

City of East Wenatchee, Washington

Ordinance No. 2021-09

An Ordinance of the City of East Wenatchee amending chapters 16.04, 16.08, and 16.12 and section 16.16.010 of the East Wenatchee Municipal Code to increase the number of lots that can be created using the short plat process from 4 to 9 lots, containing a severability clause, and establishing an effective date.

Una Ordenanza de la Ciudad de East Wenatchee que modifica los capítulos 16.04, 16.08 y 16.12 y la sección 16.16.010 del Código Municipal de East Wenatchee para aumentar el número de lotes que se pueden crear utilizando el proceso de plataforma corta de 4 a 9 lotes, que contienen un cláusula de divisibilidad y establecimiento de una fecha de vigencia.

1. Alternate format.

- 1.1. Para leer este documento en otro formato (español, Braille, leer en voz alta, etc.), póngase en contacto con el vendedor de la ciudad al alternatformat@east-wenatchee.com, al (509) 884-9515 o al 711 (TTY).
- 1.2. To read this document in an alternate format (Spanish, Braille, read aloud, etc.), please contact the City Clerk at alternateformat@east-wenatchee.com, at (509) 884-9515, or at 711 (TTY).

2. Recitals.

- 2.1. The City of East Wenatchee (“City”) is a non-charter code city, duly incorporated and operating under the laws of the State of Washington.
- 2.2. On March 30, 2021, the East Wenatchee Planning Commission held an open-record public hearing and voted unanimously (6-0) to recommend that the City Council adopt the proposed title 16 East Wenatchee Municipal Code amendments to increase the number of lots that may be created using the short plat process from 4 to 9 lots.

3. Authority.

- 3.1. RCW 35A.11.020 and RCW 35A.12.190 authorize the City Council to adopt ordinances of all kinds to regulate its municipal affairs and appropriate to the good government of the City.
- 3.2. RCW 58.17.010 establishes that the process by which land is divided should be administered in a uniform manner by cities, towns and counties.
- 3.3. RCW 58.17.020(6) provides that the legislative authority of any city or town may by local ordinance increase the number of lots to be regulated as short subdivisions to a maximum of nine.

THE CITY COUNCIL OF THE CITY OF EAST WENATCHEE DO ORDAIN AS FOLLOWS:

4. **Amendment 1.** The City Council amends chapter 16.04 of the East Wenatchee Municipal Code as set forth on pages 1-3 of **Exhibit A** to this Ordinance.
5. **Amendment 2** The City Council amends chapter 16.08 of the East Wenatchee Municipal Code as set forth on pages 4-7 of **Exhibit A** to this Ordinance
6. **Amendment 3.** The City Council amends chapter 16.12 of the East Wenatchee Municipal Code as set forth on pages 8-14 of **Exhibit A** to this Ordinance.
7. **Amendment 4.** The City Council amends section 16.16.010 of the East Wenatchee Municipal Code to read as follows:

16.16.010 Applicability.

Every subdivision of land into ten or more parcels or lots as defined in this title shall proceed in compliance with this chapter. Land divided as a short subdivision, the short plat of which has been approved within five years immediately preceding, may be subdivided pursuant to this chapter.

8. **Findings of Fact and Conclusions of Law.** The City Council adopts the Recitals stated above as well as the findings of fact and conclusion of law as set forth below.

8.1. FINDINGS OF FACT

- 8.1.1. Amendments are proposed to chapters 16.04, 16.08, 16.12 and section 16.16.010 of the East Wenatchee Municipal Code to increase the number of lots that can be created using the Short Plat procedure from 4 to 9 lots.
- 8.1.2. The proposal will be applicable to properties within the city of East Wenatchee.
- 8.1.3. The Greater East Wenatchee Area Comprehensive Plan (2019) reflects the community's preferred future and contains goals and policies encouraging infill development and the provision of affordable housing.
- 8.1.4. The Planning Commission held a workshop on February 23, 2021 to review the proposed Code amendments.
- 8.1.5. A threshold determination and environmental review pursuant to RCW 43.21C the State Environmental Policy Act was completed, and a Determination of Non-significance (DNS) was issued on March 4, 2021. The comment period ended on March 19, 2021.
- 8.1.6. The DNS was published in the Wenatchee World on March 6, 2021.
- 8.1.7. Advertisement of the Planning Commission's public hearing was published in the Wenatchee World on March 20, 2021.

