

ORDINANCE NO. 2576

AN ORDINANCE REPEALING TITLE 17 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "SUBDIVISIONS" AND RE-ADOPTING TITLE 17 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "SUBDIVISIONS"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Title 17 of the Moses Lake Municipal Code entitled "Subdivisions" is repealed.

Section 2. New Title 17 of the Moses Lake Municipal Code entitled "Subdivisions" is adopted in the form attached hereto.

Section 3. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

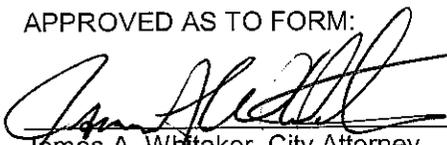
Adopted by the City Council and signed by its Mayor on July 27, 2010

ATTEST:


Jon Lane, Mayor


Ronald R. Cone, Finance Director

APPROVED AS TO FORM:


James A. Whitaker, City Attorney

**CHAPTER 17.03
GENERAL PROVISIONS**

Sections:

- 17.03.010 Short Title
- 17.03.020 Purpose
- 17.03.030 Jurisdiction
- 17.03.040 Administrative Authority
- 17.03.050 Failure of Planning Commission to Act
- 17.03.060 Assignment of Water Rights for Subdivision of Land

- 17.03.010 Short Title: This title is the Subdivision Title of the City.
- 17.03.020 Purpose: This title regulates the subdivision of land and promotes the health, safety, and general welfare in accordance with standards established by the City and the State: to prevent the overcrowding of land; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provision for water, sewage, park and recreation areas, sites for schools and school grounds, and other public requirements; to provide for proper ingress and egress; and to require uniform monumentation of land subdivisions and conveyance of properties by accurate legal description.
- 17.03.030 Jurisdiction: This title applies to all subdivisions of land located within the corporate limits of the City.
- 17.03.040 Administrative Authority: Regulations related to the municipal approval or disapproval of subdivisions or dedications are established by this title. The plat administrator is designated and assigned the administrative and coordinating responsibilities contained in this title, pursuant to the laws of the State as amended.
- 17.03.050 Failure of Planning Commission to Act: If in any instance the Planning Commission fails to act or carry out its responsibilities according to the regulations contained in this title, the City Council shall assume all the duties of the Planning Commission as specified in this title relating to the application concerned.
- 17.03.060 Assignment of Water Rights for Subdivision of Land:
- A. As a condition for the approval of the subdivision of real property pursuant to Chapters 17.09, 17.12, and 17.18, utilizing City provided water for residential consumption, irrigation, fire suppression, or commercial application, the owner of such property shall assign and transfer to the City a permanent right of withdrawal of state groundwater in such quantities as is sufficient to serve the real property being subdivided. Such rights shall be in the form of a perfected application, certificate, permit, or other right from the State of Washington acceptable to the City. Individual service wells that are exempt from certification under the laws of the State of Washington are not acceptable assignments or transfers of water rights to the City.
 - B. The following sources and applications are exempt from the requirements in subsection A:
 - 1. Irrigation water used from a perfected water right from a City-approved irrigation-water-service provider.
 - 2. City-provided water that is used for industrial-use applications.
 - 3. Water obtained from someone or some entity other than the City.
- The water right requirements of subsection A shall be reduced in an amount equal to the amount of exempted water usage.

- C. In the event that available water rights are not represented by a perfected application, a certificate, a permit, or other right for withdrawal appurtenant to the real property benefitted in subsection A; the applicant shall pay to the City, in lieu of such assignment, a water rights acquisition fee as established by City Council resolution.

**CHAPTER 17.06
DEFINITIONS**

Sections:

- 17.06.010 Generally
- 17.06.020 Activity Trail
- 17.06.030 Applicant
- 17.06.040 Arterial
- 17.06.050 Binding Site Plan
- 17.06.060 Block
- 17.06.070 City Engineer
- 17.06.080 Community Development Director
- 17.06.090 Comprehensive Plan
- 17.06.100 Construction Plans
- 17.06.110 Dedication
- 17.06.120 Deferral
- 17.06.130 Developer
- 17.06.140 Development Engineer
- 17.06.150 Deviation
- 17.06.160 Division of Land
- 17.06.170 Easement
- 17.06.180 Filing
- 17.06.190 Final Plat
- 17.06.200 Franchise
- 17.06.210 Improvements
- 17.06.220 Land Surveyor
- 17.06.230 Lease
- 17.06.240 Lot
- 17.06.250 Lot Area
- 17.06.260 Lot Depth
- 17.06.270 Lot Width
- 17.06.280 Maintenance Bond
- 17.06.290 Major Subdivision
- 17.06.300 May
- 17.06.310 Municipal Easement
- 17.06.320 Municipal Improvements
- 17.06.330 Municipal Services Director
- 17.06.340 Parcel
- 17.06.350 Pedestrian Path
- 17.06.360 Performance Bond
- 17.06.370 Planned Development District
- 17.06.380 Planning Commission
- 17.06.390 Plat
- 17.06.400 Plat Administrator
- 17.06.410 Pre-Application Conference
- 17.06.420 Preliminary Plat
- 17.06.430 Primary Street
- 17.06.440 Private Easement
- 17.06.450 Professional Engineer
- 17.06.460 Public Notification
- 17.06.470 Public Utility
- 17.06.480 Public Utility Easement
- 17.06.490 Recording
- 17.06.500 Required Improvements
- 17.06.510 Right-of-Way
- 17.06.520 Scale

17.06.530 Secondary Street
17.06.540 Security
17.06.550 Shall
17.06.560 Short Plat
17.06.570 Short Subdivision
17.06.580 Should
17.06.590 Site Plan
17.06.600 Subdivider
17.06.610 Subdivision
17.06.620 Subdivision Bond
17.06.630 Waiver

- 17.06.010 Generally: When not inconsistent with the context, words used in the present tense include the future tense; words in the plural number include the singular number; and words used in the singular number include the plural number. As used in this title, the following words or phrases shall have the following meaning.
- 17.06.020 Activity Trail: Trails or paths that are designated for bicycle and pedestrian use. Activity trails are typically ten feet (10') wide, unobstructed trails, with four feet (4') or more of clearance on each side, and ten feet (10') of vertical clearance. Activity trails may be widened sidewalks, designated roadway lanes, or separate trails from sidewalks or streets. The Activity Trail Master Plan that was adopted by City Council provides guidance on the construction of activity trails and their locations.
- 17.06.030 Applicant: The subdivider or an agent of the subdivider.
- 17.06.040 Arterial: Arterial streets are either primary streets or secondary streets, as defined in this title, and include all limited or restricted access highways. Other non-arterial street classifications include tertiary streets and residential streets, and are defined in the Community Street and Utility Standards.
- 17.06.050 Binding Site Plan: An alternative procedure for the orderly and efficient division of a single lot of a recorded plat into parcels in accordance with Chapter 17.18 of this title.
- 17.06.060 Block: A group of contiguous lots within defined and fixed boundaries.
- 17.06.070 City Engineer: The Municipal Services Director or the Municipal Services Director's designee.
- 17.06.080 Community Development Director: Designated City employee responsible for overseeing the Community Development Department of the City of Moses Lake, or the Community Development Director's designee.
- 17.06.090 Comprehensive Plan: The plans, maps, texts, and reports that comprise the official development plan, as adopted by the City Council in accordance with state law.
- 17.06.100 Construction Plans: The maps, drawings, and specifications that are stamped by a professional engineer, that show and describe the specific location and design of improvements to be installed or constructed.
- 17.06.110 Dedication: The deliberate appropriation of land by an owner for any general and public uses, for which the owner reserves no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been appropriated.
- 17.06.120 Deferral: A temporary departure from subdivision timing requirements that allows required improvements to be completed at a later date as specified by this title. Deferrals do not alter the required improvements, but allow construction to be completed at a later date when appropriate.
- 17.06.130 Developer: The applicant, or agent of the applicant.

- 17.06.140 Development Engineer: A designated City employee who reviews subdivision applications and construction plans for the Municipal Services Department, and who is designated as the City's representative to review municipal improvements that are proposed and constructed by developers.
- 17.06.150 Deviation: A City approved modification to any requirement specific to subdivision regulations or required improvements.
- 17.06.160 Division of Land: The division of any land into two (2) or more lots, tracts, or parcels.
- 17.06.170 Easement: A grant of one (1) or more rights in property by the property owner to and for the use by the public, the City, a corporation, or another person or entity. See also Municipal Easement, Private Easement, and Public Utility Easement.
- 17.06.180 Filing: Filing means the act of submitting documents to the Plat Administrator, which documents are subsequently deemed complete by the Plat Administrator for a specific application. The date of filing is the date that the documents, determined to be complete and ready for processing by the Plat Administrator, are submitted by the applicant.
- 17.06.190 Final Plat: The plat of the final subdivision. An approved final plat is a final plat that has been approved, with conditions. Final major and short plats are approved as provided in this title. All approved final plats will be signified by a written notice of final plat approval that is prepared by the Plat Administrator, with the conditions of approval listed in the notice.
- 17.06.200 Franchise: A special privilege conferred by the City to an individual or corporation, which special privilege does not belong to the general public.
- 17.06.210 Improvements: Any combination of pavement, curb, gutter, sidewalk, walkway, street sign, drainage structure, bike path, sewer, water, gas, street lights, telecommunications, electricity, or other utility or structure.
- 17.06.220 Land Surveyor: An individual licensed in the State of Washington to perform land surveys in accordance with the provisions of state law.
- 17.06.230 Lease: A contract or agreement whereby one (1) party grants to another party general or limited rights, title, or interest in real property. This definition is intended to apply to those agreements that are ordinarily considered "ground leases" and does not apply to those which are ordinarily considered "space leases".
- 17.06.240 Lot: A fractional part of real property, within the boundaries of a recorded plat, having fixed boundaries, being of sufficient area and dimension to meet requirements in the Zoning Ordinance for lot width, lot depth, and lot area.
- 17.06.250 Lot Area: As defined in Chapter 18.06.
- 17.06.260 Lot Depth: As defined in Chapter 18.06.
- 17.06.270 Lot Width: As defined in Chapter 18.06.
- 17.06.280 Maintenance Bond: A security or surety, provided by the applicant and approved by the City Attorney, that guarantees improvements after acceptance by City Council.
- 17.06.290 Major Subdivision: The division or redivision of land, for the purpose of sale, lease, or transfer of ownership. Major subdivisions are required whenever the subdivision includes lands that exceed four (4) acres, consists of ten (10) or more lots, or includes lands that have been subdivided by a short subdivision within the previous five (5) years by a different owner.

- 17.06.300 May: A permissive condition approved at the discretion of the Community Development Director, Plat Administrator, Municipal Services Director, Hearing Examiner, or City Council as allowed by this code.
- 17.06.310 Municipal Easement: An easement that is accepted by the City for constructing, maintaining, and servicing municipal improvements, and for permitted public and private uses.
- 17.06.320 Municipal Improvements: Any or all sewer mains and appurtenances, water mains and appurtenances, asphalt pavement, sidewalks, drainage structures, and other permanent structures that are constructed for the benefit of the public as approved and accepted by the City.
- 17.06.330 Municipal Services Director: The designated City employee responsible for overseeing the Municipal Services Department or the Municipal Services Director's designee. Where state law refers to "City Engineer", the Municipal Services Director shall be regarded as the City Engineer.
- 17.06.340 Parcel: A fractional part of a binding site plan having fixed boundaries.
- 17.06.350 Pedestrian Path: Pedestrian paths provide unobstructed pedestrian access between existing sidewalks and activity trails, through mid-block right-of-way.
- 17.06.360 Performance Bond: Any security or surety bond approved by the City Attorney as a guarantee that required improvements will be satisfactorily completed within a specified period of time.
- 17.06.370 Planned Development District: Any of the following terms as outlined in Title 18: (1) Planned Unit Development, (2) Planned Unit Residential Development, (3) Planned Commercial Development, and (4) Planned Industrial Development.
- 17.06.380 Planning Commission: The body created pursuant to Chapter 2.48.
- 17.06.390 Plat: A map or representation of a subdivision.
- 17.06.400 Plat Administrator: The Community Development Director or the Community Development Director's designee charged with administering land development regulations.
- 17.06.410 Pre-Application Conference: An informal meeting where the applicant introduces the general idea of a proposed subdivision or binding site plan to City staff.
- 17.06.420 Preliminary Plat: A dimensional drawing of a proposed subdivision that accompanies an application for a preliminary subdivision and shows the proposed layout of dedications, lots, blocks, and other elements of a proposed subdivision. The preliminary plat shall be the basis for the approval or disapproval of the proposed layout of a subdivision.
- 17.06.430 Primary Street: Primary streets are arterial streets that carry the majority of traffic that enters and exits urban areas and that carry the majority of through traffic. Primary streets have either fully-controlled or partially-controlled accesses. Primary streets include interstate highways, state highways, and other specific streets as listed in the Community Street and Utility Standards.
- 17.06.440 Private Easement: An easement that is provided to an individual or group of individuals. Any property rights related to private easements shall only belong to those individuals to whom the private easement is provided.
- 17.06.450 Professional Engineer: An individual licensed in the State of Washington to practice engineering in accordance with the provisions of state law.
- 17.06.460 Public Notification: Notice of application provided to the general public in accordance with state law.

