

TITLE 16

SUBDIVISIONS AND PLATS

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**CHAPTER 16.04
INTRODUCTION**

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16.04.010 Purpose.

The purpose of this title includes but is not limited to regulating the subdivision of land and furthering the public health, safety and general welfare by:

- A. Providing for the platting, subdivision, dedication and recording of land;
- B. Providing for safe and adequate access;
- C. Providing for safe and adequate streets, utilities, parks, and recreation facilities, schools, and other public facilities;
- D. Providing for minimum levels of light, air, and open space;
- E. Implementing the provisions and intent of the zoning code in CMC Title 17;
- F. Requiring uniform monumentation and description for subdivided land, and conveyance by legal description;
- G. Providing for binding site plans on land so regulated;
- H. Providing expeditious procedures for short subdivisions and lot line adjustments;
- I. Providing for the housing and commercial land needs of the city of Cashmere.

16.04.015 Basic requirements.

For all divisions of land, binding site plans, manufactured home developments, plats or subdivisions authorized by this title, the subdivider shall meet the following minimum requirements:

- A. Provide adequate public streets to access each parcel of land created as required by this title and meeting the standards of CMC Titles 13 and 15 and the Cashmere Design Standards Manual.
- B. Provide water utility service to each lot created, adequate to serve future development at the density authorized by the applicable zoning designation of CMC Title 17 and meeting the standards of CMC Titles 13 and 15 and the Cashmere Design Standards Manual.
- C. Provide wastewater utility service to each lot created adequate to serve future development at the density authorized by the applicable zoning designation of CMC Title 17 and meeting the standards of CMC Titles 13 and 15 and the Cashmere Design Standards Manual.
- D. Provide adequate control of storm water runoff resulting from development at the density authorized by the applicable zoning designation of CMC Title 17 and meeting the standards of CMC Titles 13 and 15 and the Cashmere Design Standards Manual.
- E. Provide adequate measures to mitigate for any adverse environmental impacts as identified by the city's environmental policy and the State Environmental Policy Act.
- F. The city of Cashmere comprehensive plan shall guide the use of all land within Cashmere's planning area. The type and intensity of land use as shown on the comprehensive plan shall be used as a guide to determine the character of land division, including lot size and arrangements

and the type and extent of streets and roads, highways, dedications, improvements, services, and other utilities and public facilities.

16.04.020 Scope.

No land shall be divided for the purposes of sale, lease, or development; and no land so divided shall be sold, conveyed, transferred, leased or offered for sale or lease until the owner of the land has fully complied with the provisions of this title and CMC Titles 14, 15, and 17, except land divided for the purpose of adjusting boundary lines when such division does not create:

- A. Any additional lot, tract, parcel, site or division; or
- B. Any lot, tract, parcel, site or division containing insufficient area or dimensions to qualify as a building site.

16.04.030 Definitions.

The definitions of terms used in this chapter are in CMC Title 17.

16.04.040 Penalties.

Any person, partnership, association, firm or corporation who violates or fails to comply with this title is guilty of a civil infraction and is subject to the civil penalties and remedies and corrective actions as set forth in CMC 14.13.020 which remedies are cumulative, not alternative remedies, and are in addition to any other remedy to which the city may be entitled by law. Any violation of this title is declared to be a public nuisance, subject to abatement or injunctive relief in accordance with the laws of the state of Washington.

16.04.050 Concurrency for public facilities and utilities.

Those public facilities and utilities required to be provided as a condition of approval shall be fully operational concurrently with the use and occupancy of the development, except that concurrency for transportation facilities will be within six years.

16.04.060 Planning/public works director.

The planning/public works director of the city of Cashmere is vested with the duty and responsibility of administering the subdivision and platting regulations contained in this title within incorporated city limits and may prepare and require the use of such forms as are essential to their administration.

16.04.070 Expiration of approval.

Approval of preliminary subdivisions, short subdivisions, and binding site plans shall automatically expire three years after preliminary approval is granted unless a time extension is approved for the project. If a request for an extension of time is not submitted and approved, the preliminary approval expires and the subdivision, short subdivision, or binding site plan is null and void.

16.04.080 Extension of times.

An application form and supporting data for time extension requests must be submitted to the city of Cashmere care of the planning director at least 30 days prior to the expiration of the preliminary plat, short plat, or binding site plan.

The planning/public works director may administratively approve an extension; provided that there are no changed conditions which would render the filing of the plat or binding site plan contrary to the public health, safety or general welfare.

City of Cashmere

The planning/public works director may grant one three-year time extension. Additional one-year extensions may be granted by the planning/public works director beyond the initial three-year extension.

CHAPTER 16.08

SUBDIVISION DESIGN STANDARDS

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- 16.08.170** Street signs.
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16.08.010 Design standards required.

All subdivisions of land and development subject to a binding site plan shall comply with the following standards.

16.08.015 Design and construction standards.

All streets, street surfaces, sidewalks, curbs and gutters, grading, rights-of-way, property line monuments, and utilities shall be constructed to meet or exceed the minimum specifications contained in CMC Title 15 and the most recent edition of the Cashmere Design Standards Manual.

16.08.020 City plans.

All subdivisions and site plans shall be in accordance with adopted plans of the city of Cashmere, including but not limited to the comprehensive land use, parks, and recreation plans.

16.08.030 Future subdivisions and access.

All subdivisions shall be designed to accommodate the future subdivision of adjoining lands by providing for adequate future access and utility service. Pedestrian and bicycle access to schools, parks, shorelines, recreation areas, and open spaces shall be provided by walkway where street access is unsafe or inadequate.

16.08.040 Blocks.

Blocks in nonresidential zones shall be dimensioned to accommodate the intended purpose of the land. All blocks shall be arranged so as to minimize the number of intersections and access points on collector arterial streets.