8.1.8. The East Wenatchee Planning Commission held a duly advertised open-record public hearing on March 30, 2021.

8.1.9. Due to the Governors' orders prohibiting in-person meetings, the public hearing was held remotely using the Zoom platform. Access instructions for person wishing to participate in the hearing was provided in the legal advertisement for the hearing and on the City's website.

8.1.10. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated by this reference.

8.2. CONCLUSIONS

8.2.1. The proposal is consistent with and implements the goals and policies in the Greater East Wenatchee Area Comprehensive Plan.

8.2.2. Approval of the proposal will not be detrimental to the public health, safety, and general welfare.

8.2.3. Proper legal requirements of RCW 36.70A.106 and Title 19 EWMC were met and the community and state agencies were given the opportunity to comment on the proposal at duly noticed public workshops and a public hearing.

8.2.4. It is the determination of the lead agency that no more than a moderate effect on the environment is a reasonable probability as a result of the proposed action. The proper exercise of the threshold determination process as required by WAC 197-11 is that an environmental impact statement is not required to be prepared for this project.

8.2.5. The proposed amendments have been processed in a manner consistent with the requirements of the Revised Code of Washington and the Washington Administrative Code.

8.2.6. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated by this reference.

9. Severability. If a court of competent jurisdiction declares any provision in this Ordinance to be contrary to law, such declaration shall not affect the validity of the other provisions of this Ordinance.

10. Publication. The City Council directs the City Clerk to publish a summary of this Ordinance. The summary shall consist of the title of this Ordinance. The City Council directs the City Clerk to publish a copy of this Ordinance on the City's website.

11. Submittal of Notice of Adoption. In accordance with RCW 36.70A.106, this Ordinance shall be transmitted by the Community Development Director to the Washington State Department of Commerce within 10 days of adoption.

12. Effective Date. This Ordinance becomes effective five days after the date its summary is published.

Passed by the City Council of East Wenatchee, at a regular meeting thereof on this 20th day of April 2021

The City of East Wenatchee,

Washington

By Jerrilea Crawford
Jerrilea Crawford, Mayor

Authenticated:

Maria E. Holman
Maria Holman, City Clerk

Approved as to form only:

Devin Poulson
Devin Poulson, City Attorney

Filed with the City Clerk: 4/15/2021
Passed by the City Council: 4/20/2021
Published: 4/24/2021
Effective Date: 4/29/2021

**Summary of
City of East Wenatchee, Washington
Ordinance No. 2021-09**

On the 20th day of April 2021, the City Council of the City of East Wenatchee, Washington approved Ordinance No. 2021-09, the main point of which may be summarized by its title as follows:

An Ordinance of the City of East Wenatchee amending chapters 16.04, 16.08, and 16.12 and section 16.16.010 of the East Wenatchee Municipal Code to increase the number of lots that can be created using the short plat process from 4 to 9 lots, containing a severability clause, and establishing an effective date.

The full text of this Ordinance will be mailed upon request.

Dated this 20th day of April 2021.

Maria E. Holman

Maria Holman, City Clerk

Amendment 1. The City Council amends chapter 16.04 of the East Wenatchee Municipal Code to read as follows.

