



Legislation Details (With Text)

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Title: AN ORDINANCE relating to land segregation, proposing a technical correction to clarify intent of original legislation; and amending Ordinance 13694, Section 42, and K.C.C. 19A.08.070.

Sponsors: Cynthia Sullivan

Indexes: Land Use, Zoning

Code sections: 19A.08.070 -

Attachments: 1. None

Date	Ver.	Action By	Action	Result
2/4/2002	1	Metropolitan King County Council	Reintroduced	
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Clerk 03/15/2000

AN ORDINANCE relating to land segregation, proposing a technical correction to clarify intent of original legislation; and amending Ordinance 13694, Section 42, and K.C.C. 19A.08.070.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

Determining and maintaining legal status of a lot. A. A property owner may request that the department determine whether a lot was legally segregated. The property owner shall demonstrate to the satisfaction of the department that ~~((;))~~ a lot was created ~~((;))~~ in compliance with applicable state and local land segregation statutes or codes in effect at the time the lot was created, including, but not limited to, demonstrating that the lot was created:

1. ~~((Prior to))~~ Before June 9, 1937, and the lot has been:
 - a. ~~((P))~~ provided with approved sewage disposal or water systems or roads ~~((; or))~~;
 - b. ~~((C))~~ conveyed as an individually described parcel to separate, noncontiguous ownerships through a fee simple transfer or purchase ~~((prior to))~~ before October 1, 1972; or
 - c. ~~((R))~~ recognized ~~((prior to))~~ before October 1, 1972, as a separate tax lot by the county assessor;
2. Through a review and approval process recognized by the county for the creation of four lots or less from June 9, 1937, to October 1, 1972, or the subdivision process on or after June 9, 1937;
3. Through the short subdivision process on or after October 1, 1972; or
4. Through the following alternative means allowed by the state statute or county code:
 - a. ~~((F))~~ for the raising of agricultural crops or livestock, in parcels greater than ten acres, between September 3, 1948, and August 11, 1969;
 - b. ~~((F))~~ for cemeteries or other burial plots, while used for that purpose, on or after August 11, 1969;
 - c. ~~((A))~~ at a size five acres or greater, recorded between August 11, 1969, and October 1, 1972, and did

not contain a dedication;

d. ~~((A))~~ at a size twenty acres or greater, recognized ~~((prior to the effective date of this title))~~ before January 1, 2000, provided, however, for remnant lots not less than seventeen acres and no more than one per quarter section;

e. ~~((U))~~ upon a court order entered between August 11, 1969, to July 1, 1974;

f. ~~((T))~~ through testamentary provisions or the laws of descent after August 10, 1969;

g. ~~((T))~~ through an assessor's plat made in accordance with RCW 58.18.010 after August 10, 1969;

h. ~~((A))~~ as a result of deeding land to a public body after April 3, 1977, and that is consistent with King County zoning code, access and board of health requirements so as to qualify as a building site ~~((pursuant to))~~ under K.C.C. 19A.04.050; or

i. ~~((B))~~ by a partial fulfillment deed pursuant to a real estate contract recorded ~~((prior to))~~ before October 1, 1972, and no more than four lots were created per the deed.

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

1. Recorded subdivisions or division of land into four lots or less;

2. King County documents indicating approval of a short subdivision;

3. Recorded deeds or contracts describing the lot or lots either individually or as part of a conjunctive legal description ~~((e.g.))~~ for example, Lot 1 and Lot 2); or

4. Historic tax records or other similar evidence, describing the lot as an individual parcel. The department shall give great weight to the existence of historic tax records or tax parcels in making its determination.

C. Once the department has determined that the lot was legally created, the department shall continue to acknowledge the lot as such, unless the property owner ~~re((-))~~ aggregates or merges the lot with another lot or lots in order to:

1. Create a parcel of land that would qualify as a building site ~~((;))~~; or

2. Implement a deed restriction or condition, a covenant or a court decision.

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

E. Reaggregation of lots after January 1, 2000, shall only be the result of a deliberate action by a property owner expressly requesting a permanent merger of two or more lots.

30 day notice official paper, posted outside Chambers