



RESIDENTS COALITION of Chelan County

March 20, 2026

Chelan County Board of Commissioners
400 Douglas St. Suite 201
Wenatchee WA 98801
Submitted via email

Re: March 24, 2026, Public Hearing for Zoning Text Amendments to Titles 12 and 14 of the Chelan County Code (CCC) – Chelan County File No. ZTA 25-248

Dear Honorable Commissioners Overbay, Smith, and Hawkins:

Residents Coalition of Chelan County (RC₃) submits the comments below for the March 24, 2026, hearing on the proposed Zoning Text Amendments to Titles 12 and 14 of the Chelan County Code (CCC) associated with Chelan County File No. ZTA 25-248.

After listening to the continued hearing on this subject on February 24, 2026, we would like to reiterate the points we made in our February 4, 2026, comment letter (attached). These points can be summarized as:

- Both the original code pertaining to Boundary Line Adjustments (BLAs) and exempt subdivisions into lots of no less than 20 acres, and the proposed modified version of this code, allow for “tiling” which produces subdivisions of relatively high density without going through the normal subdivision code. An example of how this can be done even with the modified code as proposed was provided in our February 4 letter.
- Using this loophole to avoid the normal subdivision process circumvents the review of access and road issues, water/sewer availability, environmental impacts, and (most importantly) public input. Such circumvention is not in the public interest.

During the hearing discussion, the Commissioners did not appear to acknowledge these important issues.

Instead, the hearing was dominated by oral comments provided by professional surveyors seeking to maximize the tools available to them, putting the highest priority on helping their clients creatively manipulate property boundaries, with no acknowledgment of the potential impact to other property owners nearby or the community at large. By the end of the discussion, the Commissioners were considering making no substantial changes to the code(!).

We understand the surveyor’s preference for a procedure that allows their developer clients to circumvent the impact analysis typically required when a subdivision application is submitted, but the County’s highest priority should be to protect the public from adverse impacts by closing obvious loopholes. As advocates for Chelan County residents, RC₃ continues to support changes to these sections of code that will prevent “tiling” or any other type of major redrawing of property lines that would otherwise circumvent the normal subdivision review process and remove public input on significant changes in land use.

On the issue of whether or not a boundary line adjustment should be limited to a “minor” alteration of property lines, many other municipalities in Washington have determined that this should be the case as written into their code. Here are just a few examples:

- **Spokane Valley:** “Boundary line adjustments shall be a minor alteration...”
- **Tacoma:** “...minor alteration in the location of lot boundaries...”
- **Richland:** “...intended to apply to minor boundary changes...”
- **Snohomish:** “...minor alteration, relocation, reorientation, or elimination of a property line...”
- **Bridgeport:** “...minor adjustment of one property line between two lots...”
- **Kenmore:** “...minor adjustments to boundary lines...”
- **Battleground:** “...minor boundary adjustments...”
- **Concrete:** “...minor or insignificant changes in property lines...”

We believe that this definition of a BLA is appropriate for Chelan County as well. Therefore, we continue to adamantly support the proposed definition of a BLA in 14.98.XXXX that includes the phrase “Minor adjustment of property lines...”.

We understand that there are a few elements of the proposed code that need to be changed, but the core elements discussed above should remain.

Thank you for your consideration of these comments.

Residents Coalition of Chelan County Board of Directors

Attachment

**February 4, 2026, Comment Letter from Residents
Coalition of Chelan County**



RESIDENTS COALITION

of Chelan County

February 4, 2026

Chelan County Board of Commissioners
400 Douglas St. Suite 201
Wenatchee WA 98801
Submitted via email

Re: February 10, 2026, Public Hearing for Zoning Text Amendments to Titles 12 and 14 of the Chelan County Code (CCC) – Chelan County File No. ZTA 25-248

Dear Honorable Commissioners Overbay, Smith, and Hawkins:

Residents Coalition of Chelan County (RC₃) submits the comments below for the February 10, 2026, hearing on the proposed Zoning Text Amendments to Titles 12 and 14 of the Chelan County Code (CCC) associated with Chelan County File No. ZTA 25-248. We have followed these proposed changes as they were reviewed by the Planning Commission, providing comments along the way, and now respectfully submit the following comments specifically for consideration by the Board of Commissioners.

