

14.215.130 Boundary Line Adjustments.

A. This section sets forth procedures and criteria for the review and approval of minor adjustments to boundary lines of existing legal lots in order to rectify defects in legal descriptions, to allow the ~~enlargement relocation, reorientation, and/or~~ merging of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, to correct situations wherein an established use is located across a lot line, or for other similar purposes.

B. Pursuant to SMC 14.210.080, structures that encroach upon lot lines are considered nonconforming. A boundary line adjustment pursuant to this section may relocate or reorient the lot line or consolidate the lots to remedy the nonconformity.

CB. Applications for boundary line adjustments shall be reviewed for consistency with the City of Snohomish Land Use Development Code, ~~including shoreline management regulations, and critical area regulations,~~ applicable Snohomish Health ~~Department~~District regulations, and the City's fire and building code regulations.

D. An application for a boundary line adjustment shall be processed according to the procedures for Type 2 land use decisions established in Chapter 14.20 SMC.

EE. The City shall not approve any proposed boundary line adjustment that would:

1. Result in the creation of an additional lot;
2. Increase an existing nonconformity or ~~cause any lot to contain insufficient area, dimensions, or building setbacks per this Development Code~~ ~~or increase an existing nonconformity;~~
3. Result in a lot ~~with insufficient that does not qualify as a buildable~~ ing site area for the underlying zone pursuant to this title ~~without encroaching on critical areas, buffers, or setbacks;~~
4. Result in a lot that could not be provided with adequate City utilities, would not have legal access, and/or would render an existing easement in favor of the public impractical to serve its purpose;
54. Be inconsistent with any restrictions or conditions of approval for a previously approved land use action including but not limited to Site Development Plan, binding site plan, or subdivision recorded plat or short plat, including requirements for open space; ~~or~~
65. Involve lots ~~that~~ which do not have a common boundary; ~~or~~
7. Result in irregular lot shapes, configurations, or appendages unless determined to be unavoidable due to site conditions.

F. All boundary line adjustments shall be recorded surveys consistent with the requirements of Chapter 58.09 RCW and Chapter 332-130 WAC. All lot lines being adjusted shall be surveyed, and newly established lot corners shall be staked.

G. Final approval process and effect.

1. The final record of survey document must be prepared by a land surveyor in accordance with Chapter 58.09 RCW. The document must include all the elements set forth in RCW 58.09.040(1) and contain a land surveyor's certificate as set forth in RCW 58.09.080.
2. The boundary line adjustment shall be filed for record with the Snohomish County Auditor in compliance with state and county laws and regulations within 30 days of City signatures on the recording document. Failure to record the final document within 30 days shall cause the boundary line adjustment to be null and void, unless an extension is granted by the director.
3. A boundary line adjustment is not considered approved until the final recording document has been filed at the Snohomish County Auditor's office.
4. Without cost to the City, the applicant shall furnish one copy of the final recording document as filed prior to issuance of any further land use or building permits for any lot within the boundary line adjustment boundaries.

H. An application for a boundary line adjustment shall expire one year after a complete application has been filed with the City. An extension up to an additional year may be granted by the Planning Director upon a showing by the applicant of reasonable cause.

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