

SUBDIVISION CODE

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17.12.010 Purpose and general administration

A. Title and purpose

This chapter shall be titled the Chehalis subdivision regulations and may be referred to as the subdivision and platting chapter.

1. Purpose.

The purpose of this chapter is to regulate the subdivision of land and to further the health, safety and general welfare by:

- i. Providing for platting, subdivision, boundary line adjustments, dedication and recording of plats of land;
- ii. Providing for safe and adequate access;
- iii. Providing for safe and adequate utilities, parks, recreation facilities, schools and other public facilities;
- iv. Providing for minimum acceptable levels of light, air and open space;
- v. Promoting effective use of land by preventing overcrowded or scattered development;
- vi. Providing for adequate water, sanitary sewer, drainage, transportation or other public facilities, and preventing excessive expenditure of public funds for such services;
- vii. Promoting coordinated development to protect environmentally sensitive areas, conserve natural beauty and preserve other natural resources;
- viii. Encouraging the most appropriate use of land throughout the city and the city's UGA;
- ix. Providing for expeditious review and approval of proposed plats that conform to the standards in this title;
- x. Implementing adopted comprehensive plans;
- xi. Providing for the housing and commercial needs of the city;

- xii. Providing for flexibility in industrial zones where ports are operating under a master plan for development; and
- xiii. Requiring uniform monumenting of land divisions and conveyance of accurate legal descriptions.

B. Scope

- 1. The regulations of this chapter shall apply to the subdivision of any lot, parcel or tract into two or more lots or tracts or division of land for sale, lease or development. The regulations shall apply to every situation where there is a dedication of streets, alleys, easements or land for public use.
- 2. Divisions of land accomplished under subsection (B) of this section shall not require the city to issue development permits if such division does not meet the minimum requirements of this chapter.

C. Applicability of codes and conformance with other regulations.

Any plat, short plat, boundary line adjustment, or binding site plan within the ~~corporate limits~~ jurisdiction of Chehalis shall be approved and recorded as prescribed by this chapter. No plat, short plat, boundary line adjustment, or binding site plan shall be recorded or have any validity unless and until it has the approval of the city and such other approvals as may be required by this title, CMC 17.09 Permit Processing, CMC 12 Streets/Sidewalks/Public Places, the currently adopted International Building Code and International Fire Code, and other federal, state, and local regulations as may apply. All records of survey in connection with any plat, short plat, or binding site plan shall be in conformance with Chapter 58.09 RCW. All plats shall be consistent with the need to minimize flood damage.

D. Consent to access

The developer shall permit free access to the land being divided to all agencies considering the subdivision, short subdivision, boundary line adjustment, or binding site plan for the period of time extending from the time of application to the time of final action.

E. Specific exemptions

The provisions of this title shall not apply to the following:

- 1. Cemeteries and other burial plots while used for that purpose;
- 2. Divisions made by testamentary provisions or the laws of descent;
- 3. Assessor's plats made in accordance with RCW [58.18.010](#), [58.17.240](#) and [58.17.250](#);
- 4. A division for the purpose of lease when the land is to be developed as a mobile home park and a binding site plan has been approved pursuant to the requirements of the zoning code (Title 17);
- 5. Condominium plats, when prepared and filed in accordance with the horizontal regime act, RCW Chapter [64.32](#), and a binding site plan has been approved pursuant to the requirements of the zoning code (Title [17](#));

6. Divisions of land into lots, parcels or tracts, each of which is at least 40 acres or 1/16 of a section in area;
7. Divisions of land due to condemnation or sale under threat thereof, by any agency or division of government vested with the power of condemnation.

F. Definitions

For the purpose of this title, certain words and terms are defined in this chapter. When consistent with the context, words used in the present tense shall include the future; the singular term shall include the plural; and the plural, the singular; the word "shall" is always mandatory and the word "may" denotes a use of discretion.

1. "Applicant" means any individual or entity who applies for preliminary plat, short plat, large lot subdivision or binding site plan approval under this title.
2. "Auditor" means the auditor of Lewis County, Washington.
3. "Binding site plan" means a drawing made and approved in accordance with the provisions of subdivisions D, E and G of Section **17.09.040** of this title which contains inscriptions and attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the city, and which contains provisions requiring any development to be in conformance with the site plan.
4. "Buildable lot" means a lot meeting all of the requirements of size, shape, frontage, sanitation, etc., contained in this title and other ordinances of the city for any specific type of development.
5. "Boundary line adjustment" means an alteration of a division of land by adjustment of boundary lines, between platted or unplatted lots or parcels or both, which does not create an additional lot, tract, parcel, building site, or division nor creates any lot, tract, parcel, building site, or division which contains insufficient area or dimension to meet the minimum requirements for width or area for a building site. Boundary line adjustments include lot consolidations wherein boundary lines are removed.
6. "City council" means the mayor and council members of the city.
7. "Comprehensive plan" means a plan adopted by the City Council as a guide to the physical growth and improvement of the city, including modifications or refinements which may be made from time to time. Said plan may include the following elements: land use, transportation, transit, public services and facilities, housing, community development, and additional subjects relating to the physical development of the city.
8. "County" means the county of Lewis, state of Washington.
9. "Date of filing" means the date that a complete and accurate application for preliminary plat, short plat, large lot plat or final plat approval is filed with the city.
10. "Declaration of short subdivision" means a document signed by all persons having any real interest in the land being subdivided that they signed the same as their free act and deed, and containing, as a minimum, the following elements:
 - i. A legal description of the tract being divided;
 - ii. An illustrative map;
 - iii. Any restrictive covenants;
 - iv. A title report or plat certificate;

- v. Any special conditions of short subdivision approval (e.g., frontage improvements requirements).
11. "Dedication" means the deliberate appropriation of land by an owner for any general and public uses, reserving to that owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat or binding site plan showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat or plan for filing by the appropriate governmental unit.
 12. "Department" The City of Chehalis Planning and Building Department.
 13. "Development" means the development of land as proposed and/or described in any application for development permit approval submitted to the city.
 14. "Development permit" means any land use permit which must be approved by the city prior to the development of land. Development permits shall include preliminary plats, short plats, binding site plans, large lot subdivisions and final plats.
 15. "Director" means the Manager of Planning and Building and the Manager's designee.
 16. "Easement" means a right granted by a property owner to specifically named parties or to the general public for the use of certain areas or strips of land for particular purposes. Where appropriate to the context, easement may also refer to the land covered by the rights granted. This may include pedestrian paths, bicycle paths, utility easements, drainage, open space, etc.
 17. "Final Approval" means the final official action taken by the City Council, Hearing Examiner, or planner on the proposed subdivision, short subdivision, binding site plan, large lot subdivision or dedication, or portion thereof.
 18. "Final plat" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in RCW Chapter [58.17](#) and in this title adopted pursuant thereto.
 19. "Flooding" means the inundation of an area of land that is not usually under water.
 20. "Hearing examiner" means the land use Hearing Examiner for the city.
 21. "Improvements" means and includes, but is not limited to, streets and roads complying with the development standards and specifications adopted by the city; public utility and pedestrian facilities; street lights; landscape features; bridge structures; storm drainage facilities; and traffic control devices as are required to be installed as a part of subdivision, short subdivision, large lot subdivision or binding site plan approval.
 22. "Lot" means a fractional part of subdivided or site planned land having fixed boundaries, being of sufficient area and dimensions to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.
 23. "Mean sea level datum" means the published mean sea level datum established by the U. S. Coast and Geodetic Survey (now National Geodetic Survey) and the benchmarks referenced to this datum established by the city Public Works Department.
 24. "Chehalis coordinate system" means the horizontal ground scale coordinate system referenced to the Washington Coordinate System as established by the city Public Works Department.
 25. "Person" means every person, firm, partnership, association, social organization, corporation, estate, trust, receiver, syndicate, branch of government, or any other group or combination acting as a unit.

26. "Planned unit development" means a unified development approved in accordance with Title 17 of this code.
27. "Plat" means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions or dedications.
28. "Preliminary Approval" means the official action taken on a proposed division of land when provision of improvements or fulfillment of conditions are to occur prior to final approval.
29. "Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of this chapter. The preliminary plat shall furnish a basis for the approval or disapproval of the general layout of a subdivision.
30. "Short plat" means the map or representation of a short subdivision containing all of the pertinent information as required by this title.
31. "Short subdivision" means the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of transfer of ownership, sale or lease.
32. "Design Review committee" is defined in [CMC 17.09.180](#).
33. "Subdivider" means a person who undertakes the subdividing of land.
34. "Subdivision" means the division or redivision of land into ten or more lots, tracts, parcels, sites or divisions, which are less than five acres in area, whether immediate or future, for the purpose of sale, lease or transfer of ownership. This definition applies whether or not there is a dedication involved.
35. "Utilities easements" means rights-of-way which may be used by public utilities, including, but not limited to, electricity, water, natural gas, sewer, telephone and television cable for the construction, operation, maintenance, alteration and repair of their respective facilities.
36. "Variance" means an authorization granting relief under the provisions of Chapter [17.09](#) of this title from the literal enforcement of this title, when special conditions exist or unusual hardship will result therefrom.

