

Title 17

SUBDIVISIONS

Chapters:

- 17.04 General Provisions**
- 17.08 Definitions**
- 17.12 Administration and Enforcement**
- 17.20 Subdivisions**
- 17.21 Final Plats**
- 17.22 Boundary and Lot Line Adjustments**
- 17.24 Binding Site Plans**
- 17.26 Phased Development Standards**
- 17.28 General Design Standards**
- 17.32 Street Design Standards**
- 17.36 *Repealed***
- 17.40 Lot Design Standards**
- 17.43 *Repealed***
- 17.44 Manufactured Home Park Design Standards**
- 17.48 Improvements**
- 17.56 Monuments**
- 17.64 Guarantees**

Chapter 17.04

GENERAL PROVISIONS

Sections:

- 17.04.010 Authority and purpose.
- 17.04.020 Exemptions.
- 17.04.030 Industrial and commercial subdivisions.

17.04.010 Authority and purpose.

A. The provisions of this title are adopted pursuant to the authority delegated to the city of Sequim under Chapters 35A.58 and 58.17 RCW.

B. The purpose of this title is to provide rules, regulations and standards for the division of land within the city, while protecting the public health, safety, and general welfare. Application of this title shall insure the orderly growth and development of the city, and require adequate provisions for circulation, utilities, drainage and public services.

C. The provisions of this title shall be administered to ensure orderly growth and development and shall implement the goals, policies and provisions of the Sequim comprehensive plan, SMC Title 18, Zoning, the official zoning map, and the Sequim shoreline master plan, and the Clallam County-City of Sequim service extension review process (SERP). (Ord. 98-005 § 4)

17.04.020 Exemptions.

The provisions of this title shall not apply to:

- A. Any cemetery or burial plot, established consistent with the requirements of SMC Title 18, Zoning, while used for that purpose;
- B. Any division of land made by testamentary provisions, the laws of descent, or upon court order;
- C. Divisions of land into lots or tracts classified for commercial or industrial use when a binding site plan has been approved consistent with the provisions of Chapter 17.24 SMC;
- D. Divisions of land for the purpose of lease when no residential structure other than manufactured homes or travel trailers are permitted to be placed upon the land and a site plan has been prepared in accordance with pro-

visions of Chapter 17.24 SMC, Binding Site Plans. (Ord. 98-005 § 4)

17.04.030 Industrial and commercial subdivisions.

Industrial and commercial subdivisions shall comply with the requirements of this title, excepting that industrial and commercial land divisions are exempted from the subdivision process, and shall be considered consistent with the requirements of Chapter 17.24 SMC, Binding Site Plans, and RCW 58.17.035. Additional provisions and requirements relating to traffic flow, fire safety, environmental impacts and other similar potential impacts may be required in commercial and industrial subdivisions. (Ord. 98-005 § 4)

Chapter 17.08

DEFINITIONS

Sections:

17.08.010 Purpose.

17.08.020 Definitions.

17.08.010 Purpose.

The definitions contained in these chapters are provided to define those words and terms that have a specialized meaning and/or may be used in an unfamiliar way for the purposes of this title. In addition, the following definitions, where deemed necessary, include examples or clarifications that will assist in the understanding of the terms, application and enforcement of this title.

The following definitions shall pertain to the regulations, processes, and standards contained within this title only. Definitions found in other adopted titles, ordinances, resolutions, codes, and/or regulations shall be subordinate in meaning to the definitions contained herein in applying the provisions of this title. (Ord. 98-005 § 4)

17.08.020 Definitions.

For the purposes of this title, certain words are defined as follows:

Words in the present tense include the future tense; words in the singular shall include the plural; the word "shall" is mandatory; the word "should" indicates that which is recommended but not required; the word "may" is permissive.

A. "Adjacent property owner" means any property owner of record according to the records of the Clallam county auditor, whose property adjoins or abuts property used for division, or any portion thereof, or whose property is within 300 feet of the property proposed for division, or any portion which is directly across a street or public right-of-way which is contiguous to both properties.