These code changes are focused on boundary line adjustments (BLAs) (CCC 12.18 and a new definition in CCC 14.98) and exempt subdivisions that create lots 20 acres or larger (CCC 12.14.050(2)). One of the motivating factors for these changes, as presented in detail to the Planning Commission by Community Development, was to prevent the use of these code “tools” to create subdivisions with a significant number of lots with no review by the county, bypassing the comprehensive subdivision procedures in CCC Chapter 12.

1. Issues with the Existing Code

Based on one interpretation of the existing code sections noted above, it allows wholesale reconfiguration of existing lots using BLAs, which can be used to create as many small lots as possible (each meeting the BLA criteria) and one large lot. The large lot is then subdivided into lots of at least 20 acres in accordance with CCC 12.14.050(2), which does not require notification of Community Development. These newly-created lots can then again be reconfigured using BLAs with little restriction. If the overall acreage associated with all lots combined is large enough, this scheme can be applied iteratively to create many new lots.

Community Development calls this process “**tiling**”. For purposes of this comment letter, the term “tiling” will be used to describe one or more iterations of the BLA and exempt subdivision code to create what the average person would refer to as a residential subdivision.

The subdivision shown in Figure 1 (attached) was presented by Community Development to the Planning Commission as a historical example of tiling (a subdivision created using these code sections) that was exempt from all county review other than confirmation that it met the requirements for the use of BLAs.

Examples of the types of review that tiling bypasses include:

- No review of access points or potential road improvements needed to handle additional use.
- No review of water availability or sewer handling.
- No evaluation of critical areas.
- No requirements for fire protection.
- No requirements for stormwater management.
- No evaluation of impacts on neighbors.
- No evaluation of consistency with the Comprehensive Plan.
- No State Environmental Policy Act (SEPA) review.

Bypassing SEPA review means:

- There would be no evaluation of the impact of the new subdivision on earth, air, water, plants, and animals; energy, natural resources, and environmental health; land and shoreline use; housing; aesthetics, light, and glare; and recreation, historic/cultural preservation, transportation, public services, and utilities.
- There would be no evaluation of potentially-contaminated soil, which is common in rural areas in Chelan County where legacy orchards were located.
- There would be no review of the project by other commenting agencies, such as the Department of Ecology.
- ***There would be no review or comment by the public, including those living close to the subdivision.***

The subdivision shown in Figure 1 has, in fact, run into issues with not having adequate water rights for all lots to be developed. We believe that Community Development does not wish for these types of exempt subdivisions to be allowed and Community Development Director Deanna Walter has indicated that she no longer allows these types of exempt subdivisions, even without any changes to the code, using her broad authority to interpret the code when it is open to interpretation.

However, we believe that the code should clearly prevent these types of exempt subdivisions regardless of who is interpreting the code and it is our understanding that this was one of the reasons new proposed code was sent to the Planning Commission in the first place.

However, as the Planning Commission reviewed this code over a number of meetings, ***this fundamental purpose for changing the code seemed to have been lost***, primarily due to the ***influence of comments by local land surveyors, including one on the Planning Commission***. The desire by these surveyors to

preserve maximum flexibility in these “tools” resulted in proposed code that only partially prevents the type of tiling described by Community Development.

2. What the Proposed Code Still Allows

Here are some key elements of the proposed code changes recommended by the Planning Commission:

BLA definition ultimately recommended by the Planning Commission:

14.98 XXX Boundary Line Adjustment

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. (RCW 58.17.040(6)).

