
What is an Unregulated Segregation?

Unregulated segregation is a relatively simple procedure used to divide large parcels of land. This process is exempt from the Subdivision and Short Subdivision provisions of Chapter 16.06 of the Island County Code and RCW 58.17.

The resulting parcels are considered **new** parcels. Land in a Current Use Program for tax purposes (Designated Forest, Farm & Agriculture, Open Timber, PBRs) may be affected by a change in use such as an unregulated segregation. Please check with the Assessor's Office or the Planning Department to determine what effects this may have on your property to avoid possible penalties.

Under what circumstances is Unregulated Segregation allowed?

This procedure may apply to the division of land if the following criteria are met:

1. The legal descriptions of your resulting parcels will be described as equal, fractional divisions (aliquot) of a section of land, **and** one of the following:
 - a) The resulting parcels would not be smaller than 1/64 of a section (*generally ten acres*), **or**
 - b) The minimum lot size for the zoning district is met when the zoning requires more than 10 acres (e.g., the Commercial Agriculture zone requires 20 acres).

An example of a legal description that is an equal fractional division of a section is:

"The NW ¼ of the SW ¼ of the SW ¼ of Section 1, Township 28 North, Range 3 East, Willamette Meridian".

This example is 1/64th of a Section (one square mile) and is **considered** to be 10 acres.

2. If the legal description cannot be described as an equal, fractional division of a section of land, as described in number 1 above, but the **resulting parcels are at least ten acres or greater** (20 acres for a Commercial Agriculture zoned parcel).
3. If your parcel borders a public road, you may include the area out to the centerline of that road for the purposes of lot area calculation.

What is the Process?

1. Please contact the Island County Planning and Community Development to verify the zoning of your parcel and the minimum lot size required in that zoning district. This will help verify whether or not your parcel is eligible for segregation. It is your responsibility as the landowner to ensure that the newly created lot will meet all land use requirements. Under no circumstances will the County approve setback variances or buffer reductions when a parcel is created through the unregulated segregation process. Therefore, in order to ensure that you are not creating an unbuildable parcel it is essential that you identify all setbacks, critical areas, and their buffers on the property and configure your new lot lines in such a manner that you will have ample area to build a house, driveway, septic system, etc. Please also note that setbacks in the Rural Agriculture, Rural Forest, and Rural zones increase from 5 to 50 feet with a new unregulated segregation.
2. Taxes must be paid before the county will process an unregulated segregation. Per RCW 84.40.042, ensure that all current year and delinquent taxes and assessments on the parcel are paid in full, in accordance with RCW 58.17.160 and RCW 58.08.030.

3. Provide the following information to the Land Segregations Deputy in the Island County Assessor's Office:
- * A written request for the segregation, including a statement that the landowner has read this DIB #405, signed by all owners of the parcel(s);
 - * The legal description(s) of the existing and the proposed parcels;
 - * A map of the parcel that is drawn to scale. Show existing boundary lines as a solid line and the proposed boundary lines as dotted lines. Indicate where all buildings and extra features are located on the parcel(s); and
 - * Provide a telephone number and email for your point of contact – in case there are any questions.

For More Information

- * For questions about the **segregation process** - please contact Ms. Shirley Sorrows in the Island County Assessor's Office at (360) 678-7862.
- * For questions about **Current Use programs** please contact the Island County Assessor's Office at (360) 679-7303.
- * For questions about **zoning, allowed uses, and standards for future development**, contact Island County Planning and Community Development at (360) 679-7339.

If you use this procedure, please remember that the county does not check your work to determine if the resulting parcels meet all county standards for development. Before you will be able to build on a parcel created through this process, you will need to show that you meet all land development regulations, including standards for access, water availability, sewage disposal, zoning uses and setbacks, and preservation of critical areas and buffers.

ISLAND COUNTY PLANNING AND COMMUNITY DEVELOPMENT

PHONE: (360) 679-7339 ■ from Camano (360) 629-4522 ■ from S. Whidbey (360) 321-5111

FAX: (360) 679-7306 ■ P. O. Box 5000, Coupeville, WA 98239-5000

121N East Camano Drive, Camano Island, WA 98292 ■ Phone (360) 387-7913 ■ FAX (360) 387-6161

www.islandcounty.net/planning

IMPORTANT NOTE - "Development Information Bulletins" (DIBs) are intended to assist the general public in understanding the effect of codes and regulations. DIBs are not complete statements of the laws and rules and should not be used as a substitute for them. If conflicts and questions arise, the code and regulations are the final authority. Because these regulations may be revised or amended at any time, consult Island County staff to be sure you understand all current requirements before beginning any work. It is the responsibility of the applicant to ensure that the project meets the requirements of all current codes and regulations.
