

16. SUBDIVISIONS

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Chapter 16.04 ADMINISTRATION

16.04.010 Short title.

This chapter shall be known and may be cited as the “City of Castle Rock Subdivision and Platting Regulations, and hereafter may be referred to as this “Title”

16.04.015 Authority

The ordinance codified in this title is adopted pursuant to Chapter 58.17 RCW for “subdivisions” and “short subdivisions” and also includes regulations for “boundary line adjustments” and “binding site plans”.

16.04.020 Purposes.

This chapter is adopted in the furtherance of the Comprehensive Plan of the city and to provide for the orderly growth and different living environments inherent within the city. It is hereby declared that the regulations contained in this title are necessary to regulate the subdivision of land to promote the public health, safety and general welfare of the citizens of the city in accordance with the standards established by the state to prevent the overcrowding of lands; to lessen congestion in the streets and highways; to provide for adequate light and air; to facilitate adequate provision for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements; to provide for proper ingress and egress; protect environmentally sensitive areas; encourage the conservation of non-renewable energy resources; and to provide uniform monumenting of land subdivisions and conveyance of accurate legal description.

16.04.030 Applicability.

Every division or redivision of land 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 16. of this Code;
- D. 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;

E. 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

16.04.040 Subdivision approval required.

Any map, subdivision, plat, replat, or plan hereafter made of any subdivision or any part thereof lying within the corporate limits of the city shall be presented for approval and recorded as prescribed by this title. No such subdivision, map, plat, or plan shall be recorded or have any validity unless and until it shall have the written approval of the council of the city and such other written approvals as are required by this title and ROW 58.17, et seq., as amended. (Ord. 509 §1.04, 1980).

16.04.050 Administration authority.

City Planner is designated the person responsible for the overall administration of this title.

16.04.060 Enforcement authority.

This title and the provisions herein shall be enforced by the city attorney at the direction of the City Council. (Ord. 509 §1.06, 1980).

CHAPTER 16.08 DEFINITIONS

16.08.010 Generally.

For the purpose of this title, certain terms and words are defined in this section. When not inconsistent with the context, words used in the present tense shall include the future; the singular tense shall include the plural and the plural the singular; the word "shall" is always mandatory, and the word "may" denotes a use of discretion. (Ord. 509 §2.01, 1980).

16.08.015 Access.

"Access" means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave the property.

16.08.020 Alley.

"Alley" means a passage or way, open to public travel and dedicated to public use, affording generally a secondary means of vehicular access to abutting lots and not intended for general traffic circulation, the standards for which are included in the "City of Castle Rock Engineering Standards for Public Works Construction".

16.08.024 As-built drawings or plans.

"As-built drawings or plans" means revised construction plans in accordance with all approved field changes reflecting the improvements on the site as they actually exist.

16.08.028 Binding site plan.

"Binding site plan" as defined in RCW 58.17.020 means a drawing to a scale specified by local ordinance which: (1) identifies and shows the areas and location of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (2) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the Castle Rock City Council; and (3) contains provisions making any development be in conformity with the site plan. For the purposes of this title, a binding site plan also means a survey together with a developer agreement which, when approved and recorded as required by this title, provides a method of land division for the purpose of sale or lease of property including condominiums.

16.08.030 Block.

"Block" means a group of lots, tracts or parcels within well-defined and fixed boundaries. (Ord. 509 §2.04, 1980).

16.08.035 Boundary line adjustment.

"Boundary line adjustment" means a division of land for the purpose of alteration by minor adjustment of boundary lines, between platted or unplatted lots or parcels or both, which does not create an additional lot, tract, parcel, building site, or division nor creates any lot, tract, parcel, building site, or division which contains insufficient area or dimension to meet the minimum requirements for width or area for a building site. Boundary line adjustments are to be used to consolidate lots and resolve minor boundary line problems between two parcels of land, such as discrepancies found as a result of a boundary survey. Boundary line changes that alter the underlying plat pattern such as changing the general direction of lot lines or lot access are not boundary line adjustments.

16.08.040 City officials.

- A. "City" means Castle Rock, Washington.
- B. "Council" means the Council of the City of Castle Rock.
- C. "City Planner" means the City Planner of the City.
- D. "Commission" means the Planning Commission of the City.
- E. "Engineer" means the City Engineer of the City.
- F. "Health officer" means the Cowlitz County Health Department.
- G. "Building Inspector" means the Building Inspector of the City

16.08.050 Comprehensive plan.

"Comprehensive Plan" means coordinated plans for the physical development of the city, designating, among other things, plans and programs to encourage the most appropriate use of land and to lessen congestion throughout the city in the interest of public health and safety. (Ord. 509 §2.05, 1980).

16.08.060 Condominium subdivision.

"Condominium Subdivision" means a subdivision with co-ownership or cooperative ownership of common property as defined within Chapter 64.32 of the Revised Code of Washington. (Ord. 509 §2.06, 1980).

16.08.063 Contiguous.

"Contiguous" means next to, abutting, or touching, and having a shared boundary, or portion thereof.

16.08.065 Covenant.

"Covenant" means a clause in a contract; a promise; an agreement contained in a deed for the performance or nonperformance of certain acts or the use or nonuse of property.

16.08.070 Dedication.

"Dedication" means an appropriation of land to some public use made by the owner and accepted for such use by or on behalf of the public. Intention to dedicate shall be evidenced by the owner by the presentment for filing of a final 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. (Ord. 509 §2.08, 1980).

16.08.080 Direct access.

"Direct Access" means the right vested in the owner or lessee of land which adjoins a road or other highway to ingress or egress from his or her land to the public road. (Ord. 509 §2.02, 1980).

16.08.090 Easement.

"Easement" means a right of usage of real property granted by an owner to specific persons, firms, corporations, or public. (Ord. 509 §2.09, 1980).

16.08.096 Final plat.

"Final Plat" is a precise final drawing of a subdivision and dedications which conforms to the approved preliminary plat, meets all conditions of the preliminary approval and meets the requirements of the Cowlitz County auditor for recording.

16.08.100 Frontage.

"Frontage" denotes line of property on the fronting street or extent of front along a road or street. (Ord. 509 §2.10, 1980).

16.08.110 Grade.

"Grade" means a slope specified in feet per feet or in a percentage. (Ord. 509 §2.11, 1980).

16.08.120 Home Owners' Association.

A "Home Owners' Association" is deemed to be the grouping or uniting of persons owning real property within a defined area into an incorporated entity, with charter for the prosecution of a common enterprise.

16.08.125 Improvements.

"Improvements" means street grading or graveling, permanent street and corner monuments, street pavement, curbs and sidewalks, pedestrian ways, water mains, storm and sanitary sewers, street lights, and other required or necessary facilities.

16.08.130 Lot.

"Lot" means a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term includes tracts or parcels. (Ord. 509 §2.13, 1980).

16.08.134 Lot area.

"Lot Area" means the total horizontal area within the boundary lines of a lot, excluding any street right-of-way or access easement.

16.08.136 Lot consolidation.

"Lot Consolidation" means a process used for the purpose of consolidating boundary lines between platted or unplatted lots or both, which does not create any additional lots, tracts, parcels, or sites, and combines them into one building site.

16.08.140 Lot--Double Frontage.

"Double Frontage Lot" means a lot with street frontage along two opposite boundaries. (Ord. 509 §2.14, 1980).

16.08.150 Lot--Reverse Frontage.

"Reverse frontage lot" means a double frontage lot for which the boundary along one of the streets is established as the rear lot line, and over the rear of which is a utility easement. The rear lot line of the lot shall be that boundary abutting a primary arterial, railroad right of way, or other disadvantageous use. (Ord. 509 §2.15, 1980).

16.08.154 Lot, flag.

"Lot, flag" means a lot not meeting minimum frontage requirements and where access to the public road is by a private driveway. Flag lots shall be a minimum of 20 feet and meet the driveway separation requirements of the City of Castle Rock Engineering Standards for Public Works Construction.

16.08.156 Lot Width.

"Lot width" is the distance between the side lot lines measured at right angles to the line establishing the lot depth at a point midway between the front lot line and the rear lot line. Any area used as an access easement shall be excluded from the computation of the lot width.

16.08.160 Master plan.

"Master plan" means that map, sketch, or other presentation filed with the City Clerk – Treasurer showing the ultimate development pattern of a parcel of property that is to be developed in successive stages or subdivisions. The plan need not be completely engineered but shall be of sufficient detail to illustrate the property's inherent features and probable

development pattern thereon. The master plan will, therefore, be used as a guide in each successive stage of the development until its completion.

16.08.162 Monument.

"Monument" means an object used to permanently mark a surveyed location. The size, shape and design of the monument are to be in accordance with standards specified in Chapter 58.09 RCW, the Survey Recording Act.

16.08.164 Net buildable area.

"Net buildable area" means the area of a parcel of land, less the area devoted to streets, roads, or alleys, whether public or private.

16.08.166 Original tract.

"Original tract" means 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.

16.08.167 Open Space.

"Open Space" means the portion of the subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.

16.08.168 Park/recreation area.

"Park/recreation area" means that portion of a site which is reserved for parks and playgrounds or other recreational purposes. Park/recreation areas do not include land occupied by structures, roads, road rights-of-way or parking areas or the yards or lots of residential units. Recreational uses may contain impervious surfaces.

16.08.170 Plat.

"Plat" means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications. The "Final Plat" is that map or representation presented to the City Council by the developer after completion of the terms and conditions required by the council for subdivision of lands. (Ord. 509 §2.17, 1980).

16.08.180 Preliminary plat.

"Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and restrictive covenants to be applicable to the subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

16.08.190 Protective covenants.

"Protective covenants" means a declaration by the owner which binds the land for the completeness, security, and continuance of the declared purposes. (Ord. 509 §2.19, 1980).

16.08.200 Right-of-way.

A "right-of-way" is held to be a strip of land within which is located a passageway.

16.08.210 Road--Private.

"Private road" means a roadway intended for the use of one or more private individuals and developed and maintained by those private individuals who benefit from its establishment.