We note that this is not what the Planning Commission was originally presented with. The proposed BLA definition *originally presented* was:

BLA definition originally proposed to the Planning Commission:

14.98 XXXX Boundary Line Adjustment

Minor adjustment to property lines where at least two (2) existing property lines remain in their original location. although their length may change-

The originally-proposed definition *was specifically meant to address the tiling issue*. In the end, *the Planning Commission opted for a BLA definition originally promulgated into state code in 1987*, well before issues associated with tiling were brought to light. This pivot away from the originally-proposed language *was influenced by professional surveyors, including comments from Jesse Redell on the Planning Commission and Dan Beardslee*, looking to maintain maximum flexibility in how BLAs are applied. As discussed below, *this nearly-four-decade old language is inadequate to address the tiling issue that was supposed to be addressed*.

Proposed changes to the BLA code in CCC 12.18 are reasonable, but do not address the tiling issue.

The proposed change to CCC 12.14.050(2) (Exemption categories and criteria) was added to help address the iterative aspect of the tiling issue.

(2) Over Twenty-Acre Lots. Any lot that is twenty or more acres or one-thirty-second of a section (RCW 58.17.040(2)). Any portion of a lot recognized through this method may not be included in an application for another Certificate of Exemption.

This prevents the iterative application of BLAs and exempt subdivisions creating lots of at least 20 acres. However, it does not prevent an initial iteration of this scheme.

Figure 2 illustrates an example of what the current proposed code still allows. The first image in Figure 2 shows a hypothetical configuration of nine undeveloped lots (perhaps orchard land) with a total area of 100 acres. It is assumed that the parcels are all zoned RR5, allowing a minimum size of five acres.

In Step 1 of Figure 2, the proposed BLA code in CCC 12.18 is applied to consolidate eight of the lots redrawn as five acres each (40 acres total). This leaves the ninth lot at 60 acres. This is allowed with no review by the county other than to confirm that it meets the requirements for a BLA.

In Step 2 of Figure 2, the 60-acre lot is subdivided into three 20-acre lots as allowed by CCC 12.14.050(2). This is allowed with no review by the county.

In Step 3 of Figure 2, the lots are configured as shown using BLAs allowed under CCC 12.18, creating a 10-lot subdivision of five-acre lots with an access road. An approximately 48 acre lot remains that could continue to be farmed, left as open space for future development, or used as a single residential lot. This represents an overall increase in the number of lots from nine to eleven.

Note that Steps 1 and 3 could not occur as shown if the originally-proposed definition for a BLA in CCC 14.98.XXXX had been instead recommended by the Planning Commission.

At the end of this process the landowner has created 10 five-acre lots in a subdivision that could be individually sold. These lots will have had *none of the review listed in Section 1 above*, including no review or input from the public, as would otherwise be required for a subdivision. There are many other tiling examples using a variety of initial lot configurations that could be constructed.

The proposed code clearly still allows problematic tiling to occur.

3. The City of Chelan Has Addressed This Issue

In 2023, a landowner in Chelan, Washington identified the tiling scheme and decided to utilize it to create a subdivision on Chelan Butte that could not be reviewed by the city or the public. The original intention was to apply the tiling scheme iteratively. However, the city had already been contemplating fixing the code to prevent this when the first BLA application was submitted and took overdue action at that time.

Although the landowners initial BLA application had already been vested, at that point, the city instituted a moratorium on further BLAs and began working on changes to the BLA code and the allowance for exempt subdivisions for minimum 20-acre lots.

Even though the iterative process was halted, the landowner was able to achieve the change in lot configurations shown in Figure 3 with a single iteration similar to what is described in Figure 2. The number of lots increased from 30 to 58 with no review by the city, the public, or outside agencies.

The city made two primary changes to its code to address this issue. The first was to institute a key new criterion for BLAs as follows:

Shall not result in the entire relocation of lots or tracts. For the purposes of this subsection, a lot or tract will be considered relocated if none of its pre-adjustment boundaries remain after an adjustment.

Preventing the entire relocation of lots is an essential component of the prevention of tiling. This was achieved with the originally-proposed BLA definition discussed in Section 2 above but was lost with the generic BLA definition the Planning Commission ultimately recommended.

