

Title 17

PLATS AND SUBDIVISIONS

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Chapter 17.04

GENERAL PROVISIONS

Sections:

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17.04.010 Purpose. The purpose of this title is to:

- (a) Regulate the subdivision of land and to promote the health, safety and general welfare;
- (b) Lessen congestion in the streets;
- (c) Promote safe and convenient travel by the public on streets;
- (d) Provide for adequate light and air;
- (e) Ensure compliance with adopted levels of service standards established in the comprehensive plan;
- (f) Provide for proper ingress and egress;
- (g) Provide for the expeditious review and approval of proposed subdivisions which conform to the comprehensive plan, zoning code and other development regulations of the Town of Steilacoom;
- (h) Provide for adequate housing and commercial needs of the citizens of the Town of Steilacoom;
- (i) Require uniform monumenting of land subdivisions and conveyances by accurate legal description; and
- (j) Implement the goals of the Steilacoom Comprehensive Plan. (Ord. 1275 §1(part), 2000).

17.04.020 Scope.

- (a) Every subdivision and short subdivision shall comply with Chapter 58.17 RCW, this title, SMC Titles 14,16 and 18, all future amendments and all other applicable federal, state and local laws, unless exempt under RCW 58.17.040.

(b) Property boundary lines separating two or more lots of record may be adjusted only under the provisions of this title.

(c) Planned area developments shall comply with the provisions of this title, SMC Titles 14, 16 and 18, all future amendments and all other applicable federal, state and local laws. (Ord. 1275 §1(part), 2000).

17.04.030 Fees. The Town Council shall set all fees applicable to this title by resolution. (Ord. 1275 §1(part), 2000).

17.04.040 Definitions. As used in this title, the following words and phrases shall have the meanings ascribed by this chapter, Title 12 and Title 18 SMC.

(a) Appropriate Provisions. "Appropriate provisions" means the adequate and timely provision of public services to be used by the lots of the subdivision or short subdivision; including roads, access, potable water, sanitary waste, parks and open space, and playgrounds, consistent with the level of service established by the Steilacoom Comprehensive Plan and implementing regulations.

(b) Back Lot. "Back lot" is a lot that does not directly front on any public street, but is accessed by an access strip. Any lot that has less than the required street frontage is a back lot.

(c) Block. "Block" is a group of lots, tracts or parcels within well defined and fixed boundaries.

(d) Contiguous Short Subdivisions. "Contiguous short subdivisions" are two or more short subdivisions on adjacent parcels either under common ownership or in separate ownership but developed in concert, filed within 30 days of the first application.

(e) Contribution. "Contribution" is a cash donation offered in lieu of public improvements and accepted on the public's behalf as a condition to approval of a subdivision plat or planned area site plan.

(f) County Auditor. "County Auditor" is the Pierce County Auditor, or the office or person assigned the County Auditor duties defined in Chapter 36.22 RCW by County Charter.

(g) County Treasurer. "County Treasurer" is the Pierce County Assessor-Treasurer, or the office or person assigned the County Treasurer duties defined in chapter 36.29 RCW by County Charter.

(h) Cul-de-Sac. "Cul-de-sac" is a street less than 1000 feet long terminating in a vehicular turnaround space.

(i) Dedication. "Dedication" is the deliberate act of giving land for any general and public use, without reserving any rights incompatible with the full exercise and enjoyment of that use. The intention to dedicate by the owner shall be evidenced by the filing of a final plat or short plat showing the dedication thereon. The acceptance by the Town shall be evidenced by the approval of such plat for filing.

(j) Division or Phase of Development. "Division" or "phase of development" is a designated portion of a plat containing several lots, blocks or tracts.

(k) Easement. "Easement" is a grant by the owner of the land, of limited rights to the use of property for specific purposes.

(1) Easement, Access. "Access easement" is a private right-of-way no less than twenty feet wide which provides vehicular access to a street from a lot which does not abut a street.

(l) Improvement, Public. "Public improvement" means any structure, required as a condition of approval, which may be used by the public.

(m) Lot. "Lot" is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term includes tracts and parcels.

(n) Lot line Adjustment. "Lot line adjustment" is the relocation of a lot line between existing lots which results in no more lots than existed before the adjustment.

(o) Planned Area Development. "Planned area development," or PAD, is an alternative form of subdivision and development regulation to provide a more flexible method of developing land.

(p) Planning Commission. "Planning Commission" is the Steilacoom Planning Commission.

(q) Paths, Pathways and Trails. "Paths," "pathways" and "trails" shall have the meanings assigned in the Trails and Pathways Plan and shall include pedestrian trails, nature trails, interpretive trails, multi-use trails, and bicycle trails.

(r) Plat. "Plat" is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

(1) "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval of the general layout of the plat.

(2) "Final plat" is the final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in Chapter 58.17 RCW, this title, and other applicable regulations.

(3) "Short plat" is the map or representation of a short subdivision.

(s) Subdivider. "Subdivider" is any person who proposes a subdivision or short subdivision of land.

(t) Subdivision. "Subdivision" is a division or redivision of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

(1) Formal Subdivision see Subdivision.

(2) Long Plat or Long Subdivision see Subdivision.

(3) "Short subdivision" is the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

(u) Town Administrator. "Town Administrator" is the Town Administrator of the Town, or designee.

(v) Town Council. "Town Council" is the Town Council of the Town of Steilacoom.

(w) Town Engineer. "Town Engineer" is the Director of the Department Of Public Works, or designee.

(x) Townhouse. "Townhouse" means a single family dwelling in a row of at least three (3) units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire resistant walls.

(y) Tract or Parcel. See Lot.

(z) Vacation of Subdivision. "Vacation of a subdivision" shall mean the annulling of a previously approved subdivision or short subdivision.

(aa) Walkway. "Walkway" is a hard surfaced portion of a street, right-of-way, or easement intended for pedestrian use. (Ord.1275 §1(part), 2000).

17.04.050 Enforcement. Enforcement action for violations of this Title shall be governed by the provisions of Chapter 14.32 SMC. (Ord. 1543 §11, 2016).

Chapter 17.08

DESIGN STANDARDS

Sections:

17.08.010 Compliance.

17.08.020 Lots.

- 17.08.030 Density.**
- 17.08.040 Open space and natural features.**
- 17.08.050 Street and block layout.**
- 17.08.060 Block requirements.**
- 17.08.070 Street standards.**
- 17.08.080 Additional street requirements.**
- 17.08.090 Dead-end streets.**
- 17.08.100 Level of service standards.**
- 17.08.110 Street and subdivision names.**
- 17.08.120 Student and pedestrian walkways.**
- 17.08.130 House numbers.**
- 17.08.140 Survey required.**
- 17.08.150 Monuments.**
- 17.08.160 Additional requirements.**
- 17.08.170 Phased subdivisions.**
- 17.08.180 Required certificates.**

17.08.010 Compliance.

(a) Design Standards. All subdivisions and short subdivisions shall comply with the following standards of design and development except as noted elsewhere in this chapter.

(b) Town Plans. All subdivisions and short subdivisions shall be in accordance with the adopted plans of the Town, including but not limited to: the Comprehensive Plan, the Shoreline Master Program, the Official Street Map, the Storm Drainage Plan, the Trails And Pathways Plan, and the Parks And Recreation Plan.

(c) No building permit or other development permit shall be issued for any lot, tract, or parcel of land divided in violation of Chapter 58.17 RCW or this title, except as provided by RCW 58.17.210. (Ord. 1275 §2(part), 2000).

17.08.020. Lots.

(a) Lot Size. Lots or tracts shall be no less than the minimum size required in the zoning district except:

(1) Dedicated Open Space. Lots dedicated to the public or restricted by covenant for open space, park or recreation use may be less than the required minimum lot size.

(2) Planned Area Developments. Lots in planned area developments, SMC Chapter 17.32, may be less than the minimum lot size of the zone district.

(b) Lot Shape. Lots should be generally rectangular in shape, and designed to avoid awkward configuration or appendages.

(1) Lot width and area. Each lot shall have sufficient lot width and area to comply with the minimum requirements set forth in SMC 18.20.030 for the particular zone.

(2) Lot depth. Each lot should have an average depth between the front and rear lot lines of not less than one foot of depth for each one foot of width. See illustration 2B attached to Ordinance 1275.

(3) Side lot lines. As much as possible, where topography and natural features permit, side lot lines should run at right angles to the street the lot fronts. On curved streets, the side lot lines should be radial to the curve.

(4) Frontage requirement. Each lot fronting on a street shall have a minimum frontage of 60 feet in the R-7.2 zone, and 80 feet in all other zones. Each lot fronting on a cul-de-sac shall have a minimum frontage of 40 feet.

