

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE (OMC) CHAPTER 17.30, BOUNDARY LINE ADJUSTMENTS**

**WHEREAS**, OMC Chapter 17.30 defines the process and requirements for the adjustment of boundary lines within city limits; and

**WHEREAS**, Public Works and Community Planning and Development staff reviewed the City's boundary line adjustment (BLA) process and requirements and propose making certain amendments to OMC Chapter 17.30; and

**WHEREAS**, the proposed code amendments will make the OMC consistent with land boundary surveying requirements contained in the Revised Code of Washington and the Washington Administrative Code; and

**WHEREAS**, the proposed code amendments are intended to provide more clear direction to the development community, reducing the potential for future confusion related to BLAs and further protecting property rights; and

**WHEREAS**, this Ordinance is supported by the staff report and materials associated with this Ordinance, along with other documents on file with the City of Olympia, including but not limited to documents relating to BLAs; and

**WHEREAS**, the City Council determines it to be in the best interest of the citizens and property owners of the City of Olympia to update the Olympia Municipal Code with respect to boundary line adjustments;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 17.30. Olympia Municipal Code Chapter 17.30 is hereby amended to read as follows:**

**Chapter 17.30  
BOUNDARY LINE ADJUSTMENTS**

17.30.000 Chapter Contents

Sections:

- 17.30.010 Applicability.
- 17.30.020 Submission of application.
- 17.30.030 Review criteria.
- 17.30.040 Final approval and recording.
- 17.30.050 Prohibition against other subdivisions.

**17.30.010 Applicability**

Every boundary line adjustment, whether lot consolidation or lot line move shall comply with this chapter and with applicable state law. No boundary line adjustment within the limits of the City of Olympia shall be

approved or recorded that does not comply with the criteria below; provided that approval may be granted if existing nonconforming aspects of the site are either not changed or are made more conforming.

### 17.30.020 Submission of application

Boundary line adjustment applications shall be submitted to the Department on forms provided by the Department and include the applicable fees, Record of Survey, and all required information set forth in the Application Content Lists. See OMC ~~18.77.010~~. ~~To ensure compliance with the criteria below or determine whether a proposed boundary line adjustment conforms with the standards below, or to ensure adequate monumentation of new property boundaries,~~ The Department is authorized and granted the discretion to require as a condition of approval that ~~a~~ the record of survey be prepared include and provided regarding such ~~new boundary and of~~ other relevant parcel boundaries and other site features.

### 17.30.030 Review criteria

The Department shall consider and review the proposed boundary line adjustment, and approve the boundary line adjustment, and certify that the proposed boundary line adjustment conforms to the requirements of this subsection, and affix its signature to the adjustment prior to recording, if and only if:

- ~~1.~~ 1.—No additional lots, tracts, parcels, building sites or land divisions are created, and all lot line adjustments are minor and do not alter the underlying plat pattern, such as changing the cardinal direction of a line or general orientation of lots or lot access;
- ~~2.~~ 2. The purpose of the boundary line adjustment is to resolve boundary line issues between two lots, tracts, parcels, sites or divisions of land, such as an encroachment or encroachments found as a result of a land boundary survey or to consolidate two or more lots, tracts, or parcels;
- ~~3.~~ 3. The boundary line adjustment does not result in the entire relocation of lots, sites, tracts, or parcels from one area to another;
  
- ~~24.~~ 24. All resulting parcels contain sufficient area and dimensions to meet all applicable requirements for a building site and conform to all required setbacks and building and fire separation standards;
  
- ~~35.~~ 35. All resulting parcels comply with any restrictive covenants contained on the face of the final plat, short plat, or large lot plat, if any; and all resulting lots do not violate previous conditions of preliminary plat, short plat, or large lot approval;
  
- ~~46.~~ 46. Each resulting parcel has legal access;
  
- ~~57.~~ 57. The ~~map~~ Record of Survey includes acknowledged signatures of all parties having an interest in the lots the lines of which the lines are being adjusted;
  
- ~~68.~~ 68. Legal descriptions of each of the resulting parcels conform to applicable standards; together with the signature of a ~~title company representative or~~ licensed land surveyor, licensed in the State of

Washington, which attests to the accuracy of the legal ~~description or~~ description and survey describing the adjusted lot lines; and

~~79.~~ The boundary line adjustment is not for the purpose intended solely to of evade ~~avoiding~~ public improvements requirements that would be associated with a replat or other new land division approval or an obligation to pay latecomer fees.

#### **17.30.040 Final approval and recording**

Approval of the boundary line adjustment shall not be final until:

- ~~1.~~ 1.—There is compliance with the requirements above; and
- ~~2.~~ 2. The surveyor preparing the Record of Survey shall find or set monuments at all corners and angle points of the adjusted parcels. At the discretion of the City Surveyor, witness corners and reference monuments may be used when impracticable to monument the actual corners; and
- ~~3.~~ 3. Each adjusted parcel shall have a unique identifier on the Record of Survey that has not been previously used or associated, in any way, with the adjusted parcels; and
- ~~24.~~ The county treasurer has certified that all taxes on the land have been fully paid and discharged; and
- ~~35.~~ A final ~~map including any r~~Record of ~~s~~Survey has been approved by the Department and filed for record with Thurston County Auditor.

#### **17.30.050 Prohibition against other subdivisions**

No boundary line adjustment, except to resolve discrepancies between deed boundaries and use boundaries, or subdivision by short plat, large lot subdivision or binding site plan shall be approved which includes any land contained within an approved preliminary plat during the period in which such preliminary plat is valid.

**Section 2. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

**Section 3. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 4. Effective Date.** This Ordinance shall take effect thirty (30) days after passage and publication, as provided by law.

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MAYOR

**ATTEST:**

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CITY CLERK

**APPROVED AS TO FORM:**



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CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**