

DRAFT
6.19.95

SUBDIVISIONS

Title 19
SUBDIVISIONS1

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1.[For statutory provisions regarding subdivisions generally, see RCW Ch. 58.17.

CROSS REFERENCE:

For provisions regarding subdivision property taxes, see Ch. 4.60 of this code.]

For provisions regarding nondelinquent property tax certification, see Ch. 4.68 of this code.

PLATS AND CONDOMINIUMS 19.02.010 - 19.02.020

Chapter 19.02
PLATS AND CONDOMINIUMS

Sections:

19.02.010 Declaration of need.

19.02.020 Approval.

19.02.010 Declaration of need. The ~~King County~~ City of Shoreline council declares and finds that ~~the City of Shoreline County~~ has a need for regulation of new plats and condominiums. (~~Ord. 1310 § 1, 1972~~).

19.02.020 Approval. It shall be mandatory that all new plats and condominiums and any amendments thereto being processed for approval by the legally constituted approving bodies concerned therewith shall be edited and approved by the office of the assessor. (~~Ord. 7292, 1985: Ord. 1310 § 2, 1972~~).

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VIOLATION
19.40.020

19.40.010 -

B. ENFORCEMENT. Penalties, purchasers, remedies, injunctions, and other legal sanctions necessary for the enforcement of this title shall be governed by RCW 58.17.200, 58.17.210, 58.17.220, 58.17.230, 58.17.300, and 58.17.320, which are hereby adopted by reference. Injunctive remedies shall be available for enforcement of all chapters in this title.

C. REVIEW OF DECISION. Court review of any decision approving or disapproving any application authorized by any chapter of this title for unlawful, arbitrary, capricious or corrupt action or nonaction shall be governed by RCW 58.17.180, which is hereby adopted by reference. (~~Ord. 2911 § 1, 1976~~).

19.40.020 Enforcement. The City Manager or his or her designee ~~director~~ of the department ~~of parks, planning and resources~~ is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (~~Ord. 2910 § 4 (part), 1976; Res. 11048 (part), 1948~~).



Chapter 19.04
DEFINITIONS

Sections:

- 19.04.010 Tense.
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- 19.04.250 Primary highway.
- 19.04.260 Private road.
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- 19.04.290 Short subdivision.
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- 19.04.320 Subdivision.
- 19.04.330 Active Recreation.
- 19.04.340 Dédication.
- 19.04.350 Developer.
- 19.04.360 Homeowners' Association.
- 19.04.370 Reservation.
- 19.04.380 Park Service Area.
- 19.04.390 Neighborhood Park.
- 19.04.400 Acres Ten.
- 19.04.410 Alteration.
- 19.04.420 Separate lot.

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19.39.040 - 19.40.010 SUBDIVISIONS

19.39.040 Public hearings. A. A public hearing shall be required for subdivision alteration proposals if requested by any person within the fourteen day public comment period or if the division determines that a public hearing is in the public interest. In cases where public hearings are required, the division shall refer the application to the zoning and subdivision examiner for consideration pursuant to ~~K.C.C. SMC~~ 20.24.070 and R.C.W. 58.17.330.

B. All subdivision vacation applications shall be referred to the zoning and subdivision examiner for public hearing and consideration pursuant to ~~K.C.C. SMC~~ 20.24.070. (~~Ord. 9544 § 8, 1990~~).

19.39.050 Findings and recommendations. A. Following any public hearing required by ~~K.C.C. SMC~~ 19.39.040, the zoning and subdivision examiner shall determine if the proposed alteration or vacation is consistent with the required findings of ~~K.C.C. SMC~~ 20.24.195. If the proposal is found to serve such purposes, the examiner may recommend that the council approve the application.

B. If a public hearing is not requested for an alteration application, the division shall make the same findings and recommendations as set forth in Subsection A. of this section directly to the council.

C. The council shall make findings and take actions as set forth for subdivisions in ~~K.C.C. SMC~~ 20.24.230 and 20.24.235 and shall deny or approve the alteration or vacation accordingly. (~~Ord. 9544 § 9, 1990~~).

19.39.060 Approved alterations and vacations. A. After approval of an alteration, the council shall order the applicant to produce a revised drawing of the approved alteration of the final plat, to be processed in the same manner as set forth for final plats in ~~K.C.C. SMC~~ 19.32. All persons with an ownership or security interest in property to be altered must sign the altered plat.

B. Altered plats shall only alter or supersede the original plat in the specific ways approved by the council.

C. Vacations shall be processed in accordance with the provisions of R.C.W. 58.17.212. (~~Ord. 9544 § 10, 1990~~).

19.39.070 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected. (~~Ord. 9544 § 21, 1990~~).

Chapter 19.40
VIOLATION

Sections:

- 19.40.010 Procedures.
- 19.40.020 Enforcement.

19.40.010 Procedures. A. VIOLATIONS. Pursuant to RCW 58.17.300, any person, firm, corporation, or association, or any agent of any person, firm, corporation or association who violates any provision of this title, relating to the sale, offer for sale, lease or transfer of any lot, tract or parcel of land is guilty of a gross misdemeanor, and shall be subject to the penalties, purchasers' remedies and other legal sanctions authorized in this chapter, and in Title 23.

DEFINITIONS 19.04.010 - 19.04.084

- 19.04.430 Land surveyor.
- 19.04.440 Short plat, preliminary.
- 19.04.450 Short plat, final.
- 19.04.460 Tract.
- 19.04.470 Material error.

19.04.010 Tense. Words used in the present tense include the future.
~~(Res. 11048 § I (part), 1948).~~

19.04.020 Singular words. Words in the singular number include the plural and words in the plural include the singular. ~~(Res. 11048 § I (part), 1948).~~

19.04.030 Shall. "Shall" is mandatory and not directory. ~~(Res. 11048 § I (part), 1948).~~

19.04.040 Access panhandle. "Access panhandle" is a strip of land having a width narrower than that of the lot, tract, or parcel to be served thereby and designed for the purpose of providing access to a lot, tract, or parcel. ~~(Ord. 3113 § 2(2)(d), 1977).~~

19.04.050 Access tract. "Access tract" is a piece of real property with dimensions less than the minimum zone requirement, jointly owned by the fee owners of more than one lot which abuts the tract and which is intended to provide ingress, egress or utility access. ~~(Ord. 3113 § 2(2)(e), 1977).~~

19.04.060 Acres, five. "Five acres" means five acres or one one-hundred-twenty-eighth of the section in which the property is located, including, in addition, up to thirty feet, but no more than one-half of the right-of-way of any perimeter public street. ~~(Ord. 3113 § 2(2)(h), 1977).~~

19.04.070 Acres, twenty. "Twenty acres" means twenty acres or one one-thirty-second of the section in which the property is located, including, in addition, up to thirty feet, but not more than one-half of any perimeter public street. ~~(Ord. 3113 § 2(2)(i), 1977).~~

19.04.080 Alley. An "alley" is a strip of land dedicated to public use, less than twenty-one feet wide, between property lines, which provides access to adjacent properties. ~~(Res. 11048 § I (part), 1948).~~

19.04.084 Binding site plan. A "binding site plan" is a plan drawn to scale processed in accordance with the provisions of this title and RCW 58.17, which:

A. Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, critical areas, parking areas, landscaped areas, surveyed topography, water bodies and drainage features and building envelopes;

B. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the director ~~or the zoning and subdivision examiner~~ City Manager or his/her designee;

C. Contains provisions requiring any development or division of land to be in conformity with the approved site plan. ~~(Ord. 11017 § 9, 1993; Ord. 6465 § 1, 1983).~~

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19.39.020 Application requirements. A. Any person may submit a subdivision alteration or vacation application consistent with the applicable provisions of ~~K.C.C. SMC~~ 19.36.045 and 19.36.085 to the division provided:

1. Alteration applications shall contain the signatures of the majority of those persons having an ownership interest in lots, tracts, parcels, or divisions in the subject subdivision to be altered or any portion to be altered. Vacation applications shall contain the signatures of all parties having an ownership interest in the portion of the subdivision subject to vacation.

2. If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the application for alteration or vacation 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 or vacation of the subdivision or portion thereof.

B. Applications for vacations of ~~county~~ roads may be processed pursuant to this chapter only when such road vacations are proposed in conjunction with the vacation of the plat together with the roads. Vacations limited to ~~county~~ roads only shall be processed pursuant to R.C.W. Ch. 36.87. Regardless of the process used, vacations of roads may not be made that are prohibited under R.C.W. 36.87.130. (~~Ord. 9544 § 6, 1990~~).

19.39.030 Notice. A. Notice of a proposed subdivision alteration shall be given by ~~King County~~ ~~King County~~ within ten days of determination of application completeness by:

1. Publication in a newspaper of general circulation in the ~~county~~ and a newspaper of general circulation in the area of the proposed alteration;

2. Posting at least five signs or posters on or adjacent to the subdivision to be altered in conspicuous locations designed to provide public awareness of the proposal;

3. Mailing notification to agencies identified in R.C.W. 58.17.080; and

4. Mailing notification to the owner(s) of each lot or parcel of property located within the total subdivision to be altered and to owners of property within three hundred feet of the original subdivision.

B. Alteration application notice shall include the name of the applicant and a general description of the proposed alteration. The notice shall also contain a vicinity map of the proposal, a general locational description rather than a legal description, the procedures and deadline of not less than 14 days from receipt of notice for filing comments or requests for public hearings, a form to request subsequent division reports, and the name of the responsible ~~county~~ official.

C. Separate mailed notice of alteration hearings as required by ~~K.C.C. SMC~~ 19.39.040 of this section shall be made to all persons who have submitted written comments during the comment period. Hearing notices shall include a description of the time and place of the public hearing with the items specified in Paragraph B. of this section.

D. Vacation application notice shall be made as set forth for preliminary subdivision applications in ~~K.C.C. SMC~~ 19.36.050. (~~Ord. 9544 § 7, 1990~~).

19.04.088 - 19.04.160 SUBDIVISIONS

19.04.088Bond. "Bond" means a surety bond, cash deposit, escrow account assignment of savings, irrevocable letter of credit or other means acceptable to, or required by, the manager to guarantee work is in compliance with all applicable ~~county~~ city requirements. (~~Ord. 7990 § 22, 1987~~).

19.04.090Buffer strip. A "buffer strip" is an area or strip of land, located and planted with trees and shrubs to provide a screen between residential areas and business, commercial and industrial areas. Parks, playgrounds and the sites of public buildings are sometimes used as buffers. (~~Res. 11048 § I (part), 1948~~).

19.04.100Crosswalkway. A "crosswalkway" is a right-of-way dedicated to public use, ten feet or more in width, which cuts across a block to facilitate pedestrian access to adjacent streets and properties. (~~Res. 11048 § I (part), 1948~~).

19.04.110Cul-de-sac. A "cul-de-sac" is a short street having one end open to traffic and being permanently terminated by a vehicle turnaround. (~~Res. 11048 § I (part), 1948~~).

19.04.115Development engineer. "Development engineer" means the building and land development division employee City Manager or employee designated by the City Manager authorized to oversee the review, conditioning, inspection and acceptance of right-of-way use permits, road and drainage projects constructed pursuant to permits administered by the division department designated by the City Manager. The development engineer or designee shall be a professional civil engineer registered and licensed under the laws of the state of Washington. (~~Ord. 7990 § 24, 1987~~).

19.04.116 ~~Division~~Department. "Division"Department" means the building and land development division of the parks, planning and resources department division department identified by the City Manager. (~~Ord. 7990 § 23, 1987~~).

19.04.120Easement. An "easement" is a grant by the property owner of the use of a strip of land by the public, corporation or persons for specific purposes. (~~Res. 11048 § I (part), 1948~~).

19.04.130Final plat. A "final plat" is a map or chart of a subdivision of land which has been accurately surveyed, and such survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can be identified, and which has been approved in accordance with this title. (~~Res. 11048 § I (part), 1948~~).

19.04.140Improvements. "Improvements" refers to streets, with or without curbs or gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, street trees and other appropriate items. (~~Res. 11048 § I (part), 1948~~).

19.04.160Manager. "Manager" means the city manager or his/her designee of the division department of building and land development or his designee designated by the city manager. (~~Ord. 3113 § 2(2)(a), 1977~~).

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19.38.090 - 19.39.010 SUBDIVISIONS

a piece of land is equivalent to the open space requirement or fee-in-lieu of such requirement, shall be made solely by the Parks Division according to the following guidelines:

A. The proposed land and improvement should be generally equivalent to or greater than the value of the land or fee otherwise required.

B. The proposed land and improvements must create recreational opportunities for the residents within the subdivision and immediately around it.

C. The proposed land and improvements must not result in significant disturbance or alteration of a sensitive area, unless another approval has already been given for such disturbance or alteration.

D. The proposed land and improvements must be given to a homeowners' association to insure continuing maintenance of them, unless, dedication is specifically requested by the Parks Division. (~~Ord. 5596 § 11, 1981~~).

19.38.100Administration. The ~~City Manager or his or her designee~~ director of the department ~~of planning and community development~~ is authorized to promulgate and adopt administrative rules and regulations, including the establishment of park service areas, under the procedures specified in KCC Chapter 2.98, for the purpose of implementing and enforcing the provisions of this Chapter. (~~Ord. 5596 § 12, 1981~~).

19.38.110Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this Chapter. (~~Ord. 5596 § 13, 1981~~).

19.38.120Applicability. The provisions of this chapter shall apply only to subdivisions which will receive preliminary approval after the effective date of this Chapter; provided, that for subdivisions which have received preliminary approval prior to the effective date of this Chapter, and for which an open space assessment was established, the developer may choose to pay a fee-in-lieu of dedication or reservation of land in accordance with Sections 19.38.060 and 19.38.070. (~~Ord. 5596 § 14, 1981~~).

Chapter 19.39

ALTERATION OR VACATION OF RECORDED SUBDIVISIONS

Sections:

19.39.010Purpose.

19.39.020Application requirements.

19.39.030Notice.

19.39.040Public hearings.

19.39.050Findings and recommendations.

19.39.060Approved alterations and vacations.

19.39.070Severability.

19.39.010Purpose. The purpose of this chapter is to provide specific procedures for the alteration or vacation of recorded subdivisions, or any portions thereof. (~~Ord. 9544 § 5, 1990~~).