(5) Back lots. Back lots shall meet all requirements of SMC 12.16.110 through 12.16.160. Lot width for back lots shall be measured parallel with the street the lot accesses.

(6) Planned Area Developments. Lots in planned area developments, SMC Chapter 17.32, may be exempt from lot width, depth, area and side lot line requirements.

(c) Access. Each lot shall have access to a street, directly or by access easement. Pedestrian and bicycle access to schools, parks, shorelines, and open space should be provided where street access is unsafe or inadequate.

(d) Building Site. Each lot shall have a building site no less than sixteen hundred square feet in area within which a suitable building can be built and served by utilities and vehicular access, unless dedicated or restricted by covenant for open space, park or recreational use. (Ord. 1448 §1, 2008; Ord. 1275 §2(part), 2000).

17.08.030 Density. Unless specifically provided to the contrary, the maximum number of residential lots allowed per subdivision shall be calculated based on the net area of the land sought to be subdivided, after subtracting all non-buildable area, including critical areas and buffers, stormwater detention facilities and streets. (Ord. 1379 §9, 2004; Ord. 1275 §2(part), 2000).

17.08.040 Open space and natural features.

(a) Valuable natural features such as trees, streams, wetlands, and wildlife habitat shall be preserved to the greatest extent feasible.

(b) Proposed grading shall be minimized by the use of shared access driveways, and careful location of streets and building sites.

(c) Wetlands and natural drainage courses shall be kept open to flow and unobstructed.

(d) Where subdivision and development of lands may pose a hazard to the subdivision or nearby properties because of steep slopes, unstable soils, excessive storm water runoff or soil erosion, the subdivider shall present conclusive evidence of hazard mitigation. In the absence of such evidence, subdivision of such land shall be denied.

(e) All subdivisions and short subdivisions shall comply with the provisions of SMC Title 16, Environment. (Ord. 1275 §2(part), 2000).

17.08.050 Street and block layout. The subdivision shall abut on and/or be served by an improved street or streets. The street and block layout shall conform to the most advantageous development of adjoining areas for the entire neighborhood, and shall provide for the following:

(a) Continuity of appropriate streets, arterials and utilities;

(b) Streets generally developed with respect to contour lines;

(c) Offset intersections shall be avoided;

(d) A minimum separation between intersections of 200 feet, measured centerline to centerline;

(e) Streets intersecting at right angles, or as nearly as possible, subject to approval by the Town engineer; and

(f) All streets and rights-of-way shall be planned and designed to meet the construction standards established by the Town. (Ord. 1275 §2(part), 2000).

17.08.060 Block requirements. A block shall consist of two or more contiguous lots that are not separated by a street. Blocks shall meet the following requirements:

(a) Whenever appropriate, blocks shall provide for two tiers of lots; except that one tier of lots is encouraged between a residential street and an arterial. Lots shall front on and be accessed from the residential street or from an alley constructed between the two tiers of lots; and

(b) The distance between intersections along a street or arterial should not exceed 400 feet; and

(c) Where there are two tiers of lots lying between approximately parallel streets or arterials, and where the distance between intersections along a street or arterial exceeds 400 feet, an alleyway that may be used as a walkway, path, pathway or trail running between lots and lying roughly perpendicular to the street or arterial shall be provided at approximately mid-block point. The alleyway right-of-way shall be at least 10 feet in width and improved as approved by the Town engineer; and

(d) The number of streets intersecting with existing or proposed arterials shall be held to a minimum consistent with adequate local circulation. (Ord. 1275 §2(part), 2000).

17.08.070 Street standards.

(a) The subdivider shall construct or improve streets and arterials to meet all town standards and specifications, and shall dedicate the streets and arterials to the Town.

(b) The standard width and engineering design of streets and arterials shall conform with Title 12 SMC and the Comprehensive Plan. Street grades and curves shall provide adequate sight and stopping distances for traffic safety. (Ord. 1275 §2(part), 2000).

17.08.080 Additional street requirements.

(a) As appropriate to mitigate the impacts of the subdivision or short subdivision, or to take into account individual conditions encountered in each project, additional street improvements may be required.

(b) The discretionary improvements identified in the transportation element of the Steilacoom Comprehensive Plan may be used as additional street requirements. (Ord. 1275 §2(part), 2000).

17.08.090 Dead-end streets.

(a) All dead-end streets shall terminate in a circular turnaround having a minimum right-of-way diameter of 100 feet and a minimum pavement diameter of 80 feet, or a "T", "Y" or "hammerhead" design which allows a 35 foot turning radius for emergency vehicles.

(b) Culs-de-sac shall have a passing turnout every four hundred feet if appropriate.

(c) Culs-de-sac serving more than six dwelling units shall not exceed one thousand feet in length.

(d) Existing dead-end streets that are greater than 800 feet in length should be connected to other streets when the opportunity arises, unless it is demonstrated that such connections would lead to substantial rerouting of traffic onto the street. Existing dead-end streets longer than 800 feet should not be allowed to serve substantial new development unless linked to other streets.

(e) When access is to be provided to adjoining property, a street end shall be extended at full right-of-way width to the boundary of the subdivision and shall be provided with a temporary cul-de-sac. The temporary cul-de-sac shall be paved, with a radius of at least 35 feet on a temporary easement. The temporary easement shall provide for automatic release upon the extension and construction of the street beyond the boundary of the original subdivision. (Ord. 1275 §2(part), 2000).

17.08.100 Level of service standards.

Parking lanes, bicycle lanes, sidewalks, pedestrian paths, trails and planting strips, where used, shall conform to the level of service standards established for each item in the comprehensive plan and/or the trails and pathways plan, as now or hereafter amended. (Ord. 1275 §2(part), 2000).

17.08.110 Street and subdivision names.

Street and subdivision names shall be approved by motion of the Planning Commission. New street and subdivision names shall not duplicate nor too closely approximate the name of any other street or subdivision within or near Steilacoom. (Ord. 1275 §2(part), 2000).

17.08.120 Student and pedestrian walkways.

(a) In the design of every preliminary subdivision and short subdivision, consideration shall be given for sidewalks and other planning features that assure safe walking conditions for the general public and for students who walk to and from school.

(b) In the design of every preliminary subdivision and short subdivision, provisions shall be made to provide a walkway, trail, path or sidewalk connecting the subdivision or short subdivision with contiguous areas.

(c) In the design of every preliminary subdivision and short subdivision, trails and pathways identified in the current Town Trails and Pathways Plan shall be retained and improved. (Ord. 1448 §2, 2008: Ord. 1275 §2(part), 2000).

17.08.130 House numbers. The Town Administrator shall assign house numbers to each lot in a subdivision or short subdivision. The numbers shall be shown on the final plat and short plat. (Ord. 1275 §2(part), 2000).

17.08.140 Survey required. The survey of every proposed subdivision and short subdivision shall be made by or under the supervision of a Washington state registered land surveyor. All surveys shall conform to standard practices and principles for land surveying as set forth in the laws of the State of Washington and the submittal requirements of the Town. (Ord. 1275 §2(part), 2000).

17.08.150 Monuments. Approved case and covered monuments shall be set at all points where the street lines intersect the exterior boundaries of the subdivision. Brass monuments shall be set for all other exterior boundaries. All lot corners shall be marked with a permanent suitable metal marker not less than three-eighths inch in diameter and 24 inches long and driven flush with the finished grade. (Ord. 1275 §2(part), 2000).

17.08.160 Additional requirements. The standards and requirements established or referenced by this chapter are minimum requirements. These standards and requirements may be made more stringent, and additional requirements may be imposed to mitigate identified adverse environmental impacts pursuant to the State Environmental Policy Act, Chapter 43.21C RCW and Title 16 SMC, or to meet requirements of the adopted stormwater manual, the Endangered Species Act, or other federal or state regulation. Additional requirements may include, but are not limited to, off-site improvements to any public facility, the dedication and/or improvements of parks and open spaces, increased setbacks, and monetary contributions to any town fund established to finance the provision of public services required by the subdivision. (Ord. 1275 §2(part), 2000).

17.08.170 Phased subdivisions. If a subdivision is proposed to be built in sequential phases, preliminary plat approval must be granted for the entire subdivision, and must delineate the separate divisions that are to be developed in increments. The preliminary plat approval is conditioned upon completion of the proposed phases in a particular sequence and may specify a completion date for each phase. Final plat approval is granted for each separate phase of the preliminary plat. Any change at the preliminary plat stage requires approval per SMC 17.12.100. (Ord. 1275 §2(part), 2000).

17.08.180 Required certificates.

(a) General. The following certificates shall be shown on all final plats and short plats. Items (1) through (7) shall be signed by the indicated person before the final plat or short plat is submitted for town approval:

(1) Surveyor. A signed certification on the plat by a Washington State registered land surveyor in accordance with Chapter 58.09 RCW, as now or hereafter amended.