16.08.220 Road--Public.

"Public road" means a highway or roadway established and adopted by the proper authorities for the use of the general public, and over which every person has a right to pass and use for all purposes of travel or transportation for which it is adopted and developed. (Ord. 509 §2.22, 1980).

16.08.230 Roadway.

"Roadway" means that portion of a street or alley right-of-way that is set aside for vehicular traffic. (Ord. 509 §2.23, 1980).

16.08.234 Short plat.

"Short plat" means the map of representation of a short subdivision which conforms to the requirements of this title.

16.08.236 Short subdivision.

"Short subdivision" is the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

16.08.240 Site.

"Site" means a plot of ground suitable or set apart for some specific use.

16.08.250 Street--Access.

"Access street" means a street, usually of limited continuity, which serves primarily to provide access to abutting property. (Ord. 509 §2.25, 1980).

16.08.260 Street--Arterial.

"Arterial streets" connect major traffic generators and are designated for the purpose of moving high volumes of traffic. (Ord. 509 §2.26, 1980).

16.08.270 Street--Cul-de-sac.

"Cul-de-sac street" means a short street having one end open to traffic and the other end permanently terminated and providing a vehicular turnaround. (Ord. 509 §2.27, 1980).

16.08.280 Street--Loop.

"Loop street" means an access street of limited length which generally follows a "U" alignment with both legs intercepting the same street. (Ord. 509 §2.28, 1980).

16.08.290 Subdivider.

"Subdivider" means any person, firm, or corporation undertaking the subdivision or resubdividing of any parcel of land. (Ord. 509 §2.29, 1980).

16.08.300 Subdivision.

"Subdivision" means the division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease and includes all resubdivision of land.

16.08.310 Title certificate.

"Title certificate" means a title report or plat certificate issued by a title insurance company certifying the ownership, deed restrictions, covenants, etc., of the land being subdivided.

CHAPTER 16.12 SUBDIVISIONS

GENERAL PROVISIONS.

- A. **Applicability of Provisions.** Every division or redivision of land for the purpose of sale, lease or transfer of ownership into five or more lots, parcels or tracts any one of which is less than five acres shall proceed in compliance with this section.
- B. **Resubdivision of Platted Lots.**
1. The division of any lot within a recorded subdivision shall be replatted in accordance with the procedures for subdivisions as provided in this chapter.
 2. Lot lines within an existing subdivision may be adjusted in accordance with the boundary line adjustment procedures of this title, without replatting, providing that no new or substandard lots are created.
- C. **Plats within Floodplain.** No plat shall be approved covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the proper written approval of the Department of Ecology, State of Washington.

16.12.010 Site Plan Review -- Sketch plan submission.

- A. **Preapplication Conference:** Prior to filing an application to subdivide a piece of property, the subdivider shall submit an application and associated fees with the City Clerk for a Site Plan Review meeting in accordance with Castle Rock Municipal Code Chapter 17.78. This meeting shall attempt to provide the subdivider with a full understanding of the information required by the Planning Commission to review the proposed subdivision.
- B. The subdivider shall prepare a sketch plan showing the approximate street layout, number and size of lots, and utility locations. The design of the subdivision shall be discussed along with conceptual phases of development. Any lack of information for formal review shall be identified and requested by the affected agencies and officials.
- C. The sketch plan shall in no way be considered binding and permanent by the staff. Further, the conclusions reached during the Site Plan Review process will not guarantee plat approval by the Planning Commission or the City Council.

16.12.015 Public hearing fee.

A fee as established in the fee schedule on file with the City Clerk – Treasurer shall be paid to the city along with the filing of each application for a subdivision. Such payment shall be made to the City Clerk - Treasurer

16.12.020 Preliminary plat--Submittal--Hearing date setting.

The City Council has final authority for the approval of proposed subdivisions and dedications of land. For the purpose of expediting review, the preliminary plat of these proposed subdivisions and dedications shall be submitted to the city Planning Commission through the City Clerk – Treasurer on such forms as may be provided to the City Clerk – Treasurer by the city Planning Commission. With the application and filing fee according to the fee schedule on file with the City Clerk - Treasurer, the subdivider shall submit a sufficient number of copies of the preliminary plat as provided on the application forms. The City Clerk – Treasurer (or his/her designee), upon receiving a recommendation from the Site Plan Review Committee shall assign the subdivision a permanent file number, set a date for hearing before the Planning Commission and inform city staff and the Commission's chairperson or secretary of the scheduled hearing. (Ord. 509 §3.02, 1980).

16.12.030 Hearing--Notice to public--Contents.

Notice of hearing shall be given by publication of at least one notice not less than ten days prior to the hearing in a newspaper of general circulation within the city. Additional notice of such hearing shall be provided as follows: The City Clerk – Treasurer shall post notice of hearing on the subject property in a manner conspicuous to adjoining landowners, and, in addition, the City Clerk – Treasurer shall provide notice by mailing to landowners within three hundred feet. All hearings shall be public. All hearing notices shall include a legal description of the location of the proposed subdivision, and either a vicinity location sketch or a location description in non-legal language.

16.12.040 Hearing--Notice to agencies.

The City Clerk – Treasurer shall provide notice including the hour and location of the hearing and description of the property to be platted to the County, and when the preliminary plat is located adjacent to the right-of-way of the State Highway, notice shall be given to the State Department of Highways. In addition, the City Clerk – Treasurer shall circulate copies of the proposed plat to the City Engineer staff, the public utility district, and such other officials or agencies concerned within the scope of this title and the laws of the state. Such notice should be sent to all such agencies two weeks prior to time of the public hearing.

16.12.045 Preliminary plat —Application requirements.

A. Application for Subdivision. Application for a preliminary plat approval shall consist of the following:

1. A recommendation from the Site Plan Review Committee;
2. A general application form completed and signed by the property owner or his authorized agent;
3. Copies of the preliminary plat (as prepared by or under the supervision of a registered professional engineer or registered land surveyor), one reproducible copy and any supplemental material prepared in accordance with Chapter 16.12.050 - 060. The number of prints shall be as required on the application form;
4. The application shall be accompanied by a nonrefundable application fee as established by the city fee schedule; and

5. A completed environmental checklist if required, prepared in accordance with Chapter 43.21C RCW (SEPA). The checklist shall be accompanied by the required application fee.

16.12.050 Preliminary plat--General requirements.

- A. The preliminary plat, at a scale of not less than fifty feet or more than two hundred feet to the inch, containing all the information specified in this chapter, shall be prepared in a neat and legible manner by a registered land surveyor or engineer.
- B. A vicinity sketch at a legible scale shall be prepared showing the relationship of the proposed subdivision to existing streets. In all subdivisions proposed to be developed in subsequent phases, any and all proposed thru streets may be required as part of Phase One.
- C. Around the periphery of the proposed subdivision, the boundary lines and identification of adjacent parcels of property shall be shown.
- D. A conceptual grading plan shall be submitted.
- E. A utility plan showing a conceptual layout of water, sewer, and stormwater facilities shall be submitted.
- F. The vertical scale of the street and sewer profiles submitted shall be at least twenty feet to the inch with a horizontal scale of two hundred feet or less to the inch.
- G. A preliminary stormwater drainage report shall be submitted showing the applicant can meet the City's storm drainage requirements.
- H. A traffic impact analysis shall be submitted evaluating the impacts of the proposed development to any intersection to which more than 10 PM peak trips are added.
- I. Two copies of proposed protective covenants, if any, shall be included with the preliminary plat.
- J. The subdivider must, as a part of the written preliminary plat, submit to the city a written plan showing that prior to finalizing of the subdivision the utilities (water, sewer and storm sewers) shall be made a part of the city system.
- K. The subdivider must at the time of application submit to the City a copy of the State Environmental Policy Act (SEPA) environmental checklist prepared for the proposed subdivision.

16.12.060 Preliminary plat--Specific requirements.

The preliminary plat shall specifically and clearly show the following features and information on one or more maps, drawings, or application forms:

- A. The name of the proposed plat, subdivision, or dedication;
- B. The name and address of the subdivider and land surveyor or engineer;
- C. The tract designation of the proposed plat, subdivision or dedication as shown in the files and records of the county assessor;
- D. The plat map scale and the true north point shall be indicated on the plat map;
- E. The perimeter lines of the tract to be subdivided;
- F. Location, width, and names of all existing or platted streets or other public ways and easements within the proposed development and other important features, such as the general outline and location of permanent buildings, watercourses, power lines, telephone lines, railroad lines, gas lines, water lines, sewer lines, municipal boundaries, and section lines;

- G. Topography showing at least five-foot contours to be extended at least one hundred feet beyond the boundaries of the proposed subdivision. Datum shall be sea level as established by the United States Coast and Geodetic Survey;
- H. The layout of proposed street right-of-way lines, alleys, and easement lines and the layout number, and approximate dimensions of lots and the number of blocks;
- I. Tentative centerline grades of each street;
- J. All parcels of land intended to be dedicated or reserved for public use for the common use of the property owners in the subdivision with the purpose, condition, or limitations of such reservations clearly indicated;
- K. The indication of any lands abutting the proposed subdivision for which successive or separate final subdivisions are to be filed shall be indicated on a master plan. Said master plan shall be submitted with the initial subdivision for which it is concerned and shall be used as a general overall guide for any subsequent subdivision until complete development of the subject property;
- L. Easements for city utilities shall be granted to the city providing the city the right to enter such properties at any time for construction or maintenance purposes;
- M. The ownership and other interests in the property covered by the proposed subdivision shall be noted on the plat map; and
- N. The names and addresses of the property owners surrounding the proposed subdivision.

16.12.070 Preliminary Plat--Planning Commission action.

The Planning Commission shall review all proposed subdivisions and make recommendations thereon to the City Council. Such review shall be made to insure conformance of the proposed subdivision to the general purposes of the Comprehensive Plan and the planning standards and specifications as adopted by the city. The Planning Commission will review the preliminary plat application, make findings of fact and make recommendation to the City Council that the preliminary plat be approved, disapproved or approved with conditions. The Planning Commission, if it finds the preliminary plat application to be incomplete, may return same to the applicant and request additional information. When the Planning Commission has considered the preliminary plat application, it shall within fourteen days after taking its action submit its recommendation to the City Council. Written notice of the Planning Commission's recommendations shall be provided to the subdivider applicant within the same fourteen days. The report and recommendations of the Planning Commission shall be advisory only. (Ord. 509 53.07, 1980).

