

DRAFT Land Division Code Language

19.300s – Land Divisions

19.330 – Lot Line Adjustments

19.330.010 Purpose. The purpose of this chapter is to provide rules and criteria for approval of lot line adjustments between two or more legal lots to ensure that the reconfigured lots meet applicable dimensional standards.

19.330.020 Applicability. A Lot Line Adjustment is required to relocate a common property line between two or more properties.

19.330.030 Application. The following must be submitted to the City for an application to be deemed complete:

- A. An appropriate City application form;
- B. A survey prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 58.09 RCW), clearly showing the dimensions of the existing properties, location of any improvements (structures, septic system, etc.), location of any easements, and the dimensions of the proposed lot line(s);
- C. Legal descriptions of before and after the lot line adjustment;
- D. Copy of all property owners' deeds, verifying current ownership; and
- E. The application fee.

19.330.040 Process. Lot Line Adjustments are processed through a Type I Review. The Type I Review process is found in MLMC Section 19.270.020, Type I Reviews.

19.330.050 Approval Standards. A lot line may be adjusted if no new lot is being created and all standards of MLMC Title 19 – Land Use and Development, are being met. This includes, but is not limited to MLMC Chapter 19.540 – Density and Lot Sizes, and MLMC Chapter 19.550 – Development Standards.

19.350 – Subdivisions

19.350.010 Purpose. The purpose of this chapter is to implement the Medical Lake Comprehensive Plan, ensure orderly land division and development, protect public health, safety, and welfare, ensure adequate public facilities are concurrent with development, stipulate standards, and provide a clear and efficient process.

19.350.020 Applicability. All divisions of land shall be subject to the requirements of this Chapter, except for land divided by an approved Binding Site Plan and other inapplicable situations pursuant to RCW 58.17.040. Lot Segregations, Lot Merges, and Lot Line Adjustments are not considered land divisions.

19.350.030 Overview. The land division process requires the following:

- A. Preliminary Plat Approval per MLMC Chapter 19.350 – Subdivisions.

- B. Construction of or financial security guaranteeing infrastructure improvements per MLMC Chapter 19.380 – Infrastructure Improvements.
- C. Final Plat Approval per MLMC Chapter 19.390 – Final Plats.
- D. Recording of the Final Plat.

19.350.040 Preliminary Plat Review Applications. The following must be submitted to the City for an application to be deemed complete:

- A. An appropriate City application form;
- B. A written description of the proposal;
- C. A preliminary plat prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 58.09 RCW) depicting, at a minimum, lot lines, easements, rights-of-way, and topographic features;
- D. A traffic generation letter (for 5 or more lots);
- E. Any studies, reports, or documentation to support the request;
- F. A written response to the approval criteria of MLMC Section 19.350.060 Preliminary Plat Review Approval Criteria.
- G. A SEPA checklist unless the proposal is exempt from SEPA;
- H. Copy of all property owners’ deeds, verifying current ownership; and
- I. The application fee.

19.350.050 Preliminary Plat Review Process. The type of review process is dependent on the number of lots being proposed.

- A. Short Subdivisions (4 lots or less) are processed through a Type II Review. The Type II Review process is found in MLMC Section 19.270.030, Type II Reviews.
- B. Subdivisions (5 or more lots) are processed through a Type III Review. The Type III Review process is found in MLMC Section 19.270.040, Type III Reviews.

19.350.060 Preliminary Plat Review Approval Criteria. To grant approval of a preliminary short subdivision or subdivision, the applicant must demonstrate compliance with all of the following criteria:

- A. *Public facilities provision.* Appropriate provisions have been made for transportation, water, storm drainage, erosion control and sanitary sewage disposal methods that are consistent with the City’s current ordinances, standards and plans;
- B. *Proposed improvements.* Appropriate provisions have been made for proposed streets, alleys, paths, utilities and other improvements that are consistent with the City’s current ordinances, standards and plans, including the Medical Lake Comprehensive Plan, and Washington State Department of Transportation standards and plans, where applicable;
- C. *Open space and dedications.* Appropriate provisions have been made for open space, parks, schools, dedications, easements and reservations in conformance with the Comprehensive Plan;
- D. *Physical characteristics.* The design of the proposed short subdivision or subdivision site has taken into consideration the physical features of the site, including but not limited, to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands;

- E. *Compliance with all requirements of this title.* The proposed short subdivision or subdivision complies with all applicable requirements of this title unless modified through the approval; and
- F. *Compliance with State requirements.* That the proposed short subdivision or subdivision complies with the requirements of RCW 58.17.110.

