and download the file listed as a supporting file to Tip 213B called "Lot Boundary Adjustment Form." This form may also be obtained by contacting the Public Resource Center at (206) 684-8467 or prc@seattle.gov.** The information provided by the applicant will be presumed to be accurate, including the location of



property lines relative to any improvement on the site or adjacent improvements on abutting properties involved in the lot boundary adjustment. If the proposed lot boundary adjustment, as described, is technically accurate (see the attached checklist) and does not violate standards in the Land Use Code, then the survey waiver may be granted.

5. **Calculate the "75/80" Rule if necessary.** Use the methods in SMC 23.44.010(B)(3) if your proposed parcels are smaller than the minimum lot size for the single-family zone.
6. **Comply with shoreline rules.** If your proposed lot boundary adjustment is located near a shoreline, you must comply with the shoreline rules unless you are proposing a unit lot subdivision (SMC 23.60A.168).
 - Each of your lots must have an area for the principal and accessory structures, necessary walkways, and access that is outside the shoreline setback for the applicable environment and outside priority habitat. For lot boundary adjustments, you must comply with 23.60A.156K.
 - You must divide your lots to prevent the need for shoreline stabilization for the life of the development. Your development must allow natural processes, such as erosion, to occur without threatening the stability of the development.
 - You must configure your lots to protect ecological functions, including priority habitat by establishing separate tracts or by recording non-disturbance areas and a covenant.
 - If you create new lots that have new water frontage in the shoreline environment, those lots are restricted to water-dependent, water-related, or single-family uses. You must record this restriction on the plat and in a covenant.
7. **The application package shall include a plat, legal descriptions, owner's name(s), and contact person.** The plat must accurately show the existing structures, eaves, fences, accessory structures, easements, street improvements and other site development to illustrate that the proposed parcels will meet all required development standards. Please use the attached checklist and sample as guides to complete the package.
8. **Fees are charged in accordance with the fee schedule** established annually by the City Council in the Permit Fee Ordinance. Fee deposits are collected at time of application and include the King

County recording fee. Once analysis or research begins on an application, none of the fee is refundable, except the recording fee. There may also be charges at the end of the process that accrued during the actual review. These fees could include Drainage, geo-technical (ECA), Land Use and/or ordinance/structural reviews.

9. **Submit the application package** for screening and review via our E plan portal. The documents are not required to be notarized for application intake.

Review Process

The Director shall approve an application for a lot boundary adjustment if it is determined that:

1. No additional lot, tract, parcel, site or division will be created by the proposed adjustment.
2. No lot is created which contains insufficient area and dimensions to meet the minimum requirements for development as calculated under the development standards of the zone in which the lots affected are situated, except as provided in SMC Section 23.44.010 and under any applicable regulations for siting development on parcels with riparian corridors, shoreline habitat, shoreline habitat buffers, wetlands, wetland buffers or steep slopes in chapter 25.09. Any required nondisturbance area shall be legibly shown and described on the site plan, and a covenant shall be required as set out in Section 25.09.335.
3. Every proposed adjusted lot shall conform to the following standards for lot configuration, unless a modification is authorized under section 23.28.030.A.4:
 - a. If an adjusted lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet.
 - b. No adjusted lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point.
 - c. No adjusted lot shall have more than six separate lot lines. The lot lines shall be straight lines unless the irregularly shaped lot line is caused by an existing right of way or existing lot line.
 - d. If adjusted lot is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23.53.030, then no adjusted lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure

is not required to be changed to alley access. Proposed adjusted lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.

