ORDINANCE NO. 2849

AN ORDINANCE of the City of Kent, Washington, relating to land use, amending lot line adjustment ownership verification requirements, amending 12.04.1000 of the Kent City Code. (Ordinance 2849)

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Kent City Code 12.04.1000 is amended as follows.

SECTION 12.04.1000. DETAILED ADMINISTRATIVE PROCEDURES FOR LOT LINE ADJUSTMENTS.

Section 12.04.1001. Purpose

The purpose of a lot line adjustment is to accommodate a minor transfer of land between adjacent legally created lots, to rectify a disputed property line location or to clarify exempt parcel status (per RCW 58.17.040(6)).

Section 12.04.1002. Principles of Acceptability

Lot line adjustments shall be consistent with the following principles of acceptability:

1. Adjust lot lines including the elimination of a common lot line in order to correct property line or setback encroachments;

2. Create better lot design, or improve access;

3. Conform to applicable zoning, subdivision and other code requirements pertaining to lot design, building location, and development standards;
4. Avoid creation of an additional lot parcel and tract;

5. Lots created or combined for tax purposes do not constitute a legal lot of record.

Section 12.04.1003. Application Requirements

1. Lot line adjustment applications shall be submitted on forms supplied by the Planning Department and shall include the following:

   A. Four (4) copies of a legible map, drawn to scale on a minimum 8 1/2" x 11" sheet of paper showing when applicable:

      i. Existing lot lines

      ii. Proposed new lot lines and distance it has been moved

      iii. Adjacent streets

      iv. Type, location and dimensions of existing and/or proposed easements

      v. Existing structures and distance to property lines

      vi. Total square footage of revised lots

      vii. Ground floor square footage of all structures

      viii. Location of on-site parking, landscaping and other significant site features affected by the change

      ix. Indicate north

      x. Identify parcels as Lot A, Lot B, etc.
B. The signature of all property owners having interest in the lot line adjustment, indicating approval of the proposal;

C. A signed affidavit in a form approved by the Planning Director attesting to and verifying the ownership and title of all interested parties of the property and listing all encumbrances or a title report documenting ownership, title and encumbrances.

D. A copy of the existing legal description for both parcels;

E. A metes and bounds description of the proposed new lots if other than a platted lot.

Section 12.04.1004. Administrative Review

1. The Planning Department will review and approve this proposed lot line adjustment within ten (10) working days of receiving a completed application.

2. Action. The Planning Director may approve, approve with modifications, or deny the application for a lot line adjustment.

A. Approval. If approved all four (4) lot line adjustment maps shall be stamped "approved" and signed and dated by the Planning Director. The applicant shall be notified in writing of the decision. Additional copies of the approval notification and map shall be distributed to the King County Assessor's Office and to the City of Kent Property Management Department.
B. Approval with Modification(s). If modification(s) are deemed necessary by the Planning Director, they may be added to the original lot line adjustment map or a revised map may be required. The applicant will be notified of any such modification action. If a modification of the original lot line adjustment map, legal description or other information is necessary, the projected approval date may be extended.

C. Denial. If denied, the lot line adjustment shall be marked "Denied" and the applicant shall be notified in writing of the decision, stating the reasons therefore.

Section 12.04.1005. Final Recording

A lot line adjustment does not become effective until it is recorded with the King County Assessor’s Office. It is the responsibility of the applicant to record the approved map and new legal descriptions. A copy of the recorded documents shall be submitted to the Planning Department by the applicant.

The recording of a lot line adjustment does not constitute a transfer of title. Separate deeds to this effect must be recorded with the Assessor’s Office and are not subject to these provisions.

Section 2. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.
Section 3. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

MARTIE JENSEN, CITY CLERK
BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

SANDRA DRISCOLL, CITY ATTORNEY

PASSED the 5 day of July, 1989.
APPROVED the 6 day of July, 1989.
PUBLISHED the 7 day of July, 1989.

I hereby certify that this is a true copy of Ordinance No. , passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

MARTIE JENSEN, CITY CLERK
BRENDA JACOBER, DEPUTY CITY CLERK

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