16.08.055 Lot size.

Lot size shall be not less than the minimum size required by the applicable zoning district of CMC Title 17 in which the property is located, except as allowed by Chapter 17.62 CMC, Planned Unit Development.

16.08.065 Easements.

Easements for water, wastewater, storm sewers, electrical and communications utilities shall be dedicated whenever necessary to provide for access to service, repair and maintain the respective utilities.

- A. Easements shall be of a minimum width necessary to assure access by personnel and equipment necessary to complete normal maintenance and repairs.
- B. Easements shall be both recorded on the final plat map and dedicated on a city easement grant form and recorded at the Chelan County auditor's office.

16.08.070 Lot access.

- A. Each lot shall front a public or private street for a minimum of 20 feet.
- B. Any flag lot shall contain a minimum 20-foot-wide unobstructed access route to the public street.
- C. Private driveways shall not be constructed within city rights-of-way, except at the point they connect with the street.
- D. Private driveways shall connect with a street at or near right angles to the street being connected with.

16.08.090 Natural vegetation and features.

Valuable natural features such as trees, streams, wetlands, and wildlife habitat shall be preserved to the greatest extent feasible.

16.08.110 Streams and natural drainage ways.

Streams and natural drainage ways shall not be obstructed or constricted as a result of development. Development along streams may be required to obtain additional local, state or federal permits including but not limited to: floodplain management, shorelines management permit, water quality variance, and/or wetlands. All structures shall be constructed so that the first habitable floor is at least one foot above the Flood Zone A (100-year) flood elevation at the construction site. Construction of permanent structures within the floodway portion of the floodplain or natural drainage way shall be prohibited. If a development is to take place near streams or natural drainage ways, the subdivider shall provide engineering proof that his development will not obstruct or cause changes in the stream or natural drainage way.

16.08.120 Natural hazards.

Where subdivision and development of land may pose a hazard to the subdivision or nearby properties because of steep slopes, unstable soils, excessive storm water runoff or soil erosion, the subdivider shall have the burden of presenting evidence satisfactory to the city that the hazard can be adequately mitigated. In the absence of such evidence, subdivision of such land shall be denied.

16.08.160 Roadway buffer/tree reserves.

The city council may require a roadway buffer/tree reserve along streets having an average daily traffic count of 3,000 or more. A tree easement grant shall be both recorded on the final plat map and dedicated on a city easement grant form and recorded at the Chelan County auditor's office.

16.08.170 Street signs.

- A. All street name and traffic control signs shall be installed by the subdivider, at no cost to the city of Cashmere, and in accordance with the most recent edition of the Cashmere Design Standards Manual and the Manual of Traffic Control Devices.
- B. Street names shall be unique to a particular street, and to prevent confusion by emergency services along with others, similar names on future streets shall not be used.
- C. Addresses to lots shall be assigned by the city at the time of preliminary plat acceptance by the city council.

16.08.180 Topography.

All streets should be designed to conform to the topography of the site. Contouring of streets shall be done on hillsides where practical.

16.08.210 Street trees.

All approved plats, subdivisions and planned unit developments shall contain the following notice:

At the request of the lot owner the city may place and maintain a street tree within the front yard setback area of the lot. The lot owner shall provide basic maintenance and care (water and remove leaves and debris) for the tree and grant to the city permission to enter the property for purposes of pruning the tree or spraying insects or diseases. A tree easement grant shall be both recorded on the final plat map and dedicated on a city easement grant form and recorded at the Chelan County auditor's office.

CHAPTER 16.12

MAJOR SUBDIVISIONS

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- 16.12.020 Information required for preliminary plats.**
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- 16.12.050 Monuments.**
- 16.12.060 Required certificates.**
- 16.12.070 Supplemental information.**
- 16.12.080 Replats – Submittal and review process.**
- 16.12.090 Replats – Multiple ownership.**

16.12.010 Preliminary plats.

A preliminary plat shall be prepared by a professional land surveyor registered in the state of Washington. The scale shall be sufficient to show clearly all details of the proposal. A scale of 50 feet to the inch is preferred; however, other engineering scales may be used if necessary. Preliminary plats shall be of a size that will be acceptable to the Chelan County auditor for recording. The preliminary plat fee and 10 copies of the plat shall be submitted at the time of application.

16.12.011 Applicability.

Every subdivision of land into five or more lots, parcels or tracts, as defined herein, shall proceed in compliance with this chapter. Land divided by short subdivision within the immediately preceding five years shall be subdivided pursuant to this chapter.

16.12.015 Planning/public works director's duties.

The planning/public works director is vested with the duty of administering subdivision and platting regulations within the city limits of Cashmere and may prepare and require the use of such forms as are essential to their administration.

16.12.020 Information required for preliminary plats.

- A. The name of the proposed subdivision;
- B. A legal and common description sufficient to define the location and boundaries of the proposed subdivision;
- C. The name, address, seal and signature of the land surveyor who prepared the map;
- D. A vicinity sketch clearly showing the location of the property;
- E. The date prepared or revised, scale, north arrow, quarter section, section, township, range, and Washington State coordinate system reference;
- F. Total acreage of the land to be divided and the average land area in square feet of the proposed lots;
- G. Existing zoning and zoning boundaries;
- H. Lot dimensions and number designations;
- I. Setback lines required by the existing or proposed zoning. If the proposed lot has unusual shape, steep topography, wetlands, or other unusual limitations on its building site, it should be indicated;