G. Review and recommendation.

Planning department and DRC review.

1. Preliminary plats will be reviewed by the planning department for consistency with all applicable regulations.
2. The department shall review the preliminary plat to ensure that:
 - i. The proposed preliminary plat is consistent with the comprehensive plan for:
 - a. Type of land use;
 - b. The level of development, such as units per acre or other measure of density;
 - c. Infrastructure, including public facilities and services needed to serve the development; and
 - ii. Lack of compliance with the criteria in subsection (B)(2) of this section or any condition of approval, including mitigating conditions established in the SEPA process, shall be grounds for denial of a proposed preliminary plat.
3. The DRC shall review all plats, boundary line adjustments, or binding site plans for the following and make a recommendation to the deciding body.
 - i. Conformance with site requirements (zoning and dimensional requirements);
 - ii. Conformance of the street system with the adopted street plans and is laid out in such a manner as to provide for safe and efficient circulation of traffic;

- iii. Adequately served with approved water, sewer and other appropriate utilities;
 - iv. The layout of lots, their size and dimension, taking into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;
 - v. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure that streets and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.
4. The SEPA responsible official shall issue a threshold determination for the proposal consistent with the requirements of Chapter 17.15 CMC.

H. Pre-applications.

Prior to applying for site plan review, a developer may file with the DRC a pre-application or proposal, with adequate copies, which shall contain in a rough and approximate manner all the information required in the site plan application. The purpose of the pre-application is to enable a developer filing the plan to obtain the advice of the DRC as to applicability of the intent, standards and provisions of this chapter to the plan. After filing of a pre-application, the DRC shall make available to the developer its written advice regarding the compatibility of the preliminary site plan with the intent, standards and provisions of this chapter. This preliminary advice is not to be construed as an approval or disapproval outright of the proposal nor should it be interpreted as vesting of the project.

I. General layout of lots

1. All lots within a regular subdivision must meet the minimum size and dimension requirements established in the applicable zone for the property pursuant to this title and any other applicable land use regulations. The minimum lot area shall be deemed to have been met if:
 - i. The average lot area is not less than the minimum lot area required within the applicable zoning district; and
 - ii. No lots contain an area of less than 80 percent of the prescribed minimum for the applicable zoning district (lot averaging). No more than ten percent of the lots may be less than the minimum required.
2. All lots within a short plat or a boundary line adjustment must meet the minimum size requirements established in the applicable zone.
3. All lots must be shaped to permit reasonable use and development of the lot and provide for a minimum building dimension of 24 feet by 24 feet without encroaching into any setback area.
4. Not more than 15 percent of any proposed lot which is designated for development may contain environmentally sensitive, critical and/or resource areas as defined Division III of this title. This 15 percent includes all required buffers for the various environmental areas.
5. Not more than two flag lots shall be created back to back in a subdivision or short plat or from any single lot of record.
6. The “flagpole” portion of any flag lot shall be a minimum of 12 feet wide if serving only one single-family dwelling or duplex. “Flagpole” portions that serve more than four dwelling units must be 20 feet wide. No more than two lots may be served by a driveway created in the “flagpole”.

7. Flag lots serving commercial and industrial uses will be permitted provided the flag is designed in a manner to allow for sufficient access to the parcel for a commercial and industrial user. The limitation on flag lots contained in **CMC 17.12.070(E)** does not apply to master planned areas.

8. In any short plat or subdivision, a lot created for the exclusive purpose of utility fixtures or equipment need not comply with the dimensional standards required by this chapter; provided, that an easement or dedication is recorded for such utility purpose within the approval documents.

9. Mailboxes. Mailboxes shall be installed consistent with the Engineering Development Code **(CMC 12.04.320(G), Mailboxes, and associated Figure 2-18)**.

- i. Documentation of consultation with the United States Post Office is required to determine the proper location for the proposed mailbox(es). This shall be done by the applicant and documentation shall be provided to the department by the applicant.
- ii. Any proposed mailbox or mailbox cluster location must be shown on the subdivision or short plat map.

A. Streets and roads

1. All lots must have direct legal access abutting either a public right-of-way or a platted private street or road. The city may require that the legal right of access be granted to other adjoining properties in order to provide a safe and efficient circulation system within the city. Private streets or roads shall be clearly marked on the face of the plat and dedicated as such in the plat certificate in accordance with RCW 58.17.165 and reserved for ingress, egress, and utilities. The city shall require a dedicated right-of-way and construction to public street standards when:

- i. The street or road serves more than four lots;
- ii. The street or road can be made to link two existing rights-of-way;
- iii. The public works department or designated consultant determines that, under the applicable circumstances, a dedicated right-of-way is required.
- iv. Boundary line adjustments must only show dedicated access to a right of way. As per RCW 58.17 boundary line adjustments are not subject to street and road conditions required for plats and binding site plans.

2. Roads shall be designed with appropriate consideration for existing and projected streets or roads, anticipated traffic patterns, topographic and drainage conditions, public convenience and safety, and the proposed uses of the land served.

3. The standard width and engineering design of public and private rights-of-way, streets and roads shall conform to the requirements of the development engineering standards. Private streets serving more than four lots, which may be approved through a variance process, shall be constructed to public street standards consistent with the anticipated functional classification.

4. Where necessary to connect to existing streets or roads, or to provide for overall area circulation, streets or roads may be required to extend to the outside boundaries of the plat.

5. Street or road grades, curves, frontage improvements, and intersections shall be engineered and be consistent with development engineering standards.

6. All plats shall incorporate provisions for controlling access onto arterial roads in accordance with accepted engineering practices and development engineering standards.
 7. When proposed, privately owned and maintained roads serving lots may be approved only when it is determined that:
 - i. There will be no resulting public safety hazard;
 - ii. Such roads will be built to private road standards;
 - iii. The road is not required to be public, pursuant to subsection (A) or (H) of this section; and
 - iv. Approved provisions for future maintenance of such private roads are identified in the proposal.
 8. Dedication to the city of public right-of-way shall be required within or along the boundaries of the plat or short plat under the following circumstances:
 - i. Where the six-year improvement plan indicates the necessity of a new right-of-way or portion thereof for street purposes; or
 - ii. Where necessary to extend or to complete the existing neighborhood street pattern.
- B. Transit/bus stops
1. All regular subdivisions of 10 or more lots shall provide an approved transit/bus stop within 1,000 feet of every lot created if one does not currently exist. Such stop shall be located upon a public right-of-way unless an alternate location is approved by the DRC. Any such stop located upon a right-of-way shall comply with all applicable requirements of the development engineering standards.
 2. Notwithstanding any provisions of the development engineering standards, no transit/bus stop shall be located such that a bus serving such stop would be required to back up to continue service on its assigned route.
 3. If, during the development review process, the serving transit authority or operator of the transit system advises the DRC that the proposed transit/bus stops will not be served within one year of final plat approval by a regular bus route and schedule, the DRC may waive the construction of the transit shelter; provided, that the required bus pull-out lane is constructed. Any future construction of a bus shelter shall be at the discretion of the transit authority or operator, and must be approved by the public works department if located upon a right-of-way.
- C. Utilities
1. The applicant shall provide for connections to the public water service for each lot created.
 2. The applicant shall construct and dedicate to the city a water system consistent with city standards that will provide adequate fire flow and all fire fighting infrastructure and appurtenances required by the fire marshal; except, a dedicated water system will not be required if all of the following apply:
 - i. Four or fewer lots are created;
 - ii. No building is more than 100 feet from a water meter placed on a public right-of-way;
 - iii. No building is more than 300 feet from a fire hydrant on a public right-of-way;
 - iv. All other applicable water utility criteria are met.

