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DEC 4 1987 425Z

SNOHOMISH COUNTY COUNCIL

ORDINANCE NO. 87-105

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AMENDING SNOHOMISH COUNTY CODE
TITLE 20, CHAPTERS 20.20 AND 20.24,
RELATING TO REQUIREMENTS FOR SHORT SUBDIVISION
APPLICATION AND PROCEDURE



BE IT ORDAINED:

Section 1. That SCC, Title 20, subsection 20.20.010, last amended by Section 9 of Ord. 87-030 adopted May 13, 1987, is amended to read:

20.20.010 Application. [~~Eight-(8)-copies-of-the-proposed short-plat-shall-be-submitted-on-a-form-provided-by-the-department which-shall-affix-thereto-a-file-number-and-the-date-of-receipt.~~] Application requirements for short subdivisions are contained in Chapter 20.24.

Section 2. That Chapter 20.24 SCC is repealed in its entirety.

NEW SECTION. Section 3. That a new Section 20.20.115 is added to Chapter 20.20, as follows:

20.20.115 Certificates. The following declarations and certificates must be obtained:

- (1) A declaration of short subdivision prior to final approval;
- (2) Certification of approval by the department given when it finds that the short plat serves a public use and interest and complies with all adopted recommendations for approval; and
- (3) A declaration of short subdivision and of covenants in a form provided by the department shall be signed prior to final recording of the short subdivision.

NEW SECTION. Section 4. That a new Chapter 20.24 is added to Snohomish County Code as follows:

CHAPTER 20.24

SHORT PLAT APPLICATION REQUIREMENTS

Sections:

- 20.24.010 Application requirements.
- 20.24.020 Application - vesting.
- 20.24.030 Application - approval of short subdivision.
- 20.24.040 Supporting Documents.

Section 20.24.010 Application Requirements. An application for a short subdivision shall be submitted with all required information identified in 20.24.020 and the Short Subdivision Application Checklist which is attached hereto as Exhibit A and incorporated herein as if set forth in full.

20.24.020 Application - vesting. An application which contains all the information required by the Short Subdivision Application Checklist shall be considered under the provisions of the applicable land use regulations adopted by ordinance and in effect on the date the application was submitted unless the information submitted is subsequently found to have been misrepresented or substantially inaccurate. Examples of such misrepresentation or substantial inaccuracy include, but are not limited to, naturally occurring site conditions different from those represented by application submittals or incorrect submittal information, as determined by the director.

Applications which have been returned to the applicant due to misrepresentation or substantial misinformation and which are subsequently resubmitted are vested under the provisions of applicable land use regulations adopted by ordinance and in effect on the date of resubmittal, unless the resubmitted information is subsequently found by the director to have been misrepresented or inaccurate.

20.24.030 Application - additional information. Before preliminary short subdivision approval is granted, the department may require information pursuant to other applicable land use regulations, in addition to that required by 20.24.010.

20.24.040 Supporting Documents. The following documentation shall accompany each application for approval of a short plat.

(1) In any short subdivision where each lot contains less than one-one hundred twenty-eighth (1/128) of a section, or five acres, and where lots are served or to be served by a private

road, the subdivider shall furnish two (2) copies of such further covenants or documents that will result in:

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

B. Any seller being obligated to give actual notice to any prospective purchaser of the method of maintenance of the private road and being required to include such notice in any deeds or contracts relating to the sale. Such covenants or documents shall be recorded either prior to or simultaneously with the moment the short subdivision takes effect.

(2) In any short subdivision where each lot contains one-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 two (2) copies of such further covenants or documents that will result in:

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

B. Any seller being required to give actual notice to a prospective purchaser of the method of maintenance of the private road and being required to include such notice in any deeds or contracts relating to the sale. Such documents or covenants shall contain provision for transfer of responsibility to successors and assigns, the placement of liens against 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. Any private road being subject 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.

