MASON COUNTY
COMMUNITY DEVELOPMENT

Permit Assistance Center, Building, Planning

SHORT SUBDIVISION

WHEN DO I NEED A SHORT SUBDIVISION APPLICATION?

If you have a tract of land and you want to divide it into four or less lots (Exception: 9 lots in UGA), and any of the lots that you want to create are less than 5 acres in size, then you need a Short Subdivision Application.

WHO SHOULD FILL OUT THE SHORT SUBDIVISION APPLICATION?

* We recommend that the application be filled out by or under the supervision of a registered land surveyor.

* Others are allowed to complete the application; however, surveys are required for all short subdivisions.

WHAT DO I NEED TO SUBMIT?

* A complete and correct short subdivision application, short plat survey, and fees need to be submitted to the Planning Department.

* An environmental checklist if the property is on the shoreline, contains wetlands, streams, creeks, ponds, 100 year floodplain, or other recognized environmentally sensitive areas, or is a re-division of an earlier SEPA exempt Short Subdivision.

* **Prior to short plat submittal:** Contact the Mason County Public Works Department or Washington State Department of Transportation for an approved access location.

NOTE: INCOMPLETE AND INCORRECT APPLICATION PACKETS WILL BE RETURNED TO THE APPLICANT OR THE APPLICANTS AGENT FOR CORRECTION.

Continued on Back

PROCESS FOR APPROVAL:

* Pre-Application meeting.
* Submit application packet, fees, and surveys (environmental checklist, if applicable).
* Planning Department review.
* Public Works Department review.
* Environmental Health Department review and approval.
* Application is approved, conditionally approved, denied, or returned to the applicant for correction.
* Short subdivision is then recorded and a copy is sent to the applicant as well as the applicant's agent.

NOTE: The information in this brochure is provided only as a general guideline of procedures and regulations. You should not rely on this brochure to identify the specific requirements for your project. To identify these requirements, contact the appropriate County Department.

SHORT SUBDIVISION FEES*		
These fees must accompany submittal:		
Pre-Application Meeting		$665
Short Subdivision (Planning Program fee)		$2,050 + $65 per lot
Short Subdivision GIS Fee		$90
Environmental Land Use Fee		$460
Public Works Plat Review Fee		$125 + $15 per lot
SEPA (State Environmental Protection Act) *If land division applies	0 to 9.99 Acres	$730
	10 to 20 Acres	$880
	Over 20 Acres	$1,100

The applicability of these fees will be discussed in your Pre-Application Meeting.

***These fees do not include notary, recording of plats, surveys, testing, etc.**

SHORT SUBDIVISION APPLICATION

Please read this packet thoroughly and completely.

The Mason County Department of Community Development staff will be glad to talk to you regarding your project. Application forms will be provided at this time. It is recommended that you have a professional prepare the short plan. Many surveyors do this type of work. As of January 1991, all short subdivisions must be surveyed. Please consult your telephone book for the name of such firms.

In most instances, lot sizes are determined by provisions of the Mason County Comprehensive Plan and Development Regulations. In a few instances the determining factor for lot size would be soil type (per WAC 248-96-090). The pre-application procedure is helpful for this process. A representative from the Mason County Health Department will discuss the soil types you have on your property and what size lots can be supported by that soil. A Mason County Shoreline Planner may need to be consulted prior to submittal if there are fresh or saltwater shorelines, creeks, wetlands, rivers, or steep slopes within the boundaries of your proposed short plat.

Application of these Regulations Every division of land, for the purpose of lease, sale, or transfer of ownership into two or more, but less than five lots (exception: up 9 lots within UGA), parcels, or tracts within the unincorporated area of Mason County, any one of which is less than five acres, shall proceed in compliance with Chapter 16.36 of the Mason County Code.

Administrator's or his/her Designee's Duties The Mason County Department of Community Development Director or designee, referred to as Administrator, is vested with the authority to summarily approve or disapprove proposed short plats. The Administrator may prepare and require the use of such forms, as he deems essential to his/her duties.

Application Any person desiring to divide land within an unincorporated area of Mason County into four or less lots for the purpose of lease or sale, any of which is less than five acres, shall submit an application for short subdivision approval to the Administrator together with an application fee. These fees can be found in the Mason County Planning Department Fee Ordinance (make check payable to Mason County Treasurer).

Application Preparation

If, or when, a mistake is found, the entire short subdivision packet will be returned to applicant or agent for corrections. Please proofread the entire packet for errors.

A. Applications for approval of short subdivisions shall be accompanied by a proposed short plat which includes pertinent survey data compiled as a result of a survey made by or under the supervision of a registered land surveyor in compliance with applicable state laws.

B. All other applications may be prepared by the applicant, providing they are prepared in a neat, legible manner.

C. Sheet size for short plats shall be 18 by 24 inches.

Application Content Application for approval of short subdivisions shall contain:

1. Application (filled out completely).

2. Five copies of the map showing the entire contiguous tract owned or being purchased by the applicant which shall show:

   a. The owners of adjacent land and the names of any adjacent subdivisions; or numbers of adjacent short subdivisions (if short plat is on waterfront, identify body of water).
   b. Lines marking the boundaries of proposed lots.
   c. Location and name of road right-of-way within or adjacent to the tract which is to be used for ingress and egress for road, utility, and drainage purposes (Note: Any short subdivision that is located adjacent to the right-of-way of a state highway will be submitted to the State Department of Transportation for review pursuant to RCW 58.17.155), location of existing houses, mobile homes, drainfield(s), all surface water and well(s) a 100' radius must be shown, as well as soil log(s). Any septic tank(s) located in, or within 100 feet, of the anticipated location of any well required for the subdivision water supply with its 100' radius depicted on the map.
   d. All private roads and/or easements shall be designated private and printed on the face of the short plat, along with this notation:

      Warning: Mason County has no responsibility to build, improve, maintain, or otherwise service the private roads within or providing service to the property described in this short plat.

   e. Abbreviated legal description and Asssessor's 12-digit parcel number of the original tract. The configuration of which may be determined by the fact that all land abutting a tract is separately owned by others not associated by a land development business relationship with the owner.
   f. The name, address, and telephone number of the owner, or owners, of the said tract and the address of the site placed on the face of the map.
   g. Each lot will have acreage in either square foot or acres, placed on each lot created in the short subdivision map.
   h. Lot closures and survey tapes are required.
   i. Two copies of vicinity map with the proposed property highlighted.
   j. All pages of the actual short plat must have a signature block, which should look like this:

      SHORT SUBDIVISION #_____
      Date approved _____

      _____
      DIRECTOR OF COMMUNITY SERVICES

k. Surveyor's certification shall be placed on the legal portion of the short subdivision and will read, (I hereby certify that land descriptions of this short subdivision are full correct descriptions of the land as they appear on this short plat.)

Signed _____
Registered Land Surveyor
L.S. # _____

3. Legal description of original tract and any and all easements for access to the property. Legal descriptions for all the parcels must be certified by a Washington State licensed surveyor.
4. Declaration of Short Subdivision (supplied) must be signed and notarized by the owner.
5. Current Title Report (3 months or less).
6. Sanitation Information Sheet (supplied).

Auditor's Duties The County Auditor shall refuse to accept for recording any deed or contract for sale or lease of land involving a subdivision of land as defined by Chapter 16.30 which does not bear the Administrator's certificate of approval.

Administrative Determinations The Administrator shall, after conferring with appropriate officials, determine whether:

a. The proposed lots are in conformity with the intent of the comprehensive plan requirements.
b. The proposed lots are served with adequate means of access, fire protection, schools, drainage, open space, water supplies, and means of sanitary disposal.
c. The public use and interest will be served by permitting the proposed division of the land.
d. No lot shall be less in area than 12,500 square feet in areas as per WAC 246-272-090 (unless property is supplied by public sewer and water).
e. Legal descriptions for each lot are certified by a licensed surveyor in the State of Washington.
f. All real property taxes shall be paid prior to final approval.
g. That the land proposed to be short subdivided is not contiguous to other land owned by applicant, per Title 16.36.024.

Approval and Filing If the Administrator determines that the foregoing requirements are met, the Administrator shall approve the application, and shall transmit an approved copy to the subdivider. The short subdivision shall be filed with the County Auditor (by Mason County Department of Community Development) with the appropriate recording fees (make check payable to the Mason County Auditor).

Appeals to the Hearing Examiner Any person aggrieved by the decision of the Administrator approving or disapproving a proposed short plat may appeal the decision to the Hearings Examiner within 20 days following issuance of the decision. The Hearings

Examiner, following a public meeting thereon, may affirm or reverse the Administrator's decision, or may recommend the application to the Administrator with instructions to approve the same upon compliance with the conditions imposed by the Hearings Examiner.

Enforcement When five or more lots are being created, no person shall sell or lease any land subject to the requirement of short plat approval until a short plat has been filed (per RCW 58.17.200).

When any person divides land subject to the provisions of Chapter 16.36 of the Mason County Code without having secured the Administrator's approval, or when required, prior to the filing of the short plat, the prosecuting attorney may commence an action to enjoin further violations and compel compliance with Chapter 16.30 of the Mason County Code as required by RCW 58.17.200 and 16.04.040 Mason County Code.

Assessor's Duties The County Assessor shall refuse to segregate any short subdivision of land as defined by Chapter 16.30 of the Mason County Code, which does not bear the Administrator's Certificate of Approval.

Re-Subdivision Procedure Land within a short subdivision, approved under Chapter 16.36, may not be further divided for five years or until a final plat of the re-subdivision has been approved and filed for record pursuant to Chapter 16.26 of the Mason County Code.

Variances Where the Administrator finds that extraordinary hardship may result from the strict compliance with the regulations of Chapter 16.36, the Administrator may vary these regulations so that substantial justice may be done and the public interest secure: Provided, that such variance will not conflict with the intent and purpose of the Comprehensive Plan, Title 16, or other applicable regulatory Mason County Codes, and is subject to approval by the Mason County Hearings Examiner.

Fees All applicants will have two (Planning Review & Recording), and sometimes three (SEPA), fees associated with their short subdivision application. Additional fees required: Pre-application, SEPA, Environmental Health and Public Works. To determine these fees, please consult the Mason County Planning/Environmental Health and Public Works Fee Ordinance.

ALL PERTINENT INFORMATION RELATING TO THE APPLICATION PACKET, AND FEES, ARE DUE AT THE TIME OF SUBMITTAL WITH THE EXCEPTION OF RECORDING FEES.

INCOMPLETE APPLICATIONS WILL BE RETURNED TO RESPONSIBLE PARTY.

