

CITY OF ROSLYN
WASHINGTON

ORDINANCE NO. 1097

AN ORDINANCE OF THE CITY OF ROSLYN,
WASHINGTON, REPEALING ROSLYN MUNICIPAL
CODE CHAPTER 17.05 AND AMENDING RMC 18.150.130
RELATING TO LOT LINE ADJUSTMENTS; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE

WHEREAS, the City has adopted Chapter 17.05 RMC and RMC Section 18.150.130 that provide administrative procedures for lot line adjustments; and

WHEREAS, these portions of the Roslyn Municipal Code are in conflict with each other and are also internally inconsistent; and

WHEREAS, the City Council desires to amend the lot line adjustment procedures to provide for consistent application of lot line adjustment requests; and

WHEREAS, the City anticipates the submittal of a lot line adjustment application in the near future and, therefore, is seeking expedited review by the Washington Department of Commerce; and

WHEREAS, on 10/24/13, 2013, the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) related to this Ordinance and notice of said DNS was published in the NKC Tribune on 10/31/13; and

WHEREAS, in accordance with RCW 36.70A.106 and WAC 365-196-630, a Notification of Intention to Adopt Development Regulation Amendments was sent to the State of Washington Department of Commerce and to other state agencies on 10/28/2013 for a required 60-day review period; and

WHEREAS, on 11/12/13, the City Council held a Public Hearing regarding proposed lot line adjustment revisions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSLYN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Roslyn Municipal Code Chapter 17.05 (Lot Line Adjustments), Repealed.
Chapter 17.05 RMC is hereby repealed in its entirety.

Section 2. Roslyn Municipal Code Section 18.150.130 (Lot Line Adjustments), Amended. RMC Section 18.150.130 is hereby amended to read as follows (with legislative revision marks):

~~This section shall not apply to divisions and activities described in RCW 58.17.040; provided, that in order to determine whether a boundary line adjustment meets the requirements for an exempt action, approval must be received from the city as set forth in RMC 18.150.120 in this section.~~

~~A. A lot line adjustment is a mechanism by which the city may approve the alteration of lot lines between legally created lots, where such an adjustment does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requires for width and area for a building site lots which are noneonforming or more noneonforming than existing.~~

~~B. Application for lot line adjustments shall be submitted to the planning official. The application shall consist of all of the following:~~

~~1. A declaration of the lot line adjustment;~~

~~2. The legal description of the current parcels;~~

~~3. The legal description of the proposed parcels;~~

~~4. A sketch of the before and after configuration of the parcels drawn to scale indicating easements, any existing buildings, structures, utilities or drain fields at no smaller than one inch to fifty feet;~~

~~5. A notarized acknowledgement of the affected property owners and all easement holders;~~

~~6. A survey performed and certified by a registered land surveyor that conforms to professional standards and practices consistent with Chapter 58.09 RCW;~~

~~7. Certification by the city treasurer that there are no delinquent special assessments and that all special assessments certified to the city treasurer for collection on any property herein contained or dedicated for streets, alleys or other public uses are paid in full;
and~~

~~8. Payment of a nonrefundable application fee as set forth on the city's fee schedule.~~

C. The planning official may approve an application for a lot line adjustment, provided the following criteria are met:

1. The proposed adjustment shall meet the exemption requirements provided in RCW 58.17.040(6);
2. The lot line adjustment shall not result in the creation of any additional tract, lot, parcel, site or division;
3. The property being transferred within the lot line adjustment shall be combined with the benefiting parcel and shall not be a separate parcel, which could be mistaken as a separate and distinct, conveyable tract without proper research;
4. The lots, tracts, or parcels resulting after the lot line adjustment shall meet all dimensional requirements specified for the applicable zone as outlined in this title;
5. All lots modified by the lot line adjustment procedures shall have legal access meeting the standards of the city of Roslyn;
6. The lot line adjustment shall not violate an applicable requirement or condition of a previous land use action, subdivision, short subdivision or binding site plan;
7. All lot line adjustments shall be recorded surveys consistent with the requirements of Chapter 58.09 RCW and Chapter 332-130 WAC. All lot lines being adjusted shall be surveyed, and newly established lot corners shall be staked;
8. Existing easements and/or drainfields shall not be jeopardized, or rendered impractical, to serve their purpose;
9. The lot line adjustment shall not adversely affect access.

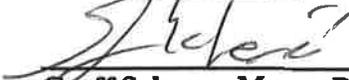
D. Upon approval of the lot line adjustment, the applicant shall record the lot line adjustment and covenants with the Kittitas County Auditor. Recording fees are paid by the applicant. The applicant shall provide the city with a copy of the recorded lot line adjustment.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 26th DAY OF NOVEMBER, 2013.**

CITY OF ROSLYN



Geoff Scherer, Mayor Pro Tem

ATTEST/AUTHENTICATED:



Brandi Taklo, Deputy Clerk Treasurer

Approved as to form:



Ann Marie Soto, City Attorney

Filed with the City Clerk: October 22, 2013
Passed by the City Council: November 26, 2013
Date of Publication: December 5, 2013
Effective Date: December 10, 2013