**Chapter 16.04
GENERAL PROVISIONS**

Sections:

- 16.04.010 Applicability.
- 16.04.020 Exemptions.
- 16.04.030 Comprehensive plan.
- 16.04.040 Suitability for subdivision.
- 16.04.050 Conformance with standards and policies.
- 16.04.060 Administrator.
- ~~16.04.070 Subdivision review committee.~~

16.04.010 Applicability.

The provisions of this chapter shall apply to the subdivision or other division of land for the purpose of sale or lease into two or more parcels or tracts within the incorporated areas of the city. (Ord. 282 § 1.00, 1979)

16.04.020 Exemptions.

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

- A. A cemetery and other burial plots while used for that purpose;
- B. Divisions of land into lots or tracts each of which is one one-hundred-twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city has adopted a subdivision ordinance requiring plat approval of such division; provided, that for the purpose 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 centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline;
- C. Division made by testamentary provisions or the laws of descent;
- D. ~~Divisions of land into lots or tracts classified for industrial or commercial use when the governing body of the city has approved a building site plan for the use of the land in accordance with local regulations; provided, that when a building site plan authorizes a sale or other transfer of ownership of a lot, parcel or tract, the building site plan shall be filed for record in the county auditor's office on each lot, parcel or tract created pursuant to the building site plan and such building site plan shall also be filed with the city planning department; provided further, that the building site plan and all of its requirements shall be legally enforceable on the purchaser or other person acquiring ownership of the lot, parcel or tract; and provided further, that sale or transfer of such lot, parcel or tract in violation of the building site plan, or without obtaining building site plan approval shall be considered a violation of this chapter and shall be subject to being restrained by injunctive action and be illegal as provided by this chapter.~~ Divisions of land into lots or tracts classified for industrial or

commercial use when the city has approved a binding site plan for the use of the land in accordance with local regulations;

- E. ~~A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land when the city council has approved a building site plan for the use of the land in accordance with local regulations~~A division for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels as defined in RCW 35.21.686, or travel trailers are permitted to be placed upon the land when the city has approved a binding site plan for the use of the land in accordance with local regulations;
- F. A division made for the purpose of adjusting boundary lines which does not create any additional lot, 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; and
- G. A division which is made in accordance with RCW 58.17.040(7) by subjecting a portion of a parcel or tract of land to either Chapter 64.32 or 64.34 RCW if the city has approved a building-binding site plan for all of such land;:-
- H. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and
- G.I. A division of land into lots or tracts of less than three acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed. (Ord. 384 § 1, 1985; Ord. 282 § 1.02, 1979)

16.04.030 Comprehensive plan.

The ~~Douglas County Comprehensive Plan and the City of East Wenatchee Compliance Plan~~Greater East Wenatchee Area Comprehensive Plan or portions thereof shall guide the use of all land within the incorporated area of the city. The type and intensity of land use as shown on the comprehensive plan shall be used as a guide to determine the

character of land division including lot size and arrangement and the type and extent of streets and roads, highways, dedications, improvements, services and other utilities and public facilities that shall be provided. (Ord. 282 § 1.04, 1979)

16.04.040 Suitability for subdivision.

Land which the administrator, ~~or subdivision review committee within their respective responsibilities,~~ or the planning commission finds to be unsuitable for land subdivision due to flooding, bad drainage, steep slopes, rock formations or other features likely to be harmful to the safety and general health of future residents and which the planning commission considers inappropriate for subdivision shall not be subdivided unless adequate methods are provided for overcoming these conditions. (Ord. 282 § 1.04.1, 1979)

16.04.050 Conformance with standards and policies.

All installation of buildings or improvements shall conform to the applicable standards and policies adopted or established by the city. No subdivision shall be developed unless all improvements, including those outside the subdivision, deemed necessary by the city are installed which will ~~insure~~ ensure that the development will conform to standards as set forth in this chapter and will not endanger life, limb or property. (Ord. 282 § 1.06, 1979)

16.04.060 Administrator.

The ~~planning community development~~ director or his/her designated representative, hereafter referred to as the administrator, is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the city and may prepare and require the use of such forms as are essential to their administration. (Ord. 282 § 1.08, 1979)

~~**16.04.070 Subdivision review committee.**~~

~~There is established a subdivision review committee consisting of the planning director, city/ county engineer and county health officer or their designated representatives, which committee shall review and report on subdivisions and which may, by unanimous vote, waive the requirements of a final map where a proposed short subdivision contains four or less lots, all of which abut a dedicated and accepted city street or road. (Ord. 282 § 1.10, 1979)~~

Amendment 2 The City Council amends chapter 16.08 of the East Wenatchee Municipal Code to read as follows.

