

CITY OF FIFE, WASHINGTON

ORDINANCE NO. 2043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON ADDING NEW SECTIONS AND AMENDING EXISTING SECTIONS OF THE FIFE MUNICIPAL CODE, AS DETAILED IN ATTACHMENTS “A,” “B,” “C,” “D,” AND “E;” RELATED TO HOUSING CODE REGULATIONS WHICH ARE INTENDED TO INCREASE RESIDENTIAL DEVELOPMENT WITHIN THE CITY.

WHEREAS, Engrossed Second Substitute House Bill 1923 (HB 1923) became effective in July 2019 with the intent of incentivizing cities to develop and adopt ordinances that increase the variety of housing types available and increase residential density; and

WHEREAS, the Department of Commerce offered grant money to municipalities to encourage them to adopt provisions consistent with the legislation; and

WHEREAS, actions eligible for grant funding included the adoption of one or more specific code amendments related to development regulations and/or the development of a Housing Action Plan; and

WHEREAS, the City of Fife Community Development Department applied for grant funding and was awarded \$45,000 to make amendments consistent with the following grant-eligible code amendment options:

1. Authorize a triplex on each parcel in one or more housing districts that permit single-family residences; and
2. Authorize both attached and detached accessory dwelling units (ADUs) on all parcels contain single-family homes, provided lots are at least four thousand three hundred fifty-six square feet, and adopt new square footage requirements related to ADUs that are less restrictive than existing square footage requirements related to accessory dwelling units; and
3. Authorize a duplex on each corner lot within all zoning districts that permit single-family residences; and
4. Allow for the division or redivision of land into the maximum number of lots through the short subdivision process; and

WHEREAS, amendments to Title 19 of the Fife Municipal Code (FMC) are necessary to meet HB 1923 grant requirements because the FMC currently identifies regulations for single-family dwellings, duplexes, and varying intensities of multi-family dwellings, but does not include specific regulations for a triplex; and

WHEREAS, amendments to Title 19 of the FMC are necessary to meet HB 1923 grant requirements because the FMC contains regulations permitting an attached ADU on all lots containing a single-family residence, but does not permit detached ADUs; and

WHEREAS, amendments to Title 19 of the FMC are necessary to meet HB 1923 grant requirements because the FMC does not permit a duplex on each corner lot within all zoning districts that permit single-family residences because duplexes are not permitted in the Single-Family Residential District; and

WHEREAS, amendments to Title 14 and Title 18 of the FMC are necessary to meet HB 1923 grant requirements because the FMC only permits a short plat to create up to four lots and the maximum allowed by the Revised Code of Washington is nine lots; and

WHEREAS, in accordance with RCW 36.70A.106, the proposed housing options amendments were sent to and received by State agencies on December 18th, 2020 for review and comment; and

WHEREAS, in accordance with RCW 36.70A.106 (3)(b), the City of Fife requested 14-day expedited review from State agencies with said expedited review having been granted on January 7th, 2021 with no comments from State agencies received; and

WHEREAS, the City of Fife Planning Commission held a public hearing and recommended approval on the proposed amendments on January 11th, 2021; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on December 21st, 2020 with no comments having been received and no appeal filed; and

WHEREAS, on January 26th, 2021 the Fife City Council held a public hearing on the proposed amendments; and

WHEREAS, the City of Fife has fulfilled all procedural requirements for the adoption of the development regulations; now therefore

THE CITY COUNCIL OF THE CITY OF FIFE, WASHINGTON DO ORDAIN AS FOLLOWS:

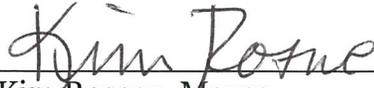
Section 1. Title 14 Planning Permit Processing, Title 18 Subdivisions, and Title 19 Zoning of the Fife Municipal Code are hereby amended as set forth in Attachments “A – E” attached hereto. All sections of the above referenced Titles not amended or repealed in Attachments “A – E” remain unchanged.

Section 2. Each and every provision of this Ordinance shall be deemed severable. If any provision of this ordinance should be deemed to be unconstitutional or otherwise contrary to law by court of competent jurisdiction, then it shall not affect the validity of the remaining sections so long as the intent of the Ordinance can be fulfilled without the illegal section.

Section 3. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

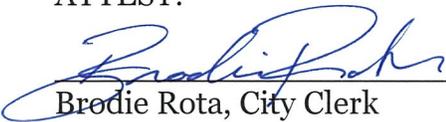
Introduced the 9th day of February, 2021.

Passed by the City Council on the 23rd day of February, 2021.



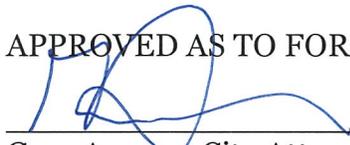
Kim Roscoe, Mayor

ATTEST:



Brodie Rota, City Clerk

APPROVED AS TO FORM:



Greg Amann, City Attorney

Published: February 25, 2021
Effective Date: March 2, 2021

Chapter 14.02

TYPES OF PROJECT PERMIT APPLICATIONS

Sections:

- 14.02.010 Project permit types.
- 14.02.020 Determination of proper procedure type.
- 14.02.030 Project permit application framework.
- 14.02.040 Legislative decisions – Type V project permit applications.
- 14.02.050 Exemptions from project permit application processing.
- 14.02.060 Optional consolidated permit processing.

14.02.010 Project permit types.

For the purposes of project permit processing, all applications shall be classified as Type I, Type II, Type III, Type IV, or Type V. Legislative decisions are Type V actions and are addressed in Chapter 14.04 FMC. Exemptions from the project permit application process are contained in FMC 14.02.050. (Ord. 1227 § 12, 1996).

14.02.020 Determination of proper procedure type.

A. Determination by Director. The director shall determine the proper procedure for all project permit applications. If there is a question as to the appropriate type of procedure, the director shall resolve it in favor of the highest procedure type.

B. Decision-Maker. Applications processed in accordance with FMC 14.02.060 which have the same numbered procedure but are assigned different hearing bodies shall be heard collectively by the highest decision-maker. The city council is the highest decision-maker, followed by the hearing examiner and the International Building Code or the International Residential Code board of appeals, then the planning commission, and last, the director. (Ord. 1777 § 1 (Exh. A), 2012; Ord. 1593-06 § 32, 2006; Ord. 1227 § 13, 1996).

14.02.030 Project permit application framework.

Planning Permit Processing

Permit Description	Project Permit Types	DRC Meeting	Preapplication Meeting	Notification Distance Mailing List	Notice Newspaper	Notice Post Site	Comment Period	Recommendation Required	Open Record Public Hearing	Final Decision Approval/Denial	Judicial Appeal
Lot Line Adjustments	Type I	Optional	Optional	No	No	No	No	Admin. Approval	No	CD Director	HE PC Superior Court
Binding Site Plan	Type I	Optional	Optional/may be required	No	Yes if SEPA required	Yes if SEPA required	Yes if SEPA required	No	No	CD Director	HE PC Superior Court
SEPA-DNS/MDNS	Type II	Optional	Optional	No	Yes	Yes	14 days	Res. Official	No	Responsible Official	HE PC Superior Court
Variance	Type III	Optional	Required	300 feet	Yes	Yes	14 days	N/A	Yes	Hearing Examiner	PC Superior Court
Short Subdivision Preliminary Short Plat 1-4-9 Lots	Type I	Optional	Optional	No 300 ft	No Yes	No Yes	No 14 days	Admin. Approval	No	CD Director	HE PC Superior Court
Final Short Plat 1-9 Lots	Type I	Optional	Optional	300 ft	Yes	No	No	Admin. Approval	No	CD Director	
Preliminary Subdivision 5-10+ Lots (Prelim. Plat)	Type IV	Optional	Required	300 feet	Yes if SEPA required	Yes if SEPA required	14 days	No	Yes	Hearing Examiner	PC Superior Court
Large Lot Division	Type I	Optional	Optional	No	No	No	No	Admin. Approval	No	CD Director	HE PC Superior Court
Final Plat	Type V	Optional	Required	300 feet	Yes	Yes	No	No	No	City Council	PC Superior Court
Site-Specific Rezones	Type IV	Optional	Required	300 feet	Yes with SEPA	Yes with SEPA	14 days	No	Yes Hearing Examiner	City Council	PC Superior Court
Shoreline Mgt. Permit	Type IV	Optional	Required	300 feet	Yes	Yes	14 days	No	Yes	Hearing Examiner	PC Superior Court

Permit Description	Project Permit Types	DRC Meeting	Preapplication Meeting	Notification Distance Mailing List	Notice Newspaper	Notice Post Site	Comment Period	Recommendation Required	Open Record Public Hearing	Final Decision Approval/Denial	Judicial Appeal
approval combined with final plat approval											
Area-Wide Rezones	Type V	No	No	300 feet	Yes with SEPA	Yes with SEPA	14 days	PC	Yes	City Council	PC Superior Court

(Ord. 1912 § 1 (Exh. A), 2015; Ord. 1866 § 3 (Exh. A), 2014; Ord. 1677 § 1, 2008; Ord. 1593-06 §§ 33, 34, 2006; Ord. 1317 § 6, 1998; Ord. 1227 § 14, 1996).

14.02.050 Exemptions from project permit application processing.

A. The following project permit applications are specifically excluded from the provisions of this title:

1. Street vacations;

~~2. Short plats;~~

~~3. Preliminary plats (long and short);~~

~~4. Final plats (long and short); and~~

~~5. Right-of-way permits.~~

Title 18

SUBDIVISIONS

Chapters:

- 18.01** General Provisions
- 18.03** Definitions
- 18.04** Repealed
- ~~**18.05** Subdivisions~~
- ~~**18.06** Preliminary Plats~~
- 18.07** Subdivision Improvement and Development Standards
- ~~**18.08** Repealed Final Plats~~
- 18.09** Binding Site Plans
- 18.12** Repealed
- 18.16** Repealed
- 18.20** Repealed
- 18.24** Repealed
- 18.28** Repealed
- 18.32** Repealed
- 18.36** Repealed
- 18.40** Repealed
- 18.44** Repealed
- ~~**18.48** Short Subdivisions~~
- 18.50** Lot Line Adjustments

Chapter 18.03

DEFINITIONS

Sections:

18.03.010	General definitions.
18.03.020	Applicant.
18.03.030	Application.
18.03.032	Base flood.
18.03.033	Base flood elevation.
18.03.035	Binding site plan.
18.03.040	Block.
18.03.050	Dedication.
18.03.060	Department.
18.03.070	Director.
18.03.080	Final plat.
18.03.090	Improvements.
18.03.100	Land division.
18.03.110	Large lot division.
18.03.120	Lot.
18.03.130	Lot line adjustment.
18.03.135	Low impact development.
18.03.136	Low impact development best management practices.
18.03.137	<i>Repealed.</i>
18.03.140	Monument.
18.03.150	Panhandle.
18.03.160	Plat.
18.03.170	Preliminary plat.
18.03.180	Public way.
18.03.190	Short plat.
18.03.200	Short subdivision.
18.03.210	Street.
18.03.220	Subdivision.
18.03.270	USC and GS.
18.03.280	USGS.

