

Title 16

SUBDIVISIONS

Chapters:

16.04 Short Subdivisions

16.08 Subdivisions

Chapter 16.04

SHORT SUBDIVISIONS

Sections:

- 16.04.010 Provisions adopted by reference.
- 16.04.020 Endorsement.
- 16.04.030 Fees.

16.04.010 Provisions adopted by reference.

The following, three copies of which have heretofore been filed with the city clerk for public use and examination, are adopted by reference:

RCW

- 58.17.020 Definitions
- 58.17.040 Provisions inapplicable, when
- 58.17.065 Short plats and short subdivisions – Filing (with county auditor required)

(Ord. 310 § 2, 1975)

16.04.020 Endorsement.

Where a parcel of land is divisible under applicable zoning regulations into two or more but less than five building sites, every sale or lease or other transfer of a portion thereof adequate for a building site shall be made only pursuant to a short plat or revision thereof previously approved and so endorsed by the secretary of the planning commission as showing a plan of subdivision consistent with Medina’s zoning and general platting regulations, such endorsement to be substantially as follows:

Summarily approved as a short plat of a short subdivision of land as defined by law, complying with the substantive zoning and platting regulation of the City of Medina.

Dated

SIGNED _____
 Secretary to the Medina (City)
 Planning Commission

and also previously filed with the county auditor.

When such a short plat has been filed land therein shall not be further divided within a period of five years without filing of a final plat. (Ord. 310 § 3, 1975)

16.04.030 Fees.

Applicant shall pay a fee as provided in MMC 17.44.010. (Ord. 421 § 6, 1986; Ord. 338 § 2, 1977)

Chapter 16.08

SUBDIVISIONS

Sections:

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- 16.08.030 Violation – Penalty.

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Article I. General Provisions

16.08.010 Platting required.

A. Any subdivision of land now or hereafter in single ownership, which either (1) contains the dedication of part thereof as a public street or highway, or (2) is of land divisible under applicable density regulations of the city into five or more building sites unless the city engineer first determines that only four or less thereof are suitable for building, shall be by plat and according to the regulations of the city relating to platting.

B. No person, firm or corporation proposing to make, or having made, such a subdivision shall enter into any contract for the sale of, or shall offer

to sell, said subdivision or any part thereof, or shall proceed with any construction work thereon or any improvement thereof, including grading and excavation, without having first obtained its approval as a plat as prescribed in this section. Each transaction, offer to sell, or act of construction or improvement without such prior approval of the subdivision as a plat shall be considered a separate violation. (Ord. 155 § 2, 1964)

16.08.020 Lands designated for public use.

Such areas within a proposed subdivision or plat as have been designated in the comprehensive plan for parks, playgrounds or other public use shall be made available for public acquisition by provision of a reasonable time within which the owner and the city or other public agency affected may negotiate as to terms of purchase and a reasonable time in addition, if it appears that such terms cannot be agreed upon, to commence condemnation proceedings. (Ord. 52 § 6, 1957)

16.08.030 Violation – Penalty.

Violation of any land use or subdivision regulation of the city shall be punished by imprisonment for not more than 90 days or a fine of not over \$300.00, or both. (Ord. 159 § 3, 1964; Ord. 52 § 3, 1957)

Article II. Procedures

16.08.040 Filing of proposed plat.

Any proposed plat, together with an application for tentative approval and a fee in the amount of \$5.00 per building site plus the anticipated costs of the city including engineering and checking, shall be filed at least two weeks prior to the meeting of the planning commission at which it may be reviewed, and in sufficient copies for distribution to the city manager, city engineer, health officer, water, sewer, fire and school districts or authorities; and, gas or electric public utility companies and for the use of the planning commission itself. (Ord. 52 § 7, 1957)

16.08.050 Form of proposed plat.

A proposed plat shall show conformity with the design standards set forth in this section and be prepared by a registered professional engineer or land surveyor. It shall contain the following elements in readily comprehensible form combined in a map or maps when possible, all documents assembled, and indexed if necessary, and bearing the name of the proposed plat, the owner and surveyor or engineer,

and, if maps, showing the date, scale and north-point:

