

TMC TITLE 18E

SUBDIVISIONS AND PLATTING

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Chapter 18E.10

GENERAL PROVISIONS

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Cross-references: Chapters [35A.63](#), [35A.21](#), [58.17](#), [64.32](#), and [64.34.050](#) RCW

18E.10.010 Title. This title shall be known as the City of Tenino Subdivision and Platting Regulations, and hereafter may be referred to as this “Title.”

18E.10.015 Authority. This Title is adopted by the City of Tenino pursuant to Chapter 58.17 of the Revised Code of Washington (RCW).

18E.10.020 Purpose. The intent of this chapter is to provide criteria, regulations and standards to govern the subdividing of land within the City and to:

- A. Promote the public health, safety and general welfare in accordance with standards established by the State and the City;
- B. Implement the Comprehensive Plan;
- C. Promote effective use of land by preventing the overcrowding or scattered development which would injure health, safety or the general welfare due to the lack of water supplies, sanitary sewer, drainage, transportation, parks and recreation areas, or other public services, or excessive expenditure of public funds for such services;
- D. Avoid congestion and promote safe and convenient travel by the public on streets and highways through the coordination of streets within a subdivision with existing and planned streets;
- E. Provide for adequate light and air;
- F. Provide for proper ingress and egress;
- G. Provide for the housing and commercial needs of the community;
- H. Provide uniform monumenting of land divisions and conveyance of accurate legal descriptions;
- I. Protect environmentally sensitive areas; and
- J. Encourage the conservation of non-renewable energy resources.

18E.10.025 Applicability. Every subdivision shall comply with the provisions of Chapter 58.17 Revised Code of Washington, this Title and all future amendments or applicable Federal, State or local laws. After final plat or short plat approval, any subsequent division of platted or short platted lots, parcels, tracts, sites or divisions, shall be allowed only if the procedures of this Title are followed, and these requirements shall be applicable to all plats approved prior to the

effective date of this Title. Pursuant to RCW 58.17.040, the provisions of this Title shall not apply to the following:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions made by testamentary provisions or the laws of descent;
- C. Divisions of land into lots or tracts classified for industrial or commercial use when the City has approved a binding site plan which authorizes specific uses of said land in accord with Chapter 18.70 of this Code;
- D. The transfer of contiguous unplatted lots if:
 - 1. The lots were created in compliance with all applicable State and City subdivision regulations in effect at the time of the creation of said lots; or
 - 2. The lots transferred and remaining lots are improved with dwellings. Provided that transfers pursuant to item 1. or 2. shall not be effective until the proponent is issued a certificate of compliance from the City. A certificate shall be issued when the owner or applicant shows that the lot conforms to the criteria above;
- E. A division which is made by subjecting a portion of a parcel or tract of land to Chapter 64.32 RCW, the Horizontal Property Regimes Act (Condominiums), if the City has approved a binding site plan for all of such land;
- F. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures;
- G. A division of land into lots or tracts of less than three acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this Title, "electric utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed;
- H. A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land when an approved a binding site plan for the use of the land has been approved by the City;
- I. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site; or
- J. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains

insufficient area and dimension to meet minimum requirements for width and area for a building site.

18E.10.030 Division of Land By Roads or Rights-of-Way. The City recognizes that a parcel has been divided into separate, legal lots by any one of the following:

- A. A State or Federal road or highway; or
- B. A City or County road that has been adopted as part of the City road system; or
- C. A City or County road right-of-way that has been acquired or accepted by the City but where site development has not facilitated improvements to that dedicated roadway section.
- D. In the case of a City road that has been adopted as part of the City road system or an unimproved road right-of-way, the division line between the lots created shall be the centerline of the right-of-way. Where a County road or an unimproved road right-of-way is located on the margin or edge of a parcel, such right-of-way shall not divide the parcel.

18E.10.040 Definitions. As used in this Title, unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings:

BINDING SITE PLAN. A drawing to a scale as specified by the Department, which shall:

1. Identify and show the area and location of all streets, improvements, utilities, open space;
2. Contain inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land established by the Planning Commission or Department having authority to approve the site plan;
3. Contain provisions requiring that all development occurring within the proposal's boundaries be in conformity with the site plan.

BLOCK. A group of lots, tracts or parcels within well defined and fixed boundaries.

BOUNDARY LINE ADJUSTMENT. The relocation of a common property line(s) between two or more abutting properties.

CLUSTERED HOUSING PLANNED DEVELOPMENTS (CHPDS). Clustered development provides a mechanism to cluster housing units within a residential development (usually single-family detached- or attached-housing) on smaller lots than those normally allowed under existing zoning, with the provision that the saved land is permanently set aside as open space or for other recreational opportunities. See TMC 18.20.220 Definition Subdivision, Clustered Housing Planned Developments.

COUNCIL. The Tenino City Council.

COUNTY ASSESSOR-TREASURER. The Thurston County Charter.

COUNTY AUDITOR. The Thurston County Charter.

ROAD ENGINEER. Defined in Chapter 36.40 RCW.

DEDICATION. The deliberate appropriation of land by an owner for any general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

DEPARTMENT. The City of Tenino Community Development Department.

DEVELOPER. The person, party, firm or corporation who applies for said plat.

FINAL PLAT. The final drawing of the subdivision and dedication drawn to a scale not smaller

than one inch equals one hundred feet (1" = 100') unless approval of another scale is given by the Planning Director, on standard 18" x 24" sheet size, prepared for filing for record with the County Auditor and containing all elements and requirements set forth in State law and in this Title.

GEOLOGICAL HAZARD. Any hazard caused by natural or artificial causes which may damage persons or property and which would include but not be limited to slides, slippage or instability of earth, rock and soil.

IMPROVEMENT. Any thing or structure constructed for the benefit of all or some residents of the subdivision or the general public such as but not limited to roads, alleys, storm drainage systems and ditches, sanitary sewer pipes or main lines, and storm drainage containment facilities.

LOT. The fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

LOT DETERMINATION. A determination of the legal status of a lot of record by means of reviewing documents. For example, a title report, bill of sale, copy of a recorded plat or short plat, etc) provided by the applicant that clearly proves that the lot was legally created.

LOT OF RECORD. Means a legally created lot pursuant to statute, and duly recorded with the Thurston County Auditor, or a legally created lot under state and local subdivision regulations in effect at the time of creation, or a lot described by metes (distance) and bounds (direction), the description of which has been so recorded.

MODEL HOME. A model home for the purpose of this Code shall be defined as a dwelling in accordance with TMC 18B Zoning. Also see Section 18E.70.040 Model Home.

ORIGINAL TRACT. A unit of land which the applicant holds under single or unified ownership, or in which the applicant holds controlling ownership and the configuration of which may be determined by the fact that all land abutting said tract is separately owned by others, not including the applicant or applicants; PROVIDED, that where a husband and wife own contiguous lots in separate or community ownership, said contiguous lots shall constitute the original tract.

PARCEL. See Lot.

PLANNING COMMISSION. That body as defined in Chapter 36.70 RCW as designated by the City Council to perform a planning function.

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.

PLAT, FINAL.

PLAT, PRELIMINARY. A neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and restrictive covenants to be applicable to the subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

RESERVED ROAD AREA. A defined area of land within the short subdivision which is required by the City to be reserved for a future road, and said area shall be dedicated to the City at the time of approval, but the road need not be constructed by the applicant or developer until such time as stated by ordinance. Setbacks shall be established as if the reserved road area were dedicated.

PLAT, SHORT. Is the map or representation of a short subdivision.

SHORT SUBDIVISION. Any voluntary or involuntary division or redivision of land into four

(4) or fewer lots, tracts, parcels, sites or subdivisions for the purpose of sale, lease or transfer of ownership; excluding required lots as necessitated by preservation requirements of critical areas as required by TMC 18D, or to provide for infrastructure needs such as road, stormwater or utility lots for common use within the short subdivision for a total of no more than nine total lots.

SUBDIVISION. Any voluntary or involuntary division or redivision of land into five (5) or more buildable lots, tracts, parcels, sites or division for the purpose of sale, lease, or transfer of ownership; excluding any required lots as necessitated by preservation requirements of critical areas as defined by TMC 18D, or to provide for infrastructure such as road, stormwater or utility tracts or parcels for common use within the short subdivision.

TRACT. See Lot.

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Chapter 18E.20

PRELIMINARY PLAT PROCEDURE PREFILING PROCEDURE - SEPA

Sections:

- [18E.20.010](#) Explanation of Prefiling.
- [18E.20.020](#) Pre-Application Conference.
- [18E.20.030](#) Plan Required.
- [18E.20.040](#) Recommendations on Road, Drainage, Sewer, Water and Fire Systems.
- [18E.20.050](#) Model Homes.

Cross-reference: Chapter [86.16 RCW](#)

18E.20.010 Explanation of Prefiling. Certain steps are required of the developer and of the City prior to the actual filing date of the preliminary plat. These steps include the developer's completion of an Environmental Checklist (and eight copies) and submittal of nine copies of the proposed preliminary plat blueprints to the City.

18E.20.020 Pre-Application Conference. The section establishes the procedure for action on applications for subdivisions and/or site plans. These procedures are intended to provide orderly and expeditious processing of such applications.

- A. Requested by the applicant.
- B. Allows applicant to meet with appropriate City representatives and may include:
 - 1. Mayor.
 - 2. Planning Commission Chair.
 - 3. City Planner.
 - 4. City Engineer.
 - 5. Building Official/Inspector.
 - 6. Fire Marshall.
 - 7. City Water District Representative.
- C. Applicant shall submit information stipulated below ten (10) days prior to the pre-application conference.
 - 1. Applicant Information:
 - a. Name.
 - b. Address.
 - c. Description of setting.
 - 2. Plat description:
 - a. North arrow and scale.
 - b. Size and location of any existing or proposed structures with setback dimensions.
 - c. Location and dimensions of any existing streets.
 - d. All proposed lot lines and area of lots in square feet.
 - e. Topographic relief in two (2) foot intervals

- f. Copy and/or delineation of any proposed deed restrictions or covenant.
 - g. Any existing or proposed easement or land reserved for or dedicated to public use, which may include parks and open space, recreation, and playgrounds. 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.
3. Environmental. An Environmental Checklist and identification of any critical areas within 315 feet of the proposed site pursuant to TMC 18D;
 4. Existing or proposed utility infrastructure plans:
 - a. Stormwater control and drainage ways;
 - b. Potable water;
 - c. Electric;
 - d. Cable;
 - e. Gas (if applicable);
 - f. Sanitary waste disposal methods;
 5. Vehicle and pedestrian circulation. All existing streets at the periphery and proposed roads (including cross sections), sidewalks, curbs and gutters, alleys, parking plans, sight distance triangle, transit stops, including school bus stops, mailbox locations, and other public ways such as any trails or bike paths. Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.
 6. Soil erosion and sediment control plan;
 7. Lighting plans and details;
 8. How the public interest will be served by the subdivision and dedication.
 9. Construction and site development details and timelines if preliminary approval is granted.
- D. Payment of established pre-application fees.
 - E. A brief written summary of the pre-application conference shall be provided to the applicant within ten (10) working days of the final meeting.
 - F. The applicant and/or the City shall not be bound by pre-application conference.