Short Subdivision No. _____

SHORT SUBDIVISION APPLICATION

USE BLACK INK ONLY

1. Applicant Name: _____

   _____ _____ _____
   Owner of Parcel Purchaser of Parcel Representative

2. Applicant address: _____
   Street City/State Zip

3. Applicant telephone: Home ( ) _____ Work ( ) _____
   Email address: _____

4. Owner name _____

   Owner address _____
   Street City/State Zip

   Owner telephone: Home ( ) _____ Work ( ) _____

   Surveyor (if applicable) _____

   Surveyor address _____
   Street City/State Zip

   Surveyor telephone ( ) _____

5. Assessor's 12-digit parcel number (of real property to be divided): _____

   Assessor's legal description: Section _____ Township _____ Range _____

6. Address of site (if assigned): _____

7. Area of project (in acres, if possible): _____

8. Is project in an existing short plat? ☐ No ☐ Yes, Short Plat No. _____

   Is project in an existing survey? ☐ No ☐ Yes, Volume _____ Page _____

   Is project in an existing plat? ☐ No ☐ Yes, Volume _____ Page _____

9. Type of on-site structures (give lot numbers) _____
(show location and label each structure on map)

10. What uses are proposed for vacant lots?

☐ Single family on_____lots
☐ Multi-family on _____lots
☐ Industrial on _____lots
☐ Duplex on _____ lots
☐ Commercial on_____lots

IF UNDECIDED, LOTS WILL BE REVIEWED FOR ONE SINGLE FAMILY RESIDENCE PER LOT

11. Existing sewage disposal ☐ None ☐ Sewer ☐ Septic, date installed: _____
(show on map)

12. Proposed sewage disposal ☐ None ☐ Sewer ☐ Septic ☐ Other _____

13. Existing water supply: ☐ None
(show on map) ☐ Individual well on lot(s) no. _____
☐ Community well
Name of system or owner _____
☐ Municipal water system
Name of municipality _____

14. Proposed water supply: ☐ None
(show on map) ☐ Individual wells
☐ Community well
Name of system or owner _____
☐ Municipal water system
Name of municipality _____

15. Special area of your project site (show checked areas on map):

☐ None
☐ Saltwater – name of waterbody: _____
☐ Fresh water
☐ Creek/Stream
☐ River
☐ Lake/Pond
☐ Other: ☐ Cliff ☐ Wetland ☐ Swamp/Bog ☐ Draw/Gully

16. Has a portion of your project site ever flooded?
☐ No ☐ Do not know
☐ Yes, when_____(if yes show area on map)

17. Shoreline Designation (if applicable) _____

18. Lot sizes:

Lot no. _____ Area in square feet _____
Lot no. _____ Area in square feet _____
Lot no. _____ Area in square feet _____
Lot no. _____ Area in square feet _____

19. Does the property being subdivided have public road frontage? ☐ Yes ☐ No
If yes, name of road:_____Right-of-way
width of road frontage: _____
If no, width and length of private road, easement or right-of-way from public road:
_____ feet wide by_____feet long.

20. If property to be divided is accessed by a private road, approximately how many parcels have access by this road?_____(include vacant parcels).

SHORT SUBDIVISION APPLICATION

Signature Page

NOTE: The owner(s) whose signatures appear below certify that they are the legal owners of the property encompassed by this short subdivision and approve of the short subdivision of their property.

_____	_____
Signature of applicant (Owner)	Signature of applicant (Owner)

STATE OF WASHINGTON)
) ss
COUNTY OF MASON)

On this_____day of_____, 20_____, before me, the undersigned, A notary public in and for the State of Washington, duly commissioned and sworn, personally appeared_____to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged the he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICAL SEAL THIS_____DAY OF_____, 20_____.

_____
NOTARY PUBLIC in and for the
State of Washington, residing at
_____

WITNESS MY HAND AND OFFICAL SEAL THIS _____ DAY OF _____, 20_____.

_____
Signature of applicant/Contract Purchaser

STATE OF WASHINGTON)
) ss
COUNTY OF MASON)

On this_____day of_____, 20_____, before me, the undersigned, A notary public in and for the State of Washington, duly commissioned and sworn, personally appeared_____to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged the he/she signed the same as his/her free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

WITNESS MY HAND AND OFFICAL SEAL THIS_____DAY OF_____, 20_____.

_____
NOTARY PUBLIC in and for the
State of Washington, residing at

_____

Mason County
Community Services
615 W. Alder Street
Shelton, WA 98584

Please print neatly or type information
DOCUMENT TITLE(S)

_____ _____

REFERENCE NUMBER(S) OF RELATED DOCUMENTS

_____ _____

(ADDITIONAL REFERENCE #'S ON PAGE __)

GRANTOR(S) (Last, first and middle initial)

_____ _____

_____ _____

GRANTEE(S) (Last, first and middle initial)

_____ _____

(ADDITIONAL REFERENCE #'S ON PAGE __)

LEGAL DESCRIPTION (Abbr. form: quarter/quarter, section, township & range, plat, lot & block)

_____

_____

(ADDITIONAL REFERENCE #'S ON PAGE ___)

PARCEL NUMBER(S)

_____

_____

(ADDITIONAL REFERENCE #'S ON PAGE __)

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

SS NO. _____

DECLARATION OF SHORT SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

That we the undersigned having a real interest in the tract of land described by this declaration do hereby declare the herein described division of land approved as Short Subdivision Number SS-_____on the_____day of_____, 20_____, by the Planning Department, subject to the following conditions:

1. That the land described by this declaration may not be further divided in any manner by anyone within five (5) years of the above date of approval without a final plat having been filed for record with the Auditor of Mason County, pursuant to the provisions of Chapter 58.17 RCW, and the regulations of the Platting and Subdivision Ordinance and subject to penalties attendant thereto.