B. "Alley" means a public or private way permanently reserved as a secondary, but not primary, means of access to abutting property.

C. "Applicant" means a person, firm, agent or developer, including a corporate person,

who undertakes to create a subdivision, binding site plan or boundary line adjustment.

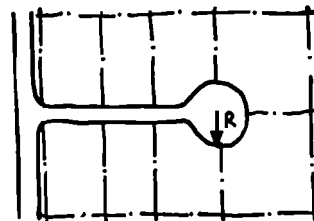
D. "AASHTO" means American Association of State Highway and Transportation Officials.

E. "Binding site plan" means a plan which illustrates the locations of all proposed uses, streets, roads, utilities, open spaces, and any other improvements or natural features as specified by the city of Sequim, and which contains descriptions and/or attachments setting forth all limitations and conditions of the use of the land which are established as conditions of approval, consistent with the requirements of Chapter 17.24 SMC. Binding site plans shall contain provisions which require development activities to be in conformity with the conditions of approval.

F. "Block" means a group of lots, tracts or parcels within well defined and fixed boundaries.

G. "Comprehensive plan" means the comprehensive plan of the city of Sequim, as approved or amended by the city council.

H. "Cul-de-sac" means a road closed at one end by a circular area of sufficient size for turning vehicles around.



I. "Dedication" means the deliberate appropriation of land by an owner for any general and/or public uses, reserving to the owner no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat or final plan showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the city.

J. "Easement" means a covenant which grants or restricts a specific right of use of a specifically designated portion of property.

K. “Flexible lot subdivisions” means those subdivisions which propose a variance in particular lot design and bulk and dimension requirements, but which do not propose to vary from the use or density requirements of SMC Title 18.

L. “Health officer” means the Clallam County district health officer unless at some future time the city employs its own health officer.

M. “Lot” means a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimensions to meet minimum zoning requirements for width and area. The term shall include tracts and parcels.

N. “Plat” means a map or representation of a subdivision, showing thereon the division of a tract or parcel of lands into lots, blocks, roads and alleys or other divisions and dedications.

O. “Plat, final” means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title and other applicable codes and ordinances.

P. “Plat, preliminary” means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the provisions of this title.

Q. “Planned unit developments” means those developments proposed consistent with the requirements of Chapter 18.40 SMC, which adopt an “overlay” zone which may permit variance in the bulk, dimensional, density and use requirements of a particular zoning district.

R. “Replat” means the division, in whole or in part, of lands which were previously platted. Applications for replat which meet the criteria for approval as boundary line adjustments may be approved consistent with the requirements of Chapter 17.22 SMC, Boundary and Lot Line Adjustments. All other applications for replatting shall be considered subdivision applications and processed consistent with the applicable requirements of this title.

S. “SERP” means service extension review process, adopted by the city of Sequim and Clallam County, March 23, 1998.

T. “Street” means a public or approved private right-of-way which provides vehicular circulation or principal means of access to abutting properties, and which may also include provisions for public utilities, pedestrian walkways, public open space and recreation areas, cut and fill slopes and drainage.

U. “Subdivider” means a person, firm, agent or developer, including a corporate person, who undertakes to create a subdivision.

V. “Subdivision, major” means the division of land into 10 or more lots, tracts, parcels, sites or divisions for the purpose of sale or lease or transfer and shall include all resubdivision or replatting of land.

W. “Subdivision, minor” means the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale or transfer. For the purposes of compliance with other state and local codes and regulations minor subdivisions shall be consistent with major subdivisions.