16.12.080 Preliminary plat--Approval or disapproval time limit.

Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, returned to the applicant for modification or correction within ninety days from the date of filing thereof unless the applicant consents to an extension at such time; 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 local government agency. (Ord. 509 53.08, 1980).

16.12.090 Preliminary plat--Approval criteria for Planning Commission.

- A. The Planning Commission, when considering whether to recommend approval or disapproval of the preliminary plat, shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine that appropriate provisions are made for, but not limited to, public health, safety and general welfare, for open spaces, drainage ways, streets, alleys or other public ways, water supplies, sanitary waste, parks, playgrounds, sites for schools and school grounds, and shall consider all other relevant facts and determine whether public interest will be served by the subdivision and dedication.
- B. The Planning Commission shall consider the physical characteristics of the proposed subdivision site and may disapprove a proposed plat because of any severe natural limitation, including, but not limited to, slope stability and steepness, soil conditions, flooding, inundation, swamp conditions or drainage problems. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be recommended for approval to the City Council when such land is situated in a flood-controlled zone as provided in Chapter ~~69~~ 86.16 of the Revised Code of Washington without prior written approval of the Department of Ecology of the state. No plat which lies in whole or in part in an irrigation district organized pursuant to RCW Chapter 87.03 shall be approved unless such plat meets the requirements of RCW 58.17.310. Pursuant to 36.70A RCW, no plat which lies, in whole or in part, within or adjacent to a Critical Area, shall be processed or approved unless such plat meets the requirements of CRMC Chapter 18.10 and a Critical Area Permit is obtained in accordance with CRMC Chapter 18.10.080.

16.12.100 Preliminary plat--City Council hearing--Notice.

Upon receipt of the recommendation of the Planning Commission on the preliminary plat, the City Clerk – Treasurer shall set a date for public hearing where the City Council may adopt or reject recommendations from the Planning Commission. A record of all public meetings and public hearings shall be kept by the city and shall be open to public inspection. Notice of such hearing shall be provided in the same manner as is set forth in Sections 16.12.030 and 16.12.040.

16.12.110 Preliminary plat--Approval criteria for City Council.

- A. The City Council shall consider the same factors as set forth in Section 16.12.090 when considering approval, disapproval or approval with conditions. If the City Council finds the proposed plat meets the appropriate provisions for public health, safety and general welfare and for such open spaces, drainage ways, streets, alleys and other public ways, water supplies, sanitary waste, parks, playgrounds, sites for schools and school grounds, and that the public use and interest will be served by platting of such subdivision, then it shall be approved. If it finds that the proposed plat does not make such appropriate provisions or that the public use and interest will not be served, the City Council may disapprove the proposed plat or approve the plat with conditions. Dedication of land to any public

body may be required as a condition of subdivision approval and shall be clearly shown on the final plat.

- B. The City Council shall consider the physical characteristics of the proposed subdivision site and may disapprove a proposed plat because of any severe natural limitations, including, but not limited to, slope stability and steepness, soil conditions, flooding, inundation, swamp conditions or drainage problems. Construction of protective improvements may be required as a condition of approval and such improvements shall be noted on the final plat. No plat shall be approved by the City Council when such land is situated in a flood-controlled zone as provided in Chapter 86.16 of the Revised Code of Washington without prior written approval of the Department of Ecology of the state. No plat which lies in whole or in part in an irrigation district organized pursuant to RCW Chapter 87.03 shall be approved unless such plat meets the requirements of RCW 58.17.310. Pursuant to 36.70A RCW, no plat which lies, in whole or in part, within or adjacent to a Critical Area, shall be processed or approved unless such plat meets the requirements of CRMC Chapter 18.10 and a Critical Area Permit is obtained in accordance with CRMC Chapter 18.10.080.

16.12.115 Preliminary Plat – Expiration of approval – Extensions – Conditions

A. Approval of the preliminary plat shall be effective for five years from the date of approval, during which time a final plat or plats may be submitted. During this time the terms and conditions upon which the preliminary approval was given will not be changed without the applicant's consent. A final plat meeting all requirements of this title shall be submitted to the City Council for approval within five years of the date of preliminary plat approval. An applicant who files a written request with the City Clerk – Treasurer at least ninety calendar days before the expiration of this five-year period may request an extension of the approval of the preliminary plat for an additional three years, subject to the following conditions:

1. The preliminary plat extension request shall be made in writing and submitted to the city of Castle Rock clerk at least ninety days prior to the expiration of the five-year time limit within which a final plat must be submitted;
2. The city clerk shall stamp the date of receipt of said letter of request and will promptly forward that request to the City Planner;
3. The City Planner shall review the letter of request and prepare a summary for the City Council, which provides inter alia:
 - a. What steps were completed that demonstrate that an active effort was made by the applicant to complete the subdivision within the five-year period,
 - b. That the applicant is proposing no significant changes in the conditions of the preliminary plat approval,
 - c. That granting the three-year extension of time would not be contrary to the public's health, safety, or general welfare,
 - d. That granting the time extension will not cause the subdivision to violate any applicable city policy or regulation in effect at the time of the extension request that differ significantly from those in effect at the time of the original preliminary subdivision plat approval.

4. In addition to providing the foregoing summary, the City Planner will make recommendation to the City Council to either:
 - a. Approve the Time Extension Request. If the City Planner finds that no significant issues will arise or are currently present with the preliminary plat, and the subsequent time extension request, the City Planner shall recommend approval.
 - b. Approve with Conditions. If the City Planner identifies issues with the current plat that may be resolved during the current time extension period, the planner shall recommend the conditions that will mitigate or resolve those issues.
 - c. Deny the Time Extension Request. If the City Planner identifies issues that cannot be mitigated or that proposed resolutions of issues are not acceptable to the applicant or the city, the planner shall recommend denial of the time extension request.

B. Knowledge of the expiration date and initiation of a request for extension of approval time is the responsibility of the applicant. The city is not responsible for providing notification prior to expiration.

CHAPTER 16.20 DESIGN AND LAYOUT STANDARDS

16.20.010 Minimum standards.

The principles and requirements within this chapter shall be followed in the development of all subdivisions and shall be considered minimum standards. (Ord. 509 §5.01, 1980).

16.20.020 Standards--Adopted.

The “City of Castle Rock Engineering Standards for Public Works Construction,” together with the laws of the state and ordinances and resolutions of the city shall apply except as amended or superseded by ordinance or resolution.

16.20.030 Standards--Copies on file.

The “City of Castle Rock Engineering Standards for Public Works Construction” is adopted by this reference; and the design and layout of streets and such other construction regulated or reviewed pursuant to this title shall be done in accordance with that standard. The documents are on file with the City Clerk – Treasurer and may be reviewed upon request or purchased for the price established in the fee schedule.

16.20.040 Streets – Conformance with Street Plan.

The location of all streets and roads shall conform to the official street plan adopted or in preparation by the city. (Ord. 509 §5.03(A), 1980).

16.20.045 Arterial streets

Arterial streets will be designed to move vehicles through the City and between various areas of the City. Direct driveway access to arterial streets shall be avoided except where no other access is available.

16.20.050 Access streets.

Access streets will be designed primarily to provide access to abutting properties only and shall be designed to discourage through traffic. (Ord. 509 §5.03(B), 1980).

16.20.060 Cul-de-sac streets.

“Cul-de-sacs” defined in Section 17.16.685 are required for roads longer than one hundred fifty feet, but they can not exceed four hundred feet in length. Please refer to the City of Castle Rock Engineering Standards for Public Works Construction for design specifications.

16.20.100 Streets--Right-of-way and roadbed widths.

The minimum street right-of-way and roadbed width shall be in “City of Castle Rock Engineering Standards for Public Works Construction” and are adopted by this reference.

16.20.110 Street Frontage Improvements

Except where deemed impractical by the City Council, all plats subdivisions, short subdivisions, condominiums, and binding site plans shall install street frontage improvements at the time of construction as required by “City of Castle Rock Engineering Standards for Public Works Construction”. Such improvements may include curb and gutter, sidewalk, bus stops, street storm drainage, street lighting system, traffic signal modification, relocation or installation, utility relocation, landscaping and irrigation, and street widening all per these standards. Plans shall be prepared and signed by a licensed civil engineer registered in the state of Washington. All frontage improvements shall be made across full frontage of property from centerline to right-of-way line.

16.20.120 Half streets.

A street lying along the boundary of a subdivision may be dedicated one-half of the required width if it is practical to require the dedication of the other half when the adjoining property is subdivided. Whenever there exists a dedicated half street of an adjoining subdivision next to a proposed subdivision, the other half shall be dedicated on the proposed subdivision to make the street complete. To ensure that this occurs, a one-foot conditional dedication shall be required on the subdivision boundary along the street for the purpose of withholding access from the unsubdivided property to said street until such time as a complete street is constructed. This same procedure will also be required when a street dead-ends at the boundary of any subdivision. (Ord. 509 §5.03(I), 1980).

16.20.140 Street lighting.

Street lighting shall be included in the development of all future platting and/or subdivisions. Street lights shall be placed at all streets per the “City of Castle Rock Engineering Standards for Public Works Construction”.

16.20.150 Parking requirements.

When a plat or subdivision is included in an area where off-street parking is required, such off-street parking shall be as required by Title 17. (Ord. 509 §5.03(L), 1980).

16.20.160 Railway crossings.

Where a railway grade crossing is involved, the plan of subdivision will be considered with reference to the probability of a future grade separation or other treatment of the crossing, and the platting may be required to conform to preliminary general plans of such grade separation. When the subdivision is adjacent to a railroad right-of-way and the topography or zoning plans indicate that such property will be used for industrial purposes, highways running in the same

general direction will be required to be as nearly parallel with such rights-of-way as practicable and at least one lot depth distant there from. (Ord. 509 §5.03(M), 1980).

16.20.170 Alleys--Required when.

Alleys should be provided at the rear of all lots intended for commercial or industrial uses. (Ord. 509 §5.04(A), 1980).