3. The applicant shall comply with the construction phase and permanent storm water control requirements of the development engineering standards. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
4. The applicant shall provide for connections to the sanitary sewer system for each new lot created.
5. Arrangements shall be made by the applicant to install all utility lines, including electricity and telephone service, underground. All utilities, utility equipment and facilities, such as water, sewer, electrical, gas, telephone, and cable, shall be located and constructed to minimize or eliminate flood damage.
6. Utility lines, other than in rights-of-way and vehicular access easements or tracts, shall be within an easement centered on property lines wherever possible. Except in unusual circumstances, easements for utilities shall be at least 20 feet in width. The city may require that utilities be extended to the perimeter of the plat or short plat adjoining other properties, and easements be granted therefor, in order to provide an efficient utility system within the city.

D. Dedication of open space

1. All plats creating 10 or more lots (regular subdivisions, master planned development, planned unit development, residential binding site plan) shall provide a minimum of 10 percent of the total gross area of the plat for parks, open space, greenbelt and/or buffer strips. Wetlands and other identified environmentally sensitive areas may be included in the 10 percent calculation, provided at least half of the nonenvironmentally sensitive area shall be capable of use for active recreation. Active recreational areas shall not be located in required buffers except for trails. Acceptable types of active recreation are:
 - i. Tot lots
 - ii. Trails
 - iii. Pavilion
 - iv. Outdoor picnic/barbeque areas
 - v. Community gardening
 - vi. Other active recreational activities that may be appropriate for the overall design of the plat.

These activities must be submitted to staff. Final approval will be made by the hearing examiner.

2. All subdivisions shall provide for parks, open space, greenbelt and/or buffer strips, wetlands and other identified environmentally sensitive areas as depicted in the adopted master plan. All open space, parks or common areas shall comply with any applicable agency requirements.
3. Open space, parks, or common areas shall be efficiently located and provide adequate access.

E. Submission requirements

1. The applicant shall prepare a preliminary plat together with improvement plans and other supplementary material as may be required to indicate the general program and objectives of the project. The applicant will also complete application for a zoning map amendment, variance or any other applications necessary under this title. These applications will be processed by the city simultaneously with plat application, except that any application that requires an amendment to the city's comprehensive plan shall be reviewed at the time that such amendments are contemplated (generally, annually).
2. All forms including the plat shall be submitted electronically to the City for review. The form and contents of the preliminary plat are specified CMC 17.12.400 Table of required information.

3. All subdivisions shall be prepared by a land surveyor and/or civil engineer licensed in the state of Washington.
 4. An environmental checklist consistent with the requirements of Chapter 17.15 CMC, State Environmental Policy Act (SEPA), may be required for any preliminary plat application submitted.
 5. All civil, utility and roadway plans shall be prepared by a civil engineer consistent with the development engineering standards.
 6. All applications pursuant to this chapter shall be delivered to planning and department and must be accompanied by applications for other approvals which may be required as a condition of approval of a proposed plat of land under this title, including but not limited to all regulations identified in this title.
 7. The planning and building department shall note the date of receipt of the application and shall notify the applicant within 28 days of receipt of any deficiencies found in the application as identified in CMC 17.09.090 Completeness review. The issuance of a determination of a complete application shall preclude the city from requesting additional information from the applicant in order to complete the processing of an application.
 8. If no deficiencies are found and all applicable fees are paid, the planning and building department shall accept the application as fully complete and the application shall be deemed filed as of the date it was found complete.
 9. If deficiencies are found, the applicant shall be notified in writing that the application is not complete until such deficiencies are corrected.
 10. All applications for a preliminary plat pursuant to this chapter shall be considered under the provisions of zoning and other land use control regulations of this code, in effect on the land at the time of filing a fully complete application.
- F. Responsibility of accuracy
The applicant is responsible for the accuracy of all data and information submitted on or with an application. Any application found at any time to be materially inaccurate or misleading shall be returned to the applicant with a notice stating that the application must be corrected and returned to the planning and building department.
- G. Identification markers
The developer shall, for identification purposes only, cause markers of a type approved by the city to be placed upon each of the approximate road frontage corners of the subject property and maintain them thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks of the proposed short subdivision. Where other data or where identification markers are found necessary by any relevant agency to assist it in making its determination, such data and markers shall be placed upon the land and maintained thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks by the applicable agencies.
- H. Dedications and certificate.

Every subdivision, short subdivision or large lot subdivision filed for record must contain a certificate giving a full and correct description of the lands divided as they appear on the plat, short plat or binding site plan, including a statement that the division has been made with the free consent and in accordance with the desires of the owner or owners. If the division is subject to a dedication, the certificate or separate written instrument shall also contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies or to any corporation, public or private, as shown on the plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the street. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands divided and recorded as part of the final plat, short plat or large lot plat.

I. Improvements-Agreement to perform in the future-Financial guarantee

1. Before requesting final approval of any division of land pursuant to this title, the developer shall install required improvements and repair any existing streets and other public facilities damaged in the development of a subdivision. In lieu of the completion of the actual construction of any required minor improvements or minor repairs to existing improvements, the developer may enter into an agreement with the Director of Public Works, or the Director's designee, for the installation of minor improvements or minor repairs to existing improvements. Minor improvements shall include, but not be limited to, landscaping, tree planting, and street lights. Prior to and as a condition of entering into such an agreement, the Director of Public Works, or the Director's designee shall determine whether the delay in construction of such minor repairs or minor improvements shall constitute a hazard to public health and safety. The agreement shall provide that if the work is not completed within one year, plus any approved extension of time not to exceed six months, the city may complete the work and recover the full cost and expense thereof from the developer. In no event shall completion of such work exceed one and one-half years from the execution of such agreement. The agreement shall also contain an indemnification supported by liability insurance in an amount determined by the city's risk manager to be sufficient to cover foreseeable liability for the city and its agents. In addition, the agreement must contain a provision whereby the developer will be responsible for the successful growth and/or operation of, and all repairs to, the improvements for a two-year period following their installation. Costs and reasonable attorneys fees for the city shall be provided for in the agreement in the event of default. The developer shall also execute and deliver to the Director of Public Works, or the Director's designee, an easement, in a form acceptable to the city attorney, allowing the city's agents to enter upon the subject property to perform the necessary improvement in the event of default.
2. The developer shall file with the agreement, to assure the developer's full and faithful performance thereof, one of the following:
 - i. A surety bond executed by a surety company authorized to transact business in the state in a form approved by the City Attorney;
 - ii. Cash;
 - iii. Letter of credit approved by the City Attorney from a financial institution stating that the money is held for the purpose of development of the stated project;
 - iv. Assigned savings pursuant to an agreement approved by the City Attorney; or Lien agreement approved by the City Attorney.

The agreement and financial assurance shall be filed with the Director of Public Works or the Director's designee.

3. Such assurance of full and faithful performance shall be for 150% of a sum determined by the Director of Public Works, or the Director's designee, as sufficient to cover the cost of the improvements and repairs, including related engineering, incidental expenses, inflation and contingencies.

4. If the developer fails to carry out provisions of the agreement and the city has unreimbursed costs or expenses resulting from such failure, the city shall call on the developer's financial security for reimbursement. If the amount of the developer's financial security exceeds the cost and expense incurred by the city, the remainder shall be released. If the amount of the developer's financial security is less than the cost and expense incurred by the city, the developer shall be liable to the city for the difference in addition to all costs, including reasonable attorneys fees, of recovery of such amount, including, but not limited to, reasonable attorneys fees.

5. Also in lieu of actual construction, a developer may request the Director of Public Works to enter into a subdivision improvement deferral agreement for completion of actual construction of major improvements or their repairs. Major improvements shall include, but not be limited to, sanitary sewer, domestic water system, streets and appurtenances, and storm drainage. Prior to entering into such agreement, it shall be reviewed by the Hearing Examiner after public notice and a hearing pursuant to CMC Chapter 17.09. In determining whether to accept, reject, approve, or deny a request, the Hearing Examiner shall decide whether any delay in construction of major improvements and repairs constitutes hazards to the public's health and safety and the conditions necessary to mitigate such hazards, including, but not limited to, withholding building permits until such improvements or repairs are installed and accepted by the City.

Such an agreement shall contain all of the conditions described in **Subsections A through D herein.**

J. Trees and vegetation-Prior to approval

No trees or vegetation shall be removed in the development of the subdivision except as provided in an approved tree protection and replacement plan. All trees and vegetation on individual building lots shall be retained until such time as plans are submitted for a building permit and approved as to specific location of building pads, drives and other aspects of land development. An exception to this regulation can be made if the applicant submits and the city approves a tree protection and replacement plan.