A. A legal description of the land proposed for platting;

B. A vicinity sketch to the scale of not more than 400 feet to the inch showing all adjacent subdivisions, streets, and acreage parcels and the names of their owners, and how the streets and pedestrian ways relate to their existing and proposed counterparts in neighboring subdivisions or unplatted land to produce most advantageous circulation of traffic and neighborhood development;

C. The proposed layout of lots, blocks, streets and pedestrian ways, utility and stormwater easements, their proposed dimensions, names and numbers, all to a scale of 200 feet or less to the inch;

D. The location of existing streets or pedestrian ways or other easements, their dimensions and names, within or adjacent to the proposed plat, together with any other important features, such as permanent buildings, watercourses, power and telephone cables, railroad rights-of-way or lines, municipal or water, school, sewer, or fire district boundaries, township and section lines and corners, and the location of existing monuments;

E. The boundary lines of the tract proposed for platting and its topography showing contours at intervals of five feet or less;

F. The location of existing water mains, sewers, gas lines, culverts, electric power or telephone conduits, and any other underground installations within, or immediately adjacent to, the proposed plat, together with pipe sizes and grades;

G. The layout of the proposed water distribution system, pipe sizes and their grades and the location of valves and fire hydrants;

H. The plans and profiles to the scale of 20 feet to the inch or less, grades and sizes of proposed sanitary sewers, if required;

I. The plan of street lighting, if any;

J. The plan of street tree planting, if any;

K. The profile to the scale of 20 feet to the inch or less, and proposed grades of all streets; their cross-sections including width of pavement, location of storm sewers, utility mains, and curbs and sidewalks, if any; the location and sizes of catch-basins, culverts and other drainage structures;

L. The zoning boundary lines, if any; proposed uses of property; front, rear and side yard requirements for the zones involved;

M. All parcels of land intended to be dedicated or temporarily reserved for public use or to be reserved in the deeds for the common use of property owners of the subdivision with the purpose,

conditions or limitations of such reservations clearly indicated;

N. Certificates from the county treasurer and assessor that all taxes on the property have been paid;

O. The names and addresses of the owners of property contiguous to, or within 300 feet of, the proposed subdivision. (Ord. 52 § 8, 1957)

16.08.060 Review by affected agencies.

A. Sufficient copies for consideration by the planning commission, city engineer and building inspector, the water, sewer, fire and school districts or authorities and gas or electric utility companies affected, shall be distributed to them. And, a complete numbered file shall be maintained for all correspondence and filings relating to the proposed plat.

B. Within 10 days of filing, the city engineer, health officer and building inspector shall, within the scope of their municipal functions, make written reports on the sufficiency of the proposed plat which, together with any recommendations of the water, sewer, fire and school districts or authorities and gas or electric public utility companies affected, shall be forwarded to the planning commission which shall consider such reports and recommendations and examine the proposed plat for conformity to the requirements of the comprehensive plan including the design standards set forth in Article III of this chapter. (Ord. 52 § 9, 1957)

16.08.070 Public hearing.

A. When it appears that the plat as proposed satisfies the requirements of this chapter and the comprehensive plan as a whole, the planning commission shall set a time for hearing as to the advisability of granting its tentative approval.

B. Notice of such hearing, naming the applicant and generally describing the land proposed to be platted and clearly indicating the time and place of hearing, shall be posted in at least three conspicuous places on or adjacent to the land; shall be forwarded by registered mail to the owners of all property contiguous to, or within 300 feet of the land, and shall, in addition, be given in accordance with Chapter 216, Laws of 1953 (RCW 42.32.010). (Ord. 52 § 10, 1957)

16.08.080 Tentative approval.

After such hearing and within 60 days of the time of its filing, the planning commission shall either disapprove the plat as proposed, or give its tentative

approval. If it disapproves, a copy of the proposed plat with a list of deficiencies or suggested modifications shall be returned to the applicant, a copy of such list being retained in the planning commission file. Whether it approves or disapproves, notice of its action shall be given the applicant and the municipal officers, water, sewer, fire and school districts or authorities and gas or electric public utility companies to whom the proposed plat was earlier submitted for review. (Ord. 52 § 11, 1957)

16.08.090 Minimum improvements.

A. Tentative approval shall be effective for a period of one year after transfer of the fourth parcel out of land subject to platting hereunder, unless extended by the planning commission for a period not to exceed two additional years, during which time the applicant shall execute the minimum improvements as required in this chapter.