(2) Owner. The owner of any interest in, and the holder of any lien or encumbrance upon, land proposed for subdivision, shall certify that the proposed plat is submitted with his consent and that he has no objections thereto.

(3) Dedications. A certificate of dedication by the owner for all areas to be dedicated to the public, acknowledged by a notary.

(4) Waiver of Claims. A statement by the owner waiving all claims for damages against any governmental authority which may arise from the construction, drainage and maintenance of required improvements.

(5) Waiver of Access. If required by the conditions of the preliminary approval, a waiver by the owner of direct access to any street from any property.

(6) Roads Not Dedicated. A statement or other clear indication by the owner if any street is not to be dedicated to the public and specifying the maintenance responsibility.

(7) Health Officer or Public Works. A statement by the health officer or Department of Public Works certifying that the proposed means of sewage disposal and water supply are adequate.

(8) Taxes. A statement to be signed by the County Treasurer that all taxes and delinquent assessments for which the land to be divided may be liable as of the date of the signing of the statement have been paid.

(b) Additional certificates for final plats: For final plats, the following additional certificates are required:

(1) Town Engineer. The following statements to be signed by the Town Engineer:

(A) A statement approving the survey data, the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water system and other public improvements;

(B) A statement recommending approval of the final plat of a formal subdivision to the Town Council.

(2) Town Approval. A statement to be signed by the Mayor and Town Clerk that the Town Council has approved the final plat of a subdivision.

(c) Additional certificate for short plats: For short plats, the following additional certificate is required: (2) Town Approval. A statement to be signed by the Mayor and Town Clerk that the Town Council has approved the final plat of a subdivision.

(c) Additional certificate for short plats: For short plats, the following additional certificate is required:

(1) Town Approval. A statement to be signed by the Town Administrator approving the short plat of a short subdivision. (Ord. 1275 §2(part), 2000).

Chapter 17.12

PRELIMINARY PLATS

Sections:

17.12.010 Preapplication meeting.

17.12.020 Application.

17.12.030 Preliminary plat requirements.

17.12.040 Required improvements.

17.12.050 Approval criteria and required findings.

17.12.055 Appropriate provisions for parks, recreation and playgrounds.

17.12.060 Review process.

17.12.070 Contributions in lieu of dedication.

17.12.080 Time limits.

17.12.090 Modifications to an approved preliminary plat.

17.12.010 Preapplication meeting. Prior to submittal of a subdivision application, the applicant shall arrange a meeting with town staff as required by SMC 14.12.020(b). A fee may apply to this meeting. The applicant shall provide all information known to him/her concerning the site characteristics. The Town Administrator shall use information gathered at this meeting, in part, to determine if supplemental information or special studies will be required for a complete application. (Ord. 1275 §3(part), 2000).

17.12.020 Application. A preliminary plat of a proposed subdivision shall be submitted for approval by filing a complete application with the Town Administrator, and paying the application fee. A complete application for a subdivision comprises:

- (a) A fully completed, signed and notarized development application;
- (b) A fully completed and signed environmental checklist;
- (c) Four copies of a preliminary plat as specified in SMC 17.12.030;
- (d) A reproducible 8½ x 11 inch copy of each drawing;
- (d) Any supplemental information or special studies identified by the Town Administrator;
- (e) A title report produced within 30 days of the submission by a title company certifying:
 - (1) The legal description of the total parcel sought to be subdivided;
 - (2) Those individuals or corporations holding an ownership interest and any security interest or other encumbrances affecting the title of the parcel.
 - (3) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate.
 - (4) Any easements or restrictions affecting the property to be subdivided with a description of purpose and reference to the Auditor's file number and/or recording number.
 - (5) If any lands are to be dedicated or conveyed to the Town as part of the subdivision, an extended coverage title policy may be required by the Town Administrator;
- (f) A scaled map showing the proposed subdivision and other parcels within 500 feet of the proposed subdivision;
- (g) A list containing the names and addresses of owners of all lands within 500 feet of any portion of the proposed subdivision, certified to be accurate and complete by the subdivider;
- (h) Two sets of stamped envelopes addressed to the owners of all lands within 500 feet of any portion of the proposed subdivision;
- (i) Stamped envelopes addressed to the proper city, town, and/or state authorities if required by RCW 58.17.080; and
- (j) Payment of all applicable review fees. (Ord. 1275 §3(part), 2000).

17.12.030 Preliminary plat requirements. A preliminary plat shall be prepared by a Washington State registered professional land surveyor. The preliminary plat shall be accurate, legible and drawn to an engineering scale of 100 feet or fewer to the inch, a scale of 50 feet to the inch being preferred. If more than one sheet is required, an index sheet showing the entire proposed subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall not exceed a size of twenty-four by thirty-six inches and shall be folded by the applicant to a 8½ x 11 inch size. The following information shall be shown on the preliminary plat:

- (1) The name of the proposed subdivision;
- (2) Legal description of the property being subdivided;

- (3) The name, address, seal and signature of the Washington State licensed land surveyor responsible for preparation of the plat;
- (4) A vicinity sketch;
- (5) Date prepared or revised, scale, north point, quarter section, section, township and range number;
- (6) Total acreage of the land to be divided, and area in square feet of each proposed lot;
- (7) Existing zoning, and zoning boundaries, if any;
- (8) Lot dimensions and numbers;
- (9) Setback lines required by the existing or proposed zoning, if the proposed lot has an unusual shape, steep topography, or other unusual limitations on its building site;
- (10) Any existing property lines within, or adjacent to, the proposed subdivision, and the names of the owners of adjacent property;
- (11) Contour lines in areas to be developed shall be at two foot intervals, or as specified by the Town Administrator. Ten foot intervals may be used in areas not to be developed. All contour lines shall be extended into adjacent property a sufficient distance to show the topographical relationship of adjacent property to the proposed subdivision;
- (12) The location, name and width of all existing and proposed street rights-of-way, or easements within or adjacent to the proposed subdivision, the grade of proposed streets and the pavement location of existing and proposed streets;
- (13) The location of all existing structures within the proposed subdivision and within twenty-five feet of the proposed subdivision. Public area or areas to be owned in common by the lot owners, if any;
- (14) The location of tree-covered areas, with the location of individual trees or groups of trees over eight inches in diameter breast high (dbh);
- (15) A preliminary grading and reclamation plan and profile of proposed roads if more than fifty cubic yards of earth is to be removed or relocated on the site;
- (16) A preliminary drainage plan consistent with the adopted stormwater manual showing existing and proposed drainage facilities for the site and the adjacent areas;
- (17) A statement of improvements to be installed, the party responsible for installation and the name of the party responsible for maintenance if not located in the public right-of way;
- (18) The location of known or suspected soil or geological hazard areas, water bodies, creeks and wetlands;
- (19) Location of existing and proposed utility lines, sewer and water mains adjacent to or within the proposed subdivision;
- (20) Other information required by the Town Administrator to properly review the proposed subdivision, including information needed to determine the environmental impact of the proposal. (Ord. 1275 §3(part), 2000).

17.12.040 Required improvements.

(a) Minimum improvements within each subdivision and along contiguous arterials shall consist of: paved streets, survey monuments, all public utilities, fire hydrants, street signs, and, where required, bicycle lanes, sidewalks, trails, pathways, curbs and gutters, streetlights, and all appurtenances.

(b) Improvements shall be installed subject to the approval of the Town Engineer. (Ord. 1275 §3(part), 2000).

17.12.050 Approval criteria and required findings.

(a) The Town Council shall:

- (1) Consider the physical characteristics of a proposed subdivision site;

(2) Determine if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions;

(3) Determine whether the public interest will be served by the subdivision and dedication;

(4) Determine if the proposed subdivision is in conformity with all applicable zoning and other land use controls; and

(5) Issue written findings for each item, (1) through (4).

(b) The Town Council may disapprove a proposed plat because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the Town Council covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the prior written consent of the Washington State Department of Ecology.

(c) Based on the written findings specified in paragraph (a)(5) above, the Town Council shall approve, approve with conditions, or deny the proposed subdivision and dedication.

(d) As a condition of approval, the Town Council may require dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The Town Council shall not, as a condition of approval of any subdivision, require a release from damages to be procured from other property owners. (Ord. 1275 §3(part), 2000).