19.04.170 Master plan. The "master plan" is the comprehensive plan¹ made and adopted by the planning commission, indicating the general locations recommended for streets, parks, public buildings, zoning districts, and all other public improvements. ~~(Res. 11048 § I (part), 1948).~~

19.04.180 Major street. A "major street" is a street of limited continuity which serves or is intended to serve the local needs of a neighborhood. ~~(Res. 11048 § I (part), 1948).~~

19.04.190 Minor street. A "minor street" is a street supplementary to a major street, such as side streets, loop streets and cul-de-sacs. ~~(Res. 11048 § I (part), 1948).~~

19.04.200 Owner. An "owner" is a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or combination of any of them. ~~(Res. 11048 § I (part), 1948).~~

19.04.210 Ownership interest. "Ownership interest" means having property rights as a fee owner, contract purchaser, mortgagee, or deed of trust beneficiary or grantor. ~~(Ord. 3113 § 2(2)(f), 1977).~~

19.04.220 ~~Department of Parks, Planning and Resources.~~ The "department of parks, planning and resources" is the King County department of parks, planning and resources. ~~(Ord. 1130 § 1, 1972; Res. 11048 § I (part), 1948).~~

19.04.225 Person. "Person" means and includes an individual, firm, copartnership, association or corporation, governmental agency or political subdivision. ~~(Ord. 11017 § 10, 1993).~~

19.04.230 Plat, preliminary. A "preliminary plat" is an accurate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, tracts, and other elements of a subdivision consistent with the requirements of this title and R.C.W. 58.17, Plats-Subdivisions-Dedications. The preliminary plat shall be the basis for the approval or disapproval of the subdivision's general layout. ~~(Ord. 9544 § 12, 1990).~~

19.04.240 Plat, short, nonbuilding. "Nonbuilding short plat" means a short plat or lot(s) within a short plat for which a declaration of covenant prohibits improvements upon the land for the purpose of human habitation. ~~(Ord. 3113 § 2(2)(e), 1977).~~

19.04.250 Primary highway. A "primary highway" is a street or section line road of great continuity which serves or is intended to serve as a major trafficway within the county city and is designated in the master plan as a limited access highway, major thoroughfare, parkway or other equivalent term to identify those highways comprising that basic structure of the highway plan. ~~(Res. 11048 § I (part), 1948).~~

¹ [Comprehensive plan, see Chapter 20.12.]

required to rough grade a portion of the site suitable for a playing field, should such an area exist; place such signs as directed by the appropriate agency; and/or establish or improve such trails as directed by the appropriate agency. (~~Ord. 5596 § 7, 1981~~).

19.38.060 Amount of Land to be Dedicated or Reserved. Subject to the exceptions set out in K.C.C. SMC 19.38.030, within any zone designated as RS, RD, RT, RM, SR or SC pursuant to the King County City of Shoreline Zoning Code, K.C.C. SMC Title 21, or R pursuant to the 1993 zoning code, K.C.C. SMC Title 21A, developers who dedicate or reserve open space shall set aside property being subdivided, according to the following percentages of gross land area:

TITLE 21		TITLE 21A	
RD/RT/RM	5.5%	R12-R48	5.5%
RS/SR 5,000	5.5%	R4-R8	5.25%
RS/SR 7,200	5.25%		
RS/SR 9,600	5.00%		
RS/SR 15,000	5.00%		
SC	5.00%		

In the event the subdivision encompasses land having more than one zone classification, the percentage to be applied to the subdivision shall be the area weighted average of the percentages required for the applicable zone classifications. (~~Ord. 11092 § 2, 1993; Ord. 5596 § 8, 1981~~).

19.38.070 Park Development Fee-in-Lieu of Open Space. Unless land within a proposed subdivision is dedicated or reserved in accordance with Sections 19.38.030 through 19.38.060 of this Chapter, final approval of the subdivision shall be contingent upon payment of a park development fee from the developer to King County the City of Shoreline. The fee so collected shall be appropriated only for acquisition and development of open space, park sites and recreational facilities within the park service area wherein the proposed subdivision is located. Such acquisition and development shall be consistent with any applicable Community Plan. Expenditure of such fees shall only be through capital budget and program appropriations by the County Council. Fees collected within a park service area must be allocated to a specific neighborhood park, open space, or recreation project within three years of fee acceptance. (~~Ord. 5596 § 9, 1981~~).

19.38.080 Computation of Fee. The fee-in-lieu of reservation or dedication for open space and parks in subdivisions shall be determined by multiplying the following two factors:

- A. 150 percent of the average assessed value per unit area of land within the boundaries of the subdivision;
- B. The gross land area within the subdivision multiplied by percentages set forth in Section 19.38.060.

The average assessed value shall be that for the year in which the subdivision is granted preliminary approval. Computations shall be based on King County King County Assessor information. (~~Ord. 5596 § 10, 1981~~).

19.38.090 Equivalent Facilities. Whenever a developer chooses to set aside land within a subdivision, which in whole or part does not meet all the criteria for reservation or dedication in Section 19.38.030 the developer may propose to improve such land by grading, filling, landscaping, or with installation of recreation equipment so as to be equivalent in result to the intent of this chapter. The determination as to whether a developer's proposal to improve

19.04.260 Private road. A "private road" is a private vehicular access provided for by an access tract, easement or other legal means, which serves two or more lots. (~~Ord. 3113 § 2(2)(g), 1977~~).

19.04.280 Secondary highway. A "secondary highway" is a highway or street of considerable continuity which serves or is intended to serve as the principal traffic between large and separated areas or districts and which is the main means of access to the primary street or road system. (~~Res. 11048 § I (part), 1948~~).

19.04.290 Short subdivision. "Short subdivision" is the administrative approval of the division or redivision of land into four or fewer lots for the purpose of sale or transfer of ownership pursuant to K.C.C. SMC 19.26. A short subdivision also may include any number of tracts for ingress, egress, utilities, open space preservation, or other approved public purpose. (~~Ord. 9543 § 19, 1990~~).

19.04.300 Street. A "street" is a right-of-way dedicated to the public use, which provides vehicular and pedestrian access to adjacent properties. (~~Res. 11048 § I (part), 1948~~).

19.04.310 Subdivider. A "subdivider" is a person who undertakes the subdividing or the resubdividing of a lot, tract or parcel of land into two or more lots or other divisions of land for the purpose, immediate or future, of transfer of ownership or development including all changes in street or lot lines. (~~Res. 11048 § I (part), 1948~~).

19.04.320 Subdivision. "Subdivision" is the division or redivision of land into two or more lots for the purpose of sale, lease or transfer of ownership, except as provided by the short subdivision of two to four lots. (~~Ord. 9544 § 11, 1990; Ord. 1380 § 1, 1972; Res. 11048 § I (part), 1948~~).

19.04.330 Active Recreation. A. ACTIVE RECREATION. "Active recreation" shall mean and include all outdoor recreational activities which involve field and court games, such as, but not limited to football, soccer, rugby, tennis, baseball, and softball. (~~Ord. 5596 § 2, 1981~~).

19.04.340 Dedication. "Dedication" shall mean a conveyance of land to King County, the City of Shoreline or another municipal corporation or public agency where the owner of the land transfers it to some public use through a clause or covenant in a deed or some other instrument of conveyance or on a duly filed plat. (~~Ord. 5596 § 2, 1981~~).

19.04.350 Developer. "Developer" shall mean any person, firm, partnership, association, joint venture or corporation or any other entity or combination of entities or successors thereto who undertakes to subdivide for the purpose of resale and commercial profit. (~~Ord. 5596 § 2, 1981~~).

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1. The site shall be adjacent to an existing or proposed county city park site and shall be consistent with the park program for the site; or

2. The characteristics and location of the site make it suitable for future inclusion into the King County City of Shoreline park system as a local park; or

3. The site is being preserved for valuable or sensitive environmental features which require management expertise beyond the capacity of a homeowners' association or other private organization; or

4. The department ~~of planning and community development~~ concludes that dedication of the site for the selected purpose furthers one or more comprehensive plan policies contained in K.C.C. SMC 20.12 dealing with the open space element, steep slopes as open space, wetlands as open space, agricultural lands as open space, wildlife habitat as open space, and heritage sites as open space. ~~(Ord. 5596 § 5, 1981).~~

19.38.040 Stormwater Runoff Detention Ponds. Stormwater runoff detention ponds (K.C.C. SMC 20.50) may be allowed by the county city, as part of dedicated or reserved open space, subject to the following criteria;

A. 50% of the required area of dedication or reservation shall be usable for active recreation pursuant to K.C.C. SMC 19.38.030 F, excluding the detention facility and the access to it; and

B. The detention pond shall be constructed so as to drain fully when precipitation is not occurring (i.e., no standing water may be left) and shall meet the following conditions:

1. Oil separators shall be installed in the road drainage system to prevent oil-contaminated runoff from reaching the detention pond;

2. The side slope of the detention pond shall not exceed 33% unless slopes are existing, natural and covered with vegetation;

3. A bypass system shall be installed so as to prevent water from passing through the open basin except during peak design flows, i.e., during the 5-year or 10-year peak storm.

4. If detention facilities are located adjacent to or near a natural, year-round stream or wetland, these systems shall be left in natural or near-natural condition.

5. The detention area shall be covered with a type of vegetation which is both aesthetic and able to withstand the inundation expected;

6. Use of a reserved or dedicated open space area for storm water detention shall not be acceptable if the detention area must be fenced or otherwise rendered unsuitable or unavailable for recreation use during dry weather;

7. In the case of joint use of open space for detention and recreation, the King County appropriate department of public works will be identified and shall be responsible for maintenance of the detention facilities only and may require an access easement for that purpose. ~~(Ord. 5596 § 6, 1981).~~

19.38.050 Responsibilities of a Developer. If the developer reserves or dedicates land within a proposed subdivision, the developer shall, in addition to any other responsibilities imposed by this chapter, be responsible for removal of all construction debris and hazards such as dead trees. The developer may be

DEFINITIONS

19.04.360 - 19.04.420

19.04.360 Homeowners' Association. "Homeowners' Association" shall mean any combination or grouping of persons or any association, corporation or other entity which represents homeowners residing in a short subdivision or subdivision; provided, that a homeowners' association need not have any official status as a separate legal entity under the laws of the State of Washington. (~~Ord. 5596 § 2, 1981~~).

19.04.370 Reservation. "Reservation" shall mean the act by which the grantor of land creates and reserves to a homeowners' association, through a clause or covenant in a deed or some other instrument of conveyance or on a duly filed plat map, some right or interest which had no previous existence as such. (~~Ord. 5596 § 2, 1981~~).

19.04.380 Park Service Area. An area roughly approximate to elementary school boundaries, to be established by the Department of Planning and Community Development, within which reservation or dedication of land and fees are received from new residential developments and utilized for the creation and enhancement of parks, open spaces and recreational facilities for the benefit of residents within the service area. (~~Ord. 5596 § 2, 1981~~).

19.04.390 Neighborhood Park. A small park of 5 to 10 acres in size which is designed to serve the open space and recreational needs of the immediately surrounding residents within a radius of approximately one-half to one mile. (~~Ord. 5596 § 2, 1981~~).

19.04.400 Acres Ten. "Ten acres" means ten acres or one-sixty-fourth of the section in which the property is located, including, in addition, up to thirty feet, but no more than one-half of the right-of-way of any perimeter public street. (~~Ord. 5596 § 2, 1981~~).

19.04.410 Alteration. "Alteration" means the modification of a previously recorded plat or short plat, or any portion thereof, which results in the revision of interior lot lines, the addition of new lots or more land, deletion of existing lots or the removal of plat or lot restrictions or dedications. (~~Ord. 9543 § 20, 1990~~).

19.04.420 Separate lot. "Separate lot" means a physically separate and distinct parcel of property, which has been created through one of the following processes:

A. The lot was created in compliance with the subdivision or short subdivision laws in effect at the time of creation of the lot.

B. The lot has been recognized as a lot pursuant to K-C-C SMC 19.08.114, lots created in violation of this title; or

C. The lot is a portion of a lot created through the processes cited in subsections A. or B. of this section that is separated from the remainder of the lot by one of the following:

19.38.020 Reservation, Dedication or Fee Required. Every subdivision final approval within any zone designated as RS, SR, SC, RD, RT, or RM pursuant to the City of Shoreline King County Zoning Code, K.C.C. SMC Title 21, or R4-48 pursuant to the 1993 zoning code, K.C.C. SMC Title 21A, shall be contingent upon reservation or dedication of land for the open space and recreational needs of its residents or payment of a fee-in-lieu thereof. The developer may either reserve or dedicate land, or make payment of a fee-in-lieu thereof pursuant to this chapter. This requirement is separate and apart from any open space requirement resulting from the lot averaging provisions of the King County City of Shoreline Zoning Code, K.C.C. SMC Title 21. This chapter shall not apply to lots of 35,000 square feet and over in size, shall not apply to planned unit developments, shall not apply to properties zoned SC which are being developed with 50% of the site reserved in permanent open space, and shall not apply to subdivisions of less than ten acres. (~~Ord. 11092 § 1, 1993; Ord. 96 § 4, 1981~~).

19.38.030 Criteria for Reservation or Dedication of Land. The following criteria shall serve as a basis for determining whether a piece of land proposed for dedication or reservation is of sufficient size, character and quality to meet the intent of this chapter:

A. The proposed area for dedication or reservation shall be located either within or outside of the subdivision for which it is required, but must be within the same park service area in which the subdivision is located, or within a reasonable number of feet of the subject subdivision.

B. All lots within the related subdivision must have legal and convenient access to the proposed area for dedication or reservation, at the time of final plat approval.

C. The area proposed by the developer for dedication or reservation must consist of an amount equal or greater than the percentages set in Section 19.38.060.

D. The area of proposed dedication or reservation must have a street frontage equal to at least 20% of its perimeter to allow for regular observation of play areas by residents of the subdivision. Alternative design measures that accomplish the same purpose of security may be approved by the department of planning and community development.

E. When new areas are proposed for dedication or reservation it may be required that they be located adjacent to or contiguous with any other established or approved open spaces or recreation areas in adjacent subdivisions in order to increase the overall benefits to the neighborhood.

F. The topography, soils, hydrography and other physical characteristics of the area proposed for dedication or reservation shall be of such quality as to create a flat, dry, obstacle-free space (as defined by K.C.C. SMC 21.08.080), on at least 50% of the total required area in a configuration which allows for active recreation. The remainder of the required area may include sensitive environmental features, preservation of which is consistent with the comprehensive plan or K.C.C. SMC 21.54.

G. In case of the site being reserved, responsibility for maintenance and operation of the recreational facilities shall be assumed by separate entity, such as a homeowners' association or other competent private organization, which demonstrates to the satisfaction of the King County City of Shoreline parks division that it has the capability for long-term maintenance and operation of such facilities.

H. In the case of the site being dedicated to King County the City of Shoreline, the following additional criteria shall be met:

1. A public road right-of-way; or
 2. Shorelines as defined in K.C.C. SMC 25.08.490; or
 3. Another separate lot, or a tract as defined in K.C.C. SMC 19.04.460, including railroad or public utility owned rights-of-way, publicly owned property, or other parcels recognized by the division pursuant to K.C.C. SMC 19.08.010. (~~Ord. 9543 § 21, 1990~~).

19.04.430 Land surveyor. A "land surveyor" is an individual licensed as a land surveyor pursuant to R.C.W. 18.43, Professional Engineers Registration Act. (~~Ord. 9543 § 22, 1990~~).