- J. Contour lines in areas to be developed shall be at five-foot elevation intervals, or as specified by the planning/public works director. All contour lines shall be extended into the adjacent property a sufficient distance to show the topographical relationship of adjacent property to the proposed subdivision. The elevation datum used for contour elevations shall be approved by the city. Assumed elevations shall not be used;
- K. The location, name, and width of all existing and proposed street rights-of-way, or easements within or adjacent to the proposed subdivision, the grade of the proposed streets and the pavement location of existing and proposed streets. Street profiles shall be submitted with the plat;
- L. The location of all existing structures within the proposed subdivision and within 25 feet of the proposed subdivision;
- M. The public space and spaces to be owned in common by the lot owners, or the city, if any;
- N. The location of tree covered areas, groups of trees, or the location of individual trees over eight inches in diameter, measured four feet from the base of the tree;
- O. A preliminary grading and reclamation plan if a significant amount of earth, as determined by the planning/public works director, is to be removed, imported or relocated on the site;
- P. A preliminary drainage plan showing existing and proposed drainage facilities for the site and adjacent areas;
- Q. A statement of the improvements to be installed;
- R. The location of known or suspected soil or geological hazard areas, water bodies, creeks, wetlands, and areas subject to flooding, ponding, or unstable grounds;
- S. The possible future lot lines if any lot is large enough to allow future division;
- T. The location of existing and proposed utility lines, sewer and water mains adjacent to or within the proposed subdivision and the utility name providing services;
- U. The location of all existing and proposed easements;
- V. A completed environmental checklist;
- W. The name, address, and telephone number of the subdivider and owner of the property and a certificate of ownership from a title company authorized to do business in the state of Washington;
- X. Copies of any water rights that the proposed development properties have;
- Y. Other information that may be required by the planning/public works director in order to properly review the proposed subdivision, including information required to determine the environmental impact of the proposal, such as a Shorelines Management Act permit.

16.12.030 Final plats – Surveyor and survey required.

Final plats shall be prepared in accordance with the following:

- A. A professional land surveyor registered in the state of Washington shall prepare or supervise the preparation of the final plat.
- B. A registered land surveyor shall survey the land to be divided, and a copy of the survey submitted to the city in accordance with CMC 15.09.160(C).

16.12.040 Final plats – Required information.

The following information is required on all final plats:

- A. The full and complete legal description of all land included in the plat;
- B. Location and names, without abbreviation, of all streets, public areas, easements and adjoining streets;
- C. The length and bearings of all straight lines, radii, arcs, and semi-tangents of all curves;
- D. Centerline data on streets and easements, including bearings and distances;

- E. All dimensions along the lines of each lot in feet and decimals of a foot to the nearest hundredth, with the true bearings and any other data necessary for the location of any lot line in the field;
- F. Centerline data, width and sidelines of all easements, restrictions, and rights-of-way to which the lots are subject. If the easement is not definitely located, a statement as to the easement or restriction shall appear on the title sheet;
- G. Easements for storm drains, sewers and other purposes shall be denoted by broken lines;
- H. Contiguous plats by name, or, if unplatted, so noted;
- I. City boundaries crossing or adjoining the subdivision;
- J. All lots shall be numbered in sequence;
- K. Every lot shall be shown entirely on one sheet;
- L. All points which were used as ties to establish the boundaries of the tract;
- M. Location of all permanent monuments within the subdivision;
- N. Accurate outlines of all areas to be dedicated or reserved for public use or to be committed for the common use of property owners, with the purpose of the dedication or reservation to be stated on the plat together with appropriate recording references;
- O. All required dedications, endorsements, covenants, affidavits and certificates shall be shown on the face of the plat;
- P. The section, township and range;
- Q. State coordinates of at least two points; and
- R. Conditions of approval of the preliminary plat as required.

16.12.050 Monuments.

The surveyor shall set monuments in accordance with CMC 15.09.160.

16.12.060 Required certificates.

The following certificates shall be shown on the final plat:

- A. Surveyor. The surveyor shall place his seal and signature on the plat along with a statement certifying that:
 - 1. The plat was prepared by him, or under his supervision;
 - 2. The plat is a true and correct representation of the land surveyed;
 - 3. The legal description is a full and correct description of the land to be divided; and
 - 4. Monumentation and lot corner stakes as required by CMC 15.09.160 have been set;
- B. Owner. The owner of any interest in and holder of any lien or encumbrance upon land proposed for subdivision shall certify that the proposed plat is submitted with his consent and he has no objection thereto;
- C. Dedications. A notarized certificate of dedication by the owner for all areas to be dedicated to the public;
- D. Owner's Covenant. The owner shall grant the city a covenant releasing and indemnifying and holding the city harmless from any and all claims for damages or injunctive relief of whatever nature from the construction, operation and maintenance of the improvements;
- E. Waiver of Access. If required by the conditions of preliminary approval, a waiver, by the owner, of direct access to any street from any property;
- F. Roads and Streets Not Dedicated. A statement or other clear indication by the owner if any street is not to be dedicated to the public and specifying the maintenance responsibility;
- G. Planning/Public Works Director. Statements to be signed by the planning/public works director:

1. Approving the survey data, the layout of streets and other rights-of-way, design of bridges, sewage systems, water systems, electrical power systems, street lighting systems, storm sewer systems, and other public improvements; and
 2. Recommending approval of the final plat of a subdivision to the city council;
- H. The following approval signature blocks shall be inscribed on the face of the plat for review and approval by jurisdictional agencies:
1. Chelan County auditor;
 2. City of Cashmere planning department (director);
 3. Mayor/city of Cashmere city council;
 4. Chelan County treasurer (with specified tax language). Chelan County treasurer signature block shall read as follows:

Treasurer's Certificate

I hereby certify that all taxes and assessments which have been levied and become chargeable against the above described property for 20__ and preceding years have been duly paid, satisfied and discharged in the amount of _____, and have been deposited with the Chelan County Treasurer this _____ day of _____, 20__.