- 17.06.470 Public Utility: A privately or publicly owned and operated business whose services are so essential to the general public as to justify the granting of a franchise by the City.
- 17.06.480 Public Utility Easement: An easement that is dedicated on a plat for construction and maintenance of any and all public utilities and public improvements. Within this Title, regulations pertaining to public utility easements shall also pertain to easements that are provided to state or federal agencies. Public utility easements do not provide property rights for municipal improvements.
- 17.06.490 Recording: The act of the Grant County Auditor to accept a document, place it in the Grant County archives, and provide a unique auditor's file number for said document.
- 17.06.500 Required Improvements: Improvements that are mandatory as a condition of subdividing or other development. Required improvements shall be constructed in conformance with the Community Street and Utility Standards.
- 17.06.510 Right-of-way: Land or real property, dedicated or deeded to the City, County, State, or federal agencies, to be used for improvements, and for permitted public and private uses.
- 17.06.520 Scale: The scale of a plat, site plan, or record of survey that is the proportion that the map is drawn to with reference to the actual surveyed distances.
- 17.06.530 Secondary Streets: Secondary streets are arterial streets that distribute trips of moderate lengths between different geographic areas of the City. Secondary streets include all arterials that are not otherwise classified as primary streets. Secondary streets provide access to identifiable areas of the City, but they do not enter into identifiable areas of the City. Secondary streets include specific streets as listed in the Community Street and Utility Standards.
- 17.06.540 Security: A performance bond, maintenance bond, covenant, or alternative collateral provided by the applicant to the City, and approved by the City Attorney, that guarantees events will occur in accordance with the agreement attached to the security.
- 17.06.550 Shall: A mandatory condition. Where requirements are described with "shall," the requirements are mandatory.
- 17.06.560 Short Plat: A map or representation of a short subdivision.
- 17.06.570 Short Subdivision: The division or redivision of land for the purpose of sale, lease, or transfer of ownership into nine (9) or fewer lots, not exceeding four (4) acres in total area, that has not been divided by a short subdivision within five (5) years by a different owner.
- 17.06.580 Should: An advisory condition. Where the word "should" is used, it is considered to be advisable usage; recommended but not mandatory.
- 17.06.590 Site Plan: A site plan is a drawing that depicts all proposed and existing improvements and land conditions, drawn in accordance with Chapter 17.15.
- 17.06.600 Subdivider: A person, firm, or corporation that undertakes to create a short or major subdivision.
- 17.06.610 Subdivision: Either a "short subdivision" or "major subdivision," depending on the context.
- 17.06.620 Subdivision Bond: A surety or other security bond that is provided by the applicant and approved by the City Attorney that guarantees that certain improvements will be completed within a specific period of time.
- 17.06.630 Waiver: A release from subdivision regulations that allows approval without accomplishing specific requirements.

**CHAPTER 17.09
SHORT SUBDIVISIONS**

Sections:

- 17.09.010 Purpose
- 17.09.020 Scope
- 17.09.030 Preliminary Short Subdivision Conditions and Requirements
- 17.09.040 Referral to Other Departments, Agencies, and Offices
- 17.09.050 Waivers, Deferrals, and Deviations
- 17.09.060 Preliminary Short Subdivision Application Review Procedures
- 17.09.070 Expiration of Preliminary Short Subdivision Approval
- 17.09.080 Preliminary Short Subdivision Appeals
- 17.09.090 Improvements
- 17.09.100 Final Short Subdivision Application
- 17.09.110 Final Short Subdivision Application Review Procedure
- 17.09.120 Final Short Subdivision Approval
- 17.09.130 Final Short Subdivision Fees, Mylars, Covenants
- 17.09.140 Recording Final Short Plat
- 17.09.150 Vested Rights
- 17.09.160 Final Short Subdivision Appeals

17.09.010 Purpose: The procedures regulating short subdivisions are established to provide for the orderly and efficient division of land within the City on a small scale; to promote the public health, safety, and general welfare; and to substantially comply with the provisions of state law.

17.09.020 Scope: This chapter regulates the division or redivision of land into nine (9) or fewer lots for the purpose of sale, lease, or transfer of ownership, not exceeding four (4) acres in total area, and which has not been divided into a short subdivision within a period of five (5) years.

17.09.030 Preliminary Short Subdivision Conditions and Requirements:

A. General Conditions and Requirements:

1. The subdivision shall make adequate provision for municipal improvements, street lighting circuits, alleys, drainage ways, irrigation water right-of-ways, other public ways, public access, and other improvements as deemed necessary in conformance with Community Street and Utility Standards, Chapter 17.21, Chapter 17.24 and other codes and regulations that are applicable.
2. The subdivision shall comply with all zoning and health regulations.
3. The subdivision shall be consistent with the Comprehensive Plan.
4. The applicant shall make arrangements with Grant County PUD for payment of all street lighting fees.
5. The subdivision shall provide for irrigation water right-of-ways pursuant to state law.
6. The subdivision shall not have been divided by a short subdivision within five (5) years by a different owner, shall consist of nine (9) or fewer lots, and shall not exceed four (4) acres in total area.

7. Unless an applicant requests otherwise, and the Plat Administrator agrees, a preliminary subdivision application shall be processed simultaneously with the application for rezones, deviations, planned development districts, building plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to those actions permit simultaneous processing.
8. Every decision or recommendation made under this chapter by the City Council or Planning Commission shall be in writing and shall include findings of fact and conclusions to support the decision or recommendation.
9. Preliminary subdivision applications shall be approved, disapproved, or returned to the applicant for modification within the time limitations established by state law; provided, if an Environmental Impact Statement is required pursuant to state law, or if deviations are required, the time spent reviewing and circulating the Environmental Impact Statement and deviation request by the local governmental agency is not counted in the time limitation period.

B. Specific Conditions and Requirements:

1. Prior to submitting a preliminary short subdivision application, the applicant shall schedule a pre-application conference with the Plat Administrator. During the pre-application conference, the applicant shall present a conceptual idea of the subdivision, and City personnel will respond informally to the applicant about potential items of concern or clarification, to aid the applicant in preparing the preliminary short subdivision application.
2. All preliminary subdivision applications shall be submitted to the Plat Administrator.
3. A completed preliminary short subdivision application shall include the following items:
 - a. A completed preliminary subdivision application form, signed by the property owner, on a form provided by the Community Development Department.
 - b. A non-refundable fee per Chapter 3.54.
 - c. A reduced set of all application drawings, each drawing on eleven inch (11") by seventeen inch (17") paper. Smaller sized drawings may be approved by the Plat Administrator.
 - d. A plat certificate from a title company licensed to do business in the State of Washington confirming that the title of the lands corresponds with the owners described and shown on the plat and instrument of dedication. The plat certificate shall be dated within thirty (30) calendar days of filing.
 - e. Twelve (12) full-size copies of the preliminary plat. The preliminary plat shall be a neat and accurate drawing, stamped and signed by a land surveyor. The preliminary short plat shall show sufficient detail and information to provide verification that the proposed subdivision layout can meet all approval requirements of a subdivision. The format shall be as specified in Chapter 17.15, with the ultimate goal of the applicant to provide a final plat per specifications in Chapter 17.15. Specific items that are required on a preliminary plat are listed below.
 - 1) Name of proposed subdivision, names of all existing streets within the survey, and names of all proposed streets.
 - 2) Boundaries of proposed subdivision established by the preliminary survey, and locations of the monuments found and established during the preliminary survey.

- 3) All proposed lots with their dimensions, lot numbers, block numbers, and lot areas.
 - 4) Location and dimension of all existing and proposed streets, alleys, right-of-ways, municipal easements, public utility easements, and other public lands within and adjacent to the proposed subdivision.
 - 5) Location and dimensions of all existing and proposed USBR irrigation water right-of-ways on and adjacent to the proposed subdivision.
 - 6) Legal description of land within the proposed subdivision.
 - 7) Name, address, and seal of the land surveyor who made the preliminary survey.
 - 8) Date map is prepared, vicinity map, scale, north arrow, basis of bearing, vertical datum.
- f. Three (3) full-size copies of the site plan. Site plans shall be provided on a separate sheet from the plat, per site plan requirements listed in Chapter 17.15.
 - g. Deviation requests.
 - h. Traffic memos are required if the subdivision will increase traffic by more than one hundred (100) trips per day or more than ten (10) peak-hour trips.

17.09.040 Referral to Other Departments, Agencies, and Offices:

- A. The Plat Administrator shall distribute copies of the preliminary plat to each of the following offices, departments, or agencies after filing a preliminary short subdivision application:
 1. Public Utility District
 2. Gas Company
 3. Telephone Company
 4. Engineering Division of the Municipal Services Department (three copies)
 5. Fire Department
 6. Building Division of the Community Development Department
 7. Grant County local health jurisdiction
 8. All irrigation districts with jurisdiction
 9. Grant County Assessor
 10. Communications Company
 11. Grant County Auditor
 12. United States Bureau of Reclamation
 13. Grant County Emergency Management
 14. United States Post Office
 15. Washington State Department of Fish and Wildlife

- B. The Plat Administrator shall notify the Police Department, Park and Recreation Department, and City Manager that a preliminary subdivision application has been filed.
- C. The Plat Administrator shall notify Grant County Planning Department and Grant County Public Works Department when a preliminary subdivision application is filed, if the subdivision abuts the municipal boundary.
- D. The Plat Administrator shall notify the Washington State Department of Transportation when a preliminary subdivision application is filed, if the subdivision abuts the right-of-way of a state highway, or if the subdivision is within two (2) miles of the boundary of a state or municipal airport.
- E. The Plat Administrator shall notify each office, department, or agency that written recommendations will be accepted within fourteen (14) calendar days from the date that the notification is sent. If a written recommendation is not received by the Plat Administrator within fourteen (14) calendar days, the preliminary subdivision application may be processed under the assumption that such office, department, or agency has no recommendation.
- F. If the preliminary subdivision application is unacceptable, a letter shall be mailed to the applicant within time limitations established by state law.
- G. The Plat Administrator may determine that a meeting shall be held to resolve major issues identified as a result of the recommendations of other offices, departments, or agencies. Such meeting shall be attended by those offices, departments, or agencies responsible for the recommendations and shall include the applicant and the Plat Administrator.

17.09.050 Waivers, Deferrals, and Deviations: Waiver, deferral, and deviation requests from provisions contained in this title shall be in writing to the Plat Administrator and processed in accordance with Chapter 17.33. All requests for waivers, deferrals and deviations shall be received prior to preliminary subdivision approval.

17.09.060 Preliminary Short Subdivision Application Review Procedures:

- A. After an acceptable short subdivision application is received, and within the time limitations established by state law, the Plat Administrator shall respond to the applicant in one of the following manners:
 - 1. Preliminary approval is granted as submitted.
 - 2. Preliminary approval is granted with modifications requested.
 - 3. The proposed subdivision is denied and reasons stated.
 - 4. Preliminary approval is withheld until all dedication and deviation requests are approved by the Planning Commission or City Council.
- B. Approval of the preliminary subdivision shall constitute approval for the applicant to develop construction plans and specifications for all facilities and improvements, and to prepare the final subdivision application.

17.09.070 Expiration of Preliminary Short Subdivision Approval:

- A. A preliminary short subdivision approval shall expire and become null and void after one (1) year from the date of preliminary subdivision approval unless an extension is approved by the Plat Administrator.
- B. The Plat Administrator may grant one (1) extension of the preliminary subdivision approval for a period not to exceed one (1) year, provided that the applicant submits a written request for

an extension at least thirty (30) calendar days before the expiration of the preliminary short subdivision approval.

17.09.080 Preliminary Short Subdivision Appeals: Decisions approving or disapproving preliminary short subdivisions are reviewable as provided in Chapter 20.11.

17.09.090 Improvements:

- A. After the preliminary subdivision is approved, required improvements shall be constructed by the applicant. Improvement design and approval shall be in accordance with Chapter 17.24.
- B. All approvals of project permit applications shall be processed as provided in state law.
- C. The Development Engineer shall review all required improvements to ensure conformance with approved plans and specifications. All construction of municipal improvements requires a Street and Utility Construction Permit to be obtained in accordance with Chapter 12.16.
- D. Prior to submitting the final subdivision application, the applicant shall complete all required improvements, except as noted below:
 1. In lieu of completing and installing all required improvements, a subdivision bond or other security shall be submitted by the applicant for approval by the City Attorney. A bond or alternative security shall be in an amount of one hundred fifty percent (150%) of the cost of the actual construction remaining. The applicant shall submit documentation of the cost of construction to the Municipal Services Director to support the determination of the amount required for bond or alternative security. Bonds or alternate security for short subdivisions shall be in effect for one (1) year, and shall be on forms approved by the City Attorney.
 - a. All improvements listed in the subdivision bond or approved security shall be installed by the contractor, and acceptable by the City, within one (1) year of accepting the bond or approved security.
 - b. The Plat Administrator may approve one (1) extension of the subdivision bond or approved security for a period not to exceed one (1) year, provided that said request for an extension is filed with the Plat Administrator at least sixty (60) calendar days prior to expiration of the bond or approved security.
 - c. If a time extension is approved, new security documents shall be submitted by the applicant. The new security shall be adjusted to accommodate increased costs for completing all required improvements. A new security shall not include additional construction requirements beyond the original scope of work. If the increased costs are not accepted by the surety, or if the Plat Administrator denies the request for extension, and the required improvements are not complete, the City shall foreclose on the existing security, and the subdivision will be held in abeyance.
- E. A Certificate of Occupancy shall not be issued for buildings that are permitted on plats that have a subdivision bond or alternate security attachment until the following events have occurred:
 1. Required improvements have been constructed to Community Street and Utility Standards and accepted by the City Council.
 2. The final plat has been recorded.
 3. The building or structure complies with the provisions of the State Building Code.

