Boundary Line Adjustment Code - Public Comments

October 7-27, 2025

E2: Currently there are thousands of legal non-conforming lots due to zoning changes. So, unless 2 of these lots swap equal areas, the BLA between them will create an increased nonconformance in lot area for one of the lots. The vast majority of BLA's don't involve equal land swaps. Somehow property size needs to be exempt from nonconformance.
F3: "Survey maps". I don't want that to be interpreted as requiring a survey for a property combination. Property Combinations are fairly simple documents and usually include an 8.5 by 11 Exhibit Map. Maybe changing "survey maps" to "exhibit map". I don't think a survey should be required for a Property Combination.
H. Sounds like a BLA will have to be prepared by a licensed Land Surveyor and require a survey.

Boundary line adjustments are best left to the adjoining neighbors, bet understand the problems being faced by both. This has been the practice in Kitsap county for the past 150 years and has worked well. Under State law, 7 or 10 year existing fence lines determine property lines. Judges orders trump DCD decisions. I have experienced both situations in Jefferson and Kitsap Counties. Being the only remaining County in Washington to have a different ordinance than the remaining 38 counties is no justification to follow the herd. Recall, GMA and all of the fall-out regulation originated ot in the US, but came from the United Nations. The results are housing prices 2 1/2 times affordability homelessness and a low birth rate. This has created a death spiral for our country.

Seasonal and Fish streams make up many of the property lines between abutting properties in Kitsap County. Streams are not referenced in Boundary Line Adjustments (BLAs) rules and regulations.
Streams may need BLAs due to erosion, mudslides, earthquakes, flooding, road washouts, man-made modifications, etc.
Some streams are also indicated on Kitsap County charts and maps in their "wrong" location causing mistakes with buffers and storm water pollution entering downstream fish streams.
All of these stream modifications, whether on seasonal or fish streams, need to go through a permit process except where there are no boundary or location conflicts exist.

If an existing parcel is granted property from a Right of Way Vacation, the BLA would be the ideal template used to change the property legal description and ensure all the mentioned procedural approvals are met. This would need to be included as an exception in the Section #3 Adjustments Prohibited. The process would include compliance with Public Works, DCD, Treasurers, Assessors etc...

Provide a provision for public comments of a proposed BLA that would result in removal of trails on the subject property. Include a provision for public comments for proposed BLA request other than only a ministerial review approval. As an example, when Kitsap County approved the BLA for lots 212602-1-004 and 212602-1-005 in Suquamish, the Kitsap County approval eliminated the existing public trail use on Lot 212602-1-005 resulting in no pedestrian access between NE Union Street and Angeline NE. Once this was approved by Kitsap County, the owner of the newly oriented LOT 212602-1-005 had no obligation to keep the trail open for public use. Sadly, Suquamish lost a trail by this action.

I support adding a clear BLA process; however, I'm concerned one part of the proposed code re: decision criteria - "The adjustment is not part of a concurrent or sequential series of multiple proposed adjustments which would circumvent the subdivision regulations in Chapter 16.40, including but not limited to having the effect of altering a recorded plat." - reads so broadly that any BLA within a recorded plat could be viewed as "having the effect of altering a recorded plat," even where no dedications, roads, or easements are changed. That outcome would be inconsistent with state law distinguishing BLAs from plat alterations and could chill routine, lawful BLAs between platted lots. I urge that this language be tightened up so it's clear that BLAs that alter platted lots are permissible. For example it could be worded as:
"The adjustment shall not be part of a concurrent or sequential series of adjustments that would result in the creation of additional lots, tracts, or building sites, or otherwise circumvent the subdivision requirements of Chapter 16.40.
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 that would require a formal plat alteration".

Kitsap County DCD doesn't even have a Licensed Surveyor on staff. How is Kitsap County going to even be able to review BLAs?

* BLAs are not the principal cause of non-conforming or improperly sized lots.
* BLAs do not subdivide anything, and are therefore not "avoiding" subdivision requirements.
* BLAs could potentially create access issues, which can admittedly be problematic. This is

an area where property owners need to take care not to create these situations, which are detrimental to the properties and parties involved. DCD review is not what is needed. Individual property owners involved in land disputes etc. and professional surveyors can easily prepare for these situations and remedy as needed at the time of recording or anytime after the fact. NOTE: Truly "land-locked" properties were not created by BLA. This issue is a red herring.
* BLAs can impact properties crossing ROW, or other jurisdictional boundaries, so what?

It is clear that DCD just wants more control. In this case, DCD wants control where they have no business being. Leave the BLA tool to Professional Surveyors.