B. After tentative approval, the applicant shall advise the city engineer by which, or what combination, of the following methods he will carry out the required minimum improvements:

1. By giving the city a bond with sufficient sureties and in an amount determined by the city engineer to be sufficient, assuring installation of the minimum improvements and any additional improvements in accordance with the standards set forth in this chapter, to the decided satisfaction of the city engineer;

2. By actually installing such improvements either as prescribed by the local improvement district laws of the state and city, or otherwise.

Provided, that the applicant may, if he chooses, amend such election of method by which improvements are carried out, by written notice to the city engineer and the provision, or substitution of the required bond.

C. After the completion of such improvements, or provision of necessary bonds and contracts, if any, assuring completion, the city engineer shall provide his certificate in duplicate to the planning commission that all improvements have either been completed according to the standards hereinafter set forth and the city's costs paid, or sufficient security given to assure such completion, within the effective period of tentative approval, and payment of such costs.

D. The planning commission shall thereupon forward a copy of such certificate to the applicant, together with notice advising him to prepare a final plat as to that part of the proposed plat for which the certificate is given. (Ord. 155 § 5, 1964; Ord. 93 § 1, 1960; Ord. 52 § 12, 1957)

16.08.100 Parcels divisible into less than 11 building sites.

Where, under applicable density zoning regulations, a parcel of land, now or hereafter in separate ownership, could provide not more than 10 building sites and the depth of such parcel exceeds its frontage on all adjoining streets by three or more times, then the same may be platted with dedication and improvement of streets and installation of other improvements as follows:

A. Right-of-way, 32 feet in width graded, paved and drained by storm sewers, all to established city standards; such right-of-way extended to adjoin at least four of the building sites to be served thereby, or five if there are nine or 10 such sites, and to have at its extreme, if the same does not connect with a street at each end, a turnaround as otherwise required by platting regulations of the city.

B. The required utilities may be separately located in utility easements when approved by the city engineer, such easements to serve all building sites and be in form to assure ready access by responsible public and utility authorities for inspection and maintenance.

Provided, however, that said subdivision shall conform with all otherwise applicable platting and zoning regulations and procedures of the city. (Ord. 155 § 6, 1964)

16.08.110 Building before approval of final plat after initial transfers.

Construction of new buildings on up to four building sites created by subdivision of particular land subject to platting under this title, prior to final approval of the plat thereof, may be undertaken if the following conditions are first met:

A. A plat of the entire ownership of which the building site was a part has been tentatively approved under this title;

B. Easements, in form approved by the city, have been created assuring preservation of the right-of-way and other public uses provided in said tentatively approved plat;

C. In all instruments of transfer of parcels created by subdivision of such land and sufficient under regulations of the city as to minimum lot area for building, there shall be an undertaking in form approved by the city, expressed as a covenant running with the remaining land of the grantor, assuring the transferee and his successors, and the city, that the requisites for final approval of the plat will be timely met; and

D. There is compliance with all other applicable regulations of the city governing the use and improvement of the land. (Ord. 155 § 7, 1964)

16.08.120 Successive, separate plats – When authorized.

Where subdivision of land divisible under applicable density regulations into 20 or more residential building sites is involved, and where the planning commission determines that the realization of an integrated and useful street, walkway, sewer, storm drainage or other public facility system will not be prejudiced thereby, said land may be subdivided by successive, separate plats, provided:

A. That any land divided into parcels equal to or less in area than five sufficient residential sites is within the immediate plat;

B. That the land remaining unplatted is of sufficient size to be divisible into 10 or more such sites. (Ord. 155 § 8, 1964)

16.08.130 Final plat – Form.

A. The final plat shall be submitted in at least six copies including the original. All documents, maps, survey notes, shall contain the name of the subdivision, and the names and addresses of the applicant and his surveyors or engineers.