X. “SUDR” means streets and utilities development regulations.

Y. “WSDOT” means Washington State Department of Transportation. (Ord. 2006-019 § 2; Ord. 98-005 § 4)

Chapter 17.12

**ADMINISTRATION
AND ENFORCEMENT**

Sections:

- 17.12.010 Administration.
- 17.12.015 Preapplication conference required.
- 17.12.020 Procedure – Application.
- 17.12.030 Procedure – Fees.
- 17.12.040 Procedure – Determination of completeness – Distribution of applications.
- 17.12.050 Procedure – Notice of hearing.
- 17.12.060 Development of illegally divided land.
- 17.12.070 Penalties for violation.
- 17.12.080 Optional code election.

17.12.010 Administration.

The planning department shall administer the subdivision and platting regulations of this title. The planning department may prepare and require the use of such forms as are essential to such administration. The planning department, where applicable, shall review all proposed subdivisions for the purpose of determining conformance with state law, the general purposes of the comprehensive plan, and the design standards and engineering specifications found in this title. Final authority to approve plats and subdivisions resides with the planning director and/or city council, as applicable. Notwithstanding this precept, it is the

intent that the planning director has the authority to make advisory determinations in accordance with the provisions of this title. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.015 Preapplication conference required.

Preapplication conference shall be required for all applications for subdivision, binding site plan and boundary line adjustment approval consistent with the provisions of SMC Title 20, unless preapplication is specifically exempted by the planning director. The following information shall be submitted with the request for a preapplication conference:

A. A completed preapplication form as provided by the city;

B. A preliminary sketch or conceptual design which includes proposed lot configurations, utilities, streets and rights-of-way, open spaces, and existing structures, improvements, and approximate location of any critical areas, irrigation or drainage ditches and other significant natural features;

C. A vicinity map and tax assessor’s parcel map, with the location of the subject property clearly marked. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.020 Procedure – Application.

An application for subdivision, or subdivision exemption, as defined by SMC 17.04.020, shall include as applicable, the items specified in Table 17.12.020(A).

Required Submittal Item	Application Type	Boundary Line Adjustment (BLAs)	Minor Subdivisions	Major Subdivisions	Binding Site Plans Major and Minor
Preapplication meeting		X ¹	X ¹	X	X ¹
Preapplication checklist (provided by the city of Sequim) and a preliminary sketch or conceptual design as per SMC 17.12.015, and a vicinity map and tax assessor’s parcel map, with the location of the subject property clearly marked			X ¹	X	X ¹
Subdivision or plan name			X	X	X
Completed application form		X	X	X	X

Table 17.12.020(A)				
Application Type	Boundary Line Adjustment (BLAs)	Minor Subdivisions	Major Subdivisions	Binding Site Plans Major and Minor
Required Submittal Item				
Legal description (township, section and range, tax parcel number)	X	X	X	X
Preliminary sketch (drawn at 1" = 100')	X	X	X	X
North arrow	X	X	X	X
Bar scale	X	X	X	X
Acreage of proposed lots or tracts	X	X	X	X
Dimensions of proposed lots or structures	X	X	X	X
Size and location of existing structures	X	X	X	X
Size and location of existing and proposed streets, alleys and rights-of-way, including proposed ownership	X	X	X	X
Proposed open spaces or public or private dedications for lands, trails, parks or passive and active recreation		X	X	X
Location of streams, irrigation ditches, drainage ditches, wetlands, ponds, floodways or other water courses on or within 200' of the proposed project	X	X	X	X
Location, extent and type of wooded areas and all trees greater than eight inches in diameter, or identified as species of local significance	X	X	X	X
Location and extent of existing and proposed landscaping		X	X	X
Location and extent of steep slopes (more than 15%) and other significant physical features	X	X	X	X
Proposed and existing easements for ingress, egress, utility corridors, irrigation ditch access, and other easements	X	X	X	X
Adjacent property owners' list for all properties located within a 300' radius obtained for Clallam County assessor's office		X	X	X
Two separate illustrations or plan maps or diagrams, drawn to a common scale, depicting the "before" and "after" conditions of the proposed adjustment	X			
A title report, subdivision certificate, or other proof of ownership which documents any previous land use approvals		X	X	X
A scaled vicinity map showing the subject property in reference to surrounding properties, streets, subdivisions, municipal boundaries, identified critical areas within 500' of the subject property, and including a north arrow		X	X	X
Copies of any existing and/or proposed deed restrictions or covenants	X	X	X	X