18E.20.030 Plan Required.

- A. Whenever it is essential for purposes of evaluating environmental or other concerns, the City may require submittal of certain concept drawings prior to preliminary plat approval.
- B. Prior to any site development activity or construction of any improvement, the developer shall obtain a Site Development Permit and submit to the City, two copies of the plan, profiles and specifications for work that may include streets, drainage, utilities and other proposed improvements to be constructed in the proposed subdivision. Plans and profiles shall be drawn upon standard 22" x 36" Federal Aid Plan profile sheets or such other sheets as may be acceptable to the City. Construction plans for any dedicated or other improvements shall be reviewed and approved by the City prior to issuance of a Site Development Permit.

18E.20.040 Recommendations on Road, Drainage, Sewer, Water and Fire Systems. The City, the County Health Department and the Fire Marshal shall review and certify for the

Planning Commissions review, their respective recommendations as to the adequacy of the proposed road system, storm drainage system, proposed sewage disposal, water supply systems, and fire protection services for the subdivision. The recommendations of the Community Development Department, the County Health Officer and the Fire Marshal shall become part of the record and shall be included with the Planning Commission's recommendation for City Council consideration.

18E.20.050. Model Homes. Pursuant to the provisions of 18E.70.040 Model Home, up to four (4) Model Home dwellings may be established on land within a preliminary subdivision without final plat approval; Provided that the City has granted preliminary plat approval and all necessary building and construction permits are obtained.

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Chapter 18E.30

PRELIMINARY PLAT PROCEDURE - FILING PROCEDURE

Sections:

- [18E.30.010](#) Fees.
- [18E.30.020](#) Filing.
- [18E.30.030](#) Staff Procedure.
- [18E.30.040](#) Notification.

18E.30.010 Fees. All fees are non-refundable and established by resolution, which shall be paid when:

- A. The preliminary plat is filed;
- B. The final plat is filed for final approval;
- C. Each extension of time period is requested pursuant to TMC 18E.40.040 Time Limitations; and
- D. A request for reconsideration is requested pursuant to 18E.40.050 Reconsideration.

18E.30.020 Filing. A preliminary plat of a proposed subdivision and/or dedication of land shall be submitted for approval by:

- A. Filing an application with the Department;
- B. Paying the required fee(s);
- C. Filing 11 copies at 18" by 24" in size of the proposed preliminary plat;
- D. One reproducible copy at 11" x 17" in size of the proposed preliminary plat;
- E. Submitting an Environmental Checklist; and (if applicable)
- F. An application for zone amendment, when required. Application for a zone amendment may be considered with the application for preliminary plat approval pursuant to TMC 18.40.110 Process IV, Quasi-Judicial.

18E.30.030 Staff Procedure. If the preliminary plat application conforms to all City land use codes and is otherwise acceptable in form and substance, the Department shall accept the application, review the application for completeness, and if complete, promptly forward copies to the appropriate departments and agencies identified in Section 18E.30.040 for initial review and comments.

18E.30.040 Notification.

- A. **Notice of Filing.** Notification shall be accomplished pursuant to TMC 18.40.140 Notification and, if applicable, provided to the following agencies/Departments:
 - 1. State Department of Highways (when a proposed subdivision is to be located adjacent to a State right-of-way).
 - 2. Thurston County:
 - i. Development Services. When a proposed subdivision is to be located adjacent to

a County right-of-way of a State highway or when it adjoins the municipal boundaries pursuant to RCW 58.17.080 Filing of preliminary plat -- Notice).

- ii. Auditor. The applicant must request that a proposed Plat Name be reserved with by completing a Plat Name Reservation Request form. Upon confirmation of the Plat name, the applicant will receive an Auditor's certificate that reserves that Plat name for one-year. If the Plat is not recorded within the one-year reservation period, the applicant shall request that the Auditor renew the certificate for that Plat name in one-year increments.

- iii. Assessor (for review items, see TMC 18E.40.070).

3. Tenino School District.

4. Ecology (when the proposed subdivision lies within or partially within a designated flood control zone pursuant to Chapter 86.16 RCW).

5. City of Tenino:

1. Engineer;
2. Planning Department;
3. Tenino Fire District #12;
4. Public Works Administrator; and
5. The Building Official.

B. Additional Notification Content. In addition to the requirements of TMC 18.40.180C, the notification shall include:

1. The legal description;
2. The location, subdivision acreage, number of proposed homes or building lots; and
3. The hour and location of the first hearing on preliminary plats.

C. Notification of Adjacent Landowners. Pursuant to TMC 18.40.180D.
(Ord. 731 § 1, 2007)

Chapter 18E.40

PRELIMINARY & FINAL PLATS, REPLATS/ALTERATIONS - REVIEW & APPROVAL PROCEDURE

Sections:

- [18E.40.010](#) Notification of Posting and Hearing.
- [18E.40.020](#) Submittal and Review of Preliminary Plats, Replats, Alterations, or Amendments.
- [18E.40.030](#) Required Written Findings and Determinations.
- [18E.40.040](#) Time Limitations.
- [18E.40.050](#) Requirements for Each Plat, Replat, Alteration, or Amendment Filed for Record.
- [18E.40.060](#) Administrative Review of Final Plats, Replats, Alterations, or Amendments.
- [18E.40.070](#) Submission to City Council.
- [18E.40.080](#) City Council Determination.

Cross-references: [58.17.110](#) and [58.24.040](#) RCW

18E.40.010 Notification, Posting, and Hearing. The provisions of TMC 18.40.180 and TMC 18.40.190 shall apply to notification, posting and hearings.

18E.40.020 Submittal and Review of Preliminary Plats, Replats, Alterations, or Amendments. Preliminary plats, replats, plat alterations, or amended plats are reviewed for approval pursuant to the provisions of TMC 18.40.110 Process IV Quasi-Judicial criteria.

18E.40.030 Required Written Findings and Determinations.

- A. The Planning Commission shall inquire into the public use and interest proposed by the establishment of the plat, replat, alteration, or amendment and dedication. The Commission shall determine if appropriate provisions are made for, but not limited to:
 - 1. The public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and
 - 2. Whether the public interest will be served by the subdivision and dedication.
- B. Planning Commission Written Findings. A recommendation of preliminary approval shall be granted by the Planning Commission, for consideration by the City Council, when written findings show that a proposed, plat, replat, alteration or amendment and dedication make appropriate provisions for:
 - 1. The public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and

2. The public use and interest will be served by the platting of such plat and dedication.
3. City Council Approval. If the City Council finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the preliminary subdivision and dedication shall be approved.

18E.40.040 Time Limitations.

A. General.

1. **Preliminary Plats, Replats, Alterations, or Amendments.** Any proposed plat and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period or the ninety day limitation is extended to include up to twenty-one days as specified under RCW [58.17.095\(3\)](#): PROVIDED, that if an environmental impact statement is required as provided in [RCW 43.21C.030](#), the ninety day period shall not include the time spent preparing and circulating the environmental impact statement by the City.
 2. **Final Plats, Replats, Alterations, or Amendments.** Upon completion of any required conditions or site development, the final plat shall be approved, disapproved, or returned to the applicant within thirty days from the date of filing unless the applicant consents to an extension of such time period. A final plat that meets all requirements of this Title shall be submitted to the City for approval within three (3) years of the date of preliminary plat approval. The approval of a preliminary plat, replat, alteration, or amended plat shall be automatically null and void if final plat approval is not obtained within the time limitations specified herein.
- B. Filing Extensions.** An applicant shall be entitled to two, one (1)-year extensions of time within which to submit a final plat. Knowledge of the expiration date and initiation of a request for an extension of the approval time is the responsibility of the applicant. Upon filing of an application for extension, notice shall be sent to each party of record, City departments and agencies involved in the initial process of preliminary plat approval and request written comments be within ten working days. If any comment requests the alteration or expansion of conditions of approval, the applicant shall be provided a copy of the comment and allowed ten working days to file objections. The City may then proceed with a hearing as established in TMC 18.40.110 Process IV Quasi-Judicial. The preliminary plat shall also be subject to review of all new and amended regulations, policies or requirements in affect at that time.
- C. Stages.** If the developer desires to develop a subdivision in stages, each stage or division must be approved within the time limits specified herein.
- D. Applicability.** The provisions of this Title shall apply to any pending preliminary plat before the City, where the authority to proceed with filing of final plat has not otherwise elapsed under applicable State statutes.
- E. Reconsideration.** Any aggrieved person may request reconsideration of a decision pursuant to the provisions of TMC 18.40.190(11).
- F. Appeal.** The final decision by the City Council on a preliminary or final plat may be appealed pursuant to the provisions of TMC 18.40.190(I).