19.04.440 Short plat, preliminary. A "preliminary short plat" is a map indicating a proposed short subdivision of land. (~~Ord. 9543 § 23, 1990~~).

19.04.450 Short plat, final. A "final short plat" is an accurate map of a short subdivision. (~~Ord. 9543 § 24, 1990~~).

19.04.460 Tract. A "tract" is land reserved for special uses such as open space, surface water retention, utilities, or access. Tracts are not counted as lots nor considered as residential building sites except as allowed under the lot clustering provisions of K.C.C. SMC Title 21A. (~~Ord. 9543 § 25, 1990~~).

19.04.470 Material error. "Material error" means an error in fact or an omission of substantive information in preliminary subdivision or short subdivision applications, or supplementary studies, supplied to the ~~county~~city, which would constitute the basis for a decision. (~~Ord. 9543 § 29, 1990~~).

Chapter 19.08 GENERAL PRINCIPLES OF ACCEPTABILITY¹

Sections:

- 19.08.010 Applicability.
- 19.08.020 Conformance to code.
- 19.08.030 Streets to conform to master plan.
- 19.08.040 Conformance of streets to suggested plan.
- 19.08.050 Interest of public welfare.
- 19.08.060 Encroachment on future public areas.
- 19.08.070 Frontage on high volume trafficways.
- 19.08.080 Railroad buffer strips, etc.
- 19.08.090 Buffer strips between residential and commercial areas.
- 19.08.100 Subdivisions bordering municipalities.
- 19.08.110 Large subdivisions.
- 19.08.112 Boundary line adjustments.
- 19.08.114 Lots created in violation of this title.
- 19.08.120 Connection of streets with highway.
- 19.08.130 Drainage of road ditches.
- 19.08.140 Placement of trees.
- 19.08.150 Sidewalks or walkways.

¹ [Deposit of bond pending improvement, see Chapter 19.16.]

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Chapter 19.38

LAND DEDICATION OR RESERVATION FOR PARKS
AND OPEN SPACE OR FEE-IN-LIEU THEREOF

Sections:

- 19.38.010 Findings and Purpose.
- 19.38.020 Reservation, Dedication or Fee Required.
- 19.38.030 Criteria for Reservation or Dedication of Land.
- 19.38.040 Stormwater Runoff Detention Ponds.
- 19.38.050 Responsibilities of a Developer.
- 19.38.060 Amount of Land to be Dedicated or Reserved.
- 19.38.070 Park Development Fee-in-Lieu of Open Space.
- 19.38.080 Computation of Fee.
- 19.38.090 Equivalent Facilities.
- 19.38.100 Administration.
- 19.38.110 Severability.
- 19.38.120 Applicability.

19.38.010 Findings and Purpose. A. The ~~King-County~~ City Council finds that:

1. There exists in ~~King-County~~ the City of Shoreline a general and increasing need for parks, open spaces and recreational facilities to serve the expanding population of the ~~County~~ City.

2. The need for parks, open space and recreational facilities is acute at the neighborhood level due to population increases from new subdivisions.

3. R.C.W. 58.17.110 requires that local governments make appropriate provision for the establishment of parks, open spaces and playgrounds at the time it considers approval of proposed subdivisions.

4. A system of requiring dedication or reservation of suitable land for neighborhood parks, open space and recreational facilities or payment of a fee-in-lieu of such dedication or reservation, will more equitably and directly address the need.

5. The establishment of park service areas, roughly equivalent to elementary school boundaries, is necessary for the purpose of defining areas within which land and fees will be accepted and utilized in meeting neighborhood park, open space and recreational needs.

B. Consistent with the findings above, the purposes of this Chapter are:

1. To insure the general health, safety and welfare of the citizens of ~~King-County~~ City of Shoreline when considering the approval of new subdivisions;

2. To establish a means of creating and enhancing neighborhood parks, open spaces and recreational facilities correspondent with the needs created by residential development;

3. To distribute equitably the cost of providing such parks, open spaces and recreational facilities;

4. To mitigate any adverse impacts on neighborhoods without adequate parks, open spaces and recreational facilities when approving new residential development. (~~Ord. 5596 § 1, 1981~~).

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The BALD shall, following their approval of the plat, forward the tracing to the King County Comptroller for his certification which is required by law. The King County Comptroller immediately following his certification shall forward the tracing to the council for its approval;

B. FILING. All plats shall be filed for record at the request of the county-city council. After the plat has been recorded, the original tracing shall be returned to the county-city engineer-manager or his/her designee and filed for record as the property of King County, Shoreline, Washington. ~~(Res-15471 (part), 1955; Res. 11048 Appendix A, 1948).~~

19.36.085 Changes to proposed or approved plats. A. Applicant-generated modifications or requests for revision(s) which are not made in response to technical staff review, throughout the public process or from examiner conditions which result in any substantial changes as determined by the division department including the creation of additional lots or elimination of open space requirements shall be treated as a new application for purposes of vesting.

B. Applicant-generated proposals to create additional lots, elimination of open space or changed conditions of approval on an approved preliminary plat shall also be treated as new application for purposes of vesting.

C. Proposals to amend an approved final plat shall be treated as an alteration pursuant to the provisions of this chapter regarding alterations. ~~(Ord. 9544 § 4, 1990).~~

19.36.087 Material errors. Applications found to contain and be based on material errors shall be deemed withdrawn and subsequent resubmittals shall be treated as new applications. ~~(Ord. 9544 § 19, 1990).~~

19.36.089 Errors, Omissions, Corrections to Final Plats - Council proceedings. Final plats approved and signed by the division-city manager or his/her designee and submitted to the clerk of the council for adoption by the County-City Council shall be placed on the Council agenda and acted upon no later than ten (10) days after receipt by the clerk of the council. Upon signature of the division-city manager or his/her designee accompanied by a recommendation for approval, said final plat shall be approved. Errors found during the review process that are considered willful and deliberate misrepresentations shall result in the plat being withdrawn and subsequent resubmittals shall be treated as new final plat applications. ~~(Ord. 9544 § 20, 1990).~~

19.36.090 Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this section be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this section. ~~(Ord. 6084 § 3, 1982).~~

- 19.08.160 New streets and rights-of-way.
- 19.08.170 Cemeteries.
- 19.08.180 Parks, playgrounds and open public spaces.
- 19.08.190 Waterfront plats.
- 19.08.200 Dedication of certain land to state for recreational purposes.
- 19.08.210 Conformance to zoning code.
- 19.08.220 Variances and exceptions.
- 19.08.230 Future use of streets - Intersection angles and grades.
- 19.08.240 Allocation of land for playfields, parks, scenic spots, etc.-Preservation of natural and cultural features.
- 19.08.250 Adequacy of public sewer and water supply systems for preliminary plats previously approved.
- 19.08.260 Adequacy of sewage disposal.
- 19.08.270 Adequacy of water supply.
- 19.08.290 Severability.

19.08.010 Applicability. This title shall apply to all divisions of land into two or more lots or tracts, for the purpose of sale, lease or transfer of ownership. Except as provided herein the provisions of this title shall not apply to:

- A. Cemeteries and other burial plots while used for that purpose.
- B. Any division of land into lots or tracts each one of which is twenty acres or larger, or in the case of zone classifications requiring a minimum lot area greater than twenty acres, each of which complies with the lot area requirements of that classification.
- C. Any division of land made by testamentary provisions or the laws of descent. Lots created by this means which do not meet current zoning will be treated the same as legal substandard lots as provided in K.C.C. SMC 21.48.240 and 21.48.250.
- D. Any division of land into lots or tracts consistent with R.C.W. 58.17.040, Section 7 for which a residential condominium binding site plan has been recorded in accordance with the provisions set forth in K.C.C. SMC 19.34, Residential Condominium Binding Site Plan.
- E. Any transfer of land to a public body, or any division of land solely for the installation of electric power, telephone, water supply, sewer service or other utility facilities of a similar or related nature provided that no more than four lots are created and provided further that any remaining lot or lots which are not consistent with King County City of Shoreline zoning, access, or health requirements shall not be considered as building sites by King County the City of Shoreline.
- F. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site, provided the adjustment is reviewed and approved as set forth in K.C.C. SMC 19.08.112.

19.36.070 Submission of final plat to BALD - Filing fees - Deposit to cover cost of checking plat - Certificate of title - Certificate of tax payment and deposit. On completion of the improvements required by the county engineer city manager or his/her designee, or upon the receipt of the bond guaranteeing the completion of the improvement, the final plat shall be submitted to the BALD accompanied by the following:

A. The plat for shall deposit a check payable to the county Comptroller in an amount to be determined by the county Comptroller according to the legal requirement, which is twenty-five cents for every enclosure; seven dollars for description; one dedication, one acknowledgement, etc.; one dollar for each additional dedication or acknowledgement made upon such plat; five dollars for each additional sheet if plat is to be recorded on more than one sheet; twenty-five cents for every enclosure on both original plat and replat, in case of replat; ten cents for each lot or cemetery plat. If the property is registered under the Torrens Act, an additional charge of one dollar and fifty cents shall be charged for each numeral entered on the register. Title shall be obtained from the registrar of the Torrens Act;

B. The plat for shall be prepared to make a deposit equal to the estimated cost (to be determined by the county engineer city manager or his/her designee) of checking the plat. The deposit shall be made with the county Comptroller appropriate agency identified by the city manager to be credited to the road district fund. All work done by the county engineer city manager or his/her designee in connection with the checking, computing and correcting such plat, either in the field or in the office, shall be charged to such deposit.

If, during the process of checking, the county engineer city manager or his/her designee finds that the cost of checking will exceed the estimated cost, the county engineer city manager or his/her designee shall notify the plat for to deposit an additional amount to cover the cost of the checking. After the county engineer city manager or his/her designee has completed the checking of the plat, he shall forward to the county Comptroller a statement of the checking charges incurred. The county Comptroller, upon receipt of the statement, shall refund to the plat for the difference between the checking charges and amount deposited or shall require the plat for to pay the difference if the checking charges are greater than the amount deposited;

C. A certificate of title from a reputable abstractor, showing the ownership and title of all the interested parties in the plat, subdivision or dedication. The certificate shall be dated not to exceed thirty days prior to the time of submitting the plat for final approval;

D. A certificate by the county Comptroller showing that taxes have been paid in accordance with RCW 58.08.030 and 58.08.040, and that deposit has been made to the county Comptroller for the taxes for the following year. Also, a certificate by the county Comptroller showing that all taxes and assessments levied and chargeable against the property in the plat, replat or subdivision have been in accordance with RCW 58.08.030. ~~-(Res. 15471 (part), 1955: Res. 11048 Appendix A, 1949)-~~

19.36.080 Filing plat for record. A. APPROVAL. After the county engineer city manager or his/her designee has completed the checking of the plat, he shall affix his signature into the space provided and send the plat to the BALD with a letter stating that all requirements of this resolution have been fully complied with, with the exception of the certification by the office of finance or other office identified by the city manager.

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G. Any conveyance of land by a partial fulfillment deed pursuant to a real estate contract; provided that the entire lot within the original real estate contract shall be recognized as a single legal building site until the property is subdivided in compliance with this title, and that there shall be no retransfer of any lot created by partial fulfillment deed without compliance with this title.

H. Any division of land for the purpose of lease when no residential structures other than mobile homes are permitted to be placed upon the land and for which a binding site plan for the use of the land as a mobile home park has been approved by the manager in accordance with the provisions of K.C.C. SMC 21.09, Mobile Homes and Mobile Home Parks.

I. Divisions of land by binding site plan into lots or tracts classified for industrial or commercial use pursuant to K.C.C. SMC 19.33. (~~Ord. 11017 § 11, 1993: Ord. 9543 § 16, 1990: Ord. 1380 § 3, 1972: Res. 11048 § II (part), 1948~~).

19.08.020 Conformance to code. The subdivision shall conform to this chapter and Chapter 19.12. (~~Ord. 380 § 1 (part), 1970: Res. 11048 § II (part), 1948~~).

19.08.030 Streets to conform to master plan. Streets shall conform in effect to the master plan as adopted and/or to the general pattern of the highway system of King County the City of Shoreline. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1a), 1948~~).

19.08.040 Conformance of streets to suggested plan. If a preliminary or suggested plan or plat for the area has been made by the Zoning and Subdivision Examiner City Manager or his/her designee, the street layout shall be in general conformance thereto. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1b), 1948~~).

19.08.050 Interest of public welfare. The proposed subdivision and its ultimate use shall be in the best interests of the public welfare and the neighborhood development of the area and the subdivider shall present evidence to this effect when requested by the Zoning and Subdivision Examiner City Manager or his/her designee. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1c), 1948~~).

19.08.060 Encroachment on future public areas. The tract to be subdivided should not be a part of or encroach upon an area or areas designated in the master plan for future public facilities. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1d), 1948~~).

19.08.070 Frontage on high volume trafficways. Frontage on high volume trafficways shall be provided with parallel service streets or such other medium of access as may be appropriate to the conditions. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1e), 1948~~).

19.08.080 Railroad buffer strips, etc. Where railroads are involved, provision of grade separations, buffer strips and other protective treatment shall be required to the extent and type as may be practicable. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1f), 1948~~).

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19.36.060 Final plat to conform to preliminary plat - Improvements to conform to certain specifications - Surety bond for improvements. A. After the return of the approved print of the preliminary plat to the surveyor, the developer is in position to go ahead with the improvement with the assurance that the final plat will be approved, provided that:

1. The final plat strictly conforms with the approved preliminary plat;

2. The improvements have been installed in accordance with the current ~~King County city~~ specifications for private work on ~~county city~~ rights-of-way with the approval of the development engineer or that the platlor has deposited a performance bond with the manager in an amount equal to the manager's estimate for such improvements, based on current ~~county city~~ bonding schedules, as a guarantee that the platlor will, within one year from date of acceptance of the final plat, complete the improvements in accordance with the requirements and to the satisfaction of the development engineer or in the alternative to the above required bond, the manager may accept other secure methods providing for and securing to the ~~county city~~ the actual construction and installation of such improvements within a one-year period and on the terms identical to the herein described bond.

B. A bond or other satisfactory security to secure the successful operation of improvements for a period of 12 months in an amount and form satisfactory to the manager. Such bond or security shall cover workmanship and materials, damage from reasonable expected usage and damage due to construction activities.

1. The bond shall be deposited by the platlor with the manager either:

a. Prior to the recording of the final plat when the platlor has constructed improvements in accordance with ~~King County city~~ specifications and with the approval of the ~~development engineer city manager or his/her designee~~, or

b. Prior to release of the performance bond or the acceptance by ~~King County city~~ of streets and street drainage facilities for maintenance following final construction inspection.

2. The bond shall be in effect for a period of not less than 12 months commencing upon the date of:

a. final plat recording, or

b. release of performance bond, or

c. acceptance by ~~King County the city~~ of streets and street drainage facilities for maintenance following final construction inspection, whichever occurs last. (~~Ord. 7990 § 33, 1987; Ord. 6084 § 1, 1982; Ord. 2983 § 3, 1976; Res. 15471 (part), 1955; Res. 11048 Appendix A, 1948~~).