**Chapter 16.08
DEFINITIONS**

Sections:

16.08.010	Generally.
16.08.020	Administrator.
16.08.030	Alley.
16.08.040	Block.
16.08.050	City.
16.08.060	Commission.
16.08.070	Comprehensive plan.
16.08.080	Council.
16.08.090	County.
16.08.100	Cul-de-sac.
16.08.110	Dedication.
16.08.120	Easement.
16.08.130	Environmental health standards.
16.08.140	Final plat.
16.08.150	Frontage.
16.08.160	Lot.
16.08.170	Official plans.
16.08.180	Plat.
16.08.190	Preliminary plat.
16.08.200	Reserve easement.
16.08.210	Reverse frontage lots.
16.08.220	Roadway.
16.08.230	Short plat.
16.08.240	Short subdivision.
16.08.250	Street.
16.08.260	Street, private.
16.08.270	Street, public.
16.08.280	Subdivider.
16.08.290	Subdivision.

16.08.010 Generally.

Whenever the following words and phrases appear in this title they shall be given the meaning attributed to them by this chapter. 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. (Ord. 282 § 2.00, 1979)

16.08.020 Administrator.

“Administrator” means the East Wenatchee planning community development director or his/her designated representative who is vested with the duty of administering

subdivision and platting regulations within the incorporated areas of East Wenatchee. (Ord. 282 § 2.00(1), 1979)

16.08.030 Alley.

“Alley” means a strip of land dedicated to public use providing vehicular and pedestrian access to the rear side of properties which abut and are served by a public street. (Ord. 282 § 2.00(2), 1979)

16.08.040 Block.

“Block” means a group of lots, tracts or parcels within well-defined and fixed boundaries. (Ord. 282 § 2.00(3), 1979)

16.08.050 City.

“City” means the city of East Wenatchee. (Ord. 282 § 2.00(4)(a), 1979)

16.08.060 Commission.

“Commission” means the East Wenatchee planning commission. (Ord. 282 § 2.00(5), 1979)

16.08.070 Comprehensive plan.

“Comprehensive plan” means the current comprehensive plan as adopted by the council pursuant to state law. (Ord. 282 § 2.00(6), 1979)

16.08.080 Council.

“Council” means the city council for the city of East Wenatchee. (Ord. 282 § 2.00(4), 1979)

16.08.090 County.

“County” means the county of Douglas, Washington. (Ord. 282 § 2.00(7), 1979)

16.08.100 Cul-de-sac.

“Cul-de-sac” means a street closed at one end by a circular area of sufficient size for turning vehicles around. (Ord. 282 § 2.00(8), 1979)

16.08.110 Dedication.

“Dedication” means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights that such as are compatible with the full exercise and enjoyment of the public uses to which the property has been dedicated. (Ord. 282 § 2.00(9), 1979)

16.08.120 Easement.

“Easement” means a grant by a property owner to specific persons or to the public to use land for a specific purpose or purposes. (Ord. 282 § 2.00 (10), 1979)

16.08.130 Environmental health standards.

“Environmental health standards” means those standards for the provision of adequate water and sewage treatment facilities in Douglas County and East Wenatchee which have been adopted by the Chelan-Douglas Health District. (Ord. 282 § 2.00 (11), 1979)

16.08.140 Final plat.

“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 Chapter 271, Laws of 1969, First. Ex. Session, and in this title adopted pursuant thereto. (Ord. 282 § 2.00 (12), 1979)

16.08.150 Frontage.

“Frontage” means the property line which abuts the principal means of access to the property. (Ord. 282 § 2.00(13), 1979)

16.08.160 Lot.

“Lot” means a fractional part of subdivided lands 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. (Ord. 282 § 2.00(14), 1979)

