

Chapter 3.210 - SUBDIVISION PROVISIONS

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3.210.005 Purpose

The purpose of this Chapter is to implement the policies of the various applicable state statutes including, but not limited to, Chapter 58.17 RCW, Findings; Chapters 35.63 and 65.08 RCW, and the City of Winlock Comprehensive Plan. The regulations contained herein are intended to:

- A. Promote the effective utilization of land and infrastructure;
- B. Make adequate provision for the housing needs of the City;
- C. Prescribe procedures for the subdivision of land in accordance with officially adopted plans, policies and standards, including the provisions of the Development Code; and
- D. Provide for the efficient processing of short plat applications without undue delay. A subdivision application shall be processed when subdividing into greater than nine lots.

3.210.010 Pre-application review

- A. A preliminary plat is subject to pre-application review.
- B. An applicant for pre-application review of a preliminary plat shall submit the requisite fee, a completed pre-application review form provided for that purpose by the city, and four copies of the following:
 - 1. Subdivision name;
 - 2. Name, mailing address, and telephone number of the owner, engineer, surveyor, planner, attorney and developer/applicant and the person with whom official contact should be made regarding the application;
 - 3. The date that the application was prepared;
 - 4. The approximate acreage of the site and of each proposed lot and tract;
 - 5. Comprehensive plan and zoning designations for the site;
 - 6. Existing and proposed land uses and structures on the site, and the proposed disposition of existing uses and structures;

7. A description of land title to or easements over which the applicant proposes to dedicate to the city and the purpose for such, if applicable;
8. A legal description for the site, including township, range and section and applicable assessor's map number(s);
9. A topographic map of the site if the preliminary plat submitted for pre-application review does not show elevation contours;
10. A draft environmental (SEPA) checklist may be submitted but is not required for pre-application review;
11. A proposed preliminary subdivision plat at a scale of no more than one inch equals 200 feet, with north arrow, date, graphic scale, existing and proposed lots, tracts, easements, rights-of-way and structures on the site, and existing lots, tracts, easements, rights-of-way and structures abutting the site; provided, information about off-site structures and other features may be approximate if such information is not in the public record. The applicant shall provide one copy of the plat reduced to fit on an eight-and-one-half-inch by 11-inch page. The plat shall show the dimensions and areas of all proposed lots, tracts and dedications. The plat shall show the distance from proposed property lines to the nearest existing structures on the site unless those structures will be removed;
12. Any other items or details the applicant believes would assist the staff in its review, such as proposed storm water plans, proposed utilities and their availability, geotechnical, wetland or other critical areas on or abutting the site, and a traffic impact study.

3.210.020 Review processes for subdivisions

- A. Technically complete review of a plat application is subject to a Type I process per Section 1.030.080 WDC.
- B. After a preliminary subdivision application is deemed to be technically complete the review of the application for a preliminary plat approval is subject to a Type III process. See Section 1.030.100 WDC.
- C. Review of a technically complete application for a final plat map is subject to a Type I process per Section 1.030.080 WDC.
- D. Appeal and post-decision review of final decisions regarding plats are permitted as provided in Sections 1.030.130 and 1.030.150 WDC respectively.

3.210.030 Preliminary plat application contents

An applicant for a preliminary short plat shall submit the requisite fee, a completed application review form provided for that purpose by the city, and ten (10) copies of the following information:

- A. The information listed in Section 3.210.010(B) WDC, provided an environmental checklist or EIS is required for a technically complete application unless categorically exempt.
- B. Written authorization to file the application signed by the owner of the property that is the subject of the application, if the applicant is not the same as the owner as listed by the Lewis County assessor.
- C. Proof of ownership document, such as copies of deeds and/or a policy or satisfactory commitment for title insurance.

