

Title 17

SUBDIVISIONS

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Chapter 17.04**GENERAL PROVISIONS**

Sections:

- 17.04.010 Title.
 17.04.020 Purpose.
 17.04.030 Applicability.

17.04.010 Title.

The ordinance codified in this title shall be known as the subdivision ordinance of the city. (Ord. 85-342 § 1(A), 1985)

17.04.020 Purpose.

The purpose of this title is to regulate the subdivision of land and to promote the health, safety and general welfare in accordance with standards established by the city and the state to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provision for water, sewage, parks and recreation, school sites and other public requirements; to provide for proper ingress and egress; and to require uniform monumenting of subdivision and conveying by accurate legal description. (Ord. 85-342 § 1(B), 1985)

17.04.030 Applicability.

A. This title shall apply to all subdivisions as defined herein except that the following shall be exempt:

1. Cemetery and other burial plats while used for that purpose;
2. Subdivisions made by testamentary provisions or the laws of descent;
3. Assessors' plats pursuant to state law;
4. Subdivisions for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted pursuant to RCW 58.17.040;
5. Boundary line adjustments where access is not affected, no new building lot is created and no lot is reduced so as to be substandard in size;
6. Subdivisions due to condemnation by government agencies.

B. Contiguous parcels of land in the same ownership, if previously platted or under separate deed from one another, may be sold separately without constituting a subdivision. Where such contiguous parcels in the same ownership are short platted so as to further subdivide differently, the entire ownership shall be included in the short plat. (Ord. 85-342 § 3, 1985)

Chapter 17.08**DEFINITIONS**

Sections:

- 17.08.010 Generally.
 17.08.020 Comprehensive plan.
 17.08.030 Contiguous.
 17.08.040 Cul-de-sac.
 17.08.050 Dedication.
 17.08.060 Easement.
 17.08.070 Lot.
 17.08.080 Plat.
 17.08.090 Plat, preliminary.
 17.08.100 Plat, final.
 17.08.110 Plat, long.
 17.08.120 Plat, short.
 17.08.130 Subdivision.

17.08.010 Generally.

For the purposes of this title the terms set out in this chapter shall have the meanings set out in this chapter. (Ord. 85-342 § 2, 1985)

17.08.020 Comprehensive plan.

"Comprehensive plan" means the comprehensive plan for the city, including modifications. (Ord. 85-342 § 2(A), 1985)

17.08.030 Contiguous.

"Contiguous" means adjoining or touching one another by way of common boundary, regardless of intervening private easements. (Ord. 85-342 § 2(B), 1985)

17.08.040 Cul-de-sac.

"Cul-de-sac" means a short street open at one end and terminating at the other with a vehicular turnaround. (Ord. 85-342 § 2(C), 1985)

17.08.050 Dedication.

"Dedication" means the deliberate appropriation of land by its owner for any general or public use. (Ord. 85-342 § 2(D), 1985)

17.08.060 Easement.

"Easement" means a quantity of land over which a specified privilege or use, distinct from ownership, is granted to a nonowner. (Ord. 85-342 § 2(E), 1985)

17.08.070 Lot.

"Lot" means a quantity of land under one ownership and having fixed boundaries. The term

includes “tract” or “parcel.” (Ord. 85-342 § 2(F), 1985)

17.08.080 Plat.

“Plat” means the legal or graphic representation of a subdivision; in common usage it is synonymous with subdivision. (Ord. 85-342 § 2(G), 1985)

17.08.090 Plat, preliminary.

“Preliminary plat” means a neat, approximate drawing of a proposed subdivision, designed to act as the basis for approval or disapproval of the general layout. (Ord. 85-342 § 2(H), 1985)

17.08.100 Plat, final.

“Final plat” means the final drawing of the subdivision and dedication, prepared for filing with the county auditor. (Ord. 85-342 § 2(I), 1985)

17.08.110 Plat, long.

“Long plat” means a subdivision into five lots or more, and all subdivisions containing a dedication to which this title is applicable in accordance with AMC 17.04.030. (Ord. 85-342 § 2(K), 1985)

17.08.120 Plat, short.

“Short plat” means a subdivision into four lots or less, containing no dedication and to which this title is applicable in accordance with AMC 17.04.030. (Ord. 85-342 § 2(J), 1985)

17.08.130 Subdivision.

“Subdivision” means the division of land into two or more lots for the purpose of sale, lease or transfer, including resubdivisions. (Ord. 85-342 § 2(L), 1985)

