

SUBDIVISION AND SHORT PLAT ORDINANCE

Ordinance #122082

Klickitat County Planning Department
228 W. Main St.; MS: CH-17
Goldendale, WA 98620

509 773-5703
509 773-6206 FAX

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1.00 PURPOSE

WHEREAS, protection of the public health, safety and general welfare requires that the division of land proceed in accordance with standards to prevent the overcrowding of land; to lessen congestion in streets and highways; to promote effective use of land and orderly growth; to promote safe and convenient travel by public on streets and highways; to provide for adequate light and air; to facilitate adequate provisions for water, sewage, parks and recreation areas; sites for schools and schoolgrounds and other public requirements; to provide for proper ingress and egress; to provide for the expeditious review and approval of proposed subdivisions which conform to zoning standards and local plans and policies; to adequately provide for the housing and commercial needs of the citizens of the state; and to require uniform monumenting of land subdivisions and conveyancing by accurate legal description and,

WHEREAS, this Board deems the controls, standards, procedures, and penalties set forth in this ordinance to be essential to the protection of the public health, safety, and general welfare of the citizens of Klickitat County; and the adoption thereof to be in the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF KLICKITAT COUNTY, WASHINGTON:

2.00 APPLICABILITY

Every division of land within the unincorporated area of Klickitat County shall proceed in compliance with this Ordinance.

3.00 EXEMPTIONS

The provisions of this Ordinance shall not apply to:

- 3.01 Any cemetery or burial plot, while used for that purpose.
- 3.02 Any division of land not containing a dedication in which the smallest lot created by the division is 80 acres or one/eighth (1/8) of a section if capable of being described as an aliquot part of a section or more; provided, that for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line.
- 3.03 Any division of land made by testamentary provisions, the laws of decent.
- 3.04 Divisions of land relating to the acquisition or exchange of land by public agencies and public service providers, for purposes including but not limited to road construction purposes.
- 3.05 A division of land pursuant to Klickitat County Code Title 22.

4.00 DEFINITIONS

Whenever the following words and phrases appear in this Ordinance they shall be given the meaning attributed to them by this Section. When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory, and the word "may" indicates a use of discretion in making a decision.

- 4.01 "ADMINISTRATOR" is the Planning Director of Klickitat County.
- 4.02 "ADT" is the Average Daily Traffic.
- 4.03 "ALLEY" is a strip of land providing vehicular and pedestrian access to the rear of properties which abut and are served by public or private roads.
- 4.04 "BINDING SITE PLAN" means a drawing to scale as specified in Section 10 of this Ordinance.
- 4.05 "BLOCK" is a group of lots, tracts or parcels within well defined and fixed boundaries.
- 4.06 "BOARD" or "BOARD OF COUNTY COMMISSIONERS"; the legislative authority of Klickitat County.
- 4.07 "BOUNDARY LINE ADJUSTMENT" a division of land which is made for the purpose of adjusting boundary lines which do not create any additional lots, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.
- 4.08 "BUILDING SITE" is a parcel of land occupied or intended to be occupied by one main building and its accessory buildings; together with all of the required yards, open space, and setbacks.
- 4.09 "COLLECTOR ROAD" is a road which is used primarily for through traffic or will be used by through traffic in the normal growth of the community it will serve. Existing collectors are shown on the officially adopted collector map on file in the county engineer's office.
- 4.10 "COMPREHENSIVE PLAN" is the current effective comprehensive plan of Klickitat County.
- 4.11 "CONTIGUOUS LAND" is land adjoining and touching other land and having the same owner regardless of whether or not portions of the parcels have separate tax numbers, or were purchased at different times, lie in different directions, are different government lots or are separated by private road or private rights-of-way.
- 4.12 "DEDICATION" is the deliberate appropriation of land to Klickitat County by an owner for a general and public use, reserving to himself 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 of the presentment for filing of a final plat or short plat showing the dedication thereon: and, the acceptance by the public shall be

- evidenced by approval of such plat for filing by the Board of County Commissioners for Klickitat County. Any dedication to the public as shown on the face of an approved plat shall be accompanied by a deed conveying property so dedicated.
- 4.13 "DIVISION OF LAND" for this Ordinance is any conveyance, not otherwise exempt or provided for, which alters or affects the shape, size, or legal description of any part of an owners original tract.
- 4.14 "EASEMENT" is a grant by a property owner to specific persons to use land for a specific purpose or purposes and on or over which the owner will not erect any permanent improvements which serve to interfere with that right.
- 4.15 "FINAL PLAT" is the final drawing of the division of land and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in RCW 58.17 and in this Ordinance adopted pursuant thereto.
- 4.16 "LOT" is a lot, parcel or tract of land in which the boundary is defined in a single conveyance recorded in the County Auditor's Office, or defined in an approved long plat or short plat, or defined and/or described in a survey recorded prior to the effective date of this amended ordinance, and provided that the lot, parcel or tract meets zoning requirements for size and width, and has legal access by a road constructed with approval of the County Engineer.
If two or more contiguous lots under single ownership do not meet minimum zoning requirements for lot size and width and/or do not have a road constructed with approval of the County Engineer, said lots shall be considered undivided parcels for the purpose of this title; no transfers of lot ownership shall result in a lot or lots with less than minimum lot size/width and/or without legal access by a road approved by the County Engineer.
Property bisected by a public road or river shall not be deemed contiguous.
- 4.17 "PLANNING COMMISSION" or "COMMISSIONER" is the Klickitat County Planning Commission as defined in Chapter 36.70 RCW.
- 4.18 "PLAT" is a general term encompassing the map or representation of a subdivision, short subdivision, boundary line adjustment, etc., and shall include assessor's plats.
- 4.19 "PRELIMINARY PLAT" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets, alleys, lots, blocks and other elements of a subdivision consistent with the requirements of RCW 58.17, as amended, and this Ordinance. The preliminary plat shall be the basis for approval or disapproval of the general layout of a subdivision or short subdivision.
- 4.20 "RIVER" for purposes of this Ordinance shall be the Columbia River, the White Salmon River, the Klickitat River and the Little Klickitat River from the line between Section 17 and Section 20, Township 5 North, Range 17 East, W.M., to its confluence with the Klickitat River.
- 4.21 "SHORT PLAT" is a map or representation of a short subdivision.

- 4.22 "SHORT SUBDIVISION" is a division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.
- 4.23 "SUBDIVIDER" is a person, including corporate representative, who undertakes to create a subdivision or short subdivision.
- 4.24 "SUBDIVISION" is the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.
- 4.25 "UTILITIES EASEMENTS" are the rights-of-way which may be used by 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.
- 4.26 "LARGE LOT" is a lot within a subdivision or short subdivision that is 20 acres (or aliquot one/thirty-second of a section) but less than 80 acres (or an aliquot one/eighth of a section) which shall be subject only to provisions of Section 13.

5.00 ADMINISTRATION

5.10 DESIGNATION OF THE PLANNING DIRECTOR

The county planning director, hereafter referred to as the administrator, is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the county, and may prepare and require the use of such forms as are essential to their administration.

5.20 LIABILITY

The planning director, or any employee charged with the enforcement of this Ordinance, acting in good faith and without malice for the county in the discharge of his duties, shall not thereby render himself liable personally and the planning director is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties. Any suit brought against the planning director, or employee because of such act or omission performed by him in the enforcement of any provisions of the Ordinance, shall be defended by the legal department of the county until final termination of the proceedings.

5.30 COOPERATION OF OTHER OFFICIALS

The planning director may request, and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other officials of the county.

5.40 GENERAL LAND DIVISION PROCEDURE AND APPLICANTS RESPONSIBILITIES

The following general descriptions of the subdivision and short subdivision processes are intended to aid users of this Ordinance and those persons desiring to divide lands in Klickitat County in understanding the basic procedures, sequence of events, and responsibilities of the applicant in obtaining final approval of such land divisions.

