

and file

SHORT PLAT ORDINANCE

No. 48

WITH AMENDMENT-A

SHORT PLAT ORDINANCE NO. 48-A

An Ordinance providing rules and regulations for the approval of subdivisions into two (2), three (3) or four (4) lots, and plats thereof; prescribing standards for the design, layout and development thereof; providing procedures for approval or disapproval thereof; providing for the granting of variation and exceptions thereto; to be known as the "Short Plat Ordinance"; providing a penalty for the violation thereof; and repealing all other ordinances in conflict herewith; and,

WHEREAS, this Board has enacted an ordinance regulating the division of land into five (5) or more lots in the unincorporated areas of Pacific County, and has been vested with authority, by Chapter 271, Laws of 1969, First Ex. Session, as amended by Third Ex. Session, and codified in RCW 58.17 to regulate what are referred to in the said statute as short subdivisions and short plats; and,

WHEREAS, this Board deems the controls, standards and procedures set forth in this Ordinance to be essential to the protection of the public health, safety and general welfare of the citizens of Pacific County; and adoption thereof to be in the public interest; NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF PACIFIC COUNTY, WASHINGTON:

SECTION I

Application

48.01.010 APPLICABILITY:

Every division of land for the purpose of sale or transfer into two (2) or more but less than five (5) lots, parcels or tracts within the unincorporated area of Pacific County shall proceed in compliance with this Ordinance unless specifically exempted. It shall be unlawful for any person, firm or corporation, proposing to make, or having made a short subdivision or plat of land containing two (2) or more but less than five (5) lots, parcels or tracts, or proposing to make or having made a short subdivision or short plat containing a dedication of any part thereof as a public

street or highway, to sell or transfer or to offer for sale or transfer any lot, parcel, or tract until summary approval has been obtained from the proposed short plat, short subdivision or dedication, in accordance with the prescribed rules and regulations contained herein. The provisions of this Ordinance shall not apply to:

- (1) Cemeteries and other burial plots while used for that purpose;
- (2) Divisions made by testamentary provisions, or the laws of descent;
- (3) A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land and a local government has approved a binding site plan for the use of the land in accordance with local regulations;
- (4) Divisions of land into lots or tracts each of which is one-one hundred twenty eighth (1/128) of a section of land or larger, of five (5) acres or larger, if the land is not capable of description as a fraction or section of land;
- (5) Tidelands of the 1st and 2nd class; and,
- (6) Subdivisions for the purpose of eliminating nuisance parcels of land adjoining definable natural boundaries such as streams, lakes, rivers, etc.

SECTION II

Definitions

48.02.010__

Whenever the following words and phrases appear in this Ordinance, they shall be given the meaning attributed to them by this Section. When not inconsistent with the context, words used in the present tense include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory, the word "may" indicates a use of descretion in making decisions.

- (1) Block is a group of lots, tracts or parcels within well-defined and fixed boundaries.
- (2) Board is the legislative authority of Pacific County.

- (3) Comprehensive Plan or portions thereof are those coordinated in preparation or which have been prepared by the Planning Commission pursuant to State Law.
- (4) Cul-de-Sac is a road closed at one end by a circular area of sufficient size for turning vehicles around.
- (5) Dedication is the deliberate appropriation of land by an owner for any general and public uses, reserving the land to himself, no other rights than such as compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a short plat, showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat in the manner provided in this Ordinance.
- (6) Easement is a grant by a property owner to specific persons or the public to use land for a specific purpose or purposes.
- (7) Lot is a fractional part of subdivided lands having fixed boundaries being of sufficient area and dimension to meet the minimum zoning requirements for width and area. The term shall include tracts or parcels.
- (8) Official Plans are those official maps or map or portions thereof, adopted by Ordinance by the Board of County Commissioners as provided in Chapter 44, Section 6, Laws of 1935, as hereinafter amended (RCW 36.70.330).
- (9) Planning Commission shall be that Commission established by the Board of County Commissioners of Pacific County, Washington, as provided in Chapter 44, Laws, 1935 as hereafter amended (RCW 36.70.003).
- (10) Public Highways include every way, land, road, street, boulevard or place in the State open as a matter of right to the public vehicular travel, both inside and outside the limits of cities and towns and shall include County arterials, neighborhood streets and residential streets, some of which may or may not be portions of the highway system of the State of Washington.