Chapter 17.12

ADMINISTRATION

Sections:

17.12.010 Administrative authority designated.

17.12.010 Administrative authority designated.

The city council, the planning commission and city consulting engineer (or such other individuals as personally named by the mayor to serve in the consulting engineer’s stead) shall be responsible for the administration of this title, as stated herein. (Ord. 94-478 § 1, 1994; Ord. 85-342 § 1(C), 1985)

Chapter 17.16

SHORT PLATS

Sections:

- 17.16.010 Generally.
- 17.16.020 Resubdivisions.
- 17.16.030 Application procedure.
- 17.16.040 Approval by consulting engineer.
- 17.16.045 Disapproval by the consulting engineer.
- 17.16.050 Signature and recording requirements.

17.16.010 Generally.

Subdivisions of land into four lots or less and containing no dedications of land and to which this title is applicable in accordance with AMC 17.04.030 shall be known as "short plats" and shall be governed by this section. (Ord. 85-342 § 4(A), 1985)

17.16.020 Resubdivisions.

Land contained within a short plat shall not be short platted again for a period of five years from the date of recording of such short plat. (Ord. 85-342 § 4(B), 1985)

17.16.030 Application procedure.

A. The applicant or his representative shall consult with city officials as necessary to determine subdivision, zoning and comprehensive plan requirements.

B. Application shall be made to the clerk-treasurer together with a fee of \$570.00. All applications shall be reasonably complete with the following information or be rejected by the clerk-treasurer prior to acceptance of fee:

1. Four copies of a map which incorporates a survey of the property by a registered land surveyor and which contains:
 - a. Name, address and phone number of owner(s) and representative;
 - b. Zoning classifications;
 - c. Source of water supply;
 - d. Method of sewage disposal;
 - e. Legal description;
 - f. Date, scale and north point;
 - g. Boundary lines to scale of entire ownership, individual lots and easements;
 - h. Lot number;
 - i. Location, name and width of existing and proposed easements, streets, or rights-of-way within the short plat and 100 feet thereof;
 - j. Location of existing structures;

k. Location and description of drainage facilities intended to serve the property;

l. Location of nearest fire hydrant within 1,000 feet;

m. Elevations above mean sea level if located in floodplain or floodway;

n. Surveyor's certificate;

o. Signature block for approval pursuant to AMC 17.16.050;

p. Acknowledged signatures of owners and notary public stamp;

2. Current title certificate;

3. Copies of covenants, restrictions and collective maintenance agreements, if applicable.

C. The clerk-treasurer shall then:

1. Prepare file;

2. Coordinate the input from those persons whose expertise is needed in reviewing the short plat, such as fire chief, engineer, superintendent of public works, mayor, police chief, county health department and State Highway Department;

3. Schedule consideration before the planning commission. (Ord. 99-559 § 1, 1999; Ord. 98-540 § 1, 1998; Ord. 85-342 § 4(C), 1985)

17.16.040 Approval by consulting engineer.

The city's consulting engineer (or such other individual appointed by the mayor in the consulting engineer's stead) shall approve and affix his/her certificate of approval on the plat, if he/she finds:

A. The plat is accurate and correct in all detail;

B. Minimum improvements including improvements to streets bordering the property, have been provided or adequate provisions have been made to assure that such improvements will be made when needed;

C. The proposed subdivision will not interfere with the future development of any remaining property under the same ownership, or of any adjacent property;

D. Adequate access is available for the proposed subdivision and any possible future development and dedication of a public street will not be required;

E. The lots conform to the requirements of the zoning ordinance and comprehensive plan adopted by the city for the area under consideration;

F. Other relevant facts necessary to determine whether the public use and interest will best be served by the short subdivision;

G. In all other aspects the short subdivision is in full compliance with provisions of this chapter.

(Ord. 99-559 § 2, 1999; Ord. 94-478 § 2, 1994; Ord. 85-342 § 4(D), 1985)

17.16.045 Disapproval by the consulting engineer.

If the consulting engineer finds the criteria set forth in AMC 17.16.040 have not been complied with, he/she may either disapprove the application or he/she may require that the applicant make necessary changes which will cause compliance, in order for the engineer to give approval. If the application is denied by the consulting engineer, the applicant may appeal the decision of the engineer to the city council. (Ord. 94-478 § 3, 1994)

17.16.050 Signature and recording requirements.

A. The final approval shall be evidenced by signature of the consulting engineer or by the mayor if the application was appealed to the city council.