16.20.180 Alleys--Specifications.

Dead-end alleys shall be avoided whenever possible, but if unavoidable shall be provided with turnaround facilities. Alley intersections and sharp changes in direction shall be avoided, but where they are necessary, corners shall be rounded sufficiently to permit safe vehicular movement. Except as otherwise provided in this title, alleys shall follow the general development standards governing streets. (Ord. 509 §5.04(B), 1980).

16.20.190 Easements--Required when.

- A. Except where alleys of not less than twenty feet are provided for that purpose, the City Council may require easements not exceeding ten feet on each side of all rear lot lines, and on side lot lines where necessary or, in the opinion of the City Council, advisable, for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines of or across lines where necessary for the extension of existing or planned utilities.
- B. If, in the opinion of the City Council, the most suitable and reasonable locations for any of the utilities, such as sewers, storm drains, water and gas pipes and electric pole lines and conduits, which are likely to be required within a subdivision, either for the service thereof or for service of areas in the surrounding territory, do not wholly lie within the streets, including alleys, if any, shown upon the plat, the City Council may require, as far as reasonable, provisions to be made for the location of such utilities on routes elsewhere than within said streets, either by dedication of public easements for the same as part of the plat or by the filing of supplementary instruments which will adequately protect public interest in the proper location of said utilities.

16.20.200 Public open spaces.

All residential single-family subdivision (including manufactured home parks/subdivision) and multi-family development proponents shall be required to dedicate land for park areas prior to receiving any occupancy permit. Upon finding that there is cause for a Variation in accordance with Chapter 16.36 of this title, or if the proponent demonstrates that off-site improvements associated with projects identified in the Park and Recreation Plan are of greater benefit to the City than an on-site land dedication, City Council may accept off-site improvements or a fee-in-lieu of land dedication provided that the off-site improvements are completed prior to issuance of occupancy permits and the fee-in-lieu of land dedication will be collected in full prior to final plat approval.

All mitigation measures are to be based on specific impacts based on population increase caused by the development as determined in the City's Park and Recreation Plan adopted via

Resolution 2005-02, or amended thereafter. Said dedication shall be based on an assessment of demand and need along with established park standards set forth within the adopted Park and Recreation Plan.

16.20.210 Watercourse easements.

Where a subdivision is traversed by a watercourse, drainage way, wasteway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the line of such watercourse, drainage way, wasteway, channel, or stream, and of such width for construction, maintenance, and control as will be required for such purposes. (Ord. 509 §5.05(C), 1980) .

16.20.220 Blocks--Length.

Intersecting streets shall be laid out so that blocks between street lines shall be provided in accordance with the City of Castle Rock Engineering Standards for Public Works Construction, except that where, in the opinion of the City Council, extraordinary conditions unquestionably justify departure from this maximum, the City Council may require or permit greater distances between street lines. The City Council may require, at or near the middle of the block, a public pedestrian way not less than fifteen feet in width for foot traffic.

16.20.230 Blocks--Width.

The width of blocks shall be such as to allow two rows of lots, of the size specified in this chapter, unless exceptional conditions are, in the opinion of the City Council, such as to render this requirement impracticable.

16.20.240 Lots--Access.

Each lot shall be provided with satisfactory access by means of a public street connecting to existing and developed highways or by some other legally sufficient right of access which is permanent and inseparable from the lot to be served. (Ord. 509 §5.07(A), 1980).

16.20.250 Lots--Arrangement.

In all quadrangular lots and, so far as practicable, all other lots, the side line shall be at right angles to straight street lines or radial or curved street lines. An arrangement placing adjacent lots at right angles to one another shall be avoided where practicable.

16.20.260 Lots--Minimum size.

Minimum lot sizes and lot dimensions of any subdivision shall be as required by Title 17.

16.20.270 Minimum yards.

The minimum front, side or rear yard within a subdivision shall be as required by the zoning ordinance then in effect. (Ord. 509 §5.07(D), 1980).

CHAPTER 16.24 MINIMUM IMPROVEMENTS

16.24.010 Preparation by City Engineer.

The City Engineer has prepared minimum installation, material, design, and construction standards appropriate to the locality, topography, soil conditions, and geology of the area in which the proposed subdivision is to be developed and improved. These standards are titled "City of Castle Rock Engineering Standards for Public Works Construction" The requested standards shall be made available to the subdivider or his/her surveyor upon payment of the required fee ten days after receipt of the proposed subdivision or dedication by the City Engineer.

CHAPTER 16.28 FINAL SUBDIVISION PROCEDURE

16.28.010 Affirmation of agreement.

After notification is made to the subdivider of the City Council's approval of the proposed subdivision or approval with conditions, the subdivider shall affirm his agreement in writing to such terms of approval in a manner satisfactory to the city attorney. After such written affirmation, subdivider may proceed with the subdivision of land. The subdivider, prior to requesting final plat approval, shall install the minimum improvements required under this title in accordance with the provisions of Chapters 16.20 and 16.24 and in accordance with the requirements and conditions of approval of the preliminary plat and under the supervision of the City Engineer. (Ord. 509 §7.01, 1980).

16.28.020 Approval by agencies.

After completion of the installation of the minimum improvements, the subdivider shall make written request for the inspection to the City Engineer and to the county health department and Department of Ecology when applicable. If the City Engineer, county health department and the Department of Ecology find that all minimum improvements have been completed in accordance with the installation standards of their respective departments, they shall submit written approval of such installation to the City Clerk - Treasurer. (Ord. 509 §7.02, 1980).

Allowance of bond in lieu of actual improvements prior to approval of final plat.

A. As an alternative to construction of required improvements prior to final plat approval, the subdivider shall provide a surety bond or other secure method acceptable to the city council which provides for and secures the city the actual construction of the improvements.

B. The value of the bond or security shall be one hundred twenty-five percent of the estimated costs of the improvements. The estimated cost shall be based upon the approved engineering drawings.

C. An application for use of a surety bond or other method of security shall be made to the city clerk and shall describe the method of security to be provided and the estimated cost of the required improvements. The application including the estimated cost of improvements and the general terms of the security agreement shall be subject to review and approval by the city clerk who shall notify the subdivider of tentative approval or rejection of the application within fourteen days after its filing.

D. After tentative approval of an application has been given by the city clerk as provided in subsection C of this section, the subdivider shall submit the bond or other method of security to the planning director for final review and recommendations thereon to the city council. The city council shall take action to accept or reject the proposed bond or other method of security prior to taking formal action on the final plat.

16.28.040 Final plat--Notice to prepare.

After written approval of all minimum requirements and conditions for approval of the preliminary plat are approved as set forth in Section 16.28.020, the City Clerk - Treasurer, under the direction of the city Planning Commission, shall notify the subdivider that he is authorized to prepare a final plat for that portion of the area contained in the proposed subdivision in which the minimum improvements have been installed or concerning which a performance bond has been posted. (Ord. 509 §7.04, 1980).

16.28.045 Maintenance bond.

All required minimum improvements within any subdivision shall be subject to a maintenance bond guaranteeing to the city the successful operation of improvements for a period up to two years after final approval.

16.28.050 Final plat--Approval procedure.

The following procedure will be followed when submitting a final plat for approval:

- A. The subdivider shall submit the final plat, prepared in accordance with the provisions of Sections 16.28.060 through 16.28.100 to the City Clerk - Treasurer. The City Planner shall inspect the plat for conformance to this title, for conformance to the preliminary plat approved by the City Council, and for conformance to such conditions as may have been a part of such approval. After finding that such final plat is fully conforming, the City Planner shall signify his/her approval by signing the original and recorder's plat sheets as specified in Section 16.28.080.
- B. The City Clerk – Treasurer shall then transmit the final plat to the City Engineer for his inspection. The City Engineer shall inspect the final plat as to the survey data, the layout of streets, alleys and other rights-of-way, design of bridges, sewerage and water systems, and other structures. At such time as the City Engineer is satisfied with the engineering computations and detail of the plat, he/she shall signify his/her approval of said subdivision by signing the original and recorder's plat sheets as specified in Section 16.28.080.

- C. After the City Planner and the City Engineer have affixed their signatures, the City Clerk – Treasurer shall submit the final plat to the City Council for their acceptance and approval. After consideration of the subdivision, if the City Council finds that the public use and interest will be served by the proposed subdivision, and that said subdivision meets the requirements of Chapter 58.17 of the Revised Code of Washington and this title, as well as the terms and conditions of approval of the preliminary plat, the City Council shall suitably inscribe and execute its written approval on the face of the plat. The original of said plat shall be filed for record with the county auditor. One reproduced full copy shall be furnished to the City Engineer. One paper copy shall be filed with the county assessor. The number of copies as required on the application forms shall be provided by the subdivider to the City Clerk - Treasurer.

16.28.060 Final plat--Drawing materials--Filing.

- A. The final subdivision shall be drawn in ink on a sheet of twenty-two inches by thirty inches of Mylar, or approved substitute and also a standard recorder's plat sheet, eighteen inches by twenty-five inches with a three-inch hinged binding on the left border, and shall contain the information, certificates, and statements required by this title. The plat scale shall be neither less than fifty feet to the inch nor more than two hundred feet to the inch. If more than one sheet is required, the sheets shall be numbered and indexed.
- B. All documents, maps, and survey books shall contain the name of the subdivision, the subdivider, and the name of the registered land surveyor. All signatures placed on the final plat shall be original signatures.
- C. The Mylar of the final subdivision shall be filed in the City Clerk - Treasurer's office and be the property of the city, and the recorder's plat map shall be filed with the county auditor.

16.28.070 Final plat--Required information.

- A. The final plat shall contain, or be accompanied by, the following information:
1. The lines and names of all streets or other public ways, parks, playgrounds, and easements intended to be dedicated for public use, or granted for use of the subdivision;
 2. The length and bearing of all straight lines, curves, radii, arcs, and semi-tangents of all curves;
 3. 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.
 4. Suitable primary control points, approved by the City Engineer, and descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data given on the plat map shall be referred;
 5. The locations of all permanent monuments;
 6. The names of all subdivisions immediately adjacent to the subdivision;
 7. The date, true north point, and scale;

8. The boundary of the subdivided tract, with the courses and distances marked thereon, as determined by a field survey made by a registered land surveyor of the state, to close within an error of not more than one foot in ten thousand feet;
9. If the subdivision constitutes a resubdivision, the lots, blocks, streets, and other division of the original subdivision shall be shown by dotted lines in their proper positions in relation to the new arrangement of the subdivision, the new subdivision being so clearly shown in solid lines as to avoid any confusion or ambiguity.
10. Plat certificate verifying ownership and encumbrances.