17.09.100 Final Short Subdivision Application:

- A. The applicant shall provide the final short subdivision application to the Plat Administrator on forms provided by the Community Development Department.
- B. A final short subdivision application will not be accepted until all required improvements are accepted by City Council; or until a subdivision bond or alternate security is approved in accordance with this chapter.
- C. All public dedications that are required or approved for a subdivision, together with any restrictions or limitations thereon, shall be shown on the final plat. These areas shall be shown as dedications on the final plat; or deeds, municipal easements, or both, for properties outside the subdivision boundaries. All deeds and easements required with approval for a subdivision shall be provided for review and acceptance by the City prior to recording.
- D. The final short subdivision application shall be accompanied by the following:
 - 1. A plat certificate from a title company licensed to do business in the State of Washington, dated within thirty (30) days of submitting the final subdivision application confirming that the title of the lands corresponds with the owners described and shown on the plat and instrument of dedication.
 - 2. A non-refundable fee per Chapter 3.54.
 - 3. Twelve (12) full-size copies of the final plat, drawn in accordance with the requirements of Chapter 17.15.
 - 4. Lot, block, and boundary closures for review by the Development Engineer.
 - 5. Final subdivision application form, completed and signed by the property owner.
 - 6. A reduced set of all application drawings, each drawing on eleven inch (11") by seventeen inch (17") paper. Smaller sized drawings may be approved by the Plat Administrator.
- E. The final short subdivision shall be approved or disapproved within the time limitations established by state law.
- F. No final short subdivision shall be approved unless the City makes a written finding of fact that the proposed subdivision is in conformance with applicable zoning ordinances and land use controls.
- G. No final short subdivision shall be approved that lies in whole or in part in an irrigation district organized pursuant to state law, unless an irrigation water right-of-way has been provided pursuant to state law.

17.09.110 Final Short Subdivision Application Review Procedure:

- A. The Plat Administrator shall distribute copies of the final plat to the following offices, departments, or agencies after filing a final short subdivision application:
 - 1. Public Utility District
 - 2. Gas Company
 - 3. Telephone Company
 - 4. Engineering Division of the Municipal Services Department (three copies)

5. Fire Department
6. Building Division of the Community Development Department
7. Grant County local health jurisdiction
8. All irrigation districts with jurisdiction
9. Grant County Assessor
10. Communications Company
11. Grant County Auditor
12. United States Post Office
13. United States Bureau of Reclamation, when they have jurisdiction on the plat

Each office, department, or agency shall provide written recommendations to the Plat Administrator within fourteen (14) calendar days from the date that the final plat is circulated for review. If an office, department, or agency fails to provide a written recommendation within the time limitation, the final subdivision application may be processed under the assumption that said office, department, or agency has no recommendation. Final subdivision approval conditions shall not modify the terms of preliminary subdivision approval conditions, without the written consent from the applicant.

- B. The Plat Administrator shall notify the Police Department, Park and Recreation Department, and City Manager that a final subdivision application has been filed.
- C. The Plat Administrator shall notify Grant County Planning Department and Grant County Public Works Department when a final subdivision application is filed, if the subdivision abuts the municipal boundary.
- D. The Plat Administrator shall notify the Washington State Department of Transportation when a final subdivision application is filed, if the subdivision abuts the right-of-way of a state highway, or if the subdivision is within two miles of the boundary of a state or municipal airport.
- E. The Plat Administrator shall notify Grant County Emergency Management when a final subdivision application is filed if the final plat includes street names that are different from the preliminary plat.
- F. Within fourteen (14) calendar days from the date that the final plat is circulated for review, the City Engineer shall review the final subdivision application and submit a written report to the Plat Administrator with respect to the following items:
 1. Owners listed on the plat correspond with the owners listed on the plat certificate.
 2. Legal description on the plat is within the boundaries of the land described on the plat certificate.
 3. Required improvements have been accepted by City Council or other approved security has been approved in conformance with this chapter.
 4. Plat is technically correct, includes valid certification by the applicant's land surveyor, and provides specific requirements per Chapter 17.15.

- G. Within fourteen (14) calendar days from the date that the final plat is circulated for review, the appropriate irrigation district serving or entitled to serve the real property with irrigation water shall review the final application and submit a written report to the Plat Administrator recommending approval or disapproval of the final subdivision. The report shall comment on the adequacy of the proposed means of the delivery of irrigation district entitlement water, and on the adequacy of the proposed means of removal of irrigation wastewater.

17.09.120 Final Short Subdivision Approval:

- A. The Plat Administrator shall approve or disapprove the final subdivision within the time limitations established by state law, unless the applicant consents to an extension of that time period in writing.
- B. If the Plat Administrator finds that the final subdivision application conforms to all terms of the preliminary subdivision approval, the requirements of state law, and all other requirements, the Plat Administrator shall approve the final subdivision.

17.09.130 Final Short Subdivision Fees, Mylars, Covenants: The applicant shall remit the following payments, fees, mylars, and covenants for an approved final short subdivision before the final short plat will be recorded.

- A. A check payable to the Grant County Auditor sufficient to cover the recording fee.
- B. When applicable, voluntary payment in lieu of a dedication of land, or to mitigate a direct impact that has been identified as a consequence of the subdivision, pursuant to state law.
- C. All other reimbursements and payments that are required as a condition of approval.
- D. Two (2) original mylar plats, with notarized signatures of the owners.
- E. One (1) electronic copy of the plat to the Plat Administrator, and one (1) electronic copy of the plat to the Grant County Assessor's office.
- F. All covenants that are required to run with the land, if any, signed by the owners and notarized, on forms provided by the Community Development Department.

17.09.140 Recording Final Short Plat:

- A. The following approvals signatures are required on approved final plat mylars after all the fees and payments are accepted, and prior to recording:
 - 1. City Engineer
 - 2. Community Development Director
 - 3. City Manager
- B. The Plat Administrator shall take two (2) original mylar plats with approval signatures to the Grant County Auditor for recording. One (1) of the two (2) mylar plats shall be conformed by the Grant County Auditor and returned to the City Engineer.
- C. Within one (1) year after a final plat is approved, the applicant shall provide all necessary documents, with notarized signatures of the owners, and all payments and fees that are required with the plat, to the Plat Administrator. If said documents and fees are not provided to the Plat Administrator within one (1) year of final plat approval, the plat shall be expired.

- 17.09.150 Vested Rights: A subdivision shall be governed by the terms of approval of the final subdivision; and the statutes, ordinances, and regulations in effect at the time of approval pursuant to state law, for a period of seven (7) years after final plat approval; unless the City Council finds that a change in conditions creates a serious threat to the public health or safety in the subdivision. All lots in a subdivision shall be a valid land use, notwithstanding changes in zoning laws, for a period of seven (7) years from the date of final plat approval.
- 17.09.160 Final Short Subdivision Appeals: Decisions approving or disapproving final short subdivisions are reviewable as provided in Chapter 20.11.

**CHAPTER 17.12
MAJOR SUBDIVISIONS**

Sections:

- 17.12.010 Purpose
- 17.12.020 Scope
- 17.12.030 Preliminary Major Subdivision Conditions and Requirements
- 17.12.040 Referral to Other Departments, Agencies, and Offices
- 17.12.050 Deviations
- 17.12.060 Planning Commission Public Hearing
- 17.12.070 Notice of Public Hearing
- 17.12.080 Planning Commission Action
- 17.12.090 City Council Action
- 17.12.100 Expiration of Preliminary Major Subdivision Approval
- 17.12.110 Preliminary Major Subdivision Appeals
- 17.12.120 Improvements
- 17.12.130 Final Major Subdivision Application
- 17.12.140 Final Major Subdivision Application Review Procedure
- 17.12.150 Final Major Subdivision Recommendation and Approval
- 17.12.160 Final Major Subdivision Fees, Mylars, Covenants
- 17.12.170 Recording Final Major Plat
- 17.12.180 Vested Rights
- 17.12.190 Final Major Subdivision Appeals

17.12.010 Purpose: The procedures regulating major subdivisions are established to provide for the orderly and efficient division of land within the City; to promote the public health, safety, and general welfare; and to substantially comply with the provisions of state law.

17.12.020 Scope: This chapter regulates the division or redivision of land into ten (10) or more lots, or that exceeds four (4) acres in total land area, or that has been divided by a short subdivision within five (5) years by a different owner; for the purpose of sale, lease, or transfer of ownership.

17.12.030 Preliminary Major Subdivision Conditions and Requirements:

A. General Conditions and Requirements:

1. The subdivision shall make adequate provision for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, municipal utilities (sewer, storm, and water), drainage ways, irrigation water right-of-ways, other public ways, public access, and other improvements as deemed necessary in conformance with Community Street and Utility Standards, Chapter 17.21, Chapter 17.24, and other codes and regulations that are applicable.
2. The subdivision shall comply with all zoning and health regulations.
3. The subdivision shall be consistent with the Comprehensive Plan.
4. The applicant shall make arrangements with Grant County PUD for payment of all street lighting fees.
5. Environmental information shall be prepared and submitted by the applicant in accordance with the guidelines established under the State Environmental Policy Act of 1971, as amended. Said information is a part of and shall accompany the preliminary subdivision application.
6. The subdivision shall provide for irrigation water right-of-ways pursuant to state law.

7. Unless an applicant requests otherwise, and the Plat Administrator agrees, a preliminary subdivision application shall be processed simultaneously with the application for rezones, deviations, planned development districts, building plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to those actions permit simultaneous processing.
8. Every decision or recommendation made under this chapter by the City Council or Planning Commission shall be in writing and shall include findings of fact and conclusions to support the decision or recommendation.
9. Preliminary subdivision applications shall be approved, disapproved, or returned to the applicant for modification within the time limitations established by state law; provided, if an Environmental Impact Statement is required pursuant to state law, or if deviations are required, the time spent reviewing and circulating the Environmental Impact Statement and deviation request by the local governmental agency is not counted in the time limitation period.

B. Specific Conditions and Requirements:

1. Prior to submitting a preliminary major subdivision application, the applicant shall schedule a pre-application conference with the Plat Administrator. During the pre-application conference, the applicant shall present a conceptual idea of the subdivision, and City personnel will respond informally to the applicant about potential items of concern or clarification, to aid the applicant in preparing the preliminary major subdivision application.
2. All preliminary major subdivision applications shall be submitted to the Plat Administrator.
3. A completed preliminary major subdivision application shall include the following items:
 - a. A completed preliminary subdivision application form, signed by the property owner, on a form provided by the Community Development Department.
 - b. A non-refundable fee per Chapter 3.54.
 - c. A reduced set of all application drawings, each drawing on eleven inch (11") by seventeen inch (17") paper. Smaller sized drawings may be approved by the Plat Administrator.
 - d. A plat certificate from a title company licensed to do business in the State of Washington confirming that the title of the lands corresponds with the owners described and shown on the plat and instrument of dedication. The plat certificate shall be dated within thirty (30) calendar days of filing.
 - e. Twelve (12) full-size copies of the preliminary plat. The preliminary plat shall be a neat and accurate drawing, stamped and signed by a land surveyor. The preliminary major plat shall show sufficient detail and information to provide verification that the proposed subdivision layout can meet all approval requirements of a subdivision. The format shall be as specified in Chapter 17.15, with the ultimate goal of the applicant to provide a final plat per specifications in Chapter 17.15. Specific items that are required on a preliminary plat are listed below.
 - 1) Name of proposed subdivision, names of all existing streets within the survey, and names of all proposed streets.
 - 2) Boundaries of proposed subdivision established by the preliminary survey, and locations of the monuments found and established during the preliminary survey.

- 3) All proposed lots with their dimensions, lot numbers, block numbers, and lot areas.
 - 4) Location and dimension of all existing and proposed streets, alleys, right-of-ways, municipal easements, public utility easements, and other public lands within and adjacent to the proposed subdivision.
 - 5) Location and dimensions of all existing and proposed USBR irrigation water right-of-ways on and adjacent to the proposed subdivision.
 - 6) Legal description of land within the proposed subdivision.
 - 7) Name, address, and seal of the land surveyor who made the preliminary survey.
 - 8) Date map is prepared, vicinity map, scale, north arrow, basis of bearing, vertical datum.
- f. Three (3) full-size copies of the site plan. Site plans shall be provided on a separate sheet from the plat, per site plan requirements listed in Chapter 17.15.
 - g. An environmental checklist for the proposed subdivision is required to be completed by the applicant and submitted with all subdivision applications.
 - h. Deviation requests.
 - i. Traffic memos are required if the subdivision will increase traffic by more than one hundred (100) trips per day or more than ten (10) peak-hour trips.

17.12.040 Referral to Other Departments, Agencies, and Offices:

- A. The Plat Administrator shall distribute copies of the preliminary plat to each of the following offices, departments, or agencies after filing a preliminary major subdivision application:
 1. Public Utility District
 2. Gas Company
 3. Telephone Company
 4. Engineering Division of the Municipal Services Department (three copies)
 5. Fire Department
 6. Building Division of the Community Development Department
 7. Grant County local health jurisdiction
 8. All irrigation districts with jurisdiction
 9. Grant County Assessor
 10. Communications Company
 11. Grant County Auditor
 12. United States Bureau of Reclamation
 13. Grant County Emergency Management

14. United States Post Office
 15. Washington State Department of Fish and Wildlife
 16. Washington State Department of Ecology
- B. The Plat Administrator shall notify the Police Department, Park and Recreation Department, and City Manager that a preliminary subdivision application has been filed.
 - C. The Plat Administrator shall notify Grant County Planning Department and Grant County Public Works Department when a preliminary subdivision application is filed, if the subdivision abuts the municipal boundary.
 - D. The Plat Administrator shall notify the Washington State Department of Transportation when a preliminary subdivision application is filed, if the subdivision abuts the right-of-way of a state highway, or if the subdivision is within two (2) miles of the boundary of a state or municipal airport.
 - E. The Plat Administrator shall notify each office, department, or agency that written recommendations will be accepted within fourteen (14) calendar days from the date that the notification is sent. If a written recommendation is not received by the Plat Administrator within fourteen (14) calendar days, the preliminary subdivision application may be processed under the assumption that such office, department, or agency has no recommendation.
 - F. If the preliminary subdivision application is unacceptable, a letter shall be mailed to the applicant within time limitations established by state law.
 - G. The Plat Administrator may determine that a meeting shall be held to resolve major issues identified as a result of the recommendations of other offices, departments, or agencies. Such meeting shall be attended by those offices, departments, or agencies responsible for the recommendations and shall include the applicant and the Plat Administrator.
- 17.12.050 Waivers, Deferrals, and Deviations: Waiver, deferral, and deviation requests from provisions contained in this title shall be in writing to the Plat Administrator and processed in accordance with Chapter 17.33. All requests for waivers, deferrals, and deviations shall be received prior to preliminary subdivision approval.
- 17.12.060 Planning Commission Public Hearing: When the Plat Administrator determines that a subdivision application is acceptable, the Plat Administrator shall set a date for a public hearing before the Planning Commission.
- 17.12.070 Notice of Public Hearing: Notice of public hearing shall be in accordance with Section 20.07.
- 17.12.080 Planning Commission Action:
- A. The Plat Administrator shall transmit the subdivision application, comments and recommendations from other offices and agencies, comments from the public, and comments and recommendations from City departments to the Planning Commission prior to the public hearing.
 - B. The Planning Commission shall review the preliminary subdivision application, comments and recommendations, testimony, and exhibits submitted at the hearing and make recommendations thereon to the City Council to assure conformance of the proposed subdivision with the Comprehensive Plan, state and local codes, and Community Street and Utility Standards. The Planning Commission shall recommend that City Council approve, conditionally approve, or disapprove the preliminary subdivision.

