

DEVELOPMENT SERVICES DEPARTMENT ADMINISTRATIVE DETERMINATIONS

The development services department is responsible for the administration and interpretation of the Mount Vernon development codes, platting and subdivision ordinances, and zoning codes. The department provides direction and support to citizens, developers, the city council, planning commission, hearing examiner, and other boards and commissions as appropriate (MVMC 2.35.030).

Administrative Determinations are classified as Type I permits under Chapter 14.05 MVMC and can be appealed to the Hearing Examiner.

ISSUE REQUIRING AN ADMINISTRATIVE DETERMINATION:

Can two short plat lots be aggregated via a Boundary Line Adjustment, or do these lots need to be aggregated through an Alteration to a subdivision?

CODE CITATION(S): MVMC 16.36, Boundary Line Adjustment
RCW 58.17.215

ADMINISTRATIVE DETERMINATION:

MVMC 16.36.020(A)(2) defines a boundary line adjustment, in part, as “a transfer of land resulting in the elimination of a lot and the distribution of the property of the eliminated lot to adjoining lots only within the same zoning district...” The City has not adopted municipal code provisions specific to the alteration of subdivisions under RCW 58.17.215.

The aggregation of two lots within a subdivision can be processed as a Boundary Line Adjustment when there are no changes to the subdivision other than turning two building lots into one larger building lot.

If the subject BLA lots are subject to restrictive covenants which were filed at the time of the approval of the subdivision, the proposed BLA may not result in an alteration of the obligations of other lot owners which are contained in the covenants, including per lot financial obligations, without consent of the other property owners subject to the covenants.



Pat Hayden, Interim Director

08/04/2023

Date

RIGHT TO APPEAL DETERMINATION: MVMC Chapter 14.05 classifies Administrative Determinations not consolidated with other permits or approvals as Type I permit processes. MVMC 14.05.050(B) explains that Type I permits are administrative applications where a final decision is made by the Development Services Director (or his/her designee) without public notice or a public hearing. The Director’s decision may be appealed to the Hearing Examiner. Appeals are required to be filed within 14 days of the date of permit issuance. Any appeal must contain the information outlined in MVMC 14.05.160 and be accompanied by the required appeal fee.