16.08.170 Official plans.

“Official plans” means those official maps, development plans or portions thereof adopted by the city council. The comprehensive plan, however, is not included in this definition of “official plans.” (Ord. 282 § 2.00(15), 1979)

16.08.180 Plat.

“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 and dedications. (Ord. 282 § 2.00 (16), 1979)

16.08.190 Preliminary plat.

“Preliminary plat” means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for approval or disapproval of the general layout of a subdivision. (Ord. 282 § 2.00(17), 1979)

16.08.200 Reserve easement.

“Reserve easement” means a strip of land between a subdivision boundary and a street within an approved subdivision, the control of which strip is deeded to the city. (Ord. 282 § 2.00(18), 1979)

16.08.210 Reverse frontage lots.

“Reverse frontage lots” means lots which have two opposite sides abutting two parallel or approximately parallel streets. (Ord. 282 § 2.00(19), 1979)

16.08.220 Roadway.

“Roadway” means that surface or portion of a street or alley right-of-way that is improved for vehicular traffic only. (Ord. 282 § 2.00(20), 1979)

16.08.230 Short plat.

“Short plat” means the map or representation of a short subdivision. (Ord. 282 § 2.00(21), 1979)

16.08.240 Short subdivision.

“Short subdivision” means ~~the division of land into more than two but less than five parcels for the purpose of sale or lease and shall include all but resubdivided land.~~ the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership. (Ord. 282 § 2.00(21)(a), 1979)

16.08.250 Street.

“Street” means an improved and maintained right-of-way which provides vehicular circulation or principal means of access to abutting properties and which may also include provisions for public utilities, pedestrian walkways, public open space and recreation areas, cut and fill slopes and drainage. (Ord. 282 § 2.00(22), 1979)

16.08.260 Street, private.

“Private street” means a street intended for the use of one or more private individuals and developed and maintained by those private individuals who benefit from its establishment. (Ord. 282 § 2.00(23), 1979)

16.08.270 Street, public.

“Public street” means a street established and adopted by the proper authorities for the use of the general public and over which every person has a right to pass and use for all purposes of travel or transportation to which it is adapted and developed. (Ord. 282 § 2.00(24), 1979)

16.08.280 Subdivider.

“Subdivider” means a person, firm, corporation, partnership or association which causes land to be divided or resubdivided into a subdivision, short subdivision or binding site plan. ~~for himself or others.~~ (Ord. 282 § 2.00(25), 1979)

16.08.290 Subdivision.

“Subdivision” means ~~the division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease and shall include all resubdivision of land.~~ division or redivision of land into ten or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership. (Ord. 282 § 2.00(26), 1979)

Amendment 3. The City Council amends chapter 16.12 of the East Wenatchee Municipal Code to read as follows.

Chapter 16.12 SHORT PLATS AND SHORT SUBDIVISIONS

Sections:

- 16.12.010 Applicability.
- 16.12.020 Administrator's duties.
- ~~16.12.030 Exception.~~
- 16.12.040 Application and fees.
- 16.12.050 Requirements for a complete application.
- 16.12.055 ~~Type of application~~ Short plat review and approval.
- 16.12.060 Adequacy and distribution of plats and plans.
- 16.12.070 Criteria for approval.
- 16.12.080 Findings and conclusions.
- 16.12.090 *Repealed.*
- ~~16.12.100 Time frame for approval.~~
- 16.12.110 Filing – Dedication.
- 16.12.120 Appeals.
- 16.12.130 *Repealed.*
- 16.12.140 *Repealed.*
- 16.12.150 Design standards.
- 16.12.160 Resubdivision prohibited.

