

Docket No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
11-11	KCC 16: Administrative Segregations Process	Revise sections of KCC 16 to create a clear review process for administrative segregations	Staff	Dan	Docket

Kittitas County Community Development Services prepared proposed amendments to clarify the process for administrative segregations. These amendments were docketed with CDS prior to the June 30th docketing deadline.

These amendments do not revise the substantive amendments made to the administrative segregation definition in KCC 16.08.015 during the 2010 docket process (*see* Ordinance No. 2010-014, pg 25). The purpose of these amendments is to create a new Chapter, Administrative Segregation, in Title 16, Subdivision, which includes procedures for review and which relocates the substantive requirements included in KCC 16.04.020 and KCC 16.08.015 to a new “Requirements” section.

**DRAFT—August 5, 2011**

*Kittitas County Code, Title 16, SUBDIVISIONS, is amended as follows:*

**Chapters**

16.04 General Provisions

16.05 Binding Site Plans

**16.06 Administrative Segregation**

16.08 Definitions

16.09 Performance Based Cluster Platting

16.12 Preliminary Plats

16.18 Irrigation and Sprinkling

16.20 Final Plats

16.24 Survey Data - Dedications

16.28 Development of Illegally Divided Land

16.32 Short Plat Requirements

16.36 Large Lot Subdivision

16.40 Penalties

Chapter 16.04

GENERAL PROVISIONS

[...]

16.04.020 Exemptions.

The provisions of this title shall not apply to:

~~1. (Deleted by Ord. 92-3);~~

~~2.~~ 1. An alteration made for the purpose of adjusting boundary lines as defined in KCC 16.08.055.

~~3.~~ 2. Divisions made by testamentary provisions or the laws of descent;

4. ~~3.~~ Cemeteries and other burial plots while used for that purpose;
5. ~~Parcels~~ **4. Divisions** created by administrative segregation, **as provided the division is in accordance with Chapter 16.06. defined in KCC 16.08.015, shall be created by survey and that comply with all requirements of RCW 58.09 and chapter 332-130 WAC. A specific statement of purpose of survey and the specific exemption claimed shall be shown on the face of the title and record of survey.**
6. **5.** Any division of land for the purposes of installing or maintaining publicly owned facilities, utilities, emergency services, structures and uses, including but not limited to utility substations, pump stations, wells, watershed intake facilities, fire stations, or other utility and emergency services facilities of the same or similar nature, provided that such parcel shall not be required to meet the minimum lot size of the subject zoning district (KCC Title 17). The remaining parcel may be less in total area than the minimum lot size for the zone but if used for a building site must comply with all other county regulations (e.g. on site sewage systems, setbacks, etc.).

[...]

## **Chapter 16.06** **ADMINISTRATIVE SEGREGATION**

### **Sections**

**16.06.010 Applicability.**

**16.06.020 Requirements.**

**16.06.030 Process for Approval**

**16.06.040 Appeal.**

**16.06.050 Recording.**

**16.06.060 Amendments and Rescindment.**

### **16.06.010 Applicability.**

**Applies to the division of land within the boundaries of a legal description when fewer than ten lots or tracts are created and where no lot or tract is less than twenty (20) acres.**

### **16.06.020 Requirements.**

1. **An administrative segregation review must be completed and obtained, pursuant to KCC 16.06.030**
2. **Land reconfigured within, and parcels created by an administrative segregation shall not be further subdivided without review under the provisions for short plat, large lot subdivision, or plat as appropriate.**
3. **Land reconfigured within, and parcels created by an administrative segregation shall not be reduced in size through a boundary line adjustment below 80 acres if within the Commercial Forest Zone or below 20 acres for all other zones.**
4. **Land reconfigured within, and parcels created by an administrative segregation must comply with the minimum lot size requirements of KCC 17.57.040 if within the Commercial Forest Zone, KCC 16.18.030 Parcel creation- Irrigation water delivery system requirements, KCC 13.04.080 OSDS Location, KCC 17A.08.025 Wellhead protection areas, and KCC Title 12 Road Standards.**
5. **Parcels must be created by a survey that complies with all requirements of RCW 58.09 and chapter 332-130 WAC. A specific statement of purpose of survey and the specific exemption claimed shall be shown on the face of the title and record of survey.**

#### 16.06.030 Process for Approval

1. Applications shall be filed on forms prescribed by the Community Development Services department. The application shall be accompanied by review fee(s) paid in full. The fee for such application shall be established annually by resolution.
2. An application for an administrative segregation shall receive both preliminary approval and final approval before recording a survey to create the proposed parcels.
3. The director shall consider, and base his preliminary decision to approve with or without conditions, deny, or return the application on the following:
  - a. Compliance with the requirements of KCC 16.06.020.
  - b. The recommendations and comments of agencies having pertinent expertise or jurisdiction.
4. The director shall consider, and base his final decision to approve, deny, or return the application on the following:
  - a. Compliance with the requirements of the director's preliminary decision.
  - b. Confirmation from the Treasurer's Office that all taxes have been paid in full.
  - c. Compliance with the survey requirements of KCC 16.06.020(5).
5. The approved administrative segregation shall be recorded with the Kittitas County Auditor within twelve (12 months) of preliminary approval. Upon recording, the division of land shall be binding on the owner, his heirs and assigns.

#### 16.06.030 Appeal.

Any decision by the director shall be final unless appealed to the Board of County Commissioners as provided for in KCC 15A.07.

#### 16.05.040 Expiration.

An administrative segregation is not considered approved until a survey creating the parcels has been recorded. Failure to record within twelve (12) months of preliminary approval means the administrative segregation application is expired and must be resubmitted for review and approval. The time periods of this section do not include the time during which the administrative segregation was not pursued due to the pendency of administrative appeals or legal actions.

[...]

#### Chapter 16.08 DEFINITIONS

[...]

16.08.015 Administrative segregation.

"Administrative segregation" means the division of land within the boundaries of a legal description into fewer than ten lots or tracts where no lot or tract is less than twenty (20) acres. Administrative segregations must comply with Chapter 16.06 of this title. Land reconfigured within, and parcels created by an administrative segregation shall not be further subdivided without review under the provisions for short plat, large lot subdivision, or plat as appropriate. Land reconfigured within, and parcels created by an administrative segregation shall not be reduced in size below 20 acres through a boundary line adjustment. Land reconfigured within, and parcels created by an administrative segregation must comply with KCC

**~~16.18.030 Parcel creation – Irrigation water delivery system requirements, KCC 13.04.080  
OSDS Location, KCC 17A.08.025 Wellhead protection areas, and KCC Title 12 Road  
Standards.~~**

[...]