17.12.055 Appropriate provisions for parks, recreation and playgrounds. In determining whether appropriate provisions have been made for parks, recreation and playgrounds in reviewing a subdivision application, the Town Council shall presume that the proposed subdivision has convenient access to developed parks and school playfields within a 1/3-mile (1,760 foot) radius. A subdivision may have convenient access to an existing facility and still require additional provisions for parks, recreation and playgrounds. (Ord. 1448 §3, 2008). **17.12.060 Review process.**

(a) Upon receipt of a completed application, the Town Administrator shall distribute copies of the proposed preliminary subdivision for review by town staff, including planning, public works and utilities, parks and public safety. The proposed preliminary subdivision shall be reviewed in accordance with the provisions of this title, Titles 2, 12, 13, 16 and 18, and any other applicable federal, state, and local law.

(b) The subdivider shall give additional notification of the filing of a preliminary plat to the appropriate city, town, or state authorities if required by RCW 58.17.080.

(c) The proposed preliminary subdivision shall be processed in accordance with the procedures in Title 14 SMC.

(d) A staff report shall be prepared and the proposed preliminary subdivision shall be reviewed by the Planning Commission at an informational workshop as set forth in SMC 14.20.030.

(e) The Town Council shall make a determination on the proposed preliminary subdivision following a public hearing as set forth in SMC 14.20.040. (Ord. 1275 §3(part), 2000).

17.12.070 Contributions in lieu of dedication.

(a) With the consent of the applicant and the Town Council, the Town may accept a contribution in lieu of dedication. Any such contribution shall be paid into a special reserve account maintained by the Clerk-Treasurer, not later than the date of final plat approval or plan approval,

and shall be expended within five years for such capital improvements as the applicant and Council have agreed upon.

(b) Contributions in lieu of dedication shall not include required public improvements. (Ord. 1275 §3(part), 2000).

7.12.080 Time limits.

(a) Processing. Preliminary plats shall be approved, disapproved or returned to the applicant for modification or correction within ninety days from the date of filing a complete application thereof unless the applicant consents to an extension of such time. If an environmental impact statement is required as provided in RCW 43.21C.030, the ninety day period shall not include the time spent preparing and circulating the environmental impact statement.

(b) Approval. Approval of the preliminary plat shall be automatically null and void without further action by the Town unless a final plat meeting all the requirements of Chapter 58.17 RCW and this title is submitted for approval by the Town Council within the time frames set forth below.

(1) For plats with preliminary approval dates on or before December 31, 2014, submittal within in seven years of the date of preliminary plat approval.

(2) For plats with preliminary approval dates on or after January 1, 2015, submittal within in five years of the date of preliminary plat approval.

(3) For plats not subject to requirements adopted under Chapter 90.58 RCW, and preliminary approval dates on or before December 31, 2007, submittal within ten years of preliminary plat approval.

(Ord. 1499 §1, 2013:Ord. 1487 §1, 2012: Ord.1460 §1, 2010: Ord. 1275 §3(part), 2000).

17.12.090 Modifications to an approved preliminary plat

(a) Minor modifications to a previously approved preliminary plat may be requested by the subdivider and approved by the Town Administrator subject to the provisions of SMC 14.20.010.

(b) The subdivider shall apply for modification by filing an application explaining the requested modification and the reason for the request and paying the required fee.

(c) Minor modifications are those which affect the precise dimensions or locations of buildings, accessory structures and driveways, but do not affect the overall project character or increase the number of lots, dwelling units or density. Minor modifications do not involve the location or relocation of a lot, tract or parcel or the location or relocation of a street.

(d) The Town Administrator shall make the following findings in order to approve a modification:

(1) The modification will be consistent with the subdivision and consistent with the findings, conclusions and decision of the Town Council; and

(2) The modification will not cause the subdivision to violate any applicable town policy or regulation; and

(3) The intent of the original conditions of approval are not altered.

(e) Modifications which exceed the criteria above shall be processed as a new preliminary plat. (Ord. 1275 §3(part), 2000).

Chapter 17.16

FINAL PLATS

Sections:

17.16.010 Time limitations.

- 17.16.020 Application.**
- 17.16.030 Final plat requirements.**
- 17.16.040 Recommendations to accompany final plats.**
- 17.16.050 Criteria for final approval.**
- 17.16.060 Review procedure.**
- 17.16.070 Recording and filing.**
- 17.16.080 Valid land use.**

17.16.010 Time limitations.

(a) Submittal. A final plat meeting all the requirements of Chapter 58.17 RCW and this title must be submitted for approval by the Town Council within the time limits specified in SMC 17.12.080.

(b) Processing. A final plat shall be approved, disapproved or returned to the applicant within thirty days from the date of filing thereof unless the applicant consents to an extension of such time. (Ord. 1499 §2, 2013: Ord. 1275 §4(part), 2000).

17.16.020 Application. Application for final plat approval shall be made to the Town Administrator. The applicant shall provide:

(a) Drawings. One original drawn on mylar in reproducible ink and four copies of the final plat, plus one reproducible 8½ x 11 inch copy.

(b) Review Fee. A review fee for the final plat shall be paid.

(c) Survey Notes. Complete field and computation notes of the plat survey showing the original or reestablished corners with descriptions and the actual traverse showing the original or reestablished corners with descriptions and the actual traverse showing error of closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in five thousand feet;

(d) Title Report. A report produced within 30 days of the submission by a title company certifying:

(1) The legal description of the total parcel sought to be subdivided;

(2) Those individuals or corporations holding an ownership interest and any security interest or other encumbrances affecting the title of the parcel.

(3) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate.

(4) Any easements or restrictions affecting the property to be subdivided with a description of purpose and reference to the Auditor's file number and/or recording number.

(5) If any lands are to be dedicated or conveyed to the Town as part of the subdivision, an extended coverage title policy may be required by the Town Administrator.

(e) All maintenance, performance and guarantee bonds or other guarantees as approved by the Town Administrator to guarantee the acceptability and/or performance of all public improvements. (Ord. 1275 §4(part), 2000).

17.16.030 Final plat requirements.

(a) A final plat shall be prepared by a professional land surveyor registered in the State of Washington. The final plat shall be accurate, legible and drawn to an engineering scale of 100 feet or fewer to the inch, a scale of 50 feet to the inch being preferred. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall not exceed a size of twenty-four by thirty-six inches, and each copy, except the mylar, shall be folded by the applicant to 8½ x 11 inch size.

(b) A final plat shall contain the information required for the preliminary plat, as modified by the conditions of approval and the additional information:

- (1) The boundary line of the plat, based on an accurate traverse, with angular and linear dimensions and bearings;
- (2) All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;
- (3) The exact location, width and name of all streets, alleys and other public ways within and adjacent to the subdivision;
- (4) The exact location, width and purpose of all easements and dedications for rights-of way provided for public and private services and utilities;
- (5) True courses and distances to the nearest established street lines, section, quarter section, or donation land claim corner monuments, which shall accurately locate the subdivision;
- (6) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, and those area or areas to be owned in common by the lot owners, if any, together with the purpose of such dedication or reservation;
- (7) A final grading and reclamation plan and profile of proposed roads if more than fifty cubic yards of earth is to be removed or relocated on the site;
- (8) A final drainage plan consistent with the adopted stormwater manual showing existing and proposed drainage facilities for the site and the adjacent areas;
- (9) A statement of improvements installed;
- (10) Any restrictions or conditions on the lots or tracts within the subdivision, as required by the Town Council or at the direction of the property owner.
- (11) House numbers as assigned by the Town.
- (12) The certificates listed in SMC 17.08.180 (a) and (b). (Ord. 1275 §4(part), 2000).

17.16.040 Recommendations to accompany final plats. Each preliminary plat submitted for final approval of the Town Council shall be accompanied by the following agencies' recommendations for approval or disapproval.

(a) The Health Officer, or, if the proposed plat is to be served by town utilities, the Department of Public Works, as to the adequacy of the proposed means of sewage disposal and water supply.

(b) The Planning Commission as to the compliance with all terms of the preliminary approval of the subdivision.

(c) The Town Engineer.

An agency or person issuing a recommendation for subsequent approval under subsections (a) and (c) shall not modify the terms of its recommendations without the consent of the applicant. (Ord. 1275 §4(part), 2000).

17.16.050 Criteria for final approval.

(a) Applications for final approval shall be accepted only if:

- (1) All plans, specifications, and documents of required public improvements have been approved in writing by the Town Engineer;
- (2) All deeds, conveyances, covenants, and agreements have been approved in writing by the Town Attorney;
- (3) All fees have been paid and surety bonds secured and attested to by the Town clerk;
- (4) Improvements required by the site plan of a planned area development have been installed as approved or bonded therefor;
- (5) The sewage disposal and water supply systems are adequate.

(b) Town Council Review. The Town Council shall determine whether the proposal:

- (1) Meets all general requirements for plat approval in this title;
- (2) Conforms to all terms of the conditions of preliminary approval;

- (3) Has clear title to proposed dedicated lands; and
- (4) Meets the requirements of Chapter 58.17 RCW, and any other applicable regulations in effect at the time of preliminary plat approval. (Ord. 1275 §4(part), 2000).