16.12.070 Supplemental information.

The following approval shall be submitted with the final plat:

- A. Taxes. A statement signed by the Chelan County treasurer that all taxes and delinquent assessments, for which the land to be divided may be liable as of the date of the signing of the statement, have been paid.
- B. Fees and Contributions. A statement signed by the city clerk-treasurer that all subdivision fees, all utility departments' fees and construction billings, and contributions have been paid or secured.

16.12.080 Replats – Submittal and review process.

Replats of recorded plats shall meet the requirements of the preliminary and final plats and be reviewed in the same manner.

16.12.090 Replats – Multiple ownership.

When lots within a recorded plat are held by more than one owner, the application for a replat shall be accompanied by the signatures of all owners of lots in the plat which are adjacent to or within the area of the plat to be replatted.

CHAPTER 16.16

SHORT SUBDIVISIONS AND SHORT PLATS

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- 16.16.100 Supplemental information.**
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16.16.010 Purpose.

The purpose of the short subdivision procedure includes but is not limited to the following:

- A. Provide an expeditious method of processing subdivisions of four or fewer lots;
- B. Provide adequate information for city review and evaluation;
- C. Provide for adequate surveying, monumentation and recording; and
- D. Provide for expeditious processing of minor property boundary changes.

16.16.012 Administrator's duties.

The planning/public works director is vested with the authority to summarily approve, conditionally approve or disapprove proposed short subdivisions.

16.16.020 Design standards.

All short subdivisions shall comply with the design standards of this title and CMC Titles 15 and 17.

16.16.030 Public improvements.

- A. All required public improvements necessary for the short subdivision shall be installed before recording the short subdivision.
- B. In short subdivisions not requiring a dedication, the subdivider shall submit for review all easements, covenants, deeds and other documents providing for the future construction and maintenance of required public or private improvements. Such documents shall clearly specify responsibility for construction and maintenance of the public and private improvements and shall hold the city harmless from any action arising from the provision, construction, maintenance, or operation of all private improvements.
- C. The subdivider shall submit a waiver of protest, binding of heirs, executors, and assigns, of future local improvement districts which may be established to provide off-site improvements abutting the short subdivisions.

16.16.040 Preliminary short plat requirements.

A preliminary short plat shall be prepared by a professional land surveyor registered in the state of Washington. The scale shall be sufficient to show clearly all details of the proposal. A scale of 50 feet to

the inch is preferred; however, other engineering scales may be used if necessary. Preliminary plats shall be of a size that will be acceptable to the Chelan County auditor for recording.

16.16.050 Required review information.

The following information shall be submitted with all preliminary short plats:

- A. The name of the proposed subdivision;
- B. A legal and common description sufficient to define the location and boundaries of the proposed short subdivision;
- C. The name, address, seal and signature of the land surveyor who prepared the map;
- D. A vicinity sketch clearly showing the location of the property;
- E. The date prepared or revised, scale, north arrow, quarter section, section, township, range, and Washington State coordinate system reference;
- F. Total acreage of the land to be divided and the average land area in square feet of the proposed lots;
- G. Existing zoning and zoning boundaries;
- H. Lot dimensions and number designations;
- I. Setback lines required by the existing or proposed zoning. If the proposed lot has unusual shape, steep topography, wetlands, or other unusual limitations on its building site, it should be indicated;
- J. Contour lines in areas to be developed shall be at five-foot elevation intervals, or as specified by the city. All contour lines shall be extended into the adjacent property a sufficient distance to show the topographical relationship of adjacent property to the proposed subdivision. The elevation datum used for contour elevations shall be approved by the city. Assumed elevations shall not be used;
- K. The location, name, and width of all existing and proposed street rights-of-way, or easements within or adjacent to the proposed short subdivision, the grade of the proposed streets and the pavement location of existing and proposed streets. Street profiles shall be submitted with the plat;
- L. The location of all existing structures within the proposed short subdivision and within 25 feet of the proposed short subdivision;
- M. The public space and spaces to be owned in common by the lot owners, or the city, if any;
- N. The location of tree covered areas, groups of trees, or the location of individual trees over eight inches in diameter, measured four feet from the base of the tree;
- O. A preliminary grading and reclamation plan if a significant amount of earth, as determined by the city, is to be removed, imported or relocated on the site;
- P. A preliminary drainage plan showing existing and proposed drainage facilities for the site and adjacent areas;
- Q. A statement of the improvements to be installed;
- R. The location of known or suspected soil or geological hazard areas, water bodies, creeks, wetlands, and areas subject to flooding, ponding, or unstable grounds;
- S. The possible future lot lines if any lot is large enough to allow future division;
- T. The location of existing and proposed utility lines, sewer and water mains adjacent to or within the proposed subdivision and the utility name providing services;
- U. The location of all existing and proposed easements;
- V. The name, address, and telephone number of the subdivider and owner of the property and a certificate of ownership from a title company authorized to do business in the state of Washington;
- W. Copies of any water rights that the proposed development properties have;

- X. Other information that may be required by the city in order to properly review the proposed subdivision including information required to determine the environmental impact of the proposal. (Ord. 1119 § 1, 2008; Ord. 973 § 3, 2000; Ord. 888 § 1, 1996).

16.16.070 Final short plats – Surveyor required.

A professional land surveyor registered in the state of Washington shall prepare or supervise the preparation of the final short plat.