19.36.065 STATUS OF CURRENT BONDS. A. The ~~King County city~~ council recognizes the longstanding policy and administrative practice ~~by King County~~ of requiring bonds for subdivision improvements to ensure their successful operation.

B. All bonds or other satisfactory security required by the department and posted by the platlor prior to the effective date of this section shall continue to be in force until released by ~~the director city manager or his/her designee~~ following satisfactory inspection by the department. (~~Ord. 6084 § 2, 1982~~).

19.08.090 Buffer strips between residential and commercial areas. Where residential subdivisions are to be developed adjacent to the business, commercial or industrial land use districts, buffer strips or other protective treatment should be provided to the extent and type as may be practicable. (~~Ord. 2820 § 1 (part), 1976. Ord. 380 § 1 (part), 1970. Res. 11048 § 11A(1g), 1948.~~)

19.08.100 Subdivisions bordering municipalities. Subdivisions adjacent to municipalities shall be considered with respect to the special subdivision standards of the municipality as well as the requirements of the planning commission. (~~Ord. 2820 § 1 (part), 1976. Ord. 380 § 1 (part), 1970. Res. 11048 § 11A(1h), 1948.~~)

19.08.110 Large subdivisions. Where a tract is subdivided into lots of an acre or more, the BALD may require an arrangement of lots and streets such as to permit a later resubdivision in conformity with the street and lot requirements specified in these regulations. (~~Ord. 2820 § 1 (part), 1976. Ord. 380 § 1 (part), 1970. Res. 11048 § 11A(1i), 1948.~~)

19.08.112 Boundary line adjustments. A. Any proposed adjustment of boundary lines must be reviewed and approved by the manager prior to the transfer of property ownership of land between adjacent separate lots. The purpose of the manager's review is to determine if the proposed division meets the exemption requirements of K.C.C. 19.08.010 F. In order to determine if the boundary line adjustment is exempt, the manager shall examine the King County City of Shoreline zoning code, shoreline management program, applicable ~~board of~~ health rules and regulations, and, in addition for developed lots, uniform fire and building codes.

B. Initial adjustment approvals shall expire if the authorized deeds transferring property ownership, together with a copy of the approved boundary adjustment, are not recorded within one year of adjustment approval.

C. Revisions of approved boundary line adjustments may be permitted within the one year approval period without a new application only if the authorized adjustment and the deeds transferring ownership have not been recorded. Modifications of recorded adjustments will require the review and approval of a new application package. (~~Ord. 9543 § 17, 1990.~~)

19.08.114 Lots created in violation of this title. A. For purposes of this title, an innocent purchaser shall mean an individual who has purchased real property for value, has not received actual notice that the lot has not been legally created as provided in K.C.C. SMC 19.04.420, and has not previously been granted innocent purchaser status by King County the City of Shoreline. All contiguous lots created in violation of this title and which are under the same ownership at the time of application for innocent purchaser status shall be recognized only as a single lot.

B. An innocent purchaser of a lot created in violation of King County City of Shoreline subdivision requirements, who files a notarized affidavit of innocent purchase with the division on forms satisfactory to the manager shall be treated as follows for purposes of determining zoning compliance, and for establishing eligibility for building permits and future subdivisions:

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19.36.050 SUBDIVISIONS

in rural or lightly inhabited areas or in other appropriate cases to the extent the division determines is necessary. Notice shall contain:

1. The name and total area of the proposed plat, the number of proposed lots and typical lot sizes, the proposed use and the name of the plat applicant;

2. A legal description of the subject location description in non-legal language;

3. The time and place of hearing at which interested parties may be heard;

4. A form to request a copy of the division report; and

5. Identification of the responsible county city official. Mailed notice as provided in this subsection is supplementary to official hearing notification by publication and posting and the failure of one or more owners to receive mailed notice shall not affect the scheduling or validity of the hearing if notice was given pursuant to subsections C and D of this section.

B. By first class mail sent thirty days prior to the date of the hearing to:

1. Any city located within three miles of any boundary of the subject property;

2. Any city which has a utility which is proposed to serve the plat; and

3. The State Department of Transportation where the plat or part thereof adjoins a state right-of-way. The content of the notice shall be as provided in subsection A of this section.

C. By publication at least twenty days prior to the date of hearing in the official county city newspaper and another newspaper of general circulation in the affected community.

D. By posting a notice board, K.C.C. SMC 19.26.070 A., on or adjacent to the subject property at a place conspicuous and likely to be seen by persons passing the property. The division may require additional notice boards when a site does not abut a public road, when a large site abuts more than one public road or in any other instance when the division deems additional boards to be necessary. Posting shall occur for at least thirty days prior to the date of the hearing. Notice shall include but not be limited to:

1. The name and total area of the proposed plat, the number of proposed lots and typical lot sizes, the proposed use, the name of the plat applicant and the file number;

2. A legal description of the subject location in non-legal language;

3. The time and place of the hearing at which interested parties may testify;

4. A form to request a copy of the division report;

5. Identification of the responsible county city official; and

6. A description of the appeal procedure.

The form and content of the notice shall be approved by the division department. Posting, including the expenses, thereof, shall be the responsibility of the applicant and an affidavit of posting shall be submitted prior to the hearing by the applicant to the division department in a form approved by the division department.

E. By any other method, if the division department determines it appropriate for the purpose of proposed preliminary plat, including but not limited to providing notification of the proposed action and hearing to local or community newspapers. (~~Ord. 9540 § 2, 1990: Ord. 4776 § 1, 1980: Ord. 4460 § 1, 1979).~~

1. A lot recognized pursuant to this innocent purchaser provision will be treated the same as a legally subdivided lot if the parcel meets current zoning requirements for access, lot area and lot width;

2. Innocent purchaser lots which do not meet current zoning requirements, but which did meet zoning requirements in effect at the time that they were created, will be treated the same as legally created substandard lots as provided in K.C.C. SMC 21.48.240; and

3. Innocent purchaser lots which do not meet current zoning requirements and which did not meet the zoning requirements in effect at the time of their creation will be treated the same as legally created lots for purpose of conveyance, but will not be eligible for building permits. (~~Ord. 9543 § 18, 1990~~).

19.08.120 Connection of streets with highway. No plan for the replatting, subdivision or dedication of any area shall be approved by the BALD unless the streets shown therein are connected by surfaced road or street (according to county city specifications) to an existing dedicated highway of the county city. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1j), 1948~~).

19.08.130 Drainage of road ditches. Proper facilities, as required by the county engineer city manager or his/her designee, shall be provided for the drainage of road ditches on steep grades in order to minimize the damage of erosion. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1k), 1948~~).

19.08.140 Placement of trees. If street trees are to be used, it is preferred to have them planted outside the right-of-way. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1l), 1948~~).

19.08.150 Sidewalks or walkways. Sidewalks or walkways shall be required for all existing and proposed streets including perimeter streets in business and residential subdivisions as specified in K.C.C. SMC 19.12. (~~Ord. 2820 § 1 (part), 1976: Ord. 380 § 1 (part), 1970: Res. 11048 § IIA(1m), 1948~~).

19.08.160 New streets and rights-of-way. Where the master plan and/or the county highway plan indicates the necessity of a new right-of-way of a required width or portion thereof for street purposes, in order to complete the articulation of the county city highway pattern, whether within a new plat, new subdivision, or along the boundaries of a new plat, new subdivision or new lot, such required right-of-way or portion thereof shall be dedicated to King County the City of Shoreline by the filing of a plat. (~~Res. 11048 § IIA(2), 1948~~).

19.08.170 Cemeteries. The area of a cemetery in one unit shall be not more than eighty acres which may or can be surrounded by streets and highways. If the area of a cemetery is intersected or cut by dedicated or platted streets or highways, the areas on opposite sides of said streets or highways shall form and be considered separate units. In the matter of marginal streets, cemeteries shall be governed by the general platting regulations. (~~Res. 11048 § IIA(3), 1948~~).

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19.36.040 Review by ~~Department of Public Works and Health Department~~ Approval of plat by ~~Division of Building and Land Development~~ appropriate city agencies to note required changes on plat. Upon receipt of the preliminary plat, the ~~division of building and land development department~~ shall submit copies to the appropriate agencies department of public works and the King County ~~King County health department~~ for review and comment concerning the acceptability of the plat and conformance with the regulations. The ~~division of building and land development department~~ will indicate its approval on the print of the preliminary plat which will be returned to the surveyor. Any changes required by the ~~division of building and land development department~~ will be marked on this print. (~~Ord. 4460 § 4, 1979; Res. 15471 (part), 1955; Res. 11048 Appendix A, 1948~~).

19.36.045 Complete application. A. Applications for preliminary subdivision approval shall be considered fully complete as of date of application pursuant to R.C.W. 58.17.033 once the ~~division department~~ determines that the application contains the following materials and information:

1. A completed subdivision application form with supporting documents as required by ~~K.C.C. SMC~~ 19.28.030, and which contains sufficient information to determine compliance with adopted rules and regulations including, but not limited to R.C.W. 58.17.110, R.C.W. 43.21C, SEPA as implemented by W.A.C. 197-11, ~~K.C.C. SMC~~ 20.44; ~~K.C.C. SMC~~ Title 21, Zoning; ~~K.C.C. SMC~~ 14.42 Road Standards; ~~K.C.C. SMC~~ 9.04, Surface Water Runoff; ~~K.C.C. SMC~~ Title 25, Shoreline Management; ~~K.C.C. SMC~~ Title 19, Subdivisions; ~~K.C.C. SMC~~ Title 17, Fire Code; administrative rules adopted pursuant to ~~K.C.C. SMC~~ 2.98 to implement any such code or ordinance provision; ~~King County board of City of Shoreline~~ health rules and regulations; ~~county city~~ approved utility comprehensive plans; and conformance with applicable private restrictions and covenants which are in effect at the time of application;

2. Verification of pre-application approval of proposed water supply and sewage disposal by the ~~Seattle King County appropriate department of public health~~;

3. Fire district receipt, pursuant to ~~K.C.C. SMC~~ 17.10.020E;

4. Copies of all easements, deed restrictions or other encumbrances restricting the use of the subject property;

5. Documentation of the date and method of segregation for the subject property verifying that the lot or lots were not created in violation of the short subdivision or subdivision laws in effect at the time of creation;

6. A completed environmental checklist;

7. Payment of any application fees specified in ~~K.C.C. SMC~~ Title 27, Development Permit Fees; and

8. Completed applications for other required permits if the permits are to be processed with the subdivision, or copies of issued permits if they have been previously approved. (~~Ord. 9544 § 3, 1990~~).

19.36.050 Notice of public hearing. The building and land development division shall cause notice to be given of the time and place of the public hearing on a proposed preliminary plat as follows:

A. By first class mail sent thirty days prior to the date of hearing, to owners, including applicant, of property located within five hundred feet of any boundary of the subject property. The area within which mailed notice is required shall be expanded to include at least twenty different property owners

19.08.180 Parks, playgrounds and open public spaces. If required by the department ~~of Planning and Community Development~~, all plats must provide by dedication, areas for park, playground, or open public spaces to the extent determined as required on the basis of density of population. ~~(Res. 11048 § IIA(4), 1948).~~

19.08.190 Waterfront plats. Plats contiguous to lakes, streams or bodies of water must have lots or tracts larger than minimum if necessary, in order to allow for septic tanks, with their drainage fields to be built not closer than one hundred feet to such lake, stream, or body of water, unless connection can be had to an approved sewerage system or unless a different arrangement is approved. ~~by the Seattle King County Department of Health. (Res. 11048 § IIA(5a), 1948).~~

19.08.200 Dedication of certain land to state for recreational purposes. Unless topography and ground conditions prevent, the department ~~of Planning~~ may require the dedication of a reasonable amount of property to the state of Washington for recreational and fishing purposes forever, and may also require such dedication of the approaches to such areas as may be required by the State Department of Game. ~~(Res. 11048 § IIA(5b), 1948).~~

19.08.210 Conformance to zoning code. No lot or portion of a lot in this plat shall be divided and sold or resold or ownership changed or transferred whereby the ownership of any portion of this plat shall be less than the area required for the use (zone) district in which located.

All final plats shall have their areas divided into use (zone) districts in accordance with and to become governed by the restrictions, rules and regulations of the zoning code, which said restrictions are applicable in that they govern the use (zoning) of the plat.

Covenants, as to use and resale binding all future owners of lots, more severe than the requirements of the zoning code, may be shown on the plat. ~~(Res. 17491, 1957; Res. 11048 § IIA(6), 1948).~~

19.08.220 Variances and exceptions. Variations and exceptions from the dimensional standards and improvement requirements, as herein set forth, may be made by the department ~~of Planning and Community Development~~ in those instances where it is deemed that hardship, topography or other factual deterrent conditions prevail, and in such manner as it considers necessary to maintain the intent and purpose of these regulations and requirements. ~~(Res. 11048 § IIA(7), 1948).~~

19.08.230 Future use of streets - Intersection angles and grades. Due regard should be given in every case to the topography of the area, the use of the street for utility purposes and its future use for rapid traffic purposes.

When any streets or alleys intersect with high volume traffic routes or at angles that may prove dangerous, the grades shall be given special approval requirements.

Streets shall be required to intersect one another at an angle as near to a right angle as is practicable in each specific case. ~~(Res. 11048 § IIB(6), 1948).~~

rescinded shall be considered to be one lot unless divided by an approved subdivision or short division.

C. Signatures of owners of portions of a binding site plan which are not altered by an amendment or rescission are not required on the amended binding site plan or application for rescission. ~~(Ord. 6465 § 9, 1983).~~

Chapter 19.36 SUBDIVIDING PROCEDURE

Sections:

- 19.36.010 Discussion with BALD of Planning.
- 19.36.020 Preparation by surveyor.
- 19.36.030 Discussion and submission of preliminary plat by surveyors.
- 19.36.040 Review by Department of Public Works and Health
Department-Approval of plat by Division of Building and Land
Development-Division of Building and Land Development to note
required changes on plat.
- 19.36.045 Complete application.
- 19.36.050 Notice of public hearing.
- 19.36.060 Final plat to conform to preliminary plat-Improvements to
conform to certain specifications-Surety bond for
improvements.
- 19.36.065 Status of Current Bonds.
- 19.36.070 Submission to final plat to BALD-Filing fees-Deposit to cover
cost of checking plat-Certificate of title-Certificate of tax
payment and deposit.
- 19.36.080 Filing plat for record.
- 19.36.085 Changes to proposed or approved plats.
- 19.36.087 Material errors.
- 19.36.089 Errors, Omissions, Corrections to Final Plats - Council
Proceedings.
- 19.36.090 Severability.