- (11) Road is an improved and maintained public right-of-way which provides vehicular circulation or principal means of access to abutting properties, and which may also include provisions for public utilities, pedestrian walk-ways, access to public open spaces and recreation areas, cut and fill slopes and drainage.
- (12) Short Plat is a map of a short subdivision showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications. A short plat must be prepared for all subdivisions for which a survey is required.
- (13) Short Subdivision is the division of land into four (4) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or gift and shall include all re-subdivision of land.
- (14) Site Plan is a drawing to scale which : (a) Identifies and shows the area and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by regulations or required by local authorities; and (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of land as are established by the local government body having authority to approve the site plan. A site plan must be prepared for all proposed short subdivisions.
- (15) Subdivider is any person, firm or corporation proposing to make or having made, a subdivision.

SECTION III

Enforcing Authority

48.03.010__ ADMINISTRATOR

The Pacific County Director of Public Works, referred to in this Ordinance as the Administrator, is vested with the duty of administering the provisions of this Ordinance. The Administrator may prepare and require the use of such forms as he deems essential to his duties.

SECTION IV

PROCEDURES

48.04.010__

ASCERTAINING REQUIREMENTS OF ORDINANCE (VOLUNTARY):

The subdivider or land surveyor, while the proposed short subdivision is in sketch form and before the proposed short subdivision is submitted may consult with the Planning Director, Health Officer, Assessor and the Administrator for the purpose of ascertaining the requirements of the official plan or any portions thereof and obtaining any explanation of the rules and regulations herein contained, as may be necessary and related to the proposed short subdivision.

48.04.020__ APPLICATION:

Any person desiring to divide land situated within an unincorporated area of Pacific County into two (2), three (3), or four (4) lots for the purpose of lease, sale, or gift shall submit an application for short plat approval to the Administrator. The application shall be accompanied by a filing fee of \$15.00.

48.04.030__ APPLICATION CONTENT:

A subdivider shall submit with his application for short subdivision approval a minimum of five (5) copies of the site plan for the proposed short subdivision.

48.04.040__ PLAT PREPARATION:

If a survey of a short subdivision is required a short plat shall be prepared in accordance with the requirements as set forth in Section V hereof.

48.04.050__ ADEQUACY AND DISTRIBUTION OF PLANS AND PLATS:

If the Administrator determines that the proposed short subdivision contains sufficient elements and data to furnish a basis for approval or disapproval, and that the site plan, including proposed roads, utilities, and other improvements is adequate to aid the County Engineer in approving or disapproving the construction of future improvements, the Administrator shall affix a file number and date of receipt to the application and promptly forward the site plan to the County Engineer. The Administrator shall promptly forward one (1) copy of the site plan to the Planning Director, the County Health Officer and County Assessor.

48.04.060 NOTICE OF FILING:

The Administrator shall determine if the public interest will be served by providing public notice of the filing of a short subdivision. If deemed necessary by the Administrator, public notices shall be provided by the best available method which may include the following:

- (1) Through the United States Mail to:
 - (a) The legislative authority of any city or town adjacent to or within one mile of the proposed short subdivision, or the public utilities of which are contemplated for use in the proposed short subdivision;
 - (b) The State Department of Ecology, or its successor, if the proposed short subdivision lies within a flood control zone designated pursuant to Chapter 86.16 RCW;
 - (c) The State Department of Highways, or its successor, if the proposed short subdivision is adjacent to the right of way of any state highway; and,
 - (d) Adjacent landowners.
- (2) By posting notices thereof at three (3) conspicuous places on the boundaries of the proposed short subdivision.
- (3) Publication in the newspaper of general circulation in the vicinity of the proposed short subdivision.