B. Once signed it shall be the responsibility of the applicant to have the short plat recorded by the county auditor and to return a copy with recording certificate to the clerk-treasurer. (Ord. 94-478 § 4, 1994; Ord. 85-342 § 4(E), 1985)

Chapter 17.20

LONG PLATS

Sections:

- 17.20.010 Generally.
- 17.20.020 Preliminary plat.
- 17.20.030 Improvement requirements.
- 17.20.040 Final plat.

17.20.010 Generally.

Subdivisions to which this title is applicable in accordance with AMC 17.04.030 and which contains five or more lots and/or a dedication of land shall be known as long plats and shall be governed by this section. (Ord. 85-342 § 5(A), 1985)

17.20.020 Preliminary plat.

A. The applicant or his representative shall consult with city officials as necessary to determine subdivision, zoning and comprehensive plan requirements.

B. Application fee shall be made to clerk-treasurer together with a fee of \$570.00 plus \$70.00 for each lot over four or as hereafter amended by resolution of the city council. All applications shall be reasonably complete with the following information or be rejected by the clerk-treasurer prior to acceptance of fee:

1. Four copies of an accurately scaled and dimensioned map of the plat by a registered land surveyor or civil engineer showing the following:
 - a. Name of proposed plat;
 - b. Date and north point;
 - c. Scale of 100 feet or less to the inch;
 - d. Name, address and phone numbers of subdivider and representative;
 - e. Legal description;
 - f. Lines of property to be platted and lots and block with numbers;
 - g. Existing monuments of record;
 - h. Location, name and width of all existing or proposed streets, sidewalks, easements and rights-of-way within or adjacent to the proposed plat;
 - i. Location of significant physical features such as buildings, water bodies, power lines and section lines within or adjacent to the proposed plat;
 - j. Location and description of existing and proposed drainage, sewer and water facilities within or adjacent to the proposed plat;
 - k. Contours with intervals of five feet or less;

1. Proposed parks and open space;
 - m. Lot lines of adjoining properties;
 - n. Vicinity map at smaller scale;
 2. Names and addresses of fee simple owners of all land owners within 400 feet of the perimeter of the proposed plat;
 3. Copies of any proposed covenants or restrictions;
 4. Environmental checklist;
 5. Other information deemed necessary by the decision-making body.
- C. The clerk-treasurer shall then:
1. Prepare a file;
 2. Coordinate the input from those persons whose expertise is needed in reviewing the short plat, such as fire chief, engineer, superintendent of public works, mayor, police chief, county health department and State Highway Department;
 3. Schedule consideration before the planning commission;
 4. Cause notice of public hearing to be published at least 10 days before hearing in a newspaper of general circulation in the area. Additional notice shall be given by mailing to owners within 400 feet;
 5. Schedule review of the environmental checklist by the appropriate body for determination whether an environmental impact statement is needed.
- D. The planning commission shall:
1. Conduct the public hearing;
 2. Review the preliminary plat for conformance with Chapter 17.24 AMC, Minimum Standards;
 3. Recommend approval, approval on condition, disapproval, or cause the public hearing to be continued in accordance with the time limitation imposed by RCW 58.17.140.
- E. The final recommendation of the planning commission shall be forwarded to the city council at its following meeting, which body shall approve, approve on condition, disapprove or continue consideration of the preliminary plat; provided, that if substantial revisions are required the revised preliminary plat must first be subject to another public hearing.
- F. Preliminary plat approval shall become void if a final plat is not submitted within three years, unless extended by the city council. (Ord. 99-560 § 1, 1999; Ord. 98-541 § 1, 1998; Ord. 85-342 § 5(B), 1985)

17.20.030 Improvement requirements.

Following preliminary plat approval the subdivider shall:

A. Prepare construction plan and specifications in accordance with generally accepted engineering standards and then submit them to the city's engineer or such other engineer appointed by the mayor to act as city engineer for the purpose of the specific application for verification that they conform to Chapter 17.24 AMC, Minimum Standards; all expenses for engineering services performed pursuant to their section incurred by the city shall be reimbursed to the city prior to approval of final plat;

B. Complete improvements according to the approved plans and specifications or furnish the city with a bond or similar instrument in the amount of 120 percent of the cost as estimated by the acting city engineer. When improvements are completed they shall be inspected by the engineer for compliance with the plans and specification and council notified or bond released as the case may be;