16.16.080 Final short plats – Required information.

The following information is required on all final short plats:

- A. The full and complete legal description of all land included in the short subdivision;
- B. Location and names, without abbreviation, of all streets, public areas, easements and adjoining streets;
- C. The length and bearings of all straight lines, radii, arcs, and semi-tangents of all curves;
- D. Centerline data on streets and easements, including bearings and distances;
- E. All dimensions along the lines of each lot, in feet and decimals of a foot to the nearest hundredth, with true bearings and any other data necessary for the location of any lot line in the field;
- F. Centerline data, width and sidelines of all easements, restrictions, and rights-of-way to which the lots are subject. If the easement is not definitely located, a statement as to the easement or restriction shall appear on the title sheet;
- G. Easements for storm drains, sewers and other purposes shall be denoted by broken lines;
- H. Contiguous plats by name, or, if unplatted, so noted;
- I. City boundaries crossing or adjoining the subdivision;
- J. All lots shall be numbered in sequence;
- K. Every lot shall be shown entirely on one sheet;
- L. All points which were used as ties to establish the boundaries of the tract;
- M. Location of all permanent monuments within the subdivision;
- N. Accurate outlines of all areas to be dedicated or reserved for public use or to be committed for the common use of property owners, with the purpose of the dedication or reservation to be stated on the plat together with appropriate recording references;
- O. All required dedications, endorsements, covenants, affidavits and certificates shall be shown on the face of the plat;
- P. The section, township and range;
- Q. State coordinates of at least two points;
- R. Conditions of approval of the preliminary plat as required.

16.16.090 Required certificates and submittals.

The following certificates shall be shown on the final short plat. Certifications by the owner and surveyor shall be signed before the final short plat is submitted for review.

- A. Surveyor. The surveyor shall place his seal and signature on the short plat along with a statement certifying that:
 - 1. The plat was prepared by him, or under his supervision;
 - 2. The plat is a true and correct representation of the land surveyed;
 - 3. The legal description is a full and correct description of the land to be divided;
 - 4. Monumentation and lot corner stakes as required by CMC 15.09.160 have been set;

- B. Owner. The owner of any interest in and holder of any lien or encumbrance upon land proposed for subdivision shall certify that the proposed plat is submitted with his consent and he has no objection thereto;
- C. Dedications. A notarized certificate of dedication by the owner for all areas to be dedicated to the public;
- D. Owner's Covenant. The owner shall grant the city a covenant releasing and indemnifying and holding the city harmless from any and all claims for damages or injunctive relief of whatever nature from the construction, operation and maintenance of the improvements;
- E. Waiver of Access. If required by the conditions of preliminary approval, a waiver by the owner of direct access to any street from any property;
- F. Roads and Streets Not Dedicated. A statement or other clear indication by the owner if any street is not to be dedicated to the public and specifying the maintenance responsibility;
- G. Planning/Public Works Director. Statements to be signed by the planning/public works director:
 - 1. Approving the survey data, the layout of streets and other rights-of-way, design of bridges, sewage systems, water systems, electrical power systems, street lighting systems, storm sewer systems, and other public improvements; and
 - 2. A statement shall be signed by the planning/public works director and attested by the city clerk-treasurer that the planning/public works director has approved the short subdivision.

16.16.100 Supplemental information.

The following approval shall be submitted with the final plat:

- A. Taxes. A statement signed by the Chelan County treasurer that all taxes and delinquent assessments, for which the land to be divided may be liable as of the date of the signing of the statement, have been paid.
- B. Fees and Contributions. A statement signed by the city clerk-treasurer that all subdivision fees, all utility departments' fees and construction billings, and contributions have been paid or secured.

16.16.110 City review.

The short plat shall be submitted to the planning/public works director for review. The fee shall be submitted for each review of the short subdivision. Upon completion of the review and corrections, if any, the planning/public works director shall sign the certification on the short plat. Signature of the planning/public works director constitutes final approval of a short subdivision.

16.16.120 Recording and re-subdivision.

- A. All approved short plats will be filed with the Chelan County auditor for recording.
- B. Land within a short subdivision, the short plat of which has been approved within five years immediately preceding, may not be further divided until a final major subdivision has been approved and filed for record pursuant to this title, except, the owner who filed the original application for a short subdivision containing fewer than four lots may apply to further divide within five years provided the total lots created do not exceed four.

16.16.130 Required findings.

No short plat or short subdivision shall be approved unless written findings, that are appropriate as provided in RCW 58.17.110, are made by the planning/public works director.

Chapter 16.20

BOUNDARY LINE ADJUSTMENTS

Sections:

- 16.20.010** **Requirements.**
- 16.20.020** **Review criteria.**
- 16.20.030** **Process.**
- 16.20.040** **Filing required.**

16.20.010 Requirements.

Lot line adjustments shall be prepared by a land surveyor who is licensed in the state of Washington. The requirements for application for a lot line adjustment shall be the following:

- A. The application form shall be provided by the planning/public works director;
- B. The application fee shall be submitted with the application;
- C. Two copies of the lot line adjustment plan shall be submitted with the application and shall contain the following:
 - 1. The proposed lot lines for all affected lots, indicated in heavy solid lines,
 - 2. The existing lot lines proposed to be changed, indicated by heavy broken lines,
 - 3. The location of structures existing upon the affected lots,
 - 4. The location and dimensions of any easement or right-of-way existing within or adjacent to any affected lot,
 - 5. The area and dimensions of each lot following the proposed adjustment,
 - 6. The existing and, if applicable, proposed utilities for each affected lot;
- D. The following additional information shall be submitted with the application:
 - 1. The existing legal description of each lot affected by the lot line adjustment,
 - 2. The proposed legal description of each lot affected by the lot line adjustment,
 - 3. The existing parcel numbers of the affected lots.

16.20.020 Review criteria.

Lot line adjustments shall be reviewed and approved by the planning/public works director in accordance with the following criteria:

- A. The lot line adjustment will not result in the creation of any additional lot, tract, parcel, site, or division;
- B. The lot line adjustment will not create any lot, tract, parcel, site, or division which contains insufficient area and dimensions to the requirement of CMC Title 17;
- C. Will not adversely affect access or easements;
- D. Will be consistent with any applicable health, building or similar regulations;
- E. Will not increase the nonconforming aspects of an existing nonconforming lot;
- F. The lot line adjustment will not violate the covenants or conditions required on the final plat or conditions of preliminary plat approval.