17.12.090 City Council Action: If no appeal is taken from the decision of the Planning Commission, preliminary subdivision applications will be submitted to the City Council under Section 2.08.100.

17.12.100 Expiration of Preliminary Major Subdivision Approval:

- A. A preliminary major subdivision approval shall expire and become null and void seven (7) years after the date of final action by the City Council.
- B. The City Council may grant one (1) extension of the preliminary subdivision approval for a period not to exceed one (1) year, provided that the applicant submits a written request for an extension at least thirty (30) calendar days before the expiration date, and the applicant has attempted in good faith to submit the final subdivision application.

17.12.110 Preliminary Major Subdivision Appeals: All decisions of a preliminary major subdivision are reviewable as provided in Chapter 20.11.

17.12.120 Improvements:

- A. After the preliminary subdivision is approved, required improvements shall be constructed by the applicant. Improvement design and approval shall be in accordance with Chapter 17.24.
- B. All approvals of project permit applications shall be processed as provided in state law.
- C. The Development Engineer shall review all required improvements to ensure conformance with approved plans and specifications. All construction of municipal improvements requires a Street and Utility Construction Permit to be obtained in accordance with Chapter 12.16.
- D. Prior to submitting the final subdivision application, the applicant shall complete all required improvements, except as noted below:
 - 1. In lieu of completing and installing all required improvements, a subdivision bond or other security shall be submitted by the applicant for approval by the City Attorney. A bond or alternative security shall be in an amount of one hundred fifty percent (150%) of the cost of the actual construction remaining. The applicant shall submit documentation of the cost of construction to the Municipal Services Director to support the determination of the amount required for bond or alternative security. Bonds or alternate security for major subdivisions shall be in effect for two (2) years, and shall be on forms approved by the City Attorney.
 - a. All improvements listed in the subdivision bond or approved security shall be installed by the contractor, and acceptable by the City, within two (2) years of accepting the bond or approved security.
 - b. The City Council may approve one (1) extension of the subdivision bond or approved security for a period not to exceed two (2) years, provided that said request for an extension is filed with the Plat Administrator at least sixty (60) calendar days prior to expiration of the existing bond or approved security.
 - c. If a time extension is approved, new security documents shall be submitted by the applicant. The new security shall be adjusted to accommodate increased costs for completing all required improvements. A new security shall not include additional construction requirements beyond the original scope of work. If the increased costs are not accepted by the surety, or if the City Council denies the request for extension, and the required improvements are not complete, the City shall foreclose on the existing security, and the subdivision will be held in abeyance.

- E. A Certificate of Occupancy shall not be issued for buildings that are permitted on plats that have a subdivision bond or alternate security attachment until the following events have occurred:
 - 1. Required improvements have been constructed to Community Street and Utility Standards and accepted by the City Council.
 - 2. The final plat has been recorded.
 - 3. The building or structure complies with the provisions of the State Building Code.

17.12.130 Final Major Subdivision Application:

- A. The applicant shall provide the final major subdivision application to the Plat Administrator on forms provided by the Community Development Department.
- B. A final major subdivision application will not be accepted until all required improvements are accepted by the City Council or a subdivision bond or alternate security is approved in accordance with this chapter.
- C. All public dedications that are required or approved for a subdivision, together with any restrictions or limitations thereon, shall be shown on the final plat. These areas shall be shown as dedications on the final plat; or deeds, municipal easements, or both, for properties outside the subdivision boundaries. All deeds and easements required with approval for a subdivision shall be provided for review and acceptance by the City prior to recording.
- D. The final major subdivision application shall be accompanied by the following:
 - 1. A plat certificate from a title company licensed to do business in the State of Washington, dated within thirty (30) days of submitting the final subdivision application confirming that the title of the lands corresponds with the owners described and shown on the plat and instrument of dedication.
 - 2. A non-refundable fee per Chapter 3.54.
 - 3. Twelve (12) full-size copies of the final plat, drawn in accordance with the requirements of Chapter 17.15.
 - 4. Lot, block, and boundary closures for review by the Development Engineer.
 - 5. Final subdivision application form, completed and signed by the property owner.
 - 6. Reduced set of all application drawings, each drawing on eleven inch (11") by seventeen inch (17") paper. Smaller sized drawings may be approved by the Plat Administrator.
- E. The final major subdivision shall be approved or disapproved within the time limitations as established by state law.
- F. No final major subdivision shall be approved unless the City makes a written finding of fact that the proposed subdivision is in conformance with applicable zoning ordinances and land use controls.
- G. No final major subdivision shall be approved that lies in whole or in part in an irrigation district organized pursuant to state law, unless an irrigation water right-of-way has been provided pursuant to state law.

17.12.140 Final Major Subdivision Application Review Procedure:

A. The Plat Administrator shall distribute copies of the final major plat to the following offices, departments, or agencies after filing a final major subdivision application:

1. Public Utility District
2. Gas Company
3. Telephone Company
4. Engineering Division of the Municipal Services Department (three copies)
5. Fire Department
6. Building Division of the Community Development Department
7. Grant County local health jurisdiction
8. All irrigation districts with jurisdiction
9. Grant County Assessor
10. Communications Company
11. Grant County Auditor
12. United States Post Office
13. United States Bureau of Reclamation, when they have jurisdiction on the plat

Each office, department, or agency shall provide written recommendations to the Plat Administrator within fourteen (14) calendar days from the date that the final plat is circulated for review. If an office, department, or agency fails to provide a written recommendation within the time limitation, the final subdivision application may be processed under the assumption that said office, department, or agency has no recommendation. Final subdivision approval conditions shall not modify the terms of preliminary subdivision approval conditions, without the written consent from the applicant.

- B. The Plat Administrator shall notify the Police Department, Park and Recreation Department, and City Manager that a final subdivision application has been filed.
- C. The Plat Administrator shall notify Grant County Planning Department and Grant County Public Works Department when a final subdivision application is filed, if the subdivision abuts the municipal boundary.
- D. The Plat Administrator shall notify the Washington State Department of Transportation when a final subdivision application is filed, if the subdivision abuts the right-of-way of a state highway, or if the subdivision is within two (2) miles of the boundary of a State or municipal airport.
- E. The Plat Administrator shall notify Grant County Emergency Management when a final subdivision application is filed if the final plat includes street names that are different from the preliminary plat.
- F. Within fourteen (14) calendar days from the date that the final plat is circulated for review, the City Engineer shall review the final subdivision application and submit a written report to the Plat Administrator with respect to the following items:

1. Owners listed on the plat correspond with the owners listed on the plat certificate.
 2. Legal description on the plat is within the boundaries of the land described on the plat certificate.
 3. Required improvements have been accepted by City Council, or other approved security has been approved in conformance with this chapter.
 4. Plat is technically correct, includes valid certification by the applicant's land surveyor, and provides specific requirements per Chapter 17.15.
- G. Within fourteen (14) calendar days from the date that the final plat is circulated for review, the appropriate irrigation district serving or entitled to serve the real property with irrigation water shall review the final application and submit a written report to the Plat Administrator recommending approval or disapproval of the final subdivision. The report shall comment on the adequacy of the proposed means of the delivery of irrigation district entitlement water, and on the adequacy of the proposed means of removal of irrigation wastewater.

17.12.150 Final Major Subdivision Recommendation and Approval:

- A. The Planning Commission shall review the final major subdivision application within the time limits established by state law for compliance with preliminary subdivision approval, state law, and all other requirements that were in effect at the time of preliminary subdivision approval, and shall recommend to the City Council that said subdivision be approved or disapproved.
- B. City Council Action:
 1. The City Council shall approve or disapprove the final major subdivision.
 2. If the City Council finds that the final major subdivision conforms to the terms of preliminary major subdivision approval, the requirements of state law, and all other requirements that were in effect at the time of preliminary subdivision approval, the City Council shall approve the final subdivision. By the City Council's approval, the City Manager is authorized to sign the final plat mylars for the City Council.

17.12.160 Final Major Subdivision Fees, Mylars, and Covenants: The applicant shall remit the following payments, fees, mylars, and covenants for an approved final subdivision before the final major plat will be recorded.

- A. A check payable to the Grant County Auditor sufficient to cover the recording fee.
- B. When applicable, voluntary payment in lieu of a dedication of land, or to mitigate a direct impact that has been identified as a consequence of the subdivision, pursuant to state law.
- C. All other reimbursements and payments that are required as a condition of approval.
- D. Two (2) original mylar plats, with notarized signatures of the owners.
- E. One (1) electronic copy of the plat to the Plat Administrator and one (1) electronic copy of the plat to the Grant County Assessor's office.
- F. All covenants that are required to run with the land, if any, signed by the owners and notarized, on forms provided by the Community Development Department.

17.12.170 Recording Final Major Plat:

- A. The following approvals signatures are required on approved final plat mylars after all the fees and payments are accepted, and prior to recording:

1. City Engineer
 2. City Manager for City Council
 3. Planning Commission Chairman
- B. The Plat Administrator shall take two (2) original mylar plats with approval signatures to the Grant County Auditor for recording. One (1) of the two (2) mylar plats shall be conformed by the Grant County Auditor and returned to the City Engineer.
- C. Within two (2) years after a final plat is approved, the applicant shall provide all necessary documents, with notarized signatures of the owners, and all payments and fees that are required with the plat, to the Plat Administrator. If said documents and fees are not provided to the Plat Administrator within two (2) years of final plat approval, the plat shall be expired.
- 17.12.180 Vested Rights: A subdivision shall be governed by the terms of approval of the final subdivision; and the statutes, ordinances, and regulations in effect at the time of approval pursuant to state law, for a period of seven (7) years after final plat approval; unless the City Council finds that a change in conditions creates a serious threat to the public health or safety in the subdivision. All lots in a subdivision shall be a valid land use, notwithstanding changes in zoning laws, for a period of seven (7) years from the date of final plat approval.
- 17.12.190 Final Major Subdivision Appeals: Decisions approving or disapproving final major subdivisions are reviewable as provided in Chapter 20.11.

**CHAPTER 17.15
REQUIREMENTS FOR PLATS AND SITE PLANS**

Sections:

- 17.15.010 Purpose
- 17.15.020 General Requirements
- 17.15.030 Specific Plat Requirements
- 17.15.040 Specific Site Plan Requirements
- 17.15.050 Modifications to Format on Plats and Site Plans

17.15.010 Purpose: The purpose of this chapter is to provide technical specifications for plats and site plans.

17.15.020 General Requirements: A plat shall consist of the first sheet or sheets that show all of the survey information including information on the adjacent properties, the adjacent right-of-way, vertical datums, bearing datums, Auditor's Certificate, Surveyor's Certificate, vicinity maps, covenant records, legends, and tables; followed by the last sheet or sheets that contain the legal description, the dedication statement, the approvals statements, and acknowledgments. Additional sheets are allowed to meet the scale requirements of a plat. When more than one (1) sheet is used to show the subdivision, the first sheet shall show the entire subdivision, at an approved scale showing the dimensions, bearings, and curve data for the external boundary of the subdivision, the match lines for subsequent sheets, section line information, City limits lines, and survey ties to the primary control points.

17.15.030 Specific Plat Requirements: Final plats shall include all survey map requirements required by state law, all requirements pertaining to the preliminary subdivision approval, and the following specific items.

- A. A title box shall be on all sheets of the plat, and shall identify the business name of the firm or land surveyor that performed the survey.
- B. Each sheet of the plat shall have a sheet identification number such as "Sheet 1 of 2".
- C. Each sheet shall have an identical heading at the top of the sheet. The heading shall be written per the following format, with modifications approved such that an accurate description is provided for the underlying property:

(Name of the subdivision) Short Plat (or Major Plat)

If applicable - A Replat of (list the underlying subdivision; or the portion thereof, with lot and block numbers)

A Portion of the _____ 1/4 of the _____ 1/4 of Section _____, Township _____ N., Range _____ E. WM., Moses Lake, Grant County, Washington.

- D. The Grant County Auditor's Certificate shall be on sheet 1 as follows:

GRANT COUNTY AUDITOR'S CERTIFICATE

Filed for record this _____ day of _____, _____ at _____ O'clock _____ M. in Book _____ of Plats (or Short Plats) at Pages _____ through _____, records of Grant County, at the request of the City of Moses Lake.

- E. The Surveyor's Certificate shall be on sheet 1 of the plat as follows:

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of (name of plat owner) in (month), (year).