18.03.010 General definitions.

Except where specifically defined in this chapter, all words used in this title shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word “he” or “his” shall also refer to “she” or “her,” the word “shall” is always mandatory, the word “may” denotes a use of discretion in making a decision, the words “used” or “occupied” shall be considered as though followed by the words “or intended, arranged or designed to be used or occupied.” (Ord. 1676 § 11, 2008).

18.03.020 Applicant.

“Applicant” means the owner or owners of record of the property subject to an application for land division or lot line adjustment, or the authorized representative of such owner or owners. (Ord. 1676 § 12, 2008).

18.03.030 Application.

“Application” means all of the application forms, plans and accompanying documents required by this title for any particular land division or lot line adjustment request. The city shall not be considered to be in receipt of an application under this title until the director has verified that an application is complete. (Ord. 1676 § 13, 2008).

18.03.032 Base flood.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in a given year, also referred to as the “100-year flood.” (Ord. 1676 § 14, 2008).

18.03.033 Base flood elevation.

“Base flood elevation” means water surface elevation, in feet, above mean sea level for the base flood and referenced to the National Geodetic Vertical Datum of 1988 (or Pierce County datum or United States Coast and Geodetic Datum of 1988 which are the same). (Ord. 1751 § 1 (Exh. A), 2011; Ord. 1676 § 15, 2008).

18.03.035 Binding site plan.

“Binding site plan” means a drawing to a scale pursuant to Chapter 18.09 FMC which: (A) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by Chapter 18.09 FMC; (B) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (C) contains provisions making any development be in conformity with the site plan. (Ord. 1676 § 16, 2008).

18.03.040 Block.

“Block” means a group of lots, tracts, or parcels within well defined and fixed boundaries. (Ord. 1676 § 17, 2008).

18.03.050 Dedication.

“Dedication” means the deliberate conveyance of land by an owner or owners to the city for any general and public uses, reserving to the owner or owners 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 or owners presenting for filing a final plat showing the dedication thereon. Acceptance by the city shall be evidenced by the approval of the city council of such final plat for filing. (Ord. 1676 § 18, 2008).

18.03.060 Department.

“Department” means the city’s community development department, or its successor, unless otherwise specified. (Ord. 1676 § 19, 2008).

18.03.070 Director.

“Director” means the director of the city’s community development department, or its successor, unless otherwise specified. (Ord. 1676 § 20, 2008).

18.03.080 Final plat.

“Final plat” means the final drawing of a subdivision, or short subdivision (Final Short Plat) –and dedication prepared for filing for record with the county auditor, and containing all elements and requirements as set forth in Chapter 18.05-06 FMC, and as set forth in Chapter 58.17 RCW. (Ord. 1676 § 21, 2008). _

18.03.090 Improvements.

“Improvements” means the streets, sidewalks, street lights, fire hydrants, stormwater facilities, sanitary sewer facilities, domestic water facilities, and other utilities and facilities to be constructed in conjunction with any particular land division, as set forth in Chapter 18.07 and applicable city development regulations. (Ord. 1676 § 22, 2008).

18.03.100 Land division.

“Land division” means the creation of any new lot or lots for the purpose of sale, lease or transfer of ownership, whether such lot or lots is created by subdivision, short subdivision, large lot division, or binding site plan. (Ord. 1676 § 23, 2008).

18.03.110 Large lot division.

“Large lot division” means a division of land into lots, tracts or parcels, each of which is five acres or larger. (Ord. 1676 § 24, 2008).

18.03.120 Lot.

“Lot” means an area of land under single or common ownership, which has been created by any of the various land division methods for the purpose of lease, sale or transfer of ownership, defined by fixed and definite boundaries, and having sufficient area and dimension to accommodate development allowed by the zone in which it is located. The term shall not include those tracts or parcels which are not buildable, but are created for common or public use such as road and utility tracts. (Ord. 1676 § 25, 2008).

18.03.130 Lot line adjustment.

“Lot line adjustment” means the relocation of the boundaries of a lot, which relocation does not result in the creation of any additional lot or lots 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. (Ord. 1676 § 26, 2008).

18.03.135 Low impact development.*

See FMC 15.32.020. (Ord. 1685 § 1(Exh. A), 2009).

18.03.136 Low impact development best management practices.*

See Chapter 15.32 FMC. (Ord. 1954 § 29, 2016; Ord. 1685 § 1(Exh. A), 2009).

18.03.137 Low impact development techniques.*

Repealed by Ord. 1954. (Ord. 1685 § 1(Exh. A), 2009).

*Code reviser’s note: Ordinance 1685 added new definition Sections 18.08.125, 18.08.126 and 18.08.127 Since Chapter 18.08 was previously repealed by Ordinance 1676, the sections have been renumbered to appear in this chapter.

18.03.140 Monument.

“Monument” means a permanent type survey marker which conforms to the city standard detail for monuments, or an approved substitute. (Ord. 1676 § 27, 2008).

18.03.150 Panhandle.

“Panhandle” means an irregular extension or protrusion of a lot, created for the purpose of providing such lot with frontage on a public or private street or access way. (Ord. 1676 § 28, 2008).

18.03.160 Plat.

“Plat” is 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. 1676 § 29, 2008).

18.03.170 Preliminary plat.

“Preliminary plat” means a neat and approximate drawing of a proposed subdivision, or short subdivision (Preliminary Short Plat), showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the provisions of this title. The preliminary plat shall be the basis for approval or disapproval of the general layout of a subdivision or a short subdivision (Preliminary Short Plat). (Ord. 1676 § 30, 2008).

18.03.180 Public way.

“Public way” means any publicly owned land set aside for utility infrastructure, stormwater management and surface transportation purposes, including vehicular, bicycle and pedestrian transportation, whether improved or not improved. (Ord. 1954 § 30, 2016; Ord. 1676 § 31, 2008).

~~**18.03.190 Short plat.**~~

~~“Short plat” means a neat and accurate drawing of a short subdivision, prepared for filing for record with the county auditor, and containing all elements and requirements as set forth by Chapter 18.48 FMC. (Ord. 1676 § 32, 2008).~~

18.03.200 Short subdivision.

“Short subdivision” means the division or redivision of land into ~~four~~ nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, consistent with the provisions of ~~this title Chapter 18.48 FMC~~, except “large lot divisions” as defined in this chapter. (Ord. 1676 § 33, 2008).

18.03.210 Street.

“Street” means any land legally segregated or reserved for the purpose of providing for vehicular travel and access to real property. (Ord. 1676 § 34, 2008).

18.03.220 Subdivision.

“Subdivision” means the division or redivision of land into ~~five~~ ten ~~or~~ more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, consistent with the provisions of this title, except ~~“short subdivisions,”~~ “large lot divisions,” and “binding site plans” as defined in this chapter. (Ord. 1676 § 35, 2008).

**Chapter 18.05
SUBDIVISIONS**

Sections:

- ~~18.05.010 Preliminary plat pre application conference.~~
- ~~18.05.020 Preliminary plat application, submittal and contents.~~
- ~~18.05.030 Preliminary plat Preparation.~~
- ~~18.05.040 Preliminary plat Contents.~~
- ~~18.05.050 Preliminary plat Determination of completeness Time limitations Simultaneous processing.~~
- ~~18.05.060 Repealed.~~
- ~~18.05.070 Administrative review.~~
- ~~18.05.080 Public hearing Hearing examiner action.~~
- ~~18.05.100 Approval or disapproval of subdivision Factors to be considered.~~
- ~~18.05.110 Preliminary plat Phased development.~~
- ~~18.05.120 Transfer of property following preliminary plat approval.~~
- ~~18.05.130 Adjustments of an approved preliminary plat.~~
- ~~18.05.140 Modification or revocation of preliminary plat.~~
- ~~18.05.150 Time limitations.~~
- ~~18.05.160 Preparation of final plat.~~
- ~~18.05.170 Administrative review.~~
- ~~18.05.180 City council action.~~
- ~~18.05.190 Distribution and filing.~~
- ~~18.05.200 Vacation of subdivisions.~~
- ~~18.05.210 Alteration of subdivisions.~~
- ~~18.05.220 Time limitations for final plats.~~

18.05.010 Preliminary plat pre application conference.

~~Persons considering making application to subdivide land lying within the city of Fife shall request that a pre application conference be held with appropriate city staff. Such request shall be directed to the director, and upon its receipt the director shall schedule a conference between the prospective applicant and appropriate city staff. The purpose of a pre application conference is for the prospective applicant and city staff to gain a common understanding of the nature of the contemplated subdivision and subsequent development, and any procedures, rules, standards and policies which may apply. The prospective applicant is encouraged to bring to the conference whatever information deemed appropriate to help describe the existing nature of the site and its surroundings and the proposed nature of the contemplated subdivision and subsequent development. Such information may include photographs, sketches and maps. The director or the prospective applicant may request that an additional conference or conferences be held to further the purpose of this section. (Ord. 1676 § 39, 2008).~~

18.05.020 Preliminary plat application, submittal and contents.

~~Application for subdivision approval shall be submitted to the community development department. To be considered complete, the application shall include the following:~~

- ~~A. A completed subdivision application form, blank copies of which are available from the department;~~
- ~~B. A completed environmental checklist form, blank copies of which are available from the department, unless the director and the applicant agree that an environmental impact statement must be prepared;~~
- ~~C. Eight paper copies of a preliminary plat, prepared according to the provisions of this chapter;~~
- ~~D. Addressed envelopes with U.S. postage stamps and a map of the property owners within a 300 foot radius of the boundaries of the proposed subdivision, and if the applicant owns property abutting the project site, all property owners within 300 feet of the abutting property;~~
- ~~E. Application fee in accordance with Chapter 3.80 FMC. (Ord. 1676 § 40, 2008).~~

18.05.030 — Preliminary plat — Preparation.

The preliminary plat shall be prepared in accordance with the following requirements:

A. Preparation. The preliminary plat shall be prepared by a professional engineer or professional land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC.