16.20.030 Process.

- A. An application for a lot line adjustment shall be approved, approved with conditions, returned to the applicant for modifications, or denied within 15 days, excluding weekend days and holidays, of its receipt by the planning/public works director. The city shall not be considered to be in receipt of a complete application unless and until such time as the application meets the requirements of CMC 16.20.010.

- B. The city shall forward one copy of the lot line adjustment to the fire chief who shall review the plan and submit comments to the city within 10 days, excluding weekend days and holidays, of receipt.
- C. Following receipt of comments from those consulted, the planning/public works director shall approve or deny the requested lot line adjustment. In making the decision, the city shall make appropriate findings of fact in writing.
- D. Following the decision, the planning/public works director shall give written notice to the applicant, along with the findings of fact.

16.20.040 Filing required.

The city shall record the final approved lot line adjustments with the Chelan County auditor within 30 days from the date of approval. A copy of the recorded lot line adjustment shall be returned to the planning/public works director.

**CHAPTER 16.22
BINDING SITE PLAN**

SECTIONS:

- 16.22.010 Purpose**
- 16.22.020 Definition of Binding Site Plan**
- 16.22.030 Applicability**
- 16.22.040 Application and Fee**
- 16.22.050 Authorization to proceed**
- 16.22.060 Final Binding Site Plan**
- 16.22.070 Design and Improvement requirements**
- 16.22.080 Final Approval expiration filing**
- 16.22.090 Alteration or Vacation of a Binding Site Plan**
- 16.22.100 Additional REquirements**

16.22.010 Purpose

The purpose of this chapter is to create an alternative method of land division when dividing property for the purpose of sale, lease or transfer for commercial, industrial, warehouse, and downtown business zoned property or condominiums and mobile home parks. The Washington State Legislature authorized the binding site plan method of dividing property in RCW 58.17.035 as an alternative to the subdivision or short subdivision process.

16.22.020 Definition of Binding Site Plan

“Binding Site Plan” means a drawing to scale which:

- A. Identifies and shows the area and locations of all streets, roads, improvements, utilities, open spaces and other requirements specified by the City of Cashmere zoning ordinance, subdivision ordinance, critical areas ordinance, or the shoreline master program or other approved City ordinances or plans;
- B. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the City of Cashmere zoning ordinance, subdivision ordinance, critical areas ordinance, or the shoreline master program or other conditions required by the City; and
- C. Contains provisions requiring any development to be in conformity with the site plan.

16.22.030 Applicability

The binding site plan process is used to divide property for the purpose of sale, lease or transfer of ownership as an alternative method of land division and is authorized for only those purposes allowed by RCW 58.17.035.

16.22.040 Application and Fee

- A. Preliminary Approval: Any person desiring to subdivide land using the binding site plan process shall complete an application and file it with the City. At the time the applicant files an application with the City, he/she shall pay a nonrefundable filing fee. The city will not grant preliminary approval unless the applicant has submitted a completed application and supporting documentation and paid the nonrefundable filing fee.
- B. Alteration: Any person desiring to alter an approved binding site plan shall complete an application and file it with the City. At the time the applicant files an application for an alteration with the City, he/she shall pay a nonrefundable filing fee as set forth in a separate resolution of

the Cashmere City Council. The city will not grant approval for an alteration unless the applicant has submitted a completed application and paid the nonrefundable filing fee. In addition, the applicant shall pay for the preparation of a revised mylar.

- C. Recording Fees: The applicant shall be responsible for the payment of all recording fees charged by the Chelan County Auditor.

16.22.050 Authorization to proceed/Appeals

Pursuant to Chapter 14.09.040 of CMC, binding site plans are classified as full administrative review of application. The City shall approve, disprove, or return for modification within 120 days of receipt of a complete application. Any decision made by the City on a proposed binding site plan shall be based on the following considerations and supported by appropriate findings and conclusions:

- A. The public use and interest will be served by the approval of the binding site plan.
- B. The proposed site plan is in conformance with City of Cashmere adopted ordinances, the comprehensive plan and other land use regulations and official plans as appropriate.
- C. That the factors listed in RCW 58.17.110 have been satisfied, as now exists or may hereafter be amended, including the appropriate provisions have been made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary 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.
- D. Any decisions of the City may be appealed to the City of Cashmere Hearing Examiner as provided for in Chapter 14.11 Appeals CMC.

16.22.060 Final Binding Site Plan

- A. Prior to recording, the approved binding site plan shall be surveyed and the final recording forms shall be prepared by a registered land surveyor. Every binding site plan shall consist of one or more sheets, 18 by 24 inches, clearly and legibly drawn on stable base mylar. All drawings, lettering and signatures on the binding site plan shall be made in permanent black ink. A line shall be drawn around the sheet leaving a blank margin of two inches on the left side, to allow for binding, and one inch on the remaining sides. The scale of the map shall be sufficient to show all details clearly and in no case shall be smaller than one inch equals 100 feet nor greater than one inch equals 50 feet.
- B. Each sheet of the binding site plan shall contain the applicant's name, the binding site plan number assigned by the City, the date, a graphic scale, and a north arrow.
- C. Each binding site plan map shall include:
 - 1. All section, township, municipal and county or City lines lying within or adjacent to the site plan.
 - 2. The location of all monuments or other evidence used as ties to established site plan boundaries.
 - 3. The location and width, shown with broken lines, and a description of all easements.
 - 4. Address numbers assigned within the binding site plan.
 - 5. Delineation of any environmental critical areas
 - 6. Other conditions of approval.