B. The following information shall be submitted to the City Engineer:

1. A plan showing area contours of the subdivided tract on a two-foot interval;
2. The profiles of all street centerlines to the vertical scale of twenty or less feet to the inch and horizontal scale of two hundred or less feet to the inch.
3. Sewer profiles on the same scale as street profiles and the plan of all sewer and/or water lines including "T's" and "Y's," and other intersections on a separate sheet, when a subdivider himself, or his agent, installs either sewer or water lines, or both.
4. Lot closure calculations.
5. The plans submitted in electronic format acceptable to the City Engineer.

16.28.080 Final subdivision contents.

A metes and bounds legal description of the subdivided tract and the following information shall appear in the following sequence on the final subdivision, lettered in ink either by hand or by mechanical device:

A. Know all men by these presents that _____, the undersigned _____ owner(s) in fee simple _____ of the land hereby subdivided, hereby declare this subdivision and dedicate(s) to the use of the public forever, all streets and easements or whatever public property there is shown on the plat and the use thereof for any and all public purposes; also the right to make all necessary slopes for cuts of fills upon the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, shown hereon.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s) this _____ day of _____, _____.

Signed and Sealed: _____

B.

STATE OF WASHINGTON)
) ss
 COUNTY OF COWLITZ)

THIS IS TO CERTIFY THAT on the _____ day of _____, _____, before me, the undersigned, a Notary Public, personally appeared _____, to me known to be the person(s) who executed the foregoing dedication and acknowledged to me that _____ signed and sealed the same as _____ free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year last above written.

NOTARY PUBLIC in and for the State of
Washington, residing at _____

C. I HEREBY CERTIFY THAT the subdivision of _____ is based on actual survey and subdivision of Section _____, Township ___ North, Range _____ W.M., that the distances and courses and angles are shown thereon correctly; that proper monuments have been set and lot and block corners staked on the ground.

SIGNED _____ (Seal)
Licensed Land Surveyor

D. EXAMINED AND APPROVED this _____ day of _____, _____, CASTLE ROCK PLANNING COMMISSION.

ATTEST: _____ (Secretary) _____ (Chairman)

E. EXAMINED AND APPROVED this _____ day of _____, _____.

City Engineer (Seal)
CITY OF CASTLE ROCK

F. EXAMINED AND APPROVED this _____ day of _____, _____.

CITY COUNCIL OF THE CITY
OF CASTLE ROCK

Mayor

ATTEST:
City Clerk/Treasurer

G. I HEREBY CERTIFY THAT the taxes on the land described hereon have been paid to date, including the year_____.

DATED:_____

Cowlitz County Treasurer

Deputy Treasurer

(Ord. 509 §7.08, 1980).

16.28.090 Fee payment.

The subdivider shall make a payment according to the fee schedule on file with the City Clerk – Treasurer for engineering fees incurred as a result of the City Engineer making examination of the final plat. (Ord. 509 §7.09, 1980).

16.28.100 Plat filing requirements.

The final subdivision or dedication shall be duly filed with and recorded by the county auditor upon receipt of the full amount of filing fees paid by the subdivider in accordance with the procedures set forth in Chapter 58.17 of the Revised Code of Washington. In addition to the requirement of this title, every plat filed for record shall:

- A. Contain a statement of approval from the City Engineer as to the survey data, the layout of streets, alleys and other rights-of-way, design of bridges, city utilities including water, sewage and storm sewers and other structures;
- B. Be accompanied by a complete survey of the section or sections which the plat is located or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes showing the original or reestablished corners with descriptions of the same and actual traverse showing error of closures and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in ten thousand feet;
- C. Be acknowledged by the person filing the plat before the auditor of the county in which the land is located, or any other officer who is authorized by law to take acknowledgement of deeds, and a certificate of said acknowledgement shall be enclosed or next to such plat and recorded therewith;

- D. Contain a certification from the proper officers or officer in charge of tax collections that all taxes and delinquent assessments for which the property may be liable as of the date of certification has been duly paid, satisfied or discharged;
- E. Every final plat filed for record must contain a certain certificate giving a full and correct description of the land divided as they appear on the plat, including a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners. If the plat includes a dedication, the certificate shall also contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private, as shown on the plat and a waiver for all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided;
- F. Every plat containing a dedication filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate;
- G. An offer of dedication may include a waiver of right of direct access of any street from any property, and if the dedication is accepted, any such waiver is effective. Such waiver may be required by the City Council as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered to all intents and purposes as a quit claim deed to the said donee or donees, grantee or grantees for his, her, or their use for the purpose intended by the donors or grantors as aforesaid as provided in RCW 58.17.165. (Ord. 509 §7.10, 1980).

Chapter 16.32 SHORT SUBDIVISIONS

16.32.020 Purpose.

The purpose of this chapter is to regulate the subdivision of land into four or less lots in such a way as to promote the protection of the public's health, safety and general welfare. Such subdivision of land shall comply with the standards set forth in this chapter to prevent the overcrowding of the land; to lessen congestion of streets and highways; to provide adequate space, light and air; to facilitate adequate provisions for water, sewerage, streets and other public and general uses; to provide for adequate ingress and egress; and to permit conveyancing by accurate legal description. (Ord. 465 §2, 1978).

16.32.030 General provisions.

A. Applicability of Provisions. Every division or redivision of land for the purpose of sale, lease or transfer of ownership into four or fewer lots, parcels or tracts, any one of which is less than five acres, shall proceed in compliance with this section.

B. Redivision of Platted Lots. As provided in RCW 58.17.060, a lot that is created by a short subdivision shall not be further divided by short platting for a period of five years; provided, however, that when the short subdivision contains fewer than four lots, nothing in this section shall prevent the filing of an alteration or amendment within a five-year period to create up to four lots, within the original short plat boundaries. The amended short plat shall be recorded in accordance with the following provisions:

1. The amended short subdivision must comply with the procedures and requirements of the current regulations for short subdivision approval. A new survey shall not be required except for new lines created by the amended short subdivision.

2. The title of the amended short plat shall be: "Short Plat No. ____ Amending Short Plat No. ____." The second blank above shall be completed by the applicant prior to submission of the amended short subdivision.

3. The amended short plat shall show all of the land shown on the original short subdivision and shall bear the acknowledged signatures of all parties having ownership interest in the affected lots, tracts, parcels, sites or divisions within the original short subdivision as shown by a current title certificate.

4. Any further divisions within said five-year period must be processed as a subdivision in compliance with this title.

5. Minor Clerical Errors. May be corrected by the surveyor upon approval of the City Clerk - Treasurer by recording an affidavit with the county auditor specifically referencing the short subdivision by number and the correction.

C. Placing Lots or Parcels on Assessment Rolls. No lot or parcel of land subject to the provisions of this section shall be placed on the county assessor's tax rolls until an approved short subdivision has been filed for record with the county auditor.

D. Administrative Authority. The City Planner and City Engineer are responsible for processing and approving proposed short subdivisions.

16.32.040 Approval procedure.

A. Application Requirements.

1. Preapplication Meeting. Preapplication Conference: Prior to filing an application to subdivide a piece of property, the subdivider shall submit an application and associated fees with the City Clerk for a Site Plan Review meeting in accordance with Castle Rock Municipal Code Chapter 17.78. This meeting shall attempt to provide the applicant with a full understanding of the information required by the this Title to review the proposed subdivision.

2. Notice of application. The City Clerk – Treasurer shall post notice of application on the subject property in a manner conspicuous to adjoining landowners, and, in addition, the City Clerk – Treasurer may provide notice by mailing to adjacent landowners within three hundred feet of the subject property, or in any manner the City Clerk – Treasurer deems necessary to notify adjacent landowners and the public.

2. Application for Short Subdivision. Application for a short subdivision shall consist of the following:

- a. A general application form, completed and signed by the developer;
- b. A short plat map and any supplemental material prepared in accordance with this title. The number of prints shall be as required on the application form;
- c. A title insurance report which bears the original signature of the title officer and is no more than thirty days old shall be furnished by the developer. The report must confirm that the title of the land in the proposed short subdivision is vested in the name of the owners having a title interest and whose signatures appear on the plat's certificate;
- d. A preliminary utility plan; and
- e. The application shall be accompanied by a nonrefundable fee as established by the city fee schedule.

B. Administrative Review.

1. Review Procedure. The City Clerk – Treasurer shall review the application for completeness and whether or not any outstanding assessment roll for local improvements or utility improvements exists on part or all of the property(ies) within the short subdivision. If any outstanding assessments are found, the application shall be returned to the applicant as not acceptable. If no outstanding assessments are found, then the City Clerk shall continue review of the application for general completeness, and:

2. Distribute copies to city staff for Site Plan Review as per CRMC Chapter 17.78.040 to determine if the proposal conforms to the policies, standards and accepted design principles for the following:

a. The Comprehensive Plan and zoning code;

b. Public facilities, including, but not limited to, transportation, facilities, stormwater, drainage, water supply, sewage disposal, streets, sidewalks, nonmotorized transportation, street lights, fire protection facilities, easements and utilities within and around the proposed short subdivision;

c. The proposed lots have adequate means of ingress and egress in accordance with the provisions of this title; and

d. The public interest will be served by the subdivision and/or dedication.

3. Access to the boundary of all short subdivisions and all short platted lots shall be provided by a street meeting city street standards. If the subdivider uses a private street, each lot owner having access thereto shall have a responsibility for maintenance of such private street. Any private street shall also contain a drainage and utilities easement.

4. Decision. Upon completion of technical review, the City Planner shall notify the applicant in writing within fourteen working days of the decision to approve, conditionally approve, or disapprove the proposed short subdivision.