_____ Certificate Number _____
(Printed Name of Land Surveyor)

- F. The address and signature of the Land Surveyor shall be on sheet 1 of the plat.
- G. The seal and date that the land surveyor stamped the plat shall be shown on each sheet of the plat.
- H. The date of the survey shall be shown on the first sheet of the plat.
- I. The north arrow, which is based on the bearing datum, shall be shown on each sheet that includes survey maps or vicinity maps.
- J. A bearing datum and vertical datum shall be described on the first sheet of the plat, and the primary control points for the datums shall be shown on the plat. The primary control points shall be existing monuments that were found during the survey for the plat. Survey information about the primary control points shall be shown on the plat, which information shall tie the primary control points to the plat boundaries. The NAD 83 South Zone is authorized as the basis of bearing and elevation for the primary control points. When NAD 83 is used to define the elevation of the vertical datum monument, the difference between the NAD 83 elevation and the USBR elevation shall be shown on the plat for that monument.
- K. All subdivision boundaries, block boundaries, and lot boundaries shall be identified by straight line segments and curve segments.
- L. All line segments and curve segments that are described in the legal description shall be shown on the plat.
- M. All straight line segments on the plat shall include a bearing and a distance.
- N. All bearings shall be based on the approved bearing datum shown for the survey. The bearings shall be in degrees, minutes, and seconds; to the nearest second.
- O. All distances shall be to the nearest one-hundredth of a foot.
- P. When a line segment is compiled as several line segments, the dimensions shall be rounded as necessary such that the summation of all line segments shall be equal to the distance shown for the larger line segment or segments.
- Q. Where a distance and bearing is shown on the plat, which bearing and distance spans more than two (2) points, leader lines shall be provided to clearly show the end points of the described line segment.
- R. All curves on the plat shall include delta angles, curve lengths, curve radii, and tangent lengths.
- S. When curves or line segments are labeled and the information is listed in a table, the curves and line segments shall be labeled consistently from one page to the next.

- T. Information about line segments and curves shall be shown on the same sheet that the line segment or curve is shown.
- U. All boundaries for existing and proposed right-of-way, municipal easements, public land, and public utility easements, within and abutting the subdivision boundaries, shall be labeled on the plat and defined by the survey.
- V. A graphical scale shall be shown for each survey map. Plat scales shall be drawn one hundred feet (100') per inch, or at an alternate scale that is approved by the Municipal Services Director. Alternate scales shall be at ten (10), twenty (20), thirty (30), forty (40), fifty (50), or sixty (60) feet per inch; or multiples of ten (10) to these six (6) scales.
- W. Street names shall be shown on the plat for all streets being dedicated on the plat. Street names are authorized if they can be printed on a standard street name sign, they are not similar sounding to existing street names in the vicinity of Moses Lake, and they are not offensive in nature. Approved street names shall be shown on the final plat mylars.
- X. Final mylar plats shall be suitable for microfilming and digital filing, such that the quality of the microfilm and digital file are not diminished.
- Y. Final mylar plats shall be drawn without cross hatching, shading, and other highlighting techniques that diminish the legibility of the details or text on the plat.
- Z. All drafting details and text shall be drawn on the plat such that they are not overlapping and all details and text are distinguished independently from each other.
- AA. All text on the plat shall be no smaller than eight hundredths (0.08) of an inch, except that a smaller text is authorized on vicinity maps and land surveyor seals, provided that the smaller text is legible.
- BB. Final mylar plats shall not include adhesive materials affixed to the surface.
- CC. Information shall be shown on the plat to describe the permanent monuments that are shown for the survey. Such information shall include the type and size of monument, type of encasement, and the latest date for all monuments found, established, or reestablished. Information about the monuments shall include the condition of the monument. If the monument defines a section corner, street intersection, or property boundary, that information shall be shown on the plat.
- DD. Information should be shown on the plat when measured line segments and curves are at variance with existing deed calls. Contrasting information shall be clearly identified and referenced such that it is not mistaken for the current survey information.
- EE. The elevations of all subdivision boundary corner monuments shall be shown, with respect to the vertical datum. Elevations shall also be shown for existing monuments that are used to tie the subdivision boundary to the primary control monuments.
- FF. All ambiguities, hiatuses, and overlapping boundaries shall be identified on the plat.
- GG. Final mylar plats shall be either photo mylar with a fixed halide base, or permanent black ink on mylar that is coated with a suitable substance to assure permanent legibility.
- HH. All signatures and writing on final mylar plats shall be in permanent, black ink.
- II. All sheets shall have blank borders of two inches (2") on the left margin, three-fourths inch (3/4") on the top border, and one-half inch (1/2") on the remaining two (2) margins.

- JJ. All sheet sizes shall be eighteen inches (18") by twenty-four inches (24").
- KK. A vicinity map shall be shown on the first sheet of the plat. The vicinity map shall show sufficient property surrounding the plat such that the secondary streets in the area are shown. All existing streets within the area of the vicinity map shall be labeled. The Municipal Services Director may approve the vicinity map to be placed on the second sheet of the plat due to space constraints on the first sheet. The scale of the vicinity map shall be shown.
- LL. All USBR irrigation and drainage water right-of-ways within and abutting the subdivision shall be shown and labeled on the plat, with sufficient information, such that the location is defined with respect to the subdivision boundaries.
- MM. Areas that abut the subdivision shall be identified on the plat, including public areas, such as parks, streets, and playgrounds. Sufficient information shall be shown on the plat such that the locations of these areas can be determined with respect to the boundary corners of the subdivision.
- NN. Information about existing recorded right-of-way, municipal easements, public land, and public utility easements within or abutting the subdivision shall be shown on the plat. Copies of said records should be included by the applicant with the preliminary subdivision application. When existing right-of-way, municipal easements, public land, and public utility easements are within the subdivision boundaries, the properties should be vacated or abandoned with the recording of the plat, and rededicated on the plat if required by the preliminary subdivision approval.
- OO. Names of existing subdivisions that abut the boundaries of the subdivision, or which existing subdivisions abut adjacent right-of-way to the subdivision, shall be shown on the plat. When the adjacent property is unplatted, the property shall be labeled as "unplatted".
- PP. All municipal dedications provided by the owner upon recording the plat shall be explicitly shown on the plat. Municipal dedications shall be accompanied by the note "Dedicated to the City of Moses Lake".
- QQ. Other dedications of public land shall be explicitly shown and described with sufficient language to establish that the dedication is provided with the recording of the plat.
- RR. Transmission line easements are authorized to be shown on the plat, provided that sufficient information is shown to describe the location of the easements with respect to the subdivision. Other private easements shall not be shown on the plat, but recorded documents of private easements may be required for review purposes.
- SS. All municipal boundaries, township lines, section lines, and street centerlines shall be shown on the plat if said lines are within the range of the survey or adjacent to the subdivision. Any of the said lines that are coincident with each other shall be identified as such on the plat.
- TT. Abbreviations that are used on the plat shall be defined in the legend for the plat. However, the following abbreviations that are defined below do not require a definition in the plat legend.

±	more or less
AFN	auditor's file number
B.C.	brass cap
E., W., N., S	East, West, North, or South, respectively
in.	inch
I.P.	iron pipe
ft.	foot
M.L.	Moses Lake
Mon.	monument

Mun. Esmt.	municipal easement
No.	number
PLS	land surveyor
P.U. Esmt.	public utility easement
R	range
Rebar	reinforcing steel bar
R.O.S.	record of survey
ROW	right-of-way
S	Section
Sq.	square
T	Township
USBR	United States Bureau of Reclamation
W.M.	Willamette Meridian

UU. Each lot area shall be shown on each lot of the plat, or within a table. If a table of lot sizes is provided, the table shall be on the same sheet as the lots it pertains to.

VV. A legend shall be provided on each sheet to define line types, abbreviations, and symbols that are used on the sheet.

WW. Approvals statements for short subdivisions shall be included on the last sheet or sheets of the plat as follows.

EXAMINED AND APPROVED by the Moses Lake City Engineer on _____,
20____.

City Engineer

EXAMINED AND APPROVED by the Community Development Director on _____,
20____.

Community Development Director

EXAMINED AND APPROVED by the Moses Lake City Manager on _____,
20____.

City Manager

XX. Approvals statements for major subdivisions shall be included on the last sheet or sheets of the plat as follows.

EXAMINED AND APPROVED by the Moses Lake City Engineer on _____,
20____.

City Engineer

EXAMINED AND APPROVED by the Planning Commission on _____,
20____.

Planning Commission Chairman

EXAMINED AND APPROVED by the City Council on _____, 20____.

City Manager

YY. Dedication and acknowledgment statements shall be on the last sheet or sheets of all plats as follows.

Dedication: The owner(s) of the land described herein in fee simple is(are) [insert name(s) of owner(s) as shown on the title certificate]. The owner(s) declare(s) this plat and dedicate(s) to the public forever, all streets, roads, alleys, easements or whatever public property that is shown on this plat for any and all public purposes not inconsistent with the uses shown on this plat and do hereby grant a waiver of all claims for damages against any governmental authority arising from the construction and maintenance of public property within the subdivision.

Dated _____

Signed _____

Acknowledgment

State of Washington
County of Grant

I certify that I know or have satisfactory evidence that [insert name(s) of owner(s) as shown on the plat certificate] signed this Dedication on this plat, and I acknowledge the signature(s) for the Dedication to be a free and voluntary act for the uses and purposes mentioned in the Dedication.

Dated _____

Signature of Notary Public
My appointment expires _____

ZZ. The Grant County Treasurer's Certificate shall be included on the last sheet or sheets of all plats as follows.

Treasurer's Certificate: I hereby certify that all taxes and assessments now due and payable according to the records of Grant County, including _____ advanced taxes, have been fully paid.

Grant County Treasurer

Date

AAA. The Grant County Assessor's Approval is not required. If the Grant County Assessor's Approval is included, it shall be on the last sheet or sheets of plats as follows.

Examined and approved by the Grant County Assessor on _____, 20_____.

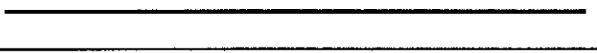
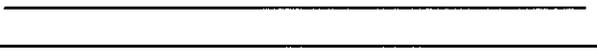
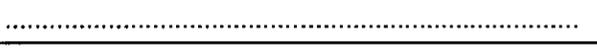
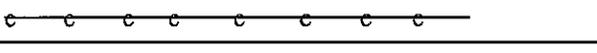
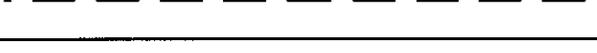
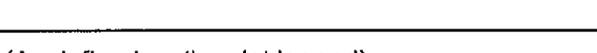
Grant County Assessor/Deputy Assessor

BBB. All existing and proposed covenants, approved with the plat, shall be recorded separately from the plat, and shall be noted on the first sheet of the plat as follows.

Covenants: Covenants, as approved with the plat, are recorded as a separate document under Auditor's File Number _____, Records of Grant County, Washington.

CCC. The legal description shall be on the last sheet or sheets of the plat. All boundary information on the legal description shall be shown on the plat. If the legal description is different from the survey information shown on the plat, the information from the legal description shall be referenced on the survey, to clearly identify the lines being described by the legal description.

DDD. The following line types are defined for consistency between plats in the City of Moses Lake. Line types that are used on a plat shall be as shown in the legend below, and shall be defined on the plat legend. Where the line types shown and described coincide with each other or with other described line types, the line type that is closer to the top of the list shall be the dominant line shown on the plat.

Subdivision Boundary Line	
Block Boundary Line	
Lot Boundary Line	
Underlying Subdivision Lines	
City Limit Line	
Right-of-Way Line	
Centerline	
Easement Lines	
Section Line	
Other Line	(As defined on the plat legend)

EEE. All lot numbers and block numbers for the subdivision shall be Arabic numerals.

FFF. All blocks shall be consecutively numbered, beginning with the number 1.

GGG. All lots within a single block shall be consecutively numbered, beginning with the number 1.

17.15.040 Specific Site Plan Requirements: Site plans shall be provided for review with a preliminary subdivision application. Site plans will not be recorded with the approved final plat, and shall not be consecutively numbered with the plat sheets. Acceptable site plans will be filed in the City's plat folders. Site plans shall be used as guidelines for public agencies to comment on the validity or necessity of existing or additional utilities and municipal improvements that are required to serve the subdivision. Agency reviews do not verify the accuracy of the site plans that are provided by the applicant's surveyor. Review of the site plan does not replace the requirement of the applicant to provide construction plans for review and approval, as may be required by the preliminary subdivision approval. Site plans shall include the following items:

- A. The site plan shall clearly show the boundaries of the subdivision, including blocks, lots, and public dedications as shown on the preliminary plat.
- B. The site plan shall include sufficient information from the plat to establish that the site plan corresponds with the plat, including orientation, size, layout, and location.
- C. Site plans shall be drawn one hundred feet (100') per inch, or at an alternate scale that is approved by the Municipal Services Director. Alternate scales shall be at ten (10), twenty (20), thirty (30), forty (40), fifty (50), or sixty (60) feet per inch; or multiples of ten (10) to these six (6) scales. A graphical scale shall be included on the site plan.

- D. The sheet size for the site plan shall be eighteen inches (18") by twenty-four inches (24"), or at an alternate size as approved by the Municipal Services Director. The Municipal Services Director may approve additional sheets to be used for the site plan.
- E. Margins on the site plan shall be one inch (1") on the left margin and one-half inch ($\frac{1}{2}$ ") on the remaining margins.
- F. The site plan shall show all utilities, drainage ways, and improvements within the subdivision and within the adjacent public lands, right-of-ways, and easements. All existing and proposed utility service lines that will serve the subdivision shall be shown on the site plan.
- G. If utilities and improvements are required to be extended beyond the immediate vicinity of the subdivision boundaries in order to serve the subdivision, the general routes and layouts for those offsite utilities shall be shown on the site plan.
- H. Contour lines shall be shown on the site plan at two foot (2') intervals. Shorter intervals should be shown if two foot (2') intervals are not sufficient to show the drainage across the subdivision.
- I. Existing zoning classifications shall be shown for the subdivision and the adjacent properties.
- J. All existing structures on the subdivision, and all existing structures adjacent to the subdivision that could affect the requirements of subdivision approval shall be shown on the site plan. Insufficient information on the site plan pertaining to existing structures is justification to require additional subdivision requirements prior to recording the plat.