16.22.070 Design and Improvement requirements

All required improvements in a binding site plan shall be designed and completed in accordance with the Chapter 16.04 Introduction and 16.32 Public Improvements of CMC or other locally adopted development standards and shall include, at a minimum:

- A. Adequate potable water supply;
- B. Adequate sewage disposal;
- C. Appropriate and adequate storm drainage facilities;
- D. Adequate water supply and fire hydrants for fire protection;
- E. Adequate, ingress and egress to all lots within the binding site plan;
- F. Provisions for all necessary dedications and/or easements.

Prior to final approval of the final site plan, the applicant shall either install all required improvements and repair any existing streets or other facilities damaged in the development of the binding site plan or into a development agreement with the City pursuant to RCW 36.70B.170 and shall furnish a surety bond as provided for in Chapter 16.32 Public Improvements and 16.36 Surety, Bonds, and Fees of CMC.

16.22.080 Final Approval expiration filing

A final Binding Site Plan meeting all requirements of this title shall be submitted to the City for approval within three (3) years of the date of preliminary approval. An applicant who files a written request with the City at least thirty (30) days before the expiration of the three (3) year period may be granted a one-year extension by the City.

16.22.090 Alteration or Vacation of a Binding Site Plan

Any person desiring to alter or vacate an approved binding site plan shall file a complete application, as defined in Chapter 14.07 Application Process and containing the information required by this chapter, on a form provided by the City. A binding site plan may be altered or vacated in whole or part by recording an altered plan in accordance with the following provisions:

- A. The altered site plan must comply with the procedures and requirements for the original binding site plan approval.
- B. The title of the altered site plan shall be "Binding Site Plan Number ____ - Alteration of Binding Site Plan Number ____."
- C. The altered or vacated site plan shall show all of the land shown on the original binding site plan, all former lot lines as dash lines, new lot lines as solid lines, and shall bear the acknowledged signatures of current fee simple owners of the affected lots within the binding site plan.
- D. All lots within a vacated binding site plan shall comply with underlying zone and have separate utilities and other supporting infrastructure as required by Title 16 Subdivision and Plats.

16.22.100 Additional Requirements

- A. After approval of a general binding site plan for industrial or commercial divisions subject to a binding site plan, the approval for improvements and finalization of specific individual commercial or industrial lots shall be done by the City approval.
- B. The binding site plan after approval, and/or when specific lots are administratively approved, shall be filed with the County Auditor with a record of survey. Lot, parcel, or tracts created through the binding site plan procedure shall be legal lots of record. The number of lots, tracts, parcels, sites or divisions shall not exceed the number of lots allowed by the local zoning ordinance.

City of Cashmere

- C. All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser or any other person acquiring a lease or ownership interest of any lot, parcel, or tract created pursuant to the binding site plan.
- D. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan, that does not conform to the requirements of the binding site plan approval, shall be considered a violation of Chapter 58.17 RCW and shall be restrained by injunctive action and be illegal as provided in Chapter 58.17 RCW.

CHAPTER 16.28

DEDICATION AND CONTRIBUTIONS

SECTIONS:

- 16.28.010** **Purpose.**
- 16.28.015** **Requirements.**
- 16.28.020** **Review.**
- 16.28.030** **Contribution in lieu of dedication or public improvements.**
- 16.28.040** **Property owners' associations.**

16.28.010 Purpose.

To assure that no preliminary or final plat, short plat or planned unit development binding site plan shall be approved unless all necessary easements and rights-of-way have been properly dedicated to a property owners' association or the appropriate governmental jurisdiction.

16.28.015 Requirements.

Dedication of areas may be required by this title for open spaces, drainage ways, streets, and other public ways, water systems, wastewater systems, storm water systems, parks, playgrounds, mitigation of adverse environmental impacts, protection of environmentally significant features and such other public requirements as may promote public health, safety and welfare.

- A. Dedications, or contributions in lieu thereof, shall be limited to the minimum necessary to mitigate the development and its impacts.
- B. The subdivider may offer a voluntary dedication or contribution in excess of the needs and impacts for the development. The city of Cashmere may accept a voluntary dedication after notice to the subdivider of his right to compensation for those additional dedications and contributions.

16.28.020 Review.

Review of all developments shall be done in accordance with CMC Title 14.

16.28.030 Contribution in lieu of dedication or public improvements.

With the consent of the applicant and the city council, the city may accept a contribution in lieu of dedication of land or construction of public improvements needed for the development or as a result of impacts due to the development. Any such contributions shall be paid into a special reserve fund before final plat or site plan approval. The funds contributed shall be expended within six years from the date of deposit for such capital improvements as the applicant and city council have agreed upon. If the funds are not expended, they shall be returned to the applicant along with interest earned on investment of the funds.

16.28.040 Property owners' associations.

Title to any dedicated lands to be held by existing or subsequent property owners shall be included in a contract binding all the owners of the properties within the development to the perpetual maintenance and preservation of the dedicated area for its stated purpose. Any contract that establishes a property owners' association shall be reviewed by the city of Cashmere to assure that provisions and legal requirements provide for the perpetual maintenance and preservation of the dedicated areas for the stated purposes.

CHAPTER 16.32

PUBLIC IMPROVEMENTS

SECTIONS:

- 16.32.010** **Installment requirements.**
- 16.32.020** **Design and review.**
- 16.32.030** **Construction or surety/bond approval.**
- 16.32.040** **Off-site improvements and unimproved abutting streets.**
- 16.32.050** **Exceptions.**
- 16.32.060** **Inspection certification.**
- 16.32.070** **As-built drawings.**
- 16.32.080** **Maintenance period.**
- 16.32.090** **Acceptance.**
- 16.32.100** **Maintenance agreement.**
- 16.32.110** **Required maintenance.**
- 16.32.120** **Maintenance surety.**
- 16.32.130** **Reinspection.**

16.32.010 Installment requirements.

The subdivider shall be financially responsible for installation of all public facilities required for approvals of land divisions in this title and for certain maintenance and warranting all work and materials for a period of two years following installation and acceptance by the city of Cashmere.