48.04.070 CONTENT OF NOTICE:

Any notice given pursuant to Section 48.04.060 shall recite:

- (1) The date of filing of the proposed short subdivision;
- (2) The legal description of the tract;
- (3) The name of the applicant; and
- (4) The name, title, and office address of the Administrator.

All hearing notices shall include a legal description of the location of the proposed short subdivision and either a vicinity location sketch or a location description in non-legal language.

48.04.080__

REVIEW: DEPARTMENT OF PUBLIC WORKS, HEALTH DEPARTMENT AND BOARD :

Within twenty (20) days following the filing of the proposed short subdivision, (1) the Planning Director shall notify the Administrator that the proposed short subdivision does or does not conform to the Comprehensive Plan and current zoning requirements; (2) the Health Officer shall notify the Administrator that water and sanitary sewage disposal methods contemplated for use in the short subdivision do or do not conform to current standards; (3) The County Engineer shall notify the Administrator that the proposed roads, utilities and other improvements do or do not conform to current standards, and that the survey, does or does not conform to standard practices and principles of land surveying; and (4) The Commissioner of the district in which the subdivision occurs shall notify the Administrator that the proposed short subdivision does or does not conform to current standards or requirements.

48.04.090__ REVIEW - ADMINISTRATOR :

Within thirty (30) days following filing of an application, or such additional period as the subdivider may authorize the Administrator shall consider all data including reports of officials and public agencies and shall determine whether the proposed short subdivision satisfies the requirements of this Ordinance, and whether the proposed short subdivision will apparently serve the public use and interest.

48.04.100__ APPROVAL - FILING:

When the requirements of this Ordinance have been satisfied as determined by the various public agencies and officials, the proposed short subdivision shall be deemed approved. Approved short subdivisions shall be filed with the Administrator. The Administrator shall designate a file for approved short subdivisions that may be examined and or referenced. All such short subdivisions shall comply with requirements of sub-section 48.05.120 of this Ordinance. "Short Plats" submitted for approval shall be filed with the County Auditor and shall comply with the requirements of Section 5.0 of this Ordinance.

48.04.110__ DISAPPROVAL - NOTIFICATION:

Upon disapproval of a proposed short subdivision, the Administrator shall notify the subdivider in writing of the specific reasons for disapproval. The subdivider may then resubmit the proposed short subdivision with the changes that will satisfy the requirements of this Ordinance.

48.04.120 DISAPPROVAL - NOTICE OF APPEAL - FEE:

Within thirty (30) days following issuance of the Administrator's written notice disapproving a short subdivision, the subdivider may file a notice of appeal with the Administrator, and shall be accompanied by an appeal fee of \$25.00.

48.04.130 DISAPPROVAL - APPEAL PROCEDURE - MEETING DATE:

The Administrator shall immediately transmit the notice of appeal to the Clerk of the Board. The Board shall at its next regular meeting set the date for consideration of the appeal.

48.04.140 DISAPPROVAL - APPEAL MEETING DECISIONS:

In reviewing an appeal, the Board shall consider all matters submitted by the subdivider and the Administrator, together with such other evidence as it deems relevant and shall either affirm or reverse the decision or remand the matter to the Administrator for further investigation.

48.04.150 APPROVAL - APPEAL BY OTHERS:

Within thirty (30) days following the Administrator's approval of a proposed short subdivision, any interested person may file a notice of appeal with the Administrator, the Auditor, and the Clerk of the Board. The notice filed with the Administrator shall be accompanied by an appeal fee of \$25.00. No appeal fee shall be charged if the appellant is a public officer or agency. Only the following shall be deemed interested persons of this action:

- (1) Any public officer or agency
- (2) Any person who holds or owns a substantial interest in property situated within 150 feet of any boundary of the proposed short subdivision.