C. Provide the city with "as built" plans acceptable to city's engineer once construction is complete. (Ord. 99-560 § 2, 1999; Ord. 85-342 § 5(C), 1985)

17.20.040 Final plat.

A. Following completion of or preparation of bond for improvements and within the effective time period of preliminary plat approval application may be made to the clerk-treasurer for final plat approval. Application shall be reasonably complete with the following information or not be accepted:

1. A reproducible map with four copies prepared by a licensed engineer or land surveyor containing the following information:
 - a. North point and scale (no smaller than 100 feet to one inch);
 - b. Boundary lines with accurate bearings and distances of the plat and lots thereof;
 - c. Location, name and width of all public rights-of-way and other features of the plat, including monuments and adjacent streets;
 - d. Reference of source of legal description;
 - e. Plat name, lot and block numbers;
 - f. Centerline of all streets with bearings, distances and radii or curves;
 - g. Legal description;
 - h. Dedication and acknowledgement;

- i. Forms for signature of approval by the mayor and the acting city engineer;
 - j. Surveyor's certificate;
 - k. Form for county auditor's filing;
2. Certificate from county treasurer that all taxes have been paid;
 3. Street sections and profiles and other plans;
 4. Current title certificate;
 5. Bond for completion of improvements, if applicable;
 6. Copy of private covenants, if applicable.
- B. The clerk-treasurer shall then coordinate input as in AMC 17.20.020(C)(2) and schedule consideration before the city council.
- C. The city council shall then review the final plat for conformance to the preliminary plat and any conditions attached thereto as well as adequacy of construction or bonding arrangements and other requirements of this chapter. Approval of final plat by the council shall be evidenced by signature of the mayor, before which all other signatures except that of the county auditor must be in place.
- D. If approved, it shall be the responsibility of the applicant to have the final plat recorded by the county auditor and to return a copy with completed recording certificate. (Ord. 85-342 § 5(D), 1985)

Chapter 17.24

MINIMUM STANDARDS

Sections:

17.24.010 Designated.

17.24.010 Designated.

Minimum standards shall include:

- A. Conformance to the intent and purpose of the comprehensive plan;
- B. Conformance to zoning ordinance and health regulations;
- C. Subdivision design which is appropriate to the intended use and the character of the surrounding area and which gives consideration to flooding potential and ease of fire and police protection;
- D. A fire hydrant within 1,000 feet of each lot, and fire flow to the satisfaction of the fire chief;
- E. Adequate water supply and sewage disposal;
- F. Storm drainage facilities adequate to drain the plat, yet cause no impact to other property owners;
- G. Use of storm mains wherever possible as opposed to open ditches;
- H. Street system designed for safety, convenience and integration with other streets;
- I. Street intersections with adequate sight distance and orientated at 90 degrees wherever possible;
- J. Street frontage according to proper zone setbacks;
- K. No direct access from lots onto high volume arterials except where no other access is possible;
- L. Alleys shall be least 20 feet in width;
- M. Where an abutting public right-of-way is substandard in width, additional right-of-way shall be deeded to bring it up to standard on that side;
- N. Two-inch asphalt surfacing, adequate ballast, and when required by AMC 12.08.050, sidewalks at least four-foot width and square curbs, all to American Public Works Association standards;
- O. Provision shall be made for cooperative maintenance of all private streets;
- P. Underground utilities;
- Q. Plat and street names which do not duplicate those already in existence. (Ord. 89-414 § 1, 1989; Ord. 85-342 § 6, 1985)

Chapter 17.28**VARIANCES**

Sections:

17.28.010 Procedure and criteria.

17.28.010 Procedure and criteria.

The procedures and criteria relating to variances in the zoning ordinance and its future revisions are adopted for variances from the requirements of this title. (Ord. 85-342 § 7, 1985)

Chapter 17.32**ENFORCEMENT**

Sections:

17.32.010 Violation – Penalty.

17.32.020 Injunctive relief.

17.32.030 County auditor not to file plats in violation.

17.32.010 Violation – Penalty.

Violators of this title shall be guilty of a misdemeanor and each parcel illegally sold or transferred shall constitute a separate offense. (Ord. 85-342 § 8(A), 1985)

17.32.020 Injunctive relief.

The city may pursue injunctive relief against violations and tax the cost of such action against the violator. (Ord. 85-342 § 8(B), 1985)

17.32.030 County auditor not to file plats in violation.

The county auditor shall refuse to accept for filing any segregation of land in violation of this title. (Ord. 85-342 § 8(C), 1985)