B. Scale and Format. The preliminary plat shall be drawn with India ink or other reproducible black ink on mylar. All geographic information portrayed by the preliminary plat shall be accurate, legible, and drawn to an engineering (decimal) scale. The horizontal scale of a preliminary plat shall be 100 feet or fewer to the inch, except that the location sketch and typical street cross sections may be drawn to any other appropriate scale. A preliminary plat shall be 24 inches by 36 inches in size, and if more than one sheet is needed each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. (Ord. 1676 § 41, 2008).

18.05.040 — Preliminary plat — Contents.

Preliminary plat prints and approved electronic submission formats shall have dimensions that are multiples of nine inches along one side and multiples of 12 inches along the adjacent side. The drawing shall be to a scale of no greater than one inch equals 50 feet or smaller than one inch equals 100 feet. The preliminary layout shall contain the following information:

A. General Information.

1. The name of the proposed subdivision, together with the words “preliminary plat”;
2. The name and address of the applicant;
3. The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;
4. Numeric scale, graphic scale, true north point and date of preparation;
5. A form for the endorsement of the director;
6. Legal description of preliminary plat.

B. Vicinity Map. A vicinity map sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, streets, and other major manmade and natural features shall appear on the preliminary plat.

C. Existing Geographic Features. Except as otherwise specified herein, the following existing geographic features shall be drawn lightly in relation to proposed geographic features:

1. The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;
2. All existing property lines lying within the proposed subdivision which are to be vacated, and all existing property lines lying within 100 feet of the property to be subdivided or within 100 feet of property lying adjacent to and under the same ownership as the property to be subdivided;
3. The location, right of way widths, pavement widths, and names of all existing or platted streets, whether public or private, and other public ways within or adjacent to the proposed subdivision;
4. The location, widths and purposes of any existing easements, including recording numbers, lying within or adjacent to the proposed subdivision;

- ~~5. The location and size of existing sanitary sewer, storm sewer and water lines lying within or adjacent to the proposed subdivision;~~
- ~~6. The location of existing section and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;~~
- ~~7. The location of any well used for domestic water supply existing within the proposed subdivision or within 100 feet of the boundaries of the proposed subdivision;~~
- ~~8. Existing contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of one foot for average slopes not exceeding five percent. Existing contour lines which will be altered through filling or excavation shall be indicated by broken lines (final contour lines shall be indicated by solid lines, as provided by subsection (D) of this section). Contour lines shall be labeled at intervals not to exceed 20 feet, and shall be based upon USGS or USC and GS datum, as determined by the city;~~
- ~~9. The location of any existing structures lying within the proposed subdivision. Existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines;~~
- ~~10. A geotechnical report which includes hydrogeologic analysis may be required if deemed necessary by the director.~~

~~D. Proposed Geographic Features. The following proposed geographic features shall be shown:~~

- ~~1. The boundaries and approximate dimensions of all proposed lots, and the proposed identifying number or letter to be assigned to each lot and/or block;~~
- ~~2. The right of way location and width, the proposed name of each street, alley or other public way to be created and adequate horizontal and vertical street geometries to ensure compliance with city standards;~~
- ~~3. The location, width and purpose of each easement to be created;~~
- ~~4. The boundaries, dimensions and area of public and common park and open space areas;~~
- ~~5. Identification of all areas proposed to be dedicated for public use, together with the purpose and any conditions of dedication;~~
- ~~6. Proposed final contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of one foot for average slopes not exceeding five percent. Final contours shall be indicated by solid lines (existing contours which are to be altered shall be shown by broken lines, as provided by subsection (C)(8) of this section). Contour lines shall be labeled at intervals not to exceed 20 feet, shall be based upon USGS or USC and GS datum, and shall be indicated by lines drawn lightly relative to other proposed geographic features;~~
- ~~7. The building envelope and setbacks shall be indicated for each lot.~~

~~E. Additional Information. The following additional information shall be shown on the face of the preliminary plat:~~

- ~~1. For proposed subdivisions involving residential land uses, a table providing the following information for each distinct residential area:
 - ~~a. Proposed land use (e.g., single family, duplex, multifamily);~~
 - ~~b. Number of dwelling units;~~
 - ~~c. Gross and net acreage;~~
 - ~~d. Existing zoning designation;~~~~

- ~~e. Proposed zoning designation;~~
- ~~f. Approximate area of smallest lot;~~
- ~~g. Number of platted lots;~~
- ~~h. Square feet used for:
 - ~~i. Environmental constraints;~~
 - ~~ii. Roads;~~
 - ~~iii. Low impact development facilities, on-site stormwater and utilities;~~~~
- ~~i. Achieved density;~~
- ~~j. Square feet used to determine permitted number of units;~~
- ~~k. Proposed source of domestic water supply;~~
- ~~l. Proposed sewage disposal system;~~
- ~~m. Typical street cross section(s);~~
- ~~n. Stormwater management—Report and plan—Chapters 15.32 and 15.34 FMC;~~
- ~~o. A landscaping plan in compliance with Chapter 19.64 FMC;~~
- ~~p. Base flood elevation. (Ord. 1954 § 31, 2016; Ord. 1685 § 1(Exh. A), 2009; Ord. 1676 § 42, 2008).~~

18.05.050—Preliminary plat—Determination of completeness—Time limitations—Simultaneous processing.

~~A. Within 28 days after receiving a preliminary plat application, the director shall mail or provide in person a written determination to the applicant, stating either that the application is complete, or that the application is incomplete and what is necessary to make the application complete. An application is complete for purposes of this section when it meets the procedural submission requirements of FMC 18.05.020 through 18.05.040 and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.~~

~~B. Within 14 days after an applicant has submitted the additional information identified by the city as being necessary for a complete application, the director shall notify the applicant whether the application is complete or whether additional information is necessary.~~

~~C. An application for preliminary plat approval shall be approved, approved with conditions, or returned to the applicant for modifications or corrections or denied within 90 days from the date the application is determined to be complete unless the applicant consents to an extension of such time period; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement.~~

~~D. Unless an applicant for preliminary plat approval requests otherwise, a preliminary plat shall be processed simultaneously with applications for rezones, variances, planned unit developments, site plan approvals, SEPA, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing. (Ord. 1676 § 43, 2008).~~

18.05.060—Planning commission review.

~~Repealed by Ord. 1866. (Ord. 1676 § 44, 2008).~~

18.05.070—Administrative review.

The director shall solicit the comments of the public works director, city engineer, parks, recreation and aquatics director, building official, any other appropriate city department, local utility provider, local school district, and any other appropriate public or private entity concerning the proposed subdivision. Comments received in a timely manner, as well as any written comments received in response to a notice of public hearing, shall either be transmitted to the hearing examiner or incorporated into a report prepared by the director and submitted to the hearing examiner, prior to the scheduled public hearing. (Ord. 1962 § 12, 2017; Ord. 1866 § 6, 2014; Ord. 1859 § 100, 2014; Ord. 1676 § 45, 2008).

18.05.080—Public hearing—Hearing examiner action.

A. After having received the proposed subdivision plat and after completion of any required environmental review, the community development director or designee shall set a date for an open record public hearing before the hearing examiner.

B. Every hearing held for the purposes of this chapter shall be open to the public, and a record of the hearing shall be kept and made available for public inspection. A public hearing held under this chapter shall not be continued beyond the originally scheduled date of public hearing unless the applicant consents, in writing, to an extension of the time period allowed for a decision under FMC 18.05.050(C).

C. Any notice of public hearing required by this section shall include the hour and location of the hearing and a description of the property to be subdivided. The description may be in the form of either a vicinity location sketch or a written description other than a legal description.

D. Except as provided in RCW 36.70B.110, at a minimum the director shall cause notice of the hearing to be given in the following manner:

1. Notice shall be published not less than 10 days prior to the hearing in a newspaper of general circulation within the county and The News Tribune newspaper;
2. Notice shall be mailed to all property owners within 300 feet of the subject property. If the applicant owns property abutting the project site, all property owners within 300 feet of the abutting property shall also be notified;
3. Where any boundary of the proposed subdivision lies adjacent to or within one mile of the municipal boundaries of any city or town other than the city of Fife, notice shall be mailed to the appropriate city or town authorities;
4. Where the proposed subdivision adjoins the municipal boundaries of the city of Fife, notice shall be mailed to the appropriate county officials;
5. Where the proposed subdivision is located adjacent to the right of way of a state highway, notice shall be mailed to the Washington State Department of Transportation;
6. Where the proposed subdivision is located within two miles of a publicly owned airport, notice shall be mailed to the Washington State Secretary of Transportation.

E. After considering the matter at a public hearing, the hearing examiner shall review and either approve, approve with conditions, or deny subdivision. The hearing examiner's decision shall include findings and conclusions to support the decision. (Ord. 1866 § 7, 2014; Ord. 1777 § 1 (Exh. A), 2012; Ord. 1676 § 46, 2008).

18.05.100—Approval or disapproval of subdivision—Factors to be considered.

A. The hearing examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. A proposed subdivision and dedication shall not be approved unless the hearing examiner makes written findings that: (1) the proposed subdivision is in conformity with all applicable zoning and other land use regulations; (2) appropriate provisions are made for the public health, safety, and general welfare and 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 only walk to and from school; and (3) the public use and interest will be served by the platting of such subdivision and dedication.

B. If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city council shall adopt the designated name.

C. The hearing examiner shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the city covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the prior written approval of the Department of Ecology of the state of Washington. (Ord. 1866 § 8, 2014; Ord. 1676 § 47, 2008).

18.05.110 — Preliminary plat — Phased development.

Preliminary plat approval must be granted for the entire subdivision. Where a plat is proposed to be developed in distinct phases, the plat map must delineate the separate divisions which are to be developed in increments. The preliminary plat approval is conditioned upon completion of the proposed phases in a particular sequence and may specify a completion date for each phase. Final plat approval is granted for each separate phase of the preliminary plat and any changes at the preliminary plat stage would require council approval. (Ord. 1676 § 48, 2008).

18.05.120 — Transfer of property following preliminary plat approval.

No lot, tract or parcel of land within a subdivision shall be sold or transferred, or offered or advertised for sale or transfer without having a final plat of such subdivision filed for record. Provided, if performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract or parcel of land following preliminary plat approval but prior to final plat approval is expressly conditioned on the recording of the final plat containing the lot, tract or parcel under this chapter, the offer or agreement does not violate any provision of this chapter. All payments on account of an offer or agreement conditioned as provided in this section shall be deposited in an escrow or other regulated trust account and no disbursement to sellers shall be permitted until the final plat is recorded. (Ord. 1676 § 49, 2008).