K. Inspections

Required improvements shall be inspected and approved by the city. The cost of all inspections, plan checking, testing, sampling and other work incidental to approval of the required improvements shall be charged to the applicant and paid before final approval of the plat or short plat. The city may arrange for inspections to be conducted by properly qualified consultants and may charge the applicant for the cost of such inspections. No roadway, bridge, water system, sewer system or other required public improvement shall be accepted unless the design and construction shall be certified by the public works department or designated consultant, or a civil engineer licensed by the state and acceptable to the city, to be in accordance with all applicable state and local requirements. In any case where a permit is required for work performed on a county right-of-way, the applicant shall comply with all applicable requirements of Lewis County.

L. Variances

1. An applicant for a plat, short plat or binding site plan may apply for a variance from any development standard set forth in this title where there exist extraordinary conditions such as topography, access, location, shape, size, drainage or other physical features of the site or other adjacent development which result in unusual hardship or extraordinary difficulties to the owner in attempting to make any reasonable use of the land. Such variance application shall accompany the plat application, shall outline the provisions from which the variance is sought, and shall include the information required to support the variance request consistent with **CMC 17.09.190.**

2. Any application for a variance associated with a plat, boundary line adjustment, or binding site plan shall be submitted to the hearing examiner consistent with CMC 17.09.190. The decision of the hearing examiner shall become a component of such short plat or binding site plan application.

17.12.035 Fees

Applicants for permits or other approvals pursuant to this title shall pay to the city the applicable fees identified in the fee schedule as adopted by City Council. No application under this title shall be deemed to be complete unless accompanied by all applicable fees.

17.12.055 BLA

A. Applicability and reference to general admin and CMC that refers to BLA

Every boundary line adjustment, whether lot consolidation or lot line move shall comply with this chapter and with applicable state law. No boundary line adjustment shall be approved or recorded that does not comply with the criteria below; provided that approval may be granted if existing nonconforming aspects of the site are either not changed or are made more conforming.

B. Review criteria

The Department shall consider and review the proposed boundary line adjustment, and approve the boundary line adjustment, and certify that the proposed boundary line adjustment conforms to the requirements of this subsection, and affix its signature to the adjustment prior to recording, if and only if:

1. No additional lots, tracts, parcels, building sites or land divisions are created, and all lot line adjustments are minor and do not alter the underlying plat pattern, such as changing the cardinal direction of a line or general orientation of lots or lot access;
2. The purpose of the boundary line adjustment is to resolve boundary line issues between two lots, tracts, parcels, sites or divisions of land, such as an encroachment or encroachments found as a result of a land boundary survey or to consolidate two or more lots, tracts, or parcels;
3. The boundary line adjustment does not result in the entire relocation of lots, sites, tracts, or parcels from one area to another;
4. All resulting parcels contain sufficient area and dimensions to meet all applicable requirements for a building site and conform to all required setbacks and building and fire separation standards;
5. All resulting parcels comply with any restrictive covenants contained on the face of the final plat, short plat, or large lot plat, if any; and all resulting lots do not violate previous conditions of preliminary plat, short plat, or large lot approval;
6. Each resulting parcel has legal access;
7. The Record of Survey includes acknowledged signatures of all parties having an interest in the lots of which the lines are being adjusted;
8. Legal descriptions of each of the resulting parcels conform to applicable standards; together with the signature of a licensed land surveyor, licensed in the State of Washington, which attests to the accuracy of the legal description and survey describing the adjusted lot lines; and
9. The boundary line adjustment is not for the purpose of avoiding public improvement requirements that would be associated with a replat or other new land division approval or an obligation to pay latecomer fees.

C. Final approval and recording

Approval of the boundary line adjustment shall not be final until:

1. There is compliance with the requirements above; and

2. The surveyor preparing the Record of Survey shall find or set monuments at all corners and angle points of the adjusted parcels. At the discretion of the City Surveyor, witness corners and reference monuments may be used when impracticable to monument the actual corners; and
3. Each adjusted parcel shall have a unique identifier on the Record of Survey that has not been previously used or associated, in any way, with the adjusted parcels; and
4. The county treasurer has certified that all taxes on the land have been fully paid and discharged; and
5. A final Record of Survey has been approved by the Department and filed for record with Lewis County Auditor.

17.12.100 Preliminary Plat (subdivisions, PUD, MPUD)

A. Pre-application recommended but not required

Prior to the submission of the preliminary plat application, the subdivider or the subdivider's representative may meet with the Director to discuss preliminary sketches or studies. At this time, said Director shall make available all pertinent information as may be on file relating to the general area. It is the purpose of this conference to eliminate as many potential problems as possible in order for the preliminary plat to be processed without delay. The conference should take place prior to detailed work by an engineer or surveyor. Discussion topics at this time would include such things as the comprehensive plan, development standards, Shore-line Master Plan, zoning, availability of sewer and water, latecomer charges, development concepts, other city requirements and permits, and the environmental impact of the plat. If the applicant owns adjacent land, the possibilities of future development should be discussed.

B. Complete application-Format and content.

1. Filing of Application. The subdivider shall prepare a preliminary plat and environmental checklist, together with improvement plans and other supplementary material required to indicate the subdivider's general program and objectives, and shall submit a minimum of 17 copies of the preliminary plat and supplementary data to the office of the Planning Department. The Planning Department shall assign the subdivision a permanent file number. The Planning Department shall inform the applicant within two weeks of the date of receipt of the application of any deficiencies found in the preliminary plat application. The Planning Department shall return the application to the plat applicant if it is deemed incomplete or inaccurate. The time set forth in Sections [17.16.050](#) and [17.16.060](#) for hearing plat applications shall not run until all information has been provided in a complete and accurate manner as determined by the Planning Department. Resubmittals with the necessary information making the application complete must be submitted within six months of original filing. If not, the file shall be considered void and unexpended filing fees refunded.
2. Environmental Checklist and Impact Statements. Each and every preliminary plat submitted to the planning department shall be accompanied by an environmental checklist. If it is determined that an environmental impact statement is required to be completed, then the plat shall not be considered as submitted until the final environmental impact statement has been completed. No public hearing on the preliminary plat shall be held until the final environmental impact statement (if required) has been completed and been made available for the general public.
3. Responsibility for Data Accuracy. Accuracy for all data and information submitted on or with a preliminary plat shall be the responsibility of the applicant. Any proposed plat found to be inaccurate or misleading so as to hamper the decision of the Hearing Examiner and/or the City Council shall be returned to the applicant with a letter stating that the plat must be corrected and returned to the Planning Department.
4. General. Preliminary plats shall be prepared in conformance with the requirements set forth in this section.
5. Format.

- i. Preliminary plats shall bear the seal of a registered land surveyor or registered professional engineer licensed to practice in the state.
- ii. Preliminary plats shall be accompanied by a completed environmental checklist prepared by the applicant, or applicant's representative, on forms provided by the Department.
- iii. Preliminary plats shall be drawn on paper having maximum dimensions of 24" by 36", and at a horizontal scale between 200' to the inch and 50' to the inch. Where vertical profiles are required, the scale shall be between ten feet to the inch and two feet to the inch. Other scales or paper dimensions may be used where deemed appropriate by the Community Planning and Development and Public Works Departments.
- iv. Preliminary plats shall be accompanied by all information required by the Table of Required Information. See CMC 17.12.400.

C. Review Criteria

1. Council and Examiner Inquiry into Public Use and Interest. The council, hearing examiner and Planning Department shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. The council or hearing examiner shall determine if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainageways, streets, alleys, other public ways, water supplies, sanitary wastes, parks playgrounds, sites for schools and school grounds, fire protection and other public facilities, and shall consider all other relevant facts, including the physical characteristics of the site and determine whether the public interest will be served by the subdivision and dedication. If the council or hearing examiner find that the proposed plat makes appropriate provisions for the above, then it shall be approved. If the council or hearing examiner find that the proposed plat does not make such appropriate provisions or that the public use and interest will not be served, then the council or hearing examiner shall disapprove the proposed plat.
2. Dedication. Dedication of land or payment of fees to any public body may be required as a condition of subdivision approval. Evidence of such dedication and/or payment shall accompany final plat approval.
3. Release from Damages from Other Property Owners. The council or hearing examiner shall not, as a condition of plat approval, require an applicant to obtain a release from damages from other property owners.
4. Flood hazard areas. The council or hearing examiner shall consider the physical characteristics of a proposed subdivision site, and may disapprove a proposed plat because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat.
5. Health Department. As a condition of preliminary plat approval, the health department may require lot sizes larger than the minimum permitted by the zoning code in those instances where topography, soils, water table or other conditions make larger lot sizes necessary in order to prevent possible health hazards due to water contamination or sewage disposal system malfunction.
6. School District. When a preliminary plat wholly or partially contains a school site proposed in the comprehensive plan or other officially adopted plans, or when the school district finds a reasonably foreseeable need for such a site, the applicant may be required to dedicate a portion of the plat or reserve it for future purchase by the school district. The city shall require evidence of need from the school district as a prerequisite to requiring dedication or reservation. The council or hearing examiner may recommend a time limit on the effective period of any reservation.