5. Appeal of City Planner Decision to City Council. A City Planner decision may be appealed to the Castle Rock City Council by filing a notice of appeal with the City Clerk - Treasurer, together with any such filing fees as identified in CRMC Section 17.08.030, within ten days following the notice of determination.

6. A City Council negative decision may be reviewed by the superior court of the county. The action may be brought by any property owner in the city who deems himself aggrieved thereby. Application for a writ of review shall be made to the court within thirty days from any decision so to be reviewed. The cost of transcription of all records ordered certified by the court for such review shall be borne by the appellant.

16.32.100 Application--Contents.

The application shall be on a form provided by the City Clerk - Treasurer. The number of copies as required on the application form shall be filed with the City Clerk - Treasurer, which application shall contain the following information:

A. The date of the application;

B. The name, address, telephone number and signature of the subdivider;

- C. The names, addresses and telephone numbers of all persons holding interest in the property to be subdivided, including the subdivider or subdividers;
- D. The legal description of the property to be subdivided, and a legal description of each lot to be subdivided there from;
- E. The location of the property to be subdivided with reference to the nearest existing public streets;
- F. The proposed use of each lot;
- G. Existing property restrictions, covenants, mortgages, liens, and other encumbrances of the property to be subdivided;
- H. Proposed restrictions and covenants, if any, on the property to be subdivided;
- I. A reference to any previous short plat which included the same property.
(Ord. 465 §10, 1978).

16.32.110 Fee payment.

A fee as required in the fee schedule on file with the City Clerk – Treasurer shall be paid to the city along with the filing of each application for a short subdivision. Such payment shall be made to the City Clerk - Treasurer. In addition, the applicant shall pay to such office, prior to City approval, the fee to be charged by the county auditor for filing such plat of record.

16.32.120 Short plat contents.

A subdivider shall supply and file with the City Clerk – Treasurer an original and two copies of a short plat, drawn to a scale of one inch to fifty feet on white bond paper, and shall contain the following information:

- A. The scale and north arrow;
- B. The name and signature of the subdivider or subdividers;
- C. County tax audit number;
- D. The location and names of public streets and easements within the area of the short plat with their width denoted thereon;
- E. The layout of the proposed roads and easements, including utility easements, with their width denoted thereon;
- F. All dimensions along the lines of each lot, in feet and decimals of a foot to the nearest one-hundredth foot with true bearings, and any other data necessary for the location of any lot in the field;

- G. A number assigned to each lot for administrative purposes;
- H. The property lines and names of adjacent subdivisions and property lines of adjacent parcels of property, the approximate size of those subdivision lots and adjacent parcels, and the owners of title thereof;
- I. All monuments must be shown on the short plat;
- J. A certificate, signed and acknowledged by the subdivider or subdividers, that the short subdivision has been made with the free consent and in accordance with the desires of the owner or owners. (Ord. 465 §12, 1978).

16.32.130 Resubdivision restriction.

Land in short subdivisions may not be further divided in any manner within a period of five years without the filing of a final plat. (Ord. 465 §13, 1978).

16.32.132 Short subdivision improvements—Surety—Time limit.

A. Roads, sidewalks and other improvements which may be required in short subdivisions shall be completed prior to the final short plat certification and recording unless engineered improvement plans with adequate surety are provided in the same manner and standards as required for subdivisions; except that, all improvements covered by surety shall be completed within one year of recording the short plat.

B. Improvement plans along with the completed short plat map shall be submitted to the City not later than six months following the date of conditional approval.

16.32.134 Short subdivision final approval—Recording.

Upon receipt of the completed short plat which meets all requirements of this section, the City Planner and City Engineer shall certify approval of the short plat. Two Mylar bases and the required recording fee shall be furnished to the city of Castle Rock. The City Clerk – Treasurer shall then forward one Mylar base to the City Engineer. One Mylar shall be recorded with the Cowlitz County auditor by the City Planner within five days after the date the last required signature has been obtained. After recording, the developer shall provide one eleven-inch-by-seventeen-inch paper copy of the recorded Mylar to the City within seven days of recording the final plat. No building permits will be issued until the copy of the recorded plat has been provided to the City. The fees for this copy shall be paid by the developer in addition to all other recording fees.

16.32.136 Short subdivision—Preliminary application appeals.

A. The decision of the City Planner on a preliminary short subdivision application shall be final and conclusive unless appealed to the hearing examiner in accordance with the procedures and standards for open record appeals.

B. The final decision of the hearing examiner on the appeal of a preliminary short subdivision decision shall be final and conclusive unless appealed to the superior court of Cowlitz County.

16.32.138 Zoning effect of final approval.

Any lots in a short subdivision shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the effective date of final approval under RCW 58.17.170.

16.32.140 Violation--Penalty.

- A. Any person who subdivides property except as provided in this chapter for the development, sale or lease thereof, shall be guilty of a misdemeanor.
- B. Whenever any parcel of land is divided in violation of this chapter and any person, firm, or corporation or any agent of them sells or transfers, or offers or advertises for sale or transfer any such lot, tract, or parcel without having a final plat of such short subdivision approved, the city attorney shall commence an action to restrain and enjoin further subdivisions or sales or transfers, or offers for sale or transfer and compel compliance with all provisions of this ordinance. The cost of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property. (Ord. 465 §14, 1978).

Chapter 16.33 CONDOMINIUM SUBDIVISIONS

16.33.010 Applicability.

The following regulations shall apply to Horizontal Property Regimes (Condominium) Subdivisions. This section shall also apply to conversions of apartment houses with five or more units to condominiums. The establishment of a condominium subdivision is subject to the provisions of Chapter 64.32 of the Revised Code of Washington.

16.33.020 Submission to building inspector and engineer.

Condominium subdivisions in preliminary form shall first be submitted to the city building inspector and the city engineer to determine if any land classification, land subdivision, or street dedications are involved which would require procedures in addition to those indicated in this chapter.

16.33.030 Preliminary submission.

Preliminary submission of a condominium subdivision shall be to the City Clerk - Treasurer in the manner described in Chapter 16.12.

16.33.040 Vertical and plane datum.

The proposed subdivision must be in three dimensions relating vertical control to United States Coast and Geodetic Survey Datum.

16.33.050 Dimensions and scale.

Dimensions of the condominium subdivision shall be in feet and inches to conform with architect's drawings and shall not be at scale of more than five feet to the inch.

16.33.060 Bench marks.

Two permanent bench marks must be set on or near the building at ground level for future reference in locating units in the subdivision.

16.33.070 Elevations.

The vertical position or positions of the plan of each floor or ceiling in any space unit shall be referenced to its elevation above United States Coast and Geodetic Survey Datum and shown on the face of the subdivision as floor elevation. A note should appear on the plat denoting reference plane for elevations.

16.33.080 Definite dimensions required.

Each floor plan of the permanent structure must be shown as well as basement and roof levels and area of subdivision plan. The dimensions and ties shown for each parcel must be definite enough with respect to both vertical and horizontal control so that the boundaries of each apartment may be accurately located by the use of standard survey methods.

16.33.090 Unit lines.

All units of apartment property lines shall be on the interior surfaces of the perimeter walls, floors, ceiling, windows, and doors thereof.

16.33.100 Unit numbers and names.

Apartment numbers and the subdivision unit numbers must be the same. The subdivision name and apartment building names must be the same.

16.33.110 Certifications and approvals--Public area dedications and easements.

The condominium subdivision must contain all of the certifications and approvals required for any subdivision. Dedications of public areas and facilities and the grant to apartment owners of private easements in common areas and facilities shall be of sufficient quantity and quality to conform with minimum requirements and laws relating to fire, health and safety.

16.33.120 Percentage of undivided interest.

The percentage of undivided interest must be shown on the subdivision as well as in the declaration. The percentage should be expressed in decimal form. Any change of percentage interest shall be filed for record with the county auditor, and the auditor shall file a separate document of any such amendment the date thereof.

16.33.130 Declaration.

A declaration, the instrument by which the property is submitted to provision of the state law, must be filed at the time the subdivision is filed.

16.33.140 Recording of bylaws.

The bylaws under which the building, constituted as a condominium, is administered should not be a part of the subdivision. The current bylaws shall be recorded in the office of the county auditor and referenced to the general index or receiving number and to volume and page whereat recorded and shall be included in any instrument of transfer of any or all units as a restriction on the title of such units.

16.33.150 Consideration.

After all pertinent requirements for the condominium subdivision have been fulfilled, the proposed development shall be considered in line with the regulations set forth in Chapter 16.35.

Chapter 16.34: BOUNDARY LINE ADJUSTMENT

Sections:

16.34.010 Application requirements.

16.34.020 Boundary line adjustment requirements.

16.34.030 Boundary line adjustment—Recording.

16.34.010 Application requirements.

Boundary line adjustment, as defined in Section 16.08 CRMC, shall comply with the following:

A. Preapplication Meeting. Before making an application for a boundary line adjustment, the applicant may arrange to have the proposal reviewed informally by submitting a preapplication request form to the City Clerk - Treasurer. The proposal should include the information required for submission of a boundary line adjustment. Upon receipt of a properly prepared request, the City shall notify the applicant of the time and place of the preapplication conference.

B. General Application. A general application form must be completed including the existing legal description of the properties involved.

1. A general application form completed and signed by all property owners;

2. A map illustrating the boundary line adjustment and any supplemental material prepared in accordance with CRMC 16.37.010, Table of Required Information. The number of prints shall be as required on the application form;

a. A title insurance report which bears the original signature of the title officer and is no more than thirty days old shall be furnished by the developer. The report must confirm that the title of the land in the proposed subdivision is vested in the name of the owners having a title interest and whose signatures appear on the plat's certificate;

b. The application shall be accompanied by a nonrefundable fee as established by the city fee schedule.

C. Lot Consolidations. In cases where multiple lots, parcels or tracts will all be used for one building site, and in particular those cases where a structure is proposed to be built across a property line, the lots, parcels or tracts shall be consolidated into one lot, parcel or tract. The consolidation shall be prepared by the owner(s) or their representative and reviewed by the City in the same manner as a boundary/lot line adjustment, and shall be recorded at the office of the county auditor.