16.12.010 Applicability.

Every division of land for the purpose of lease or sale into two or more but less than ~~five~~ ten lots, plots, sites, parcels or tracts, within the incorporated area of the city, shall proceed in compliance with this chapter. Any real property which appears on the latest adopted Douglas County tax roll as a single parcel, lying within the city even though it contains two or more platted lots, shall be subject to provisions of this chapter. (Ord. 282 § 3.00, 1979)

16.12.020 Administrator's duties.

The administrator is vested with authority to summarily approve or disapprove proposed short plats. The administrator may prepare and require the use of such forms as he/she deems essential to his responsibilities under this chapter. (Ord. 282 § 3.02, 1979)

~~16.12.030 Exception.~~

~~In any case where land division is for the purpose of adjusting the boundary line or the transfer of land between two adjacent property owners which does not result in the creation of any additional building sites, the procedures normally required in connection with the filing of a short subdivision may be waived at the discretion of the administrator. (Ord. 282 § 3.04, 1979)~~

16.12.040 Application and fees.

Any person desiring to divide land into ~~four-nine~~ or less lots for the purpose of lease or sale shall complete an application for short plat approval and file it with the administrator. At the time the applicant files an application with the administrator, he/she shall pay a nonrefundable filing fee. The city council shall set the amount of the nonrefundable filing fee for short plat approval by resolution.

In addition to the nonrefundable filing fee, the applicant shall reimburse the city for the actual costs the city incurs for engineering fees in processing the application. The applicant shall become obligated to pay and shall reimburse the city for these engineering fees as the city incurs them.

Until the applicant has paid the nonrefundable filing fee and paid for all the engineering fees incurred by the city, the applicant will not receive final approval of the short plat.

The applicant shall also be responsible for paying the cost of county fees for recording the final short plat map and any documents necessary and associated with the short plat. (Ord. 07-11 § 4, 2007; Ord. 93-8 § 1, 1993; Ord. 91-3 § 1, 1991; Ord. 282 § 3.06, 1979)

16.12.050 Requirements for a complete application.

In addition to the requirements for a completed application set forth in EWMC 19.02.020, an applicant for a short plat shall comply with and submit the following:

- A. Number of Copies. ~~Ten (10)~~ Four paper copies and one electronic version in pdf format.
- B. A proposed short plat must include pertinent survey data compiled as a result of a survey made by or under the supervision of a land surveyor registered in the state and engaged in land surveying.
- C. A drawing or map and accompanying materials submitted with the application shall provide the following information:
 1. Name of subdivision, department file number, map scale and north arrow;
 2. County assessor parcel number(s) and legal description of the land being divided;
 3. The signature and seal of the land surveyor;
 4. Boundary of land being subdivided based on relative accuracy procedures or field traverse standards, and meeting or exceeding those standards specified in Chapter 332-130 WAC;
 - 4-5. _____ Topographic contours sufficient to show the slope of the parcel to be divided;
 - 2-6. _____ All existing ~~and proposed~~ buildings and structural improvements, drainage channels and the general direction of flow of water;

- ~~3-7.~~ _____ Locations, names and widths of existing streets which provide access to the subject parcels and any other rights-of-way or easements;
- ~~8.~~ The location of all easements shown with dashed lines and the purpose of easements indicated along with the auditor file number of the easement document;
- ~~9.~~ The extent of flood hazard areas and corresponding base flood elevations;
- ~~4-10.~~ _____ Owners of adjacent land and the names of any adjacent subdivisions;
- ~~11.~~ Lines marking the boundaries of the proposed lots and lots designated by number on the short plat within the area of the lot, and tracts similarly designated by letter. Each tract shall be clearly identified with the purpose and maintenance responsibility;
- ~~5-12.~~ _____ Accurate location of all existing and proposed permanent control monuments at each corner of the short subdivision consistent with RCW 58.17.240, and at all road intersections and curve control points that fall within the pavement or as approved by the city engineer;
- ~~6.~~ ~~Legal descriptions of the tract and legal descriptions of all proposed lots;~~
- ~~7-13.~~ _____ Certificate giving full and complete description of the lands divided as they appear on the short plat, including a statement that the short subdivision has been made with free consent and in accordance with the desires of the owner(s). If the short plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual(s), religious society or societies or to any corporation, public or private, as shown on the short 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 road. The certificate shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided;
- ~~8-14.~~ _____ ~~All short plats containing a dedication must be accompanied by a title report confirming that the title of the lands as described and shown on the plat is in the name of the owner signing the certificate. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation, or grant as shown on the face of the plat shall be considered to all intents and purposes as a quit claim deed to the donee(s), grantee(s) for his, her or their use for the purpose intended by the donors or grantors as aforesaid.~~ A title report or plat certificate issued within 30 days of application showing all persons having an ownership interest in the property to be divided, a legal description describing the exterior boundary of the site and listing all encumbrances affecting the site. Supplemental plat certificates must be provided to the department if the final short plat is not recorded within thirty days of the original certificate or supplemental certificate date (Ord. 97-13 § 1, 1997; Ord. 282 § 3.08, 1979)