2. That all maintenance of any private road described by this declaration shall be by the owners of the parcels having legal access thereof their heirs, assigns, or successors.

3. That the legal description of the land herein subdivided into not more than four (4) parcels is attached hereto and incorporated by reference as though fully set out herein.

4. That additional covenants, restrictions, if any, solely for the benefit of the grantor, and his heirs, successors, and assigns enforceable only by such persons, are attached hereto either as exhibits_____or as previously recorded under Auditors File Number _____, or incorporated by reference as though fully set out herein.

5. We, the undersigned hereby waive all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of said road or driveway.

6. I (We),_____, owner(s) of the real estate described within, freely consent and it is my (our) desire to short subdivide in this county. Identification Number which is not included in said short subdivision. I (We) understand that if this statement is found to be false, as to the ownership, the matter will be referred to the Prosecuting Attorney for legal action.

7. The configuration of this short subdivision is based on the fact that all land abutting this tract(s) of land is separately owned by others not associated by a land development business relationship with the owner.

Short Subdivision _____
Approved: _____

_____
Director of Community Services

8. That the public use and interest will be served by permitting the proposed division of this land.

DATED this_____day of_____, 20_____.

_____	_____
Grantor	Grantor
_____	_____
Grantor	Grantor
_____	_____
Grantor	Grantor

Short Subdivision _____
Approved: _____

_____
Director of Community Services

STATE OF WASHINGTON, COUNTY OF MASON

On this day personally appeared before me _____
_____to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____signed the same as _____
_____free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this_____day of_____, 20____.

_____
Notary Public in and for the State of
Washington, residing at _____

STATE OF WASHINGTON, COUNTY OF MASON

On this day personally appeared before me _____
_____to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that _____signed the same as _____
_____free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this_____day of_____, 20____.

_____
Notary Public in and for the State of
Washington, residing at _____

Short Subdivision _____
Date approved: _____

_____
Director of Community Services

MASON COUNTY COMMUNITY SERVICES
Building, Planning, Environmental Health, Community Health

415 N 6TH STREET, SHELTON WA 98584
SHELTON: 360-427-9670, EXT. 400
BELFAIR: 360-275-4467, EXT. 400
ELMA: 360-482-5269, EXT. 400
FAX: 360-427-7798

APPLICATION FOR LAND USE EVALUATION

Amount Paid: _____

Receipt Number: _____

Instructions

1. An application is considered complete when the fee is paid and the following elements have been addressed:
   - Parts 1 and 2 of the application form must be completed.
   - One properly excavated test-hole per proposed parcel must be ready for inspection. Properly excavated pits are 5-feet deep with a 4-foot deep shelf on one end of pit. The 4-foot deep shelf must slope up to the ground surface for easy ingress and egress. (See the Mason County Public Health On-Site Standards)
   - A scaled plot plan must be attached to the application. The scaled plot plan must show the precise location of the test holes, dimensions of the property and locations of any existing or proposed wells, roads, or buildings within 100-feet of the property boundaries.
2. After a completed application is received, staff will inspect the property and provide the applicant with a written report.

Important: in order to avoid additional costs, be sure the test holes and parcels are all flagged and clearly delineated as to lot and test hole number. The identified test holes must match the locations shown on the proposed plot map.

PART 1 : APPLICANT/PARCEL IDENTIFICATION

☐ Large Lot Subdivision ☐ Subdivision
☐ Short Subdivision ☐ BLA

Name of Applicant_____Phone _____

Mailing Address of Applicant _____

City _____ State _____Zip _____

12-digit Tax Parcel No. _____

Property Legal Description _____

Lot Sizes (Acres or Square Feet _____ _____ _____ _____ _____
LOT 1 LOT 2 LOT 3 LOT 4 LOT 5

Directions to Site:

PART 2: INTENDED USE OF PARCEL

Intended Use of Property (Check One):

☐ Single Family Residence ☐ Multi-Family Residence ☐ Other, Specify

Water Source for Parcels (Check One):

☐ Individual Wells ☐ Community Well (Public Water System)

PART 3: HEALTH DEPARTMENT REVIEW *(official use only)*

Soil Logs and Site Characteristics

Lot # _____	Lot # _____	Lot # _____	Lot # _____
Test Pit A Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)	Test Pit A Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)	Test Pit A Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)	Test Pit A Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)
Test Pit B Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)	Test Pit B Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)	Test Pit B Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)	Test Pit B Depth of Mottling _____ Depth to Rest. Layer _____ Soil Type (USDA)
Curtain Drain Needed?_____ Slope % ____ Shoreline? (Y/N) ____ Minimum Lot Size*	Curtain Drain Needed?_____ Slope % ____ Shoreline? (Y/N) ____ Minimum Lot Size*	Curtain Drain Needed?_____ Slope % ____ Shoreline? (Y/N) ____ Minimum Lot Size*	Curtain Drain Needed?_____ Slope % ____ Shoreline? (Y/N) ____ Minimum Lot Size*

*Minimum lot size applies to new subdivisions and is defined as the minimum allowable land area per residence or residential equivalent (450 gallons per day).

COMMENTS

PART 4: REVIEW SUMMARY

☐ MEETS HEALTH CODE

☐ DOES NOT MEET HEALTH CODE

After examining lot size, proposed water source and soil type, it is the determination of Mason County Public Health that each proposed parcel cannot support an on-site sewage disposal system meeting the requirements of state and local regulations.