18E.40.050 Requirements for Each Plat, Replat, Alteration, or Amendment Filed for Record. Each and every plat, replat, alteration, or amended section of a plat of any property filed for record shall conform to the following standards:

- A. **Survey of Subdivision and Preparation of Plat.** The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.
- B. **Drafting Standards.** All final plats shall be drawn in accordance with the following:
 1. The final plat shall be clearly and legibly drawn in permanent black ink upon a stable base polyester film.
 2. The scale of the plat shall be not less than 1" = 200'. Lettering shall be at least 0.10" of an inch high. The perimeter of the plat or subdivision being recorded shall be depicted with heavier lines wider than the remaining portion of the plat or subdivision.
 3. The size of each sheet shall be 18" by 24".
 4. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of three inches on the left, and one-half inch on each side of the other three sides.
 5. If more than two sheets are used, an index of the entire subdivision showing the arrangement of all sheets shall be included. Each shall be appropriately numbered.
 6. The plat title, date, bar scale and north arrow shall be shown on each appropriate sheet of the final plat.
 7. All signatures placed on the final plat shall be original signatures written in permanent black ink.
- C. **Final Plat, Replat, Alteration, or Amendment Map Content.** The following information is required to be considered complete, unless deemed unnecessary by the Designee:
 1. The date, bar scale, north arrow, legend, controlling topography and existing features such as highways and railroads;
 2. Legal description of the plat boundaries;
 3. Reference points and lines of existing surveys identified, related to the plat as follows:
 - a. Adjoining corners of adjoining subdivisions;
 - b. City or county boundary lines when crossing or adjacent to the subdivision;
 - c. Section and donation land claim lines within and adjacent to the plat;
 - d. Whenever the county or a city has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset;
 - e. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title;
 - f. The basis of bearing shall be shown and shall be the relationship to Thurston County coordinate system; and
 - g. Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision
 4. The exact location and width of streets and easements intersecting the boundary of the tract;

5. Mathematical boundary closures of the subdivision showing the error of closure, if any, and the mathematical lot closures and street centerline closures and square footage of each parcel;
6. Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest 0.01 foot;
7. The width of the streets being dedicated, the width of any existing rights-of-way and the width of each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to the centerline dimensions, the radius and central angle shall be indicated;
8. Easements denoted by fine dashed lines or described by narrative, clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearings, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication;
9. Lot numbers beginning with number "1" and numbered consecutively without omission or duplication throughout the plat. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Lot numbers in an addition to a subdivision of the same name shall be a continuation of the numbering of the original subdivision;
10. Accurate outlines and designations of any areas to be dedicated or reserved for public use or to be committed for the common use of all property owners with the purpose of dedication, reservation and commitment to be clearly set forth on the plat document together with accurate references to appropriate recorded documents;
11. All required dedications, endorsements, covenants, affidavits and certificates shall show on the face of the final plat;
12. The final plat, replat, alteration, or amendment shall show the subdivision of the section or sections involved and show the township(s) and range(s); provided, that if the land being platted is not described by section subdivision, the final plat map shall show a vicinity map showing monuments and land corners sufficient to properly orient the new subdivision;
13. Specific wording as may be required by the preliminary plat approval;
14. A plat or subdivision contiguous to, or representing a portion of or all of the frontage of a body of water, river or stream shall indicate the location of monuments, which shall be located at such distance above high-water mark as to reasonably insure against damage and destruction by flooding or erosion;
15. Lots containing one acre or more shall show net acreage to nearest hundredth, whenever possible;
16. Designation of lots to be used for other than single-family residential purposes;
17. Land parcels to be dedicated for any purpose, public or private, shall be distinguished from lots intended for sale;
18. If the plat constitutes a replat, alteration, or amendment of all or portions of an existing subdivision, this shall be clearly indicated just below the subdivision name.

- All original plat lines shall be shown in half-tone around the perimeter of the new plat.
19. A summary of the terms and conditions, including building permit restrictions, of any agreement and security to construct improvements in the future on the plat.
 20. Other items required of all plats:
 - a. Ownership;
 - b. Legal Description (old and new);
 - c. Ensure all bearings and distances are on map;
 - d. Taxes;
 - e. Addresses;
 - f. Right-of-way deeds (as needed);
 - g. Ownership deeds (as needed);
 - h. Location of existing buildings;
 - i. Comment in regards to destroyed property (if needed). Need Destroyed Property form completed by owner to remove improvement value from assessment;
 - j. Resource parcels and purpose;
 - k. Tract parcels need purpose on map face... i.e., Open space, tree tract, stormwater, etc;
 - l. Current Use review;
 - m. Determine if map is acceptable for review;
 - n. Lot closure (for Plats);
 - o. All taxes need to be paid in full for current year to complete segregation;
 - p. Misspelled words;
 - q. Correct QtrQtrSec/QtrSec/Sec/Twn/Range;
 - r. Proper blueline map size;
 - s. Acreage/square feet on/for each lot;
 - t. Situs address, city, and zip code for each lot on map;
 - u. Deeds recorded between parties for conveyed portions;
 - v. Parcels under Open Space/Forest Tax Program contact Assessor customer service Appraiser; and
 - w. Plats shall be provided as DWG and DXF files pursuant to Thurston County digital submittal requirements.
 21. **Acknowledgments and Certificates.** Acknowledgments and certificates required by this title shall be in language substantially indicated in the following subsections:
 - a. The following certificates may be combined where appropriate:
 - a. A certificate signed and acknowledged by all parties with any record title interest in the land subdivided, consenting to the preparation and recording of the plat;
 - b. A certificate signed and acknowledged as above, dedicating all parcels of land shown on the final map intended for any public use except those parcels which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants and servants;
 - c. A certificate with the seal of and signed by the surveyor responsible for the survey and final map; and
 - d. Other certifications now or hereafter required by law;

23. **Restrictions.** The following restrictions shall show on the face of the final plat:
- a. The following shall be required when the plat contains a private street: "The cost of construction and maintaining all streets not herein dedicated as public streets shall be the obligation of all of the owners and the obligation to maintain shall be concurrently the obligation of any corporation in which title of the streets may be held."
 - b. "All landscaped areas in public rights-of-way shall be maintained by the owner and his successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to City road purposes."
 - c. The following shall be required when the plat contains commonly owned tracts: "Community tracts shall be owned and maintained in common for the benefit of all lot owners. All lots have an undivided interest in the ownership and maintenance of community areas. The ownership interest in each community tract shall be stated in the deed to each lot "
 - d. The following shall be required when the installation of required improvements has not been physically completed prior to recording: "Pursuant to City Ordinance, the City of Tenino may deny the issuance of building or occupancy permits for any structure within this plat until street, sidewalk, or other required plat improvements have been installed."
 - e. Any additional conditions as approved by the council or hearing examiner.
24. **Land Surveyor Certificate.** The completed plat must show a certificate from the land surveyor who platted the property, in substantially the following form:

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

25. **Certificates of Officers.** The plat shall also show the following certificates:
- a. **Certificate--City Engineer.**
 "Examined and approved this _____ day of _____ [year].

 City of Tenino Engineer"
 - b. **Certificate--Health Officer.**
 "Examined and approved this _____ day of _____ [year].

 Health Officer"
 - c. **Certificate--City Clerk-Treasurer.**
 "I hereby certify that all Local Improvement District Assessments on the land described hereon have been fully paid to and including the year _____

 Clerk-Treasurer, City of Tenino"

- d. **Certificate--Community Development Department.**
 "Examined and approved this ____ day of _____ [year].

 Planning Manager / Designee"
- e. **Certificate --Public Works Administrator.**
 "Examined and approved this ____ day of _____ [year].

 "Public Works Administrator"
- f. **Certificate--Assessor.**
 "Examined and approved this ____ day of _____ [year].

 Thurston County Assessor"
- g. **Certificate-Treasurer.**
 "I hereby certify that all taxes on the land described hereon have been fully paid to and including the year _____.

 Thurston County Treasurer"
- h. **Certificate--City Council.**
 "Examined and approved this ____ day of _____ [year].

 Mayor, City of Tenino"
- ATTEST:

 Clerk - Treasurer City of Tenino"
- i. **Certificate--County Auditor.**
 "Filed for record at the request of _____ this ____ day of _____, [year], at ____ minutes past ____ .m., and recorded in Volume ____ of Plats, on page _____, records of Thurston County, Washington.

 Thurston County Auditor

 Deputy Auditor"

18E.40.060 Administrative Review of Final Plats, Replats, Alterations, or Amendments.

The City Council has the full authority to approve final plats, replats, alterations, or amendments. The Community Development Department shall review applications for a proposed final plat and be satisfied that the following conditions exist:

- A. The final plat, replat, alteration, or amendment meets all standards established by State law and this Title relating to final plats;

- B. The proposed final plat, replat, alteration, or amendment bears the certificates and statements of approval required by this Title and State law;
- C. The final plat conforms to the content requirements of 18E.40.050.
- D. Required improvements pursuant to 18E.50 have been installed or bonded for same.
- E. The requirements of preliminary plat have be verified as completed/bonded as required and provided to the Council as a written staff report
- F. A title insurance report that confirms the title of the land in the proposed subdivision is vested in the name of all persons whose consent is necessary to dedicate streets and other easements shown upon the map and whose signatures appear on the plat's certificate not older than 60-days at time of filing for final plat showing the names;
- G. City Engineer/Community Development. The facilities and improvements required to be provided by the developer have been completed or, alternatively, that the developer has provided a performance bond, or cash deposit in lieu thereof, or other security commonly used by banking and lending institutions; provided further that the bond, cash deposit, or other security, as hereinabove required, shall be filed with the City Clerk/Treasurer and shall be in a form acceptable to the City and in an amount of 125% of costs and with sureties commensurate with improvements remaining to be completed and securing to the City the construction and installation of the improvements within a fixed time as set by the Council, pursuant to TMC 18.30.120 Security Mechanisms.

18E.40.070 Submission to the City Council. The Designee shall acknowledge receipt of a proposed final plat, replat, alteration, or amendment that meets the requirements of 18E.40.060 and shall forward the original with a written staff report to the City Council for consideration, approval by ordinance, and final signature authority.

18E.40.080 City Council Determination.

- A. The City Council shall, at the next regular public meeting, or at any continued meeting, review the preliminarily approved plat, replat, alteration, or amendment for final plat approval and shall make written findings and take actions as set forth for subdivisions and shall deny or approve the final plat, replat, alteration, or amendment accordingly.
- B. When the City Council finds that the subdivision meets the following criteria, the final plat, replat, alteration, or amendment shall be approved, if:
 - a. It conforms to all terms of preliminary plat approval;
 - b. The bond, if there is one, by its essential terms assures completion of improvements;
- C. It meets the requirements of State law and this Title in effect at the time of preliminary plat approval.
- D. After the City Council accepts the final plat, replat, alteration, or amendment and all required signatures are affixed except the County Auditor, the final plat shall be approved by Ordinance.
- E. The Community Development Department shall provide the final plat, replat, alteration, or amendment to the applicant or agent for filing with the County Auditor.
- F. After recording, two full size copies (one mylar and one paper) and one 11"x17" copy shall be provided to the City. Failure to provide the City with the required copies may result in delays of any requested permits.

(Ord. 731 § 1, 2007)

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Chapter 18E.50

IMPROVEMENTS

Sections:

18E.50.010	Dedications.
18E.50.020	Improvements Required.
18E.50.030	Names and Numbers of Subdivisions, Streets, Blocks and Lots.
18E.50.040	Control Monuments.
18E.50.050	Bonds-Construction and Guarantee.

