



SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
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Simple Land Division by Love and Affection - Application Checklist

Yes No

- A completed 'simple land division' application form, with identification of property owner(s) for each lot.
- Fee per adopted fee schedule. http://www.sanjuanco.com/Permitting/docs/PermitApplications/2011-01-01_lu-fees.pdf
- Current legal descriptions for each lot, including common area lots
- Separate legal descriptions for each new parcel, including common area lots.
- Map page (no larger than 8.5 by 14), certified by the property owner or surveyor, drawn to an engineering scale with a north arrow and including the following information:
 - Dashed lines for current boundaries and solid lines for proposed new lot lines;
 - Adjacent street names, if any, and locations;
 - Existing or proposed easements for access, drainage, utilities, or sensitive areas;
 - Existing structures and approximate distances to property lines;
 - Existing wells, septic tanks, and/or drainfields, and approximate distances to property lines;
 - Parcels identified as Lot A, Lot B, and so on, unless otherwise approved by the Administrator;
 - Conservation design (open space area) requirement, where necessary, and shoreline common area* (SJCC 18.70.060(B)(6, 8, 9, & 10)).
- Area calculations - the gross parcel area from the GIS legal-parcel map in effect at the date of application of the simple land division may be used to establish the required lot area, unless a recorded survey shows otherwise.
- Copy of the 'Land Division Environmental Health Review,' available from the Health Department at (360) 378-4474, signed by the Sanitarian, demonstrating water availability and sewage disposal requirements of SJCC 18.60.020 and 030.
- Documentation that each parcel affected is in compliance with any applicable usable construction area requirement, (SJCC 18.70.060 (B)(4)).** Building and non-building locations of each parcel shall be fully dimensioned on the map or legally described.
- Statement of Disclosure.

If the answer to any of these questions is NO, you do not have a complete permit application and Community Development & Planning (CD&P) will not be able to begin the review process, although we will work with you to provide the required information. Additionally, a SEPA environmental review checklist may be required and is available on the forms page of the website. <http://www.sanjuanco.com/permitcenter/applicationforms.aspx>

*Shoreline common area per 18.50.330(B)(6) in all new land divisions and multiple-unit and multifamily developments, one of the following standards shall be met:

- a. A common area of 75 feet measured landward from the ordinary high water mark shall be established along the entire waterfront of the property to be developed, and all other common area requirements of subsection (F)(2) of this section shall also be met. A minimum of one and one-quarter acres within shoreline jurisdiction shall be provided for each unit to be located within the shoreline jurisdiction. This is not a minimum lot size, however, and shall not preclude clustering of units within the shoreline jurisdiction; or
- b. At least 20 percent of the area within the shoreline jurisdiction shall be designated as common area, and all other common area requirements of subsection (F)(2) of this section shall also be met. A minimum of two acres within the shoreline jurisdiction shall be provided for each unit to be located within the shoreline jurisdiction. This is not a minimum lot size, however, and shall not preclude clustering of units within the shoreline jurisdiction.

** Usable Construction Area. All proposed lots shall provide a usable area for the construction of a dwelling unit, approved sewage system, and an approved water supply.

Recorded by

Recording Data (For Recorder's Use Only)

Return to:

LAND DIVISION THROUGH LOVE AND AFFECTION

USE THIS FORM TO APPLY FOR DIVISION OF A PARCEL BY GIFT FOR LOVE AND AFFECTION ONLY TO MEMBERS OF THE OWNER'S FAMILY.

Applicant 1

Applicant 2

Grantor(s):

Address:

City, State, Zip:

Applicant's signature:

Grantor(s) statement: I/we certify that all of the information submitted herewith is true and correct. I/we understand that parcels described by the attached exhibits are restricted against redivision for a period of five (5) years unless approved by a subdivision (18.70.040). All persons with ownership interest of record, or their attorneys-in-fact, must sign above.

Island _____

Parent Parcel(s)
Parcel #

Section

Township

Range

No. Acres/Sq.Ft.

Parent Parcel(s) Parcel #	Section	Township	Range	No. Acres/Sq.Ft.