This determination is based on consideration of the following factor (s):

_____
_____
_____
_____
_____
_____
_____

☐ HOLD APPROVAL UNTIL FURTHER ACTIONS ARE TAKEN BY APPLICANT

After examining lot size, proposed water source and soil type, it is the determination of Mason County Public Health that each proposed parcel cannot support an on-site sewage disposal system meeting the requirements of state and local regulations until the following conditions are met:

_____
_____
_____
_____
_____
_____

☐ Condition (s) required prior to approval have been met by the applicant

_____ _____
Health Official Date

PART 5: REVIEWER SIGNATURE

_____ _____
Health Official Date

LAND USE EVALUATION

What is a land use evaluation?

Land use evaluations are a written determination by the Health Department:

- evaluating the parcels' ability to support a septic system
- insuring that any existing septic systems meet regulatory requirements
- insuring adequate space for reserve area for existing systems
- insuring that resulting parcels meet the water adequacy requirements
- identifying factors that could limit the parcels' ability to accommodate on-site sewage systems

Why are land use evaluations requested?

Property owners most frequently request land use evaluations as part of County requirements for land subdivisions.

Do land use evaluations guarantee that parcels are buildable?

No. Land use evaluations take into consideration health codes and policies in effect at the time of evaluation. These items periodically change. Land use evaluations are not considered legally binding by the Health Department.

Do land use evaluations allow property owners to begin preparing parcels for building?

No. During land use evaluation, the Health Department usually has minimal information regarding building size, building placement, road placement and well placement. These are critical design elements and might need to be altered in order to allow approval of on-site sewage systems. Excavation associated with site preparation could make it difficult to alter these design elements and could damage the only useable drainfield areas on the parcels.

> **Caution:** It is possible that building site preparations made prior to design of the septic system could render the site unsuitable for septic system installation. Septic systems cannot be installed in disturbed soils.

How can I guarantee that a parcel can support an on-site sewage system?

Obtain an approved on-site sewage system design. On-site sewage system applications specify septic design and location to serve the sewage treatment needs of specific developmental proposals. Permits are valid for three years from the date of initial site inspection, which is performed as part of the design application. Land use evaluations do not fulfill the inspection requirements associated with design permits.

CHAPTER 16.36

SHORT SUBDIVISIONS

Sections:

16.36.010 Application of Regulations
16.36.020 Administrator and Procedures
16.36.030 Administration

16.36.10 Application of these Regulations. Every division of land or contiguous land for the purpose of lease, sale, or transfer of ownership, into two or more but fewer than five lots, parcels, or tracts within the unincorporated area of Mason County shall proceed in compliance with this chapter. Contiguous parcels of land in the same ownership and having boundaries in common shall be presumed to be a single parcel in determining whether or not the division of land comprises a subdivision.

The provisions of this chapter shall not apply to:

(a) Any cemetery burial plot, while used for that purpose;
(b) Any division of land in which the smallest lot created by the division is five acres or more in area;
(c) Any division made in compliance with Title 16.20 Mason County Code;
(d) Any division of land that can be described by a legal subdivision of a section of not less than 1/128th of a section;
(e) Land division of record in the Auditor's office on the effective date of this Chapter;
(f) Property line adjustments wherein the result does not adversely affect access or reduce the lot size below the minimum requirements;
(g) Divisions which are solely for use as a private right-of-way;
(h) Divisions of platted lots which by deed restriction are made a part of an adjoining lot and which will not permit a separate building site for human occupancy or habitation, provided the divisions are approved in writing by the Administrator on the legal conveyance.

16.36.20 Administrator and Procedures.

16.36.21 Procedure - Administrator's Duties. The Mason County Department of Community Development Director, referred to in this chapter as the Administrator, is vested with the duty of administering the provisions of this chapter and with authority to summarily approve or disapprove proposed short plats. The Administrator may prepare and require the use of such forms as he deems essential to his duties.

16.36.22 Procedure - Application.

a) Prior to making application for a short subdivision, prospective applicants shall request a pre-application review to discuss the short subdivision requirements and their proposal, with the Planning Department, Building Department, Fire Marshal, Public Works Department, Environmental Health Department, and other agencies as appropriate.
b) Any person desiring to divide land (1) within a designated urban growth area of Mason County into nine or fewer lots, or (2) outside of a designated urban growth area of Mason County into four or fewer lots, for the purpose of lease or sale, shall submit an application for short subdivision approval to the Administrator together with an application fee set by the Board of County Commissioners.

16.36.23 Procedure - Application Preparation.

(a) Applications for approval of short subdivisions may be accompanied by a proposed short plat which includes pertinent survey data compiled as a result of a survey made by or under the supervision of a registered land surveyor in compliance with the Survey Recording Act of 1973.

(b) All other applications may be prepared by the applicant, providing they are prepared in a neat, legible manner.
(c) Sheet size for short plats shall be 18 x 24 inches to meet the standards of the Survey Recording Act.