Cross-references: [Chapter 86.16 RCW](#)

18E.50.010 Dedications.

- A. **General.** All dedications shall be clearly and precisely indicated on the face of the plat as approved by the City. Improvements and easements to maintain such improvements may be required to be dedicated.
- B. **Constructed to City Standards.** All site development such as roads, bridges, drains, culverts and related structures and facilities, shall be designed, constructed and conform with current standards in effect at the time of construction.
- C. **Certificate.** Dedications are required to be noted on the plat pursuant to the requirements of 18E.40.050C(21)(b).

18E.50.020 Improvements Required. Any land division may be subject to the following improvement requirements to accomplish the purpose of this chapter and the requirements of RCW 58.17. All improvements including, but not limited to, streets, bridges, drains, culverts and related structures and facilities shall be designed and constructed in accordance with city standards.

- A. **Park and Open Space.** In new residential or multi-family subdivisions of 10 or more lots or units, a minimum of five percent of the property shall be set aside as an open space or park area. This area shall be improved, landscaped, and include recreational equipment such as but not limited to a big toy, sport court, picnic area, and/or provide trail connections. The open space or park area shall be in a relatively flat area suitable for recreational activity and outside any critical areas such as steep slopes and wetlands. The location of the open space or park area shall be convenient to residents in the development.
- B. **Trails.** Land divisions located along or adjacent to a trail corridor identified in the Comprehensive Plan Parks and Recreation section shall provide a public pedestrian easement to extending the trail along its planned alignment and provide a trail from an internal or abutting roadway to the trail.
- C. **Potable Water.** Each building lot approved subject to this chapter shall be served by an approved water system. The water system shall be adequate to serve the domestic needs of future residents of the land division.
- D. **Flood or Geological Hazard.**
 1. If any portion of the land within the boundaries shown on a plat is subject to flood

- hazards or inundation, geological hazards, mud slides indicated in the most recent national flood insurance rate map or other authoritative data, and the probable use of the property will require structures thereon or nearby, the City may disapprove the subdivision or that portion of the subdivision so affected, and/or require protective improvements to be constructed as approved by the City as a condition to approval of the subdivision.
2. If any portion of a lot or parcel of a subdivision is subject to flood hazard, inundation, geological hazard or mud slides, such fact and portion shall be clearly shown on the final map or parcel map by a prominent note on each sheet of such map whereon any portion is shown. No subdivision shall be approved by the City that is situated wholly or partially within a flood control zone as provided in Chapter 86.16 RCW without the prior written approval of the Department of Ecology.
- E. **Storm Drainage Containment.** The City shall, as a condition of approval of any division of land, whether subdivision, require the developer to construct storm drainage facilities such as dry wells, retention/detention basins, or other methods acceptable to the City, based on the adopted Stormwater Design Manual so that excess storm runoff water will be satisfactorily contained. If deemed necessary by the City Engineer, higher runoff factors, increased basin sizing and/or decreased outflow rates may be required when the developer designs said containment facilities. The developer may be required to provide engineering analysis that such retention/ detention basins and storm water runoff containment facilities will contain 100-year runoffs so that storm runoff from the developed land division, whether by formal subdivision is no greater than it would have been if the land was left undeveloped.
- F. **Fire Protection.** The developer shall provide water sources and/or facilities as required by law. Land divisions shall provide fire hydrants (or other adequate means) with adequate capacity and spacing to provide for fire protection as required by the City.
- G. **Sanitary Sewer and/or Interim Septic Systems.**
1. The City may condition the approval of any land division upon the developer's installation of sanitary sewer connections and pipes to be properly constructed according to City standards.
 2. If a sanitary sewer system is not available or if an exception has been granted, the City shall approve an interim on-site septic system subject to review and approval by the Thurston County Environmental Health Wastewater Department, subject to the following conditions:
 - a. A note shall be placed on the land division map indicating that connection to a permanent sewer system shall be required at such time as the system becomes available;
 - b. A title notification shall be recorded stating:
“At such time as a sanitary sewer becomes available as defined in the Tenino Municipal Code, the property owner shall be required to hook up to the sewer system in accordance with the provisions of the municipal code.”;
 - c. A no protest agreement to the formation of any future ULID for extension of a sewer system that would serve the land division shall be recorded on the properties; and
 - d. The developer shall install interim septic systems.
- H. **Streets and Access.** All land divisions shall be served by a public or private street or

driveway. Such streets and driveways shall be provided and constructed in compliance with Title 12 - Streets, Sidewalks and Public Places. All new residential lots shall access off internal roads, except as authorized by the City.

I. Streets.

1. Private streets shall only be permitted in land divisions serving four or more building lots and shall be constructed as required by the city's public works standards.
2. All private streets, easements, community utilities and properties shall be maintained by the owners of the property served by them and kept in good repair at all times. In order to ensure the continued good repair, it must be demonstrated to the City prior to the recording of the land division that:
 - a. There is a workable organization to guarantee maintenance with a committee or group to administer the organizational functions; and
 - b. There is a means for assessing maintenance costs equitably to property owners served by the private streets, easements, community utilities and properties.
3. There is legally enforceable covenants recorded with the land division that ensure the continuing maintenance and management of these facilities.

J. Street Frontage Improvements. All land divisions shall install street frontage improvements at the time of construction as required by Title 12. Frontage improvements along exterior streets shall be constructed and approved prior to issuance of building permits. Unless improvements already exist, such improvements shall include curbs, gutters, sidewalks, and may include street storm drainage, lighting, traffic signals or modifications, utility relocation, landscaping and irrigation, and street widening per code. All improvements shall be made across the full frontage of the property from the centerline of the constructed street facility to the outside limit of the improvements. Additional right-of-way may be required for frontage improvements.

K. Common Areas and Facilities. Common areas and facilities shall conform to the following:

1. Facilities benefiting more than one property owner shall be considered common area/facilities, designated by easement or separate tract, and corresponding dedication statements included on the face of the final land division map specifying the use for which the easement or tract is created, and assigning ownership and use interest;
2. Common areas/facilities which primarily benefit the residents/property owners within the development such as entrance signage, landscaping, open space, fences, private parks, and recreation facilities shall be considered "private" common areas/facilities and the primary ownership and responsibility for maintenance assigned to said residents/property owners;
3. All private common areas shall be of a size sufficient to accommodate the associated facilities
4. Adequate provisions for ownership and maintenance in the form of statements of easement, conditions, covenants and restrictions, and/or creation of a homeowner's association shall be specified at the time of the land division. The documents shall address continued ownership interest, right of use, responsibility for maintenance, remedies in the event any of the responsible parties fail to perform, and procedures for modification or vacation of easements or tracts and associated facilities not required as a condition of the land division approval. The documents shall also include an adequate funding mechanism for those areas/facilities requiring regular

- maintenance; and
5. Common areas/facilities which are determined by the city to primarily benefit the general public or are considered part of a city facility such as a storm water detention/retention pond or bioswale, shall be delineated as a separate tract and dedicated to the public for future ownership and maintenance.
- L. Undergrounding of Utilities. All new or replacement of existing overhead utilities such as telephone, power, cable TV, etc., designed to serve the land division and located within the boundaries of the land division, shall be installed underground. Undergrounding of existing utilities may be exempt from this requirement if the cost of undergrounding the existing utility is more than twice the cost of undergrounding service and distribution lines needed to serve the land division.
- M. Gated entrances to land divisions are not allowed.
- N. Fences and wall of the land division shall conform to the following:
1. Fences and walls shall not encroach into any street right-of-way and shall be set back a minimum of one-foot from the edges of any sidewalk;
 2. Fences and walls shall comply with all clear vision area requirements;
 3. Landscape treatment shall be retained or installed between the public right-of-way and any solid fence/wall to reduce the appearance of a long continuous surface, which may attract “graffiti”;
 4. Fences and walls shall not encroach into any critical area or associated buffer without proper review and approval and if so erected, shall be non-sight obscuring
 5. If wooden fence posts are used, they shall be a minimum of 6x6 material;
 6. Walls shall not be constructed with smooth face CMU.

18E.50.030 Names and Numbers of Subdivisions, Streets, Blocks and Lots.

- A. **General.** In order to promote an orderly and coherent street and property location system, names and numbers in subdivisions and short subdivisions shall be assigned in accordance with the procedures and guidelines established herein.
- B. **Subdivision Names and Numbers.** Subdivision names shall be chosen by the applicant, subject to approval by the Community Development Department. The Department shall approve the proposed name if it is reasonably distinguishable from previously established subdivision names. The legal identification of short plats shall be designated by number and assigned by the Auditor at the time of recording. The legal identification of short plats shall be designated by numeric / alpha sequence and be assigned by the City at the time of initial submittal (SP [for Short Plat] the last two digits of the year filed - a four digit City number from permit pack number - TE [for Tenino]).
- C. **Street Names and Numbers.** All public and private roads established by subdivision or short subdivision shall have street names or numbers assigned and clearly shown on the plats prior to approval and recording. The Building Official/Inspector shall assist the applicant with approved street names and numbers. Private roads shall be clearly labeled on the face of the plat.
- D. **Blocks and Lots.** Blocks and lots established for purposes of legal description of subdivided property shall be named and numbered in accordance with procedures and guidelines established by the City Engineer.

18E.50.040 Control Monuments. Except for subdivisions excluded under the provisions of

[RCW 58.17.040](#) and this Title as amended, permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The City Engineer shall determine the number and location of permanent control monuments within the plat, if any. The surveyor preparing the plat shall submit a monumentation map to the City for approval prior to setting any permanent monuments. The engineer shall determine the number and location of permanent control monuments in streets within and leading into the plat, if any. All street monuments shall conform to the standard specifications of the American Public Works Association or as amended by City standard plans.

18E.50.050 Bonds-Construction and Guarantee. In lieu of actual construction of any improvement required by the developer of any formal subdivision or short subdivision, work may be bonded pursuant to TMC 18.30.120 Security Mechanisms.

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Chapter 18E.60

SHORT SUBDIVISIONS

Sections:

18E.60.010	Applicability.
18E.60.020	Filing Procedure and Fee.
18E.60.030	Owner's Free Consent.
18E.60.035	Posting Requirements.
18E.60.040	Survey.
18E.60.050	Departmental Review.
18E.60.060	Review Criteria.
18E.60.070	Preliminary Approval.
18E.60.080	Reserved.
18E.60.090	Appeal Procedure.
18E.60.100	Amendments.