19.350.070 Preliminary Plan Review Approval Standards. To grant approval of a preliminary short subdivision or subdivision, the applicant must demonstrate compliance with all of the following standards:

- A. Lots. The regulations of MLMC Chapter 19.540 – Density and Lot Sizes must be met;
- B. Blocks. The regulations of MLMC Section 19.370.020, Block Layout, must be met;
- C. Streets. The regulations of MLMC Section 19.370.030, Streets, must be met;
- D. Street Layouts. The regulations of MLMC Section 19.370.040, Street Layouts, must be met;
- E. Easements. The regulations of MLMC Section 19.370.050, Easements, must be met;
- F. Tracts. The regulations of MLMC Section 19.370.060, Tracts, must be met;
- G. Phasing. The regulations of MLMC Section 19.370.070, Phasing, must be met;
- H. Water. The regulations of MLMC Section 19.370.080, Water Service, must be met;
- I. Stormwater. The regulations of MLMC Section 19.370.090, Stormwater Standards, must be met;
- J. Sewer. The regulations of MLMC Section 19.370.100, Sanitary Sewer, must be met;
- K. Critical Areas. The regulations of MLMC Chapter 17.10 – Critical Areas, must be met;
- L. Concurrency. The regulations of MLMC Chapter 19.180 – Concurrency Review, must be met; and
- M. Parks and Playgrounds. Based on the Comprehensive Plan and the Parks and Recreation Master Plan, the Planning Official shall see that appropriate provision is made for parks and playgrounds to serve the proposed subdivision.

19.360 – Binding Site Plans

19.360.010 Purpose. The purpose of this chapter is to implement the Medical Lake Comprehensive Plan, ensure orderly land division and development, protect public health, safety, and welfare, ensure adequate public facilities are concurrent with development, stipulate standards, and provide a clear, simple, and efficient alternative process for certain types of development.

19.360.020 Applicability. The binding site plan shall only be applied for the purpose of dividing land for:

- A. A. Sale or for lease of commercial property as provided in RCW 58.17.040(4);
- B. B. A division for the purpose of lease as provided in applicable RCW sections when no other structure other than manufactured homes or travel trailers are permitted to be placed upon the land; provided, that the land use is in accordance with the requirements of this title; and

- C. C. Condominiums as provided in applicable RCW sections consistent with RCW 58.17.040(7).

19.360.030 Applications. The following must be submitted to the City for an application to be deemed complete:

- A. An appropriate City application form;
- B. A written description of the proposal;
- C. A preliminary binding site plan prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 58.09 RCW) depicting, at a minimum, lot lines, easements, rights-of-way, and topographic features;
- D. A traffic generation letter;
- E. Any studies, reports, or documentation to support the request;
- F. A written response to the approval standards of MLMC Section 19.360.050, Binding Site Plan Approval Standards;
- G. A SEPA checklist unless the proposal is exempt from SEPA;
- H. Copy of all property owners' deeds, verifying current ownership; and
- I. The application fee.

19.360.040 Process. Binding Site Plans are processed through a Type II Review. The Type II Review process is found in MLMC Section 19.270.030, Type II Reviews.

19.360.050 Binding Site Plan Approval Standards. To grant approval of a binding site plan, the applicant must demonstrate compliance with all of the following standards:

- A. Blocks. The regulations of MLMC Section 19.370.020, Block Layout, must be met;
- B. Streets. The regulations of MLMC Section 19.370.030, Streets, must be met;
- C. Street Layouts. The regulations of MLMC Section 19.370.040, Street Layouts, must be met;
- D. Easements. The regulations of MLMC Section 19.370.050, Easements, must be met;
- E. Tracts. The regulations of MLMC Section 19.370.060, Tracts, must be met;
- F. Phasing. The regulations of MLMC Section 19.370.070, Phasing, must be met;
- G. Water. The regulations of MLMC Section 19.370.080, Water Service, must be met;
- H. Stormwater. The regulations of MLMC Section 19.370.090, Stormwater Standards, must be met;
- I. Sewer. The regulations of MLMC Section 19.370.100, Sanitary Sewer, must be met;
- J. Critical Areas. The regulations of MLMC Chapter 17.10 – Critical Areas, must be met; and
- K. Concurrency. The regulations of MLMC Chapter 19.180 – Concurrency Review, must be met;

19.370 – Development Standards

19.370.010 Purpose. The purpose of this chapter is to establish clear and consistent development standards for land divisions.