17.12.020

Table 17.12.020(A)				
Application Type	Boundary Line Adjustment (BLAs)	Minor Subdivisions	Major Subdivisions	Binding Site Plans Major and Minor
Required Submittal Item				
Draft maintenance agreements and proposed management entities responsible for tax payments and maintenance of common facilities (such as roads, stormwater facilities, open spaces, trails, parks, etc.)		X	X	X
Preliminary phasing plan, if proposed			X	X
Preliminary stormwater drainage plans, prepared consistent with the requirements of SMC Title 13		X	X	X
Preliminary utility plans, including provisions for water, sewer, underground power where appropriate, telecommunications, and solid waste disposal		X	X	X
Preliminary road plans including plan, sections, and profiles		X ²	X	X
Preliminary clearing and grading plans, including cut and fill amounts		X	X	X
Environmental information worksheet and SEPA checklist		X ³	X	X ³
Preliminary landscaping plans			X	X
A description of how parking requirements will be met			X	X
Any additional materials, as determined by the department during the required preapplication meeting, to be necessary to fully evaluate the application	X	X	X	X
For proposed replatting of existing subdivisions: the lots, blocks, streets, etc. of the original plat shown with dotted lines in the proper positions in relation to the new arrangement of the plat, the new plat being clearly shown in solid lines to avoid ambiguity		X	X	X
Number of copies required of application materials to be submitted	3	3	3	3
Number of copies of any plats, plans or maps greater than 11" x 17"	30	30	30	30
Notes	<ol style="list-style-type: none"> 1. Preapplication conference may be waived by permission of the planning director. 2. Sections and profiles may not be required for minor subdivisions, with permission of the planning director. 3. Minor subdivisions of nine or fewer lots and minor binding site plans may be exempt from SEPA, consistent with the requirements of SMC Title 16 and WAC 197-11-800. 			

(Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.030 Procedure – Fees.

Application fees shall be paid consistent with Chapter 20.05 SMC, Fee Schedule. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.040 Procedure – Determination of completeness – Distribution of applications.

If in the opinion of the planning director or his/her designee, the application is deemed complete, consistent with requirements of SMC Title 20, a copy of the application shall be forwarded to the appropriate agencies and officials, and the application shall be noticed consistent with the requirements of SMC Title 20, Land Use and Development. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.050 Procedure – Notice of hearing.

When required, the planning department shall provide notice of a public hearing consistent with the requirements of SMC Title 20, Land Use and Development. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.060 Development of illegally divided land.

An application for a building permit, septic tank installation or other development permit for any lot, tract or parcel of land divided in violation of state law or this title shall not be granted without prior approval of the city council, consistent with the provisions of Chapter 58.17 RCW. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.070 Penalties for violation.

A. In the event subdivision occurs in violation of the provisions of this title, the city shall have the authority to enjoin any transfer, sale, agreement, lease or option concerning the property involved; or to bring an appropriate action for damages, abatement, specific performance or any other remedy allowed by law; provided, that the failure of the city to so enjoin any transfer, etc., shall not prejudice the city's other rights under this title.

B. The costs of such action shall be assessed against the person, firm, corporation

or agent selling or transferring the property, including reasonable attorneys' fees.