16.12.055 ~~Type of application~~ Short plat review and approval.

~~A short plat is a Type IIB application, and the administrator shall make the final decision. The application shall be processed as set forth in EWMC Title 19.~~

A. A short plat is a Type IIB application, and the administrator shall make the final decision. The application shall be processed as set forth in EWMC Title 19.

B. Criteria of Approval. The administrator shall approve or conditionally approve a short plat only if the findings and conclusions in EWMC 16.12.080 are met.

C. Preliminary Short Plat Approval. The administrator shall disapprove or preliminarily approve the short plat or return the short plat to the applicant for modifications within 30 days after the date of filing of a complete application, unless the applicant agrees to an extension of time. Preliminary approval shall be valid for three years from the date that the preliminary approval decision is mailed to the applicant. Within said three-year time frame, the applicant shall file a final short plat with the city.

D. Final Short Plat Approval.

1. Each final short plat filed with the city for recording shall be consistent with the preliminary short plat and all conditions of preliminary short plat approval.
2. A final short plat shall be prepared on forms 18 inches by 24 inches in size, with a 2-inch border on one of the 18-inch sides to allow for binding, and one-half-inch borders on the other 3 sides. The 2-inch border will typically be on the top or left side depending on the configuration of the drawing.
3. Materials shall be those acceptable for filing as specified in WAC 332-130-050 and be formatted consistent with requirements of the county auditor.
4. The administrator shall disapprove or approve the final short plat or return the short final plat to the applicant for modifications within 30 days after the date of filing of the final short plat unless the applicant agrees to an extension of time.
5. Each final short plat filed with the city for recording shall contain or be accompanied by the items listed in the Notice of Decision.
6. A written copy of protective covenants or agreements shall accompany the final short plat, if applicable.
7. Each final short plat filed with the city for recording shall contain the following approval and signature blocks, as applicable, county treasurer, city engineer, subdivision administrator, county auditor, and the health district. The property owner and the land surveyor shall execute their respective certificates prior to the administrator's final decision. The approvals by city and county officials and employees shall be executed after the administrator's final decision, if granted.
8. A written statement of approval signed by the Director of the Department of Ecology as required by RCW 58.17.120 if any portion of the short subdivision lies within a flood hazard zone established by EWMC Chapter 15.44, as the same exists now or may hereafter be amended.

9. A disclosure statement shall be placed on the face of final short plat that are within a flood hazard area that advises property owners and potential purchasers of the potential flood hazard on the property, and that certain activities are subject to compliance with EWMC Chapter 15.44, as the same exists now or may hereafter be amended.

10. Construction of Improvements. A final short plat shall not be filed for recording until the applicant has constructed or bonded for all improvements required by the administrator in the preliminary approval decision on the short plat.

E. Short Plat Revisions. Revisions to a preliminarily approved short plat shall be processed as a new short plat application.

