

REGULATORY REVIEW COMMITTEE

- MINUTES -

MEETING DATE: July 24, 1998

TO: Building Services Division Staff	Land Use Services Division Staff
Lynn Baugh	Mark Carey
Chris Ricketts	Lisa Pringle
Pam Dhanapal	Marilyn Cox
Ken Dinsmore	Lanny Henoch
Priscilla Kaufmann	Gordon Thomson

Greg Kipp, Deputy Director
Kevin Wright, Prosecuting Attorney's Office

FM: Sophia Byrd, Code Development Coordinator

Present: Sophia Byrd, Jim Chan, Janene Collins, Ken Dinsmore, Ray Florent, Gordon Thomson, Harold Vandergriff, Susan Marlin (Recorder)

Issue:

1. **How do we interpret the following:**
 - K.C.C. 19.26.060 vs RCW 58.17.060 (5-year limit to re-short plat);
 - K.C.C. 19.26.150 vs RCW 58.17.060 (Applicant for short plat alterations)(Jim Chan/Ray Florent)

Discussion:

K.C.C. 19.26.060 speaks to the general limitations applied to all short subdivision applications.

K.C.C. 19.26.060.D. states: " Except as provided in K.C.C. 19.26.150, if the lot to be subdivided was created through a prior short subdivision, at least five years must have passed since the recording of such prior short subdivision."

RCW 58.17.060 speaks to the filing (recording) of a short plat within the five-year period but does not mention the application.

RCW 58.17.060 states, in part..." PROVIDED, That such regulations must contain a requirement that land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat, except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries..."

King County Code is more restrictive than the state statute in that one must wait at least five years since the recording of such prior short subdivision to make application for a short plat rather than waiting at least five years since the recording of a prior short subdivision to file (record) a short plat, however it is permitted and consistent with the state.

Conclusion:

If a lot to be subdivided was created through a prior short subdivision, the application for a short subdivision may not be accepted prior to at least five years since the recording of such prior short subdivision.

The applicant for a short plat alteration must be the owner who filed the original short subdivision.

2. Legislative Update

- The Sensitive Areas code ordinance was forwarded to the Executive on July 13 but has not yet been transmitted to Council.
- The Land Segregation ordinance (Title 19) was forwarded to the Executive on July 20 but has not yet been transmitted to Council.
- On Monday, July 27, Proposed Ordinance 98-381 relating to K.C.C. Title 25 (Shorelines) is at Full Council. The amendment will allow excavation and dredging for maintenance of agricultural ditches. Concurrent with Council consideration of the proposed ordinance, DDES has promulgated a public rule to implement K.C.C. 21A.24.370.M by prescribing standards for maintaining agricultural ditches used by salmonids.
- Transfer of Development Credits Proposed Ordinance 98-371 relating to fees and amending K.C.C. 21A to improve TDC review procedures and allow demonstration projects is scheduled for Growth Management Committee on August 4.

SB:sm

cc: Janene Collins, Prosecuting Attorney's Office