18.05.130 — Adjustments of an approved preliminary plat.

A. Minor Adjustments. Minor adjustments may be made and approved by the director. Minor adjustments are those which may affect the precise dimensions of the plat but which do not affect the basic character or arrangement of the lots and streets. Such dimensional requirements shall not vary more than 10 percent from the original. The adjustments cannot be inconsistent with the requirements of the preliminary plat approval. The adjustments cannot cause the subdivision to be in violation of this title, FMC Title 19, any other applicable city land use control, Chapter 58.17 RCW, or any other applicable state law or regulation.

B. Major Adjustments. Major adjustments are those when determined by the director, substantially change the basic design, layout, open space or other requirements of the plat. When the director determines a change constitutes a major adjustment, the application shall be processed in the same manner as a new preliminary plat application. (Ord. 1676 § 50, 2008).

18.05.140 — Modification or revocation of preliminary plat.

The hearing examiner may modify a preliminary plat or revoke approval of a preliminary plat if, after notice and a public hearing, the hearing examiner finds:

A. That a change in conditions creates a serious threat to the public health or safety;

B. Preliminary plat approval was made under a mistake of material fact and in violation of law; or

C. The conditions of preliminary plat approval are impossible to satisfy because of a knowing and deliberate violation of a condition of approval. (Ord. 1866 § 9, 2014; Ord. 1676 § 51, 2008).

18.05.150—Time limitations.

Through December 31, 2014, a preliminary plat shall be valid for a seven-year period following council approval of the preliminary plat. Starting January 1, 2015, a preliminary plat shall be valid for a five-year period following hearing examiner approval for the preliminary plat. An applicant who files a written request with the hearing examiner at least 30 days before the expiration of the stated period shall be granted a one-year extension upon showing that a good faith effort has been attempted in applying for a final plat. A good faith effort is defined to be at minimum the submittal of a complete engineering construction drawing(s) to the city. Additional extensions of one-year may be similarly requested by the applicant and granted by the hearing examiner, subject to a finding of good faith effort. A plat granted preliminary approval but not filed for final plat approval within the applicable time period or extended time period shall be null and void. (Ord. 1866 § 10, 2014; Ord. 1811 § 1, 2012; Ord. 1676 § 52, 2008).

18.05.160—Preparation of final plat.

The final plat shall be prepared in accordance with the following requirements:

A. Application. Eight paper copies of a final plat meeting all requirements of Chapter 58.17 RCW and this title shall be submitted to the director along with the fee established by Chapter 3.80 FMC. The final plat shall be accompanied by a copy of the approved preliminary plat and any documents required by this section. An application for final plat approval shall be approved or returned to the applicant for corrections within 30 days of receipt of a complete application by the department unless the applicant agrees, in writing, to an extension of this time period.

B. Scale and Format. The final plat shall be drawn with India ink on mylar measuring 24 inches by 36 inches in size, allowing one-half inch for border. The final plat shall be accurate, legible and drawn to an engineering (decimal) scale of 100 feet or fewer to the inch. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size. All signatures or certifications appearing on a final plat shall be in reproducible black ink.

C. Final Plat Contents. A final plat shall contain the following information:

1. The name of the subdivision;
2. Legal description of the property being subdivided;
3. Numeric scale, graphic scale, true north point and date of preparation of the final plat;
4. The boundary line of the plat, referenced to USGS or USC and GS datum and based on an accurate traverse, with angular and linear dimensions and bearings;
5. The exact location, width and name of all streets, alleys and other public ways within and adjacent to the subdivision;
6. The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;
7. True courses and distances to the nearest established street lines, or section or quarter-section corner monuments which shall accurately locate the subdivision;
8. Municipal, township, county or section lines accurately tied to the lines of the plat by distances and courses;
9. All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;
10. Delineation of the building envelope and setbacks of each lot;
11. The radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;
12. The accurate location of each permanent control monument. One such monument shall be located at each and every controlling corner on the boundaries of the parcel of land being subdivided; at each street centerline

~~intersection, each point of curvature (PC), each point of tangency (PT), and each point of reverse curve (PRC); and at each intersection of a street centerline with a plat boundary;~~

~~13. All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20 feet from, the highwater line of such body;~~

~~14. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes of such dedication or reservation and any limitations indicated thereon and in the dedication;~~

~~15. Accurate outlines of any areas to be reserved by deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;~~

~~16. Any restrictions or conditions on the lots or tracts within the subdivision, as required by the city council or at the discretion of the property owner;~~

~~17. The name and seal of the licensed land surveyor responsible for preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;~~

~~18. A signed certification stating that the subdivision has been made with the free consent, and in accordance with the desires of the owner or owners. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage or maintenance of said street or other areas so dedicated. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided. An offer of dedication may include a waiver of right of direct access to any street from any property. However, direct street access may be waived only so long as other access to the lot is provided. No such waiver may result in an unusable lot. Such waiver may be required by the city engineer as a condition of approval. 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 as a statutory warranty deed to the said donee or grantee for use for the purpose intended by the donation or grant. The acceptance of right of way by the city shall not obligate the city to improve or develop the lands in the right of way;~~

~~19. Certification that all lots meet minimum zoning requirements;~~

~~20. Certification that roads, utilities, drainage facilities, and related infrastructure have been built or provided for;~~

~~21. If the plat is subject to a dedication, a certificate containing the dedication of all streets and other areas, signed and acknowledged before a notary public by all parties having an ownership interest in the lands subdivided;~~

~~22. Signature blocks for the certification of approval by the county assessor treasurer, county auditor, Five finance director treasurer, community development director, public works director, and city manager;~~

~~23. Space for the signature of the city manager to accept the public rights of way on behalf of the city;~~

~~24. Certification by the Pierce County treasurer that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been paid, satisfied or discharged;~~

~~25. A form for the certificate of the county recorder;~~

~~26. Buildable Lands Report Information.~~

~~a. Number of dwelling units;~~

- ~~b. Gross and net acreage;~~
- ~~c. Existing zoning and plan designation;~~
- ~~d. Proposed zoning and plan designation;~~
- ~~e. Number of platted lots;~~
- ~~f. Square feet used to determine permitted number of units;~~
- ~~g. Square feet used for:~~
 - ~~i. Environmental constraints;~~
 - ~~ii. Roads;~~
 - ~~iii. Stormwater and utilities;~~
- ~~h. Achieved density.~~

~~D. Accompanying Documents.~~

~~1. In cases where any protective deed covenants will apply to lots or parcels within a subdivision, a typewritten copy of such covenants shall be submitted along with the final plat.~~

~~2. The final plat shall be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes, showing the original or re-established corners, with the descriptions of the same, and the actual traverse showing error of closure and method of balancing. A sketch showing all distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in 10,000 feet.~~

~~3. The final plat shall be accompanied by a current (within 30 days) title company certification of:~~

- ~~a. The legal description of the total parcel sought to be subdivided;~~
- ~~b. Those individuals or corporations holding an ownership interest in said parcel;~~
- ~~c. Any lands to be dedicated shall be confirmed as being in the name of the owners signing the dedication certificate;~~
- ~~d. Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by auditor's file numbers and/or recording number.~~

~~If lands are to be dedicated or conveyed to the city as part of the subdivision, an A.L.T.A. title policy may be required by the city engineer.~~

~~4. All required performance and maintenance bonds.~~

~~5. Electronic copy in a format determined by the city. (Ord. 1859 § 101, 2014; Ord. 1806 § 1, 2012; Ord. 1676 § 53, 2008).~~

18.05.170 — Administrative review.

~~Upon receipt of a final plat for council approval, the director shall place the final plat on the next council agenda that allows for at least 10 working days of staff review prior to the council meeting. The director shall forward the plat to the city engineer and to other city departments for review. Prior to the date at which the council will consider the final plat, the director shall forward to the council the original of the final plat, along with the planning agency's report which discusses the conformity or nonconformity of the final plat with the terms and conditions of the~~

~~preliminary plat approval, the requirements of this title, and the requirements of Chapter 58.17 RCW and other applicable state laws. (Ord. 1676 § 54, 2008).~~

~~18.05.180 — City council action.~~

~~The city council shall have sole authority to approve final plats. The council shall approve, disapprove, or return to the applicant for modification or correction a proposed final plat, on the date of the meeting set for consideration of the final plat unless the applicant agrees, in writing, to an extension of the time period. If the council finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, it shall by resolution approve the final plat and direct and authorize the city manager to suitably inscribe and execute its written approval on the face of the final plat. The council's decision shall include written findings and conclusions to support its decision. (Ord. 1676 § 55, 2008).~~

~~18.05.190 — Distribution and filing.~~

~~The director shall distribute the original and copies of the approved final plat as follows:~~

- ~~A. The original shall be returned to the applicant to be forwarded to the county auditor for filing;~~
- ~~B. Two paper copies shall be transmitted to the county assessor;~~
- ~~C. One reproducible copy shall be transmitted to the city engineer;~~
- ~~D. One reproducible copy shall be retained in the files of the planning department. (Ord. 1676 § 56, 2008).~~

~~18.05.200 — Vacation of subdivisions.~~

~~The procedures for vacation of subdivisions after final plat approval shall be in accordance with RCW 58.17.212 as amended. (Ord. 1676 § 57, 2008).~~

~~18.05.210 — Alteration of subdivisions.~~

~~The procedures for alteration of subdivisions after final plat approval shall be in accordance with RCW 58.17.215 as amended. (Ord. 1676 § 58, 2008).~~

~~18.05.220 — Time limitations for final plats.~~

~~Any lots in a final plat filed for record are a valid land use, notwithstanding changes in zoning laws, for seven years from the date of filing if the date of filing is on or before December 31, 2014. Any lots in a final plat filed for record are a valid land use, notwithstanding changes in zoning laws, for five years from the date of filing if the date of filing is on or after January 1, 2015. (Ord. 1811 § 2, 2012).~~

18.06 - PRELIMINARY PLATS

18.06.010 – General Provisions

18.06.020 – Applicability

18.06.030 – Application Preparation and Contents

18.06.040 – Process

18.06.050 – Preliminary Plat Approval

18.06.060 – Preliminary Plat adjustments, modifications and revocations

18.06.010 – General Provisions

A) Process – Generally

- 1) Preliminary Plat – Both Short and Long subdivisions are a two-step process, requiring a preliminary approval before application for a final plat can be made. Preliminary Short Plats, creating ~~nine~~⁹ –or fewer~~less~~ lots are approved administratively, consistent with the provisions below. Preliminary Long plats, creating ~~ten~~¹⁰ or more lots are approved by the Hearing Examiner, consistent with the provisions below.
- 2) Improvements – Upon approval a preliminary plat, the applicant shall install or bond for the improvements necessary to serve the platted lots.
- 3) Final Plat – Upon completion or bonding of the improvements and conformance with all other requirements and conditions of a preliminary plat approval the applicant may apply for a final plat approval.