19.370.020 Block Layout. The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of motor vehicular, bicycle and pedestrian traffic and recognition of limitations and opportunities of topography. The block pattern shall provide the following:

- A. Blocks shall have sufficient width to provide two tiers of lots.
- B. Blocks shall not exceed 1,300 feet in length between street lines, except blocks adjacent to arterial streets or unless a previous adjacent layout or topographical conditions justify variation.
- C. In blocks over 600 feet in length, a pedestrian/bicycle path is required to bisect the block.
- D. A pedestrian/bicycle path may be required to connect a dead-end street with an adjacent street.
- E. A pedestrian/bicycle path shall have a minimum width of 10 feet and be paved in a durable material.

19.370.030 Streets. Rights-of-way widths and required improvements are determined by the functional classification of the street and shall be installed according to specifications of the City, pursuant to MLMC Title 11 – Streets and Sidewalks, as administered by the Public Works Director. The functional classification of streets are specified in the Medical Lake Transportation Master Plan.

- A. Arterial streets shall have 70-foot rights-of-way with accommodation for separated bicycle and pedestrian travel.
- B. Collector streets shall have 60-foot rights-of-way with accommodation for separated bicycle and pedestrian travel.
- C. Local streets shall have 50-foot rights-of-way with accommodations for separated pedestrian travel.
- D. Alleys shall have 16-foot rights-of-way.

19.370.040 Street layouts. Street layouts shall be designed to efficiently integrate into the existing street system and shall provide for the following:

- A. Streets shall continue the established grid system.
- B. Streets shall continue to the edge of development where appropriate.
- C. Streets shall intersect at right angles where possible.
- D. Street intersections shall not be offset more than twenty-five (25) feet.
- E. Dead-end streets are not permitted unless deemed necessary by the Public Works Director.
- F. Streets shall be full-width unless a partial-width street is being proposed on the periphery of the proposed development or to accommodate a natural feature such as a wetland. Any proposed partial-width streets must be approved by the Public Works Director.
- G. When required, elevation benchmarks shall be established within the land division with elevations to U.S. Geological Survey datum.

19.370.050 Easements. Easements for sewers, drainage, water lines, electric lines or other public use utilities shall be provided. The size and location of the easement shall be reviewed and approved by the appropriate utility provider.

19.370.060 Tracts. Parcels reserved for special purposes such as open space, stormwater facilities, wetland preservation, landscaping, and recreation, shall be designated as a tract. Tracts shall carry the stipulation that they cannot be further divided.

19.370.070 Phasing. A land division may be developed in phases. Any phasing proposal shall be submitted with application materials for the preliminary plat and be approved as part of the preliminary plat review. Each phase shall constitute an independent project meeting all of the requirements for density, open space, public and private infrastructure, landscaping, pedestrian and vehicle circulation, etc. The sequence of phased development shall be identified by map and narrative.

19.370.080 Water Service. Water service shall be constructed and stubbed at the property line of all buildable lots.

Water lines with valves and fire hydrants serving the development and connecting the development to the City mains shall be installed according to specifications of the City, pursuant to MLMC Title 12 - Water and Sewers, as administered by the Public Works Director.

19.370.090 Stormwater. Surface drainage systems shall be provided within the development. The design of the drainage system within the development shall be in accordance with City standards as administered by the Public Works Director. Areas that experience high water table levels may have additional requirements.

19.370.100 Sanitary Sewer. Sanitary sewer service shall be constructed and stubbed at the property line of all buildable lots.

Sanitary sewers shall be installed to serve the development and to connect the development to City mains according to specifications of the City, pursuant to MLMC Title 12 – Water and Sewers, as administered by the Public Works Director.

19.380 – Infrastructure Improvements

19.380.030 Review. Improvements shall not commence until civil engineering plans, prepared in accordance with the requirements of the City, have been approved by the City, all required permits have been obtained, a preconstruction meeting has been conducted, and the City has been notified of intention to commence.