19.36.010 Discussion with BALD. The proposed layout shall first be discussed with the BALD. ~~-(Res. 15471 (part), 1955; Res. 11048 Appendix A, 1948)-~~

19.36.020 Preparation by surveyor. The preliminary plat shall be prepared by a registered surveyor or engineer. ~~-(Res. 15471 (part), 1955; Res. 11048 Appendix A, 1948)-~~

19.36.030 Discussion and submission of preliminary plat by surveyors. The surveyors should discuss the preliminary plat with the BALD staff to eliminate features which do not conform to the regulations, and submit the preliminary plat for approval by the BALD. ~~-(Res. 15471 (part), 1955; Res. 11048 Appendix A, 1948)-~~

19.08.240 Allocation of land for playfields, parks, scenic spots, etc. - Preservation of natural and cultural features. The department of ~~planning and community development~~ shall specify to the extent required, the allocation of playfields, parks and other open public spaces that may be essential to a proper development of the areas or neighborhood.

Due regard shall be shown for the preservation of outstanding natural and cultural features such as scenic spots, watercourses and historic sites. ~~Res. 11048 § IIB(10), 1948).~~

19.08.250 Adequacy of public sewer and water supply systems for preliminary plats previously approved. A. For preliminary plats approved by the council prior to the effective date of Ordinance 3579, public sewer or water to serve such plats are adequate and such plats are eligible for final plat approval if:

1. The plat is within a local service area identified in the Sewerage General Plan or served by existing installed facilities as described in subsection C. of this section; or within an area identified in a community plan approved by the ~~--King County--~~ City of Shoreline council as an area to be served by public sewer or water systems; and

2. The plat is served by a district, municipality or water purveyor which has certified its ability and intent to serve the proposed plat; and

3. Public sewer and/or water facilities to serve the plat have been installed or a bond, contract or other secure method provides for and assures the construction of such facilities.

B. The ~~Division of Building and Land Development department and the Seattle/King County Department of Public Health Department~~ shall review all such plats

previously approved and recommend to the council disposition of such plats consistent with the criteria of this section.

C. A plat is deemed to be served by existing installed sewer or water facilities when the plat:

1. Can be served by connection to a public sewer facility or connection to a water facility and such facilities were installed or under construction prior to December 1, 1977; or

2. Is contained within a utility local improvement district formed with facilities funded under contract prior to the effective date of Ordinance 3579.

(~~Ord. 4308 § 1, 1979: Ord. 3579 § 2, 1978).~~

19.08.260 Adequacy of sewage disposal. All lots must be served by or provision made for an adequate public sewage disposal system either as set forth in subsections A. and B. of this section or an on-site sewage disposal system as set forth in subsection C. of this section, before the plat may be recorded:

A. A public sewage disposal system is adequate for the purpose of preliminary subdivision approval if:

1. The disposal system is consistent with the Sewerage General Plan and any subsequent amendments; and

2. The disposal system has been approved by the division as being consistent with applicable state and local design and operating guidelines.

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B. Upon application the city manager or his/her designee shall distribute copies to public agencies having pertinent expertise or jurisdiction for review and comment.

C. The city manager or his/her designee shall consider, and base his/her decision to approve with or without conditions, deny or return the application on the following:

1. Conformance of the proposed site plan with any approved building permit or planned unit development and any conditions on a portion of the site, and with any applicable codes and ordinances, of the State of Washington and ~~King County~~ the City of Shoreline. The city manager or his/her designee shall identify, to the extent feasible, conditions likely to be imposed on building permits related to dedication of right-of-way or open space, and tracts, easements or limitations which may be proposed or required for utilities, access, drainage controls, sanitation, water supply, protection of sensitive areas or other unique conditions or features which may warrant protection of the public health, safety, and welfare. Such preliminary conditions shall not be binding at the time of building permit approval.

2. The recommendations and comments of agencies having pertinent expertise or jurisdiction.

3. The city manager or his/her designee may require dedication of additional road right-of-way pursuant to the criteria of ~~K.C.C. SMC~~ 19.26.310.

D. Additional documents shall be submitted as necessary for review and approval which may include a plat certificate, boundary survey, agreements, easements and covenants.

E. The plan must be approved and signed by the King County City manager or his/her designee engineer.

F. Prior to recording, the city manager or his/her designee shall verify the final plan and any attachments to determine whether the binding site plan is accurate and complete and complies with any conditions or approval.

Approval of a conceptual plan does not give the applicant a vested right to build without regard to subsequent changes in zoning or building codes or other applicable land use regulations prior to application for a building permit on the subject property. (~~Ord. 6465 § 6, 1983~~).

19.34.050 Appeal. Any decision of the city manager or his/her designee shall be final unless appealed to the ~~zoning and subdivision examiner~~ appropriate city agency pursuant to Chapter 20.24. (~~Ord. 6465 § 7, 1983~~).

19.34.060 Recording. The proposed binding site plan approved by the city manager shall be recorded with the records and elections division within thirty days of approval. Upon recording, the site plan shall be binding on the owner, his heirs and assigns, and shall permit the division of land within the site. Divisions shall only be permitted upon the filing of, a declaration, and a survey map and plans under the Horizontal Property Regimes Act, RCW 64.32, or the Condominium Act, RCW 64.34, as applicable, provided the structure or structures, road and parking systems, and related facilities substantially conform to the recorded binding site plan. (~~Ord. 11254 § 2, 1994; Ord. 6465 § 8, 1983~~).

19.34.070 Amendments and rescindment. A. Amendment of a recorded residential condominium binding site plan shall be accomplished by following the same process as required for a new application as set forth in this chapter.

B. Upon the request of the owner or owners of a legal lot or lots subject to a recorded binding site plan the city manager or his/her designee shall rescind all or a portion of a binding site plan, provided that any portion of a binding site plan which is

B. Prior to recording the final plat, either the approved public sewage system set forth in Paragraph A. of this section shall be installed to serve each lot, or a bond or similar security shall be deposited with ~~King County~~ the City of Shoreline and may be assigned to a purveyor to assure the construction of such facilities within two years of the date of plat recording.

C. On-site sewage disposal systems to serve individual lots are adequate for the purpose of preliminary and final approval if the ~~Seattle King County~~ King County department ~~of public health~~ has approved the lot size, soils, and proposed type of disposal system ~~in accordance with the King County board of health rules and regulations~~. Installation of the on-site sewage disposal system is not required for final approval. (~~Ord. 9544 § 1, 1990~~).

19.08.270 Adequacy of water supply. All lots must have an adequate water supply as set forth in this section before the plat may be recorded:

A. A water supply system shall be deemed adequate for the purpose of preliminary approval if the applicant has demonstrated to the satisfaction of the division that:

1. The existing water supply system complies with the applicable planning, operating and design requirements of WAC Chapter 248.54; ~~K.C.C. SMC~~ Chapters 14.42 and 14.44 and Title 17; Coordinated Water System plan; Title 12, Title 13 and other applicable provisions of the codes of the ~~King County board of health the City of Shoreline~~; and any limitation or condition imposed by the ~~county city~~ approved comprehensive plan of the water purveyor; and

2. The water system improvements proposed to be constructed to serve the subdivision have been reviewed by the division and determined to comply with the design standards and conditions specified in paragraph A.1. of this section; or

3. The new water supply system proposed to be constructed to serve the subdivision has been reviewed by the division and determined to comply with the design standards and conditions specified in paragraph A.1. of this section.

B. Where applicable, the ~~division department~~ shall incorporate the requirements of the ~~Seattle King County department of public health~~ appropriate agencies and the Washington State Department of Health in determining compliance with paragraphs A.1., A.2. and A.3. of this section.

C. Prior to recording the final plat, the approved public water system authorized pursuant to paragraph A. of this section shall be installed to serve each lot unless a bond or similar security has been deposited with ~~King County~~ the City of Shoreline in a form and amount, and with conditions satisfactory to ~~King County the City of Shoreline~~ to provide for the construction of required water facilities in Group A systems as defined by board of health regulations, within two years of the date of plat recording. The ~~county city~~ may assign rights to enforce the bond to the purveyor.

D. The proposed use of on-site private individual water systems to serve individual lots is adequate and the subdivision may receive preliminary and final approval if the ~~Seattle King County~~ department ~~of public health~~ has approved this proposed method of water supply in accordance with the applicable ~~King County~~ board of health rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the ~~Seattle King County~~ department ~~of public health~~ that adequate water can be made available. The ~~Seattle King County~~ department ~~of public health~~ may require installation of

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B. This process is separate from other site plan review processes including the P-Suffix provisions of Chapter 21.46, the mobile home park plan provisions of Chapter 21.09, the planned unit development provisions of Chapter 21.56 and the manufacturing park site plan provisions of Chapter 21.34, and shall not be construed to substitute for the requirements of such processes. (~~Ord. 11254 § 1, 1994; Ord. 6465 § 3, 1983~~).

19.34.020Planned unit developments. Whenever a binding site plan for a residential condominium development is proposed on a parcel for which a final planned unit development has been recorded, a copy of the planned unit development site plan shall be recorded as the binding site plan upon verification by the city manager or his/her designee that the binding site plan is the same as or contains the relevant details of the planned unit development site plan. (~~Ord. 6465 § 4, 1983~~).

19.34.030Building permits. Whenever a binding site plan for a residential condominium development is proposed on a parcel of land for which a building permit has been issued for the entire project, the following must be satisfied prior to recording:

A. A plan shall be prepared in a form prescribed by the city manager or his/her designee which is adequate for permanent retention by the King County records and elections division.

B. The plan must be prepared by a registered land surveyor or civil engineer.

C. The plan must substantially reflect the site plan approved for the building permit. Specific details not relevant to the division of land may be omitted.

D. The plan must be verified by the city manager or his/her designee for compliance with the approved building permit. The city manager or his/her designee may require dedication of additional right-of-way for public streets pursuant to the criteria set forth in K.C.C. SMC 19.26.310.

E. The legal description and map must be verified by the King County city manager or his/her designee engineer. (~~Ord. 6465 § 5, 1983~~).

19.34.040Conceptual plans. Whenever a binding site plan for a residential condominium project is proposed on a parcel of land for which neither a planned unit development nor a building permit has been approved for the entire parcel, the following must be satisfied prior to recording:

A. A conceptual site plan shall be prepared in a form prescribed by the manager which includes the following information:

1. Maximum number of dwelling units permitted.
2. Approximate size and location of all proposed buildings.
3. Approximate layout of an internal vehicular circulation system, including proposed ingress and egress.
4. Approximate location of proposed open space, including required landscaped areas, if any.
5. Approximate location of proposed parking areas.
6. Location and size of utility trunk lines serving the site.
7. Topography detailed to five-foot contours.

private individual water systems prior to final approval of the subdivision where information is insufficient to show an adequate water supply can be made available. (~~Ord. 9544 § 2, 1990; Ord. 4308 § 3, 1979~~).

19.08.290 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected. (~~Ord. 9543 § 30, 1990~~).

Chapter 19.12 DIMENSION AND LAYOUT STANDARDS

Sections:

19.12.050 Dimensions of lots.

19.12.050 Dimensions of lots. The minimum dimensions for lots shall conform to the dimensions established in the zoning code and shall not be less than the requirements for the use district in which located. (~~Res. 16624, 1956; Res. 11048 § IIB(9), 1948~~).

Chapter 19.16 SITE IMPROVEMENTS

Sections:

19.16.010 Requirements for approval of plat - Exception and deposit of bond.

19.16.010 Requirements for approval of plat - Exception and deposit of bond. No plat shall be approved by the department until each and all of the proposed streets, avenues, boulevards and highways shown thereon shall first be so improved by grading, surface and drainage as to give unobstructed access to all separate lots, tracts and subdivisions of such plat, all at the expense of the platlor in accordance with the current ~~King County city~~ standard specifications for private work on county rights-of-way and approved by the ~~development engineer City Manager or his/heer designee~~; provided, however, that in lieu of the full compliance herewith prior to the acceptance of the plat, the owner/developer may deposit a performance bond with the ~~directer City Manager or his/her designee~~ in an amount equal to the cost estimated from current ~~county city~~ bonding schedules as a guarantee that the owner/developer will, within one year from the date of recording of the plat, fully comply with all the requirements herein set forth to the satisfaction of the development engineer; or, in the alternative to this above required bond, the manager may accept other secure methods providing for and securing to the ~~county city~~ the actual construction and installation of such improvements within a one-year period and on the terms identical to the herein described bond. (~~Ord. 10662 § 39, 1992; Ord. 10177 § 34, 1991; Ord. 7990 § 25, 1987; Ord. 2983 § 1, 1976; Res. 11048 § IIIA (part), 1948~~).

Chapter 19.34
RESIDENTIAL CONDOMINIUM BINDING SITE PLAN REVIEW PROCESS

Sections:

- 19.34.010 Applicability.
- 19.34.020 Planned unit developments.
- 19.34.030 Building permits.
- 19.34.040 Conceptual plans.
- 19.34.050 Appeal.
- 19.34.060 Recording.
- 19.34.070 Amendments and rescindment.

19.34.010 Applicability. A. This process may be used to divide land by the owner of any legal lot which is to be developed for residential condominiums pursuant to RCW 64.32 or RCW 64.34. A binding site plan for a residential condominium project shall be based on either a recorded final planned unit development, a building permit issued for the entire project, or a conceptual site plan as set forth in ~~K.C.C.~~ SMC 19.34.040 of this chapter.

Chapter 19.24
PRIVATE STREET PLATS

Sections:

19.24.010 Conditions permitting private streets.

19.24.020 Conformance with code-Exception.

19.24.030 Standards for modification of code by department of parks, planning and resources.

19.24.040 Improvements-Right of county city to enter and install-Bond.

19.24.050 Owners to maintain streets, easements and utilities -
Organization required to guarantee maintenance
and assessment of costs.