B) Environmental Review

- 1) Short Plat.
 - a) All actions by the city in approving a short plat shall be exempt from any environmental review unless the director determines that the short plat is located wholly or partially within a critical area as designated in FMC 17.05.015, or associated buffer.
 - b) If the proposed short plat is located wholly or partially within a critical area or associated buffer, as determined by the director, environmental review shall be in accordance with the SEPA and critical areas regulations set forth in FMC Title 17.
- 2) Long Plats. All long preliminary plats are subject to SEPA review and a SEPA checklist shall be submitted ~~a SEPA checklist~~ as part of the application.

C) Separate short plats permitted when.

Lots within a plat or contiguous unplatted parcels of land which are acquired by the developer or applicant independently of each other and which, when further divided into lots, collectively create no more than ~~four~~^{nine} lots, may be short platted separately; provided, that when the applicant short plats the first parcel, the access, lot lines and drainage for the total tract are also approved by the city.

D) Contiguous parcels that have one or more common owners, one or more persons who have an interest in the entity that owns or has an ownership interest in contiguous parcels, or a developer

who intends to develop contiguous properties, must comply with the subdivision requirements of this title if the total number of resultant lots will exceed four in number. The short subdivision code may not be used as a mechanism to avoid the requirements of the subdivision code where there are adjacent parcels under common ownership, as described herein, that, but for the property boundaries, would be required to comply with the subdivision requirements.

E) Pre-Application Conference:

Persons considering making application for a long subdivision for land lying within the city of Fife shall request that a pre-application conference be held with appropriate city staff. Such request shall be directed to the director, and upon its receipt the director shall schedule a conference between the prospective applicant and appropriate city staff. The purpose of a pre-application conference is for the prospective applicant and city staff to gain a common understanding of the nature of the contemplated subdivision and subsequent development, and any procedures, rules, standards and policies which may apply. The prospective applicant is encouraged to bring to the conference whatever information deemed appropriate to help describe the existing nature of the site and its surroundings and the proposed nature of the contemplated subdivision and subsequent development. Such information may include photographs, sketches and maps. The director or the prospective applicant may request that an additional conference or conferences be held to further the purpose of this section.

F) Phased Development

Preliminary plat approval must be granted for the entire subdivision. Where a plat is proposed to be developed in distinct phases, the plat map must delineate the separate divisions which are to be developed in increments. The preliminary plat approval is conditioned upon completion of the proposed phases in a particular sequence and may specify a completion date for each phase. Final plat approval is granted for each separate phase of the preliminary plat and any changes at the preliminary plat stage would require council approval.

G) Transfer of property following preliminary plat approval.

No lot, tract or parcel of land within a subdivision shall be sold or transferred, or offered or advertised for sale or transfer without having a final plat of such subdivision filed for record. Provided, if performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract or parcel of land following preliminary plat approval but prior to final plat approval is expressly conditioned on the recording of the final plat containing the lot, tract or parcel under this chapter, the offer or agreement does not violate any provision of this chapter. All payments on account of an offer or agreement conditioned as provided in this section shall be deposited in an escrow or other regulated trust account and no disbursement to sellers shall be permitted until the final plat is recorded

H) Timing

Through December 31, 2014, a preliminary plat shall be valid for a seven-year period following approval of the preliminary plat. Starting January 1, 2015, a preliminary plat shall be valid for a five-year period following approval for the preliminary plat. An applicant who files a written request with the City at least 30 days before the expiration of the stated period shall be granted a one-year extension upon showing that a good faith effort has been attempted in applying for a final plat. A good faith effort is defined to be at minimum the submittal of a complete engineering construction drawing(s) to the city. Additional extensions of one year may be similarly requested by the applicant and granted, subject to a finding of good faith effort. A plat granted preliminary approval but not

filed for final plat approval within the applicable time period or extended time period shall be null and void.

18.06.020 – Applicability

The provisions of this title apply to both short and long plats. The provisions for a short plat apply to the creation of up to nine⁹ lots, and the provisions for a long plat apply to the creation of up to 10 lots or more. Where the below provisions of this chapter do not distinguish between long and short plat, said the provisions apply to both the same.

18.06.030 – Application Preparation and Contents

A) Preparation.

- 1) The preliminary plat shall be prepared by a professional engineer or professional land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC
- 2) Scale and Format. All geographic information portrayed by the preliminary plat shall be accurate, legible, and drawn to an engineering (decimal) scale. The horizontal scale of a preliminary plat shall be 100 feet or fewer to the inch, except that the location sketch and typical street cross sections may be drawn to any other appropriate scale. A preliminary plat shall be 24 inches by 36 inches in size, and if more than one sheet is needed each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided.
- 3) All applications shall submit electronic documents of the application material in .pdf format or other version as determined by the director.

B) Contents.

- 1) A preliminary plat application shall contain the following items:
 - a) Current title report
 - b) Preliminary Plat drawing consistent with subsection 2 below.
 - c) Utility availability letters
 - d) Conceptual utilities plan showing how all lots will be served by both public and private utilities.
 - e) Conceptual grading plan showing existing and proposed grades with cross sections demonstrated, as applicable;
 - f) Conceptual access plan showing existing and proposed access points as well as any planned roads.
 - g) Copy of restrictions, if any, to be imposed upon the use of the land. Such restrictions must be recorded simultaneously with the subdivision.
 - h) Narrative of compliance with applicable criteria for approval listed in this chapter.
 - i) Critical areas analysis consistent with FMC Title 17, as applicable.
 - j) Applicable fee as determined by the currently adopted fee schedule in accordance with Chapter 3.80 FMC.
- 2) Preliminary plat prints and approved electronic submission formats shall have dimensions that are multiples of nine inches along one side and multiples of 12 inches along the adjacent side.

The drawing shall be to a scale of no greater than one inch equals 50 feet or smaller than one inch equals 100 feet. The preliminary plat drawing shall contain the following information:

a) General Information

- (i) The name of the proposed subdivision, together with the words "preliminary plat";
- (ii) The name and address of the applicant;
- (iii) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;
- (iv) Numeric scale, graphic scale, true north point and date of preparation;
- (v) Legal description of preliminary plat.
- (vi) A vicinity map sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, streets, and other major manmade and natural features shall appear on the preliminary plat.
- (vii) A statement that the subdivision or short subdivision has been made with the free consent and in accordance with the desires of the owner or owners.

b) Existing Geographic Features. Except as otherwise specified herein, the following existing geographic features shall be drawn lightly in relation to proposed geographic features:

- (i) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;
- (ii) All existing property lines lying within the proposed subdivision which are to be vacated, and all existing property lines lying within 100 feet of the property to be subdivided or within 100 feet of property lying adjacent to and under the same ownership as the property to be subdivided;
- (iii) The location, right-of-way widths, pavement widths, and names of all existing or platted streets, whether public or private, and other public ways within or adjacent to the proposed subdivision;
- (iv) The location, widths and purposes of any existing easements, including recording numbers, lying within or adjacent to the proposed subdivision;
- (v) The location and size of existing sanitary sewer, storm sewer and water lines lying within or adjacent to the proposed subdivision;
- (vi) The location of existing section and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;
- (vii) The location of any well used for domestic water supply existing within the proposed subdivision or within 100 feet of the boundaries of the proposed subdivision;
- (viii) Existing contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of one foot for average slopes not exceeding five percent. Existing contour lines which will be altered through filling or excavation shall be indicated by broken lines (final contour lines shall be indicated by solid lines, as provided by subsection (D) of this section). Contour lines shall be labeled at intervals not to exceed 20 feet, and shall be based upon USGS or USC and GS datum, as determined by the city;
- (ix) The location of any existing structures lying within the proposed subdivision. Existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines;
- (x) A geotechnical report which includes hydrogeologic analysis may be required if deemed necessary by the director.

c) Proposed Geographic Features. The following proposed geographic features shall be shown:

- (i) The boundaries and approximate dimensions of all proposed lots, and the proposed identifying number or letter to be assigned to each lot and/or block;
- (ii) The right-of-way location and width, the proposed name of each street, alley or other public way to be created and adequate horizontal and vertical street geometries to ensure compliance with city standards;
- (iii) The location, width and purpose of each easement to be created;
- (iv) The boundaries, dimensions and area of public and common park and open space areas;
- (v) Identification of all areas proposed to be dedicated for public use, together with the purpose and any conditions of dedication;
- (vi) Proposed final contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of one foot for average slopes not exceeding five percent. Final contours shall be indicated by solid lines (existing contours which are to be altered shall be shown by broken lines, as provided by subsection (C)(8) of this section). Contour lines shall be labeled at intervals not to exceed 20 feet, shall be based upon USGS or USC and GS datum, and shall be indicated by lines drawn lightly relative to other proposed geographic features;
- (vii) The building envelope and setbacks shall be indicated for each lot.

18.06.040 – Process

A) Timing.

- 1) Within 28 days after receiving a preliminary plat application, the director shall mail or provide in person a written determination to the applicant, stating either that the application is complete, or that the application is incomplete and what is necessary to make the application complete. An application is complete for purposes of this section when it meets the procedural submission requirements of FMC 18.06.030 and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.
- 2) Within 14 days after an applicant has submitted the additional information identified by the city as being necessary for a complete application, the director shall notify the applicant whether the application is complete or whether additional information is necessary.
- 3) An application for preliminary plat approval shall be approved, approved with conditions, or returned to the applicant for modifications or corrections or denied within 90 days from the date the application is determined to be complete unless the applicant consents to an extension of such time period; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement. Time spent by the applicant responding to a request for modification or correction by the City, shall be excluded from the review clock.
- 4) Unless an applicant for preliminary plat approval requests otherwise, a preliminary plat shall be processed simultaneously with applications for rezones, variances, planned unit developments, site plan approvals, SEPA, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing.

B) Notice.