Dated this 2nd day of December, 1987

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Stanley Bartholomew
Chairman

Barbara S. Morison
Clerk of the Council

-) APPROVED
-) EMERGENCY
-) VETOED

DATE

JOHN MARTINIS
Deputy Executive
County Executive

PUBLISHED _____

Jul A. Towner, DPA

Approved as to form only on
August 21, 1987
(Date)

EXHIBIT A

SHORT SUBDIVISION APPLICATION CHECKLIST
(as adopted by reference in Ord. 87-_____)

The following items are required for purposes of submittal and vesting an application pursuant to state law and SCC 20.24.020.

Other information will be required in accordance with applicable Snohomish County Codes before preliminary short plat approval can be granted. The applicant will be notified of additional requirements if conditions warrant. Please refer to the handout, "Short Subdivision Filing Instructions" for specifics.

Application Form: 8 copies

I. Application Form (2 pages plus vicinity map):

- _____ 1. Name, address and telephone number of the applicant.
- _____ 2. Relation of subdivider to property.
- _____ 3. Name, mailing address and telephone number of subdivider's representative.
- _____ 4. General location of property, including directions from nearest intersection of major streets.
- _____ 5. Legal description of the perimeter of the property being subdivided.
- _____ 6. Date property acquired.
- _____ 7. Approximate acreage of total property.
- _____ 8. Present use of property.
- _____ 9. Source of water supply - If public system is used, the name of the provider.
- _____ 10. Method of sewage disposal - If sanitary sewer, the name of the district with jurisdiction.
- _____ 11. List of all assessor's tax account numbers involved (all 14 digits).
- _____ 12. Section, Township, Range and existing zoning classification(s).
- _____ 13. A certification by the subdivider showing the entire contiguous land in which there is an interest by reason of ownership, contract for purchase, earnest money agreement, or option by any person, firm, or corporation in any manner connected with the development, and the names, addresses and telephone numbers of all such persons, firms or corporations.
- _____ 14. Signature of applicant below certification/signature block.
- _____ 15. Names and addresses of all other parties having real interest in property to be subdivided.
- _____ 16. Applicant shown having real interest on short plat certificate.

II. Short Plat Map (8 copies):

- _____ 1. Proposed division depicted on a sheet of paper or on reproducible material, either of them having dimensions of 8 1/2 by 14 inches and containing the following information:

- _____ 2. The date, scale and North arrow.
- _____ 3. The boundary lines to scale of the tract to be subdivided and each lot contained therein.
- _____ 4. The number assigned each lot.
- _____ 5. The location and widths of any easements and rights-of-way for public services or utilities within the boundaries of the short subdivision.
- _____ 6. The boundaries of all lands reserved in the deeds for the common use of the property owners in the short subdivision.
- _____ 7. The location of permanent features adjacent to the land to be subdivided which will have an impact upon the short subdivision, such as all existing or platted streets and roads adjacent to the short subdivision, water courses, railroad rights-of-way, all utility rights-of-way, municipal boundaries, township lines, and section lines.
- _____ 8. The appropriate roadway dedication statement.
- _____ 9. Signatory statement for Planning Department certification.
- _____ 10. Lot areas computed in square feet, deleting areas contained in access ways.
- _____ 11. Accurate location of all existing structures on the property to be subdivided. Setbacks from proposed easement for all on-site and adjacent off-site structures.
- _____ 12. Size and location of water main.
- _____ 13. Location of nearest fire hydrant.

III. Required Supporting Documents (2 copies unless noted otherwise):

- _____ 1. Eight (8) copies of a vicinity sketch (one each attached to a copy of the application form) clearly identifying the location of the property to be subdivided; the sketch having a scale of not less than 3 inches to the mile.
- _____ 2. Copies of covenants, conditions and restrictions, if any, presently encumbering the land.
- _____ 3. Copies of covenants, conditions and restrictions, if any, proposed to encumber the land.
- _____ 4. Short plat certificate. For submittal purposes only, this requirement may be substituted by a current, final title report. "Current" means not older than 30 days from date of application. The plat certificate shall be obtained from a title company, showing interest in the persons signing the declaration of short subdivision. Preliminary commitment for title insurance will not be accepted to fulfill this requirement.