The other key change to the code pertained to the exempt subdivision to produce lots of at least 20 acres. The new Chelan city code addressing this now reads (underline for emphasis):

Any division of land not containing a dedication in which the smallest lot created by the division exceeds six-hundred and forty acres or one section; provided, that for the purposes of computing the size of any lot under this subsection which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline

So, the lots created by an exempt subdivision must now exceed 640 acres instead of the original 20 acres. This essentially precludes the creation of new lots through this exempt process.

These two 2023 code changes essentially shut down tiling in Chelan.

4. RC₃ Recommendations for Changes to Chelan County Code to Prevent Tiling

We believe that the new definition of Boundary Line Adjustment in CCC 14.98.XXXX must preclude the wholesale relocation of lots. This will help prevent the use of BLAs for tiling purposes. Either the definition originally provided to the Planning Commission as shown in Section 2 above, or one based on the requirement in Chelan's code shown in Section 3 above, would serve this purpose. This still provides plenty of flexibility for the use of BLAs without allowing landowners to exploit them.

The exempt subdivisions allowed by the version of CCC 12.14.050(2) recommended by the Planning Commission would be much less problematic if the change that RC₃ is recommending for the BLA definition in CCC 14.98.XXXX is implemented.

RC₃ does support the additional condition in CCC 12.14.050(2) recommended by the Planning Commission that "Any portion of a lot recognized through this method may not be included in an application for another Certificate of Exemption." This addition is important to address the tiling issue.

However, subdivisions with 20-acre lots could still be created with few restrictions on how the boundary lines are configured (because they would not need to utilize the BLA code for the initial subdivision) and would be subject to no review by the county. When used in moderation, this type of exempt subdivision could potentially be very useful for owners of large lots with minimal concerns by the public, but additional guardrails should be in place to prevent abuse.

We can think of two ways to reduce such abuses. The best approach would be to simply limit the number of new lots that can be created through this exempt subdivision method. RC₃ recommends that the code include a clause that limits the number of new lots that can be created through CCC 12.14.050(2) to no more than five for any set of contiguous lots under single ownership.

Another potential approach would be to increase the minimum size for lots created through this type of exempt subdivision. Chelan increased the minimum lot size to 640 acres, though this might be more than is appropriate for Chelan County. RC₃ suggests a minimum lot size of 40 acres if the number of lots is not otherwise constrained as discussed in the previous paragraph.



Thank you for your thoughtful consideration of our suggestions. Please contact RC₃ Board President Brian Shugrue (shugruebf@msn.com) with any questions or comments.

Sincerely,

**Residents Coalition of Chelan County
Board of Directors**

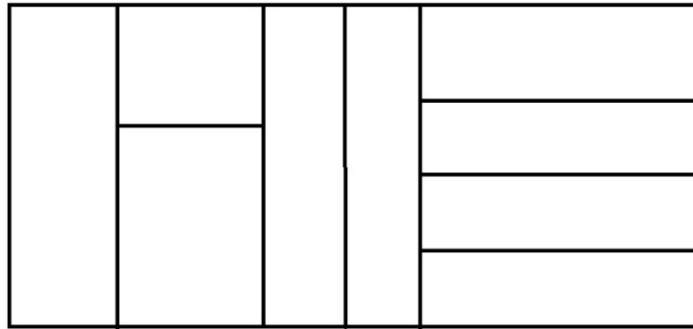
Figure 1. Historical Subdivision Created by Existing Exempt Methods (South Shore Lake Chelan)*



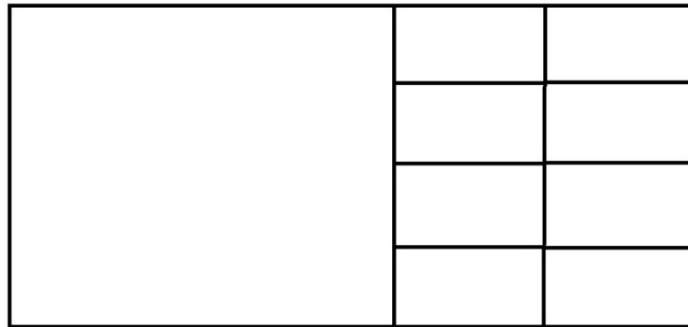
** Within unincorporated Chelan County.*

