

AMENDMENTS TO MASON COUNTY CODE
TITLE 16
PLATS AND SUBDIVISIONS

WHEREAS, the Board of Mason County Commissioners did on December 20, 1971, adopt a Plats and Subdivisions Ordinance for Mason County, with Amendments on July 1, 1974, May 10, 1976, April 30, 1979, and September 14, 1981, with reference to RCW 58.17; and

WHEREAS, the Board of Mason County Commissioners held a Public Hearing on April 18, 1989, for the purpose of considering several amendments to the above-listed ordinance;

WHEREAS, it has now become apparent that some revisions in the Code as adopted are required to make the adopted Plats and Subdivisions Ordinance more consistent with RCW 58.17;

NOW, THEREFORE, BE IT HEREBY ORDAINED, that amendments to Title 16, Plats and Subdivisions of the Mason County Code be amended as follows:

SECTION 16.04.020 IS AMENDED BY CREATING TWO SUBSECTIONS AS FOLLOWS:

16.04.020 Purpose (a) subdivisions. The purpose of this title (excluding 16.36) is to regulate the subdivision of land to promote the public health, safety, general welfare and open space in accordance with standards established by the state and to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements; to provide for proper ingress and egress; and to require uniform monumentation of land subdivision and conveyancing by accurate legal description.

16.04.020 Purpose (b) short subdivisions. The purpose of Chapter 16.36 is to regulate the division of land into four (4) or fewer lots to promote the public health, safety, general welfare and open space in accordance with standards established by the state and to prevent the overcrowding of land; to lessen congestion of streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewage, parks and recreation areas, sites for schools and school grounds and other public requirements; to provide for proper ingress and egress; and to require uniform monumentation of land subdivision and conveyancing by accurate legal description.

SECTION 16.08.200 IS AMENDED AS FOLLOWS:

16.08.200 Short subdivision "Short subdivision" means every division or redivision of land or contiguous land into four (4) or fewer lots, any one of which is less than five (5) acres or one one hundred twenty-eighth (1/128) of a section of land, for the purpose of sale, lease, or transfer of ownership.

37

SECTION 16.08.300 IS AMENDED AS FOLLOWS:

16.08.300 Original tract. "Original tract" means a unit of land or contiguous land which the owner holds under single or unified ownership, or which the owner holds controlling interest on the effective date of this amendment to Title 16, Plats and Subdivisions of the Mason County Code, by ORDINANCE 37 - 89. 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.

SECTION 16.08.310 IS AMENDED AS FOLLOWS:

16.08.310 Land. "land" means, all property or parcels of property in a single or unified ownership regardless of the type or time of acquisition (excluding acquisition by easement) that are contiguous or abutting upon each other and which may be in different sections or different government lots that are not separated from each other by public roads, except lots in a recorded plat or short plat and those unrecorded plats accepted and on record in the Mason County Assessor's Office, each of which is separate "Land". Provided, that tidelands and shorelands shall not be considered land nor considered part of the dimensional requirements for minimum lot size.

A NEW SECTION IS ADDED TO TITLE 16 AS FOLLOWS:

16.08.330 Contiguous land. "Contiguous land" means all land adjoining and touching other land, (excluding acquisition of easement) and having the same owner regardless of whether or not portions of the parcels have separate tax lot numbers, Assessors Parcel Numbers, or were purchased at different times, lie in different sections, different government lots or are separated from each other by private road or private rights-of-way, or public or private easement. Provided, for the purpose of this ordinance, public easement does not include public roads. Provided further, that tidelands and shorelands shall not be considered land nor considered part of the dimensional requirements for minimum lot size.

SECTION 16.36.010 IS AMENDED AS FOLLOWS:

16.36.010 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 less 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.

37
SECTION 16.36.024 IS AMENDED AS FOLLOWS:

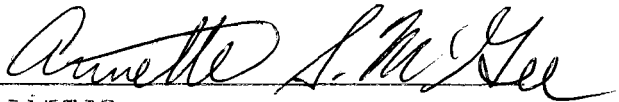
16.36.024 Procedure-Application Content (b).
Legal description of the original tract, a unit of land which the owner holds under single or unified ownership, or which the owner holds controlling interest on the effective date of this amendment to Title 16, Plats and Subdivisions of the Mason County Code, by ORDINANCE 37 - 89, 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 lots legal description certified by a Registered Land Surveyor or a Title Company, containing any and all easements for access to the property.

16.36.024 Procedure-Application Content (e).
Certification that all coterminous land is owned by others not associated by a land development business relationship with the owner.

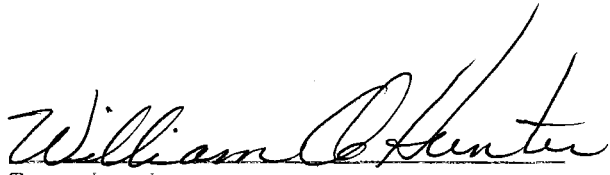
37
This title is amended and shall be in full force, and effective this date.

DATED this 19th day of April, 1989

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Chairman

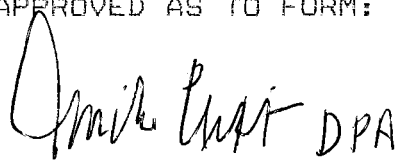

Commissioner


Commissioner

ATTEST:


Clerk of the Board

APPROVED AS TO FORM:


Prosecuting Attorney of
Mason County

cc: Cmmrs.
Auditor
Planner
Assessor
Prosecutor