19.24.010 Conditions permitting private streets. Private streets shall not normally be permitted. However, if the department of parks, planning and resources determines that the most logical development of land requires that the lots be served by private streets or easements, and that the land cannot be adequately served by streets dedicated to the public, private streets or easements may be approved upon compliance with the provisions of this chapter.
~~(Res. 22034 (part), 1960: Res. 11048 § IV AB(1)(a), 1948).~~

19.24.020 Conformance with code - Exception. Plats with private streets shall conform in all ways to this title and follow the procedures outlined herein unless greater or lesser requirements are explicitly specified in this chapter or by the department of parks, planning and resources.
~~(Res. 34443 (part), 1967: Res. 22034 (part), 1960: Res. 11048 § IV AB(1)(b), 1948).~~

19.24.030 Standards for modification of code by department of parks, planning and resources. In addition to other standards required by this title, the department of parks, planning and resources may require such additional standards and conditions or it may modify the standards and conditions in such a manner as is necessary to:

A. Maintain the intent and purpose of this title;

B. Assure that a degree of compatibility shall be maintained with respect to properties and existing or potential uses within the general area;

C. Preserve the public health, safety, morals and general welfare.

~~(Res. 34443 (part), 1967: Res. 22034 (part), 1960: Res. 11048 § IV AB(1)(c), 1948).~~

19.24.040 Improvements - Right of county city to enter and install - Bond.

All pavements, sanitary sewers, water mains, culverts, grading, planting, fencing and any other improvements which are made a part of the approval of the plat shall be completed at the expense of the platlor prior to the recording of the plat; provided, that in the event the platlor shall be unable to install said improvements prior to the time of the recording of the plat, the plat may be recorded without such improvements being installed provided the following conditions are complied with:

A. The platlor shall grant to the county city by proper instrument duly recorded the right to enter upon the property to be platted and install said improvements;

B. The platlor shall furnish to the county city a good and sufficient performance bond to cover the cost of installing said improvements. This bond shall provide that the platlor agrees to faithfully perform the conditions thereof, which conditions shall include an agreement to construct and install all said improvements within the time specified by this title, and further that upon the failure of the platlor to do so, such bond shall be forfeited in

1. Lots designated by number on the binding site plan within the area of the lot. Tracts shall be similarly designated and each tract shall be clearly identified with the ownership and purpose;

2. Signature and stamp of the land surveyor who prepared the binding site plan;

3. Reference to the recording number of the completed survey as required by this section if the boundaries have been previously surveyed;

4. Reference to all agreements or covenants required as a condition of approval;

5. Notarized signatures of all persons having an ownership or security interest in the land being divided;

6. Approval of the King County development engineer or the appropriate person identified by the city manager;

7. Approval of the King County assessor; and

8. Approval of the director city manager or his/her designee.

C. The director city manager or his/her designee shall examine and sign the approved binding site plan if it conforms with the commercial site development permit or the approved site plan and all conditions of approval. Binding site plans shall be recorded with the King County records and elections division with a record of survey. A copy of the documents stamped with the recording number shall be sent by the division department to the King County department of assessments and to the applicant.

D. Lots, parcels, or tracts created through the binding site plan procedure shall be legal lots of record. All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser or any other person acquiring a lease or other ownership interest of any lot, parcel, or tract created pursuant to the binding site plan.

E. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan or without binding site plan approval, shall be considered a violation of chapter 58.17 RCW and shall be restrained by injunctive action and be illegal as provided in chapter 58.17 RCW. (~~Ord. 11017 § 5, 1993~~).

19.33.060 Amendment, Modification and Vacation. Except as provided in ~~K.C.C. SMC~~ 19.08.010, amendment modification and vacation of a binding site plan shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new binding site plan application, as set forth in this chapter. If a portion of a binding site plan is vacated, the property subject to the vacated portion shall constitute one (1) lot unless the property is subsequently divided by an approved subdivision or short subdivision. (~~Ord. 11017 § 6, 1993~~).

19.33.070 Administrative Rules. The director city manager or his/her designee may promulgate administrative rules and regulations, pursuant to ~~K.C.C. SMC~~ 2.98, to implement the provisions and requirements of this chapter. (~~Ord. 11017 § 7, 1993~~).

19.33.200 Severability. If a provision of this chapter or its applicability to any person or circumstance is held invalid, the remainder of the provisions of this chapter or the application of the provision to other persons or circumstances shall not be affected. (~~Ord. 11017 § 12, 1993~~).

favor of the county city or in the alternative to the above required bond, the
county city executive manager or his/her designee
676 (King County City of Shoreline 12-92)

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B. The approved binding site plan recording forms shall include the following, in the format prescribed by the director city manager or his/her designee:

Shoreline) 690-2 (King County King County 9-93 City of

may accept other secure methods providing for and securing to the county city the actual construction and installation of such improvements within a one-year period and on the terms identical to the herein described bond. (~~Ord. 2983 § 2, 1976: Res. 34443 (part), 1967: Res. 22034 (part), 1960: Res. 11048 § IV AB(2), 1948).~~

19.24.050 Owners to maintain streets, easements and utilities - Organization required to guarantee maintenance and assessment of costs. All private streets, easements, community utilities and properties shall be maintained by the owners of property served by them and kept in good repair at all times. In order to insure the continued good repair, it must be demonstrated to the department ~~of parks, planning and resources~~ prior to the recording of the plat that:

A. There is a workable organization to guarantee maintenance with a committee or group to administer the organizational functions;

B. There is a means for assessing maintenance costs equitably to property owners served by the private streets, easements, community utilities and properties. (~~Res. 34443 (part), 1967: Res. 22034 (part), 1960: Res. 11048 § IV AB(3), 1948).~~

Chapter 19.26 SHORT SUBDIVISION

Sections:

- 19.26.010 Purpose.
- 19.26.020 Complete application.
- 19.26.030 Changes to proposed or approved short plats.
- 19.26.040 Other agency review of completed applications.
- 19.26.050 Material errors.
- 19.26.060 General limitations.
- 19.26.070 Notice of application.
- 19.26.080 Adequacy of access.
- 19.26.090 Adequacy of water supply.
- 19.26.100 Adequacy of sewage disposal.
- 19.26.110 Existing nonbuilding lots.
- 19.26.120 Preliminary decision.
- 19.26.130 Appeals.
- 19.26.140 Final approval and recording of short plats.
- 19.26.150 Short plat alterations and vacations.
- 19.26.160 Administration.
- 19.26.510 Severability.

19.26.010 Purpose. The purpose of this chapter is to regulate the division of land into four or fewer lots in accordance with applicable Washington State and

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11. a grading plan showing proposed clearing and tree retention and the existing and proposed topography, detailed to five-foot contours, unless smaller contour intervals are otherwise required by the King County City of Shoreline Municipal Code or rules and regulations promulgated thereunder;

12. a layout of sewers and the proposed water distribution system;

13. proposed easements and access; and

C. a completed environmental checklist, if required by K.C.C. SMC 20.44;

D. a downstream drainage analysis or any other requirement specified in the King County Surface Water Design Manual or K.C.C. SMC 9.04;

E. all covenants, easements, maintenance agreements or other documents regarding mutual use of parking and access;

F. copies of all easements, deed restrictions or other encumbrances restricting the use of the site;

G. a phasing plan and time schedule, if the site is intended to be developed in phases or if all building permits will not be submitted within three years;

H. documentation of the date and method of segregation for the subject property verifying that the lot or lots were not created in violation of the short subdivision or subdivision laws in effect at the time of creation;

I. a list of any other development permits or permit applications having been filed for the same site; and

J. the payment of fees.

K. The director City Manager or his/her designee may waive specific submittal requirements determined to be unnecessary for review of the application. (~~Ord. 11017 § 3, 1993~~).

19.33.040 Approval. A. The director city manager or his/her designee shall consider and base his decision to approve with or without conditions, deny or return the application for modifications, based on:

1.a finding that the newly crated lots will continue to function and operate as one site, for fully developed sites; or

2.conformity of the proposed site plan with the adopted rules and regulations listed in K.C.C. SMC 19.33.030 as represented in the approved commercial site development plan, if the binding site plan is being considered with a commercial site development plan.

B. The binding site plan shall contain applicable inscriptions or attachments setting forth limitations and conditions to which the plan is subject, including any applicable irrevocable dedications of property and containing a provision requiring that any development of the site shall be in conformity with the approved site plan.

C. The director city manager or his/her designee may modify lot-based or lot line requirements contained within the building, fire and other similar uniform codes adopted by the county city.

D. The City Manager or his or her designee ~~director~~ may authorize sharing of open space, parking, access and other improvements among contiguous properties subject to the binding site plan. Conditions of use, maintenance and restrictions on redevelopment of shared open space, parking, access and other improvements shall be identified on the binding site plan and enforced by covenants, easements or other similar mechanisms.

E. The decision of the director city manager or his/her designee shall be final. (~~Ord. 11017 § 4, 1993~~).

19.33.050 Recording and Binding Effect. A. Prior to recording, the approved binding site plan shall be surveyed and the final recording forms shall be prepared by a professional land surveyor, licensed in the state of Washington. Surveys shall include those items prescribed by RCW 58.09.060, records of survey, contents - record of corner, information;

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~~King County City of Shoreline~~ laws, rules, and regulations; to provide the public with clear administrative procedures for the short subdivision of land; to assure the orderly conveyance of land; and to protect the health, safety and welfare of the general public. ~~(Ord 9543 § 1, 1990)~~.

19.26.020 Complete application. A. Applications shall be on forms prescribed by the ~~division~~ department, and shall include such information as deemed necessary by the city manager or his/her designee to establish compliance with subsection B. of this section.

B. Applications for preliminary short subdivision approval shall be considered fully complete as of the date of application pursuant to R.C.W. 58.17.033 once the division determines that the application contains the following materials and information:

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19.33.020 Applicability. A. Any person seeking the use of a binding site plan to divide his or her property for the purpose of sale, lease or transfer of ownership of commercially or industrially zoned property is required to apply for, complete and have approved a binding site plan prior to any property division, as provided in RCW 58.17 and as required by this chapter.

B. The site which is subject to the binding site plan shall consist of one (1) or more contiguous lots legally created.

C. The site which is subject to the binding site plan may be reviewed independently for fully developed sites; or, concurrently with a commercial site development permit application for undeveloped land; or in conjunction with a valid commercial site development permit.

D. The binding site plan process merely creates or alters lot lines and does not authorize substantial improvements or changes to the property or the uses thereon. (~~Ord. 11017-S-2, 1993~~).

19.33.030 Complete Application. A proposed binding site plan shall be considered under the zoning and other land use control ordinances in effect on the land at the time a fully completed application is filed with the department. A complete application for binding site plan application shall consist of;

A. A completed application form provided by the department, signed by all property owners or their authorized agents, with supporting documents as required below and which contains sufficient information to determine compliance with adopted rules and regulations including, but not limited to RCW 43.21C, SEPA as implemented by WAC 197-11; ~~K.C.C.~~ SMC 9.04, Surface Water Management; ~~K.C.C.~~ SMC 14.42, Roads Standards; ~~K.C.C.~~ SMC Title 17, Fire Code; ~~K.C.C.~~ SMC 20.44, County Environmental Procedures; ~~K.C.C.~~ SMC Title 21, Zoning; Title 25, Shoreline Management; administrative rules adopted pursuant to ~~K.C.C.~~ SMC 2.98 to implement any such code or ordinance provision; ~~King County~~ board of City of Shoreline health rules and regulations; ~~county~~ county approved utility comprehensive plans; conformity with applicable P-suffix conditions and private restrictions and covenants which are in effect at the time of application.

B. An approved commercial site development permit; or, a proposed site plan prepared by a professional land surveyor, licensed in the state of Washington, in a form prescribed by the ~~director~~ City manager or his/her designee. At a minimum, the proposed site plan shall include:

1. the location and size of all proposed lots;
2. proposed and existing structures including elevations and floor plans as known, (plans which show building envelopes rather than footprints must include post-construction treatment of unoccupied areas of the binding envelopes);
3. all proposed or existing uses;
4. the location of proposed or existing open space including any required landscaped areas.
5. the location and identification of critical areas;
6. the layout of an internal vehicular and pedestrian circulation system, including proposed ingress and egress for vehicles;
7. the number and location of proposed or existing parking spaces on and off the site;
8. a drainage plan which will accommodate the maximum proposed square footage of impervious surface and the maximum proposed square footage of impervious surface exposed to vehicular use, subject to the requirements of the ~~King County~~ Surface Water Design Manual, adopted by rule under the procedures specified in ~~K.C.C.~~ SMC 2.98;
9. the location and size of utility trunk lines serving the site;
10. the location and size of water bodies and drainage features, both

1.A completed short subdivision application form which contains sufficient information to determine compliance with the rules and regulations set forth in ~~K.C.C. SMC~~ 19.26.120.B;

2.Verification of pre-application approval of proposed water supply and sewage disposal. ~~by the Seattle King County department of public health;~~

3.Fire district receipt, pursuant to ~~K.C.C. SMC~~ 17.10.020E;

4.Copies of all easements, deed restrictions or other encumbrances restricting the use of the subject property;

5.Documentation of the date and method of segregation for the subject property verifying that the lot or lots were not created in violation of the short subdivision or subdivision laws in effect at the time of creation;

6.A completed environmental checklist, if required by ~~K.C.C. SMC~~ 20.44, County Environmental Procedures;

7.Payment of any application fees specified in ~~K.C.C. SMC~~ Title 27, Development Permit Fees; and

8.Completed applications for other applicable permits if the permits are to be processed with the short subdivision, or copies of issued permits if they have been previously approved. (~~Ord. 9543 § 2, 1990~~).

19.26.030 Changes to proposed or approved short plats. A. Applicant-generated modifications or requests for revision(s) which are not made in response to staff review or public appeal which result in substantial changes as determined by the division that may include creation of additional lots or elimination of open space requirements shall be treated as new applications for purposes of vesting.

B. Applicant-generated proposals to create additional lots, eliminate open space or change conditions of approval on an approved preliminary short plat shall also be treated as a new application for purposes of vesting.

C. Proposals to amend an approved final short plat shall be treated as an alteration pursuant to the provisions of this chapter regarding alterations. (~~Ord. 9543 § 3, 1990~~).

19.26.040 Other agency review of completed applications. A. Upon receipt of a completed application for short subdivision approval, the division shall distribute copies to public agencies having pertinent expertise or jurisdiction, for their review and comment.

B. ~~Non-county~~ Non-city agencies receiving short subdivision applications for review shall have twenty-one calendar days to respond in writing with findings or recommendations. If an agency does not respond, the division may extend the deadline or conclude that the reviewing agency has no interest in the application. (~~Ord. 9543 § 4, 1990~~).

19.26.050 Material errors. Applications found to contain and be based on material errors shall be deemed withdrawn and subsequent resubmittals shall be treated as new applications. (~~Ord. 9543 § 5, 1990~~).

19.26.060 General limitations. The following general limitations shall apply to all short subdivision applications:

A. Only a separate lot, as defined in ~~K.C.C. SMC~~ 19.04, or a combination of two or more contiguous separate lots may be short subdivided;

B. A maximum of four lots may be created by any single application;

C. A maximum of eight lots may be created from two or more contiguous parcels with any common ownership interest; and

D. Except as provided in ~~K.C.C. SMC~~ 19.26.150, if the lot to be subdivided was created through a prior short subdivision, at least five years must have passed since the recording of such prior short subdivision. (~~Ord. 9543 § 6, 1990~~).

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C. PROPERTY DESCRIPTION. A description of property platted shall be the same as that recorded in preceding transfer of said property or that portion of said transfer covered by plat. Should this description be cumbersome and not technically correct, a true and exact description shall be shown upon plat together with original description. The correct description shall follow: "The intent of the above description is to embrace all the following described property."

D. SIGNATURES. All signatures shall be in india ink or other ink of equal density. No interlineations will be permitted. ~~_(Res. 11048 § IV B(3), 1948)-~~

19.32.040 Protective deed covenant - Forms. A. A typewritten copy of the protective deed covenants shall accompany the final plat.