17.16.060 Review procedure.

(a) The Town Administrator shall submit the final plat or site plan, accompanying documents and approvals, to the appropriate officials for signature. The Town Administrator shall prepare a staff report as required by SMC 14.20.030.

(b) Planning Commission Review. The Planning Commission shall review the staff report, hold an informational workshop, and provide advice to staff regarding the staff report as to the compliance with all terms of the preliminary approval of the subdivision as required by SMC 14.20.030.

(c) Town Council Decision. The Town Council shall make a decision on the staff recommendation pursuant to SMC 14.20.040(a)(1).

(d) After review of the application for final approval and finding by the Town Council that the subdivision is in the public interest and in accordance with all conditions of preliminary approval, the Mayor and Clerk shall sign the plat.

(e) Town Council approval constitutes final acceptance of all dedications, conveyances, covenants of the plat and accompanying documents. (Ord. 1275 §4(part), 2000).

17.16.070 Recording and filing. The applicant shall record a final subdivision within fifteen days of approval and shall provide one reproducible copy of the recorded subdivision to the Town Administrator. Subdivision approval will not be deemed final until the subdivision is recorded. (Ord. 1275 §4(part), 2000).

17.16.080 Valid Land Use.

(a) Any lots in a final plat filed for record shall be a valid land use notwithstanding any change in zoning laws for the time period set forth below.

(1) For final plats filed on or before December 31, 2014, a period of seven years from the date of filing.

(2) For final plats filed on or after January 1, 2015, a period of five years from the date of filing.

(3) For final plats not subject to requirements adopted under Chapter 90.58 RCW and filed on or before December 31, 2007, a period of ten years from the date of filing.

(b) A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of approval for the time period set forth below after final plat approval unless the Town Council finds that a change in conditions creates a serious threat to the public health or safety in the subdivision.

(1) For final plats filed on or before December 31, 2014, a period of seven years from the date of filing.

(2) For final plats filed on or after January 1, 2015, a period of five years from the date of filing.

(3) For final plats not subject to requirements adopted under Chapter 90.58 RCW and filed on or before December 31, 2007, a period of ten years from the date of filing.

(Ord. 1499 §3, 2013:Ord, 1487 §2, 2012: Ord. 1460 §2, 2010).

Chapter 17.20

VACATION AND ALTERATION OF FINAL PLATS

Sections:

- 17.20.010 Vacation--Application.**
- 17.20.020 Vacation--Scope.**
- 17.20.030 Vacation--Procedure.**
- 17.20.040 Alteration--Application.**
- 17.20.050 Alteration--Procedure.**
- 17.20.060 Alteration--Revised drawing.**

17.20.010 Vacation--Application. An application for the vacation of any subdivision, part of a subdivision, short subdivision, or area dedicated for public use shall be submitted for approval by the Town by filing a complete application with the Town Administrator, and paying the application fee. A complete application for a vacation comprises :

- (a) A fully completed, signed and notarized development application;
- (b) A fully completed and signed environmental checklist unless exempt under Chapter 43.21C RCW;
- (c) Four copies of the final plat or short plat to be vacated;
- (d) A reproducible 8½ x 11 inch copy of each drawing;
- (e) A title report produced within 30 days of the submission by a title company certifying:
 - (1) The legal description of the subdivision or short subdivision;
 - (2) Those individuals or corporations holding an ownership interest and any security interest or other encumbrances affecting the title of the lots in the subdivision or short subdivision; and
 - (3) Payment of all applicable review fees. (Ord. 1275 §5(part), 2000).

17.20.020 Vacation--Scope. If the application is for the vacation of a subdivision, part of a subdivision, short subdivision, or area dedicated for public use together with a street right-of-way, the procedures in this section apply. When the application is specifically for a vacation of a street right-of-way, the Town's street vacation procedures shall be used. Vacations under this section may not vacate rights-of-way that are prohibited by Chapter 35.79 RCW and the Town's street vacation ordinance. (Ord. 1275 §5(part), 2000).

17.20.030 Vacation—Procedure.

- (a) Vacation of a subdivision, part of a subdivision, short subdivision, or area dedicated for public use shall follow the procedure in RCW 58.17.212.
- (b) Notice shall be given as provided in RCW 58.17.080 and SMC 14.16.030 including all persons identified in SMC 17.20.010(g). (Ord. 1275 §5(part), 2000).

17.20.040 Alteration--Application. An application for the alteration of any subdivision, part of a subdivision, short subdivision, not covered by Chapter 17.28 SMC, Lot Line Adjustment, shall be submitted for approval by the Town by filing a complete application with the Town Administrator, and paying the application fee. A complete application for an alteration comprises :

- (a) A fully completed, signed and notarized development application signed by all parties having an ownership interest in that portion of the subdivision or short subdivision subject to alteration;
- (b) A fully completed and signed environmental checklist, unless exempt under Chapter 43.21C RCW;
- (c) Four copies of the final plat or short plat to be altered;
- (d) A reproducible 8½ x 11 inch copy of each drawing;
- (e) A title report produced within 30 days of the submission by a title company certifying:

- (1) The legal description of the subdivision or short subdivision;
- (2) Those individuals or corporations holding an ownership interest and any security interest or other encumbrances affecting the title of the lots in the subdivision or short subdivision;
- (3) Any easements or restrictions affecting the subdivision or short subdivision to be altered with a description of purpose and reference to the Auditor's file number and/or recording number.
- (f) A scaled map showing the subdivision or short subdivision and other parcels within 500 feet of the exterior borders;
- (g) A list containing the names and addresses of owners of all lands within the subdivision or short subdivision and within 500 feet of any portion of the subdivision or short subdivision, certified to be accurate and complete by the subdivider;
- (h) Two sets of stamped envelopes addressed to the owners of all lands identified in subsection (g);
- (i) If the subdivision or short subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision or short subdivision, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the subdivision, portion of a subdivision or short subdivision.;
- (j) The reasons for the alteration; and
- (k) Payment of all applicable review fees. (Ord. 1275 §5(part), 2000).

17.20.050 Alteration--Procedure.

- (a) Alteration of a subdivision, or part of a subdivision, shall be reviewed and decided by the Town Council using the procedure in RCW 58.17.215.
- (b) Alteration of a short subdivision shall be reviewed and decided by the Town Administrator as an administrative approval subject to notice under SMC 14.20.020.
- (c) Notice of an alteration application shall be given as provided in RCW 58.17.080 and SMC 14.16.030 including all persons identified in SMC 17.20.040(g). (Ord. 1275 §5(part), 2000).

17.20.060 Alteration--Revised drawing.

- (a) If the Town Council approves the alteration of a subdivision or part of a subdivision, the applicant shall produce a revised drawing of the final plat. After review of the revised drawing by staff for compliance with all conditions of the approved alteration, the Mayor and Clerk shall sign the revised plat.
- (b) If the Town Administrator approves the alteration of a subdivision or part of a subdivision, the applicant shall produce a revised drawing of the final plat. After review of the revised drawing by staff for compliance with all conditions of the approved alteration, the Town Administrator shall sign the revised plat.
- (c) The applicant shall record the revised subdivision or short subdivision within fifteen days of approval and shall provide one reproducible copy of the recorded revision to the Town Administrator. Alteration approval will not be deemed final until the revision is recorded. (Ord. 1275 §5(part), 2000).

Chapter 17.24

SHORT SUBDIVISIONS

Sections:

- 17.24.010 Preapplication meeting.**
- 17.24.020 Application.**
- 17.24.030 Contiguous short subdivisions.**
- 17.24.040 Public improvements.**
- 17.24.050 Short plat requirements.**
- 17.24.060 Approval criteria and required findings.**
- 17.24.070 Review process.**
- 17.24.080 Recording.**
- 17.24.090 Resubdivision, vacation and alteration.**

17.24.010 Preapplication meeting. Prior to submittal of a short subdivision application, the applicant shall arrange a meeting with Town staff as required by SMC 14.12.020(b). A fee may apply to this meeting. The applicant shall provide all information known to him/her concerning the site characteristics. The Town Administrator shall use information gathered at this meeting, in part, to determine if supplemental information or special studies will be required for a complete application. (Ord. 1275 §6(part), 2000).