7. Fire District. When the affected fire district finds a reasonably foreseeable need for a site wholly or partially contained within the preliminary plat, the applicant may be required to dedicate a portion of the plat or reserve it for future purchase by the fire district. The city shall require evidence of need from the fire district as a prerequisite to requiring dedication or reservation. The council or hearing examiner may recommend a time limit on the effective period of any reservation.
 8. Parks. When a preliminary plat contains a portion of a trail or open space network which is indicated in the park plan element of the comprehensive plan or other officially adopted plan, an area encompassing such trail or open space network may be required to be set aside for its intended purpose by the granting of a trail or open space easement to the city, dedication or reservation for future purchase by the public. The council or hearing examiner may determine a reasonable time or specify the event, limiting the effective period of the reservation.
 9. Shoreline Management. Whenever a preliminary plat is wholly or partially located within an area subject to the jurisdiction of the Shoreline Management Act of 1971, RCW Chapter 90.58, the applicant shall comply with the Shoreline Master Program for the Lewis Region, Title 14 of this code and RCW Chapter 90.58.
- D. Public hearing, notice, appeal as per CMC 17.09
Preliminary plat applications are considered a Type 3 and notices, approvals and appeals shall be processed in accordance with the provisions of this title, Chapter 17.15 and Chapter 17.09.

17.12.150 Terms and effect of preliminary approval

- A. Duration of approval
Approval of the preliminary plat shall be effective for five years from the date of approval by the hearing examiner or City Council, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval was given will not be changed, except as provided for in Section 17.09.
- B. Responsibility of applicant
Knowledge of the expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city shall not be held accountable for notification of expirations, although it may notify an applicant of date of expiration. All requests for an extension of time must be submitted to the Planning Department at least 30 days prior to expiration of the preliminary plat.
- C. Changes, alterations or deletions
Once the preliminary plat map has been approved, it shall not be altered unless approved by both the planning and public works departments. If the alteration is felt to be of a substantial nature by the planning and public works departments, then the plat shall be resubmitted in accordance with the procedures for preliminary plat approval.
- D. Preliminary plat withdrawal or lapse
Wherever a preliminary plat has been approved and the time period for final approval has not expired, and the applicant desires to withdraw the plat, the applicant shall submit the applicant's written request to the Planning Department. The Planning Department will review the request and advise the applicant in writing of the effect of the withdrawal of preliminary plat approval. Being advised that the applicant fully understands the effect of the preliminary plat approval withdrawal, the Planning Department shall approve the withdrawal request, making the appropriate changes in the records of the Planning Department.

If the applicant has failed to record the final plat within five years from the date of preliminary plat approval, the preliminary plat approval shall lapse.

17.12.175 Final Plat

A. Submission of app and copies

The subdivider shall submit two (2) dark paper prints to the department.

B. Format and content

A. Survey of Subdivision and Preparation of Plat. The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

B. Drafting Standards. All final plats shall be drawn in accordance with the following:

1. The final plat shall be clearly and legibly drawn in permanent black ink upon a stable base polyester film.
2. The scale of the plat shall be not less than 1" = 200'. Lettering shall be at least 3/32 of an inch high. The perimeter of the plat or subdivision being recorded shall be depicted with heavier lines wider than the remaining portion of the plat or subdivision.
3. The size of each sheet shall be 18" by 24".
4. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of three inches on the left, and one-half inch on each side of the other three sides.
5. If more than two sheets are used, an index of the entire subdivision showing the arrangement of all sheets shall be included. Each shall be appropriately numbered.
6. The plat title, date, scale and north arrow shall be shown on each appropriate sheet of the final plat.
7. All signatures placed on the final plat shall be original signatures written in permanent black India ink.

C. Street Monuments. The surveyor preparing the plat shall submit a street monumentation plat to the Public Works Department for approval prior to setting any permanent street monuments. The Public Works Department shall determine the number and location of permanent control monuments in streets within and leading into the plat, if any. All street monuments shall conform to the standard specifications of the American Public Works Association or as amended by city standard plans.

D. Content.

1. The following information is required on the final plat map:

- a. The date, scale, north arrow, legend, controlling topography and existing features such as highways and railroads;
- b. Legal description of the plat boundaries;
- c. Reference points and lines of existing surveys identified, related to the plat as follows:
 - i. Adjoining corners of adjoining subdivisions,
 - ii. City or county boundary lines when crossing or adjacent to the subdivision,
 - iii. Section and donation land claim lines within and adjacent to the plat,

- iv. Whenever the county or a city has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset,
- v. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title,
- vi. The basis of bearing shall be shown and shall be the Chehalis coordinate system;
- d. The exact location and width of streets and easements intersecting the boundary of the tract;
- e. Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest 0.01 foot;
- f. The width of the portion of streets being dedicated, the width of any existing rights-of-way and the width of each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to the centerline dimensions, the radius and central angle shall be indicated;
- g. Easements denoted by fine dashed lines or described by narrative, clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearings, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication;
- h. Lot numbers beginning with number "1" and numbered consecutively without omission or duplication throughout the plat. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Lot numbers in an addition to a subdivision of the same name shall be a continuation of the numbering of the original subdivision;
- i. Accurate outlines and designations of any areas to be dedicated or reserved for public use or to be committed for the common use of all property owners with the purpose of dedication, reservation and commitment to be clearly set forth on the plat document together with accurate references to appropriate recorded documents;
- j. All required dedications, endorsements, covenants, affidavits and certificates shall show on the face of the final plat;
- k. The final plat shall show the subdivision of the section or sections involved and show the township(s) and range(s); provided, that if the land being platted is not described by section subdivision, the final plat map shall show a vicinity map showing monuments and land corners sufficient to properly orient the new subdivision;
- l. Specific wording as may be required by the preliminary plat approval;
- m. A plat or subdivision contiguous to, or representing a portion of or all of the frontage of a body of water, river or stream shall indicate the location of monuments, which shall be located at such distance above high-water mark as to reasonably insure against damage and destruction by flooding or erosion;
- n. Lots containing one acre or more shall show net acreage to nearest hundredth, whenever possible;
- o. Designation of lots to be used for other than single-family residential purposes;
- p. If the plat constitutes a replat of all or portions of an existing subdivision, this shall be clearly indicated just below the subdivision name. All original plat lines shall be shown in half-tone around the perimeter of the new plat.
- q. A summary of the terms and conditions, including building permit restrictions, of any agreement and security to construct improvements in the future on the plat.

2. Acknowledgments and Certificates. Acknowledgments and certificates required by this title shall be in language substantially indicated in the following subsections:

a. Dedications. The intention of the owner shall be evidenced by the owner’s presentation for filing of a final plat clearly showing the dedication thereof and bearing the following certificate signed by all real parties of interest:

"Know all persons by these presents that _____, the undersigned owner, in fee simple of the land hereby platted, _____, and _____, the mortgagee thereof, hereby declare this plat and dedicate to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the plat and the use for public purposes. Also, the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, etc. shown on this plat in the reasonable original grading of all the streets, avenues, places, etc. shown hereon. Also the right to drain all streets over and across any lot or lots where water might take a natural course after the street or streets are graded. Also, all claims for damage against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said roads.

IN WITNESS WHEREOF we set our hands and seals this _____ day of _____, [year].

In the event that a waiver of right of direct access is included, then the certificate shall contain substantially the following additional language:

"Access to _____ street from lots numbered _____ is hereby waived, and dedication to the public shall in no way be construed to permit a right of direct access to _____ street from lots numbered _____, nor shall the City of Chehalis or any other local governmental agency within which the property is or may become located ever be required to grant a permit to build or construct an access of approach to said street from said lots."

b. Acknowledgment.

STATE OF WASHINGTON)

) ss.

COUNTY OF LEWIS)

This is to certify that on this _____ day of _____, [year], before me, the undersigned, a notary public, personally appeared to me known to be the person(s) who executed the foregoing dedication and acknowledged to me that _____ signed the same as _____ free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above-written.