- D. A legal description of the property proposed to be divided.
- E. If a subdivision contains large lots or tracts which at some future time are likely to be re-subdivided, the application shall include a master plan of all land under common ownership in order to provide for extension and opening of streets at intervals which will permit a subsequent division of each divisible parcel into lots of smaller size.
- F. A copy of the pre-application conference summary, if the application was subject to pre-application review, and all information required to address issues, comments and concerns in the summary;
- G. A written description of how the proposed preliminary plat does or can comply with each applicable approval criterion for the preliminary plat, and basic facts and other substantial evidence that supports the description.
- H. The names and addresses of owners of land within a radius of 300 feet of the site. Owner names and addresses shall be printed on mailing labels.
 - 1. An area map showing parcels within ¼ mile of the subject parcel shall be included;
 - 2. If the applicant owns property adjoining or across a right-of-way or easement from the property that is the subject of the application, then notice shall be mailed to owners of property within a 300-foot radius, as provided above, of the edge of the property owned by the applicant adjoining or across a right-of-way or easement from the property that is the subject of the application.
- I. Applications necessarily associated with the preliminary plat, such as applications for exceptions, adjustments or variances to dimensional requirements of the base or overlay zones or for modifications to the adopted Winlock road standards that are required to approve the preliminary plat application as proposed.
- J. A wetlands delineation and assessment if required by Winlock's Critical Areas Ordinance (CAO) and an application for a wetland permit and associated preliminary plan if required by Chapter Winlock's (CAO) to approve the preliminary plat application as proposed.
- K. An appropriate geotechnical study if:
 - 1. The applicant proposes to place substantial fill on the site (500 cubic yards or greater); or
 - 2. The site contains land identified by the U.S. Soil Conservation Service, Lewis County or the state of Washington as having slopes in excess of 25 percent or as being subject to instability, unless the applicant will not develop or otherwise significantly affect such lands or shows that the site does not contain unstable soils or steep slopes.
- L. Preliminary grading, erosion control and drainage plans, which may be a single plan, consistent with applicable provisions of Chapter Winlock's (CAO).
- M. Evidence that potable water will be provided to each lot from a public water system, and that each lot will be connected to public sewer.
- N. A plan showing proposed phasing if the applicant proposes to develop the subdivision in phases.

3.210.040 Approval criteria for a preliminary plat

- A. The review authority shall approve a preliminary plat if he or she finds:

- a.) The applicant has sustained the burden of proving that the application complies with the applicable regulations of the Winlock Development Code to the extent relevant;
 1. That the application can comply with those regulations by complying with certain conditions of approval, and those conditions are adopted; or that necessary adjustments, exceptions, modifications or variations have been approved or are required to be approved before the final plat is approved;
 3. The subdivision makes appropriate provision for potable water supplies and for disposal of sanitary wastes; and
 4. The subdivision complies with RCW 58.17.010.
- B. If phases are proposed, then the subdivision also complies with the following:
 1. The preliminary plat identifies the boundaries of each phase and sequence of phases;
 2. Each phase includes open space and other required public and/or private infrastructure at least in proportion to the number of lots in the phase;
 3. The sequence and timing of phases maintains compliance with applicable standards throughout the development of the subdivision; and
 4. The applicant completes or assures completion of public improvements consistent with Chapter 3.210.090 WDC.
- C. Flag lots are discouraged. When allowed, flag lots shall comply with the following standards:
 1. The flag "pole" shall be at least 20 feet wide instead of the frontage regulations of the zone.
 2. The flag pole shall be improved with an all-weather surface with an unobstructed vertical clearance of at least 13 feet six inches. The improved surface shall be at least twenty (20) feet wide and shall be marked and signed as a fire lane.
 3. The pole portion of the flag lot shall not be counted toward the minimum lot size.
 4. If the length of the flagpole is more than one hundred fifty (150) feet, an approved turn-around in conformance with the current adopted edition of the International Fire Code shall be provided at the end of the driveway, and structures on the lot shall incorporate a fire-hazard warning, including a hard-wired, back-up smoke detector, and a sprinkler system.
 5. Where flag lots are not provided but access easements across abutting properties to public or private rights-of-way are provided, the adopted applicable engineering standards shall apply.