- 1) Has the parent parcel(s) been owned by the present owner for 20 years or longer? Yes No
- 2) Please give the name, relationship to owner, and parcel size for each person who will be a recipient of a newly-created parcel:

Recipient Name	Relationship to Owner	Parcel Size

COMPREHENSIVE PLAN DESIGNATION _____

SHORELINE DESIGNATION _____

Pursuant to San Juan County Code 18.70.040, the Community Development and Planning Department reviewed the above application and found it to be in compliance with the maximum density allowed by the Comprehensive Plan and the Shoreline Master Program in effect at the time of application. The Statement of Disclosure has been reviewed for completeness. On the basis of this review, this request for a Simple Land Division is hereby approved.

TREASURER'S CERTIFICATE: All taxes due for the current year, 20____, and any delinquent taxes which have become a lien upon the land herein described have been fully paid and discharged according to the records of my office. If any penalty fees are due under the provisions of the Open Space Law, RCW 84.34, this does not guarantee that they have been paid.

Administrator Date

San Juan County Treasurer Date

NOTE: This division takes effect on the date it is recorded with the San Juan County Auditor. Recording must take place within six months of the approval date, together with a map (8 1/2 x 11) containing an original approval stamp signed by the CD&P Director or designee. The recording of an approved land division application does not constitute a conveyance of ownership. If ownership is to be conveyed, effect an appropriate legal instrument for conveyance.



San Juan County Community Development & Planning

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About Simple Land Divisions

The following conditions must be met in order to be eligible for a simple land division to divide a parcel into two lots:

- The owner has owned the parcel to be divided for a period of at least five years.
- No more than one new parcel will be created.
- Each parcel is five acres or larger.
- The boundaries of the tract of record that is being divided have remained unchanged for more than five years. The tract of record includes all contiguous property in the same ownership whether or not the property is described in separate legal descriptions.

The following conditions must be met to be eligible for a simple land division to divide a parcel by gift for love and affection only to members of the owner's family.

- "Family" includes parents, children, grandchildren, spouse, brother or sister.
- The grantor has owned the parent parcel for twenty years or more.
- Each gift is five acres or more, or is based on an average density of five acres or more, and accompanied by a density restriction approved by the prosecuting attorney. This provision shall apply in addition to maximum density requirements of the *Comprehensive Plan* and Shoreline Master Program.
- The gift includes a prohibition against resale or redivision for a minimum of five years.
- The application is accompanied by a notarized statement of disclosure attesting to conformance to this section.
- No more than one parcel from the parent parcel may be given to any one grantee.

Multiple applications for boundary line modifications and simple land divisions or combinations of applications and exemptions shall not be used as a substitute for meeting the requirements for subdivisions or short subdivisions (18.70 SJCC).

No Simple Land Divisions shall:

- Create parcels that cross land-use designation boundaries;
- Further divide the property for a period of five years without a long subdivision.

A simple land division that affects a platted lot line (*i.e.*, that involves land which is included within a subdivision or short subdivision) shall be processed as a Subdivision Alteration, pursuant to the requirements of Chapter 18.80.080 SJCC.

*****To be valid, an approved Simple Land Division must be recorded within 6 months of approval date.*****

Process

Once the application is submitted to CD&P, the Administrator determines whether the proposed simple land division complies with any applicable usable construction area requirement. The County Engineer shall review all Simple Land Divisions to ensure that adequate future driveway access can be provided. The County Sanitarian shall review all simple land divisions to ensure that they comply with the requirements of the San Juan County Health and Community Services Department for water and sewage disposal. The County Engineer shall review and approve all legal descriptions.

Criteria for Approval

The application meets the requirements in Chapters 18.70.020 and 18.70.040 SJCC and the applicable standards in Chapters 18.50 and 18.60 SJCC, and complies with the policies and requirements of RCW 58.17, the Shoreline Master Program (if applicable), the State Environmental Policy Act, and the *Comprehensive Plan*; and the application satisfactorily addresses the comments of the reviewing authorities and is in the public interest (RCW 58.17.10 and .110).

STATEMENT OF DISCLOSURE
San Juan County, Washington
For

Tax Parcel Number, Unplatted Land

San Juan County Code, Chapter 18.70.040, C5 requires this Statement of Disclosure to be completed and submitted at the time of application for a land division. If the application is approved, the Statement of Disclosure is recorded, together with other pertinent documents, in the San Juan County Auditor's File.