5.41 SUBDIVISION

- (1) Initial Contact: the applicant contacts the county planning department to set a date for a presubmission conference.
- (2) Presubmission Conference: a presubmission conference is held with the applicant, county planning director, county engineer, county health officer, and the responsible fire protection agency.
- (3) Preliminary Plat Application: a preliminary plat map prepared by a registered land surveyor, an application form, and an environmental checklist are completed.
- (4) Submission of Application: the application form, accompanying materials and an application fee are submitted to the planning department.
- (5) Environmental Review: upon acceptance of a complete application, the planning department forwards same to the SEPA responsible official for environmental review and disposition.
- (6) Agency Review: upon compliance with state and county environmental review requirements, the planning department schedules the application for a public hearing before the planning commission and distributes copies of the application and appropriate accompanying materials to the county engineer, county health officer, responsible fire protection agency and other appropriate agencies for review and comment.
- (7) Planning Department Staff Report: prior to the public hearing, the planning department prepares a staff report incorporating comments received from the various interested agencies and individuals, and makes a recommendation to the planning commission regarding approval or disapproval of the application.
- (8) Public Hearing: the planning commission holds a public hearing on the application in which all interested parties may testify either for or against. The planning commission makes a recommendation of approval or disapproval of the application to the Board of County Commissioners.
- (9) Board of County Commissioners Action: at its next public meeting the Board of County Commissioners sets a date to review the planning commission's recommendation. After review the Board may concur with, modify, or reverse the recommendation of the planning commission. If the Board of County Commissioners desire to modify or reverse the planning commission's recommendation, it must first hold a public hearing before making a final decision.
- (10) Development of the Subdivision: following preliminary approval of the application by the Board of County Commissioners, the applicant may commence with development of the subdivision in conformance with the

- approved preliminary plat.
- (11) Submission of Final Plat: upon development of the subdivision, the applicant submits a final plat prepared by a Washington registered land surveyor for approval by the county. The applicant submits the final plat and final plat plan check fee, payable to the Klickitat County Road Department.
 - (12) Final Approval: signatures of approval are made on the final plat by the county treasurer, county health officer, county engineer, county planning director, and the Board of County Commissioners.
 - (13) Filing: upon obtaining signatures of final approval by the Board, the final plat is ready for recording with the county auditor. The subdivision becomes a legal division of land at the time of recording.

5.42 SHORT SUBDIVISIONS

- (1) Initial Contact: the applicant contacts the planning department to obtain the necessary application forms.
- (2) Preliminary Short Subdivision Applicant: an environmental checklist (if required), application form, and preliminary plat are completed.
- (3) Submission of Application: the application form, accompanying materials, and application fee are submitted to the planning department. Signatures of all interest holders in the land are required on the application.
- (4) Environmental Review: if an environmental checklist is required as part of the application, the planning department forwards the completed application and checklist to the SEPA responsible official for environmental review and disposition.
- (5) Agency Review: upon compliance with state and county environmental review requirements, the planning department distributes copies of the application and appropriate accompanying materials to the county engineer, county health officer, responsible fire protection agency, and other appropriate agencies for review and comment.
- (6) Preliminary Approval: the county planning director reviews the comments received from the various agencies and makes a decision to approve the application with or without conditions, disapprove the application, or return the application to the applicant for corrections.
- (7) Development of the Short Subdivision: following preliminary approval of the application by the county planning director, the applicant may commence with development of the short subdivision in conformance with the approved preliminary short subdivision.
- (8) Submission of Final Short Plat: within one (1) year of the preliminary application approval, the applicant submits a final short subdivision prepared by a registered land surveyor, and accompanying materials to the planning department.
- (9) Final Approval: signatures of approval are made on the final short plat by the county planning director, county health officer, county engineer, and county treasurer.
- (10) Upon final approval by the county, the final short plat is ready for recording with the county auditor. The short subdivision becomes a

legal division of at the time of recording.

5.43 LARGE LOTS

Short subdivisions (short plats) may include large lots; in such instances the design standards of Section 13 shall apply to the large lots; all other lots in such divisions shall be subject to the design standards of Section 7.30.

5.50 Appeals

Any person aggrieved by the decision of the county health officer, county engineer, responsible fire protection agency and/or administrator may request a review of that decision by the Klickitat County Board of Commissioners. Such request shall be made in writing within twenty (20) days from the date of the decision. Such appeals shall be heard under the same procedures established for hearings on preliminary plats set forth in Section 7.50 of this Ordinance, and the decisions of the county health officer, county engineer, responsible fire protection agency and/or the administrator shall be treated and processed in the same manner as the recommendations of the planning commission on a preliminary plat. A filing fee in an amount established by the Board by the ordinance shall be paid by the appellant for each appealed decision reviewed by the Board. The Board following a public hearing thereon may affirm, reverse, or modify the decision of county health officer, county engineer responsible fire protection agency, and/or the administrator.

6.00 APPLICATION AND FEES

6.10 Any person desiring to subdivide land in an unincorporated area of Klickitat County shall submit an application therefore to the administrator. The application shall be accompanied by the following filing fees:

6.11 A fee for each preliminary plat, in an amount established by the Board of County Commissioners by ordinance shall be paid to the planning department at the time of application.

6.12 A fee shall be paid to the health department in an amount established by the health district.

6.13 A fee shall be paid to the county Road Department for deposit in the county road fund upon the submittal of a final plat in an amount established by the Board by ordinance.

6.20 At the time of the filing of a final plat all fees shall be paid.

7.00 SUBDIVISION REQUIREMENTS

7.10 Presubmission Conference

7.10 Presubmission Conference

Prior to the submission of the preliminary plat, the subdivider or his representative shall contact the planning department to arrange a meeting with the planning director, the public health officer, responsible fire protection agency, and the county engineer to discuss preliminary studies and sketches. At this time said departments 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, Road Plan, Shoreline Master Plan, Zoning, availability of sewer and water, development concepts, fire protection and other county requirements and permits; and the environmental impact of the plat. If the applicant owns adjacent land, the possibilities of future development shall be discussed.

7.20 Preliminary Plat Requirements

7.21 General

The subdivider shall submit to the administrator together with the application, twelve (12) copies of a preliminary plat and two (2) copies of any other data required by Title 12-Transportation Standards. The application shall include a current ownership certificate from a recognized title company and notarized signatures of any parties with ownership interest in the area being subdivided, on the application, consenting to the subdivision.

7.22 Preliminary Plat Map

All preliminary plat maps shall include the following specifications and requirements:

- (1) the horizontal scale shall be 200 feet to the inch unless otherwise approved by the county engineer;
- (2) road, sewer, and utility profiles shall have a horizontal scale of 100 feet to the inch and a vertical scale of 10 feet to the inch;
- (3) the name of the proposed subdivision;
- (4) the name, address, telephone number and seal of the registered surveyor who made, or under whose supervision was made, a survey of the proposed subdivision;
- (5) the date of the said survey;
- (6) the boundary lines of the proposed subdivision;
- (7) all existing monuments and markers;
- (8) the boundaries and approximate dimensions of all blocks and lots within the proposed subdivision; together with the numbers proposed to be assigned to each lot;

- (9) the location, names, and width of existing streets, roads, and easements within the proposed subdivision;
- (10) the location and, where ascertainable, sizes of all permanent buildings, wells, water course, bodies of water, all overhead and underground utilities, railroad lines, municipal boundaries, section lines, township lines and other important features existing upon, over, or under the land proposed to be subdivided;
- (11) contour line at intervals of one (1) foot or less for slopes less than three (3) percent, five (5) feet for slopes greater than three (3) percent and less than fifteen (15) percent, and ten (10) feet for slopes greater than fifteen (15) percent, referenced to either the United States Coast and Geodetic Survey Datum or county datum. Requirements may be waived or modified by the county engineer;
- (12) a layout of proposed roads, alleys, utility mains, and parcels proposed to be dedicated or reserved for public or community school, park, playground, or other uses; proposed road names shall be indicated. (Amended 5/5/86 No. 050586)
- (13) plans of proposed water distribution systems, sewage disposal systems and drainage systems, including location;
- (14) a sketch of the general vicinity at least 300 feet in all directions from which the land proposed for subdivision lies, upon which are identified owners of land adjacent to the subdivision and the names of any adjacent subdivisions;
- (15) where septic systems are proposed to be used for sewage disposal, the approximate location of soil log holes as required by the jurisdictional health department;
- (16) the approximate location of all existing houses within the area to be platted; and
- (17) if the plat is to be developed in phases, each phase must be delineated and numbered.

