

ORDINANCE NUMBER 84 06

**AN ORDINANCE AMENDING SECTIONS OF THE
MASON COUNTY TITLE 16 PLATS AND SUBDIVISIONS
REGARDING PLAT REVIEW PERIOD AND CONDOMINIUM PLATS.**

AN ORDINANCE amending Title 16 Plats and Subdivisions by extending the review of plats from three years to five years and the deleting of Chapter 16.24 Condominium Plats, under the authority of Chapters 36.70 and 36.70A RCW.

WHEREAS, Title 16 provides the review and the standards for the division of land and adjustments of lot lines in Mason County;

WHEREAS, under state law (Sec. 58.17.140 RCW), plats may be reviewed for a five year period; and by state laws (Chapters 64.32 and 64.34 RCW) condominium plats are reviewed by established provisions;

WHEREAS, Mason County adopts these regulations pursuant to the authority of Chapters 36.70 and 36.70A RCW, and the County's police power, Article 11, Section 11 of the Washington Constitution, and any other applicable authority;

WHEREAS, the Mason County Code Title 16 Plats and Subdivisions was last amended by Ordinance No. 106-04 on November 8, 2004;

WHEREAS, at the April 17, 2006 Mason County Planning Advisory Commission meetings, the Department of Community Development presented Title 16 Plats and Subdivisions revisions, the Planning Advisory Commission members discussed the proposed changes with staff and the public, and then passed a motion to recommend approval of the Title 16 Plats and Subdivisions revisions;

WHEREAS, the Board of County Commissioners held a public hearing about the proposed revisions on August 8, 2006, to consider the recommendations of the Planning Advisory Commission, and the testimony of the Mason County Department of Community Development and citizens on the proposed revisions to the Title 16 Plats and Subdivisions; and

WHEREAS, based upon the staff report, text of the proposed revisions, and public testimony, the Mason County Board of Commissioners has approved findings of fact to support its decision as ATTACHMENT A.

Ordinance No. 84 06 (continued)

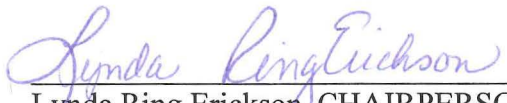
NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Mason County Board of Commissioners adopts a motion to approve the presented revisions that would amend Title 16 Plats and Subdivisions by extending the review of plats from three years to five years and the deleting of Chapter 16.24 Condominium Plats, as described by ATTACHMENT B.

DATED this 8th day of August 2006.

**BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON**

ATTEST:


Clerk of the Board


Lynda Ring Erickson, CHAIRPERSON

APPROVED AS TO FORM:


Prosecuting Attorney


Tim Sheldon, COMMISSIONER


Jayni Kamin, COMMISSIONER

**AN ORDINANCE AMENDING SECTIONS OF THE TITLE 8
MASON COUNTY ENVIRONMENTAL POLICY ORDINANCE
REGARDING SEPA APPEALS.**

**MASON COUNTY BOARD OF COMMISSIONERS
May 23, 2006**

FINDINGS OF FACT

1. Under consideration are the proposed changes to Title 16 (Plats and Subdivisions) that change provisions of plat review from three years to five years and delete the provisions for condominium plats, under the authority of Chapters 36.70 and 36.70A RCW.
2. The Mason County Title 16 (Plats and Subdivisions) sets forth procedures for the submittal and review of proposed land divisions and lot lines adjustments in Mason County.
3. The Department of Community Development presented proposed revisions to Title 16 (Plats and Subdivisions) that addressed the change of the review period for plats (Chapter 16.16) and the deletion of the provisions for condominium plats (Chapter 16.24).
4. At the April 17, 2006 Mason County Planning Advisory Commission meetings, the Planning Advisory Commission members discussed these proposed changes with staff and the public, and then passed a motion to recommend approval of only the Title 16 (Plats and Subdivisions) revisions.
5. At the August 8, 2006 public hearing, the Board of County Commissioners considered the recommendations of the Planning Advisory Commission, and the testimony of the Mason County Department of Community Development and citizens regarding the proposed revisions to the Title 16 (Plats and Subdivisions).

FROM THE PRECEDING FINDINGS, and based upon the staff report, proposed revisions, and public testimony, the Mason County Board of Commissioners adopts a motion to approve the proposed change to provisions of plat review from three years to five years (Chapter 16.16) and the deletion of provisions for condominium plats (Chapter 16.24).