48.04.160 APPROVAL - APPEAL PROCEDURE TO BOARD:

The Administrator shall immediately transmit the notice of appeal to the Clerk of the Board. The Auditor shall refrain from accepting a short plat containing a dedication for recording until notified by the Board that the matter has been finally disposed. The Board shall, at its next regular meeting, following filing of the appeal notice, set a date for consideration of the appeal.

48.04.170 APPROVAL - APPEAL - MEETING:

In reviewing an appeal the Board shall consider all matters submitted by the subdivider and the Administrator, together with such other evidence as it deems relevant, and shall either affirm or reverse the decision, or remand the matter for further investigation by the Administrator.

SECTION V

REQUIREMENTS OF THE SHORT SUBDIVISION

48.04.010 CONFORMANCE TO COMPREHENSIVE PLAN AND ZONING:

All short subdivisions shall conform to the Pacific County Comprehensive Plan and all zoning controls in effect at the time a short subdivision thereof is filed for approval.

48.04.020 LOT SIZE:

The basic minimum lot area shall conform with the requirements of the current zoning regulations. Lot areas in excess of established basic minimums shall be as required by the Grays Harbor-Pacific Health District. Health District approval of lot size shall be obtained prior to the Administrator's approval of the short subdivision.

48.05.030 ACCESS TO LOTS:

Every lot shall be provided with an adequate access to a public road.

48.04.040 EASEMENTS:

Natural water courses, drainage ways, sewer, water, power, telephone-television cables, and any required access shall be located within easements reserving the right to enter such properties for the purpose of construction, servicing or maintenance. The width of said easement shall be as "required to gain adequate access" for construction, servicing or maintenance equipment or to provide width for access.

Easements must demonstrate that they allow for the orderly, future development of the area surrounding the proposed short plat or subdivision.

48.05.050 SURVEY STANDARDS AND REQUIREMENTS:

If a short subdivision necessitates the dedication of any land, or if required by the County Engineer or the County Assessor, a survey conducted by a registered land surveyor shall be made of the short subdivision and a short plat shall be prepared. The surveyor shall certify on the short plat that it is a true and correct representation of the lands actually surveyed. All surveys shall conform to standard practices and principles for land surveying.

48.05.060 MONUMENTS AND MARKERS - SURVEY:

Permanent monuments required within the subdivision shall be located and described, and all controlling corners on the boundaries of the short subdivision shall be marked by a 3/4" galvanized iron pipe or approved equivalent, driven into the ground. All monuments and markers shall be shown on the face of the plat.

48.05.070 DEDICATIONS SHOWN ON FACE OF THE SHORT PLAT:

All dedications and reservations shall be clearly and precisely recited on the face of the short plat. Dedication of land for open spaces, drainageways, streets, alleys, other public ways, water supplies, sanitary wastes, and appropriate provisions for public health, safety, and general welfare, may be required as a condition of subdivision approval.

48.05.080 IMPROVEMENTS:

Improvements such as structures, sewers, and water systems shall be designed and certified by or under the supervisor of a registered civil engineer prior to the acceptance of such improvements unless approved by the County Engineer.

48.05.090 REFERENCE TO SUBDIVISION:

All documents, maps, and survey notes shall contain the name of the subdivision or be clearly referenced to it, and the name and address of the developer and land surveyor.

48.05.100 SHORT PLAT STANDARDS:

Separate fees for filing short plats shall be established by the Auditor. Every short plat recorded with Auditor shall comply with the requirements set forth in Title 58 or the Revised Code of Washington, and consist of one or more pages clearly and legibly drawn on mylar polyester film or approved film, and shall be for not more than 100 feet to the inch (F. F. 1/100 or greater) for residential development, not more than 200 feet to the inch (R. R. 1/200

or greater) for a commercial development. In addition, the plat shall disclose the following information:

- (1) The legal description of the land.
- (2) The names of all persons holding interests in the land.
- (3) The name, seal and signature of the registered land surveyor who made or under whose direction was made, a survey of the short subdivision.
- (4) The title, north point, scale and date. All maps shall use the Washington South Lambert Grid Meridian when said Lambert Grid is available within a distance of five miles.
- (5) The boundary lines of the short subdivision, and the boundaries of lots within the short subdivision.
- (6) The location, width and name of all existing and or platted streets or other public ways within or adjacent to the proposed development and other important features such as permanent buildings, water courses, major power transmission lines, railroads, section lines and monuments and markers of record.
- (7) The errors of closure of plat computations shall not exceed one one hundredth (1/100) of one foot.
- (8) All horizontal curves will be shown and will be circular. The arc definition will be used.
- (9) The length of all arcs and radii will be shown. Curve data on road center-lines will be shown and given the internal angle, tangent and cord distances, radius and length of arc. Points of curvatures, tangency and centers of curves shall be indicated.
- (10) The internal angle on all curved lot lines shall be shown along with the arc length for each curve or portion thereof within the lot line.
- (11) The boundaries of all parcels dedicated or reserved for public or community uses.
- (12) Plans of proposed water distribution systems, sewage disposal systems and drainage systems may be required.
- (13) A certificate bearing the typed or printed names of all persons having an interest in the divided land, signed and acknowledged by them before a notary public, which:

- (a) States their consent to the division of land;
 - (b) Recites a dedication by them of all land shown on the short plat to be dedicated for public uses;
 - (c) Grants a waiver by them and their successors of all claims for damage against any governmental authority arising from the construction and maintenance of public facilities and public property within the short subdivision.
- (14) The approval of the Administrator.
 - (15) The approval of the County Health Department.
 - (16) The approval of the County Assessor.
 - (17) The certification of the County Treasurer.
 - (18) The certification of the Board of County Commissioners.
 - (19) The certification of the County Auditor.

48.05.110 CERTIFICATION AND APPROVALS:

- (1) The certification of the registered land surveyors shall read as follows:

I hereby certify that the Plat of _____ is based upon an actual survey and subdivision of Section _____, Township _____ North, Range _____ West, W. M.; that the distances, courses and angles are shown thereon correctly; that all lot and block corners and plat monuments shall be set correctly and that I have fully complied with the provisions of the statutes and regulations governing platting.

Surveyor

- (2) The approval of the Administrator shall read as follows:
Examined and approved this _____ day of _____, 1975.

Director of Public Works

- (3) The approval of the County Health Department shall read as follows:

Examined and approved this ____ day of _____, 19__.

County Health Dept. Sanitarian

- (4) The approval of the County Assessor shall read as follows:

Examined and approved this ____ day of _____, 19__.

County Assessor

- (5) The certification of the County Treasurer shall read as follows:

I hereby certify that all taxes heretofore levied and which have become chargeable against the property herein described, have been paid in full and discharged; and that all special assessments certified to this office for collection have been paid in accordance with the applicable State Laws.

County Treasurer

- (6) The certification of the Board of County Commissioners shall read as follows:

Examined and approved this ____ day of _____, 19__.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Chairman of the Board

ATTEST:

Clerk of the Board

- (7) The certification and filing by the County Auditor shall read as follows:

Filed at the request of the Board of County Commissioners this ____ day of _____, 19 __. at ____ minutes past ____ o'clock __M., and recorded in Volume ____ of Plats, Page ____, Records of the Pacific County Auditor.

Pacific County Auditor

48.05.120 SHORT SUBDIVISION WITHOUT SURVEY:

Every short subdivision not required to be recorded with the Auditor shall be filed with the Administrator. All such short subdivisions shall consist of one or more pages and shall contain a site plan of the short subdivision, drawn approximately to a horizontal scale of 100 feet to the inch, together with written data in such form that, when read together, disclose the following information:

- (1) The title, north point, scale and date;
- (2) Legal descriptions of land both before and after short subdivision.
- (3) The names, addresses and telephone numbers of all persons holding interest in the land;
- (4) The boundary lines of the short subdivision and of the lots within it;
- (5) The location, width and names of all existing or platted streets or other public ways within or adjacent to the proposed development and other important features such as permanent buildings, water courses, easements, etc.