B. FORMS (See sample plat filed in records and election division).

1. Dedication with notarized acknowledgment, by owner or owners, of the adoption of the plat and the dedication of streets and other public acres. In case of corporation, proper acknowledgment shall be used;

2. Restrictions;

3. Certification by registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

4. Proper forms for the approvals of county city manager or his/her designee engineer, of the building and land development division, and of the county city council with space for signatures;

5. Approval by signature of county the appropriate agencies records and elections division, as to filing for record.

Each and all of the above forms including the description shall be printed with india ink in distinct, legible lettering and shall be substantially in the form of the sample plat filed in the records and election division. ~~_(Res. 11048 § IV B(4), 1948)-~~

Chapter 19.33 BINDING SITE PLAN

Sections:

- 19.33.010 Purpose.
- 19.33.020 Applicability.
- 19.33.030 Complete application.
- 19.33.040 Approval.
- 19.33.050 Recording and binding effect.
- 19.33.060 Amendment, modification and vacation.
- 19.33.070 Administrative rules.
- 19.33.200 Severability

19.33.010. Purpose. The purpose of this chapter is to create a permit for dividing commercially and industrially zoned property, as authorized by RCW 58.17.035. On sites which are fully developed, the binding site plan merely creates or alters interior lot lines. In all cases the binding site plan ensures, through written agreements among all lot owners, that the collective lots continue to function as one site concerning but not limited to: lot access; interior circulation; open space; landscaping and drainage; facility maintenance; and coordinated parking. ~~(Ord. 11017 § 1, 1993)-~~

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19.26.070 Notice of application: Upon acceptance of a complete short subdivision application the division department shall cause notice of such application to be given within twenty days of the filing of such application.

Notice required pursuant to this section shall be as follows:

A. By posting a notice board on or adjacent to the subject property at a place conspicuous and likely to be seen by persons passing the property. The division department may require additional notice boards when a site does not abut a public road or in another instance when the division department deems additional boards to be necessary. Posting shall occur for at least thirty days. Notice shall include but not be limited to:

1. The file number of the short plat, the total area of the short plat, the number of lots, the typical lot size, the proposed use, and the name of the applicant;

2. A vicinity map or general location description in non-legal language;

3. A statement indicating that written material may be submitted to the division department within thirty days after notice is posted;

4. A form to request the preliminary and final short subdivisions as approved by the division department;

5. Identification of the responsible county city official; and

6. A description of the appeal procedure.

Posting of the required notice, including the expenses thereof, shall be the responsibility of the applicant and an affidavit of posting shall be submitted by the applicant to the division department prior to the final comment date in a form approved by the division department.

4. Scale (same as preliminary plat) shown graphically, date and northpoint. The scale of the final plat shall be such that all distances and bearings can be clearly and legibly shown thereon in their proper proportions. Plats unduly cramped and whose essential data cannot be clearly read will not be approved.

B. DELINEATION.

1. Boundary of plat, based on an accurate traverse, with angular and lineal dimensions;

2. Exact location, width, and name of all streets within and adjoining the plat, and the exact location and widths of all alleys and crosswalkways. The name of a street shall not duplicate that of any existing street in King County the City of Shoreline. Proposed street names shall be checked with the proper city and county officials;

3. True courses and distances to the nearest established street lines or official monuments which shall accurately describe the location of the plat;

4. Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and courses;

5. Radii, internal angles, points of curvature, tangent bearings and lengths of all areas;

6. All easements for rights-of-way provided for public services or utilities;

7. All lot and block numbers and lines with accurate dimensions in feet and hundredths. Blocks in numbered additions to subdivisions bearing the same name may be numbered or lettered consecutively through the several additions;

8. Accurate location of all monuments, which shall be concrete and four inches by four inches at top, six inches by six inches at bottom and twenty-four inches long, with a metal marker cast in the center. One such monument shall be placed at each street intersection, and at locations to complete a continuous line of sight and at such other locations as required by the county city manager or his/her designee engineer;

9. All plat meander lines or reference lines along bodies of water shall be established above the high water line of such water;

10. Accurate outlines and legal description of any areas to be dedicated or reserved for public use, with the purposes indicated thereon and in the dedication; and of any area to be reserved by deed covenant for common uses of all property owners;

11. Building setback lines accurately shown with dimensions.

C. SANITARY CONDITIONS.

All rules, regulations or orders of the Seattle King County health department applicable to the property shall be effective. (Res. 17491 (part), 1957: Res. 11048 § IV B(2), 1948).

19.32.030 Standards for plat meander lines along bodies of water, setting of monuments, property descriptions and signatures. A. PLAT MEANDER LINES. When a subdivision borders on a body of water a plat meander line shall be established along the shore not more than twenty feet back from the ordinary high water mark of such body of water.

B. MONUMENTS. It is intended that all monuments shall be set after the grading of the streets. In case the plat be approved before the grading is complete, the grading shall be done and the monuments shall be set before the release of the road guarantee bond.

B. By first class mail to owners of property within five hundred feet of any boundary of the subject property. The area within which mailed notice is required shall be expanded to include at least twenty different property owners in rural or lightly inhabited areas or in other appropriate cases to the extent the division determines is necessary. Notice shall contain:

1. The file number of the short plat, the total area of the short plat, the number and typical lot size, the proposed use, and the name of the applicant;
2. A vicinity map or general location description in non-legal language;
3. A statement that written materials may be submitted to the division ~~department~~ within thirty days after notice is sent;
4. A form to request the preliminary and final short subdivisions as approved by the division ~~department~~; and
5. A statement of county ~~city~~ appeal procedures.

C. By first class mail sent to:

1. Any city located within three miles of any boundary of the subject property;
2. Any city which has a utility which is proposed to serve the short subdivision; and
3. The State Department of Transportation where the short plat or part thereof adjoins a state right-of-way.

The content of notice shall be as approved in subsection A. of this section.

D. By any other method if the division ~~department~~ deems it appropriate for the purpose of giving notice to interested parties, including but not limited to providing notification of the proposed action to local or community newspapers. (~~Ord. 9636, 1990: Ord. 9543 § 27, 1990: Ord. 9540 § 1, 1990: Ord. 4776 § 3, 1980: Ord. 4460 § 3, 1979).~~

19.26.080 Adequacy of access. A. Each lot within the short subdivision or short subdivision alteration shall have acceptable access to a street conforming to ~~county~~ county road standards or to a lower level of improvement acceptable to the road engineer. Individual lots may be served by access panhandles, established either by fee ownership or easement, subject to approval of the division. In order to assure safe and adequate access, the manager:

1. May approve private streets, provided the private street requirements contained in Section 2.05, Private Streets, of the county ~~city~~ road standards as adopted in K.C.C. SMC 14.42 are met;
2. May limit direct access to certain streets and require on-site public or private streets in lieu of individual driveways or access panhandles, in accordance with the county ~~city~~ road standards;
3. Shall require off-site improvements to public or private streets needed to provide access from the short subdivision to a road acceptable to the road engineer; and
4. Shall assure that the number of lots to be served by the road system complies with the road standards.

B. Right of way use permits. Short subdivisions involving construction within county ~~city~~ right-of-way shall obtain a right-of-way use permit pursuant to K.C.C. SMC 14.28, Rights-of-way. (~~Ord. 9543 § 7, 1990).~~

19.26.090 Adequacy of water supply. All lots must have an adequate water supply as set forth in this section before the short plat may be recorded:

A. A water supply system shall be deemed adequate for the purpose of preliminary approval if the applicant has demonstrated to the satisfaction of the division that:

Chapter 19.32
FINAL PLAT

Sections:

- 19.32.010 Approval, drawing and recording.
- 19.32.020 Information required to be shown on plat-Compliance with county city health regulations.
- 19.32.030 Standards for plat meander lines along bodies of water, setting of monuments, property descriptions and signatures.
- 19.32.040 Protective deed covenant-Forms.

19.32.010 Approval, drawing and recording. A. APPROVAL AND DRAWING. After approval of the preliminary plat by the building and land development division, and the fulfillment of the requirements of these regulations and any other requirements specified by the building and land development division ~~department~~, one tracing of the final plat of the subdivision, on tracing cloth eighteen inches by twenty-two inches in size, allowing one-half inch for a border, shall be submitted to the city manager or his/her designee ~~executive officer of the building and land development division~~ for approval.

A final plat shall be drawn with india ink on the best grade of tracing cloth. If more than one sheet is required, each sheet, including the index sheet, shall be of the above specified size. The index sheet must show the entire subdivision with street and highway names and block numbers.

B. RECORDING. Upon approval by the county city council, the final plat shall be recorded with the county records and elections division auditor.
~~(Res. 11048 § IV B(1), 1948).~~

19.32.020 Information required to be shown on plat - Compliance with county city health regulations. A. IDENTIFICATION AND DESCRIPTION.

1. Name of subdivision;
2. Location by section, township and range, or by other legal description;
3. The name and seal of the registered engineer or the registered land surveyor;

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1. The existing water supply system complies with the applicable planning, operating and design requirements of W.A.C. Chapter 248.54, ~~King County~~ SMC Chapters 14.42 and 14.44 and Title 17; Coordinated Water System plans; Title 12, Title 13 and other applicable provisions of the health codes of the King County board of health City of Shoreline; and any limitation or condition imposed by the county city approved comprehensive plan of the water purveyor; and

2. The water system improvements proposed to be constructed to serve the short subdivision have been reviewed by the division department and determined to comply with the design standards and conditions specified in A.1 of this section; or

3. The new water supply system proposed to be constructed to serve the short subdivision has been reviewed by the division department and determined to comply with the design standards and conditions specified in paragraph A.1. of this section.

B. Where applicable, the division will incorporate the requirements of the Seattle King County department of public health and the Washington State Department of Health in determining compliance with paragraphs A.1., A.2. and A.3. of this section.

C. Prior to recording the final short plat, the approved public water system authorized pursuant to paragraph A. of this section shall be installed to serve each lot unless a bond or similar security has been deposited with King County the City of Shoreline in a form and amount and with conditions satisfactory to King County the City of Shoreline to provide for the construction of required water facilities in Group A systems as defined by board of health regulations, within two years of the date of short plat recording. The county city may assign rights to enforce the bond to the purveyor.

D. The proposed use of on-site private individual water systems to serve individual lots is adequate and the short subdivision may receive preliminary and final approval if the Seattle King County department of public health has approved this proposed method of water supply in accordance with the applicable King County board of City of Shoreline health rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the Seattle King County department of public health that adequate water can be made available. The Seattle King County department of public health may require installation of private individual water systems prior to final approval of the short subdivision where information is insufficient to show an adequate water supply can be made available. (Ord. 9543 § 8, 1990).

19.26.100 Adequacy of sewage disposal. All lots must be served by or provision made for an adequate public sewage disposal system as set forth in subsections A. and B. of this section or an on-site sewage disposal system as set forth in subsection C. of this section, before the short plat may be recorded:

A. A public sewage disposal system is adequate and the short subdivision may receive preliminary approval if:

1. The disposal system is consistent with the Sewerage General Plan and any subsequent amendments; and

2. The disposal system has been approved by the division department as being consistent with applicable state and local design and operating guidelines.

B. Prior to recording the final short plat, either the approved public sewage system set forth in Paragraph A. of this section shall be installed to serve each lot, or a bond or similar security shall be deposited with King County City of Shoreline and may be assigned to a purveyor to assure the construction of such facilities within two years of the date of short plat recording.

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The preliminary plat for any unrecorded divisions must again be submitted to the department of development and environmental services with a new application.

E. In granting administrative extensions authorized pursuant to subsection D, the county city may impose administratively additional conditions for final approval, consistent with then current city county adopted standards and policies.

F. Conditions imposed administratively on divisions for which extensions have been approved may be appealed to the zoning and subdivision examiner pursuant to Chapter 20.24 of this code. (~~Ord. 11114 § 1, 1993: Ord. 8131 § 1, 1987: Ord. 5247 § 1, 1981: Ord. 4680 § 1, 1980: Ord. 3107 § 1, 1976: Ord. 2953 § 1, 1976: Res. 11048 § IV A(4), 1948).~~

19.28.055 Plats with preliminary approval. K.C.C. SMC 19.28.050 D. shall be retroactive for plats given preliminary approval after January 1, 1982. ~~As to plats for which preliminary approval expired prior to the effective date of Ordinance 8131, such preliminary approval shall again be valid if within one month of the effective date of Ordinance 8131 application for the administrative extension of up to six months provided for in K.C.C. 19.28.050 is submitted and is subsequently granted. (Ord. 8131 § 2, 1987).~~

19.28.080 Additional requirements. The city manager or his/her designee may require the submittal of additional information, including but not limited to soil and geological studies, wetland assessments, or traffic studies, prior to processing a preliminary subdivision application if he determines that such information is necessary for the accurate review of such applications. The city manager or his/her designee may also set reasonable deadlines for the supplemental submittal of such information if it is found to be necessary subsequent to the initial application submittal. Failure to meet such deadlines shall cause the application to be deemed withdrawn, and plans or other data previously submitted for review may thereafter be returned to the applicant together with any unexpended portion of the preliminary application review fee. In no case shall an application be processed until it is complete in terms of the type or amount of information necessary for accurate review. (~~Ord. 7990 § 32, 1987).~~

C. On-site sewage disposal systems to serve individual lots are adequate for the purpose of preliminary and final approval if the ~~Seattle King County~~ department ~~of public health~~ has approved the lot size, soils, and proposed type of disposal system in accordance with ~~the King County~~ City of Shoreline board of health rules and

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19.28.040 Hearing on preliminary plats. Hearings on preliminary plats shall be conducted pursuant to the procedures established in Chapter 20.24. (~~Ord. 4462 § 3, 1979~~).

19.28.050 Qualifications governing approval of plat. A. PRELIMINARY APPROVAL. Council approval of the preliminary plat shall furnish a firm basis upon which the applicant may proceed with development of the subdivision and preparation of the final plat subject only to all the conditions of preliminary approval imposed on the preliminary plat.

B. REVISIONS. The department ~~of development and environmental services~~ may approve minor changes or revisions as are deemed necessary to the interests and needs of the community, consistent with the adopted policies and standards of the county city.

C. ENGINEERING DETAILS. Subsequent approval of the engineering details of the proposed streets, storm drainage, sanitary sewer and water systems and other proposed public facilities by the county engineer City Manager or his/her designee and the ~~King County department of public health~~ will be required prior to the approval of the final plat.