4. Modification. The Director's recommendation on a proposed lot adjustment may modify the standards of subsection 23.28.030.A.3 if the applicant demonstrates that the proposed lot boundary adjustment meets the following criteria:
 - a. The property has one of the following conditions not created by the applicant:
 - 1) Natural topographic features or natural obstructions prevent the reconfiguration of one or more lots according to the standards of subsection 23.28.030.A.3.
 - 2) Location of existing principal structures that are retained on lots existing prior to the proposed lot boundary adjustment require a reconfiguration of one or more lots that cannot reasonably meet the standards of subsection 23.28.030.A.3.
 - 3) Location of existing easements or feasibility of access to portions of the property prevents the reconfiguration of lot lines that meet the standards of subsection 23.28.030.A.3.
 - b. Modification of the standards of subsection 23.28.030.A.3 shall be the minimum necessary to allow adjusted lots that each contain a building area for development that meets the development standards of the zone in which the proposed lot boundary adjustment is located.
5. The adjusted lot has adequate drainage, water supply and sanitary sewage disposal, and access for vehicles, utilities and fire protection.
6. The lot boundary adjustment is consistent with applicable provisions of Title 23 of the Seattle Municipal Code.

An application for a lot boundary adjustment on a parcel containing an environmentally critical area or buffer shall include the information described in Section 25.09.330, unless the Director determines that some of the information listed is not necessary for reviewing the application.

The application is distributed internally and to Seattle Public Utilities, Seattle Fire Department and Seattle

City Light for comment. During this review you will receive corrections from all review units. You must address all corrections.

Approval Process

If the proposed lot boundary adjustment meets the criteria mentioned above, the application will be approved. If corrections to the lot boundary adjustment application package are necessary, we will send the applicant a notice explaining the corrections needed.

The applicant is then responsible for: 1) making the corrections and verifying their accuracy prior to final approval, and 2) submitting new plans to SDCI.

Recording and Permit Issuance

A letter documenting the Director's Decision and outlining the recording process will be sent to the designated contact person.

If the 18" X 24" survey format is required (as detailed on page 1), three (3) signed and notarized paper copies of the completed/corrected survey are required. (NOTE: A mylar is no longer required for recording.)

We will record the lot boundary adjustment with King County Division of Records and Elections and file it with the King County Assessor's office.

After the lot boundary adjustment is recorded, the permit for this platting action will be issued. A lot boundary adjustment permit must be issued before a building permit can be issued for new structures on any newly configured lots.

Access to Information

Links to electronic versions of **SDCI Tips, Director's Rules and Forms** are available on our website at www.seattle.gov/sdci. Paper copies of these documents, as well as additional regulations mentioned in this Tip, are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.

Department of Construction and Inspections

Checklist for Lot Boundary Application Intake

Applicant/Surveyor,

Please use the following checklist for your lot boundary adjustment application. Items numbered (1) through (9) are keyed to the attached sample.

(1) LOT BOUNDARY ADJUSTMENT PROJECT NUMBER

A project number will be generated by staff when the PAF is submitted.

(2) GRANTOR & GRANTEE

Grantor: List all of the owners of the properties to be adjusted. Grantee: City of Seattle, King County, WA.

(3) CONTACT PERSON

List the person who will be SDCI's contact for corrections and correspondence. Provide a mailing address and a telephone number. Provide e-mail and/or internet address if applicable.

(4) ABBREVIATED LEGAL DESCRIPTION

Insert the short legal description using Lots, Block, Subdivision, Vol. and Page or Section, Township and Range.

(5) ASSESSOR'S PROPERTY TAX PARCEL NUMBERS (ACCOUNT NO.)

Provide the 10 or 12 digit code(s) that identifies the parcel(s) of all lots to be adjusted.

(6) SCALED DRAWING (SURVEY) OF THE SITES TO BE ADJUSTED

Use standard cartographic practice. All line lengths should be to scale and dimensioned. Use pen weight and/or lettering style for clear differentiation of lines. The plat should include:

- North arrow and references
- Scale notation (e.g., 1" = 50') and bar scale (see sample)
- Existing lot lines (lighter pen weight, dashed) - Show the entire property of each of the sites included in the adjustment
- Proposed lot lines (heavier pen weight, solid)
- Bearings (if metes and bounds) and distances of lot lines
 - Width of rights-of-way and condition (paved, curb/gutter/sidewalk) of street/alley
 - Parcels identified (use Parcel A, Parcel B, etc.)
- Lot area in square feet of each parcel
- Relationship of property to established street monuments
- Dimensions of easements/turnarounds (use lighter pen weight and different lettering)
- Dimensions and location of driveways, curbcuts, and off-street parking
- Dimensions of all structures and distances to the property lines
- Dimensions of eaves and other architectural features
- Indicate proposed removal of structures
- Dimensions of easements/turnarounds (use lighter pen weight and different lettering)

