



## San Juan County Community Development & Planning

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### Simple Land Division Application Packet

This information packet contains the material to help you make application for a simple land division.

### Simple Land Division Application Checklist

**Yes No**

- A completed project permit application form.
- Completed environmental checklist if applicable (contact CD&P to determine if required)
- Fee per adopted fee schedule.
- Current legal descriptions for each affected lot.
- Map page, 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.
  - Legal description of each new parcel.
  - 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.
  - Existing and proposed access easements.
- Area calculations. For the purpose of Simple Land Divisions only, 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.
- Documentation of water availability and adequacy for each parcel affected to meet the requirements of Chapter 18.60.020 SJCC.
- Documentation that each parcel affected meets the sewage disposal requirements of Chapter 18.60.030 SJCC, including a sewer availability letter if any vacant lot is proposed to be served by public sewer.
- Documentation that each parcel affected is in compliance with any applicable usable construction area requirement (see Chapter 18.70.060 SJCC). 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.

Recorded by:

Recording Data (For Recorder's Use Only)

Return to:

**SIMPLE LAND DIVISION**

Grantor(s) name \_\_\_\_\_  
 and address: \_\_\_\_\_  
 (please print) \_\_\_\_\_  
 \_\_\_\_\_  
 Grantor(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 pursuant to Section 18.70.060.

Parcel Number	Abbreviated Legal Description	Island _____ AFN of Latest Deed	Existing Area

Has the original tract (see definition in Unified Development Code) been owned by the present owner for five (5) years? Yes  No

Have there been any land divisions or boundary line changes of the original tract within the last five (5) years? Yes  No

Is any of the property designated as "Open Space" or "Designated Forest Land"? Yes  No

COMPREHENSIVE PLAN DESIGNATION \_\_\_\_\_  
 LAND DIVISION ADMINISTRATOR'S CERTIFICATE:  
 This application is in compliance with maximum densities allowed by the Comprehensive Plan in effect at the time of application. The Statement of Disclosure has been reviewed for completeness. On the basis of this review the request for a Simple Land Division is hereby approved.

SHORELINE DESIGNATION \_\_\_\_\_  
 TREASURER'S CERTIFICATE: All taxes and assessments of the current year, \_\_\_\_\_, including advance taxes per RCW 58.08.040, for current year tax not yet levied or certified and any delinquent taxes or assessments which have become a lien upon the lands 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 or DFL Law (84.33 and 84.34RCW) 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.

## About Simple Land Divisions

The San Juan County Unified Development Code (UDC) establishes a process for dividing land without undergoing a short subdivision or subdivision under certain special circumstances. A simple land division is to allow a large parcel to be divided in two once every five years or to divide property amongst family members.

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 pursuant to this Chapter 18.70.060 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 or not 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*;

The application satisfactorily addresses the comments of the reviewing authorities and is in the public interest (RCW 58.17.10 and .110).

## ENVIRONMENTAL CHECKLIST

### Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

### *Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal.

Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### *Use of checklist for nonproject proposals:*

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." In addition, complete the supplemental sheet for nonproject actions (part D).

**For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.**

**A. Background**

1. Name of proposed project, if applicable:
2. Name of applicant:
3. Address and phone number of applicant and contact person:
4. Date checklist prepared:
5. Agency requesting checklist:
6. Proposed timing or schedule (including phasing, if applicable):
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
10. List any government approvals or permits that will be needed for your proposal, if known.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

**B. Environmental Elements****1. Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other.
- b. What is the steepest slope on the site (approximate percent slope)?

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

**2. Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

**3. Water****a. Surface:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
- b. Ground:
- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
- c. Water runoff (including stormwater):
- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.
- 2) Could waste materials enter ground or surface waters? If so, generally describe.
- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

**4. Plants**

- a. Check or circle types of vegetation found on the site:
- deciduous tree: alder, maple, aspen, other
  - evergreen tree: fir, cedar, pine, other
  - shrubs
  - grass
  - pasture
  - crop or grain
  - wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
  - water plants: water lily, eelgrass, milfoil, other
  - other types of vegetation
- b. What kind and amount of vegetation will be removed or altered?
- c. List threatened or endangered species known to be on or near the site.
- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

**5. Animals**

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:
- birds: hawk, heron, eagle, songbirds, other:
  - mammals: deer, bear, elk, beaver, other:
  - fish: bass, salmon, trout, herring, shellfish, other:
- b. List any threatened or endangered species known to be on or near the site.

c. Is the site part of a migration route? If so, explain.

d. Proposed measures to preserve or enhance wildlife, if any:

**6. Energy and natural resources**

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

**7. Environmental health**

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

1) Describe special emergency services that might be required.

2) Proposed measures to reduce or control environmental health hazards, if any:

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

3) Proposed measures to reduce or control noise impacts, if any:

**8. Land and Shoreline use**

a. What is the current use of the site and adjacent properties?

b. Has the site been used for agriculture? If so, describe.

c. Describe any structures on the site.

d. Will any structures be demolished? If so, what?

- e. What is the current zoning classification of the site?
- f. What is the current comprehensive plan designation of the site?
- g. If applicable, what is the current shoreline master program designation of the site?
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
- i. Approximately how many people would reside or work in the completed project?
- j. Approximately how many people would the completed project displace?
- k. Proposed measures to avoid or reduce displacement impacts, if any:
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- c. Proposed measures to reduce or control housing impacts, if any:

**10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
- b. What views in the immediate vicinity would be altered or obstructed?
- c. Proposed measures to reduce or control aesthetic impacts, if any:

**11. Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
- b. Could light or glare from the finished project be a safety hazard or interfere with views?

- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light and glare impacts, if any:

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?
- b. Would the proposed project displace any existing recreational uses? If so, describe.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

**13. Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.
- c. Proposed measures to reduce or control impacts, if any:

**14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
- c. How many parking spaces would the completed project have? How many would the project eliminate?
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
- g. Proposed measures to reduce or control transportation impacts, if any:

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
  
- b. Proposed measures to reduce or control direct impacts on public services, if any.

**16. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
  
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

**17. Signature**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

TO BE COMPLETED BY THE APPLICANT

EVALUATION FOR  
AGENCY USE ONLY