

LEGAL LOT DETERMINATION

Legal Lot Criteria for Building or Transfer of Ownership

Thurston County will presume the validity of a lot if it meets any one of the criteria outlined in TCC 18.04.045. It is the responsibility of the applicant to provide the necessary information to clearly show the method of lot creation.

The Community Planning & Economic Development Department will review the submitted materials to determine completeness and authenticity. If determined to be complete, authentic and meet the legal lot criteria, the lot is deemed legal. Further review is not required unless an appeal is filed.

Any lot created in a legal manner through the criteria or through innocent purchaser status, as approved by the Hearing Examiner, remains a separate legal lot regardless of nonconformity or contiguous ownership with the following exception:

Exception: Contiguous shoreline lots in the same ownership that were not in conformance with the Shoreline Master Program for the Thurston Region on May 21, 1976 are deemed single, undivided lots; except that if each lot contained a dwelling on that date, they remain separate legal lots.

Is A Legal Lot A Buildable Lot?

Even though a lot may be deemed legal, it is buildable only if it also meets the definition of "building site." "Building Site" is defined in TCC 18.08.080 as a parcel of land occupied or possible to be occupied by one main building and its accessory buildings, in a way that meets the requirements for setbacks and open space in the Thurston County Zoning Ordinance, and meets the requirements of the Thurston County Sanitary Code, Thurston County Critical Areas Ordinance and, if applicable, meets the setback and lot coverage requirements of the Shoreline Master Program for the Thurston Region.

How Do I Apply?

Submit a completed application package to the Building Development Center with the applicable fee. Complete package requirements are outlined on the application form.

Review Process and Timing

A Legal Lot Determination is reviewed under the Type 1 procedure. This means that staff is the review authority and the review time can be up to 58 days. The review time may take longer if a request for additional information is necessary. Public notification is not required. Workload may affect the timeline.

Appeals

All decisions may be appealed. Legal Lot Determinations are considered final if not appealed to the Thurston County Hearing Examiner within 14 calendar days of the date of the original determination. There is a fee for an appeal.

Recording

After a Legal Lot determination is made and the appeal period has expired, the determination must be recorded with the Thurston County Auditor's Office. The applicant is responsible for paying the recording fee regardless of the determination.

After the Legal Lot Determination is Recorded

After the Legal Lot Determination is recorded with the Thurston County Auditor's Office, it is the responsibility of the applicant to submit an Office Request Form for "Altering Parcel Boundaries of Existing Parcels," along with a copy of the Legal Lot Determination, to the Thurston County Assessor's Office. This process is the final step required to segregate or combine parcels into the designated legal lots. Prior to the process being completed, property taxes must be paid in full for the current year. This is required per RCW 84.56.340.

I Still Have Questions...

The information in this bulletin is a general guideline of the procedures and rules. You should not rely on this bulletin to identify the specific requirements for your project. For additional information, speak with a staff member at the Building Development Center. Contact information is listed below. You may also review all Thurston County Codes online on the County website referenced at the bottom of this page.

Building Development Center

3000 Pacific Ave SE, Suite 100; Olympia, WA 98501

Phone: (360) 786-5490; TTY/TDD Line: 711 or 1-800-833-6388; Fax: (360) 754-2939

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