- ___ Grading plans if vehicle access to lots exceeds 15% grade
- ___ Address of existing structures
- ___ Location of water and sewer lines in the street rights-of-way
- ___ Location, size and species (common name) of all trees greater than 6" in diameter measured 4-1/2 feet above the ground
- ___ If your LBA is located in one or more of the ECAs or buffers in the bulleted list below, then the ECA covenant and ECA permanent markers will need to be shown on your LBA
 - steep slope
 - landslide-prone areas
 - riparian corridors
 - wetlands
 - shoreline habitat
 - fish and wildlife habitat

(7) DELINEATE ALL APPLICABLE ECAS ON SITE

Additional documentation, such as a wetland report, and soils report, may be required.

(8) LEGAL DESCRIPTIONS

Provide full legal descriptions of the existing parcels. Provide full legal descriptions of each new parcel. Identify parcels by letters A, B, etc. If this lot boundary adjustment adjusts a parcel of a previous short plat or LBA, provide the complete legal description of the original parcel with a reference to the short plat or lot boundary adjustment parcel (AKA Parcel C of Short Subdivision #890_ _ _ , recorded under K.C. Recording # 89XXX-XXXX). Also include recorded easements as part of the legals.

(9) SURVEYOR'S CERTIFICATE

The surveyor will complete these two boxes with date, certificate number, signature, and surveyor stamp/address.

(10) REFERENCE BOX

Complete the appropriate items in the box.

(11) EVIDENCE OF OWNERSHIP OR AUTHORIZATION FROM THE PROPERTY OWNER TO APPLY

If owner's agent, provide a written authorization from the owner to allow the agent to act as representative to apply for this project action.

(12) SMC 23.44.010 (B)(1a) [The "75-80 Rule"]

If any of your proposed parcels are smaller than the minimum lot size for the single-family zone, and you intend to rely on the "75-80 Rule" (the proposed lots must be at least 75 percent of the minimum lot size of the single-family zone and also must be at least 80 percent of the average of the area of the lots on the same block front), calculating for the purposes of 75/80 Rule is subject to the following:

- 1) To be counted as a separate lot for the purposes of calculating the mean area of the lots on a block front, a lot must be entirely within a single-family zone. The lot must be currently developed as a separate building site or else currently qualify for separate development based on information filed with SDCI as of the date of a building permit or a full or short subdivision application. Existing structures on property may be removed or demolished under the "75/80" rule. Also existing structures are to be removed on your application and the application will be reviewed with that understanding.
- 2) To be counted as a separate lot on the block front for the purposes of calculating the mean area of the lots on the block front, each lot in the calculation must have at least 10 feet of street frontage.
- 3) Lots developed with institutional uses, parks, or nonconforming nonresidential uses may be excluded from the 75/80 Rule calculation. There must, however, be at least one lot on the block front used for the calculation other than the property that is the subject of the platting, lot boundary adjustment, or building permit application that this exception is being applied to.
- 4) If property is to be subdivided or its lot lines are modified by a lot boundary adjustment that increases the number of lots that qualify for separate development, the property subject to the subdivision, or the lots modified by the lot boundary adjustment, shall be excluded from the block front mean area calculation.

- 5) For purposes of this SMC subsection 23.44.010.B.1.a, if the platting pattern is irregular, our Director will determine which lots are included within a block front.
- 6) If an existing or proposed lot has frontage on more than one street, the lot may apply 75/80 rule will be calculated on the street on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets but does not have 30 feet of frontage on any street, the exception may be applied based on the street on which the lot has the most frontage, provided the lot has at least 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but equal frontage on multiple streets, the rule may be applied based on the calculation along any one of the streets, provided the lot has at least 10 feet of frontage on that street.

You will need to attach a copy of the King County Assessor's map and include your 75/80 rule calculations with your application to prove that the lots meet the standards.