17.24.020 Application. A short plat of a proposed short subdivision shall be submitted for approval by filing a complete application with the Town Administrator, and paying the application fee. A complete application for a short subdivision comprises:

- (a) A fully completed and signed development application;
- (b) Four copies of the proposed short plat as specified in SMC 17.24.050 and 17.24.060;
- (c) One reproducible 8½ x 11 inch copy of the short plat;
- (d) Title Report. A report produced within 30 days of the submission by a title company certifying:
 - (1) The legal description of the total parcel sought to be subdivided;
 - (2) Those individuals or corporations holding an ownership interest and any security interest or other encumbrances affecting the title of the parcel.
 - (3) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate.
 - (4) Any easements or restrictions affecting the property to be subdivided with a description of purpose and reference to the Auditor's file number and/or recording number.
 - (5) If any lands are to be dedicated or conveyed to the Town as part of the short subdivision, an extended coverage title policy may be required by the Town Administrator;
- (e) Any supplemental information or special studies identified by the Town Administrator;
- (f) A scaled map showing the proposed short subdivision and other parcels within 500 feet of the proposed short subdivision;
- (g) A list containing the names and addresses of owners of all lands within 500 feet of any portion of the proposed short subdivision, certified to be accurate and complete by the subdivider;
- (h) One set of stamped envelopes addressed to the owners of all lands within 500 feet of any portion of the proposed subdivision; and
- (i) Payment of all applicable review fees. (Ord. 1275 §6(part), 2000).

17.24.030 Contiguous short subdivisions. Contiguous short subdivisions processed concurrently shall be combined and processed as a subdivision if the combined short subdivisions would create more than four lots. (Ord. 1275 §6(part), 2000).

17.24.040 Public improvements.

(a) All required public improvements necessary for the short subdivision shall be installed before recording the short subdivision.

(b) In short subdivisions not requiring a dedication, the subdivider shall submit for review, easements, covenants, deeds and other documents providing for the future construction and maintenance of the public or private improvements and shall hold the Town harmless from any action arising from the provision, construction, maintenance or operation of all private improvements.

(c) The subdivider shall submit a waiver of protest of future LID's which may be established to provide off-site improvements abutting the short subdivision.

(d) Minimum improvements within each short subdivision and along contiguous arterials shall consist of: paved streets, survey monuments, all public utilities, fire hydrants, street signs, and, where required, bicycle lanes, sidewalks and pathways, curbs and gutters, streetlights, and all appurtenances. (Ord. 1275 §6(part), 2000).

17.24.050 Short plat requirements.

(a) A short plat shall be prepared by a professional land surveyor registered in the State of Washington. The short plat shall be accurate, legible and drawn to an engineering scale of 100 feet or fewer to the inch, a scale of 50 feet to the inch being preferred. If more than one sheet is required, an index sheet showing the entire short subdivision with street and highway names shall be provided. Each sheet, including the index sheet, shall not exceed a size of twenty-four by thirty-six inches, and, except for the mylar, shall be folded by the applicant to 8½ x 11 inch size.

(b) A short plat shall contain the following information:

- (1) The name of the short subdivision;
- (2) Legal description of the property being subdivided;
- (3) The name and seal of the Washington State licensed land surveyor responsible for preparation of the short plat;
- (4) A vicinity sketch;
- (5) Date prepared or revised, scale, north point, quarter section, section, township and range number;
- (6) Total acreage of the land to be divided, and area in square feet of each proposed lot;
- (7) Existing zoning, and zoning boundaries, if any;
- (8) The boundary line of the short plat, based on an accurate traverse, with angular and linear dimensions and bearings;
- (9) All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;
- (10) The exact location, width and name of all streets, alleys and other public ways within and adjacent to the short subdivision;
- (11) The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;
- (12) True courses and distances to the nearest established street lines, section, quarter section, or donation land claim corner monuments, which shall accurately locate the short subdivision;
- (13) Setback lines required by the existing or proposed zoning, if the proposed lot has an unusual shape, steep topography, or other unusual limitations on its building site;
- (14) Any existing property lines adjacent to the short subdivision, and the names of the owners of adjacent property;
- (15) Contour lines in areas to be developed shall be at two foot intervals, or as specified by the Town Administrator. Ten foot intervals may be used in areas not to be developed. All contour lines shall be extended into adjacent property a sufficient distance to show the topographical relationship of adjacent property to the proposed short subdivision;

(16) The location of all existing structures within the proposed short subdivision and within twenty-five feet of the proposed subdivision.

(17) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, and those area or areas to be owned in common by the lot owners, if any, together with the purpose of such dedication or reservation;

(18) The location of tree-covered areas, with the location of individual trees or groups of trees over eight inches in diameter breast high (dbh), unless waived by the Town Administrator;

(19) A grading and reclamation plan and profile of proposed roads if more than fifty cubic yards of earth is to be removed or relocated on the site;

(20) A drainage plan consistent with the adopted stormwater manual showing existing and proposed drainage facilities for the site and the adjacent areas;

(21) A statement of improvements to be installed, the party responsible for installation and the party responsible for maintenance if not located in the public right-of way;

(22) The location of known or suspected soil or geological hazard areas, water bodies, creeks and wetlands areas;

(23) Location of existing and proposed utility lines, sewer and water mains adjacent to or within the subdivision;

(24) Any restrictions or conditions on the lots or tracts within the short subdivision, as required by the Town Administrator or at the direction of the property owner.

(25) House numbers as assigned by the Town.

(26) The certificates listed in SMC 17.08.180 (a) and (c). (Ord. 1275 §6(part), 2000).

17.24.060 Approval criteria and required findings.

(a) The Town Administrator shall:

(1) Consider the physical characteristics of a proposed short subdivision site;

(2) Determine if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions;

(3) Determine whether the public interest will be served by the short subdivision and dedication;

(4) Determine if the proposed short subdivision is in conformity with all applicable zoning and other land use controls;

(5) Determine whether required public improvements are installed, complete and accepted by the Town Council; and

(6) Issue written findings for each item, (1) through (5).

(b) The Town Administrator may disapprove a proposed plat because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the Town administration covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the prior written consent of the Washington State Department of Ecology.

(c) Based on the written findings specified in paragraph (a)(6) above, the Town Administrator shall approve, approve with conditions, or deny the proposed subdivision and dedication.

(d) As a condition of approval, the Town Administrator may require dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The Town Administrator

shall not, as a condition of approval of any subdivision, require a release from damages to be procured from other property owners. (Ord. 1275 §6(part), 2000).

17.24.070 Review process.

(a) Upon receipt of a completed application, the Town Administrator shall distribute copies of the proposed short subdivision for review by Town staff, including planning, public works and utilities, parks and public safety. The proposed preliminary subdivision shall be reviewed in accordance with the provisions of this title, Titles 2, 12, 13, 16 and 18, and any other applicable federal, state, and local law.

(b) The proposed preliminary subdivision shall be processed in accordance with the procedures in Title 14 SMC.

(c) The Town Administrator may grant preliminary approval, conditional approval or denial as set forth in SMC 14.20.020.

(d) Final approval shall be granted as set forth in SMC 14.20.020.

(e) Upon completion of the review and corrections, if any, the subdivider shall supply the Town Administrator with an original of the short plat drawn on mylar with reproducible ink. The Town Administrator shall certify that all required signatures have been made, and sign the short plat. Signature by the Town Administrator constitutes final approval for recording.

(f) The Town Administrator shall notify the chairman of the Planning Commission of the action taken. (Ord. 1275 §6(part), 2000).

17.24.080 Recording. The applicant shall record the short subdivision within fifteen days of approval and shall provide one reproducible copy of the recorded subdivision to the Town Administrator. Short subdivision approval will not be deemed final until the short subdivision is recorded. (Ord. 1275 §6(part), 2000).

17.24.090 Resubdivision, vacation and alteration.

(a) No lot within a short subdivision may be further subdivided within five years from the date of recording without filing a formal subdivision final plat, except that when a short subdivision contains fewer than four parcels, nothing in this chapter shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries.

(b) Vacation of a short subdivision shall be processed as set forth in Chapter 17.20 SMC.

(c) Alteration of a short subdivision shall be processed as set forth in Chapter 17.20 SMC. (Ord. 1275 §6(part), 2000).

Chapter 17.28

LOT LINE ADJUSTMENTS

Sections:

17.28.010 Scope and purpose.

17.28.020 Approval criteria.

17.28.030 Application.

17.28.040 Lot line adjustment drawing.

17.28.050 Town review and approval.

17.28.060 Recording.

17.28.010 Scope and purpose.

(a) Lot lines separating two established lots of record may be adjusted under this chapter.

(b) Proposals which create additional lots, tracts, parcels, sites or divisions must be processed under the applicable regulations for subdivisions or short subdivisions.

(c) Proposals which change or impair conditions or requirements imposed by previous platting decisions must be processed under the applicable regulations for alteration or vacation of subdivisions or short subdivisions. (Ord.1275 §7(part), 2000).