All improvements to be dedicated to the City shall be designed by or under the supervision of a licensed civil engineer. All plans, prior to the city's acceptance of any improvements, shall be stamped and signed by a licensed civil engineer.

19.380.040 Security In Lieu of Construction. In lieu of the completion and acceptance of any required public or private improvements prior to approval of a final plat, the Public Works Director may accept an escrow or other form of security acceptable to the City, in an amount and with conditions satisfactory to him. The security to the City shall be sufficient to ensure that the actual

construction and installation of such improvements occur within a period specified in the agreement by the Public Works Director and completion of the improvements in accordance with the agreement shall be enforced by the Public Works Director by appropriate legal and equitable remedies.

Upon completion of required improvements, the subdivider shall request in writing that the Public Works Director release all or a portion of the funds held in escrow. Such improvements shall be inspected and accepted as complete by the city prior to the release of any such escrow funds, or portion thereof.

In the event the developer of the land division fails to carry out provisions of the agreement and the City has unreimbursed costs or expenses resulting from such failure, the escrow or other form of security acceptable to the city shall be forfeited and the money shall be paid to the City to defray its costs. If the amount of the escrow or other form of security acceptable to the City exceeds the cost and expense incurred by the City, the City shall release the remainder. If the amount of the escrow or other form of security acceptable to the City is less than the cost and expense incurred by the City, the shall be liable to the City for the difference.

19.380.030 Construction. Improvements installed by the developer, either as a requirement of this Chapter or at their own option, shall conform to the requirements of this Chapter.

Public improvements to be constructed at the expense of the owner of the short subdivision or subdivision.

Improvements shall be constructed under the inspection and to the satisfaction of the Public Works Director or designee. The City may require changes in typical sections and details in the public interest if unusual conditions arise during construction to warrant the change.

All underground utilities, sanitary sewers and storm drains installed in the streets by the developer of the land division shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities and sanitary sewers shall be placed to a length precluding the necessity for disturbing the street improvements when surface connections are made.

All monuments set in subdivisions shall be in conformance with City standards, as administered by the Public Works Director.

19.380.050 Inspection. After completing all improvements, the subdivider shall make written request for final inspection by the Public Works Director. After finding that all improvements have been completed in accordance with the installation standards and a guarantee has been posted, the Public Works Director shall certify this in writing.

A plan showing all improvements “as built” shall be filed with the Public Works Department.

19.380.070 Guarantee. It shall be required that a 110 percent maintenance bond or bonds be posted to guarantee all workmanship and material for a period of one year from the date of the acceptance of the improvements by the City. This is provided that in the judgment of the Public Works Director any defects are not the result of public abuse, misuse or acts of God. City inspection does not give relief from the one-year guarantee on workmanship.

19.390 – Final Plats

19.390.010 Purpose. The purpose of this Chapter is to provide process for obtaining an accurate and legally operative plat of a land division that is in substantial conformance with an approved preliminary plat, and that is suitable for recording.

19.390.020 Applicability. All land divisions must obtain final plat approval before a plat can be recorded with Spokane County.

19.390.030 Application. The following must be submitted to the City for an application to be deemed complete:

- A. An appropriate City application form;
- B. A written description explaining conformance with any conditions of approval set by the preliminary plat approval;
- C. A final plat prepared by a surveyor in accordance with the provisions of the Survey Recording Act (Chapter 58.09 RCW);
- D. A certification of completed improvements or a performance bond;
- E. A certification of platting from a title company;
- F. The application fee.

19.390.040 Process. Final Plats are reviewed according to the Final Plat Review process found in MLMC Section 19.270.060, Final Plat Reviews.

19.390.050 Approval Standards. Final Plats will be forwarded for signature when compliance with the following standards are demonstrated:

- A. The plat is in proper form for recording as established by the submittal requirements;
- B. The final plat map and mathematical closures are in compliance with the survey standards set forth in RCW 58.17;
- C. All required improvements have been completed or security acceptable to the city in lieu of completion guaranteeing that all required improvements will be completed;
- D. The final plat is in conformance with conditions of preliminary plat approval;
- E. The final plat complies with the requirements of this chapter and all applicable adopted states and local ordinances.

19.390.060 Recording. The final plat shall be recorded with the Spokane County auditor. It shall be the responsibility of the applicant to record the plat with the county auditor. Upon recording of the final plat, the applicant shall submit two full-size copies of the actual recorded mylar to the Planning Official.