16.36.24 Procedure - Application Content.
1. Applications for approval of short subdivisions shall contain:
(a) Three copies of a sketch of the entire contiguous tract owned or being purchased on contract by the applicant which shall show:
(1) The owners of adjacent land and the names of any adjacent subdivision;
(2) Lines marking the boundaries of proposed lots;
(3) Location of road right-of-way within or adjacent to the tract, and easements within the tract which are to be used for ingress and egress for road and utility purposes;
(4) All private roads and/or easements shall be designated private and printed on the face of the short plat;
(b) Legal description of the original tract, a unit of land which the owner holds under single or unified ownership, or which the owner holds controlling interest on the effective date of this amendment by Ord. 37-89 to Mason County Code Title 16, Plats and Subdivisions, the configuration of which may be determined by the fact that all land abutting a tract is separately owned by others not associated by a land development business relationship with the owner, and each lot's legal description certified by a Registered Land Surveyor or a Title Company, containing any and all easements for access to the property;
(c) The name, address, and phone number of the owner or owners of the said tract;
(d) Survey by a registered land surveyor may be required by the Administrator;
(e) Certification that all contiguous land is owned by others not associated by a land development business relationship with the owner.
2. A short subdivision application shall expire if additional information is requested by the County that is necessary to process the application, and such information is not provided to the County within 180 days of the request.

16.36.25 (A) Procedure - Administrative Determinations. The Administrator shall, after conferring with appropriate officials, determine whether:
(a) The proposed lots are in conformity with the intent of the Comprehensive Plan requirements;
(b) The proposed lots are served with adequate means of access, and, as may be applicable, fire protection, drainage, water supplies, and means of sanitary sewage disposal;
(c) The public use and interest will be served by permitting the proposed division of the land;
(d) No lot shall be less in area than 12,500 20,000 square feet on individual septic tanks provided that in urban growth areas smaller lots may be allowed consistent with policies in the Comprehensive plan or other land control ordinance.
(e) Adequate legal descriptions are provided for each lot;
(f) All real property taxes shall be paid to date.

16.36.25 (B) Procedure - Administrative Written Findings. The Administrator shall, prior to final short subdivision approval, make written findings that: (a) Appropriate provisions are made for public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and all other relevant facts, including sidewalks, and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the permitting the proposed subdivision of land. The public interest shall not include the regulatory taking of any contractual rights, options, or any other third-party interest in land, which if the short subdivision were approved, may render such interests valueless.

Written findings shall be made on a cover sheet to the short subdivision application and shall be signed by the

administrator.

16.36.26 Procedure - Approval and Filing.
If the Administrator determines that the foregoing requirements are met, he shall approve the application, and shall transmit an approved copy to the subdivider. The short subdivision shall be filed with the County Auditor.

16.36.27 Procedure - Appeal to Hearing Examiner. Any person aggrieved by the decision of the Administrator to approve or disapprove a proposed short plat may appeal the decision to the Mason County Hearing Examiner within (20) days following issuance of the decision. The Hearing Examiner, following a public meeting thereon, may affirm or reverse the Administrator's decision, or may recommend the application to the Administrator with instructions to approve the same upon compliance with the conditions imposed by the Hearing Examiner.

16.36.28 (A) Procedure – Alterations. Alterations to any approved short subdivision shall be allowed pursuant RCW 58.17.060. Short subdivision alterations typically apply to those elements which are common to at least two or more lots within the short subdivision such as, but not limited to the relocation of trails, roads, buffers, open space, drainage easements, park and recreation sites, etc. Additional lots cannot be added except pursuant to RCW 58.17.060 and MCC 16.36.034.

16.36.028 (B) General. An alteration to a portion of a recorded short subdivision replaces and supersedes the portion of the original short subdivision that is contained in the alteration.

16.36.028 (C) Application. When any person is interested in the alteration of any short subdivision except as provided by RCW 58.17.040(6) or MCC 16.40.040 and 16.40.045, an application for review may be submitted to the County and shall be on forms and with fees as established by the Department.

16.36.28 (D) Required Written Findings and Determinations. The Administrator shall inquire into the public use and interest proposed to be served by the establishment of the short subdivision alteration, if any.

A proposed short subdivision alteration shall not be approved unless the Administrator makes written findings that:

1. The alteration conforms to the requirements of RCW 58.17 and the provisions of this Title;
2. The items to be altered do not conflict with the goals and policies of the Comprehensive Plan and applicable community plan, applicable County codes and state laws;
3. The public use and interest will be served as a result of the proposed alteration; and
4. All owners of affected properties have signed in front of a Notary approving the alteration.

16.36.028 (E) Approval. **The Administrator shall approve any proposed short subdivision alteration that meets the required written findings and determinations and may impose additional or altered conditions and requirements as necessary to assure that the proposal conforms with the intent of the Comprehensive Plan, applicable community plans, other applicable County codes, state laws, and the criteria contained in this chapter.**

16.36.028 (F) Recording. After approval of the alteration and upon signature of the Administrator, the alteration shall be filed with the county auditor, which may include a revised drawing of the approved alteration, to become the lawful short subdivision of the property.

16.36.028 (G) Not Applicable to Tide Lands. This chapter shall not be construed as applying to the alteration or replatting of any short subdivision of state-granted tide or shore lands.

16.36.028 (H) Future Development Does Not Vest. Approval of alterations by the Administrator is not subject

to the provisions in 16.36.036 and shall not be construed as vesting future development.

16.36.30 Administration.

16.36.31 Enforcement. No person shall sell or lease any land subject to the requirement of short plat approval until a short plat has been filed. When any person divides land subject to the provisions of this chapter without having secured the Administrator's approval or, when required, prior to the filing of the short plat, the Prosecuting Attorney may commence an action to enjoin further violations and compel compliance with this chapter as required by RCW 58.17.200.

16.36.32 Assessor's Duties. The County Assessor shall refuse to segregate any short subdivision of land as defined by this chapter, which does not bear the Administrator's certificate of approval.

