

ORDINANCE NO. 1239

THE CITY OF WOODLAND, WASHINGTON

AN ORDINANCE AMENDING WMC TITLE 16 TO OUTLINE PROCEDURES FOR PROCESSING BOUNDARY LINE ADJUSTMENTS AND LOT LINE CONSOLIDATIONS AND SETTING CRITERIA FOR THEIR APPROVAL.

WHEREAS, the Planning Commission and City Council made the development of an ordinance that would address boundary line adjustments a priority in 2012;

WHEREAS, the Planning Commission held a public hearing on the draft ordinance on June 19, 2012 and made an affirmative recommendation to the City Council;

WHEREAS, the Woodland Municipal Code does not adequately address the processing of boundary line adjustments or criteria for their approval;

WHEREAS, RCW 58.17.040(6) specifically exempts boundary line adjustments from subdivision procedures;

WHEREAS, pursuant to RCW 35A.11.020 and the Constitution of the State of Washington, Article 11, Section 11, cities have the power to enact regulations in the interest of the health, safety and welfare of their residents;

WHEREAS, all procedural requirements of the Woodland Municipal Code (WMC) for these amendments have been met; and

NOW THEREFORE, be it hereby ordained by the City Council of the City of Woodland:

WMC TITLE 16 PROVISIONS TO BE REPEALED

Repeal WMC 16.02.030.C and WMC 16.32.020.D and replace with:

16.02.030.C

C. Requests for boundary line adjustments and lot consolidations shall be processed in accordance with WMC Chapter 16.34, unless the adjustment or consolidation is part of a plat request.

16.32.020.D

D. Boundary line adjustments or lot consolidations, unless the adjustment or consolidation is part of a short plat request;

NEW ORDINANCE *(Text to be added as a new WMC Chapter)*

16.34 – BOUNDARY LINE ADJUSTMENTS AND LOT CONSOLIDATIONS

Sections:

- 16.34.010 – Applicability.
- 16.34.020 – Definitions.
- 16.34.030 – Purpose.
- 16.34.040 – Application requirements.
- 16.34.050 – Approval criteria.
- 16.34.060 – Recording.
- 16.34.070 – Appeal.

16.34.010 – Applicability.

Every adjustment made for the purpose of adjusting boundary lines between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division shall proceed in compliance with this chapter. The consolidation of lots that are part of a Planned Unit Residential Development (PURD) or Binding Site Plan shall be processed and approved as directed by WMC 16.22 and 16.19 respectively. Lot consolidations that would combine lots of different zoning districts are prohibited. Lot consolidations that would combine two or more lots each having a residential dwelling unit or townhome are prohibited when located in a residential zoning district, except when the consolidation would result in the creation of a principal single-family detached dwelling and a permitted accessory use. Lot consolidations not otherwise mentioned are exempt from review. If, at some point in the future, maximum lot sizes are adopted, all lot consolidations shall go through the process outlined herein. BLAs and lot consolidations may also be accomplished as part of a plat or short plat.

16.34.020 Definitions.

For the purpose of this article, terms shall be defined as set forth in Title 16 and as set forth in this chapter.

“Boundary line adjustment” means a change in the location of lot lines which does not result in an increase in the number of lots contained therein.

“Lot consolidation” means the combining of two or more parcels, where a greater number of parcels than originally existed is not thereby created.

16.34.030 – Purpose.

The purpose of this chapter is to establish procedures for the administrative approval of boundary line adjustments in order to ensure that such divisions of land are accomplished in an orderly manner, with proper records established, and in compliance with applicable laws.

16.34.040 – Application requirements.

Application submittal requirements for BLAs include:

1. A completed application form;
2. The appropriate fee;
3. Prior recorded surveys;
4. Other information demonstrating compliance with the approval criteria; and
5. A map prepared and stamped by a licensed surveyor with the following information:
 - a. The applicant's and contact person's name, mailing address and phone number;
 - b. Names of all affected property owners, and addresses of affected parcels;
 - c. A north point, graphic scale and small vicinity map;
 - d. Old property lines and dimensions as dashed or broken lines, new property lines and dimensions as solid lines;
 - e. All property lines shall be fully dimensioned, with the area calculations for each lot noted on the face of the plat;
 - f. Correct street names and current zoning designation;
 - g. Building locations, building setbacks (distance from existing structures to nearest property lines), driveways, location of easements, utility connection points, septic tanks, septic drain fields, stormwater facilities, and wells;
 - h. Public and private roads and their dimensions and location;
 - i. Identification of all lots involved as Lot 1, Lot 2, etc.; and
 - j. Any previous short plat or boundary line adjustments shall be noted on the site plan.