17.15.050 Modifications to Format on Plats and Site Plans: Technical specifications for plats and site plans, as required by this chapter, may be modified as approved by the Municipal Services Director.

**CHAPTER 17.18
BINDING SITE PLAN**

Sections:

- 17.18.010 Purpose
- 17.18.020 Binding Site Plan Conditions and Requirements
- 17.18.030 Preliminary Non-Binding Advisory Review
- 17.18.040 Referral to Other Departments, Agencies, and Offices
- 17.18.050 Binding Site Plan Approval
- 17.18.060 Final Recording Fees
- 17.18.070 Final Recording
- 17.18.080 Appeals

17.18.010 Purpose: The procedures regulating binding site plans are established for the following purposes:

- A. To provide an alternative procedure for the orderly and efficient division of platted land into parcels for the purpose of lease or sale for industrial or commercial uses on land upon which no residential structures will be placed.
- B. To provide an alternative procedure for the orderly and efficient division of platted land into parcels for the purpose of lease for manufactured homes or travel trailers.
- C. To promote the general health, safety, and welfare.
- D. To comply with the provisions of state law.

The binding site plan procedures specified herein are available as a complement to other methods for subdividing land for commercial and industrial development, and shall be the required method of development for manufactured home parks.

17.18.020 Binding Site Plan Conditions and Requirements:

A. General Conditions and Requirements:

- 1. Binding site plan shall only be submitted for property that is currently platted or is in the process of being platted. Binding site plan applications shall include a preliminary record of survey for the binding site plan. A record of survey for a binding site plan shall not be recorded until the underlying plat has been recorded, and until the record of survey has been approved by the City Manager.
- 2. Binding site plan applications should be processed simultaneously with the application for subdivisions, re-zones, deviations, planned development districts, building site plan approvals, and similar quasi-judicial or administrative actions to the extent those procedural requirements applicable to these actions permit simultaneous processing.
- 3. The binding site plan shall be comprised of a single lot.
- 4. Binding site plans shall be recorded as a record of survey.
- 5. A commercial or industrial binding site plan authorizes a sale or transfer of a parcel. The binding site plan and all of its requirements shall be legally enforceable on the purchaser or other person acquiring ownership of the parcel. The sale or transfer of such parcel in violation of the binding site plan, or without obtaining a binding site plan approval, is an illegal act in violation of state law and shall be restrained by injunctive action.

6. Manufactured home park and recreational vehicle park binding site plans do not authorize the sale or transfer of ownership of a parcel of the binding site plan.
7. Alteration of an approved binding site plan shall be accomplished by submitting a new binding site plan application to the Community Development Director. The amended binding site plan shall comprise the entire original binding site plan, with the revised parcels shown clearly on the new record of survey for the altered binding site plan. The altered binding site plan shall be processed subject to all the procedures and requirements of this chapter.
8. All improvements within the binding site plan boundaries shall be privately held and maintained by the property owners, except that the water meters shall be owned by the City. The meters shall be installed at locations approved by the Municipal Services Director. A municipal easement shall be filed with the Grant County Auditors's Office concurrently with the record of survey for the original binding site plan, to allow the City Water Division to access the water meters and to flush the water system; and for all records of surveys for revised binding site plans if the municipal easement is not already provided.

All water and sewer mains and appurtenances shall be constructed per the current Community Street and Utility Standards. Construction and permits shall be in accordance with Chapter 12.16.

9. The binding site plan shall comply with all zoning and health regulations. The survey and drafting standards for records of survey shall comply with all the regulations set forth in state law.
10. The binding site plan shall be consistent with the Comprehensive Plan.
11. Environmental information shall be prepared and submitted by the applicant in accordance with the guidelines established under the State Environmental Policy Act of 1971, as amended. Said information is a part of and shall accompany the binding site plan application.
12. Binding site plans shall be approved, disapproved, or returned to the applicant for modification within ninety (90) days from the date of filing unless the applicant consents to an extension of such time period. Provided that, if an Environmental Impact Statement is required by state law, the ninety (90) day period shall not include the time spent preparing and circulating the Environmental Impact Statement by the local governmental agency.

B. Specific Conditions and Requirements:

1. Prior to submitting a binding site plan application, the applicant shall schedule a pre-application conference with the Community Development Department. The applicant shall present a conceptual idea of the binding site plan. The Community Development Director and representatives of affected City departments will respond informally and address potential items of concern to aid the applicant in preparing the binding site plan.
2. The binding site plan application and record of survey shall be filed with the Community Development Department on forms prescribed by the Community Development Department. Said application shall be accompanied by four (4) full-size copies of the record of survey for the binding site plan, one (1) eleven inch (11") by seventeen inch (17") reduction of the record of survey, and a plat certificate that is dated within thirty (30) days of the application.

3. The record of survey for a binding site plan shall be a neat and accurate drawing in black permanent ink prepared, stamped, and signed by a land surveyor. The trimmed size of the record of survey shall measure eighteen inches (18") by twenty-four inches (24") with a two inch (2") margin on the left margin, a three-fourths inch (3/4") margin on the top, and a half inch (1/ 2") border on the remaining two (2) margins. The record of survey shall be drawn on two (2) or more sheets if the scale necessary to accommodate the map on one (1) sheet would unduly congest the drawing.
4. The applicant shall pay a non-refundable fee per Chapter 3.54 at the time of application.
5. All public dedications shown on the plat being overlaid shall be shown on the record of survey for the binding site plan.
6. The record of survey for a binding site plan shall contain the following:

- a. The title to read as follows;

(NAME OF THE SUBDIVISION, LOT, AND BLOCK)
(TYPE OF) BINDING SITE PLAN
A Record of Survey

- b. All existing streets, municipal easements, and public utility easements, including those shown on an underlying preliminary subdivision.
- c. Parcel locations including dimensions and number or letter designations.
- d. Distances and bearings for line segments for each parcel, and length, delta angle, and radius for all curved lines for each parcel.
- e. The names of all subdivisions immediately adjacent thereto.
- f. The scale of the record of survey for a binding site plan shall be drawn one hundred feet (100') per inch, or at an alternate scale that is approved by the Community Development Director. Alternate scales shall be at ten (10), twenty (20), thirty (30), forty (40), fifty (50), or sixty (60) feet per inch; or multiples of ten (10) to these six (6) scales. A graphical scale shall be included on the record of survey.
- g. A vicinity map at a sufficient scale that shows the location of the binding site plan.
- h. Surveyor's Certificate:

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of _____ in _____, 20__.

Name of Person
(Signed and Sealed) _____
Certificate No. _____

- i. Auditor's Certificate:

Filed for the record this _____ day of _____, 20__ at _____ M.
in book _____ of surveys at page _____ at the request of the City of Moses Lake.

Grant County Auditor

by Deputy Auditor

j. Approvals:

Examined and approved by the Moses Lake City Manager on _____, 20
_____.

City Manager

7. If the binding site plan is a re-division of an existing binding site plan, the parcels of the preceding binding site plan shall be shown by dotted lines in their proper positions in relation to the new arrangement of the binding site plan, the new binding site plan being so clearly shown in solid lines as to avoid ambiguity.
8. The applicant's land surveyor shall set all required monuments and shall stake all parcel corners as shown on the record of survey before the binding site plan is submitted for approval.

17.18.030 Preliminary Non-Binding Advisory Review :

- A. A preliminary, non-binding, advisory review of a proposed binding site plan shall be set up by the Community Development Director, if so requested by the applicant. With the request, the applicant shall submit the preliminary record of survey for the binding site plan in substantial compliance with Section 17.18.020.
- B. The binding site plan and request for preliminary, non-binding, advisory review will be referred to other departments, agencies, and offices in compliance with Section 17.18.040.

17.18.040 Referral to Other Departments, Agencies, and Offices:

- A. Upon receipt of a complete and satisfactory conclusive binding site plan application, copies of the record of survey for the binding site plan will be distributed for review and comment to the following offices.
 1. Development Engineering
 2. Fire Department
 3. Grant County Assessor
 4. Grant County Auditor
- B. All comments shall be made to the Community Development Director within fourteen (14) days after the record of survey is distributed for review.
- C. If the binding site plan is found to be unacceptable, a letter shall be mailed to the applicant within twenty (20) days of receipt of the application.

17.18.050 Binding Site Plan Approval:

- A. The Community Development Director shall provide written approval of the binding site plan to the applicant, with conditions of approval, after the fourteen (14) day comment and review period and within time limits established by state law.

- B. After all conditions of approval for a binding site plan are met and acceptable to the Community Development Director, the applicant may submit the final mylars, electronic copies, and fees to the City for final approval signatures and recording.

17.18.060 Final Recording Fees: The applicant shall remit a check that is payable to the Grant County Auditor for the recording fees.

17.18.070 Final Recording:

- A. The applicant shall submit two (2) full-size copies of the record of survey on mylar to the Community Development Department. Additionally, the applicant shall submit one (1) electronic copy to the Community Development Director, and one (1) electronic copy to the Grant County Assessor's office.
- B. The Community Development Department shall take the two (2) mylar record of surveys to the Grant County Auditor after the mylars are signed by the City Manager. One (1) mylar record of survey shall be conformed by the Grant County Auditor and returned to the City Engineer.
- C. Binding site plans are not valid and do not confer any rights or privileges upon the property or its owners unless the record of survey for a binding site plan bears the approval by the City Manager.

17.18.080 Appeals: Decisions approving or disapproving binding site plans shall be reviewable as provided in Chapter 20.11.

**CHAPTER 17.21
DESIGN STANDARDS**

Sections:

- 17.21.010 Generally
- 17.21.020 Streets
- 17.21.030 Blocks and Lots
- 17.21.040 Pedestrian Paths and Activity Trails

17.21.010 Generally:

- A. Land that is unsuitable for subdivision as provided in the Critical Areas Ordinance shall not be subdivided, unless adequate corrective methods are provided by the applicant and approved by the City Engineer.
- B. The proposed subdivision shall meet the requirements that are provided by the Community Street and Utility Standards, ordinances, resolutions, and comprehensive plans.

17.21.020 Streets:

- A. Street layout shall conform to the City's street layout maps. Alternate street layout plans may be approved by the Municipal Services Director that provide for the most advantageous development of the subdivision, the adjoining neighborhoods, and the City.
- B. Existing or proposed streets that provide access to the subdivision shall be continued along the same alignment as the existing or proposed street such that the street continues through or adjacent to the subdivision.
- C. Dead-end streets and tee intersections may be allowed where the proposed dead-end street or tee intersection will not adversely affect the traffic flow and circulation within the area.
- D. Arterial streets shall intersect within ten degrees (10°) of perpendicular to cross streets, and non-arterial streets shall intersect within twenty degrees (20°) of perpendicular to cross streets.
- E. Property line corners at street intersections shall be rounded by an arc with a radius of at least ten feet (10').
- F. Requirements for right-of-way, centerline curve radii, and centerline curve tangent lengths are listed in the following table. The dimensions may be approved at larger values than those shown.

Right-of-Way Requirements			
	Right-of-Way Widths (feet)	Curvature (feet, radius)	Tangent Lengths (feet)
Primary Streets	100	300	200
Secondary Streets	80	200	150
Tertiary Streets	60	200	100
Residential Streets	60	100	None

- G. At street intersections, the centerlines shall be a single straight-line segment for one hundred feet (100') from the center of the intersection in each direction. This one hundred feet (100') on residential and tertiary streets can include the tangent of a centerline curve, which curve is from the intersection to the straight-line segment.

- H. Right-of-way widths for residential streets can be reduced to fifty-three feet (53'), provided that a four foot - (4') wide municipal easement is dedicated with the plat, abutting each side of the right-of-way.
- I. The Municipal Services Director may approve angle points for minor deflections in lieu of curves for residential and tertiary streets.

17.21.030 Blocks and Lots:

- A. Blocks shall have sufficient width to provide for two (2) tiers of lots, except on primary and secondary streets that have restricted or limited access.
- B. Lot depths shall be at least one hundred feet (100') and shall meet all requirements of the Zoning Ordinance.
- C. Block lengths shall not exceed six hundred sixty feet (660'), as measured from centerline intersections.
- D. Every lot shall abut municipal streets, county roads, or state highways; which streets, roads, and highways have approvable access points to the lot from the respective agency with jurisdiction.
- E. The ratio of the lot depth to lot width for all lots shall be three (3) to one (1), or less.
- F. Residential lots that are adjacent to arterials shall have lot depths of at least one hundred twenty feet (120').
- G. The first twenty-five feet (25') of side lot lines from the front property line shall be within twenty degrees (20°) of perpendicular to the front property lines which they intersect.
- H. Lot lines that are common between two (2) lots shall be composed of straight line segments.
- I. Blocks shall not cause land locked property along the internal or external boundaries of the subdivision.
- J. Flag lots may be approved in residential zones where one (1) or two (2) lots would otherwise be inaccessible to a dedicated street because of prior subdivision of land, property segregation, or difficult terrain. The Community Development Director shall determine whether or not such a situation exists for a proposed subdivision. If a flag lot is approved, the buildable portion of the flag lot shall not be set further than one (1) lot back from a dedicated street. The flagpole portion of a flag lot shall be twenty feet (20') wide or greater, and the street frontage shall be per Moses Lake Municipal Code 18.20.070.