(13) A SIGNED STATEMENT OF FINANCIAL RESPONSIBILITY BY THE APPLICANT AND/OR OWNER

See Director's Rule 5-2003, Statement of Financial Responsibility for Payment of Fees

(14) REFER TO SMC 25.09.330 FOR APPLICATION

Please contact a SDCI land use planner for guidance and a determination of specific information required in the survey, which includes a topographical survey.

LOT BOUNDARY ADJUSTMENT NO. 2000-0001

GRANTOR (Owner): MS. PROPERTY OWNER
P. O. BOX 7777
SEATTLE, WA, 98112
(206) 555-4321
E-MAIL: SURVEYOR@AOL.COM

GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

LOTS 11-13 BLOCK 2, C. D. HILLMAN'S ATLANTIC CITY, VOL. 12 PG. 45
BLOCK SUBDIVISION VOL. PG.
(SECTION) (TOWNSHIP) (RANGE)

FOR COMPLETE LEGAL DESCRIPTIONS, SEE PAGE 1 OF 1
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBERS:
333666-7776; 333666-7775
REFERENCE NUMBERS FOR RELATED PROJECTS:

DECLARATION:
I, the undersigned, owner in fee simple (and contract purchaser) of the land herein described, do hereby make a lot boundary adjustment thereof pursuant to RCW 65A.02 and 65A.03 and do hereby consent to be the representative of the City of Seattle and King County in making this adjustment in accordance with the requirements of RCW 65A.02 and 65A.03 and in accordance with the desire of the owner.

In Witness Whereof I have set my hand and seal
NAME: _____
STATE OF WASHINGTON,) ss.
County of KING,)

On this day personally appeared before me MS. PROPERTY OWNER to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this . . . day of . . . , 20

PRINT NAME: IEDORA GOODMAN
NOTARY PUBLIC in and for the
State of Washington, residing
at _____
Commission Expires 7-31-01

APPROVAL
City of Seattle
DEPARTMENT OF CONSTRUCTION
AND INSPECTIONS
Nathan Torgelson, Director
Examined and approved this . . . day of . . . , 20
By: for Director, SDCI
NOTE: Approval of this lot boundary adjustment by the Director of the Seattle Department of Construction and Inspections under Chapter 23.28 of the Seattle Municipal Code, as amended, is not to be construed as satisfaction of any other applicable legislation or regulations.
KING COUNTY DEPARTMENT OF ASSESSMENTS
Examined and approved this . . . day of
Assessor

LEGEND:
 * = CONC MON IN CASE
 X = TACK IN LEAD
 ● = 1" IRON PIPE

MERIDIAN, SEATTLE TIDE LANDS
PER SEATTLE ENGINEERING DEPARTMENT
QUARTER SECTION MAP, DATED JAN., 1934.

SURVEYED BY FIELD TRAVERSE WITH 5-SECOND
TOTAL STATION. CLOSURE BETTER THAN 1/3000.

ORIGINAL LEGAL DESCRIPTION, PARCEL A:
LOTS 12 AND 13, BLOCK 2, C. D. HILLMAN'S ATLANTIC CITY ADDITION TO THE CITY OF SEATTLE, PER PLAT RECORDED IN VOLUME 12 OF PLATS, PAGE 45, RECORDS OF KING COUNTY, WASHINGTON.

REVISED LEGAL DESCRIPTION, PARCEL A:
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ORIGINAL LEGAL DESCRIPTION, PARCEL B:
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LOT BOUNDARY ADJUSTMENT NO. 2000-0001

CONTACT PERSON: MS. AGENT
114 CADD AVENUE EAST
SEATTLE, WA, 98112
(206) 555-4321
E-MAIL: SURVEYOR@AOL.COM

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RECORDERS CERTIFICATE

Filed for record this . . . day of . . . , 20 at M
in book of Surveys, at page at the request of
MS. LAND SURVEYOR
Mgr. Supt. of Records

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of
MS. PROPERTY OWNER
in JAN., 2000.
Certificate No. 13791

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