

TOWN OF GRANITE FALLS

ORDINANCE NO. 441

AN ORDINANCE OF THE TOWN OF GRANITE FALLS ADOPTING PROCEDURES FOR BOUNDARY LINE ADJUSTMENTS AND ADDING NEW CHAPTER TO GRANITE FALLS MUNICIPAL CODE, TITLE 19.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GRANITE FALLS:

Section 1. A new chapter 19.70 is added to Title 19 of the Granite Falls Municipal Code as follows:

CHAPTER 19.70

BOUNDARY LINE ADJUSTMENT

Sections:

<u>19.70.010</u>	<u>Purpose.</u>
<u>19.70.020</u>	<u>Definitions.</u>
<u>19.70.030</u>	<u>Authorization.</u>
<u>19.70.040</u>	<u>Boundary line adjustment procedures.</u>
<u>19.70.050</u>	<u>Decision-effective date.</u>
<u>19.70.060</u>	<u>Final action.</u>

19.70.010 Purpose. The purpose of this title is to allow for minor adjustment to boundary lines among property owners.

19.70.020 Definitions.

General. As used in this chapter unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings.

Boundary line adjustment. "Boundary line adjustment" means the adjustment of boundary lines which creates no additional lot, tract, parcel, site or division, and creates no lot, tract, parcel, site or division that contains insufficient area and dimension to meet minimum requirements for width and area for a building site.

Planning Commission. "Planning Commission" shall mean the Planning Commission of the Town of Granite Falls, Washington.

Lot. "Lot" is a fractional part of subdivided land having fixed boundaries, being sufficient in area and dimension to meet minimum zoning requirements. The term shall include tracts and parcels.

19.70.030 Authorization. The Planning Commission is authorized to grant or deny a proposed boundary line adjustment under criteria set forth in Section 19.70.040.

19.70.040 Boundary Line Adjustment Procedures.

Application. A boundary line adjustment application shall be on forms supplied by the Town, shall be assigned by the owners of all interests in the property, and shall be accompanied by:

(1) An 8 1/2 x 11 inch or 8 1/2 by 14 inch plot plan depicting both existing boundary lines and proposed boundary line changes drawn at a scale not to exceed 1 inch = 50 feet, or at a scale agreed upon by the applicant and Planning Commission.

(2) Legal descriptions of the revised lots, tracts, parcels, sites or divisions certified by a licensed surveyor or title company.

(3) A filing fee of \$25.00 shall be paid to the Town of Granite Falls upon application for a boundary line adjustment.

Criteria for approval. In reviewing the proposed boundary line adjustment, the Planning Commission shall make the following determinations:

(1) That the proposed boundary line adjustment will not violate applicable zoning code requirements.

(2) That the proposed boundary line adjustment will not detrimentally affect access, design or other public safety and welfare concerns. The evaluation of detrimental effect may include review by the Utilities Department; or any other agency or department with expertise.

(3) If within a formal subdivision, that the proposed boundary line adjustment will not violate the conditions of preliminary approval.

19.70.050 Decision. The Planning Commission shall make a decision on the proposed boundary line adjustment as expeditiously as possible following submittal of a complete application therefor.

Appeal of the Planning Commission Decision.

(1) The Town Council shall have the authority to hear and decide appeals from any decision or determination made by

by the Planning Commission in the administration and enforcement of provisions of this title.

(2) Appeals may be taken to the Town Council by any person aggrieved, or by an officer, department, board or bureau of the Town affected by any decision of the Planning Commission. The appeals shall be filed in writing, in duplicate, with the Town Clerk, within fifteen days of the date of the action being appealed. Upon filing an appeal, a place and time for the hearing within a reasonable time, not to exceed ninety days from such notice of appeal shall be set by the Town Clerk.

(3) The Town Council may, in conformity with this title or other applicable ordinances, reverse or affirm, wholly or in part, or modify the order, requirement, decision or determination appealed from, and may rule on the order, requirement, decision or determination as necessary. To that end, the Town Council shall have all the power of the officer from whom the appeal is taken, insofar as the decision on the particular issue is concerned.

(4) The decision of the Town Council on an appeal shall be final and conclusive. The Town Council's decision shall be reviewable for unlawful or arbitrary and capricious action or non-action by writ of review before the Superior Court of Snohomish County. An action for writ of review may be brought by any person aggrieved by the Town Council's decision by making application to the court for such writ within fifteen days of the date of the Town Council's decision. The cost of transcription of all records ordered certified by the court for such review shall be borne by the applicant for the writ of review.

19.70.060 Final action. After the proposed boundary line adjustment has been approved by either the Planning Commission or the Town Council, and the appeal period has expired, the Town shall keep on file a record of the proposed boundary line adjustment, including certified legal descriptions, and indicate proposed adjustment on the appropriate maps. Prior to issuance of any permit on either affected parcel, a recorded document must be presented showing that the boundary line adjustment was recorded as proposed.

Section 2. Should any section, paragraph, sentence or word of this Ordinance or the codes herein adopted or amended be declared for any reason to be invalid, it is the intent of the Town Council that it would have passed all other portions of this Ordinance independent of the elimination herefrom on any section, subsection, paragraph, sentence or work as may

Ordinance No. 441
Page 4.

be declared invalid.

Section 3. This Ordinance shall be in full force and effect following approval by the Town Council.

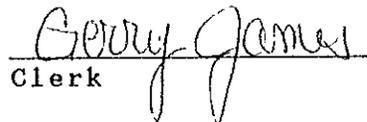
Approved by the Town Council this 24 day of October, 1990.

Signed by the Mayor this 24 day of October, 1990



MAYOR

Attest:



Clerk

FIRST READING: October 10, 1990
SECOND READING: October 24, 1990
PUBLISHED: October 31, 1990
EFFECTIVE: October 31, 1990