3.210.050 Expiration and extension of preliminary plat approval

- A. Approval of a preliminary plat expires five (5) years from the effective date of the decision approving it unless, within that time, an applicant files with the city clerk an application for a final plat for a subdivision or given phases of a subdivision or for an extension.
- B. An application for extension of a preliminary plat approval for a subdivision or for remaining phases of a subdivision is subject to a Type I process. An applicant for an extension shall submit the requisite fee, a completed application review form provided for that purpose by the city, and text describing how the application complies with the approval criteria for an extension, and basic facts and other substantial evidence to support the text.
- C. The review authority may approve a single one-year extension of a preliminary plat approval if he or she finds that the relevant facts and the law have not changed substantially since the

original approval, or that the preliminary plat can comply with the law in effect on the date the application for the extension was filed by complying with certain additional and/or modified conditions of approval, and those additional conditions and/or modifications are adopted.

3.210.060 Final plat application contents

An applicant for a final plat shall submit to the city clerk the requisite fee and the following information:

- A. A form provided by the city containing the following information:
 - 1. Subdivision name;
 - 2. Name, mailing address, and telephone number of owner and/or developer, and surveyor of the plat;
 - 3. Date;
 - 4. Acreage;
 - 5. Number of lots;
 - 6. Zoning designation.
- B. Four paper copies of the final plat map shall be provided, and shall include the following:
 - 1. Subdivision name;
 - 2. Legend;
 - 3. Location, including one-quarter section, section, township, range, and, as applicable, donation land claim and/or subdivision;
 - 4. Boundary survey;
 - 5. Lot, block, and street right-of-way and centerline dimensions;
 - 6. Street names;
 - 7. Scale, including graphic scale, north arrow, and basis of bearings;
 - 8. Identification of areas to be dedicated;
 - 9. Surveyor's certificate, stamp, date, and signature;
 - 10. Signature blocks for the following:
 - a. Public Works Director or engineer
 - b. Mayor;
 - c. City Clerk or Director;
 - d. County auditor;
 - e. County assessor
- C. Special setbacks (if any);
- D. Public and private easements (if any) and the purpose of each;
- E. Tracts (if any) and the purpose of each;
- F. Walkways (if any).

- G. Legal description of the boundary which has been certified by the land surveyor shall be provided, with seal and signature as being an accurate description of the lands surveyed.
- H. A plat certificate shall be provided, including dedications, if any.
- I. A certificate of title shall be provided.
- J. Restrictions and covenants shall be provided if proposed to fulfill conditions of approval or applicable provisions of law.

3.210.070 Approval criteria for a final plat

The review authority shall approve a final plat if he or she finds:

- A. It complies with the decision approving the preliminary plat;
- B. The applicant has fulfilled all conditions of approval or that the Winlock Development Code requires to be fulfilled before approval of the final plat, and
- C. The final short plan application meets the submittal requirements of Section 3.210.060 WDC.

3.210.080 Construction prior to final plat approval – Bonds

- A. In lieu of the completion of any required public improvements prior to approval of a final plat, the clerk/treasurer may accept a bond, in an amount of at least 125 percent (125%) of the estimated cost of construction of the public improvements in question, as certified by a professional engineer, and with surety and conditions satisfactory to the engineer, or other secure method as the engineer may require, providing for and securing to the city the actual construction and installation of such improvements within a period specified by the engineer, and specified in the bond or other agreement; and to be enforced by the engineer by appropriate legal and equitable remedies.
- B. Construction shall not start prior to both the construction plans having been signed by the engineer and the final plat survey computations having been approved by the engineer; except that rough grading operations may proceed before the plans are approved by the engineer under the following conditions:
 - 1. The grading plan is submitted separately, along with an application for the grading permit.
 - 2. The grading plan is in conformance with the approved preliminary plat.
 - 3. The grading plan will not be in substantial conflict with the street profiles and drainage structure plans.
 - 4. The grading permit is issued.

3.210.090 Improvement plans

Where improvements are required, plans for such improvements shall be submitted to the Public Works Director. Improvements shall be designed by or under the direct supervision of a licensed engineer where required by statute. The engineer shall certify same by seal and signature. All improvement plans shall comply with the provisions of city ordinances pertaining to streets, roads and utilities, and any other applicable city ordinances, and in addition to the above certification shall contain the following:

- A. Subdivision name;

- B. Name, mailing address, and telephone number of engineers preparing the plan;
- C. Date (month and year).