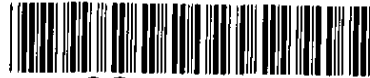


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SNOHOMISH COUNTY  
EXECUTIVE OFFICE

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SNOHOMISH COUNTY COUNCIL  
AMENDED - *Emergency*  
ORDINANCE NO. 86-097

JLM PCK  
KJB/15 ✓

AMENDING SNOHOMISH COUNTY CODE TITLE 20 TO ADD  
SHORT SUBDIVISIONS WHERE ANY LOT CONTAINS  
ONE-ONE HUNDRED TWENTY-EIGHTH OF A SECTION  
OR MORE OR FIVE ACRES OR MORE IN AREA

WBT  
JAM

WHEREAS, the Council desires to repeal Title 20A SCC, the Large Tract Segregation Ordinance, and incorporate the provisions of Title 20A SCC into Title 19 (Subdivisions) and Title 20 (Short Subdivisions) to the extent such provisions are consistent with the requirements of state law;

NOW, THEREFORE, BE IT ORDAINED:

Section 1. That SCC Title 20 , subsection 20.12.020(3), last amended by Resolution adoptd November 26, 1979, is amended to read:

20.12.020 Exemptions. The provisions of this resolution shall not apply to:

(3) Any division of land regulated by Title 19 [~~or Title-20A~~], Snohomish County Subdivision Code [~~and Snohomish-County-Large-Tract-Segregation-Ordinance~~, respectively)];

NEW SECTION. Section 2. That the following new subsection is added to SCC Title 20, Chapter 20.20:

20.20.125 Final submittals for short subdivisions utilizing standards contained in Section 20.28.010(8). For short subdivisions utilizing the standards contained in Section 20.28.010 (8), the final plat map shall be a record of survey describing the boundaries of the land to be subdivided together with the bearings of all tract lines and road centerlines; all record of survey maps shall be eighteen inches by twenty-four inches (18" x 24"); nonrecord

of survey maps shall be eight and one-half inches by fourteen inches (8-1/2"x14").

Section 3. That SCC Title 20, subsection 20.24.030, adopted by Resolution August 28, 1972, is amended to read:

20.24.030 Supporting documents. The following documentation shall accompany each application for approval of a short plat:

(1) A vicinity sketch clearly identifying the location of the property being short subdivided, the sketch having a scale of not less than three (3) inches to the mile;

(2) Copies of restrictions, if any, presently encumbering the land;

(3) Copies of restrictions, if any, proposed to be imposed upon the use of the land. Such restrictions, if required by the county, must be recorded either prior to or simultaneously with the moment the short plat becomes effective;

(4) In any short subdivision where lots are served or to be served by a private road, ~~((then))~~ the subdivider shall furnish copies of such further covenants or documents that will result in:

A. Each lot owner having access thereto having responsibility for maintenance of any private road contained within the short subdivision; and

B. ~~((Such-covenants-or-documents-shall-obligate))~~  
Obligating any seller to give actual notice to any prospective purchaser of the method of maintenance of the private road, which notice shall be caused to be included in any deeds or contracts relating to such sale, ~~((and-such-covenants-or-documents-shall-be-recorded-either-prior-to-or-simultaneously-with-the-moment-the-short-subdivision-shall-become-effective))~~

Such covenants or documents shall be recorded either prior to or simultaneously with the moment the short subdivision shall become effective.

(5) In any short subdivision where each lot contains one hundred twenty-eighth (1/128) of a section or more, or five (5) acres or more, and where lots are to be served by a private road, the subdivider shall provide copies of such further covenants or documents that will result in:

A. Each lot owner having access thereto having responsibility for maintenance of any private road contained within the short subdivision; and

B. Obligating any seller to give actual notice to a prospective purchaser of the method of maintenance of the private road; such notice shall be caused to be included in any deeds or contracts relating to such sale, and such documents or covenants shall contain provision for transfer of responsibility to successors and assigns, the placement of liens against the persons not fulfilling the maintenance agreement, and provision that the road or portion thereof shall be deeded to Snohomish County when brought to full county standards by one or more of the owners thereof; and

C. Subjecting any private road to a utilities easement in favor of the grantor or his successors and of any electric, telephone, television cable, gas, water, or sewer company, public or private, or their permittees or assigns, to install, construct, operate, maintain, alter and repair their respective primary distribution facilities and necessary appurtenances together with the right of ingress and egress for said purposes.

[[(+5+)] (6) ((Be-accompanied-by-a)) A plat certificate showing interest in the persons signing the declaration of short subdivision and showing restrictions encumbering the land.