SECTION VI

MISCELLANEOUS

48.06.010 PENALTIES:

It shall be unlawful for any person, firm or corporation to sell or transfer, or offer for sale or transfer, any land subdivided in violation of the requirements of this Ordinance. Any person convicted of violating any provision of this Ordinance shall be guilty of a misdemeanor, and shall be punished by a fine of not more than \$250.00 or by imprisonment

in the County jail for a period of not more than ninety (90) days or both.

48.06.020 COMPLIANCE WITH ORDINANCE:

Whenever any parcel of land is divided in violation of the provisions of the Ordinance, and any person, firm or corporation or any agent of any of them sells or transfers or advertises for sale or transfer of any such tract or parcel, the Prosecuting Attorney shall commence an action to restrain and enjoin further subdivisions or sales or transfers or offer of sales or transfer and compel compliance with all provisions of this Ordinance. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property.

48.06.030 ASSURANCE OF DISCONTINUANCE:

The Prosecuting Attorney may accept a written assurance of discontinuance of any act or practice violative of this Ordinance, from any person who has committed or is committing such act or practice. The assurance may include satisfactory intent and assurance to file a proposed site plan or short plat for approval and to satisfy all reasonable conditions required to effect its approval. Any willful failure to perform a commitment contained in such an assurance shall constitute a separate misdemeanor, punishable to the same extent as other misdemeanors defined by this Ordinance.

48.06.040 DAMAGE RECOVERY FOR PURCHASER:

A transferee who cannot secure a building permit, septic tank permit or other developmental permit for the reason that the transferor failed to comply with any provision of this Ordinance may recover damages from the transferor, to include compensation for the loss of the bargain, actual costs of investigation and suit, reasonable attorney's fees and such additional elements as the law allows.

48.06.050 UNAPPROVED SHORT PLAT NOT TO BE FILED:

The Auditor shall refuse to accept for filing any short plat which does not bear the required certificates of approval. Should a short plat be filed without such a certificate, the Prosecuting Attorney shall apply for a Writ of Mandate on behalf of the Administrator, directing the Auditor to remove the unapproved plat from the Auditor's files.

48.06.060 METES AND BOUNDS FILING - AUDITOR REVIEW:

That the County Auditor shall inquire of every person who tenders for recording a deed or contract for the sale of land whether or not the land so described is a new division of a larger tract. In the event that it is a new division, the Auditor shall inform the person of the necessity for approval of short plats and short subdivisions and refer the person to the County Assessor or the Administrator to ascertain the specific requirements and regulations. Upon learning of any such recording the County Assessor and the Administrator shall investigate the same to determine whether or not a division of land in violation of this Ordinance may have occurred.

48.06.070 ASSESSOR TO NOTIFY ADMINISTRATOR:

The Assessor shall promptly notify the Administrator of every new segregation of land made upon the Assessor's records. Upon learning of such segregation the Administrator shall notify the Grantor of the segregation violation. The Grantor shall then make application for short subdivision within twenty (20) days following the Administrator's notice. If no application is received within twenty (20) days, the Administrator shall refer the violation to the Prosecuting Attorney.

48.06.080 RE-SUBDIVISION:

Land within a short subdivision, for which site plans or the short plat have been approved within five (5) years immediately preceding, may not be further divided until a final plat thereof has been approved and filed for record pursuant to applicable regulations and ordinances.

48.06.090 TITLE OF ORDINANCE:

This Ordinance shall be known as the "Short Plat Ordinance".

48.06.100 VALIDITY:

Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, such decision shall not effect the validity of the remaining portions of this Ordinance.

48.06.110 REPEALER:

Ordinance No. 48, enacted December 2, 1974, relating to the subdivision and platting land, is repealed, effective as of the effective date of this Ordinance.

48.06.120 EFFECTIVE DATE:

This Ordinance shall come into full force and effect on February 2, 1976.