Cross-references: Chapter [58.09 RCW](#), Chapter [332-130 WAC](#)

18E.60.010 Applicability. Every short plat shall comply with the provisions of this Chapter. Short plats are processed pursuant to the provisions of TMC 18.40-090 Process II - Administrative Action.

- A. **Exemptions.** The provisions of this Chapter are not applicable to the following:
1. All exemptions listed in Section 18E.10.025.
 2. Deed releases for the purpose of obtaining building financing, provided that a short plat is required if said parcel is separately sold or if all land specified by the contract is not acquired.
 3. Divisions, which were surveyed in accordance with the Survey Recording Act and are, recorded with the Auditor prior to August 13, 1974.
 4. One Model Home may be established on a single lot without short platting provided the City has approved a preliminary short subdivision that includes the specific lot where the Model Home is to be located.
 5. Any division of land for use solely for the installation of electric power, telephone, water supply, sewer service or other utility facilities of a similar or related nature; provided, however, that any remaining lot or lots are consistent with applicable zoning and land use plans.
 6. Any division or divisions of land for the sole purpose of enabling a municipal corporation to acquire land, either by outright purchase or exchange, for parks, viewpoints, recreational, educational or other public purposes; provided, however, that any remaining lot or lots are consistent with applicable zoning and land use plans.
- B. The entire original tract (except adjacent platted or short platted land) shall be included within one short plat application.
- C. **Further divisions.** Land within a short subdivision shall not be further divided in any manner for a period of five years from the date said 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. This requirement shall be stated on the face of the short plat.

18E.60.020 Filing Procedure and Fee.

- A. Eleven paper prints of the proposed short subdivision shall be filed with the City along with the required application form and the established non-refundable application fee.
- B. The original mylar for preliminary approval shall be submitted when:
 - 1. The City indicates it is prepared to approve the preliminary short subdivision;
 - 2. When the short subdivision is subject to automatic approval; or
 - 3. Within thirty days after the expiration of the original 30-day review period, unless an official action has been taken.
- C. A short plat shall meet the following standards:
 - 1. Drawn in ink to a scale not smaller than 1" = 100' or other approved scale or mylar, a sheet size of 18" x 24".
 - 2. The Plat shall show the boundary and dimensions of the "original tract" including the Assessor's parcel number, section, township and range, and all adjoining public or private roads and identifying names as such.
 - 3. A vicinity map drawn to a scale of 4" = 1 mile or other approved scale 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. All lots shall be identified by numerical designation. The dimensions of each lot shall be shown.
 - 6. Width and location of access to all short platted lots.
 - 7. The location and use of all buildings on the original tract.
 - 8. Space, or a second 18" x 24" mylar sheet, shall be reserved for comments and conforms to the established Signature Block sample.
 - 9. Where a survey is required, the form of the plat shall be as required by the Survey Recording Act (Chapter 50 Washington Laws of 1973, or as amended.).

18E.60.030 Owner's Free Consent. The contract purchasers, or owners in fee simple, shall sign a statement signifying that the plat is made with their free consent and in accordance with the desires of the owners (see TABLE 18E.80-2 Free Consent).

18E.60.035 Posting Requirements. After acceptance of a short plat application, notification and posting procedures pursuant to TMC 18.40.180 Notice of Application, shall apply to all short plats.

18E.60.040 Survey.

- A. Recordable surveys shall be required for all short plats and short subdivisions. All surveys shall be accomplished as required by WAC 332-130 and the "Survey Recording Act," (RCW 58.09).
- B. The certifying professional land surveyor shall complete all lot staking prior to the recording of the short subdivision.
- C. All short plat corners, including interior lot corners, shall be staked with steel rebar or metal pipe with a cap that permanently bears the land surveyor's registration number.

When the plat corner(s) or lot corner(s) falls in a body of water, over the edge of a steep slope or other inaccessible area, an offset corner will be permitted. When the boundary line of a short subdivision follows a meandering line, corners shall be set as directed by the City Engineer. A pre-submittal meeting with City staff to discuss corner locations is recommended.

- D. When the legal description of the short plat utilizes a partial or complete section subdivisional breakdown to establish the short subdivision boundaries, section subdivision survey information in accordance with the requirements of [WAC 332-130-030](#) shall be shown on the short plat mylar.
- E. All reference monuments used in the establishment of the proposed short subdivision corners shall be identified, described, and noted as set or found on the short plat mylar. When appropriate, the short subdivision survey shall reference the recorded or previous survey that was the basis for the short plat survey.
- F. When the proposed short subdivision is adjacent to a constructed State, County, or City road and the short plat corner(s) or its offset represents a 1/16th corner, quarter corner, section corner, or donation land claim corner that is not of record or is lost or obliterated, a standard monument(s) shall be placed in the road. In cases where a monument of record is found, the existing corner does not have to be replaced.
- G. Whenever a short plat is adjacent to an existing State, County, or City road and/or right-of-way, the centerline of that road shall be located on the short plat drawing. If the existing constructed road or maintained roadway section falls outside of the documented right-of-way, the surveyor shall identify the existing edge of pavement and limits of the maintained roadway section on the short plat drawing and show its relationship to said centerline.

18E.60.050 Departmental Review.

- A. The City Engineer may review a short plat for adequacy of access, storm water drainage facilities, public sewer system, survey accuracy and feasibility for building sites.
- B. The Community Development Department may review the proposed short subdivision for conformance with zoning laws, the comprehensive plan and subdivision code.
- C. The Health Department may review the proposed short subdivision for adequacy of water supply, and sanitary septic tank or sewerage conditions.
- D. The Public Works Director may review the proposed short subdivision for conformance with local conditions and possible improvement requirements.
- E. The Fire Marshal may review the proposed short subdivision for adequacy of the fire protection water system and access for fire fighting equipment.
- F. The Assessor-Treasurer's Office may review the proposed short subdivision for lot closures, current tax status, and other items.
- G. Other departments or agencies as determined by the City may review the proposed short subdivision.

18E.60.060 Review Criteria.

- A. **Access.**
 - 1. General. 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 Engineer may limit the location of direct access to any arterials or other road(s). 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.
2. **Reserved Road Areas.** Where a City arterial is being planned for, the City Engineer may require that a 60' wide right-of-way area be reserved for a future road. If the road has not been developed, and when the City determines that said reserved road area is required to be developed, all adjoining landowners shall bear the expense of constructing the future road to City standards. A note to this effect shall be reflected on the short plat.
 3. **Private Roads.** Unless the City has existing plans, maps, sketches or studies for a City arterial on the properties in issue, the City Engineer shall approve private roads if all persons and their successors who own the land adjoining the road within the short plat have equal legal rights to use said private road area. Said developer and/or adjoining landowners and their successors shall bear the expense of constructing and maintaining said road, and a note to this effect shall be made on the face of the short plat. Where the short plat, or land beyond the short plat, have the potential of being divided into nine (9) or more lots, then said private road may be required to have a right-of-way width equivalent to City standards.
- B. **Drainage.** The proposed short plat shall be reviewed for adequate drainage facilities. Requirements for any necessary facilities may be required to be on the face of the short plat mylar.
 - C. **Sewers or Septic Tanks.** The proposed short plat shall be reviewed for potential sewer or septic tank adequacy. If known local conditions exist which may affect future building sites, these conditions may be stated on the face of the short plat.
 - D. **Feasibility for Building Sites.** Areas which are known or suspected to be poor building sites because of geological hazard, flooding, poor drainage or swamp conditions or mud slides, shall be noted on the face of the short plat
 - E. **Critical Areas.** Critical areas as specified in TMC 18D shall be identified on the short plat and protective measures specified in TMC18D shall apply.
 - F. **Water Supply and Fire Protection.** The proposed plat may be reviewed for potential adequacy of water supply and fire protection.
 - G. Denial of the short plat may be considered if items A. through E. above are not adequately addressed.

18E.60.070 Preliminary Approval.

A. Procedure.

1. The Department shall forward two paper prints to City Engineer, Fire Marshal, the Thurston County Health Department, and the Assessor-Treasurer's Office. The initial review by the departments or agencies of the proposed short subdivision shall be completed within 30 days after the short subdivision is filed unless, upon the request of the Department, the applicant consents to an extension of such time period.
2. Each department or agency shall either approve, disapprove, or return the short plat for change within the 30-day initial review period.
3. If returned for change, the applicant/agent shall re-submit six prints and the mylar to

the Department reflecting the required changes within 180 days, after said notice of correction is given by the reviewing departments or agencies. Should the applicant require an extension of time to satisfy the requirements that were requested during the initial 30-day review, an additional 180 days shall be granted upon written request. Due to the complexity of the proposal, the applicant may desire to request the following to extend the life of the application.

- a. Request in writing that the application for the proposed short plat be placed on hold for due cause. "Due cause" would constitute a situation that was beyond the applicant's controls; i.e., required environmental review, Health Department requirements for viewing high water table on the site prior to review for waste disposal, and/or water availability report required by the State. To accompany the request would be the estimated time line for completion of the required additional material, studies, or review. The hold would be placed upon the application for a specified period of time.
 - b. Request in writing that a time extension is necessary to provide the reviewing departments with the necessary material, documents, and studies, as requested in the initial 30-day County review. The City may provide a second 180-day extension.
 - c. The required time extension fee is required with an extension application.
4. The applicant is required to submit the requested revisions prior to the expiration of the allowable time line, along with six prints and the mylar to the Department. The submittal shall be considered the "FINAL REVIEW" and all previous extensions that were granted to the applicant shall be considered void. The reviewing departments or agencies shall have a 30-day review period. At the conclusion of the review period, the reviewing department or agencies shall approve or deny the short plat. Denial by any one department or agency shall constitute denial of the short plat.

B. Required Written Findings for Short Subdivisions. The Designee shall inquire into the public use and interest proposed to be served by the establishment of the short subdivision and any dedication. The Designee shall make written findings that determine if appropriate provisions are made for, but not limited to:

1. The public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
2. Whether the public interest will be served by the short subdivision and dedication.
3. If the Designee finds that the proposed short subdivision makes such appropriate provisions and that the public use and interest will be served, then the Director or designee shall approve the proposed short subdivision and dedication.

C. Notice of Return to Applicant for Cause. If a short plat is not in proper order or cannot be approved in its present form, a letter accompanied by said print, postmarked prior to the expiration of said 30-day period, shall be sent to the applicant (by the disapproving department) to notify him of why approval cannot be given in its present form.