C. Any person, agent, firm or developer who violates any provision of this title shall be guilty of a misdemeanor and upon conviction may be subject to a fine not to exceed \$500.00 (U.S. funds) or imprisonment for a period not to exceed 30 days, or both such fine and imprisonment; and each sale, offer for sale, lease or transfer of each separate lot, tract or parcel of land in violation of any provision of this title shall be deemed a separate and distinct offense. (Ord. 2007-014 § 1; Ord. 98-005 § 4)

17.12.080 Optional code election.

A landowner or developer of property in the city of Sequim whose property has been approved for development in conformance with Chapter 17.20 SMC (Subdivisions) and Chapter 17.24 SMC (Binding Site Plans) may elect to have the SMC existing at the time of the election apply to the property and waive the right to have the SMC in existence at the time of the determination of completeness as defined in SMC 20.01.130 apply to the property with respect to current bulk and dimensional standards and/or building codes; provided, that the use of such new regulations does not require changes to recorded documents.

Such election and waiver shall be in writing, acknowledged and filed with the planning department of the city of Sequim and shall be submitted by the owner or owners of all lots, units or divisions in the development or approved separate phase of the development, as the case may be. (Ord. 2007-014 § 1)

Chapter 17.20

SUBDIVISIONS

Sections:

- 17.20.010 Subdivision procedure.
- 17.20.015 Preapplication conference required.
- 17.20.020 Submittal documents.
- 17.20.030 Review required.
- 17.20.040 Approval criteria.
- 17.20.050 Dedications and/or easements – Required.
- 17.20.060 Preliminary plat approval.
- 17.20.070 Authorization for subdivider.
- 17.20.080 Expiration and requests for extension.
- 17.20.090 Expiration of phased development proposals.

17.20.010 Subdivision procedure.

All applications for subdivision shall be considered by the city, consistent with the requirements of SMC Title 20.

A. Major subdivision shall include those applications for land division which request approval for 10 or more parcels or divisions.

B. Minor subdivision shall include those applications for land division which request approval for nine or less parcels or divisions. (Ord. 98-005 § 4)

17.20.015 Preapplication conference required.

A preapplication conference shall be required for all applications for subdivision, consistent with the requirements of SMC 17.12.015. (Ord. 98-005 § 4)

17.20.020 Submittal documents.

An application for major subdivision or minor subdivision shall include all materials specified in Table 17.12.020(A). (Ord. 98-005 § 4)

17.20.030 Review required.

Review of the proposed application shall include consideration of all public and agency comment or testimony received. The city engineer shall evaluate and determine the engineer-

ing accuracy of the proposed subdivision, including but not limited to, the proposed street system, the proposed sewage disposal system, the proposed storm drainage system and the proposed water supply system. The planning department shall evaluate and determine the proposal's conformance with the comprehensive plan and all zoning requirements. The public works department shall evaluate the application to determine the adequacy of system improvements and capacity. (Ord. 98-005 § 4)

17.20.040 Approval criteria.

The city shall not approve applications for subdivisions unless it is demonstrated by the subdivider that each of the following criteria has been met or will be met:

A. Each lot resulting from the subdivision shall conform with the comprehensive plan and zoning regulations;

B. Each lot shall adjoin a public street or a private street in the subdivision;

C. Curb, gutter, sidewalk, trail connections, transit stops, streets, storm drainage, sanitary sewer lines, water lines and other utilities as required shall be installed at the expense of the applicant and meet city specifications and applicable ordinances and the city engineer has certified or approved the proposed plans;

D. The subdivider has provided an easement for utilities transmission services, if necessary;

E. Private property necessary for public use for streets will be dedicated by a deed of dedication acceptable to the city or by preparing a plat to be recorded;

F. A bond will be posted to ensure completion of those improvements required under these criteria but not yet installed or provided;

G. Adequate public facilities will be provided, as required by the adopted capital facilities plan. These facilities may include, but not necessarily be limited to, parks, playgrounds, schools, open spaces, transit stops, and trails and trail connections;

H. All requirements of the environmentally sensitive areas and wetlands sections of the SMC and the State Environmental Policy Act (SEPA) have been met;

I. No development may occur which causes a flooding hazard, and until any development occurring within an identified floodplain has been properly mitigated;

