



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 10, 2018

Ordinance 18764

Proposed No. 2018-0224.1

Sponsors Lambert

1 AN ORDINANCE relating to land segregation; and
2 amending Ordinance 13694, Section 42, as amended, and
3 K.C.C. 19A.08.070.

4 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

5 SECTION 1. Ordinance 13694, Section 42, as amended, and K.C.C. 19A.08.070
6 are each hereby amended to read as follows:

7 A. A property owner may request that the department determine whether a lot was
8 legally created. The property owner shall demonstrate to the satisfaction of the department
9 that a lot was created in compliance with applicable state and local land segregation statutes
10 or codes in effect at the time the lot was created.

11 B.~~((+))~~ A lot ~~((created before October 1, 1972,))~~ shall be recognized as a legal
12 lot~~((:))~~:

13 ~~((a.))~~ 1. ~~((i))~~ If before October 1, 1972, it was:

14 ~~((H))~~ a. conveyed as an individually described parcel to separate, noncontiguous
15 ownerships through a fee simple transfer or purchase; or

16 ~~((2))~~ b. recognized as a separate tax lot by the county assessor; ~~((and))~~

17 ~~((b.))~~ 2. ~~((i))~~ If ~~((the lot was))~~ created by a recorded subdivision before June 9,
18 1937, and it was served by one of the following before January 1, 2000:

19 ~~((H))~~ a. an approved sewage disposal;

20 ~~((2))~~ b. an approved water system; or

21 ~~((3))~~ c. a road that was:

22 ~~((A))~~ (1) accepted for maintenance by the King County department of
23 transportation; or

24 ~~((B))~~ (2) located within an access easement for residential use or in a road
25 right-of-way and consists of a smooth driving surface, including, but not limited to, asphalt,
26 concrete, or compact gravel, that complied with the King County road standards in effect at
27 the time the road was constructed;

28 ~~((2 A lot created on or after October 1, 1972, shall be recognized as a legal lot if it
29 was created:~~

30 ~~a. through the subdivision or short subdivision process; or))~~

31 ~~3. If created by an approved short subdivision, including engineers subdivisions;~~

32 ~~4. If created by a recorded subdivision on or after June 9, 1937; or~~

33 ~~((b.))~~ 5. If created through the following alternative means of lot segregation
34 provided for by state statute or county code:

35 ~~((1.))~~ a. at a size five acres or greater, created by a record of survey recorded
36 between August 11, 1969, and October 1, 1972, and that did not contain a dedication;

37 ~~((2.))~~ b. at a size twenty acres or greater, created by a record of survey recorded
38 before January 1, 2000, and not subsequently merged into a larger lot;

39 ~~((3.))~~ c. at a size forty acres or greater created through a larger lot segregation
40 made in accordance with RCW 58.18.010, approved by King County and not subsequently
41 merged into a larger lot. Within the F zone, each lot of tract shall be of a size that meets the
42 minimum lot size requirements of K.C.C. 21A.12.040.A;

43 ~~((4.))~~ d. through testamentary provisions or the laws of descent after August 10,
44 1969; or

45 ~~((5.))~~ e. as a result of deeding land to a public body after April 3, 1977.

46 C. In requesting a determination, the property owner shall submit evidence, deemed
47 acceptable to the department, such as:

- 48 1. Recorded subdivisions or division of land into four lots or less;
- 49 2. King County documents indicating approval of a short subdivision;
- 50 3. Recorded deeds or contracts describing the lot or lots either individually or as
51 part of a conjunctive legal description (e.g., Lot 1 and Lot 2); or
- 52 4. Historic tax records or other similar evidence, describing the lot as an individual
53 parcel. The department shall give great weight to the existence of historic tax records or tax
54 parcels in making its determination.

55 D. Once the department has determined that the lot was legally created, the
56 department shall continue to acknowledge the lot as such, unless the property owner
57 reagggregates or merges the lot with another lot or lots in order to:

- 58 1. Create a parcel of land that would qualify as a building site, or
- 59 2. Implement a deed restriction or condition, a covenant or court decision.

60 E. The department's determination shall not be construed as a guarantee that the lot
61 constitutes a building site as defined in K.C.C. 19A.04.050.

62 F. Reaggregation of lots after January 1, 2000, shall only be the result of a
63 deliberate action by a property owner expressly requesting the department for a

64 permanent merger of two or more lots through a boundary line adjustment under K.C.C.
65 chapter 19A.28.
66

Ordinance 18764 was introduced on 4/23/2018 and passed by the Metropolitan King County Council on 7/9/2018, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council



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KING COUNTY COUNCIL

APPROVED this 13 day of JULY, 2018.

Dow Constantine, County Executive

Attachments: None