

**Department of Community and Economic Development
Planning Division
ADMINISTRATIVE POLICY/CODE INTERPRETATION**

**MUNICIPAL
CODE SECTIONS:**

4-11-120 Definitions L and 4-11-200 Definitions T

REFERENCE:

Washington State Session Laws: 1893 Ch. 126, 1937 Ch. 186, 1951 Ch. 195, 1969, Ch. 271, 1974 Ch. 134
Revised Code of Washington: Title 58 Ch. 17
City of Renton Ordinances: Nos. 1688, 2667, 4522
Municipal Research and Services Center of Washington: Report No. 14

SUBJECT:

Tax Segregation of Legal Lots & Definitions

BACKGROUND:

There have been several requests for letters of approval to accompany King County's Request for Segregation applications as the County might not accept and process requests without the City's approval. As a matter of policy, the City has been using the King County definition of "legal lot" to guide its decisions but the municipal and urban context is sufficiently different that a local definition is necessary to support the approval process.

For those lots created under King County's jurisdiction the County's 'legal lot' criteria will be used to determine the validity of the lots in question. Otherwise the City's criteria will be applied. The City's criteria follows the general outline of the County's using different dates based on the effective date of the City's Subdivision Ordinances and the City's applicable development thresholds.

JUSTIFICATION:

The City of Renton lacks a definition of "Legal Lot" and a process to validate and recognize them. The King County Assessor's Office has until recently allowed the tax segregations of "Legal Lots" without input from the City. The County is now requesting an approval letter from the City to accompany segregation requests for properties within its jurisdiction. The City therefore needs to establish a definition of "Legal Lot," "Tax Parcel Segregation," and "Lot Combination" to support or deny such requests.

DECISION:

Use the definitions as presented under the Code Amendments section of this document to determine whether or not to approve requests for segregation applications.

**ADMINISTRATOR/
PLANNING DIRECTOR
APPROVAL:**

C. E. "Chip" Vincent

DATE: December 12, 2012

**APPEAL
PROCESS:**

To appeal this determination, a written appeal--accompanied by the required filing fee--must be filed with the City's Hearing Examiner (1055 South Grady Way, Renton, WA 98057, 425-430-6515) no more than 14 days from the date of this decision. Your submittal should explain the basis for the appeal. Section 4-8-110 of the Renton Municipal Code provides further information on the appeal process.

**CODE
AMENDMENTS
NEEDED TO
IMPLEMENT
DETERMINATIONS:**

4-11-120 Definitions L

Legal Lot:

- A. A lot created in compliance with applicable state and local land segregation statutes or codes in effect at the time the lot was created and meets the following requirements:
 - 1. The lot was created prior to the effective date of the property's annexation to the City of Renton and meets the criteria set forth in King County Code, Title 19A "Land Segregation," Section 19A.08.070 "Determining and maintaining legal status of a lot" or successive statutes; or
 - 2. The lot was created within the corporate limits of the City; and
 - a. before March 17, 1937 (Platting: Washington Session Laws of 1937 Ch. 186), and on or before July 22, 1958, the lot was:
 - (1) conveyed as an individually described parcel to separate, noncontiguous owners through a fee simple transfer or purchase; and
 - (2) recognized as a separate tax lot by the county assessor; and
 - (3) no residential structure (house or garage) has been over the lot boundaries which constitutes a defacto Lot Combination as defined in RMC 4-11-120; or
 - b. between March 17, 1937 and July 22, 1958, inclusive, the lot was create in compliance with state segregation statutes and codes; or
 - c. the lot was created after July 22, 1958, through a review and approval process recognized by the City for the creation of two or more lots or via a process recognized as exempt from platting by state law; or
 - d. the lot has not been merged via a Lot Combination as defined in RMC 4-11-120; or
 - 3. Each portion of a Legal Lot meeting the criteria above subsequently split by a right of way under threat of condemnation shall be considered a Legal Lot;

B. A Legal Lot under this definition is not necessarily a buildable or developable site.

Lot Combination:

The merger or aggregation of lots via either:

1. the construction of a residential structure over an existing lot boundary; or
2. a request by the property owner for a permanent merger of two or more lots by the completion, approval and subsequent recording of a Declaration of Lot Combination or Lot Line Adjustment.

4-11-200 Definitions T

Tax Lot Segregation: The separation of two or more Legal Lots as defined in RMC 4-11-120 into individual tax parcels.