16.36.33 Auditor's Duties. The County Auditor shall refuse to accept for recording any deed or contract for sale or lease of land involving a subdivision of land as defined by this chapter, which does not bear the Administrator's certificate of approval.

16.36.34 Re-subdivision Procedure. Land within a short subdivision, approved under this chapter, may not be further divided for five years or until a final plat of the re-subdivision has been approved and filed for record pursuant to Chapter 16.20 Mason County Code, except that when a short subdivision contains fewer than four parcels, the owner who originally filed the short subdivision may alter the short subdivision to create up to a total of four lots within the original short subdivision boundaries within the five-year period.

16.36.35 Variances. Where there is extraordinary hardship that may result from the strict compliance with these regulations, the subdivider may request a variance of these regulations so that substantial justice may be done and the public interest secured. Application may be processed using the Title 15 Sec. 15.09.057 variance criteria and subject to approval by the Hearing Examiner; Provided that such variation will not have the effect of nullifying the intent and purpose of the Comprehensive Plan and Title 16, Mason County Code.

16.36.36 Development Pursuant to Short Subdivision. All of the development in an approved short subdivision shall be governed by the terms of approval, and the statutes, ordinances, and regulations in effect at the time of submission of a complete application as follows:

> All development shall be vested to Shoreline Master Program, Flood Damage Prevention Ordinance, and Resource Ordinance regulations for a period of five (5) years; and vested to zoning and development regulations for a period of five (5) years.
>
> **This provision shall apply to all short subdivisions approved prior to the effective date of this provision. The enactment of this provision shall be in effect beginning one year from the date of adoption of this ordinance provision (November 9, 2004).**

ENVIRONMENTAL HEALTH DIVISION
LARGE LOT SUBDIVISION APPLICATION
ORDINANCE NO. 45-91

AMENDMENTS TO ARTICLE VII PLATTING AND SUBDIVISION STANDARDS
MASON COUNTY BOARD OF HEALTH

WHEREAS, the Mason County Board of Health did on April 22, 1985 update Article VII of the Environmental Health Division regulations; and

WHEREAS, Mason County Code Title 16 Plat and Subdivisions Ordinance was amended on March 26, 1991 to regulate large lot subdivisions; and

WHEREAS, Article VII currently regulates short subdivisions and subdivisions, but does not regulate large lot subdivisions; and

WHEREAS, it is important to ensure that large lot subdivisions are reviewed for approval with adequate consideration for septic systems, water systems, and other environmental health related issues covered by Article VII; and

WHEREAS, the Mason County Board of Health held a public hearing on April 1, 1991 for the purpose of considering several amendments to the above listed Article;

NOW, THEREFORE, BE IT ORDAINED, that Article VII Platting and Subdivisions Standards be amended as follows:

MASON COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

ARTICLE VII
PLATTING AND SUBDIVISION STANDARDS

The purpose of this Article is to:

(1) Compliment the Mason County Platting Ordinance;

(2) Provide standards by which the County Environmental Health Division can evaluate preliminary plats, final plats, short plats, and large lot plats;

(3) Comply with WAC 246-272;

(4) Protect the public health.

SECTION 1: INFORMATION REQUIRED

1.1 Preliminary Plat

(a) A topographical map shall be incorporated into the preliminary plat drawing showing five foot or less contour intervals. Contours are to be extended at least 100 feet beyond the boundaries of the proposed subdivision. The foregoing requirements may be waived on approval by both the Health Officer and the Mason County Director of Health Services Department.

(b) A minimum of one representative soil log per tract or per acre shall be submitted for each of the plat's subdivisions. To the extent that existing roads and trails permit, soil log holes shall be dug in areas where drainfield sites are anticipated. Trails to test holes shall be blazed with survey ribbon. The final ribbon at each hole must have the site I.D. number and/or letter. The location of each test hole shall be shown on the plat.

(c) All surface water and wells located in or within 100 feet of the subdivision shall be shown.

(d) The anticipated location of any well required for a plat's water supply shall be shown along with it's 100 foot radius.

(e) Special constraints required by the Health Officer (based on [illegible] shall be noted on, or referenced and appended to, the plat's final mylar.

1.2 Final Plat. Evidence shall be submitted that all requirements of preliminary plat approval have been met.

1.3 Short Plats and Large Lot Plats

(a) A minimum of one representative soil log per tract or per acre shall be submitted for each of the plat's subdivisions. To the extent that existing roads and trails permit, soil log holes shall be dug in areas where drainfield sites are anticipated. Trails to test holes shall be blazed with survey ribbon. The final ribbon at each hole must have the site I.D. number and/or letter. The location of each test hole shall be shown on the plat.

(c) All surface water and wells located in or within 100 feet of the subdivision shall be shown.

(d) The anticipated location of any well required for a plat's water supply shall be shown along with it's 100 foot radius.

(e) Special constraints required by the Health Officer (based on observations of test holes and/or terrain) shall be noted on, or referenced and appended to, the plat's final plat.

1.4 All soil logs shall be performed by or under the direct supervision of a registered sanitarian, professional engineer, or certified designer.

1.5 If sufficient information is not available on water table conditions, the Health Officer may require that soil logs be conducted during the months of suspected high water table conditions.

1.6 All soil logs shall be to a depth of 6 feet or to a confining layer, whichever is less. Machine dug holes more than 3 feet deep shall be stepped at one end for access.

1.7 All soil logs shall be made available for the Health Officer's inspection. The Health Officer shall be notified when the holes have been prepared and shall make the inspection within one week of such notification. The property owner will be responsible for closing holes following inspection.