(Seal)

NOTARY PUBLIC in and for the
State of Washington, residing at

c. Restrictions. The following restrictions shall show on the face of the final plat:

i. The following shall be required when the plat contains a private street: "The cost of construction and maintaining all streets not herein dedicated as public streets shall be the obligation of all of the owners and the obligation to maintain shall be concurrently the obligation of any corporation in which title of the streets may be held."

ii. "All landscaped areas in public rights-of-way shall be maintained by the owner and the owner's successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to City road purposes."

iii. The following shall be required when the plat contains commonly owned tracts: "Community tracts shall be owned and maintained in common for the benefit of all lot owners. All lots have an undivided interest in the ownership and maintenance of community areas. The ownership interest in each community tract shall be stated in the deed to each lot"

iv. The following shall be required when the installation of required improvements has not been completed prior to recording: "Pursuant to City Ordinance, the City of Chehalis may deny the issuance of building or occupancy permits for any structure within this plat until street, sidewalk, or other required plat improvements have been installed."

v. Any additional conditions as approved by the hearing examiner.

d. Certificate From Land Surveyor. The completed plat must show a certificate from the land surveyor who platted the property, in substantially the following form:

"I hereby certify that the Plat of _____ is based upon an actual survey and subdivision of a portion of Section _____, Township _____, Range _____, W.M.; that the distances and courses shown thereon are correct; that the monuments have been set and lot and block corners staked on the ground."

e. Certificates of City Officers. The plat shall also show the following certificates:

i. Certificate--City Engineer.

"Examined and approved this _____ day of _____ [year].

Chehalis City Engineer"

ii. Certificate--Assessor.

"Examined and approved this _____ day of _____ [year].

Lewis County Assessor"

iii. Certificate-Treasurer.

"I hereby certify that all taxes on the land described hereon have been fully paid to and including the year _____.

Lewis County Treasurer"

iv. Certificate--Planning and Building Manager.

"Examined and approved this _____ day of _____ [year].

Planning and Building Manager"

v. Certificate--County Auditor.

"Filed for record at the request of _____ this _____ day of _____, [year], at _____ minutes past _____ .m., and recorded in Volume _____ of Plats, on page _____, records of Lewis County, Washington.

Lewis County Auditor

Deputy Auditor"

C. Review of final plats in UGA

As per the Interlocal agreement with Lewis County, all final plats must be approved by the Lewis County Commissioners prior to recording.

D. Review criteria

1. The Public Works Department shall examine the map as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations, and such other matters as require checking to insure compliance with the provisions of state laws pertaining to subdivisions, with this title and with the conditions of approval. Traverse sheets (computation of coordinates) and work sheets showing the closure of the exterior boundaries and of each irregular lot and block and the calculation of each lot size shall be furnished. If the final plat is found to be in correct form and the matters shown thereof are sufficient, the Public Works Department shall certify the mylar of the plat to the Planning Department.
2. In addition to a statement of approval from the Public Works Department, the following approvals must be submitted in writing to the Planning Department prior to its certification of the final plat:
 - i. Fire department's approval;

- ii. Water purveyor's approval;
- iii. Sewer purveyor's approval;
- iv. County treasurer's approval;
- v. County assessor's approval;
- vi. Other approvals as may be required in the conditions of preliminary plat approval.

E. Final approval

After finding that the final plat has been completed in accordance with the provisions of this title, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the Director or the Director's designee shall sign the final plat accepting such dedications and easements as may be included thereon, and the final plat shall be returned to the applicant for filing for record with the county auditor.

F. Filing for record

The original of said final plat shall be filed for record with the county auditor. One paper copy shall be filed with the auditor. The planning department shall retain a paper copy of the recorded plat. All required paper copies shall bear the auditor's recording date. All recording fees are the responsibility of the developer.

Approval of the final plat shall be null and void if the plat is not recorded within 30 days after the date the last required signature has been obtained.

17.12.190 Replatting

A. Generally

A replat of a recorded plat shall proceed as specified by this title for the approval of a preliminary plat except as modified by this chapter.

B. Multiple ownership

Where the lots within a recorded plat are held in more than one ownership, the application for replat shall not be accepted by the city for processing unless accompanied by the signatures of all property owners within the plat whose lot boundaries would be altered or affected by the replat. A title report or plat certificate, showing the names of all persons with a real or possessory interest in the plat whose lot boundaries would be affected by the replat and any restrictions encumbering the land, shall be submitted with the application for replat.

C. Alteration of installed improvements

Whenever a replat will involve the relocation, removal or reconstruction of existing plat improvements or open space, the whole of the land embraced in the plat(s) proposed to be replatted shall constitute an assessment district for the purposes of financing said relocation, removal or reconstruction. Assessment rates and requirements shall be established by the council at the time of replat approval.

D. Recording

Any replat shall be filed and recorded with the county auditor and shall thereafter be the lawful plat and substitute for all former plats; provided, that, should a plat be vacated and not otherwise altered or replatted, it shall only be necessary to file with the county auditor the order, resolution or ordinance vacating the same, and the auditor shall thereupon note upon the original plat the part thereof so vacated.

E. Power of council not affected

Nothing in this chapter shall in any way change, limit or affect the power now vested in the council to vacate streets and parts of streets.

17.12.200 Short plats

A. Applicability and general admin and CMC for short plat

Every division of land into nine or fewer lots, any one of which is less than 1/128 of a section or five acres for the purpose of sale, lease or transfer of ownership shall proceed in compliance with this chapter and Chapters [17.04 through 17.12](#) and [17.40 through 17.52](#) of this title.

B. Redivisions

1. Within a Short Subdivision. Land within a short subdivision, the short plat of which has been approved within five years immediately preceding, may not be further divided in any manner, until a final plat thereof has been approved and filed for record pursuant to city regulations concerning the subdivision of property into ten or more lots, tracts or parcels.

Where there have been no sales of any lots in a short subdivision, nothing contained in this section shall prohibit a subdivider from completely withdrawing the subdivider's entire short plat and thereafter presenting a new application.

2. Within a Recorded Plat. Unless otherwise restricted by resolution or city ordinance, lots recorded pursuant to [Chapter 17.24](#) may be further divided pursuant to the requirements of this Chapter; except that, any such further division of a lot within a recorded plat approved subsequent to August 11, 1969, shall be subject to all requirements of [Chapter 17.24](#).

C. Format and content of preliminary application map

Application. The application shall be on a form provided by the Department and shall contain all information required by the Table of Required Information. See CMC 17.12.400.

D. Review criteria

The Planning Department shall consider and review the proposed short subdivision with regard to:

1. Its conformance to the requirements of the city's zoning code, general purposes of the comprehensive plan, and planning standards and specifications as adopted by the laws of the state and the city;
2. Whether appropriate provisions are made in the short subdivision for drainage ways, streets, alleys, other public ways, water supplies and sanitary wastes;
3. The physical characteristics of the short subdivision site and may disapprove because of flood, inundation or swamp conditions. It may require construction of protective improvements as a condition of approval;
4. All other relevant facts to determine whether the public use and interest will be served by the short subdivision.

E. Approval Procedure

1. The Community Planning and Development Department may:
 - i. Approve the preliminary short subdivision with or without conditions;
 - ii. Return the preliminary short plat to the applicant for correction or for applicant's construction of improvements in a manner consistent with the department findings;
 - iii. Disapprove the short subdivision and the short plat thereof;
 - iv. Submit the preliminary short subdivision application to the hearing examiner for the examiner's consideration together with the Planning Department's recommendation. The examiner shall hear the application in accordance with the procedures of Chapter [18.75](#) of this code, and with such notice as is required for hearings on preliminary plat applications.
2. Hearing Examiner Review, If Aggrieved. Any person aggrieved by the decision of the Planning Department may appeal that decision to the hearing examiner. Such appeal must be made in writing, within fourteen (14) calendar days from the date the Planning Department's written decision was made. Such appeals shall be filed with the Planning Department in writing and shall contain a brief description of why error is assigned to the department's determination and shall be accompanied by a filing fee. The appeal shall be heard pursuant to Ordinance No. 4148, codified as Chapter [18.75](#) of this code, and notice shall be required as is provided for hearings on preliminary plat applications.
3. Conditional Approvals. When the preliminary short subdivision approval is contingent upon meeting of conditions, construction of improvements or corrections, or time is necessary for obtaining of required certifications, then the approval action shall be conditional approval which shall, at the option of the approving body, be conditioned upon fulfillment within one year from the date of the action. When the approval is conditioned upon fulfillment within one year, then upon application within the time period and upon good cause shown, the approving body may grant one additional one-year time period.