17.28.020 Approval criteria. Lot line adjustments shall not:

(a) Create any additional lot, tract, parcel, site or division.

(b) Result in a lot, tract, parcel, site or division containing insufficient area or dimension to qualify as a building site.

(c) Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or division.

(d) Create or diminish any easement or deprive any parcel of access.

(e) Increase the nonconforming aspects of an existing nonconforming lot relative to the Town's zoning and land use regulations.

(f) Replat, alter or vacate a subdivision or short subdivision.

(g) Amend conditions for previously subdivided property.

(h) Result in lots that are in awkward configuration or appendages.

(i) Violate the provisions of this title, Titles 2, 12, 13, 16 or 18 SMC, or any other applicable federal, state, and local law. (Ord. 1275 §7(part), 2000).

17.28.030 Application. A lot line adjustment shall be submitted for approval by the Town by filing a complete application with the Town Administrator, and paying the application fee. A complete application for a lot line adjustment comprises :

(a) A fully completed and signed development application;

(b) Four copies of the drawing as specified in SMC 17.28.040;

(c) One reproducible 8½ x 11 inch copy of the drawing;

(d) A title report produced within 30 days of the submission by a title company certifying:

(1) The legal description of the parcels involved;

(2) Those individuals or corporations holding an ownership interest and any security interest or other encumbrances affecting the title of the parcels;

(3) Any easements or restrictions affecting the parcels with a description of purpose and reference to the Auditor's file number and/or recording number; and

(e) Payment of all applicable review fees. (Ord.1275 §7(part), 2000).

17.28.040 Lot line adjustment drawing.

Lot line adjustment drawings shall be prepared by a professional land surveyor registered in the State of Washington. Lot line adjustment drawings shall be accurate, legible and drawn to an engineering scale of 100 feet or fewer to the inch, a scale of 50 feet to the inch being preferred. If more than one sheet is required, an index sheet shall be provided. Each sheet, including the index sheet, shall be drawn on mylar in reproducible ink and shall not exceed a size of twenty-four by thirty-six inches. The following information shall be shown on the drawing:

(a) The proposed lines for all affected lots, indicated by heavy solid lines, and labeled as such, clearly indicating which areas are to be added to or removed from existing lots;

(b) The existing lot lines to be changed, indicated by heavy broken lines, and labeled as such;

(c) The location and dimensions of all existing structures and improvements upon the affected lots and the distance between the structures and improvements and the proposed lot lines;

(d) The original legal description of the entire property together with new separate legal descriptions, labeling them specifically as old Parcel A, old Parcel B; new Parcel A, new Parcel B etc.;

(e) All parcel numbers of affected lots;

(f) A vicinity sketch;

(g) The location and dimensions of any drain field, easement, or right-of-way existing within or adjacent to any affected lots;

(h) The area and dimensions of each lot following the proposed adjustment; and

(i) The zoning for the affected lots. (Ord.1275 §7(part), 2000).

17.28.050 Town review and approval. Lot line adjustments are administrative approvals without notice as provided in Chapter 14.20 SMC. The Town Administrator shall review the lot line adjustment application, and shall approve or deny the application based on the criteria set forth in SMC 17.28.020. (Ord. 1275 §7(part), 2000).

17.28.060 Recording. The applicant shall record the lot line adjustment within fifteen days of approval and shall provide one reproducible copy of the recorded lot line adjustment to the Town Administrator. Lot line adjustment approval will not be deemed final until the adjustment is recorded. (Ord.1275 §7(part), 2000).

Chapter 17.32

PLANNED AREA DEVELOPMENTS

Sections:

17.32.010 Purpose.

17.32.020 General requirements.

17.32.030 Criteria for approval.

17.32.040 Application.

17.32.050 Review and approval.

17.32.010 Purpose.

The purpose of this chapter is:

(a) To allow for creative development equal or superior to traditional lot-by-lot development;

(b) To preserve open space, natural vegetation, water courses, wetlands, historic buildings and places and other community values;

(c) To provide more efficient street and utility systems by clustering buildings;

(d) To provide for a variety of housing types in one development with architectural design compatibility;

(e) To provide integrated landscape development;

(f) To provide for the integration of new development into the existing community while protecting and preserving the values of the surrounding neighborhood.

(g) To allow for office and industrial park development.

(Ord. 1376 §1,2004: Ord. 1275 §8(part), 2000).

17.32.020 General requirements. Planned area developments (PADs) may be located on a minimum of 2.5 acres in any zone. In areas regulated under SMC Chapter 16.16, PADs may be located on any size parcel that meets zoning requirements. PADs are subject to the use restrictions of the underlying zone except as noted below:

(a) All zoning and subdivision requirements may be modified in a PAD in accordance with SMC 17.32.030 except:

- (1) Building height;
- (2) Permitted uses;
- (3) Surveying standards;
- (4) Engineering design and construction standards of utilities.

(b) In residential (R) zones, townhouses of equal environmental impact may be substituted for single-family residences. The number of townhouses within a PAD shall not exceed one-half of the permitted dwelling units allowed in the area subject to the PAD, multiplied by 1.43. For example, in an area that could be developed with 10 single-family homes, the following situations are possible:

(1) 3 single family residences and either a 7-unit townhouse, or one 3-unit townhouse and one 4-unit townhouse.

(2) 4 single family residences and either a 6-unit townhouse, or two 3-unit townhouses.

(3) 5 single family residences and a 5-unit townhouse.

(4) 6 single family residences and a 4-unit townhouse.

(5) 7 single family residences and a 3-unit townhouse.

(6) 10 single family residences.

(c) If a PAD is proposed within two or more zones, the maximum number of dwelling units will be the total allowed in each zone combined. The permitted land uses of the more restrictive zone shall apply to the entire PAD.

(d) Office parks may be located in the commercial zones. Industrial parks may be located in the industrial zone. Mixed-use commercial and residential development may be located in the commercial zones. The residential portion of a mixed-use development shall be secondary to the commercial development. Residential density in mixed-use development shall not exceed 12 dwelling units per acre.

(e) A minimum of twenty-five percent of the total land area of the PAD, not including dedications, driveways, parking areas, required street setbacks, yards and land occupied by buildings must be open space or occupied by recreational structures such as swimming pools, game courts, outdoor shelters, etc.

(f) If a PAD is planned for completion more than two years past the date of preliminary plat/site plan approval, the PAD will be divided into phases numbered sequentially in the order construction is to occur. The preliminary plat/site plan and each phase shall be approved separately.

(g) Each phase of a multi-phase PAD shall meet all the requirements of a PAD independently.

(h) PAD covenants shall include a provision whereby unpaid taxes on all property owned in common shall constitute a proportioned lien on all property of each owner in common. (Ord. 1376 §2, 2004: Ord. 1275 §8(part), 2000).

17.32.030 Criteria for approval. The Town's standard setbacks, lot sizes and lot coverage requirements shall apply unless the applicant affirmatively demonstrates that exceptions from setback, lot size and lot coverage requirements are warranted by the creative design features and amenities proposed in the PAD. The creative design and amenities must meet the minimum requirements set out in Title 18 and SMC 17.32.020 and must fulfill one or more of the following goals of the comprehensive plan:

(a) Rehabilitation, protection and integration of environmental features such as greenbelts, streams, wetlands, or steep slopes beyond the requirements of SMC 18.20.050. *Goals 2 and 4, Land Use and Goal 6, Quality of Life.*

(b) Allowing for office/work space within homes. Work spaces must include separate entrances. (A permit is required and restrictions apply for operation of home occupations.)

Goal 1, Land Use

(c) Recreation amenities in excess of the minimum required by SMC 17.32.020. Recreational amenities include such structures as swimming pools, game courts, outdoor shelters, etc., and non-structures as hiking paths, playing fields, etc. *Goal 4, Land Use*

(d) Enhancement of Puget Sound views by use of view corridors, view easements and similar devices. *Goal 3, Land Use*

(e) Superior storm water quality design, beyond that required by Chapter 13.48 SMC. *Goal 5, Land Use*

(f) Superior traffic design in waterfront development, mitigating motor vehicle traffic in areas surrounding the development. *Goal 7, Land Use*

(g) Integration of public facilities into the design of the PAD. *Goal 9, Land Use*

(h) Locating garages to rear half of residential lots. *Goal 2, Housing*

(i) Maintenance and integration of identified important neighborhood characteristics. *Goal 1, Housing*

(j) Integration of Accessory Dwelling Units. *Goal 3, Housing*

(k) Use of active or passive solar energy systems. *Goal 1, Utilities*

(l) Superior pedestrian-oriented design and access to amenities. Integration of trails and pathways into the PAD using trails and pathways plan design criteria. *Goal 2, Transportation*

(m) Providing connections to public transit, including transit stops, park and ride lots, or other transit oriented feature. *Goal 2, Transportation.* (Ord. 1376 §3, 2004: Ord. 1275 §8(part), 2000).