16.34.050 – Approval criteria.

The director or his/her designee shall approve, disapprove or condition boundary line adjustment applications based on the following conditions:

1. No new lots are created by the BLA proposal;
2. The adjusted lots meet current zoning requirements related to property size including but not limited to, minimum requirements for width, depth, and

area. Whenever a lot involved in a proposed BLA does not meet minimum requirements for size prior to adjustment, the change may be approved so long as the change does not increase the existing nonconformity;

3. No lot shall be reconfigured or adjusted which would render access for vehicles, utilities, fire protection, or existing easements impractical to serve their purpose. Blanket utility easements existing along lot lines, that are specifically required as a condition of development approval, may be moved during a boundary line adjustment; provided, there is compliance with RCW 64.04.175 and the easement is not occupied by a utility. If the easement is occupied, this provision is inapplicable, and the provisions of RCW 64.04.175 shall apply.
4. A BLA proposal that is inconsistent with any restrictions or conditions of approval for a recorded plat or short plat shall not be approved;
5. A BLA proposal between lots with different zoning designations shall not be approved;
6. A BLA proposal that would reduce the overall area in a plat or short plat devoted to open space shall not be approved; and
7. A BLA proposal that would adjust a boundary line across a public roadway shall not be approved.

16.34.060 – Recording.

If the proposed boundary line adjustment is approved, the applicant shall resubmit the map with the following information added:

1. Signature blocks for all property owners;
2. Signature block for the public works director;
3. Legal descriptions shall be prepared for each lot and placed on the face of the map; and
4. On the face of the map, the language of any and all covenants, deed restrictions, or other property use limitations on the property shall be set forth, together with the Auditor's File Number, Volume and Page where such language is recorded.

The BLA shall be recorded with the County Assessor's office at the expense of the applicant.

16.34.070 – Appeals.

Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08.

If any section, sentence, clause or phrase of this Ordinance shall be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

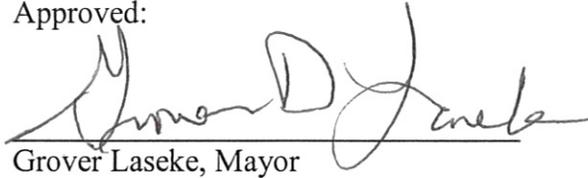
A Summary of this Ordinance shall be published.

This ordinance shall be in full force and effect five days after publication as required by law.

ADOPTED IN OPEN MEETING 20th DAY OF August, 2012.

CITY OF WOODLAND, WASHINGTON

Approved:



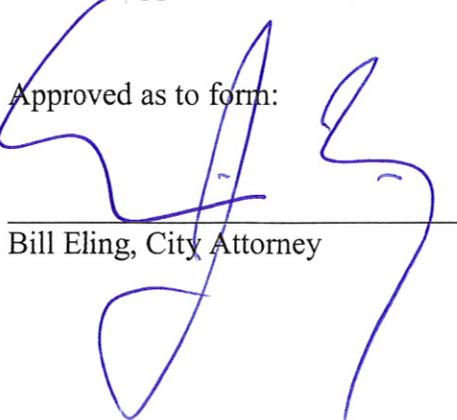
Grover Laseke, Mayor

Attest:



Mari E. Ripp, Clerk / Treasurer

Approved as to form:



Bill Eling, City Attorney

SUMMARY OF ORDINANCE NO. 1239

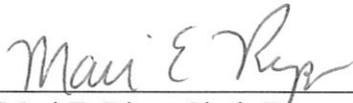
OF THE CITY OF WOODLAND, WASHINGTON

On August 20, 2012 the City Council of the City of Woodland, Washington, approved Ordinance No. 1239 the main point which may be summarized by its title as follows:

AN ORDINANCE AMENDING WMC TITLE 16 TO OUTLINE PROCEDURES FOR PROCESSING BOUNDARY LINE ADJUSTMENTS AND LOT LINE CONSOLIDATIONS AND SETTING CRITERIA FOR THEIR APPROVAL.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting on August 20, 2012.



Mari E. Ripp, Clerk-Treasurer

Published: August 29, 2012
Effective: September 3, 2012