7.30 Design Standards

7.31 Conformance to Comprehensive Plan

All subdivisions shall conform to the Klickitat County Comprehensive Plan and all zoning regulations in effect at the time any plat of a subdivision is submitted for approval. Lots shall be of sufficient area, width and length to satisfy zoning requirements.

7.33 Roads

7.33.10 Comprehensive Plan

Major roads within every division of land shall conform with the comprehensive plan and shall provide for the continuation of major roads which serve property contiguous to the division.

7.33.20 Signing

All roads shall be identified according to sign standards in Title 12 – Transportation Standards

7.34 Block and Lot Design

7.34.10 General

Blocks shall be so designed as to assure traffic safety and ease of traffic control and circulation. Blocks shall be wide enough to allow for two tiers of lots unless the topography or other factors dictates the use of one tier of reverse frontage lots or unless the Commission approves the design of irregularly shaped blocks indented by cul-de-sacs. Where practicable, side lot lines shall be straight lines running at or near right angles to the road upon which the lot fronts. Side lot lines on curved roads should run at or near radially to the curve.

Lot sizes shall comply with minimum zoning and health and sanitation codes where applicable.

7.34.20 Reverse Frontage

No residential lots shall have road frontage along two opposite boundaries unless topographical features or the need to provide separation of the lots from collectors, railways, commercial activities justify the designing of reverse frontage lots.

There shall be no right of access for the general public or adjoining property owners along the lot lines abutting the major collector or other disadvantageous use.

7.35 Improvements and Services

7.35.10 Utilities (not required of short subdivision)

Divisions of land shall provide underground utility lines to each lot, including but not limited to those for electricity, communications and street lighting. Where topography, soil, or other conditions make underground installation impracticable and the planning commission so

finds upon written evidence presented by the supplier of such utilities, it may waive requirements for underground utilities.

An "as-built" drawing depicting all utilities and easements shall be filed with the county engineer upon completion of construction.

7.35.20 Sewer and Water (not required of short subdivision)

Water supply facilities shall be developed to provide potable water to each lot from a private well or a community water supply source and shall be installed in conformity with standards set by the jurisdictional health department. Where required, each lot shall be provided with a sanitary sewer system connection or septic system approved by the jurisdictional health department.

7.35.30 Fire Protection

Where required, service mains and fire hydrants shall be installed in conformance with standards set by the fire protection district prior to final plat approval.

7.35.40 Rangeland Protection

The developer shall adequately fence the perimeter of the division, and shall install cattle guards at each road entrance to the division, to prevent livestock from entering the platted area, unless the Planning Director has determined that fencing is not required (for short plats) or unless the Planning Commission has determined that fencing is not required (for subdivisions).

Fencing standards shall be as follows:

- (1) Posts shall be of steel or good sound wood of standard size, naturally decay resistant, or treated by a commercial process acceptable for the area.
- (2) Posts shall be spaced not more than one (1) rod (16½ feet) apart, firmly set and braced at turns and corners, except for fences over terrain where posts cannot be firmly set or driven without the use of rock jacks or improvised anchors. The Board may approve spacing in excess of one (1) rod. Wire or wood stays at intervals not in excess of ten (10) feet will be required where post spacing is in excess of one (1) rod.
- (3) Barbed wire fence shall consist of at least four strands of galvanized wire of good quality not less than 12½ gauge or new high tensile high carbon wire of not less than 15½ gauge.
- (4) Woven wire fence must be at least 32 inches high and shall have two strands of barbed wire placed above the woven wire as determined necessary by the Board for proper functioning of the fence.

Standards for cattleguards shall be the current Washington State Department of Highway standards or equivalent acceptable to the county engineer.

It shall be the responsibility of the developer and/or homeowners association to maintain fencing and cattleguards.

7.36 Easements

7.36.10 Utilities

Easements for electric, telephone, water, gas and similar utilities shall be of sufficient width to assure future maintenance. When conditions require installation of such facilities to be other than underground, easements for the same shall be sufficiently wide and so located as to permit future installation of underground utilities. A separate document defining the easements shall be filed with the final plat.

7.36.20 Drainage and Storm Sewers

If a proposed subdivision is traversed by a water course such as a drainage way, irrigation ditch, channel or stream, there shall be provided easements for drainage channels and ways which shall be of sufficient width to assure that the same may be maintained and improved where required. Easements for storm sewers shall be provided and shall be of sufficient width and proper location to permit future installation.

7.36.30 Sidewalks

Sidewalks shall be constructed in accordance with Transportation Standards defined in Title 12.

7.40 Filing and Distribution

If the administrator determines that the preliminary plat contains sufficient elements and data to furnish as a basis for its approval or disapproval, and the plans, profiles, and specifications are adequate to allow the county engineer to approve or disapprove the construction of future improvements, the administrator shall affix a file number and date of receipt to the application and promptly forward all copies of the plans, profiles, and specifications of the roads, utilities and other proposed improvements to the county engineer. The administrator shall promptly forward one (1) copy of the preliminary plat to the county engineer, district health department, park department, assessor, responsible fire protection agency and other appropriate agencies and individuals.

7.50 Public Hearing

7.51 Date and Notice

Upon receipt of an application and an environmental determination pursuant to RCW 43.21C (State Environmental Policy Act), the administrator shall set a date for a public hearing before the planning commission.

The administrator shall give notices of the public hearing as follows:

- (1) Through the United States mail, post marked at least ten (10) days before the date of the hearing, to the following:
 - (a) the legislative authority of any city or town adjacent to or within one mile of the proposed subdivision, and to the agencies whose service is contemplated for use in the proposed subdivision;
 - (b) all owners of property located within three hundred (300) feet of any portion of the boundary of the proposed subdivision and all owners of property located within three hundred (300) feet of any portion of a boundary of any parcels adjacent to the proposed subdivision which are owned by the subdivider.
- (2) By arranging for publication of notice of the hearing in the official county newspaper and in a newspaper of general circulation in the area where the property is located at least ten (10) days prior to the hearing date.
- (3) By notifying the county engineer, the health department, county park department, state highway department and the responsible fire protection agency.
- (4) By posting a notice on the property in at least three (3) conspicuous places.

7.52 Scope

At the public hearing, the planning commission shall consider all relevant evidence to determine whether to recommend that the preliminary plat be approved or disapproved by the Board. Any hearing may be continued at the discretion of the commission within the time limits allowed by law.

The planning commission shall make no affirmative recommendation of the preliminary plat until certified approval is received in writing from the county engineer, county health officer, and the responsible fire protection agency. The written certifications shall be attached to the commission's report to the Board.

The commission shall determine whether the proposal includes appropriate provisions for drainage, roads, alleys and other public ways, water supply, sanitary wastes, fire protection facilities, and any other public facilities and improvements the commission deems important.

The commission shall determine if the proposed subdivision conforms to the general purposes of the comprehensive plan; and if the public use and interest will be served by the proposal. Any affirmative recommendation by the planning commission shall be in conformance with the comprehensive plan.

7.53 Findings and Report

No later than fourteen (14) days following conclusion of the hearing, the commission shall submit its written report and recommendations to the legislative body. The commission may recommend that the proposed plat be approved with or without conditions, or disapproved. Every decision or recommendation must be in writing and shall include findings of fact and conclusions to support the decision or recommendation.

7.54 Records

Records of the planning commission hearings or preliminary plats shall be kept by the planning director and shall be open to public inspection.

7.60 Board Action

7.61 Date

Upon receipt of the planning commission's recommendation the Board shall, at its next public meeting, set the date for the public meeting at which the Board shall consider the recommendation.

7.62 Acceptance or Rejection

At the meeting scheduled for considering the preliminary plat the Board shall, after reviewing the recommendations of the planning commission, the county engineer, the public health officer, the responsible fire protection agency, and any other relevant evidence presented to it, either concur in or reject the planning commission's recommendation. All decisions made by the Board must be in writing and shall include findings of fact and conclusions to support the decision.