16.34.020 Boundary line adjustment requirements.

A. Boundary line adjustments require a property survey prepared by a licensed land surveyor. A copy of such survey or plat shall be submitted with the application.

B. The boundary line adjustment drawing shall identify the exterior boundaries of all properties involved in the adjustment and shall identify the receiving parcel as a single parcel which includes the conveyed portion of the grantor's property. Revised legal descriptions of the parcels involved shall accompany the drawing.

C. The boundary line adjustment drawing and conveyance document shall contain a binding covenant that the land being conveyed is for the sole purpose of adjusting the boundary line between parcels and shall not result in the creation of additional parcels and is not to be sold or transferred as a separate parcel by the grantee, heirs or assigns.

D. The boundary line adjustment drawing shall contain a title of "Boundary Line Adjustment Survey" and shall contain a certificate for approval by the City Planner and City Engineer.

16.34.030 Boundary line adjustment—Recording.

A. The surveyor shall set the necessary monuments in compliance with the Survey Recording Act.

B. When the requirements of this chapter are met, the City Planner and City Engineer shall certify approval of the boundary line adjustment. Two Mylar bases and the required recording fee shall be furnished to the City of Castle Rock. The City Planner shall then forward one Mylar base to the City Engineer. One Mylar shall be recorded with the Cowlitz County auditor by the City Planner within five days after the date the last required signature has been obtained.

C. After recording, the developer shall provide one eleven-inch-by-seventeen-inch paper copy of the recorded Mylar to the City Clerk – Treasurer within seven days of recording the document. No building permits will be issued until the copy of the recorded document has been provided to the City Clerk - Treasurer. The fees for this copy shall be paid by the developer in addition to all other recording fees.

Chapter 16.35 BINDING SITE PLAN

Sections:

- 16.35.010 Purpose.**
- 16.35.020 Applicability of provisions.**
- 16.35.030 Binding site plan components.**
- 16.35.040 Application requirements.**
- 16.35.050 Administrative review.**
- 16.35.060 Hearing notice.**
- 16.35.070 Planning Commission public hearing.**
- 16.35.080 City Council closed record hearing.**
- 16.35.090 Survey and binding site plan standards.**
- 16.35.100 Recording.**
- 16.35.110 Amendment.**
- 16.35.120 Vacation.**

16.35.010 Purpose.

The purpose of a binding site plan is to provide an alternative method of land division as provided for in RCW 58.17.035 for the sale or lease of commercial and industrial properties, condominiums, and manufactured home parks. A binding site plan includes a survey together with a developer agreement.

16.35.020 Applicability of provisions.

This chapter applies to the following:

- A. The sale or lease of property in the commercial or industrial zone classifications;
- B. Condominiums authorized under Chapter 64.34 RCW and where allowed in the zoning code; and
- C. Manufactured home parks where allowed in the zoning code.

16.35.030 Binding site plan components.

A. A binding site plan means a record of survey and a developer agreement. A developer agreement includes a written narrative together with a scaled drawing (commonly known as a site plan) which together address the development details required by this chapter.

B. The developer agreement shall incorporate the requirements of the Planning Commission, after consideration of the comments received during the public hearing on the binding site plan.

C. The developer agreement requires the notarized signature of the developer, the City Planner and City Engineer.

16.35.035 Site Plan Review --Sketch plan submission.

- A. Preapplication Conference: Prior to filing an application to execute a binding site plan, the subdivider shall submit an application and associated fees with the City Clerk for a Site Plan Review meeting in accordance with Castle Rock Municipal Code Chapter 17.78. This meeting shall attempt to provide the applicant with a full understanding of the information required by the Planning Commission to review the proposed binding site plan.

- B. The subdivider shall prepare a sketch plan showing the approximate street layout, number and size of lots, and utility locations. The design of the site shall be discussed along with conceptual phases of development. Any lack of information for formal review shall be identified and requested by the affected agencies and officials.
- C. The sketch plan shall in no way be considered binding and permanent by the staff. Further, the conclusions reached during the Site Plan Review process will not guarantee binding site plan approval by the Planning Commission or the City Council. Site Plan Review fees shall be set by resolution on file with the City Clerk - Treasurer.

16.35.040 Application requirements.

A. Application Contents. An application for a binding site plan shall include a written narrative and a scaled drawing which together address the following:

1. The information listed in Chapter 16.37.010 CRMC, Table of Required Information;
2. A general application form, completed and signed by all property owners;
3. The purpose for which the property and/or buildings will be used;
4. Schedule for completion of improvements;
5. Surety provisions for future improvements;
6. Off-street parking plans;
7. Landscaping plans;
8. Dimensional information where applicable for lots, buildings, fences, etc.;
9. Maintenance plans; and
10. Application fees, including the SEPA environmental checklist fee when applicable.

16.35.050 Administrative review.

A. Review Procedure. Binding site plan applications including developer agreements shall be reviewed by the Site Plan Review Committee prior to the open record public hearing before the Planning Commission. The city clerk – treasurer, after issuing the determination of completeness, including the preliminary determination of consistency (in accordance with procedures established in RCW 36.70B.030 and 36.70B.070) for the binding site plan application, shall distribute copies to the affected agencies for review and comment.

B. Design and Development Requirements. Design and development standards of this title will be used as a basis for the design and development of the binding site plan. Certain standards may be modified or deleted where appropriate to address the concept of the development while still meeting the intent of this chapter. To the greatest extent possible, design and development standards will be addressed in the developer agreement and record of survey. When phasing is involved, specific issues related to future development within the binding site plan shall be reviewed and approved as part of the overall development prior to issuance of any construction, right-of-way, sign or any other permit for the initial phase.

C. Staff Report and Recommendation. Based on the information provided by the applicant for the binding site plan and the technical and design analysis of the binding site plan provided by

affected agencies, the City Planner shall compile a staff report and recommendations to be presented to the Planning Commission prior to the open record public hearing on the binding site plan.

16.35.060 Hearing notice.

Notice of hearing shall be given by publication of at least one notice not less than ten days prior to the hearing in a newspaper of general circulation within the city. Additional notice of such hearing shall be provided as follows: The City Clerk – Treasurer shall post notice of hearing on the subject property in a manner conspicuous to adjoining landowners, and, in addition, the City Clerk – Treasurer may provide notice by mailing to adjacent landowners or in any manner the City Clerk – Treasurer deems necessary to notify adjacent landowners and the public. All hearings shall be public. All hearing notices shall include a legal description of the location of the proposed binding site plan, and either a vicinity location sketch or a location description in non-legal language.

16.35.70 Planning Commission public hearing.

The Planning Commission shall review all proposed binding site plans and make recommendations thereon to the City Council. Such review shall be made to insure conformance of the proposed binding site plan to the general purposes of the Comprehensive Plan and the planning standards and specifications as adopted by the city. The Planning Commission will review the binding site plan application, make findings of fact and make recommendation to the City Council that the binding site plan be approved, disapproved or approved with conditions. The Planning Commission, if it finds the binding site plan application to be incomplete, may return same to the applicant and request additional information. When the Planning Commission has considered the binding site plan application, it shall within fourteen days after taking its action submit its recommendation to the City Council. Written notice of the Planning Commission's recommendations should be provided to the subdivider applicant within the same fourteen days. The report and recommendations of the Planning Commission shall be advisory only.

16.35.075 Binding Site Plan --City Council hearing--Notice.

Upon receipt of the recommendation of the Planning Commission on the binding site plan, the City Council, at its next public meeting, shall set a date for public hearing where it may adopt or reject recommendations from the Planning Commission. A record of all public meetings and public hearings shall be kept by the city and shall be open to public inspection. Notice of such hearing shall be provided in the same manner as is set forth in Sections 16.12.020 and 16.12.030.

16.35.077 Binding site plan--Approval criteria for City Council.

C. The City Council shall consider the same factors as set forth in Section 16.12.090 when considering approval, disapproval or approval with conditions. If the City Council finds the proposed binding site plan meets the appropriate provisions for public health, safety and general welfare and for such open spaces, drainage ways, streets, alleys and other public

ways, water supplies, sanitary waste, parks, playgrounds, sites for schools and school grounds, and that the public use and interest will be served by platting of such binding site plan, then it shall be approved. If it finds that the proposed binding site plan does not make such appropriate provisions or that the public use and interest will not be served, the City Council may disapprove the proposed binding site plan or approve the binding site plan with conditions. Dedication of land to any public body may be required as a condition of binding site plan approval and shall be clearly shown on the final binding site plan.

- D. The City Council shall consider the physical characteristics of the proposed binding site plan site and may disapprove a proposed binding site plan because of any severe natural limitations, including, but not limited to, slope stability and steepness, soil conditions, flooding, inundation, swamp conditions or drainage problems. Construction of protective improvements may be required as a condition of approval and such improvements shall be noted on the final binding site plan. No binding site plan shall be approved by the City Council when such land is situated in a flood-controlled zone as provided in Chapter 69 86.16 of the Revised Code of Washington without prior written approval of the Department of Ecology of the state. No binding site plan which lies in whole or in part in an irrigation district organized pursuant to RCW Chapter 87.03 shall be approved unless such binding site plan meets the requirements of RCW 58.17.310. Pursuant to 36.70A RCW, no binding site plan which lies, in whole or in part, within or adjacent to a Critical Area, shall be processed or approved unless such binding site plan meets the requirements of CRMC Chapter 18.10 and a Critical Area Permit is obtained in accordance with CRMC Chapter 18.10.080.

16.35.80 City Council public hearing.

The City Council, upon receipt of a recommendation on any binding site plan, shall at its next public meeting set the date for a hearing to consider the matter in accordance with the procedures and standards for conducting a public hearing. A record of the public hearing shall be kept by the city and shall be open to public inspection.

16.35.90 Survey and binding site plan standards.

Surveys and monumentation must be in conformance with Chapter 16.37.010 CRMC, Table of Required Information, RCW Title 58 and all other applicable state standards.

16.35.100 Recording.

A. The survey and approved developer agreement shall become effective only upon recording with the Cowlitz County auditor. The lots, parcels or tracts created through this procedure are legal lots of record. The face of the survey and the developer agreement shall indicate that the documents are dependent upon one another and together constitute the binding site plan. Two mylar bases and the required recording fee shall be furnished to the city of Castle Rock. The City Planner shall then forward one mylar base to the City Engineer. One Mylar shall be recorded with the Cowlitz County auditor by the City Planner within five days after the date the last required signature has been obtained.