Figure 2. Hypothetical Exempt Subdivision Under Proposed Code (RR5 Zoning)*

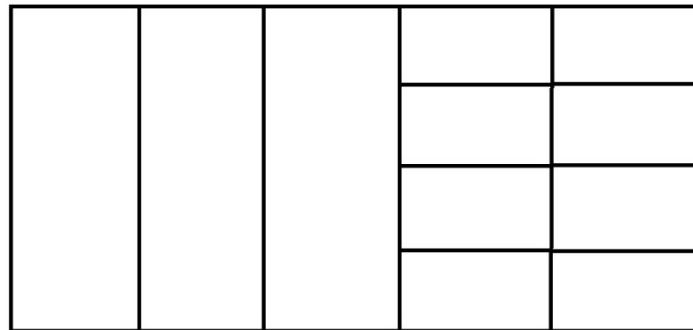
Original hypothetical nine lots (100 acres total)



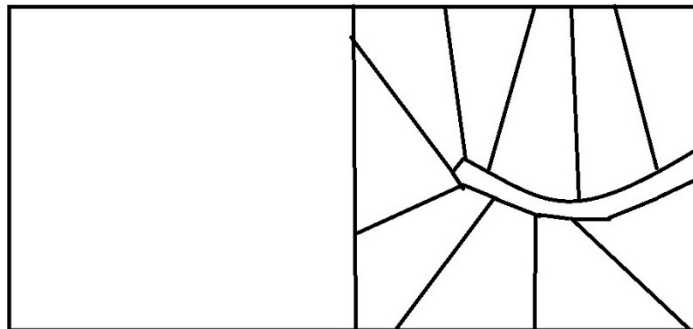
Step 1 – Use BLA to create eight 5-acre lots and one 60-acre lot



Step 2 – Exempt subdivision to divide 60-acre lot into three 20-acre lots



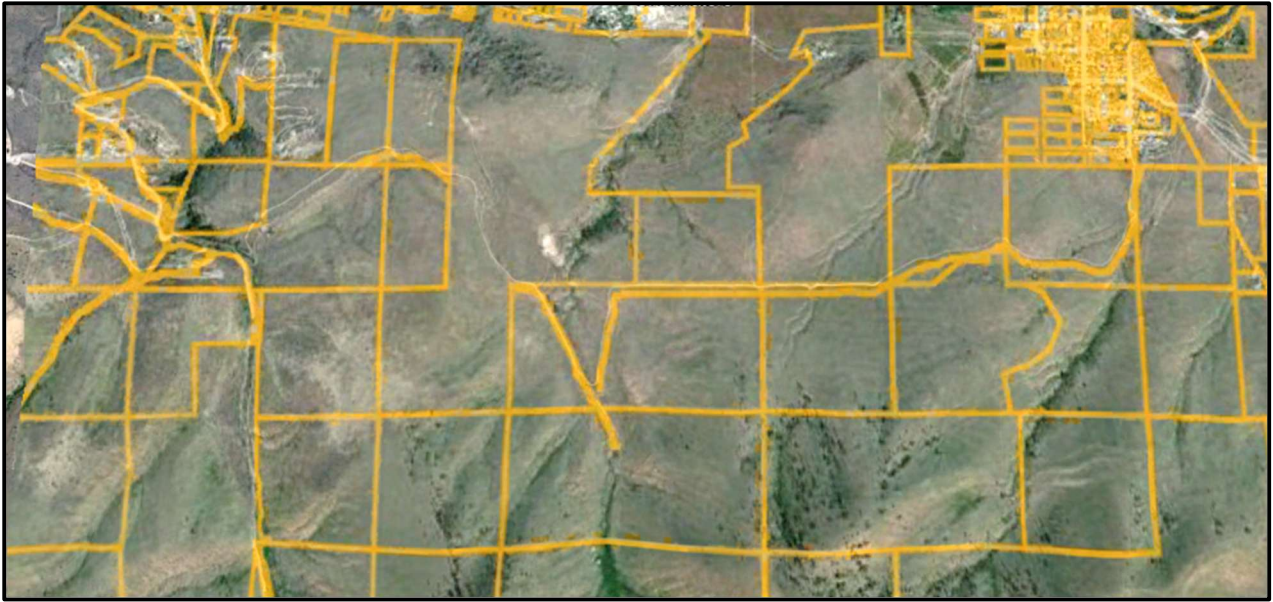
Step 3 – Use BLA to create ten 5-acre lots, road easement, and one 48-acre lot