B. Complete field and computation notes shall be supplied, showing original or reestablished corners, with description of the same and true bearings and distances to established street lines and monuments, turning angles, points of curvature, length of tangents and the actual traverse with error of closure, and method of balancing with sketches showing all distances, angles and calculations required to determine corners and distances of the plat. The error of closure of any and all traverses shall not exceed one foot in 4,000 feet.

C. The map shall clearly reflect the following elements and conformity with the proposed plat as tentatively approved:

1. The northpoint, scale and date;

2. The boundary lines with accurate distances and bearings, location and width of all existing public highways approaching and intersecting the boundaries of the subdivision;

3. The location and dimensions of the rights-of-way of all streets or pedestrian ways, utility or stormwater easements, parks, playgrounds or other dedications to public use, together with a suitably inscribed statement of dedication signed and acknowledged by the owner(s) of the land;

4. The length of all arcs and radii, all turning angles, points of curvature and length of tangents,

and the location of all monuments and their characteristics;

5. Reference of the plat to the United States Coast and Geodetic Survey datum or the plane coordinate system of the state;

6. The numbers or other designation of lots and blocks and their dimensions;

7. An inscription for execution in behalf of the city in form as follows:

The Planning Commission of the City of Medina, to whom by Ordinance Number 52 is delegated the authority of the City Council to give the city's approval, meeting in regular session _____ (date), did find that _____ (name of plat), a plat of land within the City of Medina, serves the public use and interest and has authorized its chairman and secretary to execute its written approval hereon.

(Ord. 52 § 13, 1957)

16.08.140 Final plat – Approval.

A. If the final plat as submitted is found to comply with the foregoing requirements, then the planning commission shall approve the same. If not, then it shall be returned to the applicant for modification and correction.

B. Such action shall be taken at a public meeting held in compliance with Chapter 216, Laws of 1953 (RCW 42.32.010) and within 60 days of the filing of said final plat, unless the applicant has filed written consent to a longer period.

C. Upon approval, all copies shall be suitably endorsed in behalf of the city by the chairman and secretary of the planning commission and distributed as follows:

1. The original to the county auditor;
2. Two copies to the county assessor;
3. One copy each to the city engineer and the health officer;
4. One copy to be retained by the commission.

D. After recording of the final plat as approved, platting is complete to the extent of the authority of the city. (Ord. 52 § 14, 1957)

Article III. Design and Improvement Standards

16.08.150 Lots.

Lots shall conform to the minimum size and frontage requirements of the land use zone. As to

frontage only, when the overall optimum arrangement of lots requires lesser frontage, it may be permitted if not significantly below the minimum standard. Shape and orientation shall be appropriate for the location. Excessive length in relation to width, frontage on two streets, and side lines at other than approximate right angles to the front line, are to be avoided. Corner lots shall be wider to permit front yard setback from both streets and the corner at the intersection shall be an arc of 10 feet minimum radius. (Ord. 52 § 15, 1957)

16.08.160 Blocks.

Blocks shall not exceed 1,320 feet in length unless topography or other characteristics of the land require, and such longer block will not impede traffic flow. Where a block is over 660 feet long, a 10-foot pedestrian way shall be dedicated. Layout of blocks shall be such as to afford adequate lots for the type of land use and adequate streets for access, circulation, control and safety, and to make the best of the limitations and opportunities of the topography. (Ord. 52 § 16, 1957)

16.08.170 Streets and pedestrian ways.

A. Right-of-Way. Minimum right-of-way widths shall be as follows:

1. Feeder streets, 60 feet;
2. Residential streets, 50 feet;
3. Turnarounds, an 80-foot-diameter circle, or planning-commission-approved "T" or "Y" if necessary;
4. Pedestrian ways, 10 feet.