F. Final approval and recording

1. Final approval of the short plat shall not be given until:
 - i. A final short plat map has been filed with the Planning Department;
 - ii. There is compliance with the requirements of the county health department and department of public works as evidenced by the signatures of said departments on the plat map;
 - iii. The county treasurer has certified, on the plat map, that all taxes on the land have been fully paid and discharged;
 - iv. The Planning Department has examined the short subdivision, found compliance with all conditions of approval and certified the plat map;
 - v. The construction of all required improvements has been completed or secured in accordance with Chapter [17.44](#) of this title.
2. The action approving a short plat shall become effective if, within five working days, the applicant shall have filed for record with the county auditor the final short plat thereof. The final short plat, upon recording, shall be processed in accordance with procedures established regarding plats.

G. Format and content of final application and map

1. The subdivider shall submit twelve (12) dark line prints and one stable base polyester film or other approved material (hereafter referred to as Mylar) to the Department.

2. The survey of the proposed short subdivision and preparation of the final map shall be made by or under the supervision of a registered land surveyor who shall certify on the map that it is a true and correct representation of the lands actually surveyed.
3. The map shall be prepared on a sheet of reproducible material having dimensions of 18" by 24" and at a horizontal scale between 200' to the inch and 50' to the inch. The following shall be shown on the final short plat map:
 - i. Title block, preferably located in the lower right-hand corner, to contain:
 - a. Section, township and range,
 - b. Date of preparation, datum, scale and north arrow,
 - c. Legal descriptions of the original tract,
 - d. Basis of bearing, which shall be the Chehalis coordinate system;
 - ii. Vicinity sketch clearly identifying the location of the property;
 - iii. Plat representation, to contain:
 - a. The boundary lines of the property to be divided;
 - b. The development status of contiguous land, including the name of any adjacent plats and rights-of-way,
 - c. The layout, dimensions and number of each lot in the short subdivision with bearings or deflection angles, radii, arcs, points of curvature and tangent bearings,
 - d. The names, locations and widths of all existing streets, rights-of-way, easements, other public ways, watercourses and major transmission facilities rights-of-way within and adjacent to the proposed development,
 - e. The locations and dimensions of all parcels of land intended to be dedicated or reserved for public use, or to be reserved in the deeds for the common use of the property owners if the subdivision with the purpose, conditions or limitations of such dedications or reservations clearly indicated,
 - f. The locations of all existing structures within the short subdivision,
 - g. Existing monuments or other such identifying markers,
 - h. Lot numbers beginning with the number "1" and numbered consecutively without omission or duplication throughout the short plat. The numbers shall be solid, of sufficient size and thickness to stand out, and so placed as not to obliterate any figure;
 - iv. Acknowledgments and certificates, preferably located along the bottom of the map, as follows:
 - a. Restrictions. The following restrictions shall show on the face of the short plat map:
 - A. The following shall be required when the short plat contains a private street: "The cost of construction and maintaining all streets not herein dedicated as public streets shall be the obligation of all of the owners, and the obligation to maintain shall be concurrently the obligation of any corporation in which title of the streets may be held."
 - B. "All landscaped areas in public rights-of-way shall be maintained by the owner and the owner's successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to City street purposes."
 - C. The following shall be required when the short plat contains commonly owned tracts: "Community tracts shall be owned and maintained in common for the benefit of all lot owners. All lots have an undivided interest in the ownership and

maintenance of community areas. The ownership interest in each community tract shall be stated in the deed to each lot."

D. The following shall be required when the installation of required improvements has not been completed prior to recording: "Pursuant to City Ordinance, the City of Chehalis may deny the issuance of building or occupancy permits for any structure within this short plat until street, sidewalk, or other required plat improvements have been installed."

E. Any additional conditions as approved by the Department.

4. Certificate From Land Surveyor. The completed short plat shall show a certificate from the land surveyor who platted the property, in substantially the following form: "I hereby certify that this short plat map is based upon an actual survey and subdivision of a portion of Section _____, Township _____, Range _____, W.M.; that the distances and courses shown thereon are correct; that the monuments have been set and lot and block corners staked on the ground."
5. Certificates of City Officers. The short plat shall also show the following certificates:

i. Certificate--City Engineer.

"Examined and approved this _____ day of _____ [year].

Chehalis City Engineer"

iii. Certificate--Assessor.

"Examined and approved this _____ day of _____ [year].

Lewis County Assessor"

iv. Certificate--Treasurer.

"I hereby certify that all taxes on the land described hereon have been fully paid to and including the year _____.

Lewis County Treasurer"

v. Certificate--Planning and Building Manager.

"Examined and approved this _____ day of _____ [year].

Planning and Building Manager"

vi. Certificate--County Auditor.

"Filed for record at the request of _____ this ____ day of _____, [year], at ____ minutes past ____ o'clock ____ m. and recorded in Volume ____ of Plats, on page ____, records of Lewis County, Washington.

Lewis County Auditor"

Deputy Auditor"

6. Certificate of Owner(s).

The short plat map shall show a certificate from the persons having any interest in the short subdivision in substantially the following form: "I, _____, owner in fee simple, acknowledge that the creation of this short subdivision is of my free will and consent."

D. Supporting Documents. The following documentation shall accompany each application for final approval of a short plat: A current title report or plat certificate confirming that the title of the lands as described and shown in the plat is in the name of the owners signing the declaration of short subdivision and showing restrictions encumbering the land.

E. Street Monuments. The surveyor preparing the plat shall submit a street monumentation plan to the Public Works Department for approval prior to setting any permanent street monuments. The Public Works Department shall determine the number and location of permanent control monument in streets within and leading into the short plat, if any. All street monuments shall conform to the standard specifications of the American Public Works Association or as amended by city standard plans.

17.12.300 Binding Site Plans

A. Applicability and general admin and CMC for binding site plan

Property that is intended for mobile home park use or is zoned for commercial or industrial use may be divided through a binding site plan process pursuant to RCW [58.17.035](#). A binding site plan is an alternative to a subdivision procedure and may be processed in conjunction with a development proposal. All applications for binding site plans shall be subject to the provisions of this Chapter and Chapter 17.09.

B. Conform with zoning

The aggregate of lots within a binding site plan are considered to be one site which is subject to all use and dimensional standards of the zone in which it is located. Individual lots must be consistent with use requirements of the zone but are not required to conform with dimensional requirements such as building setbacks from property lines. Proposed structure locations must be consistent with all applicable building and fire codes.

A binding site plan application shall be considered under zoning and other land use controls in effect at the time that a complete binding site plan application is filed. Any vacant or redeveloped lot within an approved binding site plan shall comply with the standards in place at the time the development application is made.

C. Format of submittal

Format. Preliminary binding site plans shall:

- i. indicate in large print the title "Binding Site Plan" and the name of the proposed development.
- ii. be drawn on paper having dimensions of 18" by 24" at a horizontal scale between 1" = 20' and 1" = 100' that is represented graphically;

- iii. include a north arrow and indicate a plan preparation date;
- iv. contain a legal description;
- v. bear the seal of a registered land surveyor or registered professional engineer licensed to practice in the state.

D. Contents of preliminary application

A preliminary binding site plan application shall consist of a form accompanied by a fee, two (12) dark line prints of the plan, and such other documents as may be required by Olympia's adopted permit application content lists. All plans other than the dark line prints shall be submitted electronically to the city. The plan shall be consistent with CMC 17.12.400, 17.09, and contain the following information:

- i. location and dimensions of existing and proposed site ingress and egress;
- ii. layout and dimensions of internal vehicular and pedestrian circulation system;
- iii. location, area and dimensions of proposed lots;
- iv. layout and dimensions of emergency access to each lot;
- v. proposed land uses for each lot;
- vi. impervious and pervious coverage for each lot and the site;
- vii. location and dimensions of existing and proposed buildings or proposed building envelopes and the distances from property lines;
- viii. location and dimensions of existing (to remain) and proposed landscape areas;
- ix. location and dimensions of existing and proposed stormwater drainage and retention areas;
- x. location and dimensions of existing (to remain) and proposed parking areas;
- xi. location of existing and proposed utilities,
- xii. an environmental checklist, if subject to SEPA; and
- xiii. supporting documentation or technical reports.

E. Review criteria

Review Criteria. A binding site plan application may be approved if the following review criteria have been satisfied.

1. The binding site plan conforms with requirements of all city and state ordinances, codes, standards and policies including those found in: the zoning ordinance, the building code, the fire code, public works standards, the state environmental policy act, and the comprehensive plan.
2. Appropriate provisions have been made for streets, utilities, drainage ways, water supplies and sanitary wastes.
3. The physical characteristics of the site are not subject to flooding, inundation or swamp conditions.
4. The public use and interest will be served by the plan.