J. The public interest will be served by the proposal;

K. All the requirements of Chapter 58.17 RCW have been met; and

L. The proposed project phasing schedule, if applicable, meets the requirements contained in SMC 17.20.090. (Ord. 2007-002 § 1; Ord. 2005-022 § 1; Ord. 2004-015 § 1; Ord. 98-005 § 4)

17.20.050 Dedications and/or easements – Required.

No plat shall be approved unless all areas to be used by the public which are required to be dedicated are conveyed to, and accepted by the city, and all easements which are required as conditions of approval are granted in a form acceptable to the city. (Ord. 98-005 § 4)

17.20.060 Preliminary plat approval.

Preliminary plat approval shall be granted by the city after adoption of findings of fact, conclusions and conditions, which clearly describe the proposed subdivision and the proposals consistent with all applicable review criteria. In addition all conditions which are required to be met prior to final plat approval shall be specifically described in the findings. (Ord. 2005-022 § 2; Ord. 2004-015 § 2; Ord. 98-005 § 4)

17.20.070 Authorization for subdivider.

Approval of the preliminary plat by the city, consistent with the provisions of SMC Title 20, shall constitute authorization for the subdivider to develop the subdivision's facilities and improvements in strict accordance with final design and/or construction drawings which have been reviewed and approved by the public works director, with state laws, this title and all applicable conditions of the preliminary plat approval. (Ord. 2005-022 § 3; Ord. 2004-015 § 3; Ord. 98-005 § 4)

17.20.080 Expiration and requests for extension.

The preliminary plat approval shall expire within three years unless a proposed final plat, in proper form, is submitted to the city planning department; provided, however, that an extension of time, not to exceed one year, may be granted by the city council upon the recommendation of the planning director. Only two such extensions shall be granted. However, any extension of time may require additional review and additional conditions of approval, if in the determination of the planning director or the city council such review or conditions are required. (Ord. 2005-022 § 4; Ord. 2004-015 § 4; Ord. 98-005 § 4)

17.20.090 Expiration of phased development proposals.

Preliminary plats which have been approved for phased development consistent with the requirements of Chapter 17.26 SMC shall submit a proposed final plat (or request for extension in appropriate form) for the first phase of the development within three years of the date of preliminary plat approval. Subsequent phases shall be required to submit proposed final plats within five years of the date of preliminary approval, excepting that the city council may approve an alternative date of expiration for subsequent phases if an approved development agreement consistent with the requirements of SMC Title 20 has been adopted. Additional review and conditions may be required by the city council for any phased final plat which is submitted more than five years from the date of the preliminary plat approval is environmental conditions or regulations have changed. (Ord. 2005-022 § 5; Ord. 2004-015 § 5; Ord. 98-005 § 4)

Chapter 17.21

FINAL PLATS

Sections:

- 17.21.010 Final plats.
- 17.21.020 Statement of completion.
- 17.21.030 Dedications and easements to be shown on plat.
- 17.21.040 Notice to title.
- 17.21.050 Final plat approval or disapproval.
- 17.21.060 Alteration of final plats.

17.21.010 Final plats.

A final plat consistent with the requirements of Chapter 58.17 RCW shall be filed with the planning department, which shall acknowledge receipt thereof and indicate whether it meets the requirements of the city. Upon finding in the affirmative, the department shall forward the original to the city council or the planning director, as applicable for final approval. Should the submitted final plat not meet the requirements of the city, it shall be returned to the subdivider with detailed notes describing all identified areas of noncompliance. (Ord. 2007-014 § 2; Ord. 98-005 § 4)

17.21.020 Statement of completion.

The public works director and city engineer shall each submit a statement to the planning director verifying that the subdivider has completed the required installations in accordance with the provisions of this title, the preliminary plat approval, and the specifications and standards of the departments. (Ord. 2007-014 § 2; Ord. 98-005 § 4)

17.21.030 Dedications and easements to be shown on plat.

All dedications of land and/or easements shall be clearly and precisely indicated on the face of the final plat. (Ord. 2007-014 § 2; Ord. 98-005 § 4)