(Ord. 97-13 § 2, 1997)

16.12.060 Adequacy and distribution of plats and plans.

If the administrator determines that the proposed short plat contains sufficient elements and data to furnish a basis for a complete application and that the sketch of proposed roads, utilities and other improvements is adequate to aid the city engineer in approving or disapproving the construction of future improvements, the administrator shall affix a file number and date of receipt to the application and within ~~five-14~~ days shall distribute copies of the proposed short plat to the various agencies who might be affected and the representations of which shall return their written comment within ~~five-14 working~~ days. Among these are the following:

- A. City engineer;
- B. Chelan-Douglas health district;
- C. Douglas County assessor;
- D. Douglas County public utility district;
- E. Appropriate fire protection official;
- F. Washington State Department of Transportation;
- G. Department of Ecology;
- H. Other appropriate utilities, special districts or agencies as determined by the administrator. (Ord. 97-13 § 3, 1997; Ord. 282 § 3.10, 1979)

16.12.070 Criteria for approval.

The administrator shall approve the short subdivision and short plat after making a determination:

- A. Whether the application complies with this chapter and Chapter 16.20 EWMC, as now exists or as may be hereafter amended; and
- B. If appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public

ways, transit stops, potable water supplies, sanitary waste, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and

C. Whether the public interest will be served by the short subdivision and dedication. (Ord. 97-13 § 4, 1997; Ord. 282 § 3.12, 1979)

16.12.080 Findings and conclusions.

The administrator shall not approve a short plat and short subdivision unless certain findings are made that:

A. The application complies with this chapter and Chapter 16.20 EWMC as now exists or as may be hereafter amended; or

B. Appropriate provisions are made for the public health, safety and general welfare for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and

C. The public use and interest would be served by the platting of such short subdivision and dedication. (Ord. 97-13 § 5, 1997; Ord. 282 § 3.14, 1979)

16.12.090 Subdivision review committee.

Repealed by Ord. 97-13. (Ord. 282 § 3.14.1, 1979)

~~16.12.100 Time frame for approval.~~

~~Short plats shall be approved, disapproved or returned to the applicant within 30 days after the date of filing of a complete application, unless the applicant agrees to an extension of time.~~

~~(Ord. 97-13 § 7, 1997; Ord. 282 § 3.14.2, 1979)~~

16.12.110 Filing – Dedication.

When the short subdivision is approved the ~~subdivider~~administrator shall transmit the final short plat, including such instruments as are necessary to ~~effect~~perfect any dedications, to the county auditor for recording. All dedications shall be noted on the face of the short plat. (Ord. 282 § 3.16, 1979)

16.12.120 Appeals.

Any decision of the administrator approving or disapproving any short subdivision may be appealed to the ~~board of adjustment~~hearing examiner as set forth in Chapter 19.06 EWMC. (Ord. 97-13 § 8, 1997; Ord. 282 § 3.18, 1979)

16.12.130 Planning commission action.

Repealed by Ord. 97-13. (Ord. 282 § 3.18.1, 1979)

16.12.140 Council action.

Repealed by Ord. 97-13. (Ord. 282 § 3.18.2, 1979)

16.12.150 Design standards.

All short subdivisions shall conform to Chapter 16.20 EWMC. The administrator, ~~subdivision review committee~~ or planning commission may impose the following requirements:

- A. Lots. Lots created by a short subdivision shall not be of a size which is out of character with recommendations of the comprehensive plan.
- B. Dedications. Dedication of utility easements and right-of-way shall be by separate instruments prepared by the city attorney in favor of and accepted by the city ~~and the county~~.
- C. Utilities. Proof shall be provided that water supply and sewage disposal for each lot or parcel are adequate for the proposed use of land.
- D. Improvements. There shall be installed such street and sidewalk improvements, water, sewer, electrical and telephone, utility lines, street landscaping, fire hydrants and other improvements as are deemed necessary.
- E. Survey. A survey of all short subdivisions shall be conducted by or under the supervision of a registered land surveyor. The surveyor shall certify on the short 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. (Ord. 282 § 3.20, 1979)

16.12.160 Resubdivision prohibited.

Land within a short subdivision, the short plat of which has been approved within five years immediately preceding, may not be further divided until a final plat thereof has been approved and filed for record pursuant to Chapter 16.16 EWMC. (Ord. 282 § 3.24, 1979)