

1 ..title

2 AN ORDINANCE relating to recognizing lots and amending
3 Ordinance 13694, Section 42, as amended, and K.C.C.
4 19A.08.070.

5 ..body

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

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

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

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

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

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

17 (3) a road(~~(s)~~), not including a forest road as defined in WAC 222-16-010 or in an

18 easement for commercial road use for managing or hauling timber that was:

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

20 (B) located within an access easement for residential use or in a road right-of-way

21 and consists of a smooth driving surface, including but not limited to asphalt, concrete, or

22 compact gravel, that complied with the King County road standards in effect at the time the road

23 was constructed; and

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

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

28 2 Through a review and approval process recognized by the county for the creation of
29 four lots or less from June 9, 1937, to October 1, 1972, or the subdivision process on or after
30 June 9, 1937;

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

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

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

36 b. for cemeteries or other burial plots, while used for that purpose, on or after August
37 11, 1969;

38 c. at a size five acres or greater, recorded between August 11, 1969, and October 1,
39 1972, and did not contain a dedication;

40 d. at a size twenty acres or greater, recognized by King County prior to January 1,
41 2000(~~(, provided, however, for remnant lots not less than seventeen acres and no more than one~~
42 ~~per quarter section)) and not subsequently merged into a larger lot;~~

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

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

45 g. through an assessor's plat made in accordance with RCW 58.18.010 after August
46 10, 1969;

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

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

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

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

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

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

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

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

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

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

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

68 E. Reaggregation of lots after January 1, 2000, shall only be the result of a deliberate
69 action by a property owner expressly requesting the department for a permanent merger of two
70 or more lots through a boundary line adjustment under K.C.C. chapter 19A.28.

71 SECTION 2. If any provision of this ordinance or its application to any person or
72 circumstance is held invalid, the remainder of the ordinance or the application of the provision to
73 other persons or circumstances is not affected.