F. Approval procedures

Approval of all binding site plans shall be in conformance with CMC 17.09.195 and this chapter. The binding site plan may be approved, approved with conditions, or denied by the hearing examiner.

When the preliminary binding site plan is approved with conditions, all conditions shall be completed, and a final plan filed within two years from the date of the conditional approval. Any extensions must be approved by the hearing examiner during a public hearing.

G. Contests of final application and recording

Final approval of the binding site plan shall not be given until:

- i. a final binding site plan map has been filed with the Department;
- ii. there is compliance with the requirements of the county health department and city engineer as evidenced by their signatures on the face of the binding site plan;
- iii. the county treasurer has certified on the binding site plan that all taxes on the land have been fully paid and discharged;
- iv. the Department has certified that the binding site plan complies with all requirements of this Chapter and conditions of approval; and
- v. the construction of all required improvements have been completed or secured in accordance with this Chapter.

H. Redivision

Unless otherwise restricted by resolution or city ordinance, recorded binding site plans may be further divided pursuant to the requirements of this Chapter.

17.12.400 Table of required information

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
1. Scale. All pertinent information shall be shown normally at a scale of 1 inch to 100 feet; however, the scale may be increased or decreased to fit standard size sheets of 18 inches by 24 inches. In all cases, the scale shall be a standard drafting scale, being 10, 20, 30, 40, 50, or 60 feet to the inch or multiples of 10 for any one of these scales.	X	X	X	X	X	X
2. Appropriate identification of the drawing as a short plat, large lot, subdivision, preliminary, final, boundary line adjustment, binding site plan and the name of the development. The name shall not duplicate or resemble the name of any other subdivision in the county unless the subject subdivision is contiguous to an existing subdivision under the same subdivision of the same last name filed.	X	X	X	X	X	X
3. Plat certificate verifying ownership and encumbrances.		X		X	X	X
4. The names and addresses of the owner(s) and surveyor or engineer.	X	X	X	X	X	X
5. The date, north point and scale of the drawing.	X	X	X	X	X	X
6. A full legal description and location of the entire development property.	X	X	X	X	X	X
7. The locations, widths, lengths and names of both improved and unimproved streets and alleys	X	X	X	X	X	X

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Plan	Site
	Preliminary	Final	Preliminary	Final			
within or adjacent to the proposed development together with all existing easements and other important features such as section lines, section corners, city and urban growth area boundary lines, and monuments.							
8. The address of each lot including number, street name, city, state and zip code.		X		X	X	X	
9. The name and location of adjacent subdivisions and the location and layout of existing streets which are adjacent to or across contiguous right-of-way from the proposed development.	X		X				
10. The location and approximate dimensions of lots, proposed lot and block numbers.	X	X	X	X	X	X	
11. The location, approximate acreage and dimension of areas proposed for public use.	X	X	X	X	X	X	
12. The location, approximate acreage and dimension of areas proposed for open space, park, recreation, and/or common ownership.	X	X	X	X	X	X	
13. The property's current zoning.	X	X	X	X	X	X	
14. Existing contour lines at sufficient intervals for slopes of 15% or more. Show existing evaluations related to some established benchmark or datum approved by the city engineer. (1929 NGVD)	X		X		X	X	
15. The locations and sizes of existing public and private	X		X		X	X	

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Plan	Site
	Preliminary	Final	Preliminary	Final			
sanitary sewers, water mains, and public storm drains, culverts, fire hydrants and electrical lines within and adjacent to the proposed development.							
16. The approximate curve radii of any existing public street or road within the proposed development.	X		X			X	
17. Existing uses of property and locations of all existing buildings and designating which existing buildings are to remain after completion of the proposed development.	X	X	X		X	X	
18. The location of areas subject to inundation, stormwater overflow, and/or within a designated 100-year floodplain, all areas covered by water, and the location, width and direction of flow of all water courses.	X	X	X	X	X	X	
19. Locations of existing natural features such as wetlands which would affect the design of the development.	X	X	X	X	X	X	
20. A vicinity map showing the location of the proposed development in relation to the rest of the city.	X		X		X	X	
21. The approximate locations, widths, lengths, names and curve radii for all proposed streets.	X		X		X	X	
22. The locations and dimensions of proposed lots and the proposed lot and block numbers. Numbers shall be used to designate each such block and lot. Where a plat is an addition to	X	X	X	X	X	X	

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Plan	Site
	Preliminary	Final	Preliminary	Final			
a plat previously recorded, numbers of blocks and lots or parcels shall be in consecutive continuation from a previous plat.							
23. A preliminary public facilities plan for the location and construction of proposed water service facilities to serve the development.	X		X			X	
24. A preliminary public facilities plan and profile for the location and construction of proposed sanitary sewer facilities to serve the development.	X		X			X	
25. A preliminary plan for storm drainage, erosion and sedimentation control.	X		X			X	
26. Locations, widths, and lengths of streets and roads to be held for private use and all reservations or restrictions relating to such private roads.	X	X	X	X	X	X	
27. Designation of any land the council may require held for public reserve and configuration of projected lots, blocks, streets and utility easements should the reserved land not be acquired.	X	X	X	X		X	
28. All areas and the proposed uses thereof to be dedicated by the owner.	X	X	X	X	X	X	
29. The following survey data:							
(a) Track, block and lot boundary lines with dimensions;	X	X	X	X	X	X	
(b) Street rights-of-way widths with centerline;		X	X	X	X		

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Plan	Site
	Preliminary	Final	Preliminary	Final			
(c) Radius, length, central angle of all tangent curves; radius, length, centered angle, long chord distance and bearing of all nontangent curves;		X	X	X	X	X	
(d) Ties to boundary lines and section or 1/4 section corners immediately surrounding the development;		X		X	X	X	
(e) The location and type of all permanent monuments within the development including initial point, boundary monuments and lot corners.		X		X	X	X	
30. Reference points of existing surveys identified, related to the plat by distance and bearings, and referenced to a field block or map as follows:		X		X	X	X	
(a) Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the development;		X		X	X	X	
(b) Adjoining corners of adjoining subdivisions;		X		X	X	X	
(c) Monuments to be established marking all street intersections and the centerlines of all streets at every point of curvature and the point of tangent;		X		X	X	X	
(d) Other monuments as found or established in making of the survey required to be installed by the provisions of this chapter and state law.		X		X	X	X	
31. The lot area in square feet identified on each lot on the plat.	X		X		X	X	

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Plan	Site
	Preliminary	Final	Preliminary	Final			
32. Designation of proposed portions of subdivisions to be developed in phases, if any, indicated proposed sequence of platting.	X		X				
33. All flood control features and references to easements or deeds for drainage land.		X		X	X	X	
34. Deed restrictions or covenants, if any, in outline form.	X		X				
35. Existing and proposed easements clearly identified and denoted by dashed lines and, if already of record, their recorded reference. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the development shall be shown.	X	X	X	X	X	X	
36. Identification of any land or improvements to be dedicated or donated for any public purpose or private use in common.	X	X	X	X	X	X	
37. The following certificates:							
(a) A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the project;		X		X	X	X	
(b) A certificate signed and acknowledged as above, dedicating to the public all land intended for public use;		X		X	X	X	
(c) A certificate for execution by the city mayor;				X		X	

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Plan	Site
	Preliminary	Final	Preliminary	Final			
(d) A certificate for execution by the city engineer;		X		X	X	X	
(e) A certificate for execution by the planning commission representatives;		X		X	X	X	
(f) A certificate for execution by the director of community development;		X		X	X	X	
(g) A certificate for execution by the county auditor;		X		X	X	X	
(h) A certificate for execution by the county treasurer;		X		X	X	X	
(i) A surveyor's certificate certifying that he is registered as a professional land surveyor in the state of Washington and certifies that the plat is based on an actual survey of the land as described and that all monuments have been set and lot corners staked on the ground as shown on the plat.		X		X	X	X	
38. A statement of approval signed by the director of the State Department of Ecology, or its successor, for any portion of development which lies within a flood control zone.				X		X	
39. An executed surety (developer agreement and bond) when required.		X		X	X	X	
40. Appropriate architectural and site development plans which show the proposed building location, specific landscaping; prominent existing trees, ground treatment, sign-obscuring fences and hedges, off-street parking,						X	

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
vehicular and pedestrian circulation; and major exterior elevations of building(s).						
41. Such additional information pertaining to the land division or development site and the immediate vicinity as may be required by the administrative official for review of the proposal.	X	X	X	X	X	X

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