SECTION 2:

When a sewage system utilized by two or more lots is proposed, the plat shall designate the dedicated drainfield area and all easements. Soil testing requirement shall be as required in Article VI and WAC 248-272. The system shall be completed prior to recording of the subdivision, or a "Performance Bond" or "Monies on Deposit" shall be required in the same manner as required for water systems in Sections 5.4 and 5.6 except the estimates shall be submitted by the professional engineer, registered sanitarian, or certified designer.

SECTION 3: FILING FEE SCHEDULE

Fees shall be charged according to a schedule established by the Board of Mason County Commissioners.

SECTION 4: MINIMUM LAND AREA PER SINGLE FAMILY RESIDENCE OR PER UNIT VOLUME OF SEWAGE

4.1 For any development approved after the adoption of these regulations, including but not limited to subdivisions, mobile home parks, multi-family housing, industrial and commercial establishments, where an on-site sewage determining lot, tract, or parcel size shall be used. The minimum lot, tract, or parcel size shall exist for each unit volume of waste effluent (450 gallons per day) or for each single family residence. In no case shall the minimum land area be less than 12,500 square feet where public water is available or one acre if a private well is used. One of the following methods shall be used for determining lot sizes when on-site sewage disposal is used.

(a) Method (1) shall apply to any subdivision in which there is 5 feet, or more of permeable soil having a slope of 15 percent or less.

Minimum Lot Sizes

Soil Type	1	2	3	4	5	6
Water Supply						
Public	1 acre sq. ft.	12,500 sq. ft.	15,000 sq. ft.	18,000 sq. ft.	20,000 sq. ft.	22,000 sq. ft.
Individual Each Lot	2 acres	1 acre	1 acre	1 acre	2 acres	2 acres

(b) Method (2) shall apply to any subdivision having less than 5 feet of permeable soil and/or have a slope greater than 15 percent. On-site sewage disposal systems shall be installed on lots, parcels, or tracts that have a sufficient amount of area with proper soils to adequately retain and treat sewage on-site, taking into consideration those factors outlined in Subsection (2). Minimum lot size will be established by the Health Officer on the basis of information submitted. Factors that must be considered when determining minimum lot size include but are not limited to the following:

A. Soil type and depth.
B. Area drainage, lot drainage.
C. Protection of surface and ground waters.
D. Setbacks from property lines, water supplies, etc.
E. source of domestic water.
F. Topography, geology, and ground water.
G. Climatic conditions.
H. Availability of public sewers.
I. Activity or land use, present and anticipated.
J. Growth patterns.
K. Individuals and accumulated gross effects on water quality.
L. Reserve areas for additional subsurface disposal.
M. Anticipated sewage volume.
N. Possible use of alternative systems or designs.
O. Other justifications submitted by the developer.

(c) Method (3). The Health Officer may reduce land area requirements in this section if the proposed on-site sewage systems are to be located within the boundaries of a recognized sewer utility and where the assessment roll has been finalized.

SECTION 5: PUBLIC WATER SUPPLY

This section applies to proposed plats, short plats or large lot plats that require public water supplies as determined in Section 4.

5.1 All public water supply systems shall comply with WAC 246-291 and WAC 246-290

5.2 All potable water sources shall be developed, tested for quality and quantity, and availability to the plat, short plat, or large lot plat prior to the approval and filing of the plat, short plat, or large lot plat. As an alternative to an approved water source, see Item 5.4 of this section.

5.3 All public water supply systems shall be installed and approved or bonded for completion and approval prior to the approval and filing of the plat, short plat, or large lot plat.

5.4 A "Performance Bond" shall be provided in favor of the Mason County Health Services Department as an alternate to complete installation of a public water supply prior to approval for short plat or large lot plat. Any such bond shall guarantee that construction will be completed within one year of final plat approval. The bond shall be from a reputable bonding company, on the satisfactory form and in an amount based on an estimate prepared by a licensed professional engineer for Group A and Group B systems and by the installer for Group A and Group B water systems plus 35 percent.

All of the above shall be to the satisfaction of the Washington State Department of Health, the Health Officer of Mason County, and legal counsel for the Health Services Department of Mason County. As a condition precedent to acceptance of a bond, the water source shall be provided, proven and approved (ie. the water source shall be tested bacteriologically and chemically; the well site inspection and approved; and protective covenants in place.)

5.5 "Preliminary to Bonding" an itemized list of materials shall be submitted with the water system plans to the Washington State Department of Health or the Mason County Health Services Department as appropriate.

5.6 "Monies on Deposit" for completion of the water system may be provided in lieu of a bond if confirmed in writing by a reputable financing firm to the satisfaction of the Health Officer and legal counsel for the Mason County Health Services Department.

5.7 "Completion of the Water System" (including availability of water to each lot) shall be provided within one year after final recording of the plat.

SECTION 6: INDIVIDUAL LOT WELLS

To meet the standard of this Article, the subdivider must designate on the final recorded document the general location of each well and septic tank system on each subdivision.

SECTION 7: WAIVER OF REGULATIONS

7.1 Review for subdivisions served by existing sewage systems and water systems may be waived by the Health Officer.

7.2 Whenever a strict interpretation of these regulations would result in extreme hardship, the Health Officer may waive such regulation or portion thereof: PROVIDED, that the waiver is consistent with the intent of these regulations and that no public health hazard will result. Concurrence from the Washington State Department of Health is necessary for any allowances or actions that would be less restrictive than the requirements of WAC 246-272 & WAC 173-160.