17.21.040 Pedestrian Paths and Activity Trails:

- A. Right-of-way for pedestrian paths and activity trails at locations other than within the right-of-way for streets and utilities may be required as a condition of subdivision approval. Activity trails shall be provided for as shown on the Activity Trail Master Plan that was adopted by City Council. Pedestrian paths may be required where pedestrian routes would otherwise be more than one-quarter (1/4) of a mile longer if the pedestrian path were not provided.
- B. All right-of-way for pedestrian paths shall be at least ten feet (10') in width. All right-of-way for activity trails shall be at least fourteen feet (14') in width. Right-of-way for pedestrian paths and activity trails shall be dedicated by one (1) of the adjacent lots, and shall be required to be maintained and serviced by the adjacent lot that provided the dedication for the pedestrian path or activity trail. The plat shall specifically designate the lot that provided the dedicated right-of-way and shall designate said lot owner to provide service and maintenance for the pedestrian path or activity trail.

**CHAPTER 17.24
IMPROVEMENTS**

Sections:

- 17.24.010 Procedure for Installing Improvements
- 17.24.020 City Participation
- 17.24.030 Streets
- 17.24.040 Water Mains
- 17.24.050 Sewer Mains
- 17.24.060 Storm Drainage
- 17.24.070 Sidewalks
- 17.24.080 Activity Trails and Pedestrian Paths
- 17.24.090 Street Lighting
- 17.24.100 Construction Plans
- 17.24.110 Maintenance Bond

17.24.010 Procedure for Installing Improvements:

- A. All improvements shall be installed per Community Street and Utility Standards that are current at the time of subdivision application, except that deferred improvements shall be constructed per Community Street and Utility Standards that are current at the time the improvements are called for by the City Council. The Community Street and Utility Standards are available for review or purchase at the Municipal Services Department. Comprehensive layout plans for municipal streets and utilities are also available for review at the Municipal Services Department, which comprehensive layout plans should be used by the applicant as a guide in preparing preliminary plats and construction plans. Street and utility construction permits are required in accordance with Chapter 12.16.
- B. When improvements or infrastructure required of any development have been deferred, and a subsequent application for a preliminary subdivision, binding site plan, or building permit has been received that makes use of that deferred improvement or infrastructure, City staff shall request City Council to call for the installation or completion of the deferred improvement or infrastructure.

17.24.020 City Participation:

- A. The City may participate in the cost of street improvements and over-sizing utilities that are not required of the applicant.
- B. This chapter shall not be construed to establish an affirmative obligation upon the City to participate in any project. The City's participation is limited by the funds available, priority of projects throughout the City, and the desirability of a particular project.

17.24.030 Streets:

- A. All streets within right-of-way that are dedicated on a plat, and adjacent streets within existing right-of-way that are not serviced and maintained by the City, shall be constructed by the applicant for the full-width, from back-of-sidewalk to back-of-sidewalk, to current Community Street and Utility Standards. Where the subdivision is adjacent to streets that are serviced and maintained by the City, the applicant will only be required to improve the portion of the street on the subdivision side of the centerline to current Community Street and Utility Standards.
- B. The City may negotiate with the owner of the subdivision to install street improvements beyond the subdivision, which improvements will connect existing improved streets to the owner's subdivision; or to improve existing streets that are maintained and serviced by the City, within or adjacent to the owner's subdivision. All negotiated reimbursements for additional street improvements will be paid to the applicant after the project is complete and accepted by City Council. No approval for reimbursement is authorized by the City unless a written

approval by the City for said reimbursement is sent to the owner of the subdivision prior to construction.

17.24.040 Water Mains:

- A. The applicant shall install water mains for the full length of all streets within and adjacent to the subdivision.
- B. The City may negotiate with the owner of the subdivision to install water mains larger than required by the Community Street and Utility Standards, to implement the development of the Comprehensive Plan for trunk mains to serve areas other than the owner's subdivision. The City will negotiate the installation of oversized water main and reimburse the owner of the subdivision for the additional cost for the larger water main after construction is complete and accepted by the City Council. No approval is authorized by the City unless a written approval for reimbursement by the City is sent to the owner of the subdivision prior to construction.
- C. When water mains are installed through or adjacent to property other than the proposed subdivision, fire hydrants are not required except within the proposed subdivision.

17.24.050 Sewer Mains:

- A. The applicant shall install sewer mains for the full length of streets within and adjacent to the subdivision.
- B. The City may negotiate with the owner of the subdivision to install sewer mains, lift stations, and force mains larger than required by the Community Street and Utility Standards, to implement the development of the Comprehensive Plan for sewer service to areas other than the subdivision. The City will negotiate the installation of oversized sewer mains, lift stations, and force mains, and reimburse the owner of the subdivision for the additional cost for the larger sewer mains, lift stations, and force mains after construction is complete and accepted by the City Council. No approval is authorized by the City unless a written approval for reimbursement by the City is sent to the owner of the subdivision prior to construction.

17.24.060 Storm Drainage:

- A. All drainage in and through the subdivision shall be the responsibility of the applicant.
- B. The City Engineer may approve plans submitted by the applicant's engineer to divert or enclose natural drainage in and through the subdivision. The applicant shall bear all costs associated with diverting or enclosing natural drainage.
- C. All storm drainage in City streets shall drain from the asphalt to concrete gutters, then to approved stormwater structures such as catch basins and drywells. All stormwater between stormwater structures shall be in underground pipes.
- D. The City may require the applicant to install street drainage facilities that are over and above the subdivision requirements, to provide for storm sewer service to areas other than the subdivision. The City will negotiate the installation of additional street drainage facilities, and reimburse the owner of the subdivision for the additional cost after construction is complete and accepted by the City Council. No approval is authorized by the City unless a written approval for reimbursement by the city is sent to the owner of the subdivision prior to construction.
- E. Washington State Department of Ecology approval is required for all stormwater facilities before construction plans will be approved.

- 17.24.070 Sidewalks: All sidewalks required with a subdivision shall be completed prior to acceptance of required municipal improvements. This section does not allow for the completion of sidewalks for each lot at the time of building construction.
- 17.24.080 Activity Trails and Pedestrian Paths: The City may negotiate with the owner of the subdivision to install activity trails or pedestrian paths beyond the subdivision, which trails or paths will connect to existing activity trails, pedestrian paths, and sidewalks beyond the subdivision. All negotiated reimbursements for additional activity trails or pedestrian paths will be paid to the owner of the subdivision after the project is completed and accepted by City Council. No approval for reimbursement is authorized by the City unless a written approval by the City for said reimbursement is sent to the owner of the subdivision prior to construction.
- 17.24.090 Street Lighting: Street lighting is required for all streets, per plans that are approved by Grant County PUD and the City Engineer.
- 17.24.100 Construction Plans:
- A. Construction plans are required to be submitted by the applicant and approved by the Municipal Services Director prior to construction.
 - B. Preliminary construction plan sets shall consist of three (3) complete sets.
 - C. All construction plans shall be stamped by a professional engineer. The plans shall show all required improvements.
 - D. A plan check fee shall be due when the three (3) sets of preliminary construction plans are submitted to the Municipal Services Department, in accordance with Chapter 3.54.
 - E. Sheet size shall be twenty-four inches (24") by thirty-six inches (36") and shall have a border of one inch (1") on the left margin and one half inch (½") on the remaining three margins. The scale shall be five feet (5') vertically and forty feet (40') horizontally.
 - F. Plans shall show locations of all improvements with respect to the centerline stationing of the streets. Vertical and horizontal alignment shall be shown for all improvements.
 - G. Approved construction plans will be returned to the applicant after the plans are acceptable by the Municipal Services Director, and after the applicant provides two (2) full sets of acceptable construction plans on permanent reproducible mylar.
 - H. The Municipal Services Director may approve deviations to the requirements for construction plans.
- 17.24.110 Maintenance Bond: A two (2) year maintenance bond or alternative security is required to be submitted to the City in the amount of fifty percent (50%) of the cost of the municipal improvements to be accepted; which bond or alternative security shall be as approved by the City Attorney prior to acceptance of municipal improvements. If the cost of the municipal improvements is less than the amount of a street and utility construction bond or performance bond that has been provided for the municipal improvements, and that street and utility construction bond or performance bond provides for two (2) year maintenance of the improvements being accepted, an additional two (2) year maintenance bond or alternative security will not be required prior to acceptance of the project.

**CHAPTER 17.27
OPEN SPACE AND PARKS**

Sections:

- 17.27.010 Scope and Application
- 17.27.020 Exceptions
- 17.27.030 Definitions
- 17.27.040 Open Space Requirements
- 17.27.050 Open Space Qualifications
- 17.27.060 Fee in Lieu of Open Space Dedication

17.27.010 Scope and Application: The requirements of this chapter shall apply to all residential developments as defined herein, except as set forth below.

17.27.020 Exceptions: The requirements of this chapter do not apply to non-residential developments or to applications on properties that have previously contributed to the open-space requirements of this chapter.

17.27.030 Definitions:

- A. Dwelling Unit: A building or portion thereof that contains living facilities for one (1) family, including facilities for sleeping, eating, cooking, and sanitation, and any lot designated and intended for such use.
- B. Gross Area: The total area of a subdivision or other development, calculated without subtracting any properties, public or private.
- C. Open Space: An area of land or water designated and reserved primarily for uses with limited buildings and impermeable surfaces, which area of land is supplemental and in addition to setbacks, yards, streets, vehicular access or parking areas, and similar areas ordinarily associated with residential development. Open space may include green belts, parks, athletic fields, recreation areas, trails, and environmentally sensitive areas.
- D. Qualified Open Space: Open space that has all the attributes and characteristics as required in Section 17.27.050.
- E. Residential Development: All subdivisions and binding site plan applications being developed for the purpose of constructing or installing one (1) or more dwelling units, and all building permit applications that include construction or installation of three (3) or more dwelling units; but not including applications for subdivisions, binding site plans, and building permits for the purpose of hotels, motels, recreational vehicle parks, and similar developments intended solely for temporary or seasonal occupancy.

17.27.040 Open Space Requirements:

- A. All residential developments shall include dedication of a portion of the site to be developed as qualified open space for public purposes, or the payment of a fee-in-lieu of dedication, or both.
- B. For single family residential developments, dedication of open space shall be five percent (5%) of the gross area of the proposed development. For multi-family residential developments and combined single family and multi-family residential developments, dedication of open space shall be ten percent (10%) of the gross area of the proposed development.
- C. The City may waive the dedication requirements, provided the applicant makes an adequate showing that the purposes of this chapter will be served by the creation of a private open space

that otherwise meets the requirements of qualified open space. Under such circumstances, the City may authorize the establishment of a private open space under appropriate terms and conditions.

- D. The City may require a fee-in-lieu of dedication and a dedication of open space, provided that the purposes of this chapter are served by allowing a combination of both. Under such circumstances, the fee-in-lieu of dedication shall be reduced proportionately to the amount of open space that is dedicated.

17.27.050 Open Space Qualifications: All dedicated open space shall have the following attributes and characteristics:

- A. Use: Open space shall be dedicated for one (1) or more of the following uses:

1. Environmental interpretation or other educational use or purpose.
2. Park, recreational land, or athletic fields.
3. Off-road footpaths or bicycles trails.
4. Any other use allowed by the City to further the purposes of this chapter.

- B. Suitability: All areas dedicated as open space shall be of such topographic, hydrologic, geologic, and other physical characteristics to be qualified as suitable for open space, which determination shall be made by both the Parks and Recreation Director and the City Engineer. Areas including above-ground utilities and stormwater retention facilities are declared to be unsuitable; except, the City may qualify areas of stormwater retention facilities as suitable on a conditional basis when the land is seasonably available for use as qualified open space.

- C. Siting: All open space land shall be located and sized to be suitable for its intended purposes. The City may deny the dedication of open space when the location or size of the open space is unreasonably inefficient to maintain or utilize, when the open space is isolated by barriers, when the open space is unreasonably remote from the intended users, or when the open space provides no benefits to the residents of the proposed development or to the public.

- D. Access: Seventy-five percent (75%) of the dedicated open space required with each development shall be accessible to the general public to serve the recreational needs of the general public.

- E. Ownership: The applicant shall warrant that all open space dedications are full fee title, free and clear of all encumbrances. All open space dedications are subject to review, approval, and acceptance by the City. The City may require dedications of open space to be recorded in the form of a document.

- F. Notice: Notice of the open space dedication shall be provided by means appropriate to the intended use. Such notice shall include one (1) posted sign and one (1) form of public record. The public record might be revealed by a title abstract of the property. Such public record could include a statement on a recorded plat, covenant, or restriction.

- G. Off-Site Open Space: Open space lands that are off-site and outside the proposed development may be approved and accepted by the City; provided, that the open space land is qualified open space in all other aspects; that the off-site open space land is transferred to the City full fee title, free and clear of all encumbrances; and that all off-site open space is within the boundaries of the same sub-area as the development, as identified in the land-use element of the Comprehensive Plan.

- H. Failure of Qualifications: Where no site within the proposed development meets the above qualifications, the City may require that the applicant offer lands outside the development or

pay the fee-in-lieu of dedication. In either respect, the alternate shall be pursuant to this chapter.

17.27.060 Fee in Lieu of Open Space Dedication:

- A. Unless land within a proposed development is dedicated in accordance with 17.27.040, final approval of the development shall be contingent upon payment of a fee-in-lieu of dedication from the property owner to the City. The fee so collected shall be appropriated only for the acquisition and development of open space, park sites, and recreational facilities within the Comprehensive Plan sub-area where the proposed development is located. Such acquisition and development shall be consistent with the City's Comprehensive Plan. Expenditure of such fees shall only be through capital budget and program appropriations by the City Council. Fees collected shall be allocated to a neighborhood park, open space, or recreation project and shall be expended within five (5) years of fee acceptance.
- B. The fee-in-lieu of dedication of open space for a single family residential development shall be five percent (5%) of the value of the gross area of the proposed development or multiple family residential development shall be ten percent (10%) of the value of the gross area of the proposed development.
- C. The fee-in-lieu of dedication of open space shall be due and payable prior to project approval. For subdivisions and binding site plans, recording will be withheld until payment is received. For building permit applications, building permits will not be issued until payment is received. Such fee shall be deposited by the City in the appropriate open space fund of the City. If such fee is not expended within five (5) years of receipt by the City for its intended use, upon written demand to the Finance Director, the fee will be refunded to the current owner of such residence or lot to which the fee is attributable.