Section 4. That SCC Title 20, Section 20.28.010, last amended by Ord. 84-074 adopted June 18, 1984, is amended to read:

20.28.010 Minimum standards. Upon the following subject matters, the public use and interest shall be deemed to require as a minimum the standards as set out below:

(1) That each lot shall contain sufficient square footage to meet minimum zoning and health requirements. The square footage of land contained in road easements or access panhandles shall not be included in the lot size computation;

(2) Bridges and storm drainage facilities shall be subject to the approval of the county engineer;

(3) Where any abutting county road has insufficient width to conform to minimum road width standards for Snohomish County, sufficient additional right-of-way shall be dedicated to Snohomish County on the short plat to conform the abutting half to such standards. ((Resolution adopted-November-26-1979-))

(4) If the lots are to be served by septic tanks, soil data and percolation rates may be required by the Snohomish Health District. Notations regarding the conditions for Health District approval may be required to be inscribed upon the short plat;

(5) Access to arterials. Lots within a short subdivision shall be designed so that lots adjacent to county arterials shall be laid out in such a manner as to not require direct access thereto and a waiver of the right of direct access shall be required as a condition of approval except that, if the subdivider presents proof that direct access to such lots is necessary to the development of his property and the planning department so finds, the planning department may permit direct access. This shall not apply to any parcels of one-one hundred twenty-eighth (1/128) of a section or five (5) acres or more.

(6) Access to the boundary of all short subdivisions shall be provided by an opened, constructed and maintained county road or county roads except that access to the boundary of a short subdivision by private road may be permitted where such private roads are otherwise permitted by this resolution.

(7) Minimum access to all lots within a short subdivision containing any lot less than one-one hundred twenty-eighth (1/128) of a section, or 5 acres in area shall be provided by an opened, constructed and maintained county road or a private road sufficiently improved for automotive travel having right-of-way width as set forth in the following table:

<u>Design Potential for Access</u>	<u>Minimum Widths</u>
One Lot	20'
Two to four lots	30'
More than four lots	60'

(8) The maximum number of lots that may be served by a private road shall be four (4), unless modification is granted by the hearing examiner. In all other cases, access to any lot shall be by an opened, constructed and maintained county road or county roads. Short subdivisions where each lot contains one-one hundred twenty-eighth (1/128) of a section, or five (5) acres or more in area, and where the final short plat is a record of survey, may take access from an opened, constructed and maintained county road or county roads, or from a private road complying with the "Minimum Road Standards for Private Roads Serving Large Lot Subdivisions" contained in the county road standards. PROVIDED, that the county engineer may waive some or all improvement standards of this subsection when he finds that the existing private road is minimally adequate to serve the additional lots, and that the applicant demonstrates full standards are unnecessary, impossible to achieve or result in an inequitable financial burden. Where private road access is provided, a registered professional engineer shall certify, prior to final approval, that road drainage facilities, including cross-culverts, and other site improvements, have been constructed and installed in accordance with this title and sound engineering practice.

(9) The maximum number of lots that may be served by a private road shall be four (4) unless modification is granted by the hearing examiner, or unless the short subdivision contains no lot having an area of less than one-one hundred twenty-eighth (1/128) of a section or five (5) acres. In all other cases, access to any lot shall be by an opened, constructed and maintained county road or county roads.

~~[(9)]~~ (10) If the subdivider uses a private road, each lot having access thereto shall have a responsibility for maintenance of such private road. Any private road shall also contain a utilities easement.

~~[(10)]~~ (11) Short subdivisions located in special flood hazard areas as defined by Title 27, Snohomish County Code, shall comply with the provisions of Section 27.24.010 C.

Section 5. Sections 1 through 4 are hereby repealed effective March 1, 1987.

Section 6. Emergency. The council finds that legal challenges to the validity of portions of Snohomish County Code Title 20A have been brought and that an oral ruling has been entered in one such superior court proceeding that portions of Title 20A are invalid. Based upon the foregoing, the council finds that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health and safety and for the immediate support of county government and its existing public institutions. This ordinance shall be effective immediately.

Dated this 15<sup>th</sup> day of September, 1986

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

Bruce Agnew  
Chairman

Sheila McCallister  
Asst. Clerk of the Council

- (  ) APPROVED  
(  ) EMERGENCY  
(     ) VETOED

DATE 9-16-86

Willie D. Tucker  
County Executive

PUBLISHED \_\_\_\_\_

York W. Sly, DPA

Approved as to form