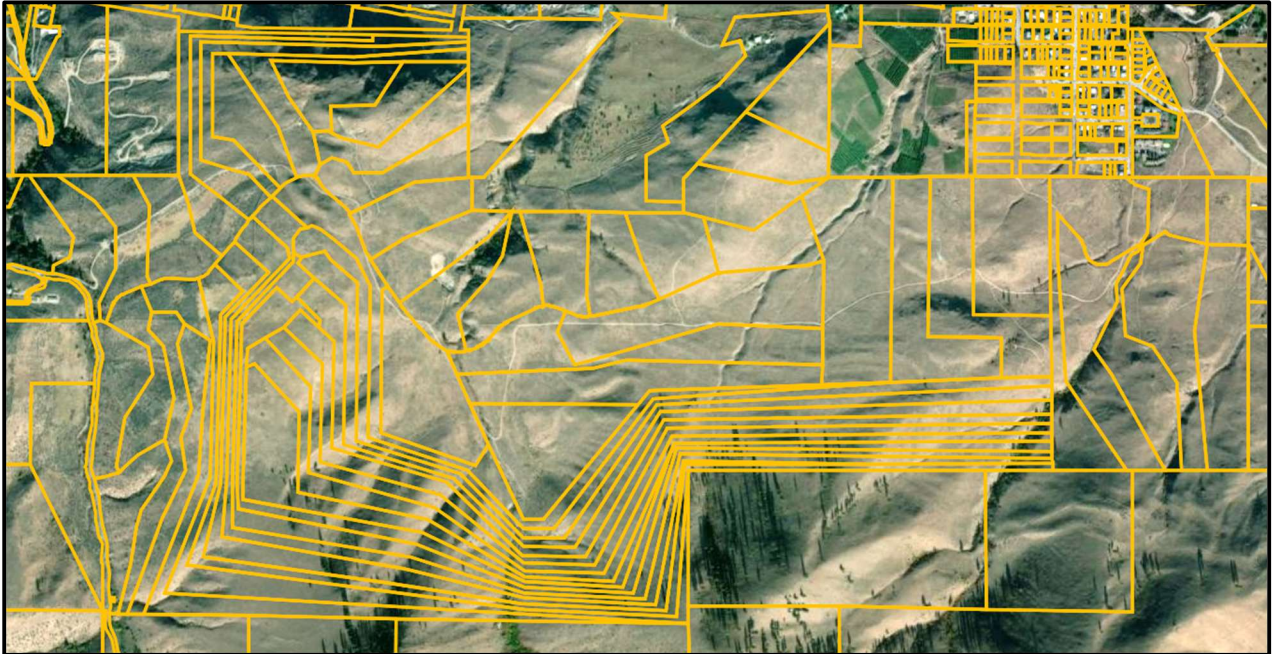
**Not to scale*

Figure 3. Subdivision Created by Exempt Methods in 2023 (Chelan Butte)*

Before BLAs and Exempt Subdivision (30 lots)



After BLAs and Exempt Subdivision (58 lots)



* Within Chelan city limits.