7.63 Public Hearing on Rejected Preliminary Plat

If the Board does not summarily approve the planning commission's recommendation on any preliminary plat, it shall set a date for a public hearing at which all interested persons may appear before the Board and be heard on the proposal to approve with or without conditions, or disapprove the preliminary plat or a revised version thereof. At the conclusion of the said public hearing or any continued hearing the Board may approve with or without conditions, or disapprove the preliminary plat or a revised version thereof.

7.64 Records

Records of the Board's proceedings concerning a preliminary plat shall be kept by the clerk of the Board and shall be forwarded to the administrator for his files.

7.70 Preliminary Plat Approval

7.71 Authorization for Subdivider

Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision's facilities and improvements in strict accordance with standards established by this ordinance and any conditions imposed by the Board.

7.72 Expiration

The approval given to a preliminary plat shall expire unless within three (3) years following approval a proposed final plat in proper form is filed with the administrator. A maximum of a single two (2) year extension may be granted by the Board when applied for in writing at least thirty (30) days prior to the three (3) year deadline showing the applicant has attempted in good faith to submit a final plat.

7.73 Alterations

Once the preliminary plat has been submitted it shall not be altered by the developer unless approved by the Board. If the alteration is felt to be of a substantial nature by the Board, then it shall be required that the plat be resubmitted in compliance with these regulations.

7.80 Final Plat

7.81 General Requirements

7.81.10 Filing Period

At any time within three (3) years following the Board's approval of a preliminary plat the subdivider shall file one (1) reproducible and six (6) copies of a proposed final plat with the administrator.

7.81.20 Review by Administrator

The administrator shall satisfy himself:

- (a) that the final plat meets all standards established by state law and this ordinance relating to final plats;
- (b) that the proposed final plat bears the certificates and statements of approval required by this ordinance;
- (c) that a title insurance report furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the plat's certificate; and all those holding ownership interest in said land;
- (d) that the facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider will provide a bond in a form acceptable to the prosecuting attorney and in an amount and with sureties to commensurate with improvements remaining to be completed securing to the county the construction installation of the improvements within a fixed time set by the Board;
- (e) that the final plat conforms to all terms of the preliminary plat.

7.81.30 Title Report

Every final plat must be accompanied by a current (within thirty days prior to final submittal) title report including a certified legal description confirming that the title of the lands as described and shown on the plat is in the name of the owners signing the plat.

7.81.40 Submission to the Board

The administrator shall acknowledge receipt of a proposed final plat which meets the requirements of Section 7.81.20 above and shall forward the original and two (2) copies thereof to the Board for final action.

If the Board approves the plat the Clerk shall transmit the original to the County Auditor for filing. Recording of the plat shall constitute final subdivision approval.

7.82 Survey Requirements

7.82.10 Preparation of Plats

A survey shall be made by or under the supervision of a registered Washington land surveyor who shall certify on the plat

that it is a true and correct representation of the lands actually surveyed. All surveys shall conform to standard practices and principles for land surveying.

7.82.20 Orientation of the Division of Land

Primary survey control points shall be in place and shall be referenced to section corners and monuments; corners of adjoining divisions of land or portions thereof shall be identified and ties shown.

7.82.30 Permanent Control Measures

Permanent control monuments shall be established at:

- (1) all controlling corners on the boundaries of the division of land;
- (2) the intersection of center lines of roads within the division of land;
- (3) the beginning and ends of curves on center lines;
- (4) all block errors.

Upon prior approval of the county engineer permanent control monuments may be placed on offset lines. The position and type of every permanent monument shall be noted on all plats of the division of land. Permanent control monuments shall consist of an iron pipe a minimum of 3/4 inch diameter and 30 inches in length, with a 2½ inch diameter cap. The cap shall be inscribed with the surveyors registration number.

7.82.40 Permanent Control Monuments in Roads

Permanent control monuments within the streets shall be set after the roads are graded. In the event a final plat is approved before roads are graded the surety deposited to secure grading shall be sufficient to pay the costs estimated by the county engineer of setting such monuments.

7.82.50 Lot Corners

Every lot corner shall be marked by a 5/8 inch by 30 inch rebar or equivalent approved by the county engineer, driven into the ground.

7.82.60 Property Contiguous to Water

If any land in a division of land is contiguous to a body of water defined as a shoreline subject to the shoreline management act, a meander line shall be established along the shore at a safe

distance back from the ordinary high water mark. Property lying beyond the meander line shall be defined by distances along the side property lines extended from the meander line.

7.83 Dedications

7.83.10 Requirements

All dedications of land shall be clearly and precisely indicated on the face of the plat. Roads not dedicated to the public must be clearly marked on the face of the plat. If a plat is subject to a dedication, a certificate or separate instrument shall contain the dedication of all streets and other areas to the public. Said certificate or instrument shall be signed and acknowledged before a notary public by all parties having an ownership interest in the land subdivided and recorded as part of the final plat. Any dedication to the public as shown on the face of an approved plat shall be accompanied by a deed conveying property so dedicated.

No plat shall be approved unless adequate provisions are made in the division for such drainage ways, roads, alleys, easements, parks, playgrounds, sites for schools, schoolgrounds, and other general purposes as may be required to protect the public health, safety and welfare.

7.83.20 Protective Improvement

Responsibilities for maintenance and dedication of protective improvements shall be clearly indicated in the certificates or written documents of dedication.

7.83.30 Access to Lots

Convenient access to each lot shall be provided by a dedicated public road, unless served by a private road. Road names shall be subject to approval and indicated on the final mylar. (amended 5/5/86, No. 050586)

7.83.40 Access to Public Waters

Plats of divisions containing land adjacent to publicly owned or controlled bodies of water should contain dedications to access to such bodies of water unless the Board determines the public use and interest will not be served thereby. Such dedications shall be to the low water mark and shall include easements for pedestrian traffic at least fifteen (15) feet wide bordering the high

water mark.

7.84 Performance Bonds

7.84.10 Acceptance

As an alternative to the requirement that all improvements be installed prior to sale of lots created, the Board may accept a Performance Bond conditional upon satisfactory completion of all improvements within one (1) year from date of approval of the final plat.

7.84.20 Agreement

Before the board of county commissioner's approval is certified on the final plat, the developer shall either install required improvements and repair any existing streets and other public facilities damaged in the development of the subdivision, or execute and file with the board of county commissioners an agreement between himself and Klickitat County specifying the period within which required improvements and repairs shall be completed. The agreement shall provide that if the work is not completed within the period specified, Klickitat County will call for bids for the completion of the work and recover the full cost and expense thereof from the subdivider. The agreement may provide for the construction of the improvements in units. In addition, the agreement must contain a provision whereby the developer will be responsible for the successful operation of all repairs to the improvements for a one (1) year period following their installation with the exception that all drainage shall be for two (2) year period.

7.84.30 Specifications

The developer shall file with the agreement set forth in Section 7.84.20, above, to assure his full and faithful performance thereof, one of the following:

- (a) a surety bond executed by a surety company authorized to transact business in the State of Washington in a form approved by the prosecuting attorney;
- (b) a personal bond approved by the prosecuting attorney, cosigned by at least one additional person, together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed in accordance with the agreement;
- (c) letter of credit approved by the prosecuting attorney from a financial institution stating that the money is held for the

purpose of development of the state project.

Such assurance of full and faithful performance shall be for a sum determined by the county engineer as sufficient to cover the cost of the improvements and repairs, including related engineering and incidental expenses.

If the developer fails to carry out provisions of the agreement and Klickitat County has unreimbursed costs or expenses resulting from such failure, Klickitat County shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash exceeds the cost and expense incurred by Klickitat County, the remainder shall be released. If the amount of the bond or cash deposit is less than the cost and expense incurred by Klickitat County, the developer shall be liable to the county for the difference.

7.85 Final Plat Standards

7.85.10 General

Every final plat shall be prepared according to the following general format:

- (1) plats shall consist of one or more pages, each 18" x 24";
- (2) plats shall be legibly drawn on stable base mylar polyester film or equivalent material approved by the county engineer;
- (3) all drawing and lettering shall be in permanent black ink or equivalent approved by the county engineer;
- (4) the perimeter of the subdivision shall be depicted with heavier lines than appear elsewhere on the plat;
- (5) the scale shall be 100 feet to one inch unless otherwise approved by the county engineer;
- (6) a marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of 2" on the left side 1/2" on the remaining sides;
- (7) each sheet of the final plat shall contain the subdivision's name, the scale, and a north arrow; and
- (8) all signatures affixed to a final plat shall be original in permanent black ink.

