



SECTION 14

ALTERATIONS

Subsections:

- 14.10 Applicability
- 14.20 Application
- 14.30 Public Hearing Process
- 14.40 Board of County Commissioners Action

14.10 Applicability

The following subsections pertain to the reconfiguration of any element graphically portrayed on a final plat map or binding site plan, including, but not limited to: lot(s), blocks, tracts or any public dedication other than roads, pursuant to RCW 58.17.215; PROVIDED that for the purposes of this ordinance: alteration applications involving the reconfiguration of any element, other than public dedications, graphically portrayed on a final plat or binding site plan consisting of four (4) or fewer lots, shall be processed administratively using the same procedure delineated in Section 5, Subsection 5.20 of this ordinance.

NOTE: For the purposes of this section, the words "plat" or "subdivision" shall include developments accomplished through the binding site plan process.

14.20 Application

14.201 Generally: Persons wishing to alter either the entirety or a portion of a subdivision shall apply to the Planning Department as follows:

1. Submit an application requesting the subdivision alteration, which contains the signatures of all of those persons having an ownership interest in that portion of the subdivision subject to alteration.
2. If the subdivision is subject to restrictive covenants, which were filed simultaneously with the final subdivision approval, and the alteration applied for would result in the violation of the covenant or covenants, the application shall contain an agreement signed by all parties subject to the covenants stating that the parties agree to alter or terminate the relevant covenant or covenants in order to accomplish the purpose of the subdivision alteration.



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Upon receipt, the Planning Department shall affix a notice to the application containing the following statement:

APPLICATION RECEIVED (DATE) . NO DETERMINATION OF A SUBSTANTIALLY COMPLETE APPLICATION HAS BEEN MADE.

Those applications which upon initial inspection appear to be insufficiently prepared to provide a basis for adequate review shall be returned by the Planning Department. A written statement citing the information requirements upon which nonacceptance is based shall be supplied by the Planning Department when so requested by the applicant.

The acceptability of an application shall be certified by the Planning Department within fourteen (14) days of filing. When the Planning Department has determined that the application contains sufficient information to provide an adequate basis for review, a notice containing the following statement shall be affixed to the application:

AS OF (DATE) , THE APPLICATION IS FOUND TO BE SUBSTANTIALLY COMPLETE.

Affixation of this notice shall provide presumptive evidence of a completed application, and the time period for review and approval shall commence.

When a plat proposed to be altered is adjacent to or within one (1) mile of a municipal boundary, or currently uses any city or town utilities, before review commences by the Planning Department or the Hearing Examiner, notice of the application shall be given by the Planning Department to the legislative body of that city or town. Proposed plat alterations located adjacent to the right-of-way of a State highway shall be presented to the District Administrator of the Washington State Department of Transportation for review and recommendation regarding such matters as deemed appropriate. The Planning Department shall forward copies of proposed plat alterations to appropriate fire districts, school districts, public utility districts, transit authorities, and any other relevant government agencies when deemed necessary.

14.202 Fees: Plat alteration applications shall be accompanied by fees as set by the Board, payable to the Jefferson County Planning Department. NOTE: Fees will not be processed by the Planning Department until the alteration application is deemed complete.

14.203 Timetable: Upon receipt of a proper and complete alteration application, and upon payment of fees, the Planning Department shall provide notice of the application to all owners of property within the subdivision. The notice shall either:



1. Establish a date for a public hearing, if the Planning Department determines that a Hearing Examiner recommendation is necessary in order to ensure that the proposed plat alteration is in conformance with the Jefferson County Comprehensive Plan, and/or applicable community development plan, the provisions of the Jefferson County Development Code, No. 3-89, the provisions of RCW 58.17, and the requirements of this ordinance; or
2. Provide that a hearing may be requested by a person receiving notice, within fourteen (14) days of receiving said notice.

In any event, final action shall be taken action on a plat alteration application within ninety (90) days of the date of the original application filing unless the applicant consents to an extension of the time period.