- 1) Notice of Application: Each preliminary plat application shall provide public notice as required by FMC Title 14.
- 2) Notice of Hearing: For preliminary long plats, except as provided in RCW 36.70B.110, at a minimum the director shall cause notice of the hearing to be given in the following manner:
 - a) Notice shall be published not less than 10 days prior to the hearing in a newspaper of general circulation within the county;
 - b) Notice shall be mailed to all property owners within 300 feet of the subject property. If the applicant owns property abutting the project site, all property owners within 300 feet of the abutting property shall also be notified;
 - c) Where any boundary of the proposed subdivision lies adjacent to or within one mile of the municipal boundaries of any city or town other than the city of Fife, notice shall be mailed to the appropriate city or town authorities;
 - d) Where the proposed subdivision adjoins the municipal boundaries of the city of Fife, notice shall be mailed to the appropriate county officials;
 - e) Where the proposed subdivision is located adjacent to the right-of-way of a state highway, notice shall be mailed to the Washington State Department of Transportation;
 - f) Where the proposed subdivision is located within two miles of a publicly owned airport, notice shall be mailed to the Washington State Secretary of Transportation.

C) Review and Decision

1) Administrative Review

Upon receiving a complete application for preliminary plat approval, the director shall transmit a copy of the ~~short~~ preliminary plat, together with copies of any accompanying documents as the director deems appropriate, to the following:

- a) City engineer, who shall review the proposed ~~short~~ subdivision with regard to its conformance to the general purposes of adopted traffic and utility plans; adequate provisions for storm drainage, streets, alleys, other public ways, water and sanitary sewer; and conformance to any applicable improvement standards and specifications.
- b) City fire marshal, who shall review the proposed ~~short~~ subdivision with regard to adequate provisions for emergency access, and response.
- c) Any other city department, utility provider, school district or other public or private entity as the director deems appropriate.

2) Short Plats

- a) After completion of administrative review, and any required environmental review the director shall determine the preliminary short plat's conformance to the approval criteria for a preliminary short plat and either approve, approve with conditions or deny the preliminary short plat application.

3) Long Plats

- a) After having received the proposed subdivision plat and after completion of administrative review and any required environmental review, the community development director or designee shall set a date for an open record public hearing before the hearing examiner.
- b) Every hearing held for the purposes of this chapter shall be open to the public, and a record of the hearing shall be kept and made available for public inspection. A public hearing held under this chapter shall not be continued beyond the originally scheduled date of public hearing unless the applicant consents, in writing, to an extension of the time period allowed for a decision under FMC 18.06.040.A.3
- c) Any notice of public hearing required by this section shall include the hour and location of the hearing and a description of the property to be subdivided. The description may be in

the form of either a vicinity location sketch or a written description other than a legal description.

- d) After considering the matter at a public hearing, the hearing examiner shall review and either approve, approve with conditions, or deny subdivision. The hearing examiner's decision shall include findings and conclusions to support the decision and the preliminary plat's conformance with the approval criteria.

18.06.050 – Preliminary Plat Approval Criteria

A. A proposed subdivision and dedication shall not be approved unless the hearing examiner or director makes written findings that:

- (1) the proposed subdivision is in conformity with all applicable zoning and other land use regulations;
- (2) appropriate provisions are made for the public health, safety, and general welfare and 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 only walk to and from school;
- (3) the public use and interest will be served by the platting of such subdivision and dedication.

B. If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city council shall adopt the designated name.

C. The hearing examiner or director shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the city covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the prior written approval of the Department of Ecology of the state of Washington.

In approving a preliminary plat application, the hearing examiner or director shall adopt written findings identifying that the preliminary plat:

- Is consistent with the currently adopted Comprehensive Plan.—
- Is consistent with all applicable zoning and land use regulations.—
- Will serve public use and interest by the platting of such subdivision and dedication.—
- Provides appropriate provisions for the public health, safety, and general welfare and 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.—
- Provides appropriate provisions for sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.—
- If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city council shall adopt the designated name.—

~~The hearing examiner, or director for preliminary short plats, shall consider the physical characteristics of a proposed subdivision site and may disapprove a proposed plat because of flood, inundation, or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved by the city covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the prior written approval of the Department of Ecology of the state of Washington.~~

18.06.060 – Preliminary Plat adjustments, modifications and revocations

A) Adjustments

- 1) Minor Adjustments. Minor adjustments may be made and approved by the director. Minor adjustments are those which may affect the precise dimensions of the plat but which do not affect the basic character or arrangement of the lots and streets. Such dimensional requirements shall not vary more than 10 percent from the original. The adjustments cannot be inconsistent with the requirements of the preliminary plat approval. The adjustments cannot cause the subdivision to be in violation of this title, FMC Title 19, any other applicable city land use control, Chapter 58.17 RCW, or any other applicable state law or regulation.
- 2) Major Adjustments. Major adjustments are those when determined by the director, substantially change the basic design, layout, open space or other requirements of the plat. When the director determines a change constitutes a major adjustment, the application shall be processed in the same manner as a new preliminary plat application.

B) Modification or revocation of preliminary plat.

The hearing examiner (or Director for preliminary short plats) may modify a preliminary plat or revoke approval of a preliminary plat if, after notice and a public hearing, the hearing examiner or director finds:

- 1) That a change in conditions creates a serious threat to the public health or safety;
- 2) Preliminary plat approval was made under a mistake of material fact and in violation of law; or
- 3) The conditions of preliminary plat approval are impossible to satisfy because of a knowing and deliberate violation of a condition of approval.

Chapter 18.08

FINAL PLATS

18.08.010 – Applicability

18.08.020 – Application Preparation and Contents

18.08.030 – Process

18.08.040 – Final Plat Vacations and Alterations

18.08.050 – Distribution and Filing

18.08.060 – Final Plat Vacations and Alterations

18.08.070 – Time Limitations for Final Plats

18.08.080 – Large Lot Divisions

18.08.010 – Applicability

The provisions of this title apply to the processing of both final short and long plats. A final plat can only be applied for after a preliminary plat approval has been issued, and the conditions and improvements required by the preliminary plat approval, have been installed or adequately provided for.

18.08.020 – Application Preparation and Contents

A) Preparation.

- 1) The final plat shall be prepared by a professional engineer or professional land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC
- 2) Scale and Format. All geographic information portrayed by the preliminary plat shall be accurate, legible, and drawn to an engineering (decimal) scale. The horizontal scale of a preliminary plat shall be 100 feet or fewer to the inch, except that the location sketch and typical street cross sections may be drawn to any other appropriate scale. A preliminary-final plat shall be 24 inches by 36 inches in size, and if more than one sheet is needed each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided.
- 3) All applications shall submit electronic documents of the application material in .pdf format or other version as determined by the director.

B) Contents. An application for final plat shall contain the following:

- 1) In cases where any protective deed covenants will apply to lots or parcels within a subdivision, a typewritten copy of such covenants shall be submitted along with the final plat.
- 2) The final plat shall be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat

within such section or sections. The plat and section survey shall be submitted with complete field and computation notes, showing the original or re-established corners, with the descriptions of the same, and the actual traverse showing error of closure and method of balancing. A sketch showing all distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in 10,000 feet.

- 3) The final plat shall be accompanied by a current (within 30 days) title company certification of:
 - a) The legal description of the total parcel sought to be subdivided;
 - b) Those individuals or corporations holding an ownership interest in said parcel;
 - c) Any lands to be dedicated shall be confirmed as being in the name of the owners signing the dedication certificate;
 - d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by auditor's file numbers and/or recording number.
- 4) If lands are to be dedicated or conveyed to the city as part of the subdivision, an A.L.T.A. title policy may be required by the city engineer.
- 5) All required performance and maintenance bonds.
- 6) Applicable fee as determined by the currently adopted fee schedule in accordance with Chapter 3.80 FMC.
- 7) A final plat drawing containing the following information:
 - a) The name of the subdivision;
 - b) Legal description of the property being subdivided;
 - c) Numeric scale, graphic scale, true north point and date of preparation of the final plat;
 - d) The boundary line of the plat, referenced to USGS or USC and GS datum and based on an accurate traverse, with angular and linear dimensions and bearings;
 - e) The exact location, width and name of all streets, alleys and other public ways within and adjacent to the subdivision;
 - f) The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;
 - g) True courses and distances to the nearest established street lines, or section or quarter section corner monuments which shall accurately locate the subdivision;
 - h) Municipal, township, county or section lines accurately tied to the lines of the plat by distances and courses;
 - i) All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;
 - j) Delineation of the building envelope and setbacks of each lot;
 - k) The radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;
 - l) The accurate location of each permanent control monument. One such monument shall be located at each and every controlling corner on the boundaries of the parcel of land being subdivided; at each street centerline intersection, each point of curvature (PC), each point of tangency (PT), and each point of reverse curve (PRC); and at each intersection of a street centerline with a plat boundary;
 - m) All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20 feet from, the highwater line of such body;
 - n) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes of such dedication or reservation and any limitations indicated thereon and in the dedication;
 - o) Accurate outlines of any areas to be reserved by deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

- p) Any restrictions or conditions on the lots or tracts within the subdivision, as required by the city council or at the discretion of the property owner;
- q) The name and seal of the licensed land surveyor responsible for preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;
- r) A signed certification stating that the subdivision has been made with the free consent, and in accordance with the desires of the owner or owners. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage or maintenance of said street or other areas so dedicated. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided. An offer of dedication may include a waiver of right of direct access to any street from any property. However, direct street access may be waived only so long as other access to the lot is provided. No such waiver may result in an unusable lot. Such waiver may be required by the city engineer as a condition of approval. 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 as a statutory warranty deed to the said donee or grantee for use for the purpose intended by the donation or grant. The acceptance of right-of-way by the city shall not obligate the city to improve or develop the lands in the right-of-way;
- s) Certification that all lots meet minimum zoning requirements;
- t) Certification that roads, utilities, drainage facilities, and related infrastructure have been built or provided for;
- u) If the plat is subject to a dedication, a certificate containing the dedication of all streets and other areas, signed and acknowledged before a notary public by all parties having an ownership interest in the lands subdivided;
- v) Signature blocks for the certification of approval by the county assessor-treasurer, county auditor, Fife finance director-treasurer, community development director, public works director, and city manager;
- w) Space for the signature of the city manager to accept the public rights-of-way on behalf of the city;
- x) Certification by the Pierce County treasurer that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been paid, satisfied or discharged;
- y) A form for the certificate of the county recorder;
- z) Buildable Lands Report Information.
 - (i) Number of dwelling units;
 - (ii) Gross and net acreage;
 - (iii) Existing zoning and plan designation;
 - (iv) Proposed zoning and plan designation;
 - (v) Number of platted lots;
 - (vi) Square feet used to determine permitted number of units;
 - (vii) Square feet used for;
 - (viii) Environmental constraints;

- (ix) Roads;
- (x) Stormwater and utilities;
- (xi) Achieved density.

18.08.030 – Process

A) Timing

Final short and long plats shall be approved, disapproved, or returned to the applicant with a detailed list of deficiencies within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period.