Plat Map

Every final plat shall include an accurate map of the subdivided land, based upon a complete survey thereof, which shall include:

- (1) all section, township, municipal and county lines lying within or adjacent to the subdivision;
- (2) the location of all monuments or other evidence used as ties to establish the subdivision boundaries and the base meridian referred to;
- (3) the location of all permanent control monuments found and established within the subdivision;
- (4) the boundary of the subdivision with complete bearings and lineal dimensions;
- (5) the length and bearings of all straight lines; the radii, delta arcs and semitangents of all curves;
- (6) the length of each lot line, together with bearings and other data necessary for the location of any lot line in the field;
- (7) the location, width, center line, and name or number of all streets within and adjoining the subdivision;
- (8) the location and width, shown with broken lines, and description of all easements;
- (9) a reproducible "as-built" drawing of the road plans, profiles and roadway sections shall be submitted to the county engineer upon submittal of the final plat to the county;
- (10) numbers assigned to all lots and blocks within the subdivision;
- (11) names of any adjacent subdivisions;
- (12) contour lines shall not be shown on the final plat;
- (13) acreage of each lot;
- (14) the name of the subdivision;
- (15) the legal description of all land contained within the subdivision;
- (16) restrictive covenants as required as part of final approval; and
- (17) statements of approval as follows:

(a) Surveyor

"I, _____ registered as a land surveyor by the State of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me or under my supervision, during the period of _____, 20_ through _____, 20_; that the distances courses, and angles are shown thereon correctly; and that monuments other than those approved for setting at a later date, have been set and lot corners staked on the ground as depicted on the plat.

_____(seal)
 Licensed Land Surveyor
 Dated this ___ day of _____, 20_."

(b) County Engineer

"I hereby certify that this plat of _____ has been reviewed and examined by me and that it conforms with Klickitat County standards for survey data, layout of roads, alleys and easements, road names and numbers, and other improvements as required. (use applicable terminology only)

_____(seal)
Klickitat County Engineer

Dated this ___ day of _____, 20__."

(c) County Health Officer

"I hereby certify that the plat of _____ has been examined by me and that all sewage and water systems herein shown meet and comply with all requirements of the county health department. Each lot will require separate review to determine acceptability for on-site sewage disposal. Adequacy of water supply is not guaranteed.

_____(seal)
Klickitat County Health Officer

Dated this ___ day of _____, 20__."

(d) County Planning Director

"I hereby certify that the plat of _____ has been examined by me and that it conforms with the Klickitat County Comprehensive Plan, Zoning Ordinance, Floodplain Ordinance, Environmental Ordinance and any other applicable laws or policies.

_____(seal)
Klickitat County Planning Director

Dated this ___ day of _____, 20__."

(e) County Treasurer

"I hereby certify that all taxes, and compensating taxes and/or penalties on property contained within the plat shown herein have been paid, discharged, or satisfied.

_____(seal)
Klickitat County Treasurer

Dated this ___ day of _____, 20__."

(f) Owners

7.86 Board Action

The board shall, at its next public meeting or any continued meeting, determine:

- (1) whether conditions imposed when the preliminary plat was approved have been met;
- (2) whether the bond, if there be one, by its essential terms assures completion of improvements;
- (3) whether the requirements of state law and this Ordinance have been satisfied by the subdivider; and
- (4) whether covenants (if applicable) are properly displayed.

The board shall thereupon approve or disapprove the proposed final plat. If the board approves the plat, the administrator shall forward one (1) reproducible copy thereof to the county engineer and one (1) paper copy to the county assessor, and shall transmit the original to the subdivider for filing with the county auditor. The decision of the Board shall be in writing and shall include findings of fact and conclusions to support the decision.

8.00 SHORT SUBDIVISION REQUIREMENTS

8.10 Applicability

Every division of land into four (4) or less lots, tracts, parcels or sites for the purpose of sale, lease, or transfer of ownership in which the smallest lot created is less than eighty (80) acres or 1/8 of a section if capable of being described as an aliquot part of a section, shall proceed in compliance with Section 8.00 of this Ordinance.

8.20 Exemptions

Provisions of this Section shall not apply to:

- (1) exemptions listed under Section 3.00 of this Ordinance,
- (2) any division of land for the purpose of the lease of land for agricultural purposes where no improvements other than agricultural improvements are permitted to be placed upon the leased premises,
- (3) any division of property made solely for the purpose of mortgaging a home by the property owner provided a letter stating this purpose signed by the owner or a designated representative, accompanies the deed submitted to the treasurer's office. If either parcel created for this reason is later separately offered for sale, lease or transfer of ownership, it will then be subject to the provisions of this Ordinance regarding short subdivisions.
- (4) Divisions made by court order; provided, that this exemption shall not apply to land divided pursuant to dissolution or partition proceedings of a corporation, partnership, joint venture, or trust, unless Klickitat County is made a party to the proceedings and has rendered its advice to the court in respect of the division proposed to be included within such order.

8.30 Application and Administration

- 8.31 Applications for approval of short plat subdivision shall be submitted on forms prescribed by the administrator. All applications submitted to the administrator shall be complete with all information as required by Section 8.32 of this Ordinance. An application lacking sufficient information for review shall be returned by the administrator prior to the acceptance of application fees and shall be accompanied by a written statement citing the reason(s) for being returned.

When the administrator determines that the proposed short plat application contains the required information and data as a basis for approval or disapproval, the applicant shall submit the required fees as specified in Section 6.20 of this Ordinance, and a file number and date of receipt shall be affixed and copies of the short plat application shall be delivered to the following:

- a. county engineer;
- b. county health district;
- c. responsible fire protection agency;
- d. county assessor;
- e. federal, state or local agencies which may have an interest in the short plat as determined by the administrator

The administrator shall set a date for the return of findings and recommendations from each agency, the date to be ten (10) working days from the date of application. If the findings and recommendations are not so returned, then the administrator may make such findings as he deems just.

8.32 Preliminary Short Plat Requirements

8.32.10 General

All preliminary short plat applications shall contain the following information:

- (1) the name, address and telephone number of the owner;
- (2) a certification by the owner(s) showing their contiguous ownership of land in which there is an interest by reason of ownership, contract for purchase, earnest money agreement or option by any person, firm or corporation in any manner connected with the development, and the names and addresses and telephone numbers of all such persons, firms or corporations;
- (3) the existing zoning classifications;
- (4) the square footage computation of each lot or parcel sufficiently accurate to show that each such lot or parcel contains at least sufficient footage to meet minimum zoning and health requirements;
- (5) proof of potable water supply, in the form of written

verification from a water purveyor of their willingness and ability to provide potable water, or in the form of well records from five to ten existing wells within the general vicinity;

- (6) proof of each proposed lot's adequacy to accommodate on-site sewage disposal systems, in the form a satisfactory soils evaluation from the county health officer, or in the form of written verification from a public or private sewage disposal system indicating their willingness and ability to provide sewer service.
- (7) a current ownership certificate (Short Plat Guarantee) from a recognized title company and notarized signatures of the owners.

8.32.20 Plat Map

A minimum of six (6) copies of a legibly drawn map on good quality paper shall be submitted. Additional copies may be required by the administrator. The map shall be of such a scale to clearly show the following information:

- (1) boundaries of the total parcel included in the short plat and each individual lot being created;
- (2) legal description of the total parcel included in the short subdivision;
- (3) location of any roads, easements or rights of way proposed to serve the short subdivision; proposed roads shall be named; (amended 5/5/86, No. 050586)
- (4) the date, scale and north arrow;
- (5) the number assigned to each lot;
- (6) the location and widths of any easements and rights of way for services and/or utilities within the area contained within the short subdivision;
- (7) the boundaries of all lands reserved in the deeds for the common use of the property owners of the short subdivision;
- (8) the location of features lying within three hundred (300) feet of proposed short subdivision which will have an impact upon the short subdivision, such as all structures, existing or platted streets, watercourses, railroad right of way, all utility rights of way, township lines and section lines, etc.;
- (9) the approximate location of all drainage ways and watercourses including an arrow to indicate the direction of flow.