Chair, Mason County Board of Commissioners

Date

*ATTACHMENT B***CHAPTER 16.16 PRELIMINARY PLAT**

16.16.060 Review and Approval. The following procedures must be met:

- (a)
- (b)
- (c) The approval of a preliminary plat shall not guarantee final approval of the plat or subdivision nor constitute an acceptance of the subdivision. Approval shall be authorization to proceed with the preparation of the final plat along the lines indicated in the approval of the preliminary plat.
- (d) A final plat meeting all requirements of this Title shall be submitted to the Hearing Examiner for approval within five (5) ~~three (3)~~ years of the date of preliminary plat approval. An applicant who files a written request with the Department of Community Development at least thirty (30) days before the expiration of this five (5) ~~three (3)~~ year period shall be granted one one-year extension upon showing that the applicant has attempted in good faith to submit the final plat within the five (5) ~~three (3)~~ year period. Requests for additional one (1) year extensions must be approved by the Hearing Examiner. Requests must be made in writing and submitted to the Department of Community Development at least thirty (30) days before the expiration of the previously granted extension. ~~Knowledge of the expiration of the initiation of a request for extension of approval time is the responsibility of the applicant. Mason County is not responsible for providing notification of expiration. , although it may notify the applicant of the date of expiration.~~
- (e)

CHAPTER 16.24 CONDOMINIUM PLATS**Sections:**

- 16.24.010** — **Application of Regulations**
- 16.24.020** — **Submission for Approval**
- 16.24.030** — **Required Information**
- 16.24.040** — **Certification**
- 16.24.050** — **Percentage of Unit Interest**
- 16.24.060** — **Declaration**
- 16.24.070** — **Notice of By-laws**

16.24.010 Application of Regulations. The following regulations apply to horizontal property regimes (condominium) plats only. The establishment of a condominium is subject to the provisions of RCW 64.32.

16.24.020 Submission for Approval. Condominium plats in preliminary form shall first be submitted to the Planner to determine if any zoning, land subdivision, or street dedications are involved which would require procedures in addition to those indicated herein. The sheet size shall be the standard size required for land plats. The number of copies required shall be determined by the Planner.

16.24.030 Required Information.

- (a) The plat must be in three dimensions relating vertical control to recorded datum.
- (b) Dimensions on the condominium plat shall be in feet and inches to conform with architect's drawings;
- (c) Two permanent bench marks shall be set on or near the building at the ground level for future reference in locating units in the plat.
- (d) Vertical position or positions of the plane of each floor or ceiling in any space unit shall be referenced to its elevations above recorded datum shown on the face of the plat as "Floor Elevation __, Ceiling Elevation __." The reference plans for elevation shall be noted on the plat.
- (e) Each floor plan of the permanent structure shall be shown, as well as basement and floor levels, and area of plot plan. The dimensions and ties shown for each parcel shall be definite enough with respect to both vertical and horizontal control so that the boundaries of each apartment may be accurately located by the use of standard survey methods.
- (f) All unit or apartment property lines shall be the interior surfaces of the perimeter walls, floor, ceiling, windows, and doors thereof.
- (g) Apartment numbers and the plat unit numbers must be the same. The plat name and apartment building must be the same.

16.24.040 Certification. The condominium plat must contain all of the certifications and approvals required for any plat. Dedications of public areas and facilities, and the grant to apartment owners of private easements in common areas and facilities, shall conform with all applicable codes and ordinances of Mason County. Each condominium plat shall contain a certification by the architect or a licensed civil engineer or registered land surveyor that the plat is in agreement with the building plan.

16.24.050 Percentage of Unit Interest. The percentage of undivided interest must be shown on the plat as well as in the declaration. The percentage should be expressed in decimal form. Any change of percentage of interest shall be filed for record with the County Auditor, and the Auditor shall make a notation on the margin of the plat of such amendment, the date thereof, and the recording reference numbers.

16.24.060 Declaration. A declaration, the instrument by which the property is submitted to provision of the State law, must be filed with the County Auditor at the time the plat is filed.

16.24.070 Notice of By-laws. The by laws under which the building, constituted as a condominium, is administered should not be part of the plat. The current by laws shall be recorded in the office of the County Auditor. Reference to the general index or receiving number and to the volume and page where recorded shall be included in any instrument of transfer or any or all units as a restriction on the Title of such units.