If enacted; A BLA ordinance will add additional layers of review (TIME AND EXPENSE), affecting property owners rights and ability to utilize what is currently a simple remedy. I see no real added benefit.

While your at it; Quit flagging all properties that are non-conforming. Building Permits are getting pushed aside, while desperate property owners are forced to demonstrate that they have a right to build???? WTF??

Per Kitsap County Code 16.62.020.C: A lot is presumed to be a legal lot of record, but may be investigated by the department upon submittal of a building or other development permit.

YOU GUYS NEED TO FIGURE OUT HOW TO START HELPING RESIDENTS GET BUILDING PERMITS. STOP LOOKING FOR WAYS TO HOLD PEOPLE BACK FROM PROGRESS.

As a Kitsap housebuilder, we have filed 3 BLA plots in the past following these suggested rules. Although, not coded, the surveyors provided interpretations of the state code. However, at this time I can see no reason to enact a code that does not include Kitsap code for recently enacted state legislation allowing UNIT LOT SUBDIVISION. I recommend defer this code update.

In response to Draft KCC Chapter 16.04.xxx, Section C.2: While I recognize the importance of avoiding the creation of split-zoned parcels, there may be circumstances where such a configuration is both practical and appropriate. I recommend that this not be an outright prohibited adjustment but rather one that requires Director discretion.

The biggest issue with adding review and costs to the Boundary Line Adjustment is resulting increase in cost and time involved.

Currently, the vast majority of the BLA's performed by our office are for single family homeowners. The costs of recording two quit claim deeds, and the declaration often exceed the costs of survey work on a project.

Many of these projects are undertaken to address title issues to facilitate sales or financing. Any additional delays will create real hardships for many of the citizens of our county. Homeowners are often shocked by how little rights that they have regarding their own property, and being told by their surveyor that resolving a boundary issue will take months and many thousands of dollars is difficult for them to hear. Once review is added, there are no limits to what improvements and concessions can be extracted by a reviewer, no limit to the costs that may be incurred and there is no known timeline.

The costs and delays will encourage many to seek other remedies (quiet title actions, ignoring issues, etc). Currently, the BLA process tends to strengthen the cadaster. In my decades of experience in King, Pierce, and Snohomish Counties, BLA ordinances have increased costs and extended timelines while weakening the cadaster.

As for developers, increased timelines resulting from review processes will increase housing costs and are antithetical to affordable housing. Many of my clients feel that Kitsap County already seems overwhelmed at times with the current review workload. Timelines matter because every delay means that the resulting homes are more expensive for the eventual buyer because there are direct costs. Even more significant is the impact of delays on the supply of housing.

It is my opinion that any code changes should be carefully worded and implemented to reduce costs and not increase them. And perhaps even more critically, the code should be constructed to reduce or eliminate delays, or, at the least, provide a known timeline.

For full disclosure, I believe that this code is unnecessary, and is fixing issues that are extremely rare, while creating new issues. If it must occur, then please consider the individual homeowner and the person looking for a home. These are the people most affected.

The current code should remain unchanged, because this is the way the RESIDENTS want it.

Will the government attempt to shrink my boundaries? Will Olalla maintain low density zone and protect that status?

I don't think the DCD needs any additional work, the goal is to streamline the current workload, not add additional tasks which will further slow the current work throughput. Let's not introduce additional red tape to an already over burdened system. Tell me I'm wrong and why?

As to Section 16.04.xxx
Section C.1 There should be no restriction on using tracts in BLA's, so long as it does not (a), create a new buildable lot from a tract, or (b), remove or alter the purpose and the tracts ability to provide that purpose. Prohibiting BLAs with vacated rights-of-way removes the ability of two parcels that are adjacent due to the vacation, from doing a BLA, this is unacceptable. It should say parcels comprised solely of vacated right of way to remove any confusion of the intent.