B. Within seven days of recording, the developer shall provide one eleven-inch-by-seventeen-inch paper copy of the recorded Mylar to the City. No building permits will be issued until the copy of the recorded plan has been provided to the City. The fees for this copy shall be paid by the developer in addition to all other recording fees.

16.35.110 Amendment.

The recorded binding site plan may be amended at the city's discretion. Amendments to a binding site plan shall be processed pursuant to this title and must be recorded.

16.35.120 Vacation.

The City Council may authorize the vacation of a recorded binding site plan after approval of a new binding site plan.

Chapter 16.36 Variations

16.36.010 Generally.

The city may authorize such a variance from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the terms of this title will work a special hardship upon the applicant; however, such variance shall not be granted unless and until:

A. A written application, accompanied by the specified application fee, is submitted demonstrating all of the following:

1. That the variance is necessary because of special conditions and circumstances relating to the size, shape, topography, location or surroundings of the subject property (land involved), and such variance will provide use rights and privileges permitted to other properties in the vicinity, located in the same zone as the subject property, and developed under the same land use regulations as the subject property requesting the variance;

2. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same area under the terms of this title;

3. That the special conditions and circumstances do not result from the actions of the applicant;

4. That the special hardship is not self-inflicted;

5. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands in the same area;

6. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity and zone in which the subject property (land) is located;

7. That financial gain is not the ground or grounds for this variance;

8. That the variance is in harmony with the intent and purpose of the Comprehensive Plan, other relevant city ordinances or this title; and

9. The variance granted is the minimum amount necessary to comply with the approval criteria listed above, and the minimum necessary to accommodate the permitted uses proposed by the application; in addition, the scale of the use shall be reduced as necessary to meet this requirement.

B. The Planning Commission shall hold an open record public hearing to consider the matter in accordance with the procedures and standards for conducting an open record public hearing. The variance request shall be considered concurrently with the preliminary plat or binding site plan during the open record public hearing. If the variance requested is associated with a short subdivision or boundary line adjustment, then the variance shall be decided by the hearing examiner in accordance with procedures established in Castle Rock Municipal Code 17.79 prior to the administrator's decision on the short subdivision or large lot.

C. The City Council, after receipt of the Planning Commission's recommendations for approval or disapproval of the variance and approval or disapproval of the preliminary plat or binding site plan, shall at its next regularly scheduled meeting schedule a closed record public hearing to consider the Planning Commission's recommendations and make its decision whether to grant the variance or deny it and whether to approve, approve with conditions or deny the preliminary plat or binding site plan. In the case of a variance from short subdivision and large lot provisions, the hearing examiner's decision is final.

D. In granting variances and modifications, the hearing examiner/Planning Commission may require such conditions as will, in its judgment, substantially secure the objectives of the standards or requirements so varied or modified; and

E. A final determination on a variance application may be appealed to superior court of Cowlitz County.

Chapter 16.37.010 Table of required information.

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/ Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
1. Scale. All pertinent information shall be shown normally at a scale of 1 inch to 100 feet; however, the scale may be increased or decreased to fit standard size sheets of 18 inches by 24 inches. In all cases, the scale shall be a standard drafting scale, being 10, 20, 30, 40, 50, or 60 feet to the inch or multiples of 10 for any one of these scales.	X	X	X	X	X	X
2. Appropriate identification of the drawing as a short plat, large lot, subdivision, preliminary, final, boundary line adjustment, binding site plan and the name of the development. The name shall not duplicate or resemble the name of any other subdivision in the county unless the subject subdivision is contiguous to an existing subdivision under the same subdivision of the same last name filed.	X	X	X	X	X	X
3. Plat certificate verifying ownership and encumbrances.		X		X	X	X
4. The names and addresses of the owner(s) and surveyor or engineer.	X	X	X	X	X	X
5. The date, north point and scale of the drawing.	X	X	X	X	X	X
6. A full legal description and location of the entire development property.	X	X	X	X	X	X
7. The locations, widths, lengths and names of both improved and unimproved streets and alleys within or adjacent to the proposed development together with all existing easements and other important features such as section lines, section corners, city and urban growth area boundary lines, and monuments.	X	X	X	X	X	X
8. The address of each lot including number,		X		X	X	X

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
street name, city, state and zip code.						
9. The name and location of adjacent subdivisions and the location and layout of existing streets which are adjacent to or across contiguous right-of-way from the proposed development.	X		X			
10. The location and approximate dimensions of lots, proposed lot and block numbers.	X	X	X	X	X	X
11. The location, approximate acreage and dimension of areas proposed for public use.	X	X	X	X	X	X
12. The location, approximate acreage and dimension of areas proposed for open space, park, recreation, and/or common ownership.	X	X	X	X	X	X
13. The property's current zoning.	X	X	X	X	X	X
14. Existing contour lines at sufficient intervals for slopes of 15% or more. Show existing evaluations related to some established benchmark or datum approved by the city engineer. (1929 NGVD)	X		X		X	X
15. The locations and sizes of existing public and private sanitary sewers, water mains, and public storm drains, culverts, fire hydrants and electrical lines within and adjacent to the proposed development.	X		X		X	X
16. The approximate curve radii of any existing public street or road within the proposed development.	X		X			X
17. Existing uses of property and locations of all existing buildings and designating which existing buildings are to remain after completion of the proposed development.	X	X	X		X	X
18. The location of areas subject to inundation, stormwater overflow, and/or within a designated 100-year floodplain, all areas covered by water, and the location, width and direction of flow of all water	X	X	X	X	X	X

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
courses.						
19. Locations of existing natural features such as wetlands which would affect the design of the development.	X	X	X	X	X	X
20. A vicinity map showing the location of the proposed development in relation to the rest of the city.	X		X		X	X
21. The approximate locations, widths, lengths, names and curve radii for all proposed streets.	X		X		X	X
22. The locations and dimensions of proposed lots and the proposed lot and block numbers. Numbers shall be used to designate each such block and lot. Where a plat is an addition to a plat previously recorded, numbers of blocks and lots or parcels shall be in consecutive continuation from a previous plat.	X	X	X	X	X	X
23. A preliminary public facilities plan for the location and construction of proposed water service facilities to serve the development.	X		X			X
24. A preliminary public facilities plan and profile for the location and construction of proposed sanitary sewer facilities to serve the development.	X		X			X
25. A preliminary plan for storm drainage, erosion and sedimentation control.	X		X			X
26. Locations, widths, and lengths of streets and roads to be held for private use and all reservations or restrictions relating to such private roads.	X	X	X	X	X	X
27. Designation of any land the council may require held for public reserve and configuration of projected lots, blocks, streets and utility easements should the reserved land not be acquired.	X	X	X	X		X
28. All areas and the proposed uses thereof to	X	X	X	X	X	X

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
be dedicated by the owner.						
29. The following survey data:						
(a) Track, block and lot boundary lines with dimensions;	X	X	X	X	X	X
(b) Street rights-of-way widths with centerline;		X	X	X	X	
(c) Radius, length, central angle of all tangent curves; radius, length, centered angle, long chord distance and bearing of all nontangent curves;		X	X	X	X	X
(d) Ties to boundary lines and section or 1/4 section corners immediately surrounding the development;		X		X	X	X
(e) The location and type of all permanent monuments within the development including initial point, boundary monuments and lot corners.		X		X	X	X
30. Reference points of existing surveys identified, related to the plat by distance and bearings, and referenced to a field block or map as follows:		X		X	X	X
(a) Stakes, monuments or other evidence found on the ground and used to determine the boundaries of the development;		X		X	X	X
(b) Adjoining corners of adjoining subdivisions;		X		X	X	X
(c) Monuments to be established marking all street intersections and the centerlines of all streets at every point of curvature and the point of tangent;		X		X	X	X
(d) Other monuments as found or established in making of the survey required to be installed by the provisions of this chapter and state law.		X		X	X	X

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/ Lot Consolidation	Binding Site Plan
	Preliminary	Final	Preliminary	Final		
31. The lot area in square feet identified on each lot on the plat.	X		X		X	X
32. Designation of proposed portions of subdivisions to be developed in phases, if any, indicated proposed sequence of platting.	X		X			
33. All flood control features and references to easements or deeds for drainage land.		X		X	X	X
34. Deed restrictions or covenants, if any, in outline form.	X		X			
35. Existing and proposed easements clearly identified and denoted by dashed lines and, if already of record, their recorded reference. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the development shall be shown.	X	X	X	X	X	X
36. Identification of any land or improvements to be dedicated or donated for any public purpose or private use in common.	X	X	X	X	X	X
37. The following certificates:						
(a) A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the project;		X		X	X	X
(b) A certificate signed and acknowledged as above, dedicating to the public all land intended for public use;		X		X	X	X
(c) A certificate for execution by the city mayor;				X		X
(d) A certificate for execution by the city engineer;		X		X	X	X
(e) A certificate for execution by the planning commission representatives;		X		X	X	X

TABLE OF REQUIRED INFORMATION	Short Plat/Large Lot		Subdivision		Boundary Line Adjustment/ Lot Consolidation	Binding Site Plan
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(f) A certificate for execution by the City Planner;		X		X	X	X
(g) A certificate for execution by the county auditor;		X		X	X	X
(h) A certificate for execution by the county treasurer;		X		X	X	X
(i) A surveyor's certificate certifying that he is registered as a professional land surveyor in the state of Washington and certifies that the plat is based on an actual survey of the land as described and that all monuments have been set and lot corners staked on the ground as shown on the plat.		X		X	X	X
38. A statement of approval signed by the director of the State Department of Ecology, or its successor, for any portion of development which lies within a flood control zone.				X		X
39. An executed surety (developer agreement and bond) when required.		X		X	X	X
40. Appropriate architectural and site development plans which show the proposed building location, specific landscaping; prominent existing trees, ground treatment, sign-obscuring fences and hedges, off-street parking, vehicular and pedestrian circulation; and major exterior elevations of building(s).						X

X