8.32.30 Supporting Documents

The following documentation shall accompany each application

for approval of a short plat;

- (1) a vicinity sketch of such a scale to clearly identify the location of the property being short subdivided;
- (2) copies of restrictions, if any, presently encumbering the land or proposed to be imposed upon the use of the land. Such restrictions, if required by the county, shall be recorded with the final short plat;
- (3) in any short subdivision where lots are served or to be served by a private street, the subdivider shall furnish copies of such further covenants or documents that will result in each lot owner being fully notified of their responsibility as to any and all maintenance, reconstruction and/or improvements to all private streets serving the short subdivision and such covenants or documents shall obligate any seller to give actual notice to any prospective purchaser of the method of maintenance of the private street, which notice shall be included in any deeds or contracts relating to such sale and, such covenants or document shall be recorded simultaneously with the final short subdivision;
- (4) any data required by Title 12-Transportation Standards; and
- (5) certification from the county health officer that the water supply methods and sanitary disposal methods contemplated for use in the proposed short subdivision do or do not conform with current standards. A favorable report from the health department shall not be construed as granting or guaranteeing water supply adequacy. If community sewer and/or water services are proposed, verification from the providers of the service(s) shall be submitted with the health officer's certification. Where sanitary sewers are not available, the health officer shall certify that each lot does or does not contain adequate area and proper soil, topographic and drainage conditions to be served by an on site sewage disposal system.

8.40 Design Standards

Standards for short subdivision design shall be the same as those provided for in Section 7.30 of this Ordinance and Title 12 – Transportation Standards.

8.50 Environmental Review

Any short subdivision which is adjacent to any other approved or proposed division of land may require an environmental checklist. Such checklist shall be processed in accordance with procedures in the County Environmental Ordinance as required by RCW 43.21C (State Environmental Policy Act). The application for a short subdivision shall not be considered as filed until such checklist has been completed and submitted

to the administrator. If an environmental impact statement is required, then the application for short subdivision shall not be considered as filed until the final EIS has been completed and submitted to the administrator.

8.60 Preliminary Review and Approval

8.61 Review by Agencies

8.61.10 The health officer shall respond to the administrator regarding any concerns on water supply and sewage disposal.

8.61.20 County Engineer

The county engineer shall review the application, make a determination and notify the administrator that the proposed roads, utilities, and other improvements do or do not conform to current standards as set forth in Section 7.30 and Title 12 – Transportation Standards.

8.61.30 Fire Protection Agency

The responsible fire protection agency shall respond to the administrator regarding any concerns on fire flow and ingress and egress of emergency vehicles.

8.61.40 Other Agencies

Other agencies shall notify the administrator of their concerns and shall so list their concerns for consideration by the administrator in his review of the application.

8.62 Administrator Review

The administrator shall review the application and comments from applicable agencies and make a determination with regard to the short subdivision to:

- (1) its conformance to the general purposes, standards, and requirements to the county's comprehensive plan, zoning ordinance, environmental ordinance and to any other applicable laws and policies;
- (2) the physical characteristics of the short subdivision site. Flood inundation or swamp conditions is cause for disapproval. Construction of protective improvements may be required as a condition of approval;
- (3) all other relevant facts to determine whether the public use or interest will be served by the short subdivision;
- (4) all standards for improvement as set forth in Section 7.30 of this Ordinance and Title 12 – Transportation Standards have been met;
- (5) determine if the intent of this Ordinance is met by the short plat and that the short plat does not contravene the intent of state and local subdivision regulations.

8.63 Preliminary Approval

The signature of the administrator shall be required for preliminary approval of all short subdivisions. Within twenty (20) working days of the date of receipt of a complete application the administrator shall:

- (1) approve the preliminary short subdivision with or without conditions; or
- (2) return the short plat to the applicant for corrections; or
- (3) disapprove the short subdivision and short plat thereof with written findings. Specific written reasons shall be given when any short subdivision application is disapproved.

8.70 Final Short Plat

8.71 Filing Period

Final short subdivisions shall be filed within one (1) year of preliminary short plat approval or approval with conditions unless an extension is granted. Up to twelve (12) months extension may be granted by the administrator PROVIDED the subdivider has attempted, in good faith, to meet the one (1) year filing deadline and states in writing his reasons for not being able to complete within the one (1) year time limit. Such shall be received no later than ten (10) working days prior to the one (1) year deadline.

8.72 Requirements

Final short plats shall be prepared on standard formats available from the Klickitat County Planning Department. One reproducible and five (5) copies of the final short plat shall contain information as follows:

- (1) survey requirements as set forth in Section 7.82 of this Ordinance;
- (2) requirements for Dedications as set forth in Section 7.83 of this Ordinance;
- (3) Final Plat Standards as set forth in Section 7.85 of this Ordinance.

8.73 Final Review

8.73.10 General

Review of the final short plat shall proceed in accordance with procedures set forth in Section 8.61 and Section 8.62 of this Ordinance. In addition, the following conditions must be met:

- (1) the county engineer shall make a determination and notify the administrator that:
 - (a) access from the boundary of all short subdivisions is to an opened, constructed and maintained city, county, state or federal road, except that access to the boundary of a short subdivision by a public road may be permitted where such roads are otherwise permitted by this Ordinance. Roads providing access to short subdivisions must be constructed and/or improved to Title 12-Transportation Standards;
 - (b) the survey does or does not conform to the standard practice and principles of land surveying.
- (2) the administrator shall determine that all standards as required by approval of the preliminary short plat have been met and that the facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider will provide a bond in a form acceptable to the prosecuting attorney and in an amount and with sureties to commensurate with improvements remaining to be completed securing to the county the construction installation of the improvements within a fixed time set by the Board.

Final approval of the short subdivision shall be granted when the short subdivision meets all the requirements of this Ordinance and those conditions included in the preliminary approval of said short subdivision. Final short subdivision approval shall consist of the signatures of the administrator, county health officer, county engineer, the Board of County Commissioners if any public dedications are indicated on the plat, and the county treasurer. Decisions regarding approval or disapproval of a final short subdivision shall be received within twenty (20) working days of the submission thereof. Specific written reasons shall accompany any decision of disapproval of a final short subdivision.

8.75 Filing

The approved short subdivision shall be filed with the county auditor within five (5) working days of the date of final approval. No final short subdivision shall

be accepted for filing unless all current taxes have been paid in full to the county treasurer. A short subdivision is not legal until it has been filed with the county auditor. The subdivider shall be responsible for the filing of the short plat.

8.76 Notification

The administrator shall notify the Board and the planning commission of short plat approvals at the next respective regular meeting after approval is made.

8.80 Resubdivision

Land within an approved short subdivision shall not be further divided within a period of five (5) years following the date of final approval unless a final plat is filed pursuant to Section 7.00 of this Ordinance, EXCEPT that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries.

8.90 Vacation and Alteration

When vacating or altering short plats, Klickitat County shall use the methods established for subdivisions in RCW 58.17.212 and 58.17.215.

9.00 BOUNDARY LINE ADJUSTMENTS

9.10 Applicability

Any person in unincorporated Klickitat County desiring to adjust an existing lot line in a recorded subdivision or short subdivision shall submit to the planning department an application for a boundary line adjustment.

9.20 Requirements

9.21 Application

An application form shall be completed and signed by the property owner(s) or a designated representative(s).

9.22 Plat Map

One reproducible and four (4) copies of a plat map legibly drawn in permanent black ink on forms provided by the administrator shall be submitted. Each sheet of the plat map shall contain the name of the lot line adjustment including the name and lot numbers of the subdivision or short subdivision involved. All signatures affixed to the plat map shall be original signatures written in permanent black ink.