B. Layout. Streets shall be laid out:

1. To conform with the official circulation plan and be properly related to existing and planned streets and pedestrian ways and to conditions of topography, convenience and safety, and to the use of the land served; provided, that officially planned streets may be realigned where conducive to a better arrangement of lots and public facilities and improved circulation of traffic;
2. To generally follow contour lines, continuing to the boundaries of the plat so as to provide continuity of streets and pedestrian ways;
3. To intersect at right angles or approximately so;
4. To minimize access to major streets by provision of marginal access streets, reverse frontage with screen planting in a nonaccess reservation along the rear property line, or other means to separate through and local traffic; and

5. To give a minimum radius of curvature at the street centerline of 100 feet, and a 100-foot tangent between reverse curves.

C. Improvement.

1. Grading. The maximum grade of streets shall be seven percent, and the minimum, 0.25 percent; the maximum grade of pedestrian ways shall be 10 percent. Changes in grade shall be connected by approved vertical curves. Streets and pedestrian ways shall be graded to full width according to approved cross-section under city standards for private work on city street rights-of-way.

2. Paving. Streets shall be hard surfaced according to the specifications of the same standards in terms of the type of paving elected by the applicant. Sidewalks, if any, shall satisfy the minimum of the same standards.

D. Lighting and Trees. If the applicant elects to provide lighting or trees, installation or planting shall conform with the official street lighting or tree plans.

E. Names and Signs. Names shall be those of the streets extended or as approved by the planning commission. Street signs shall be provided at each intersection, constructed and installed to city standards. (Ord. 52 § 17, 1957)

16.08.180 Utilities.

A. Water. A complete water system, with fire hydrants, shall be provided, designed, located and installed according to standards prescribed by the city engineer.

B. Sanitary Sewers. If there is a public sewer main lying within 800 feet of the proposed plat, or if such is planned for installation by the sewer authority within one year of filing of the application, a complete sanitary sewer system to connect shall be provided, designed, located and installed to standards prescribed by the city engineer.

C. Utilities Easements. Easements for utilities shall be provided where necessary to supplement street or pedestrian rights-of-way, centered on rear or side lot lines if practical.

D. Storm Sewers. Provision of storm sewers will be necessary as an incident of paving. The location and type of catchbasins, culverts and other structures shall be according to those established by the city engineer and the official drainage plan. Where such plan indicates, stormwater easements shall be provided. (Ord. 52 § 18, 1957)

16.08.190 Inappropriate areas and slopes over 10 percent.

A. Areas determined to be inappropriate for subdivision, for example where poor drainage or slide conditions exist, may be subdivided only if extraordinary measures, approved by the city engineer and planning commission, are assured to remedy their defects.

B. Slopes of 10 percent or more may be subject to such additional requirements as the planning commission, with the advice of the city engineer, may prescribe. (Ord. 52 § 19, 1957)

16.08.200 Variations and exemptions.

A. If the applicant shall apply therefor at the time of filing his proposed plat, the city council may vary the application of the requirements of the comprehensive plan including the regulations relating to platting itself where it finds unnecessary hardship to exist. Where such variation is asked, the notice of public hearing prescribed in MMC 16.08.070 shall be amplified to show that a variance is asked, what regulations are sought to be varied, and on what basis unnecessary hardship is alleged to exist.

B. Within 30 days after such hearing, the planning commission shall submit its report, including an engineering statement prepared by the city engineer, and recommendation as to the propriety of granting a variance to the city council which shall, at its next regular meeting, grant or deny the same. The time for tentative approval or disapproval of the applicant's proposed plat may be extended by the planning commission by the time necessary to secure a determination of the application for a variance including review in the courts of the state. For purposes of review, the city council's decision shall be treated like one of the hearing examiner. (Ord. 710 § 1, 2001; Ord. 52 § 20, 1957)