**CHAPTER 17.30
REIMBURSEMENT FOR UTILITY INSTALLATIONS**

Sections:

- 17.30.010 Installation of Utilities Required
- 17.30.020 General Reimbursement Procedure
- 17.30.030 Subdivider's Requirements
- 17.30.040 Subdivided and Undeveloped Areas
- 17.30.050 Reimbursement Time Limit

- 17.30.010 Installation of Utilities Required: The final subdivision plat requirements of the City provide that water mains, sewer mains, and storm drains must be installed at the expense of the subdividers. In connection with the installation of water mains, sewer mains, and storm drains, subdividers are required to extend existing utilities to the property being subdivided. Extensions of water mains, sewer mains, and storm drains may be required to be extended through, or adjacent to, real estate owned by third parties.
- 17.30.020 General Reimbursement Procedure: The following sections establish the reimbursement procedure for connections to water mains, sewer mains, and storm drains which have been paid for by other subdividers where the City Council has authorized a latecomers agreement pursuant to state law.
- 17.30.030 Subdivider's Requirements: Where the subdivider is required to install utilities through or adjacent to property undeveloped or not subdivided and owned by others, a written statement requesting future reimbursement for improvements and a certified copy of costs shall be filed with the City Engineer. The City Engineer will then define the total area subject to reimbursement fees and will establish a front foot or square foot cost to be paid the subdivider prior to any future building, subdividing, or other improvements on property abutting the subdivider-installed utilities.
- 17.30.040 Subdivided and Undeveloped Areas:
- A. Sewer side lateral connections and water service connections shall be denied a subdivider, builder, or owner to existing water mains, sewer mains, or storm drain extensions when those extensions are through or adjacent to subdivided or undeveloped areas until the subdivider, builder, or owner files with the City Engineer a written acknowledgment from the original installer or his successor in interest, stating that satisfactory arrangements have been made for reimbursement of that portion of the water main, sewer main, or storm drain extension which extends through, or is adjacent to, the property to be served and for which request is made for hook up and connection.
 - B. A plat shall not be considered for final approval until satisfactory reimbursement has been acknowledged by the original installer for existing water mains, sewer mains, and storm drain extensions required as a part of an existing subdivision or development.
- 17.30.050 Reimbursement Time Limit: The City will limit all water service connections and sewer side lateral connections to subdivider-installed lines for a period of fifteen (15) years from date of acceptance. Should the Finance Director be unable to locate by registered or certified mail prior to fifteen (15) year limitation then all connections to subdivider-installed lines shall be released.

**CHAPTER 17.33
WAIVERS, DEFERRALS, AND DEVIATIONS**

Sections:

17.33.010 Waivers, Deferrals, and Deviations

17.33.010 Waivers, Deferrals, and Deviations: There is established a procedure for granting a waiver, deferral, or deviation of the regulations contained in this title, as follows:

- A. Any subdivider can make application to the Community Development Department for a waiver, deferral, or deviation or any provision contained in this title provided the request is received concurrently with the proposed subdivision or dedication. Such application shall include any and all details necessary to support the application.
- B. The Planning Commission shall not recommend a waiver, deferral, or deviation of the subdivision regulations unless it shall find that the following conditions exist in each case of a request:

Where, because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, or the existing or unusual physical conditions, the strict compliance with the provisions of this title would cause an unusual and unnecessary hardship on the subdivider, the designated approving body may waive, defer, or deviate from the requirements set forth in this title.

In recommending a waiver, deferral, or deviation, the Planning Commission may require such conditions as will secure, in so far as practicable, the objectives of the requirement waived, deferred, or deviated from. Any waiver, deferral, or deviation authorized shall be entered in the minutes of the Planning Commission together with the circumstances that justify the waiver, deferral, or deviation granted.

- C. If a preliminary plat has not been approved as final within one (1) year for a short plat or seven (7) years for a major plat after the waiver, deferral, or deviation is granted, that waiver, deferral, or deviation shall become null and void. Any extension of the plat applies to the waiver, deferral, or deviation.

**CHAPTER 17.36
VIOLATIONS**

Sections:

17.36.010 Violation Deemed Civil Infraction

- 17.36.010 Violation Deemed Civil Infraction: Any person, firm, corporation, or association, or any agent of any person, firm, corporation, or association; who violates any provision of Chapters 17.03 through 17.33 or any local regulations adopted pursuant thereto relating to the sale, offer for sale, lease, or transfer of any lot, tract, or parcel of land is deemed to have committed a civil infraction and shall be subject to a five thousand dollar (\$5,000) penalty as provided in Chapter 1.08; and each sale, offer for sale, lease, or transfer of each separate lot, tract, or parcel of land in violation of any provision of Chapters 17.03 through 17.33, or any local regulation adopted pursuant thereto, is deemed a separate and distinct violation.

**CHAPTER 17.39
COMPREHENSIVE PLAN**

Sections:

17.39.010 Adoption of Comprehensive Plan Goals, Policies, and Maps

17.39.010 Adoption of Comprehensive Plan: The Planning Commission has recommended for adoption a Comprehensive Planning Map, Plan, Goals, and Policies. That Comprehensive Plan is incorporated by reference and is made a part of this ordinance, as if set forth fully herein; and that Comprehensive Plan is adopted as a plan for the physical and other generally advantageous development of the City, to encourage the most appropriate use of the land throughout the City, to lessen traffic congestion and accidents, to secure safety from fire, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to promote a coordinated development of the unbuilt areas, to encourage the formation of neighborhood or community units, to secure an appropriate allotment of land area in new developments for the requirements of the community life, to conserve and restore natural beauty and other natural resources, and to facilitate the adequate provision of transportation, water, sewerage, and other public uses and requirements. That Comprehensive Plan shall be valid until appropriately amended; and upon any such amendment or amendments being duly made, the Comprehensive Plan, as amended, shall be incorporated in this ordinance and shall be in full effect as the Comprehensive Plan of the City.

**CHAPTER 17.42
BOUNDARY LINE ADJUSTMENTS**

Sections:

- 17.42.010 Purpose
- 17.42.020 Processing
- 17.42.030 Application and Fees
- 17.42.040 Formatting Requirements
- 17.42.050 Time Frame for Approval
- 17.42.060 Notice
- 17.42.070 Criteria for Approval
- 17.42.080 Appeals
- 17.42.090 Recording

17.42.010 Purpose: The purpose of this chapter is to provide a method for summary approval of boundary line adjustments between lots, unplatted tracts, or both; which boundary line adjustment does not create any additional lot or unplatted tract; does not create a lot or unplatted tract with insufficient lot area and dimension as required by the Zoning Ordinance; and ensures that public concerns of health, safety, and welfare are satisfied.

17.42.020 Processing: Boundary line adjustments are not project permits, as defined in state law and are not subject to the processing requirements pursuant to state law.

17.42.030 Application and Fees:

A. Boundary line adjustment applications shall be submitted to the Community Development Department for review and approval. All boundary line adjustment applications shall include the following items to be provided by the applicant.

1. A completed land-use application form, signed by all owners of the property that is included within the area of the boundary line adjustment, on a form provided by the Community Development Department.
2. Four (4) full-size copies of the record of survey for the boundary line adjustment. The record of survey shall show the entire contiguous tract owned by the applicant. The record of survey shall be a neat and accurate drawing, stamped and signed by a land surveyor. The record of survey shall show sufficient detail and information to provide verification that the proposed boundary line adjustment can meet all approval requirements within the Moses Lake Municipal Code for lots.
3. One eleven inch (11") by seventeen inch (17") reduced copy of the record of survey for the boundary line adjustment. Smaller copies may be approved by the Plat Administrator. All reduced copies shall be fully legible.
4. A plat certificate from a title company licensed to do business in the State of Washington, confirming that the title of the lands corresponds with the owners described and shown on the record of survey and application.
5. A non-refundable fee per Chapter 3.54.

B. The applicant shall also be responsible for all costs for engineering, legal, and other consulting services incurred by the City in processing the application, to the extent that the cost of said services exceed the application fees. The Community Development Department shall advise the applicant of all additional fees and costs to be incurred by the applicant, and may require the additional fees and costs to be paid prior to service. In any case, the applicant shall pay all additional fees and costs associated with processing the application before the boundary line adjustment is recorded.

17.42.040 Formatting Requirements: Records of surveys for boundary line adjustments shall include all survey map requirements required by state law and the following specific items.

- A. A metes and bounds description of each reconfigured lot or tract. The metes and bounds description shall include a bearing and distance for each line segment of the reconfigured lot or tract.
- B. The heading on the record of survey shall include identifying information, unique to Grant County, Washington, to distinguish the record of survey from others, such as the name of the subdivision or the property owner's name.
- C. The heading shall be formatted as follows.

(Name: subdivision, lots and blocks, or owner's name) Boundary Line Adjustment
A Record of Survey in the (directional information, Section, Township, Range)
Moses Lake, Grant County, Washington
- D. When the boundary line adjustment will reduce the number of existing lots, parcels, or tracts, the heading shall include the phrase "Lot Consolidation".
- E. All lots for a boundary line adjustment shall be numbered with Arabic numerals. When the lots are previously unnumbered, the new lot numbers shall be consecutive, beginning with the number 1. When the boundary line adjustment includes revisions to lots within an existing plat, the lots shall be named with respect to their current lot and block numbers, such as "Revised Lot 1" or "Lot 1A".

17.42.050 Time Frame for Approval: The Plat Administrator shall approve, or disapprove the boundary line adjustment in accordance with this chapter within thirty (30) days of determining that a complete application has been received, unless the applicant consents to an extension.

17.42.060 Notice:

- A. Posted Notice: Notice of a proposed boundary line adjustment shall be posted by the applicant in a conspicuous place on or adjacent to the subject land or property, as specified in Section 20.07.010.D. A copy of said notice shall also be posted by the Plat Administrator in a conspicuous place at the City Hall.
- B. Mailed Notice: The Plat Administrator shall send copies of the public notice by regular mail to the owners of all real property within one hundred feet (100') of the subject land or property. The requirement of this subsection shall be satisfied if notices are mailed to property owners listed as owners by the Grant County Auditor. If the owner of the property within the boundary line adjustment owns additional, adjacent property, mailed notice shall be sent to owners of real property located within one hundred feet (100') of the additional, adjacent property.
- C. Agency Notice: The Plat Administrator shall send a record of survey of the proposed boundary line adjustment to the Grant County Auditor and the Grant County Assessor for review.
- D. Time of Notice: All required notices shall be posted and mailed within seven (7) days from the date that the boundary line adjustment application has been filed with the City. All notices shall allow a comment period of at least fourteen (14) calendar days from the date the notice is sent.
- E. Form of Notice: Both posted and mailed notices shall include the name and street address of the applicant, the legal description of the property involved, and a summary of the general nature of the proposed boundary line adjustment. In addition, the posted notice on or adjacent to the subject property shall contain a sketch of all property within one hundred feet (100') from the boundary line adjustment, which sketch shall clearly identify the property that is within the boundary line adjustment.

- F. Expense of Notice: The applicant shall pay all expenses required for mailing and posting notices.

17.42.070 Criteria for Approval:

- A. The Plat Administrator shall approve an application for a boundary line adjustment if it is determined that all of the following conditions are met:
1. No additional lot or unplatted tract is created by the proposed boundary line adjustment.
 2. No lot or unplatted tract is created that does not meet the requirements of the Zoning Ordinance.
 3. No lot or unplatted tract is created that does not have adequate drainage, water supply, and sanitary sewage disposal, and access for vehicles, utilities, and fire protection.
 4. The boundary line adjustment is consistent with the applicable provisions of the Zoning Ordinance.
- B. When a boundary line adjustment application is acceptable for recording, the Plat Administrator will send a notice of approval to the applicant and to the Grant County Assessor's Office.
- C. After a notice of approval is received, the applicant shall provide all documents to the Plat Administrator that are necessary to complete the boundary line adjustment. All documents that are required to complete a boundary line adjustment shall be provided by the applicant to the Plat Administrator within one hundred eighty (180) calendar days from the date of the notice of approval, otherwise, the approved application shall be voided.
- D. Notice of approval does not allow or imply conveyance of property. To complete a boundary line adjustment, all necessary documents containing the appropriate legal descriptions of the reconfigured lots or tracts shall be recorded with the Grant County Auditor. All current year and delinquent taxes and assessments on all reconfigured lots and tracts shall be paid in full.

17.42.080 Appeals: Any person aggrieved by the decision of the Plat Administrator to approve or disapprove a proposed boundary line adjustment can appeal the decision to the City Council within ten (10) days following issuance of the decision. Upon receipt of the appeal, the City Council shall consider the matter de novo and shall affirm or reverse the decision of the Plat Administrator or shall remand the application to the Plat Administrator with instructions to approve or disapprove the same.

17.42.090 Recording:

- A. The applicant shall provide two (2) reproducible full-size copies of a record of survey to the Community Development Department. Additionally, the applicant shall submit one (1) electronic copy to the Plat Administrator, and one (1) electronic copy to the Grant County Assessor's office.
- B. The boundary line adjustment shall not be final until the Community Development Department has provided the record of survey and all necessary documents to the Grant County Auditor for recording and the applicant has recorded all necessary documents for the conveyance of the property.