9.23 Survey

Every boundary line adjustment shall include an accurate map of the lots

involved based on a complete survey thereof performed by or under the supervision of a registered land surveyor and shall include:

- (1) the boundaries of the lots involved in the adjustment;
- (2) the location of all monuments or other evidence used as ties to establish the adjusted lot line;
- (3) the length of the adjusted lot line, together with bearings and other data necessary for the location of such line in the field;
- (4) if access is to be impacted by this boundary line adjustment, the location, name and centerline width of all existing streets within and adjacent to lots involved must be included;
- (5) the number of each lot;
- (6) the size of each lot;
- (7) the date, scale and north arrow;
- (8) statements of approval as follows:

(a) Surveyor

"I, _____ registered as a land surveyor by the State of Washington, certify that this plat is based on an actual survey conducted by me or under my supervision, during the period of _____, 20__ through _____, 20__; that the distances courses, and angles are shown thereon correctly; and that monuments have been set and the adjusted lot lines staked on the ground as depicted on the plat.

_____(seal)
Licensed Land Surveyor

Dated this ___ day of _____, 20__."

(b) County Health Officer

"I hereby certify that the plat of _____ shown herein have been examined by me and that lot line adjustments will not cause a violation of county health department requirements.

Klickitat County Health Officer

Dated this ___ day of _____, 20__."

(c) County Engineer

"I hereby certify that this plat of _____ has been reviewed and examined by me and that they are in conformance with county standards for survey data, access, and easements.

Klickitat County Engineer

Dated this ___ day of _____, 20__."

(d) County Auditor

The following is to be placed on the face of the short subdivision in the lower right hand corner:

"SHORT SUBDIVISION FILED FOR RECORD AT THE REQUEST OF _____ THIS ____ DAY OF _____, 20__ OF _____ AND RECORDED IN VOLUME ____ OF PLATS, PAGE ____ RECORDS OF KLICKITAT COUNTY, WASHINGTON.

Klickitat County Auditor"

(e) County Planning Director

"I hereby certify that the plat of _____ has been examined by me and is found to be consistent with the Klickitat County Comprehensive Plan, Zoning Ordinance, and/or other applicable laws or policies, and is approved as to form.

Klickitat County Planning Director

Dated this ____ day of _____, 20__."

(f) Board of County Commissioners

"Examined and approved this ____ day of ____20__.

Board of County Commissioners

Chairman

Member

Member

ATTEST:

Clerk of the Board

9.24 Additional Requirements

- (1) A certificate bearing the typed and printed names of all persons having ownership interest in the altered lots signed by the said persons and acknowledged by them before a notary public, consenting to the boundary line adjustment; and
- (2) Title certificate(s) showing the names of anyone with an ownership interest in the lots being altered.

9.30 Final Approval

Final approval of the boundary line adjustment or plat alteration shall be granted when the boundary line adjustment meets all the requirements of this Ordinance and any other applicable state or local regulations and policies. Final approval shall consist of the signatures of the Administrator, County Health Officer, County Engineer, and the Board.

9.40 Filing

The approved boundary line adjustment shall be filed with the County Auditor within five (5) working days of the date of final approval. Boundary line adjustments are not considered legal until filed with the County Auditor.

10.00 BINDING SITE PLAN

10.10 Applicability

A binding site plan, approved by the Board and filed with the county auditor, shall be required for all divisions of land for primarily commercial and/or industrial uses in which no residential use other than mobile homes or travel trailers are permitted.

10.20 Definition

A "Binding Site Plan", hereinafter referred to as "Site Plan", shall mean a drawing to scale specific in Section 10.40 of this Ordinance which:

- (1) identifies and shows areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by state or county regulations;
- (2) contains inscriptions or attachments setting forth such appropriate limitations and conditions for use of the land as are established by the Board; and
- (3) contains provisions making any development be in conformance with the approved site plan.

10.30 Presubmission Conference

Prior to applying for binding site plan review an applicant may file with the administrator a summary site plan, which shall contain a rough and approximate manner all of the information required in the site plan application.

The purpose of the summary binding site plan is to enable a developer filing the plan to obtain the advice of affected county departments as to the applicability of the intent, standards and provisions of this Ordinance and other state and county regulations to the plan. The planning director and representatives of affected county departments shall meet with the developer and offer such information described above.

10.40 Application Requirements

Each application for site plan review shall contain the following information in clear and intelligible form:

- (1) the title and location of the proposed development, together with the names, addresses and telephone numbers of the record owner or owners of the land and of the application, and, if applicable, the names, addresses and telephone numbers of any architect, planner, surveyor, designer, engineer or other person(s) responsible for the preparation of the plan, and of any authorized representative of the applicant;
- (2) the proposed use or uses of the land and buildings;
- (3) a site plan drawing or drawings at a scale of not less than one (1) inch equal to two hundred (200) feet, unless otherwise approved by the county engineer, which shall include or show:
 - a) the location of all existing and proposed structures, including but not limited to buildings, fences, culverts, bridges, roads, railroads, and streets;
 - b) the boundaries of the property to be developed;
 - c) all areas, if any, to be preserved as buffers or dedicated to a public or private use for open space or public use under the provision of this Ordinance;
 - d) all existing and proposed easements;
 - e) the location of all existing utility structures and lines;
 - f) the existing and proposed water supply and sewage systems; adequacy of water and sewage disposal shall be evidenced by affirmative written statements of the county health officer;
 - g) all means of vehicular and pedestrian ingress and egress to and from the site and the size and location of driveways, streets, and roads;
 - h) the location and direction of flow of all drainage, streams or waterways when determined by the county engineer to be sufficient in representing the topography of the entire tract and surrounding area; and
 - i) where the county engineer determines that contour lines are necessary to describe the topography, such contour lines shall be included at intervals approved by the County Engineer.
- 4) the existing zoning district of the proposed development site and any other zoning district within three hundred (300) feet of the site; and
- 5) fire districts, if any, in which the proposed development will be located or any fire district which is contiguous to the proposed development.

10.50 Administration

Upon receipt of the site plan application, the administrator shall affix a file number and date of receipt and forward copies of the plan to any applicable departments, agencies or individuals for review.

10.60 Approval Procedures

Upon completion of review, the administrator shall forward the site plan to the Board. Approval of the site plan by the Board shall constitute final approval of the site plan application. If deemed in the public interest, the Board may attach conditions or stipulations to final site plan approval. A site plan shall not be considered legal and finally approved until filing with the county auditor.

10.70 Compliance with Site Plan

- (1) Where the Board approves a site plan, the development of the area within the approved plan shall be in conformance with the site plan as finally approved and filed. Any development use or density which fails to substantially conform to the site plan as approved and filed shall constitute a violation of this title resulting in a voiding of final site plan approval.
- (2) Any use of land which requires site plan review and approval as provided in this title and for which such review and approval is not obtained, shall constitute a violation of this title and shall be subject to the provisions set forth in Section 11.00 of this Ordinance.

10.80 Alterations and Waivers

- (1) Alterations of a minor nature may be approved by the administrator if the administrator determines that such alteration will not substantially affect the site plan as approved. Where the administrator determines that such an alteration is of the substantial nature, then it shall be required that the site plan be resubmitted for approval in compliance with these regulations.
- (2) When a proposed site plan would conflict with any standard or provision established herein, the Board may waive the standard or provision if the applicant can show that its retention and application to the development would defeat the intent of this section and the purposes of any other standard or standards prescribed in this Ordinance.

10.90 Duration of Approval

- (1) Approval of the site plan shall be effective for three (3) years from the date of approval unless approved for a longer period by the Board. During this time the developer shall show substantial performance toward completion of the development in compliance with the terms and conditions upon which approval of the site plan was given.
- (2) Extension of the approval period may be granted when the developer requests such extension in writing to the administrator and states the reasons for requesting an extension. The administrator may recommend to the Board that such extension be granted or that the site plan be resubmitted. Upon receipt of such recommendation, the Board shall at its next regularly scheduled meeting adopt, reject, or modify the administrator's recommendation.

- (3) Knowledge of the expiration date and initiation of a request of extension of time is the responsibility of the applicant. All requests for extension shall be submitted to the administrator no later than thirty (30) days before the expiration date of approval.