Notice to Purchaser

Water:

The availability of water should not be assumed for any location in San Juan County.

Sewage Disposal:

When there is no reasonable access to a public sewer system, it is necessary to install a private sewage system, approved by the San Juan County Health and Community Services Department, in order to build any structure for human habitation. No building permit will be issued unless a valid sewage disposal permit has been obtained. The general sewage disposal information contained under Item F, Page 3, does not provide a guarantee that a sewage disposal permit can be obtained. If you have questions concerning an on-site sewage treatment and disposal system, consult the San Juan County Health and Community Services Department.

Land Use Regulations:

All lands in unincorporated areas of San Juan County are subject to land use policies and regulations of the Unified Development Code, Comprehensive Plan, and the Shoreline Master Program. Information regarding land use rules applicable to any specific lot or parcel is available at the Community Development and Planning Department.

Land Divisions:

Any division of land in San Juan County is subject to State Law (RCW 58.17) and the San Juan County Code, Chapter 18.70. Information regarding whether and how a lot or parcel may be further divided is available at the Community Development and Planning.

Seller's Representations:

Seller's Name _____

Address _____

City _____ State _____ Zip _____

A. Legal Description (Check and complete either 1 or 2 below.)

1. Property is located in _____ Subdivision, in
Section _____ Township _____ Range _____, San Juan County Book of
 Short Plats OR Long Plats, Volume _____ Pages _____, Auditor's File Number, _____,
records of San Juan County, WA.

2. Property is not part of a recorded plat. A legal description is attached.

B. Survey (Check and complete either 1 or 2 below.)

1. This property has not been surveyed.

2. This property was surveyed by: _____
License Number _____ Date _____

Survey has not been recorded.

Survey is recorded in Vol. _____, Page _____, Book of Surveys, records of San Juan County, WA.

C. Access (Check and complete all that apply.)

1. No legal access from a County road is provided.

2. Legal access from a County road is provided as set forth by the
attached or referenced _____ document.

3. A road serving this parcel () has been OR () will be OR () will not be
constructed by the seller.

4. Road construction/maintenance is provided for by the attached or
referenced document.

D. Hazards, Nuisances (Check and complete either 1 or 2 below.)

1. I am aware of no hazards or nuisances on or near this property.

2. The following features or conditions on or near this property may be regarded
as hazards or nuisances.

E. **Water** (Check and complete either 1, 2 or 3 below)

- 1. Seller's agent _____, a licensed well driller, has drilled and tested an individual well on this parcel. Said well meets the quantity and quality requirements as specified in San Juan County Code 8.06.
- 2. This parcel has a *connection to an existing community water system*. The purveyor has submitted a letter indicating the water system is willing and able to supply water to this parcel.
- 3. Proof of potable water was not demonstrated at time of division. Prior to obtaining a building permit for this lot, an adequate water supply must be demonstrated to satisfy the water adequacy requirements of San Juan County Health and Community Services.

F. **Sewage Disposal** (Check and complete either 1 or 2 below.)

- 1. Seller's agent _____, a certified sewage disposal designer, has conducted a test hole evaluation on this parcel. From the test, the seller's agent concluded that an on-site sewage treatment and disposal system may be installed on this parcel. Prior to obtaining a building permit an On-site Sewage Design application must be submitted and approved.
- 2. This parcel has an on-site sewage treatment and disposal system already installed. The system has been inspected by a licensed wastewater inspector and is in compliance with applicable codes and regulations.

G. **Power and Telephone** (Check and complete all that apply.)

- 1. Electric power is located approximately _____ feet from the property line. Contact utility company to confirm availability and costs.
- 2. Telephone service is available approximately _____ feet from the property line.
- 3. Electricity is not available.
 Telephone service is not available.

H. **Site Considerations** (Check one of the following.)

Seller has no plans OR plans, for future development of adjacent lands. Other site considerations are:

I. **Encumbrances** (Check and complete all that apply.)

Title insurance is OR is not, provided for this property. If a title insurance report is not attached to this statement the seller declares that:

- 1. This property is not encumbered.
- 2. This property is encumbered as follows:

J. **Private Restrictions, Covenants** (Check and complete all that apply.)

- 1. None.