- A. Before approval of a final plat, final binding site plan, final subdivision, or final short plat, the subdivider shall either fully construct all required improvements or provide assurances and guarantees that all required improvements are installed and operating as designed.
 - 1. Installation shall be completed within one year after approval of the preliminary plat, binding site plan, subdivision or short plat and before any building permits are issued to any lot within the development area.
 - 2. The subdivider may propose a phased installation so long as each phase can be constructed as a complete operational unit without interfering with the operations of earlier phases. Any proposal to phase shall be made prior to the start of any work and must be accepted by the city.
- B. Guarantees by the subdivider may include a surety bond, cash deposit or other approved contract as specified by CMC 16.32.030 and 16.32.120.

16.32.020 Design and review.

All required public improvements and private streets shall be designed by a licensed civil engineer to meet or exceed the minimum specification of the Cashmere Design Standards Manual and shall be approved by the planning/public works director. Review of public improvements will be done along with development review in accordance with CMC Title 14.

16.32.030 Construction or surety/bond approval.

Preliminary plat or binding site plan approval or approval of final plans of public improvement by the planning/public works director, whichever occurs last, shall constitute approval to start construction of required public improvements. In lieu of construction of improvements, a subdivider may provide a surety equal in value to not less than 125 percent of the contract cost of the deferred improvements or as estimated by a licensed professional engineer and approved by the planning/public works director. The surety shall cover all improvements required as a condition of approval, including but not limited to

streets, utilities, drainage facilities, landscaping, walkways, paths and recreation facilities. The surety shall be in a form approved by the city attorney.

16.32.040 Off-site improvements and unimproved abutting streets.

All off-site improvements and unimproved abutting streets necessary to the development shall be constructed except as noted below. Latecomers agreements, in accordance with Chapter 35.91 RCW, may be drawn for those portions of off-site improvements and abutting streets built by the subdivider which benefit other properties.

16.32.050 Exceptions.

- A. Off-site improvements not immediately required to support the development may be deferred with an approved surety and/or waiver of protest of a future local improvement district established for construction of the improvement or other such agreement.
- B. A waiver of protest shall be required for all abutting unimproved streets not constructed by the subdivider.

16.32.060 Inspection certification.

The subdivider shall provide certification to the city of the methods of construction, workmanship, materials and test of improvements. Certification shall be by a licensed professional engineer. The planning/public works director or his designee shall make periodic and final inspections of all constructed public improvements and may reject uncertified workmanship or materials.

16.32.070 As-built drawings.

Within 30 days of certification, the subdivider shall provide the city with as-built drawings prepared by a licensed professional engineer, warranties, and other documents of the improvements and materials used therein.

16.32.080 Maintenance period.

The subdivider shall be responsible for the maintenance and repair of all public improvement for a 24-month warranty period following final inspection and certification.

16.32.090 Acceptance.

Public improvements shall be deemed accepted by the city of Cashmere two years from the date of final inspection and certification. In the event that flaws in workmanship or materials occur during the 24-month warranty period, final acceptance may be extended by city council action on recommendation by a licensed professional engineer.

16.32.100 Maintenance agreement.

The subdivider shall submit a maintenance agreement covering all required new public improvements and existing public improvements located within the development area which may be damaged, disturbed, or modified during construction of the subdivision or private improvements therein. The city may perform maintenance on any public improvement if the subdivider fails to complete the work within the specified time or if timely completion is necessary for public health, safety or welfare. Maintenance performed by the city during the required maintenance period does not waive the subdivider's responsibility for required maintenance.

16.32.110 Required maintenance.

Maintenance and repair shall be inclusive of any work and materials necessary to correct all deficiencies resulting from improper construction or faulty materials used in construction and for any damages that may occur during construction of subsequent phases. The subdivider shall complete any required maintenance within a reasonable time as determined by the planning/public works director or reimburse the city of Cashmere for maintenance it might perform.

16.32.120 Maintenance surety.

The subdivider shall submit a surety to cover maintenance of all public improvements during the 24-month warranty and maintenance period. The surety shall be equal in value to 15 percent of the total value of the required public improvements as determined by a licensed professional engineer.

16.32.130 Reinspection.

The subdivider shall have all public improvements inspected by a licensed professional engineer one month prior to the end of the warranty and maintenance period and document the inspection in a report.

CHAPTER 16.36

SURETY, BONDS, AND FEES

SECTIONS:

16.36.010 Fees.

16.36.020 Sureties and bonds.

16.36.030 Release of sureties.

16.36.010 Fees.

Application fees for preliminary plats, final plats, preliminary short plats, final short plats, and lot line adjustments shall be set by resolution by the Cashmere city council.

16.36.020 Sureties and bonds.

All sureties shall be approved as to form by the city attorney and approved by the city planning/public works director as to amount and adequacy.

16.36.030 Release of sureties.

The planning/public works director shall not release sureties for completed or partially completed required improvement except under the following conditions:

- A. The subdivider has submitted a schedule of improvements, the sequence for completion and the value of each part of the improvement for which a release of surety may be sought.
- B. Each segment of a required improvement shall be usable by itself without completion of the remainder of the improvement.
- C. Each segment shall receive final inspection and approval by the planning/public works director before release of the surety for that part of the improvement.
- D. All partial releases on each improvement shall constitute no more than 100 percent of the estimated value of the entire completed improvement.
- E. All releases of sureties shall be approved by the city council.