- D. **Site Development.** All conditions and site development conditions as identified in the written findings shall be completed and accepted by the City Engineer prior to application for final short subdivision approval. As an alternative to actual site development, the project may be bonded as provided in TMC 18.30.120, Security Mechanisms.
- E. **Final Short Subdivision.** The signature blocks shall be as provided in the Signature Block sample provided by the City.
- F. **Effect of Approval.** The approval of a final short plat shall not be a guarantee that future permits will be granted for any structures or development within said area and a notation to this effect shall be stated on the face of the short plat.

18E.60.080 (Reserved).

18E.60.090 Appeal Procedure. Appeals of any City decision are processed pursuant to TMC 18.40.090 Process II Administrative Action.

18E.60.100 Amendments.

- A. Amendments to short subdivisions may be approved by the City by approving an amendment note that states to the effect that “This amended short plat supersedes Short Plat No. ____”.
- B. The note must specify the changes and before the City can approve the amended short plat:
 - 1. All City requirements and conditions stated on the original short plat, must be stated on the amended short plat and clearly state or identify the amendment; and
 - 2. All property owners of the short subdivision affected by the amendment shall provide the City with a notarized statement to the effect that they agree to the terms of the amendments to the short subdivision and shall sign the final amended short plat prior to recording.
- C. If any City department or other agency’s previous approvals may be affected by the amendment, that department shall approve the proposed amendment before the City may grant final approval. The established fee shall be paid to process the amended short plat.
- D. The Assessor-Treasurer's Office must again signify that the current real estate taxes are paid before the amended short plat is recorded. Upon recording, the amended short plat is deemed approved by the City.

Chapter 18E.70

MISCELLANEOUS, REVIEW, PENALTIES AND SEVERABILITY

Sections:

<u>18E.70.010</u>	Record of Proceedings.
<u>18E.70.020</u>	Penalties.
<u>18E.70.030</u>	Enforcement.
<u>18E.70.040</u>	Model Home.
<u>18E.70.050</u>	Reserved.
<u>18E.70.060</u>	Administration.
<u>18E.70.070</u>	Land Surveys and Recording Fees.
<u>18E.70.080</u>	Severability.

18E.70.010 Record of Proceedings.

- A. A summary of all hearings and public meetings before the Planning Commission and the City Council shall be preserved in a reasonable manner, which may include a tape recording of the hearing.
- B. The appellant shall be responsible for paying all reasonable costs for transcribing the record of relevant hearings or meetings.

18E.70.020 Penalties.

- A. Whenever land within a subdivision granted final approval is used in a manner or for a purpose which violates any provision of this chapter, any provision of the local subdivision regulations, or any term or condition of plat approval prescribed for the plat by the local government, then the prosecuting attorney, or the attorney general if the prosecuting attorney shall fail to act, may commence an action to restrain and enjoin such use and compel compliance with the provisions of this chapter or the local regulations, or with such terms or conditions. The costs of such action may be taxed against the violator.
- B. Any person, firm, corporation or association or any agent of any person, firm, corporation or association who violates any provision of this Title or any permit or written order or decision issued pursuant to this Title shall be subject to a Class 1 civil infraction citation (TMC 18.10.130F(6)) as defined in [7.80.120 RCW](#).
- C. If performance of an offer or agreement to sell, lease or otherwise transfer a lot, tract, or parcel of land following preliminary 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 is not subject to the penalties above and 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.

18E.70.030 Enforcement. The provisions of TMC 18.30.130 Enforcement, shall apply in addition to the following:

- A. **Assessor-Treasurer.** The County Assessor-Treasurer shall notify the City when a request to segregate any parcel of land that appears to be in violation of this Title.

B. Building Inspection and Permits.

1. All applicants for building permits shall show by instrument of conveyance and an affidavit from his vendor, grantor or the applicant, that their building lot is not a division from an original tract, or that they or their predecessors have complied with, or are exempt from, this Title.
2. Building permits shall be denied to any applicant whose parcel, lot or tract, is not in compliance with this Title. No building permit shall be issued for any lot within a subdivision or short subdivision until final approval is obtained from the City, except as provided for in 18E.70.040 Model Home.
3. Building permits, except as provided herein, shall not be issued to any applicant until the site plan includes any required or mentioned element noted on the final plat or short plat, including but not limited to building site location, access, drainage, sewers or septic tank and water system. An occupancy certificate shall not be issued until all such required or mentioned elements are satisfied.

C. Health Department. Septic tank permits may be denied to any applicant whose parcel, lot, or tract is not divided in compliance with this Title.

D. Assessor-Treasurer. The established real estate excise tax affidavit shall be filed in the County Assessor-Treasurer's Office for all transfers of real property within the City of Tenino. An affidavit shall include a parcel number(s) of the current tax account(s) involved in the sale. If there is a separation of said tax account, the total acreage or square footage of said tax account shall be stated therein and a rough diagram of the original parcel and the divided parcel shall be drawn thereon. Said diagram shall identify the section, township, range, quarter section and placement of existing buildings.

18E.70.040 Model Home.

It shall be the purpose and intent of this Chapter to allow up to four (4) detached or attached Model Home dwellings within a preliminary subdivision, or one (1) Model Home dwelling in a short subdivision, which has been preliminarily approved in accordance with all existing plans and regulations. The purpose of said dwellings shall be to demonstrate a variety of housing designs together with all associated on-site improvements, e.g., landscaping, improved driveway, patios, etc. Model Homes, when proposed, shall be established subject to the following criteria:

- A. Model Homes must meet the requirement of all City codes with respect to being certified for use occupancy.
- B. Only one Model Home may be occupied as a temporary real estate office pursuant to Section 18.10.510.
- C. Model Homes may be sold; however, the sale shall not be considered final until such time as the preliminary plat or short plat has been approved and recorded as a final plat or final short plat, except as otherwise provided herein by this regulation.
- D. All public and private roads providing access to the Model Homes shall be improved and maintained in a dust-free condition until such time as the permanent roads are established within the final plat.
- E. All necessary building and construction permits are required to be obtained.

18E.70.050 (Reserved).

18E.70.060 Administration. The Community Development Department is the primary City

department responsible for administration this regulation. However, other City departments and other agencies are delegated specific review and approval responsibilities, in addition to the opportunity to comment on any proposal.

18E.70.070 Land Recording Fees. Please check with the County Assessor-Treasurer and Auditor for current fees.

18E.70.080 Severability. If any provision of this Title or its application to any person or legal entity or circumstances is held invalid, the remainder of the Title, or the application of the provision to other persons or legal entities or circumstances shall not be affected.

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Chapter 18E.80

CLUSTER DEVELOPMENT

Sections:

- [18E.80.010](#) Purpose
- [18E.80.020](#) Applicability
- [18E.80.030](#) Application.

18E.80.010 Purpose. Cluster provides a mechanism to cluster housing units within a residential development (usually single-family detached- or attached-housing) on smaller lots than those normally allowed under existing zoning, with the provision that the saved land is permanently set aside as open space or other recreational opportunities. This allows for more environmentally sensitive site planning by concentrating development on the buildable portion of the site while preserving natural drainage, vegetation, and other natural features promoting the public health, safety, and welfare. Through proper planning and design, each Cluster Development should include features which further, and are in compliance with, the following objectives:

- A. To allow for the design of developments that are architecturally and environmentally innovative, to achieve better utilization of land than is possible through standard zoning practices.
- B. To encourage land development that to the greatest extent possible, preserves natural vegetation, respects natural topographic and geologic conditions, and refrains from adversely affects flooding, soil, drainage, and other natural ecologic conditions.
- C. To combine and coordinate architectural styles, building forms and structural/visual relationships within an environment that allows a myriad of single-family housing uses in an innovative and functionally efficient manner.
- D. To provide for abundant, accessible, and property located public open and recreation space, private open and recreation space, schools, and other public and private facilities.
- E. To promote the efficient use of land resulting in networks of utilities, streets and other infrastructure features that maximizes the allocation of fiscal and natural resources.
- F. To enable land developments to be compatible and congruous with adjacent and nearby development.
- G. To ensure that development occurs at proper locations, away from environmentally sensitive areas, and on land physically suited to construction.
- H. To allow unique and unusual land uses to be planned for and located in a manner that ensures harmony with the surrounding neighborhoods.

18E.80.020 Applicability. Clustering decreases development costs by reducing street lengths, sidewalks, utility lines, and other site development costs. This in turn, also helps to reduce the costs of infrastructure maintenance. Clustered housing planned developments (CHPDs) may be permitted as a conditional use in single-family zones. A CHPD is intended to enhance and preserve natural features, encourage the construction of affordable housing, and allow for development and design flexibility.

18E.80.030 Application. The Clustering preliminary development plan shall consist of the following:

- A. Written documents:

1. A Pre-Application Conference and submittals documents pursuant to TMC 18E.20 shall be required.
 2. If common open space is to be deeded to a Homeowners' Association, a draft declaration of covenants and restrictions that will govern the Association.
 3. Quantitative data for total number and type of dwelling units, parcel sizes, proposed lot coverage, total amounts of private, common, public open space and recreational areas.
- B. Site Requirements.**
1. The minimum size of a CHPD shall be two (2) acres.
 2. The City may exclude land from a CHPD if it is separated from the site by topographical conditions, if it has a poor functional relationship with the site, or if inclusion of the land would negatively impact adjacent single-family zoned lots.
- C. Type of Dwelling Units Permitted.** Any single-family dwelling units allowed within the Single-Family ES (SF-ES), Single Family (SF), or Single-Family Duplex (SF-D) zones, pursuant to TMC 18B.20.040, shall be permitted in a CHPD.
- D. Number of Dwelling Units Permitted.** The number of dwelling units (density) permitted in a CHPD shall be the same as the underlying density of the zone pursuant to TMC 18B zoning. Environmentally constrained lands may calculate density pursuant to Title 18D.20.060 Transfer of Development Rights - Density Transfer Program. For CHPDs which include more than one (1) zone, the number of dwelling units shall be calculated based on the proportion of land area in each zone.
- G. Subdivision.** One-half of the total lots within a CHPD may be subdivided at 25% of the minimum size required within the underlying zoning density requirements designated by Title 18B Zoning.
- H. Setbacks:** See TMC 18B20 Development Standards. Setbacks of the reduced sized CHPD lots may use the next higher intensity zone setback standards. For example, SF-ES may use the SF setbacks; SF may use the SF-D setbacks; and SF-D may use the MU setback standards.
- I. Lot Configuration.** See TMC 18B.30, Table 18.30-1. The lot configuration of the reduced sized CHPD lots may use the circle requirement of the next higher intensity zone. For example, SF-ES may use the 55 foot circle of the SF zone; SF may use the 50 foot circle of the SF-D zone; and the SF-D may use the 45 foot circle requirement of the MU zone.
- J.** Lot coverage shall not exceed fifty (50) percent.
- K. Yards.** (An open space that lies between the principle building or building and the nearest lot line. The minimum required yard as set forth in TMC 18B, Zoning, is unoccupied and unobstructed from the ground upwards except as may be specifically provide in the development standards.) Yards shall be required for structures within a CHPD.
- L.** Remaining lands within the CHPD not intended for residential uses or infrastructure requirements shall be placed in a separate tract with common ownership as an active or passive park for the benefit of the owners or future owners within that CHPD.
- M.** The City may increase the minimum required yards or require alternate spacing or placement of structures in order to preserve or enhance topographical conditions, adjacent uses and the layout of the project and to maintain a compatible scale and design with the surrounding community.