B) Review and Decision

1) Final Short Plats

Upon receipt of a final short plat application, the director shall forward to the City Engineer and other departments or agencies for their review. ~~Based on the Final Plat Approval Criteria, the director shall approve, deny or return the application to the applicant with a detailed list of deficiencies.~~ If the director finds that the short subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, the director shall approve the final short plat

2) Final Long Plats

- a) Upon receipt of a final plat for council approval, containing all of the application requirements, the director shall determine the completeness of the application and either, place the final plat on the next council agenda that allows for at least 10 working days of staff review prior to the council meeting, or returned to the applicant with a detailed list of deficiencies.
- b) The director shall forward the plat to the city engineer and to other city departments for review. Prior to the date at which the council will consider the final plat, the director shall forward to the council the original of the final plat, along with the planning agency's report which discusses the conformity or nonconformity of the final plat with the terms and conditions of the preliminary plat approval, the requirements of this title, and the requirements of Chapter 58.17 RCW and other applicable state laws.
- c) The council shall approve, disapprove, or return to the applicant for modification or correction a proposed final plat, on the date of the meeting set for consideration of the final plat unless the applicant agrees, in writing, to an extension of the time period. If the council finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, it shall by resolution approve the final plat and direct and authorize the city manager to suitably inscribe and execute its written approval on the face of the final plat. The council's decision shall include written findings and conclusions to support its decision.

18.08.050 – Final Plat Approval Criteria

~~In approving a final plat application, the Director or City Council shall consider the following items and adopt written findings supporting the final plats compliance with the following criteria:~~

~~conforms to all terms of the preliminary plat approval~~

~~All applicable improvements identified in FMC 18.07 have been either installed or financial guarantees have been provided for their installation.~~

~~meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title~~

18.08.040 – Distribution and Filing

The director shall distribute the original and copies of the approved final plat as follows:

A) The original shall be returned to the applicant to be forwarded to the county auditor for filing;

B) Two paper copies shall be transmitted to the county assessor;

C) One reproducible copy shall be transmitted to the city engineer;

D) One reproducible copy shall be retained in the files of the planning department.

18.08.050 – Final Plat Vacations and Alterations

A. Applications for a final long plat vacation or alteration shall be processed in conformance with RCW 58.17, as amended.

B. Any amendment, modification and vacation of final short plat shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new short plat application, as set forth in this title, except that when an alteration or vacation involves a public dedication, that alteration or vacation shall be processed as provided in RCW 58.17.212 or 58.17.215, as amended.

18.08.060 – Time Limitations for Final Plats

Any lots in a final plat filed for record are a valid land use, notwithstanding changes in zoning laws, for five years from the date of filing if the date of filing is on or after January 1, 2015.

18.08.070 – Large Lot Divisions

A) Large lot division consists of a division of land into lots or tracts, each of which is five acres or larger.

B) The filing procedure, fee, review criteria, approval and appeal procedure for large lot divisions shall be the same as for short plats. The city shall determine if and when any of the sections are not applicable to a large lot division review.

C) One mylar original tracing and four prints of the approved large lot division plan which shows the original tract and contains the legal description of the original tract and shows the divisions, the future roads and future drainage shall be filed with the city engineer. The plan may be drawn in any manner which is neat and legible.

D) Large lot division approval is not exempt from the procedures required by the State Environmental Policy Act.

E) When segregation is requested by the developer, applicant or purchaser of a large lot division, the person shall provide the assessor with a copy of the legal description of every lot which is created by the division.

Chapter 18.48

SHORT SUBDIVISIONS

Sections:

- ~~18.48.010 — Compliance — Applicability.~~
- ~~18.48.020 — Repealed.~~
- ~~18.48.030 — Further divisions restricted.~~
- ~~18.48.040 — Separate short plats permitted when.~~
- ~~18.48.050 — Filing procedure and fee.~~
- ~~18.48.060 — Exemption from environmental review.~~
- ~~18.48.070 — Survey requirement.~~
- ~~18.48.075 — Determination of completeness — Time limitations.~~
- ~~18.48.080 — Review of plat.~~
- ~~18.48.090 — Review criteria — Access — Generally.~~
- ~~18.48.100 — Review criteria — Access — Street reserved areas.~~
- ~~18.48.110 — Review criteria — Access — Private streets.~~
- ~~18.48.120 — Review criteria — Drainage, low impact development, sewers and water.~~
- ~~18.48.130 — Review criteria — Sewers or septic tanks.~~
- ~~18.48.140 — Review criteria — Feasibility for building sites.~~
- ~~18.48.150 — Review criteria — Water supply and fire protection.~~
- ~~18.48.160 — Repealed.~~
- ~~18.48.170 — Director's decision — Recording.~~
- ~~18.48.180 — Repealed.~~
- ~~18.48.190 — Repealed.~~
- ~~18.48.200 — Approval — Effect — Duration of vesting.~~
- ~~18.48.210 — Notice to prospective purchasers.~~
- ~~18.48.220 — Appeal procedure.~~
- ~~18.48.230 — Large lot division procedure.~~
- ~~18.48.240 — Repealed.~~
- ~~18.48.250 — Amendments, modifications and vacations.~~

18.48.010 — Compliance — Applicability.

~~A. As of August 15, 1976, every short plat and short subdivision shall comply with the provisions of this chapter.~~

~~B. The short subdivision area shall consist only of the one to four parcels, lots or tracts of land which are divided from the original tract for the purpose of sale, lease or transfer of ownership.~~

~~C. The community development director is hereby authorized to approve short plats and large lot divisions in accordance with the procedures set forth in this chapter.~~

~~D. Contiguous parcels that have one or more common owners, one or more persons who have an interest in the entity that owns or has an ownership interest in contiguous parcels, or a developer who intends to develop contiguous properties, must comply with the subdivision requirements of this title if the total number of resultant lots will exceed four in number. The short subdivision code may not be used as a mechanism to avoid the~~

~~requirements of the subdivision code where there are adjacent parcels under common ownership, as described herein, that, but for the property boundaries, would be required to comply with the subdivision requirements. (Ord. 1676 § 93, 2008; Ord. 670 § 1, 1982; Ord. 390 § 1, 1976).~~

18.48.020 — Exemptions.

~~Repealed by Ord. 1676. (Ord. 563 § 1, 1980; Ord. 390 § 1(1), 1976).~~

18.48.030 — Further divisions restricted.

~~Land within a short subdivision shall not be further divided in any manner for a period of five years from the date the approved short plat is recorded with the auditor without the filing of a final plat on the land which is proposed to be further divided, except that when the short plat contains fewer than four lots, 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. This requirement shall be stated on the face of the short plat. (Ord. 1676 § 94, 2008; Ord. 390 § 1(2), 1976).~~

18.48.040 — Separate short plats permitted when.

~~Lots within a plat or contiguous unplatted parcels of land which are acquired by the developer or applicant independently of each other and which, when further divided into lots, collectively create no more than four lots, may be short platted separately; provided, that when the applicant short plats the first parcel, the access, lot lines and drainage for the total tract are also approved by the city. (Ord. 1676 § 95, 2008; Ord. 670 § 2, 1982; Ord. 390 § 1(3), 1976).~~

18.48.050 — Filing procedure and fee.

~~A. One mylar original tracing and eight prints of a proposed short plat shall be filed with the city.~~

~~B. A short plat shall meet the following standards:~~

- ~~1. Drawing in ink to a scale not smaller than one inch equals 100 feet on mylar, a sheet size of 18 inches by 24 inches;~~
- ~~2. The plat shall show the boundary and dimensions of the original tract including its assessor's parcel number, section, township and range, and all adjoining public or private roads and identifying names of such;~~
- ~~3. A vicinity map drawn to a scale of four inches equals one mile of sufficient detail to orient the location of the original tract;~~
- ~~4. Name and address of the owner of record of the original tract, scale of the drawing, and north directional arrow;~~
- ~~5. The tract(s) of land proposed to be sold or leased, each tract of which is identified by numerical designation; dimensions of each lot;~~
- ~~6. Width and location of access to all short platted lots proposed for sale or lease;~~
- ~~7. The location and use of all buildings on the original tract;~~
- ~~8. Space on a second 18 inch by 24 inch mylar sheet shall be reserved for comments and appropriate city signatures;~~
- ~~9. Where a survey is required, the form of the plat shall be as required by the Survey Recording Act; and~~
- ~~10. Addresses for all parcels. (Ord. 1676 § 96, 2008; Ord. 1226 § 5, 1996; Ord. 986 § 4, 1989; Ord. 670 § 3, 1982; Ord. 390 § 2, 1976).~~

18.48.060 — Exemption from environmental review.

~~A. All actions by the city in approving a short plat shall be exempt from any environmental review unless the director determines that the short plat is located wholly or partially within a critical area as designated in FMC 17.05.015, or associated buffer.~~

~~B. If the proposed short plat is located wholly or partially within a critical area or associated buffer, as determined by the director, environmental review shall be in accordance with the SEPA and critical areas regulations set forth in FMC Title 17. (Ord. 1676 § 97, 2008; Ord. 390 § 3, 1976).~~

~~18.48.070—Survey requirement.~~

~~A. Surveys shall be required for all short plats and short subdivisions; provided, that:~~

- ~~1. If there is sufficient existing survey monumentation, which means that at least two of the boundaries were included in a previous survey and one corner is monumented; or~~
- ~~2. If the cost of the survey will exceed 10 percent of the fair market value of the short subdivision land involved; then the city engineer shall waive this requirement.~~

~~B. It is the applicant's responsibility to prove by county assessor's records and by two written estimates from licensed land surveyors, that the land value and survey cost is of an appropriate amount to request this waiver.~~

~~C. In the event a survey is not required, then the legal description of the short plat must be written or checked by a registered land surveyor or civil engineer.~~

~~D. All surveys shall be accomplished as required by RCW Title 58, and shall be monumented as stated herein. (Ord. 1777 § 1 (Exh. A), 2012; Ord. 390 § 4, 1976).~~

~~18.48.075—Determination of completeness—Time limitations.~~

~~A. Within 28 days after receiving a short plat application, the director shall mail or provide in person a written determination to the applicant, stating either that the application is complete, or that the application is incomplete and what is necessary to make the application complete. An application is complete for purposes of this section when all applicable fees are paid, and the application meets the procedural submission requirements of FMC 18.48.050 through 18.48.070 and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or subsequently if new information is required or substantial changes in the proposed action occur.~~

~~B. Within 14 days after an applicant has submitted the additional information identified by the city as being necessary for a complete application, the director shall notify the applicant whether the application is complete or whether additional information is necessary.~~