Passed by the Board of County Commissioners on this 2nd day of February, 1976, and signed in authentication of its passage this 2nd day of February, 1976.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Bill Crossman
Chairman

Eldred Penttila
Commissioner

Clara L. Farewell
Commissioner

APPROVED AS TO FORM:

Raymond H. Brown
Prosecuting Attorney

ATTEST:

Robert M. Johnson
Clerk of the Board

BEFORE THE BOARD OF PACIFIC COUNTY COMMISSIONERS

PACIFIC COUNTY, WASHINGTON

ORDINANCE NO. 48A

WHEREAS, the Board of Pacific County Commissioners met in regular session this 2nd day of February, 1976 for the purpose of adopting amendments to the Short Plat Ordinance No. 48.

WHEREAS, after proper and legal notification a public hearing was held at the hour of 2:30 PM and testimony for or against said action was heard,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF PACIFIC COUNTY COMMISSIONERS in accordance with RCW 58.17.900 that Ordinance 48 be AMENDED as follows:

Section I, 48.01.010 Applicability

Line 13 is changed from "Approval of the Board" to "Summary Approval" and two (2) new exemptions are listed as follows:

5. Tidelands of the First and Second Class
6. Subdivisions for the purpose of eliminating nuisance parcels of land adjoining definable natural boundaries such as streams, lakes, rivers, etc.

Section II, 48.02.010.13

Line 3 is changed from "for the purpose of sale, or lease" to "for the purpose of sale, lease or gift".

Section III, 48.03.010 Administrator

The following phrase is deleted "and with the responsibility to recommend to the Board approval or disapproval of the proposed short subdivision.

Section IV, 48.04.040

The words "or performed" are deleted.

48.04.050 In Line 3 the word "recommending" is deleted.

48.04.080 "Review" is changed to read "Review" Dept. of Public Works, Health Dept. and Board:" and the following sentence is added: "and (4) The Commissioner of the district in which the subdivision occurs shall notify the Administrator that the proposed short subdivision does or does not conform to current standards or requirements".

48.04.090 "Time Limitations" is changed to read "Review: Administrator" and in Line 3 the words, "which he deems relevant" are deleted and Lines 7 and 8 the following words are deleted, "and shall recommend approval or disapproval to the Board".

Section IV, 48.04.100 Approval-Filing:

The following is added "when the requirements of this ordinance have been satisfied as determined by the various public agencies and officials, the proposed short subdivision shall be deemed approved. Approved short subdivisions shall be filed with the Administrator. The Administrator shall designate a file for approved short subdivisions that may be examined and or referenced. All such short subdivisions shall comply with the requirements of sub-section 48.05.120 of this Ordinance.

48.04.110 Disapproval - Notification:

The following words are added "The Subdivider may then resubmit the proposed short subdivision with the changes that will satisfy the requirements of this ordinance.

48.04.130 Disapproval - Notice of Appeal - Fee

"Board's" is changed to "Administrator's"

Section V 48.05.040 Easements

The following words are added "Easements must demonstrate that they allow the orderly, future development of the area surrounding the proposed short plat or subdivision".

48.04.120 Short Subdivision without Survey:

(2) is changed to read as follows "Legal descriptions of land both before and after short subdivision".

(6) is deleted

Section VI, 48.06.110 "Repealer" is a whole new sub-section

"Ordinance No. 48, enacted December 2, 1974 relating to the subdivision and platting of land, is repealed, effective as of the effective date of this Ordinance."

BE IT FURTHER ORDAINED that this Amendment is passed by the Board of Pacific County Commissioners on this 2nd day of February, 1976 and shall take effect immediately.

BOARD OF COUNTY COMMISSIONERS
PACIFIC COUNTY, WASHINGTON

Bill Crossman
Bill Crossman - Chairman

Eldred Penttila
Eldred Penttila - Commissioner

Clara L. Korevaar
Clara L. Korevaar - Commissioner

ATTEST:

Robert M. Johnson
Robert M. Johnson - County Auditor
& Ex-Officio Clerk of the Board