14.30 Public Hearing Process

14.301 Notice of Alteration Application: Notice of a subdivision alteration application shall be given as follows:

1. The Planning Department shall send notices to all owners of property within the subdivision advising them of the pending plat alteration application. Names and addresses of owners of property within the subdivision shall be provided to the Planning Department by the applicant, subject to Planning Department approval.
2. All alteration application notices shall include: (a) the name of the applicant; (b) the date the application was filed; (c) the description of the property involved and either a vicinity location sketch or a location description in nonlegal language; and (d) a statement of the specific purpose of the application; (e) a statement clearly indicating that, if no public hearing date has been set, that any person receiving notice may request a public hearing within fourteen (14) days of receipt of notice.
3. The Planning Department shall provide the applicant with at least five (5) copies of a notice of the subdivision alteration application and one (1) copy of the affidavit of posting. If a public hearing is requested by one of the parties receiving notice, the applicant shall post notices and shall maintain them in place for at least ten (10) days prior to the public hearing, not including the day of posting or the day of hearing. The notices shall be placed in conspicuous locations on or near the property and shall be removed by the applicant after the hearing. The notices shall be mounted on easily visible boards not smaller than two feet (2') by three feet (3'). All notices and notice boards shall meet Planning Department requirements. The affidavit of posting shall be signed, notarized, and returned to the Planning Department at least one (1) week before the hearing.
4. When a public hearing is requested, the Planning Department shall arrange for at least one (1) publication of the notice to appear in a



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- newspaper of general circulation within the County at least ten (10) days before the hearing. Payment of the initial publication fees shall be the responsibility of the applicant, where there is cancellation, postponement, or alteration of the hearing date as a result of action by the applicant.
5. When a public hearing is requested the Planning Department may send a notice of the hearing by mail to all adjacent property owners in the area proposed for alteration in accordance with the current records of the Jefferson County Assessor.
 6. The Planning Department shall give additional notice in accordance with RCW 58.17.

NOTE: Nothing in this subsection shall prohibit the Planning Department from providing additional notice to individuals not meeting the definition of an adjacent property owner, as that term is defined in Section 2, Subsection 2.50.1 of this ordinance.

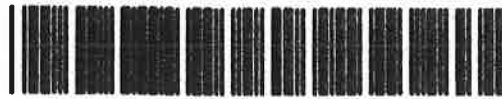
14.302 Health, Public Works, and Planning Department Recommendations: When the Planning Department determines that a Hearing Examiner recommendation is necessary, or when a person receiving notice requests a public hearing, the County Health Department, Planning Department, Department of Public Works, and County Assessor's Office shall submit their written recommendations and findings to the Hearing Examiner in care of the Planning Department with all pertinent information available, at least seven (7) days prior to the public hearing. In instances where no public hearing is requested by a person receiving notice, the County Health Department, Planning Department, and the Department of Public Works shall submit their written recommendations and findings directly to the Board, in care of the Planning Department.

14.303 Public Hearing: All hearings shall be conducted by the Hearing Examiner, and shall be open to the public. The Hearing Examiner shall review the recommendations of the County Health Department, Planning Department, the Department of Public Works, and other relevant agencies, and shall present and review all other pertinent information in the Examiner's possession and shall provide an opportunity for all interested persons to speak and submit exhibits. An accurate record of the hearing shall be kept by the Hearing Examiner and shall be available for public inspection.

14.304 Hearing Examiner Recommendations: Within fourteen (10) days of the public hearing, and after determining the public use and interest to be served by the alteration application, the Hearing Examiner shall submit written recommendations and findings to the Board together with all pertinent information available.

14.40 Board of County Commissioners Action

1. Upon receipt of the recommendation and information on any plat alteration application, the Board, at its next public meeting, shall set

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a date for the meeting where it may adopt or reject the recommendations of the Hearing Examiner, or the Planning Department if no public hearing was requested pursuant to Subsection 13.103 of this ordinance. If after considering the matter at a public meeting, the Board deems a change in the recommendation of the Hearing Examiner or the Planning Department approving or denying any plat alteration application necessary, the change of the recommendation shall not be made until the Board has conducted a public hearing and thereupon adopt its own findings and thereafter approve or deny the vacation application. Such public hearing may be held before a committee constituting a majority of the Board. If the hearing is before a committee, the committee shall report its recommendation on the matter to the full Board for final action.

2. The Clerk of the Board shall keep records of the public meetings and public hearings set and held by the Board which shall be made available for public inspection.
3. The Board's approval of the plat alteration application shall constitute final legislative approval; upon approval, the Board shall order the applicant to produce a revised drawing of the final long or short plat for signature. The fee for filing the altered plat for record shall be deposited with the County Auditor and the alteration simultaneously recorded, together with restrictions, covenants and similar documents.