

LOT RECOGNITION

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

3 A. A property owner may request that the department determine whether a lot was
4 legally segregated. The property owner shall demonstrate to the satisfaction of the department
5 that, a lot was created, in compliance with applicable state and local land segregation statutes or
6 codes in effect at the time the lot was created, including, but not limited to, demonstrating that
7 the lot was created:

8 1. Prior to June 9, 1937(~~(;)~~) and (~~(has been)~~):

9 a. not later than January 1, 2000 was provided with:

10 (1) approved sewage disposal (~~(€)~~);

11 (2) an approved water system(~~(s)~~); or

12 (3) a road(~~(s)~~), not including a forest road as defined in WAC 222-16-010 or in an
13 easement for commercial road use for managing or hauling timber, that was:

14 (A) accepted for maintenance by the king county department of transportation; or

15 (B) located within an access easement fro residential use or in a road right-of-way
16 and consists of a smooth driving surface, including but not limited to asphalt, concrete, or
17 compact gravel, that complied with the King County road standards in effect at the time the road
18 was constructed; and

19 b.(1) was conveyed as an individually described parcel to separate, noncontiguous
20 ownerships through a fee simple transfer or purchase prior to October 1, 1972; or

21 (2) was recognized prior to October 1, 1972, as a separate tax lot by the county
22 assessor;

23 2 Through a review and approval process recognized by the county for the creation of
24 four lots or less from June 9, 1937, to October 1, 1972, or the subdivision process on or after
25 June 9, 1937;

26 3. Through the short subdivision process on or after October 1, 1972; or

27 4. Through the following alternative means (~~(allowed)~~) of lot segregation provided for
28 by (~~the~~) state statute or county code:

29 a. for the raising of agricultural crops or livestock, in parcels greater than ten acres,
30 between September 3, 1948, and August 11, 1969;

31 b. for cemeteries or other burial plots, while used for that purpose, on or after August
32 11, 1969;

33 c. at a size five acres or greater, recorded between August 11, 1969, and October 1,
34 1972, and did not contain a dedication;

35 d. at a size twenty acres or greater, recognized by King County prior to January 1,
36 2000(~~, provided, however, for remnant lots not less than seventeen acres and no more than one~~
37 ~~per quarter section)) and not subsequently merged into a larger lot;~~

38 e. upon a court order entered between August 11, 1969, to July 1, 1974;

39 f. through testamentary provisions or the laws of descent after August 10, 1969;

40 g. through an assessor's plat made in accordance with RCW 58.18.010 after August
41 10, 1969;

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

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

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

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

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

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

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

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

59 1. Create a parcel of land that would qualify as a building site, or

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

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

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

65 or more lots through a boundary line adjustment under K.C.C. chapter 19A.28. (Ord. 15031 § 2,
66 2004: Ord. 13694 § 42, 1999).

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