D. APPROVAL TIME. Preliminary approval shall be effective for a period of thirty-six months. If an applicant files a written request with the ~~clerk of the King County council~~ city manager or his/her designee at least thirty days before expiration of the thirty-six months, an extension for up to twelve months may be granted by ordinance by the county city council if the council determines that the applicant has acted in good faith and made substantial progress in complying with the conditions of preliminary plat and that it would be inequitable to require the applicant to reapply for a new preliminary plat approval. Written request is defined for the purpose of this section to include a summary of progress of the plat to date, written confirmation from the department of development and environmental services that engineering plans have been submitted, a copy of the original ordinance granting preliminary plat approval, a copy of the report and recommendation to the council by the zoning and subdivision examiner, and a map of the plat. Substantial progress is defined for the purpose of this section to mean that either engineering plans have been submitted to the department of development and environmental services, or that other compelling evidence clearly indicates that progress has been made. Engineering plans mean drawings for roads, utilities and storm water facilities, with lot lines and tracts shown. If, prior to the expiration of forty-eight months after preliminary approval, all required plat improvements have been diligently pursued and have been substantially constructed, and the plat developer has applied for a further extension, department ~~of development and environmental services~~ may grant an extension for an additional period of up to 6 months from the application date for recording of the final plat. If the final plat is being developed in divisions and final plats for all of the divisions have not been recorded within the time limits provided in this section, preliminary plat approval for all unrecorded divisions shall become void. When final plat approval is contingent upon the future development of a county city road, the council may grant an additional extension of up to six years if the road is identified in a community plan and is part of ~~the county's~~ city's 6-year road program, provided that for any such extension the applicant must file a written request with the clerk of the council before preliminary plat approval expires and the council may impose additional conditions or requirements for final approval consistent with then current county city adopted standards and policies.

regulations. Installation of the on-site sewage disposal system is not required for final approval unless otherwise required by ~~the Seattle King County~~ department of public health. (Ord. 9543 § 9, 1990).

19.26.110 Existing nonbuilding lots. An owner of an existing nonbuilding lot may seek to have that lot recognized by ~~King County~~ the City of Shoreline as a legal building site by either of the following procedures:

A. Short subdivision or alteration as provided in this chapter; or

B. Subdivision as provided in ~~K.C.C. SMC~~ 19.36, Subdivision Procedure. (Ord. 9543 § 10, 1990).

19.26.120 Preliminary decision. A. Following the acceptance of a complete application, or following the conclusion of any applicable SEPA review and appeal period set forth in ~~K.C.C. SMC~~ 20.44, County Environmental Procedures the division shall:

1. Approve the application with conditions;

2. Deny the application; or

3. Return the application to the applicant if additional information or modifications are necessary to further process the application.

The division shall make written findings regarding compliance with subsection B. of this section and notify applicants of any such decision in writing within five days of the decision being made. For applications returned to the applicant for additional information or modifications, the division shall specify a deadline for the submittal of such information or modifications. Applications shall be deemed withdrawn or canceled if requested information or modifications are not submitted within the time period specified in the written findings. Unexpended portions of application review fees shall be returned with the notice of cancellation. The division shall not approve any short subdivision unless the ~~division department~~ makes written findings that appropriate provision are made for the factors set forth in RCW 58.17.110.

B. The preliminary decision shall be based on the following factors:

1. Conformance with adopted ~~county~~ and state rules and regulations in effect on the date the complete application was received. Such rules and regulations include, but are not limited to: R.C.W. 58.17; SEPA (R.C.W. Ch. 43.21C) as implemented by ~~K.C.C. SMC~~ Ch. 20.44; ~~K.C.C. SMC~~ Title 21, Zoning; ~~K.C.C. SMC~~ 14.42, Road Standards; ~~K.C.C. SMC~~ 9.04, Surface Water Runoff; ~~K.C.C. SMC~~ Title 25, Shoreline Management, ~~K.C.C. SMC~~ 19.26, Short Subdivisions; ~~K.C.C. SMC~~ Title 17, Fire Code; administrative rules adopted pursuant to ~~K.C.C. SMC~~ 2.98 to implement any such code or ordinance provision; ~~King County board of City of Shoreline~~ health rules and regulations; and ~~county~~ approved utility comprehensive plans; and conformance with applicable private restrictions and covenants.

2. Consideration of the recommendations or comments of those agencies having pertinent expertise or jurisdiction.

C. The preliminary decision shall become effective 10 calendar days after the decision has been mailed, or upon completion of appeals filed pursuant to ~~K.C.C. SMC~~ 19.26.130.

D. Short subdivision preliminary approvals shall be valid for thirty-six months. If any condition is not satisfied and the final short plat is not recorded within the approval period the short subdivision approval shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the approval period, the ~~division department~~ may grant a single extension of up to ninety days to obtain additional information or for the processing and recording of final short plat documents. Applicants will have a maximum of 30 days to comply with requests for additional information made within the extension period.

E. METHOD OF SEWAGE DISPOSAL (with letter of approval from the King County health department City of Shoreline or the appropriate agency). (Res. 11048 § IV A(2), 1948).

19.28.030 Preliminary plat application - required contents. A. IDENTIFICATION AND DESCRIPTION.

1. Proposed name of the subdivision;
2. Location by section, township and range, or by other legal description;
3. Name and address of developer;
4. Name, address and seal of registered engineer or of registered land surveyor;
5. Scale of plat, date and northpoint;
6. Contours of topography;
7. Certificate of Water Availability from public purveyor or health department approval of adequate on-site supply;
8. Letter of approval of on-site sewage disposal method from Seattle-King County King County health City of Shoreline or the appropriate department, if on-site treatment is proposed, or a Certificate of Sewer Availability from the public purveyor if the site is in the Local Service Area of the Sewerage General Plan and public sewers are proposed to be used;
9. Land use zoning classification;
10. Tree planting (if any).

B. DELINEATION OF EXISTING CONDITIONS.

1. Boundary line of proposed subdivision indicated by solid heavy line;
2. Location, widths and names of all existing or prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, and section and municipal corporation lines, within or adjacent to the tract;
3. In case of a replat, the lots, blocks, streets, alleys, easements, parks and building lines (if any) of the original plat being vacated shall be shown by dotted lines in their proper position in relation to the new arrangement of the plat; the new plat being clearly shown in solid lines so as to avoid ambiguity;
4. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating pipe sizes, grades and exact location, as obtained from public records;
5. Boundary lines of adjacent tracts of unsubdivided and subdivided land, showing owners, indicated by dotted lines for a distance of one hundred feet;
6. Existing zoning of proposed subdivision and adjacent tracts in zoned area;
7. Contours at five-foot intervals, or established in reference to coast geodetic upland datum (aerial survey datum) if available.

C. DELINEATION OF PROPOSED CONDITIONS.

1. Layout of streets, their names and widths and also the widths of alleys, crosswalkways and easements. The names of the several streets, avenues, and highways shall conform as far as practicable to the names of corresponding streets, avenues and highways in the abutting or adjacent city, town, or subdivision and to the general system of naming in use by said city, town, or subdivision or county;
2. Layout, numbers and dimensions of lots;
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision; (Ord. 11094 § 1, 1993. Ord 9898 § 1, 1993).

E. All construction and site development activities related to the short subdivision are prohibited until the preliminary decision becomes effective or until authorized by any required plan approval required as a condition of preliminary short subdivision approval. (~~Ord. 9543 § 11, 1990~~).

19.26.130 Appeals. A. Appeals of decisions of the ~~division department~~ relying on public health rules and regulations, whether for sewage or water, shall be made to ~~the King County board of health~~ appropriate city agency in accordance with appeal procedures, ~~administered by the Seattle King County department of public health.~~ The decision of the ~~board that appropriate agency~~ shall be final for purposes of county city review.

B. Appeals of decisions of the ~~division department~~ relying on the road standards and rules, or surface water runoff controls, shall be made as a request for a variance to the ~~department of public works~~ pursuant to K.C.C. SMC 14.42, Road Standards, or K.C.C. SMC 9.04, Surface Water Runoff Policy. The decision of the department shall be final for purposes of city county review.

C. Appeals of decisions of the division relying on the uniform fire code, shall be made to the ~~King County City of Shoreline or the appropriate agency for fire prevention advisory and appeals board~~ pursuant to K.C.C. SMC 17.08.160, Fire Code. The decision of the board shall be final for purposes of county city review.

D. The ~~division's department's~~ decision regarding preliminary short subdivision applications regarding matters not appealable pursuant to Subsection A., B. or C. may be appealed by any aggrieved person with legal standing to the zoning and subdivision examiner pursuant to K.C.C. SMC 20.24, Zoning and Subdivision Examiner.

E. The decisions of the examiner or of any of the boards and departments identified in Subsections A., B. or C. shall be the final county city decision regarding short subdivision appeals and shall be final and conclusive as to all parties unless within twenty days from the date of the decision, an aggrieved party of record appeals the decision to Superior Court pursuant to K.C.C. SMC 20.24.240B. (~~Ord. 9543 § 12, 1990~~).

19.26.140 Final approval and recording of short plats. A. All short subdivisions shall meet the following provisions prior to recording:

1. All final short subdivisions shall be surveyed and the final recording forms shall be prepared by a licensed land surveyor;

2. Surveys shall include those items prescribed by R.C.W. 58.09.060, Records of Survey, Contents - Record of Corner, Information;

3. Plat certificates or owner's duplicate certificates for land registered pursuant to R.C.W. 65.12, Registration of Land Titles, shall be obtained and provided by the owners of any approved short subdivision;

4. A supplemental plat certificate shall be provided if the final short plat is not recorded within 30 days of the original certificate or supplemental certificate date;

5. All required improvements must be installed and approved, or bonded as specified for plats in K.C.C. SMC 19.36, Subdividing Procedure, and in K.C.C. SMC 19.26.090.B and 19.26.100 B.

6. The requirement for a deposit to cover anticipated taxes as required for plats in R.C.W. 58.08 Plats - Recording, is waived for the filing of short plats. However, the applicant shall be required to provide certification from the ~~King County appropriate city office of finance~~ that property taxes for the subject property are not delinquent prior to issuance of a final approval, and

7. All applicable final approval fees set forth in K.C.C. SMC Title 27, Development Permit Fees, and any civil penalties assessed pursuant to K.C.C. SMC Title 23, have been paid.

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D. Approved alterations and vacations shall be recorded with the King County~~King County~~ division of records and elections, as provided in K.C.C. SMC 19.26.140. (~~Ord. 9543 § 14, 1990~~).

19.26.160 Administration. The division is authorized to develop and adopt administrative rules and regulations under the procedures specified in K.C.C. SMC 2.98, Rules of County Agencies, for the purpose of implementing and enforcing the provisions of this chapter. Rules adopted under this section are subject to Council approval. (~~Ord. 9543 § 15, 1990~~).

19.26.510 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected. (~~Ord. 3113 § 19, 1977~~).

Chapter 19.28 PRELIMINARY PLAT¹

Sections:

- 19.28.020 Standard for treatment of unrecorded plats and dedications-Plattor to show water supply and distribution, and method of sewage disposal.
- 19.28.030 Preliminary plat application - required contents
- 19.28.040 Hearing on preliminary plats.
- 19.28.050 Qualifications governing approval of plat.
- 19.28.055 Plats with preliminary approval.
- 19.28.080 Additional requirements.

19.28.020 Standard for treatment of unrecorded plats and dedications - Plattor to show water supply and distribution, and method of sewage disposal.

A. UNRECORDED PLATS. An existing unrecorded plat shall be treated as a preliminary plat with due regard for the legal rights of any persons who may have purchased lots therein.

B. DEDICATIONS, EXPLANATIONS. Plattors are notified that dedications are absolute, and no reservations or exceptions for any purpose whatsoever will be permitted, whether in dedication or upon the face of the plat.

C. WATER SUPPLY. The plattor of every proposed plat must show that the area to be platted is provided with a public domestic supply and distribution system within or without the plat installed according to plans approved by the county department of health City of Shoreline or the appropriate agency. If there is no established water supply system in the district to which the pieces or parcels of land in the plat may be connected, the plattor must set aside a favorable park or other area of suitable size upon which shall be located a community deep well or wells which shall be set aside for community use, or the plattor must show that there is a potential water supply accessible to and provided for each lot or tract in the plat or subdivision. Such water supply and distribution system, community well or wells or water supply to be constructed on such areas of such depth and design as to amply protect the water supply and all plans to be approved by the King County department of health City of Shoreline or the appropriate agency.

D. SOURCES OF WATER SUPPLY (or note stating source).

¹ [Preliminary plat to be prepared by registered surveyor or engineer - See Section 19.36.020.]

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B. Final short plat recording forms shall contain the following signatures, approvals, or information in the format prescribed by the manager:

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1. Lots shall be designated by number on the short plat within the area of the lot. Tracts shall be similarly designated by letter and each tract shall be clearly identified with the ownership and purpose;

2. Signature and stamp of the land surveyor who prepared the final short plat;

3. All required dedications;

4. Reference to the recording number of the completed survey as required by this section if the boundaries have been previously surveyed;

5. Reference to all agreements or covenants required as a condition of approval;

6. Notarized signatures of all persons having an ownership or security interest in the land being subdivided;

7. Approval of the King County City of Shoreline development engineer City Manager or his/her designee;

8. Approval of the county assessor; and

9. Approval of the city manager or his/her designee.

C. The manager shall examine and sign the final short plat if it and the short subdivision it represents conform to all conditions of preliminary and final approval. Short plats shall be recorded with the King County division of records and elections. A copy of the documents stamped with the recording number shall be sent by the division to the King County department of assessments and to the applicant. Final short plats shall become effective upon recording. (Ord. 9543 § 13, 1990).

19.26.150 Short plat alterations and vacations. A. Within five years of the recording date, any recorded short plat may be altered provided no more than a total of four lots result within the boundaries of the original short plat. After five years from the recording date, the short plat may be altered or the land may be subdivided further in accordance with this chapter. An alteration may include adjacent separate lots provided no more than four lots result within the boundaries of the original short plat together with such additional property. The following requirements apply to all short plat alterations:

1. All persons having any ownership or security interest in the lots or tracts of the original recorded short plat being altered must sign the final altered short plat forms.

2. Any features contained on the original short plat which have been relied upon in subsequent land development or county-city planning decisions shall be incorporated on the short plat alteration.

3. Lot lines of lots which are non-conforming only by reason of insufficient square footage may be altered without regard to current square footage requirements as long as they are not made more nonconforming and as long as no additional lots are created, and the proposed lots are consistent with the other dimensional requirements of the zoning in effect at the time of the original short plat approval. Any newly created additional lots must meet current zoning requirements and King County board of City of Shoreline's health rules and regulations regarding minimum lot size.

4. The criteria cited in K.C.C. SMC 19.26.120 shall be used as the basis to approve or deny any proposed alteration. Seattle King County Approval from the appropriate city agency department of public health approval shall be required in accordance with K.C.C. SMC 19.26.090 and 19.26.100.

B. Any short plat alteration which deletes all interior boundaries shall constitute a vacation of the original short plat, effective at the time the altered short plat is recorded.

C. Short plat alterations or vacations involving public dedications shall be processed in the manner provided by law for alteration or vacation of subdivisions. All other short plat alterations or vacations shall be processed as set forth in K.C.C. SMC 19.26.020, 19.26.130, 19.26.140, and 19.26.150.