11.00 DEVELOPMENT OF ILLEGALLY DIVIDED LAND

11.10 Public Interest Determination

An application for a building permit, septic tank permit, or other development permit for any lot, tract or parcel of land divided in violation of state law or this Ordinance shall not be granted without approval of the Board. Such approval shall only be given following a public meeting at which the applicant shall demonstrate that:

- (1) the county health officer has certified that the proposed means of sewage disposal and water supply on and to the lot is adequate;
- (2) the county engineer has certified that the lot is served by an appropriately designed road as specified in Title 12 – Transportation Standards and with adequate drainage facilities in the vicinity and that utility access is available to all parcels; and, that a survey has been submitted which complies with Section 7.82 of this Ordinance;
- (3) the administrator has certified that the proposed development conforms to the county's comprehensive plan, zoning ordinance and environmental ordinance;
- (4) the proposed development will not adversely affect the safety, health or welfare of adjacent property owners, or interfere substantially with enjoyment of their property;
- (5) the applicant purchased the lot, tract, or parcel for value; and
- (6) the applicant did not know, and could not have known by the exercise of care which a reasonable purchaser would have used in purchasing the land that the lot had been part of land divided in violation of state law or this Ordinance.

11.20 Relief for an Innocent Purchaser

Except as provided in Section 11.10, all purchasers or transferees of illegally divided property shall comply with provisions of this Ordinance and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling or transferring land in violation of this Ordinance, including any amount reasonably spent as a result of inability to obtain a development permit and spent to conform to the requirements of this Ordinance as well as the cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser or transferee may as an alternative to conforming to these requirements, rescind the sale or transfer and recover costs of investigation, suite, and reasonable attorney's fees occasioned thereby.

11.30 Violations - Injunctive Relief

Whenever any parcel of land is divided into lots, tracts, or parcels of land less than eighty (80) acres or an aliquot 1/8 of a section, and any persons, firm or corporation or any agent of any of them sells or transfers, or offers or advertises for sale or transfer any such lot, tract, or parcel without having a final plat of such subdivision or short subdivision approved pursuant to this Ordinance, except as provided for in Chapter 58.17 RCW, then such action is hereby declared to be unlawful and a public nuisance, and the prosecuting attorney may commence an action to restrain and enjoin further subdivisions or sales, or transfers, or offers of sale or transfer and compel compliance with all provisions of this Ordinance. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property.

11.40 Assurance of Discontinuance

In the enforcement of this ordinance, the prosecuting attorney may accept an assurance of discontinuance of any act or practice deemed in violation of this ordinance from any person engaging in or who has engaged in such act or practice. Any such assurance shall constitute prima facie proof of violation of this act.

11.50 Violations - Penalties

Any person, firm or corporation, or association, or any agent of any person, firm corporation or association who violates any provision of this Ordinance relating to the sale, offer for sale, lease, transfer of any lot, tract or parcel of land, shall be guilty of a misdemeanor for each sale, offer for sale, lease or transfer of each separate lot, tract or parcel of land in violation of any provision of this Ordinance shall be deemed a separate and distinct offense.

11.60 Unapproved Plats - Not to be Filed

The auditor shall refuse to accept for filing any plat which does not bear the Board's or administrator's certificate of approval. Should a plat be filed without such a certificate, the prosecuting attorney shall apply for a Writ of Mandate on behalf of the Board or administrator, directing the auditor to remove the unapproved plat from the auditor's files.

12.00 Variances

An applicant may apply for a variance from design standards of this subdivision ordinance. Variance from minimum lot size shall not be considered. Upon application for a variance, the request shall be forwarded to the Board of County Commissioners for a public hearing. The request shall be approved if the applicant has demonstrated that:

- Granting of the variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated, and that the following circumstances are found to apply:

- Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of standards is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zone classification;

- That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated.

13.00 LARGE LOTS

13.10 Applicability

This section pertains to large lots within subdivisions or short subdivisions.

13.20 Administration

1. The procedure for review of subdivisions or short subdivisions containing large lots and lots that are less than 20 acres (or an aliquot 1/32) shall be the same procedures described in Sections 7 and 8.

2. The administrative procedure for review of subdivisions, in which all proposed lots are large lots shall consist of the following:

- Within ten (10) days of deeming the application as complete, notice of the application shall be published; additionally, at least ten (10) days after deeming the application complete, notice shall be: (a) posted on or around the land proposed to be subdivided in at least five (5) conspicuous places designed to attract public awareness of the proposal; and (b) mailed to the owner of each lot or parcel or property to located within at least three hundred feet of the site. The notice shall include notification that no public hearing will be held on the application, unless, within twenty-one (21) days of the published notice a person files a request for a public hearing before the Klickitat County Planning Commission. The notice shall also state that any person may submit comments within twenty days of the notice.

- Comments received during the twenty day comment period shall be provided to the applicant. The applicant shall have seven days from receipt of the comments to respond thereto.

- If a public hearing is requested, notice procedures of Section 7.50 of the Klickitat County Subdivision and Short Platting Ordinance shall be adhered to.

- On its own initiative within twenty-one days of deeming the application complete, the Planning Director shall be authorized to cause a public hearing to be held on the proposed subdivision within ninety days of

deeming the application complete.

- Following completion of the review, including any public hearing before the Planning Commission, the proposed plat shall be forwarded to the Board of County Commissioners for preliminary plat approval.

13.30 State Environmental Policy Act review:

Applications for divisions including large lots and involving environmentally sensitive areas, or which would exceed the categorical exemption levels specified by SEPA shall include a threshold determination, and pursuant to SEPA, shall be subject to review on the basis of the environmental checklist and other documents required to be submitted.

13.40 Design Standards

Design standards for large lots within subdivisions and short subdivisions shall be restricted to the following:

1. Roads

Roads to large lots shall be designed and constructed per Title 12 – Transportation Standards prior to final plat approval.

The final plat shall be accompanied by a lot owners agreement providing for road maintenance.

2. Easements

Easements for power to large lots shall be designated on the preliminary and final plat, in consultation with the Public Utility District.

The final plat shall be accompanied by a lot owners association providing for the mandatory participation of each lot owner in an agreement to share in the costs of extending power to the perimeter of the large lot plat.

3. Survey

The requirements of Sections 7.80 (Final Plat), 7.82 (Survey Requirements), 7.84 (Performance Bonds), 7.85 (Final Plat Standards) of the Klickitat County Subdivision and Short Platting Ordinance shall apply.

4. Fire protection

Development of fire protection facilities may be required, per the recommendations of the responsible fire protection agency shall be completed prior to final plat approval.

5. Off-site road improvements

Access roads connecting large lots to a county road shall be constructed and/or improved to road standards of Title 12 – Transportation Standards prior to final plat approval.

6. Drainage

If deemed appropriate by the County Engineer, drainage improvements shall be constructed prior to final plat approval.

13.50 Water Supply:

Where potable water supply is not provided to large lots, the final plat shall bear a notice:

"THE LARGE LOTS CONTAINED WITHIN THIS SUBDIVISION HAVE NOT BEEN PROVIDED WITH A POTABLE WATER SUPPLY. NO BUILDING PERMIT WILL BE ISSUED BY KCLICKITAT COUNTY WITHOUT FIRST SATISFYING POTABLE WATER REQUIREMENTS."

13.60 Sewage Disposal:

Where the adequacy of each large lot, for on-site sewage disposal has not been demonstrated, the final plat shall bear a notice:

"THE LARGE LOTS, PARCELS, OR TRACTS CONTAINED WITHIN THIS SUBDIVISION HAVE NOT BEEN APPROVED FOR THE INSTALLATION OF AN ON-SITE SEWAGE DISPOSAL SYSTEM."

14.00 SEVERABILITY

If any provision of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, it shall be conclusively presumed that this Ordinance would have been enacted without the provision so held unconstitutional or invalid and the remainder of this Ordinance shall not be affected as a result of said part being held unconstitutional or invalid.

15.00 REPEALER

Ordinance No. 31378, relating to subdivisions, and Ordinance No.51578, relating to short subdivisions are repealed effective as to the effective date of this Ordinance.

16.00 EFFECTIVE DATE

This Ordinance shall come into full force and effect on June 11, 1982,. Signed this 20th day of December, 1982.

/s/ Fred Holly
Chairman

ATTEST:

/s/ Glenn M. Claussen
Commissioner

/s/ Nancy J. Evans
Ex-officio Clerk of the Board

/s/ R.E. Hornibrook
Commissioner

Constituting the Klickitat County Board of
Commissioners, Klickitat County,
Washington

APPROVED AS TO FORM:

/s/ L. Eugene Hanson
Prosecuting Attorney