~~C. An application for short plat approval shall be approved, approved with conditions, or returned to the applicant for modifications or denied within 30 days from the date the application is determined to be complete unless the applicant consents to an extension of such time period. Provided, that this time period shall be extended if environmental review is required as provided in FMC 18.48.060. (Ord. 1777 § 1 (Exh. A), 2012; Ord. 1676 § 98, 2008).~~

~~18.48.080—Review of plat.~~

~~A. Upon receiving a complete application for short subdivision approval, the director shall transmit a copy of the short plat, together with copies of any accompanying documents as the director deems appropriate, to the following:~~

- ~~1. City engineer, who shall review the proposed short subdivision with regard to its conformance to the general purposes of adopted traffic and utility plans; adequate provisions for storm drainage, streets, alleys, other public ways, water and sanitary sewer; and conformance to any applicable improvement standards and specifications.~~
- ~~2. City fire marshal, who shall review the proposed short subdivision with regard to adequate provisions for emergency access, and response.~~
- ~~3. Any other city department, utility provider, school district or other public or private entity as the director deems appropriate.~~

~~4. If the proposed short plat is located adjacent to the right-of-way of a state highway, the director shall give written notice of the application, including a legal description of the short subdivision and a location map, to the Department of Transportation.~~

~~B. In transmitting the proposed short plat to the parties referenced above, the director shall solicit their comments and recommendations, and note the date by which comments and recommendations must be received by the department in order to be considered. Any comments received by that date will form the basis of the director's decision on the short subdivision. However, in every case a proposed short plat shall contain a statement of approval from the city engineer, as to the survey data, the layout of streets, alleys and other rights-of-way, design of bridges, sewer and water systems and other structures. The director shall not approve a short plat that does not contain such a statement signed by the city engineer.~~

~~C. The director shall review the proposed short subdivision and determine its conformance to the general purposes of this title, its conformance to the Fife comprehensive plan, its conformance to FMC Title 19, and any other applicable land use controls. (Ord. 1676 § 99, 2008; Ord. 670 § 4, 1982; Ord. 502 § 1, 1979; Ord. 390 § 5, 1976).~~

~~**18.48.090 — Review criteria — Access — Generally.**~~

~~The proposed short plat shall be reviewed for adequate ingress and egress to all proposed lots. Extension of roads or access rights from property line to property line of the short subdivision land may be required so that the road may be extended in the future. If there is other reasonable access available, the city may limit the location of direct access to city arterials or other city roads. When an adjoining landowner will be obligated to construct or maintain a future road, a note to this effect shall be stated on the face of the short plat. (Ord. 670 § 5, 1982; Ord. 502 § 2, 1979; Ord. 390 § 6(1)(a), 1976).~~

~~**18.48.100 — Review criteria — Access — Street reserved areas.**~~

~~Where a city street is planned by the city, or is being planned for the short subdivision land area, the city may require that a 60-foot wide right-of-way area be designated as a street reserved area for the future. The reserved street will be built to city street standards at the time of construction. A performance bond shall be filed with the city, prior to the final approval and recording of the short plat. The street shall be constructed prior to the development of the last lot of the short plat. (Ord. 670 § 6, 1982; Ord. 502 § 2, 1979; Ord. 390 § 6(1)(b), 1976).~~

~~**18.48.110 — Review criteria — Access — Private streets.**~~

~~The public works director may approve a private street if he determines that there is good cause for not having the street as part of the city public road system. The location of private streets relative to the proposed short platted parcels shall be analyzed by the public works director for location, adequacy, possible conflicts with future developments and existing plans, maps, sketches or studies for a city public street. A performance bond shall be filed with the city prior to the final approval and recording of the short plat, for the construction of the street, which shall be built to current city standards at the time of construction. All persons and their successors who own the land adjoining to the road within the short plat have equal legal right to use the private street area. Streets shall be designed and the designs approved by the city relative to grades, width, pavement type, adequacy of pavement, low impact development facilities, storm drainage, other affective items, and city street standards. Street right-of-way of private streets may be required to be 60 feet in width, if in the opinion of the city such right-of-way provisions are necessary. The developer and/or adjoining landowners and their successors shall bear the expense of constructing and maintaining the street and a note to this effect shall be made on the face of the short plat. (Ord. 1859 § 102, 2014; Ord. 1685 § 1(Exh. A), 2009; Ord. 1148 § 2, 1993; Ord. 670 § 7, 1982; Ord. 502 § 2, 1979; Ord. 390 § 6(1)(c), 1976).~~

~~**18.48.120 — Review criteria — Drainage, low impact development, sewers and water.**~~

~~The proposed short plat shall be reviewed for adequate drainage, low impact development including on-site stormwater management BMPs, sewer and water facilities. If the city is unable to determine the facilities which would be required and necessary for future development, a note on the face of the short plat shall state that a utilities plan shall be submitted and approved prior to issuance of a fill or building permit. (Ord. 1954 § 38, 2016; Ord. 1685 § 1(Exh. A), 2009; Ord. 670 § 8, 1982; Ord. 502 § 2, 1979; Ord. 390 § 6(2), 1976).~~

~~18.48.130 — Review criteria — Sewers or septic tanks.~~

~~The proposed short plat shall be reviewed for sewer or septic tank adequacy. If known local conditions exist which may affect future building sites, these conditions shall be stated on the face of the short plat. (Ord. 502 § 2, 1979; Ord. 390 § 6(3), 1976).~~

~~18.48.140 — Review criteria — Feasibility for building sites.~~

~~Areas with known hazards or conditions including, but not limited to, geological hazard, flooding, poor drainage or swamp conditions, mud slides or avalanche may be noted on the face of the short plat. (Ord. 1676 § 100, 2008; Ord. 502 § 2, 1979; Ord. 390 § 6(4), 1976).~~

~~18.48.150 — Review criteria — Water supply and fire protection.~~

~~The proposed plat shall be reviewed for adequacy of water supply and fire protection for present and future needs. If the adopted city policy statement for fire protection requires a certain capacity of water system for the area of the proposed short subdivision area, this shall be noted on the face of the short plat as being required prior to the issuance of a building permit. (Ord. 502 § 2, 1979; Ord. 390 § 6(5), 1976).~~

~~18.48.160 — Review criteria — Denial of plat when.~~

~~Repealed by Ord. 1676. (Ord. 502 § 2, 1979; Ord. 390 § 6(5), 1976).~~

~~18.48.170 — Director's decision — Recording.~~

~~A. The director shall, within the time period described by FMC 18.48.075(C), take one of the following actions:~~

- ~~1. Approve the short subdivision with or without conditions;~~
- ~~2. Return the short plat to the applicant for correction or modification or for the construction of improvements as requested by the city engineer or fire marshal; or~~
- ~~3. Disapprove the short subdivision.~~

~~B. The director's decision shall include written findings and conclusions supporting the decision. The director may require, as a condition of plat approval, that any required improvements be guaranteed by the method described by FMC 18.07.210 prior to short plat approval or issuance of building permits for any lot within the short plat.~~

~~C. Upon reaching a decision, the director shall so notify the applicant. Such notification shall contain any conditions of approval.~~

~~D. The applicant shall record the approved short plat with the Pierce County auditor within 30 days after approval. (Ord. 1676 § 101, 2008; Ord. 1450 § 18, 2002; Ord. 670 § 9, 1982; Ord. 502 § 3, 1979; Ord. 390 § 7(1), 1976).~~

~~18.48.180 — Approval — Automatic.~~

~~Repealed by Ord. 1676. (Ord. 502 § 3, 1979; Ord. 390 § 7(2), 1976).~~

~~18.48.190 — Approval — Notice of return to applicant for cause.~~

~~Repealed by Ord. 1676. (Ord. 670 § 10, 1982; Ord. 502 § 3, 1979; Ord. 390 § 7(3), 1976).~~

~~18.48.200 — Approval — Effect — Duration of vesting.~~

~~A. The approval of a short plat shall not be a guarantee that future permits will be granted for any structures or development within the area and a notation to this effect shall be stated on the fact of the short plat.~~

~~B. The specific use and density identified in the complete short plat application are vested under the zoning and other land use control ordinances in effect on the date the complete short plat application was submitted, for a period of five years from the date of recording of the short plat. (Ord. 1676 § 102, 2008; Ord. 502 § 4, 1979; Ord. 390 § 7(4), 1976).~~

~~18.48.210 — Notice to prospective purchasers.~~

~~Prior to the sale, lease or contract to sell of any lot, parcel or tract within a short subdivision, a copy of the approved short plat shall be given to the prospective purchaser or lessee by the owner, owner's agent, or any person, firm or corporation who closes or escrows the transaction. (Ord. 1676 § 103, 2008; Ord. 390 § 8, 1976).~~

~~18.48.220 — Appeal procedure.~~

~~Within 14 days following the city's decision on the application, any interested party may appeal such decision to the hearing examiner. The appeal shall be filed in accordance with FMC Title 14. (Ord. 1593-06 § 52, 2006; Ord. 1226-§ 14, 1996; Ord. 390 § 9, 1976).~~

~~18.48.230 — Large lot division procedure.~~

~~A. Large lot division consists of a division of land into lots or tracts, each of which is five acres or larger.~~

~~B. The filing procedure, fee, review criteria, approval and appeal procedure for large lot divisions shall be the same as for short plats. The city shall determine if and when any of the sections are not applicable to a large lot division review.~~

~~C. One mylar original tracing and four prints of the approved large lot division plan which shows the original tract and contains the legal description of the original tract and shows the divisions, the future roads and future drainage shall be filed with the city engineer. The plan may be drawn in any manner which is neat and legible.~~

~~D. Large lot division approval is not exempt from the procedures required by the State Environmental Policy Act.~~

~~E. When segregation is requested by the developer, applicant or purchaser of a large lot division, the person shall provide the assessor with a copy of the legal description of every lot which is created by the division. (Ord. 1676 § 104, 2008; Ord. 670 § 11, 1982; Ord. 502 § 5, 1979; Ord. 390 § 10, 1976).~~

~~18.48.240 — Record of proceedings.~~

~~Repealed by Ord. 1676. (Ord. 1450 § 19, 2002; Ord. 390 § 11, 1976).~~

~~18.48.250 — Amendments, modifications and vacations.~~

~~Any amendment, modification and vacation of an approved short plat shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new short plat application, as set forth in this chapter, except that when an alteration or vacation involves a public dedication, that alteration or vacation shall be processed as provided in RCW 58.17.212 or 58.17.215, as amended. (Ord. 1676 § 105, 20~~