17.32.040 Application. A proposed planned area development application shall include:

(a) A subdivision application;

(b) Four copies of a detailed site development plan prepared by a registered Washington State professional land surveyor. Site development plans shall be accurate, legible and drawn to an engineering scale of 100 feet or fewer to the inch, a scale of 50 feet to the inch being preferred. If more than one sheet is required, an index sheet shall be provided. Each sheet, including the index sheet, shall not exceed a size of twenty-four by thirty-six inches, and shall be folded by the applicant to a size of 8½ x 11 inches. A reproducible 8½ x 11 inch copy of each drawing shall also be provided. The following information shall be shown on the drawing:

(1) The location and floor area size of all existing and proposed buildings, structures and other improvements, including building heights, types of dwelling units, density and accessory structures;

(2) The existing and proposed circulation system of adjoining streets and public rights-of-way, including off-street parking spaces, loading areas and driveways, with a notation as to whether the proposed improvement is public or private;

(3) The existing and proposed pedestrian circulation system;

(4) The existing and proposed utility systems and easements including sanitary sewer, storm sewer, water, electric, street lights, gas and telephone.

(5) The location of outdoor storage areas and trash enclosures;

(6) Location of existing ornamental and natural landscape species;

(7) The location and size in acres or square feet of all areas to be conveyed, dedicated or reserved as common open spaces, public parks, recreational areas or similar public/quasi-public uses;

(8) A schematic landscaping plan indicating the location of existing vegetation to be retained, location of vegetation and landscaping structures to be installed. Final landscaping

plans shall include the type of vegetation by common and taxonomic designation, the installed and mature height of all vegetation; and

(9) Schematic plans and elevations of proposed buildings with samples of all exterior finish material and colors, type and location of all exterior lighting, signs and accessory structures;

(c) A written explanation of the design concept, PAD features and amenities, measures taken to meet the purposes of PAD's, the proposed sequence and timing of development, the provisions of ownership and management when developed and covenants or other controls which might influence the development, operation or maintenance of the PAD;

(d) Outline documents of owner association, bylaws, deeds, covenants and agreements governing ownership, maintenance and operation of the PAD. (Ord. 1275 §8(part), 2000).

17.32.050 Review and approval.

(a) PADs shall be reviewed and approved in conjunction with a subdivision. In addition to the review for subdivision approval, the town council shall ensure that the following requirements are met:

(1) That the proposed PAD is in conformity with all applicable zoning and other land use controls;

(2) That the system of ownership and means of developing, preserving and maintaining open space is suitable; and

(3) That the PAD meets the requirements of SMC 17.32.030.

(b) All covenants, agreements, bylaws and other documents shall be reviewed and approved by the town attorney before final approval.

(c) The town council shall issue findings in accordance with its determinations, and shall approve, approve with conditions, or deny the proposed PAD based upon those findings.

(d) The Town Council shall specifically approve any variations from standard Town setbacks, lot sizes and lot coverage. Notation of approved variations shall appear on the face of the recorded subdivision (Ord. 1376 §4, 2004: Ord. 1275 §8(part), 2000).

Chapter 17.36

PUBLIC IMPROVEMENTS

Sections:

17.36.010 General requirements.

17.36.020 Design--Review--Fees.

17.36.030 Construction or surety bond approval.

17.36.040 Off-site improvements and unimproved abutting streets.

17.36.050 Inspection--Acceptance.

17.36.060 Maintenance agreement.

17.36.010 General requirements. Before final approval all required public improvements shall be installed or provided for by surety or other method. All public improvements shall be installed within one year of final approval. (Ord. 1275 §9(part), 2000).

17.36.020 Design--Review--Fees.

(a) All public improvements and private streets shall be designed by a Washington State professional engineer and approved by the Town Engineer. Prior to construction of any public improvements the subdivider shall furnish the Town Engineer with construction plans.

(b) Four copies of plan/profile drawings shall be prepared for all proposed streets. The horizontal scale shall be one inch equals 20 feet and the vertical scale shall be one inch equals two feet, or as approved by the Town Engineer. The plans will show all existing and proposed topography, utilities, grades, lot lines with appropriate numbers, rights-of-way and all other features or additional information required by the Town Engineer.

(c) Plan/profile drawings and construction sanitary sewer, storm drainage, electrical supply and water systems shall be provided as required by Title 13 SMC.

(d) Plan drawings, plan profile drawings, and specifications shall be approved by the Town Engineer prior to proceeding with construction. No construction permit or approval shall be issued and no construction may commence on any subdivision or short subdivision improvement until the plans have been approved and signed by the Town Engineer.

(e) The adopted Standard Specifications for Municipal Public Works Construction prepared by the Washington State Department of Transportation, most current edition, are the minimum required specifications for all improvements, except as modified by state law or by town regulation.

(f) The subdivider shall pay all applicable review fees for construction review. (Ord. 1275 §9(part), 2000).

17.36.030 Construction or surety bond approval. Preliminary plat approval or approval of final plans of public improvements by the Town Engineer, whichever occurs last, shall constitute approval to start construction of required public improvements. In lieu of construction improvements, a subdivider may proffer a surety in an amount not less than one hundred-fifty percent of the contract cost of the deferred improvements or one hundred-fifty percent of the cost as estimated by the Town Engineer. The surety shall be approved by the Town Attorney. (Ord. 1293 §11, 2000: Ord. 1275 §9(part), 2000).

17.36.040 Off-site improvements and unimproved abutting streets.

(a) All off-site improvements and unimproved abutting streets necessary to development of the subdivision shall be constructed except as noted below. Latecomers' agreements, in accordance with RCW 35.91, may be drawn for those portions of off-site improvements and abutting streets built by the subdivider which benefit other properties.

(b) Off-site improvements not immediately required to support the subdivision development may be deferred with an approved surety and/or waiver of protest of future LID's established for the improvement.

(c) A waiver of protest shall be required for abutting unimproved streets not constructed by the subdivider. (Ord.1275 §9(part), 2000).

17.36.050 Inspection--Acceptance.

(a) The Town Engineer shall make final inspection of all constructed public improvements. Upon completion, the Town Engineer shall certify the method of construction, workmanship, materials and test of the improvements.

(b) Within thirty days of certification, the subdivider shall provide the Town Engineer with as-built drawings, warranties, and other documents of the improvements and materials used therein. The subdivider shall also provide the Town Engineer with a computer disk containing a complete set of the final plat maps and as-built drawings using software acceptable to the Town engineer.

(c) Public improvements shall be deemed accepted by the Town two years from the date of final inspection by the Town Engineer. Acceptance may be extended by Town Council action on recommendation of the Town Engineer. (Ord. 1275 §9(part), 2000).

17.36.060 Maintenance agreement.

(a) The subdivider shall be responsible for the maintenance of all public improvements for a period of twenty-four months following final inspection.

(b) The subdivider shall submit a maintenance agreement covering all required public improvements and existing public improvements which may be damaged, disturbed, or modified during construction of the subdivision or private improvements therein.

(c) The subdivider shall complete any required maintenance within a reasonable period of time as determined by the Town Administrator or reimburse the Town for such maintenance it might perform. The Town may perform maintenance on any public improvement if the subdivider fails to complete the work within the specified time or if timely completion is necessary for the public health, safety or welfare. Maintenance performed by the Town during the required maintenance period does not waive the developer's responsibility for required maintenance.

(d) The subdivider shall submit security for maintenance equal to fifteen percent of the total actual value of the required public improvements, certified by the Town Engineer.

(e) The Town Engineer shall inspect the public improvements at least once during the maintenance period and report his findings to the Town Administrator. (Ord. 1275 §9(part), 2000).

Chapter 17.40

SURETY BONDS

Sections:

17.40.010 Surety bonds.

17.40.020 Partial release of surety bonds.

17.40.010 Surety bonds.

(a) All sureties and releases shall be approved by the Town Attorney as to form and securities.

(b) All surety bonds shall be approved by the Town Engineer as to amount and adequacy. (Ord. 1275 §10(part), 2000).

17.40.020 Partial release of surety bonds. Release of surety bonds for work partially completed may be made under the following conditions:

(a) The subdivider shall submit a schedule of partial improvements and the sequence for completion and partial value thereof;

(b) Each partial improvement shall be a completed segment of the required improvements, usable if accepted by the Town;

(c) Each partial segment shall receive final inspection approval by the Town before partial release;

(d) No partial release shall constitute more than eighty-five percent of the estimated value of the completed segment;

(e) Each partial release shall be approved in writing by the Town Engineer. (Ord. 1275 §10(part), 2000).