E2. should read, All resulting properties comply with applicable zoning standards for total area, buildable site, and dimensions, except that the Director SHALL NOT deny a boundary line adjustment for an existing nonconforming property so long as its degree of nonconformance to applicable zoning standards is not increased and no nonconformace is create or increased on other properties. Nonconfomities apply to, but are not limited to, property size, setbacks, and dimensions.
E7 should be struck entirely, the prohibition in sequential BLAs is based on the need to prevent having a process that avoids dealing with necessary infrastructure issues, sections E3, E6, E8, and E9 at a minimum, deal with this issue. This provision removes the state law provision that explicitly allows BLAs for owner convenience. If there is a situation where multiple BLAs and Segregations allow creating lots that meet all the zoning requirements, and meet all the provisions here, but allows the owner to do it over a multi year period, then it should be allowed. Otherwise it continues the trend of regulation that makes it only cost effective for companies or rich land owners. This would only be usable in areas with existing infrastructure and access, due to restrictions E3 and others. Additionally, a BLA cannot alter a plat, and having this portion in here erroneously implies that it does. When you do a BLA that moves a lot line over to include 5 feet of the neighboring lot, it does not change the underlying lot.
F3. Why is this provision only required for property combinations? It should be applied to BLAs as well, or not at all.
F4. Should state, "Mergers of unplatted lots result in new permanently-established properties...". As stated before, BLAs (including combinations or "lot line eliminations") cannot alter the underlying lot. By including this, you not only imply, but specifically state that BLAs can alter plats. If a lot is to be combined with another lot, if it is in a plat, it must be a plat alteration. If it is an aliquot part description, then the property combination should be fall under this provision.

As to section 16.62.050
Section G MUST remain, otherwise the county would throw into doubt the legal status of

every lot created by BLA prior to this? This sounds like a lot of potential lawsuits.

Section 16.10.070 and section 21.02.080
Is there a reason someone that owns 6 or more abutting lots should not have the same legal rights as someone who only owns 5 or less? You would leave no outlet for anyone to do a BLA if they did own more than 5 if you leave in the prohibition to doing a series of BLAs. There is no rational for this prohibition. State law allows the adjustment of parcel boundaries as the owner desires, for their convenience, why remove this from owners of 6 or more lots?

Resultant boundary line adjustments should be reflected on the Kitsap Parcel Viewer within one year. My own lot had a boundary line adjustment recorded on 2008 -- 17 years ago -- which is not reflected on the Kitsap Parcel Viewer. In my case that added 1 review cycle for a Shoreline Exemption permit.

I've reviewed the County's proposed boundary line adjustment (BLA) code and disagree with the statement that RCW 58.17.040(6) requires counties to regulate BLAs. Kitsap's overview of other jurisdictions misrepresents Skamania County's approach—there is no BLA ordinance there. This proposal would add unnecessary cost and delay and negatively impact housing affordability.

Attached is my letter of opposition to the proposed boundary line adjustment regulation ordinance.
As noted in my letter, our firm has 50 years of experience preparing BLAs in both regulated and unregulated environments, so I write with especially relevant expertise, and I've cited specific cases to help you make an informed decision regarding this proposal.
I am also happy to offer consultation and/or testimony regarding the issue.
Thank you for your consideration.

Our firm has been preparing boundary line adjustments for fifty years in both regulated and unregulated environments. Based on that experience, I strongly oppose the proposed ordinance. The suggested level of regulation is unnecessary, adds delay and cost, and will not improve record accuracy. Many counties in Washington operate effectively without formal BLA review procedures while maintaining cadastral integrity.

The proposal misinterprets RCW 58.17.040(6). That statute exempts BLAs from subdivision review, provided they do not create new lots or violate zoning. It does not require a county to impose its own process. Kitsap's proposed system will duplicate existing survey and title

review steps, introducing additional risk of inconsistency and public confusion.

Our firm has participated in hundreds of adjustments, and I can attest that local surveyors and title professionals already ensure legal and accurate property descriptions. Adding a new regulatory layer will burden small landowners and discourage compliance, potentially leading to more title defects, not fewer.

I respectfully urge the County to withdraw or substantially revise this proposal to preserve efficiency, affordability, and practical oversight.

The Kitsap Public Health District supports the County's goal of clarifying and formalizing the boundary line adjustment (BLA) process. A clear, consistent procedure will help prevent errors and ensure that adjustments do not inadvertently create unbuildable or nonconforming parcels.

However, the District recommends the following clarifications:

1. The proposed code should explicitly require verification that all lots involved in a BLA are served, or can be served, by approved water supply and sewage disposal systems. This step ensures that property reconfigurations do not result in lots that cannot support permitted uses under state and local health regulations.
2. For properties served by on-site septic systems, the BLA application should include documentation from a licensed designer or engineer demonstrating that the resulting parcels can accommodate both primary and reserve drainfields. Where an existing system will remain in place, the District should have the opportunity to confirm that the system remains compliant with current standards.
3. For properties using individual wells, the BLA review should confirm that well location and setbacks meet minimum distances to property lines, septic systems, and potential contamination sources following the adjustment.
4. Where public water or sewer service is available, applicants should be required to obtain a statement of service availability from the applicable utility provider prior to approval.

The District appreciates the opportunity to comment and looks forward to continued coordination to ensure that the BLA code supports both land use and public health protection objectives.