Chapter 18E.90

RESIDENTIAL CONDOMINIUM BINDING SITE PLAN REVIEW PROCESS

Sections:

- [18E.90.010](#) **Applicability.**
- [18E.90.020](#) **Planned unit developments.**
- [18E.90.030](#) **Building permits.**
- [18E.90.035](#) **Determination of Completeness.**
- [18E.90.040](#) **Conceptual plans.**
- [18E.90.050](#) **Appeal.**
- [18E.90.060](#) **Recording.**
- [18E.90.070](#) **Amendments and rescissions.**

18E.90.010 Applicability. An owner of any legal lot may use this process to divide land to be developed for residential condominiums pursuant to RCW 64.32. A binding site plan for a residential condominium project shall be based on either a recorded final planned unit development, a building permit issued for the entire project, or a conceptual site plan as set forth in Section 18E.100.040.

18E.90.020 Planned Unit Developments. (Reserved)

18E.90.030 Building Permits. Whenever a binding site plan for a residential condominium development is proposed on a parcel of land for which a building permit has been issued for the entire project, the following must be satisfied prior to recording:

- A. A plan shall be prepared in a form prescribed by the designee which is adequate for permanent retention by the Thurston County records and elections division.
- B. The plan must be prepared by a registered land surveyor or civil engineer.
- C. The plan must substantially reflect the site plan approved for the building permit. Specific details not relevant to the division of land may be omitted.
- D. The plan must be verified by the Designee for compliance with the approved building permit. The Designee may require dedication of additional right-of-way for public streets.
- E. The legal description and map must be verified by the City Engineer.

18E.90.035 Determination of Completeness. The Department shall issue a determination of completeness or incompleteness as required by TMC 18.40.150 Determination of Completeness, after receiving an application for a binding site plan containing all information required by Section 18E.20.030.

18E.90.040 Conceptual Plans. Whenever a binding site plan for a residential condominium project is proposed on a parcel of land, for which neither a planned unit development nor a building permit has been approved for the entire parcel, the following must be satisfied prior to recording:

- A. A conceptual site plan that includes:
 - 1. Maximum number of dwelling units permitted.
 - 2. Approximate size and location of all proposed buildings.
 - 3. Approximate layout of an internal vehicular circulation system, including proposed ingress and egress.
 - 4. Approximate location of proposed open space, including required landscaped areas, if any.
 - 5. Approximate location of proposed parking areas.
 - 6. Location and size of utility trunk lines serving the site.
 - 7. Topography detailed to five-foot contours.
- B. The City shall distribute copies to departments and agencies having pertinent expertise or jurisdiction for review and comment.
- C. The City shall consider and base a decision to approve with or without conditions, deny or return the application on the following:
 - 1. Conformance of the proposed site plan with any approved building permit or any conditions on a portion of the site, and with any applicable codes and ordinances, of the State of Washington and the City. The City shall identify, to the extent feasible, conditions likely to be imposed on building permits related to dedication of right-of-way or open space, and tracts, easements or limitations which may be proposed or required for utilities, access, drainage controls, sanitation, water supply, protection of sensitive areas or other unique conditions or features which may warrant protection of the public health, safety, and welfare. Such preliminary conditions shall not be binding at the time of building permit approval.
 - 2. The recommendations and comments of agencies having pertinent expertise or jurisdiction.
 - 3. The City may require dedication of additional road right-of-way.
- D. Additional documents shall be submitted as necessary for review and approval, which may include a plat certificate, boundary survey, agreements, easements and covenants.
- E. The plan must be approved and signed by the City Engineer.
- F. Prior to recording, the Designee shall verify the final plan and any attachments to determine whether the binding site plan is accurate and complete and complies with any conditions or approval. Approval of a conceptual plan does not give the applicant a vested right to build without regard to subsequent changes in zoning or building codes or other applicable land use regulations prior to application for a building permit on the subject property.

18E.90.050 Appeal. Any decision of the designee shall be final unless appealed pursuant to TMC 18.40.090, Process II, Administrative Action.

18E.90.060 Recording. The proposed binding site plan approved by the designee shall be recorded with the Records and Elections Division within thirty- (30) days of approval. Upon recording, the site plan shall be binding on the owner, his heirs and assigns, and shall permit the division of land within the site. Divisions shall only be permitted upon the filing of a declaration under the Horizontal Regimes Act, Chapter 64.32 RCW, provided the structure or structures, road and parking systems, and related facilities substantially conform to the recorded binding site plan.

18E.90.070 Amendments and Rescissions.

- A. Amendment of a recorded residential condominium binding site plan shall be accomplished by following the same process as required for a new application as set forth in this chapter.
- B. Upon the request of the owner or owners of a legal lot or lots subject to a recorded binding site plan the designee shall rescind all or a portion of a binding site plan, provided that any portion of a binding site plan which is rescinded shall be considered to be one lot unless divided by an approved subdivision or short division.
- C. Signatures of owners of portions of a binding site plan which are not altered by an amendments or rescission are not required on the amended binding site plan or application for rescission.

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Chapter 18E.100

LOT COMBINATIONS

Sections:

18E.100.010 Lot Combination – Applicability.

18E.100.020 Application Process and Criteria for Lot Combination.

18E.100.030 Final Approval of Lot Combination

18E.100.010 Lot Combination – Applicability.

- A. Adjustments may be allowed which result in the combination of lots or parcels into one parcel to be utilized as one buildable parcel; provided, that it does not result in the adjustment of platted property which should be reviewed for compliance with the land division alteration process set forth by this title.
- B. The purpose of a lot combination is to provide an economical way of combining two (2) or more properties into one lot. Lot combinations are legally binding and will reflect in the title history of the lot.
- C. The lot combination does not result in a change of legal description(s).

18E.100.020 Application Process and Criteria for Lot Combination.

- A. Applications for a lot combination shall be submitted to the Community Development Department.
- B. Criteria for approval of a lot combination requires compliance with the following:
 1. The lot combination does not create a parcel which results in the increase of a nonconformity of any lot or structure which does not currently meet the requirements of any applicable land use or environmental health regulation;
 2. The lot combination does not conflict with the land division alteration process set forth by this title.

18E.100.030 Final Approval of Lot Combination. A lot combination form shall be completed, submitted to the City for approval, which is then recorded with the County Auditor. When the form is recorded with the County Auditor, the Lot Combination shall be considered complete.

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Chapter 18E.110

BOUNDARY LINE ADJUSTMENTS

Sections:

- [18E.110.010](#) Purpose
- [18E.110.020](#) Scope
- [18E.110.030](#) Application
- [18E.110.040](#) Administrative Review

18E.110.010 Purpose. This Chapter is intended to ensure compliance with the Survey Recording Act. A boundary line adjustment does not apply to actions requiring replat, amendment, alteration, or vacation of a plat or short subdivision. All proposals for boundary line adjustment shall be submitted to the City for approval.

18E.110.020 Scope.

- A. The boundary lines separating two lots of record may only be adjusted under the provisions of this Chapter. Extinguishing such lot lines is not a boundary line adjustment subject to the requirements of this Chapter. Actions which change or impair conditions or requirements imposed by previous platting decisions must be accomplished pursuant to the Subdivision Regulations. Boundary line adjustments shall not:
 - 1. Create any additional lot, tract, parcel, site, or division;
 - 2. Result in a lot, tract, parcel, site, or division which contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in the land use and health code requirements and regulations. This provision shall not require individuals correct pre-existing non-conformities or substandard conditions;
 - 3. Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site, or division;
 - 4. Create or diminish any easement or deprive any parcel of access or utilities;
 - 5. Increase nonconforming aspects of an existing nonconforming lot;
 - 6. Replat, amend, alter, or vacate a plat or short subdivision;
 - 7. Amend the conditions of approval for previously-platted property; or
 - 8. Would otherwise result in a lot which is in violation of any other subdivision requirement.
- B. An application for a boundary line adjustment shall expire one year after a complete application has been filed with the City.

18E.110.030 Application.

- A. Applications for Boundary Line Adjustments shall contain:
 - a. The prescribed City forms;
 - b. The required application fee;
 - c. Six (6) blue-line copies of the map, by a professional land surveyor that clearly shows the following information:

- i. No particular scale, but must be legible and clearly show property dimensions and location with distances from all structures to property lines, roads, easements, and drain fields, existing, within or adjacent to any affected lots;
 - ii. A North pointing arrow;
 - iii. A one (1) inch margin shall be provided on all four (4) sides of the map drawing;
 - iv. The drawing should not exceed 8.5 x 14 inches in size. If survey is conducted, drawing must meet state drawing size standards of 18 x 24 inches in size;
 - v. The affected parcel number(s) and site address of all lots;
 - vi. The area of each proposed lot following the adjustment;
 - vii. The Quarter Section, Section, Township, and Range;
 - viii. The Existing/Original parcels labeled Parcel "A", Parcel "B", and so on;
 - ix. The Revised/Combined parcels labeled Parcel "A", Parcel "B", and so on;
 - x. The proposed lines for all affected lots indicated by heavy solid lines;
 - xi. The existing lot lines proposed for change indicated by broken lines;
 - xii. The original legal description of the lots, together with new separate legal descriptions for each parcel, labeling them specifically as Parcel A, Parcel B, etc.;
 - xiii. The position of Rebar and caps set at each new property corner;
 - xiv. The existing and proposed future method of sewage disposal for each affected lot;
 - xv. A statement on the map regarding the presence or non-presence of any wells.
- d. A "Declaration of Boundary Line Adjustment and Covenants" document must contain the complete and accurate legal description, including any recorded easements and parcel number(s) of the Existing/Original and Revised/Combined parcels. When completed, the document must contain the Notarized acknowledgements and signatures of all involved parties (excluding lenders).
- e. Deeds, deeds of Trust, or mortgage releases if ownership is being transferred.
- f. The "Declaration of Boundary Line Adjustment and Covenants" must be typed or clearly printed with dark ink and be notarized. It must meet exact State required margins, with the first page having a 3-inch top margin and 1-inch side and bottom margins and all other sheets having a 1-inch margin on all sides.
- B. The items in capital letters shall be placed on the map:
- i. The map title shall read, BOUNDARY LINE ADJUSTMENT NO. _____
(*the application number shall be provided by the City*);
 - ii. RECORD OF SURVEY BY RECORDING NO. _____ (*provide County Record of Survey recording number*);
 - iii. THIS BOUNDARY LINE ADJUSTMENT IS NOT A PLAT, REPLAT, OR SUBDIVISION;
 - iv. APPROVAL OF A BOUNDARY LINE ADJUSTMENT IS NOT A GUARANTEE THAT FUTURE PERMITS WILL BE GRANTED FOR ANY STRUCTURE OR DEVELOPMENT WITHIN A LOT AFFECTED BY A BOUNDARY LINE ADJUSTMENT; and
 - v. THIS SURVEY COMPLIES WITH ALL STANDARDS AND GUIDELINES OF THE "SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND 332-130 WAC.
 - vi. The drawing of record shall contain all survey information required for a Record of Survey under the "Survey Recording Act", Chapter 58.09 RCW and 332-130 WAC.
- C. The following signature blocks are required:

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the Request of:

_____ on _____,
_____, 20_____.

_____ Certificate Number _____ Surveyor

DECLARATION: The undersigned agrees that the boundary line adjustment set forth herein is made with the free consent and in accordance with the desires of the owners.

Black Ink Notary Seal

I hereby certify that the above individual(s) signed as a free and voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and seal this _____ day of _____, 20_____.
_____, NOTARY PUBLIC, in and for the State of Washington,
residing at _____.

CITY OF TENINO

Community Development Director / Designee Date

ASSESSOR

Examined and approved this _____ day of 20_____. _____
Thurston County Assessor

TREASURER

I hereby certify that all state and county taxes heretofore levied against the property described hereon, according to the books and records of my office have been fully paid.

Thurston County Deputy Treasurer Date

AUDITOR

Filed for Record this _____ day of _____, 20_____, at the request of
_____ in Volume _____ at Page _____ of Record of Survey,
together with deed of conveyance recorded under Auditor's fee
No. _____.

Thurston County Auditor Date

18E.110.040 Administrative Review.

- A. An application will be deemed complete when it conformance to Section 18E.110.030.
- B. A complete application shall be reviewed and either approved, returned to the applicant for modifications, or denied within 30-days of its receipt by the City.

- C. A title report shall be provided to the City that is not more than 60-days old prior to the date of the City's approval of the Boundary Line Adjustment. The accuracy of the title report, declaration, and the associated deeds are the responsibility of the applicant. The City assumes no liability for errors or complications arising there from. Applicants may wish to have the documents reviewed by a licensed land surveyor and/or title officer to ensure the information is correct and accurate.
 - D. The City may refer Boundary Line Adjustments to various department or agencies for comment to ensure it does not impair drainage, water supply, existing or future sanitary sewage disposal, access or easements for vehicles, utilities, or fire protection for any lot. Department and agency are provided a 15-day comment period, and reviewers may include the City Engineer, Fire Marshal, Public Works Director, Health Department, the Assessor, or others determined necessary by the City.
 - E. Following receipt of any comments, but not later than 30-days from receipt of a complete application, the City shall consider those comments and shall approve or deny the application. Comments may be required to be detailed under a NOTES section on the Boundary Line Adjustment.
 - F. If the application is approved, the signature blocks identified in Section 18E.110.030C shall be fully executed prior to recording, along with deeds of conveyance (when the adjusted boundary separates different ownerships). The deeds of conveyance shall be signed by parties disclosed in the title report.
 - G. The application shall be null and void if the map, record of survey, and required deeds of conveyance have not been recorded within 60-days of the City's approval.
 - H. An aggrieved person may appeal a boundary line adjustment decision pursuant to TMC 18.40.080 Process I, Administrative Approval, Section D. However, the City Council's decision is final.
- B. (Ord. 731 § 1, 2007)

18E.120

MASTER PLANNED DEVELOPMENTS

Sections:

<u>18E.120.010</u>	Purpose
<u>18E.120.020</u>	Nature of Master Plans.
<u>18E.120.030</u>	Application Process.
<u>18E.120.040</u>	Plan Approval.
<u>18E.120.050</u>	Term.
<u>18E.120.060</u>	Specific Development Proposals.

18E.120.010. Purpose. The purpose of this Ordinance is to establish a process by which zoning master plans can be developed and approved for large properties within the City and urban growth areas. Also it is intended to create greater flexibility and creativity of zoning within the City as follows:

- A. To make provision for integrated planning of parcels of land;
- B. To ensure that future growth and developments which occur by virtue of master plans do so in accord with the comprehensive plan and the planning policies of the City;
- C. To require all plats and binding site plans to be consistent with the terms of the master plan as subdivisions are considered and approved in the future;
- D. To provide for large scale projects that incorporate a full range of land uses, where appropriate and where consistent with the comprehensive plan;
- E. To encourage the provision of more usable and suitably located recreational facilities and other public services than would otherwise be provided under conventional zoning;
- F. To foster and ensure a rational pattern of compatibility between residential, business and industrial uses so as to compliment and minimize impacts on existing neighborhoods;
- G. To provide for use of planned actions under SEPA and relevant agreements to provide a degree of continuity to larger developments.

18E.120.020. Nature of Master Plans.

- A. Master plans under this Chapter shall be characterized as zoning overlays which address the physical layout of the site but do not lay out individual building sites. Individual building sites will be administered under the provisions for subdivision or binding site plan. Application of a master plan to land is a Type VI Quasi-Judicial process pursuant to TMC 18.40.110B (2) and is consistent as a project action zoning amendment process. The master plan shall be consistent with the comprehensive plan and planning policies. Master plans may be applied to County land within Tenino's Urban Growth Areas subject to annexation, and constitutes pre-annexation zoning for such lands.
- B. Master plans and comprehensive plan amendments may be processed jointly.

18E.120.030. Application Process.

- A. **Complete Application - Textual.** In addition to requirements of TMC 18.40.140, Project Permit Applications, application submittals shall also include:
 1. Master plan application;

2. The name, address, zip code and telephone number of applicant and all landowners. If not the owner, a notarized Owner/Agent agreement;
 3. The names and addresses of all property owners located within one thousand feet of the property included in the master plan;
 4. The legal description and tax parcel number(s) of the property in the master plan;
 5. The existing zoning and plan designation on the subject property; the existing subdivision standards, the existing storm water control and treatment standards, and existing critical area criteria;
 6. The acreage proposed within the master plan for each proposed zone type and for residential zones, the density and specific zone designation;
 7. The location and availability of public facilities such as water, sewer, schools, fire districts, etc.;
 8. Anticipated phasing of development;
 9. Preliminary development plans and other required supplementary reports;
 10. Environmental checklist. Identification through the SEPA process of potential major anticipated adverse environmental impacts and general mitigating measures, including off site improvements, which may be incorporated in the master plan; and
 11. Other information such as zoning, subdivision standards, storm water control requirements, road standards and critical area criteria.
- B. **Completed Application – Maps.** The applicant shall provide the following map information:
1. A vicinity drawing showing the location of the site and its relationship to surrounding areas;
 2. Parcel boundaries and uses proposed for each parcel;
 3. Streets, highways, and freeways that will serve the development;
 4. The location by site of uses to be made of the property, including boundaries of use areas, range of densities and types of uses;
 5. Any changes proposed in zoning or development plans;
 6. Transportation plans, with proposed major roads, points of ingress, and the relationship to existing and area transportation facilities;
 7. Existing site conditions, including water courses, wetlands, flood plains, unique natural features, forest cover, steep slopes and elevation contours of appropriate intervals to indicate the topography of the entire tract for a reasonable distance beyond the boundaries of the proposed development to include adjacent or nearby lands where project impacts are relevant.
- C. **SEPA Compliance.** Provisions of TMC 18C SEPA shall apply as a project action approach for master plan approval.
- D. **Complete Application.** The Planning department shall commence project review and notification procedures after issuance of a determination of completeness pursuant to TMC 18.40.150.

18E.120.040. Plan Approval.

- A. The master plan application shall be reviewed pursuant to TMC 18.40.110, Process IV Quasi-Judicial.
- B. The master plan approval by City Council shall be considered a final action and shall be considered an amendment to the zoning map of the City of Tenino.

18E.120.050 Term. Master plan approved by the City Council and affirmed by a court on any review, should there be one, shall constitute the zoning for the area described therein for a period of 20-years unless mutually agreed by the City and the responsible developer. The responsible developer shall be the party initiating the master plan process or a successor designated in writing.

18E.120.060 Specific Development Proposals. Subdivisions, binding site plans, and other development proposals authorized by Tenino Municipal Code's, when consistent with the provisions of the master plan, may be approved concurrent with, or subsequent to, approval of the master plan.

- A. **Plats.** When any parcel of land in any master plan is intended for individual ownership, lease or sale, the platting and procedural requirements of this Title shall be followed. Applications for preliminary or short subdivision approval may be submitted simultaneously, and processed concurrently, with an application for a master plan or any associated project approval.
- B. **Binding site plans.** For any portion of the master plan, the City may approve a binding site plan for commercial or mixed use sites. The City may attach terms and conditions to the approval of the site plan if necessary to ensure compliance with the master plan. Processing of any preliminary plat or short subdivision, or binding site plan shall be as provided under this Title.
- C. **Final Plat Approval.** An application for final plat approval within a master plan shall be submitted to the Tenino Planning Department. The platting and procedural requirements of the TMC 18E, or as amended, pertaining to the subdivision and conveyance of land and the preparation of maps shall be followed.
- D. **Development Agreements.** The terms and conditions of any approvals set forth in this Chapter may be set out in a development agreement as authorized under RCW 36.70B and RCW 82.02.020.
- E. **Vesting.** An application is considered vested upon determination of a complete application pursuant to provisions of TMC 18.40.150, Determination of Completeness.
- F. **Severability.** Should any provision or Chapter be found by a competent court with jurisdiction to be contrary to applicable law, the remainder of the provisions or sections shall remain valid and in force.

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