17.21.040 Notice to title.

A notice to title shall be included on the face of the final plat which indicated that city approval of the subdivision does not automatically dedicate the use of water, sewer, storm-

water, solid waste disposal or other utilities of the city, unless specifically provided for in the preliminary plat approvals, or in an approved development agreement. Potential purchasers of the property should be advised to contact the city for information regarding assessments and fees for utility services. (Ord. 2007-014 § 2; Ord. 98-005 § 4)

17.21.050 Final plat approval or disapproval.

A. The city council or planning director, as applicable, shall determine:

1. Whether all conditions imposed when the preliminary plat was approved have been successfully met;
2. Whether any bonds proposed will assure the completion of unconstructed improvements;
3. Whether the public use and interest will be served by approving the proposed final plat;
4. Whether the requirements of state law and this chapter have been satisfied by the subdivider; and
5. Any required bond has been posted to insure completion of those improvements required under these criteria but not yet installed or provided, consistent with the criteria of Chapter 17.64 SMC.

B. The city council and/or planning director shall approve or disapprove the proposed final plat through adoption of written findings of facts. The subdivider shall file the original final plat with the county auditor for the record and return a reproducible copy to the city clerk who shall retain the reproducible copy in the files of the planning department. (Ord. 2007-014 § 2; Ord. 98-005 § 4)

17.21.060 Alteration of final plats.

When any person is interested in the alteration of any subdivision within the city or the altering of any portion thereof, except as provided in RCW 58.17.040(6), that person shall submit an application to the city of Sequim planning department.

The application shall be in conformance with requirements established in RCW 58.17.215, 58.17.217, 58.17.218, 58.17.225 and 58.17.275. (Ord. 2007-014 § 2)

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Chapter 17.22**BOUNDARY AND
LOT LINE ADJUSTMENTS**

Sections:

- 17.22.010 Purpose.
- 17.22.020 Approval required.
- 17.22.025 Change in zoning.
- 17.22.030 Application and fees.
- 17.22.040 Recordation required.

17.22.010 Purpose.

The purpose of boundary and lot line adjustments is to provide for minor alterations to the configuration or area of existing platted and unplatted lots in lieu of filing an application for subdivision or replat. (Ord. 98-005 § 4)

17.22.020 Approval required.

Boundary and lot line adjustments may be made in accordance with RCW 58.17.040(6); provided, that written administrative approval by the planning director, consistent with the provisions of SMC Title 20, is granted. All approved boundary or lot line adjustments shall ensure that:

A. No additional lot, tract, parcel, site or division is created;

B. No lot, tract, parcel, site or division which does not meet the building lot criteria for dimensions and area within a zoning district is created;

C. No lot line or boundary line subject to adjustment is realigned equal to or more than 90 degrees from its pre-existing configuration;

D. The total area involved in the lot line adjustment is no greater than one-half of the area of the largest lot to be adjusted;

E. The cumulative effect of the proposed boundary and/or lot line adjustment and all previous boundary and lot line adjustments involving any of the subject properties would not serve to erode the purpose of this title and Chapter 58.17 RCW;

F. No environmental impacts would occur from allowing the boundary line or lot line adjustment; and

G. The health, safety and welfare of the public will be protected. (Ord. 98-005 § 4)

17.22.025 Change in zoning.

If the net effect of a proposed boundary or lot line adjustment would create a change in zoning consistent with the standards of SMC 18.16.050, Boundary interpretation, then the application shall be docketed for review and approval consistent with the requirements for a Type III Comprehensive Plan Amendment, Chapter 18.88 SMC. (Ord. 98-005 § 4)

17.22.030 Application and fees.

Boundary and lot line adjustments shall be by application to the city. Fees shall be paid consistent with Chapter 20.05 SMC, Fee Schedule. A preapplication, consistent with the requirements of SMC 17.12.015, may be required. An application for boundary or lot line adjustment shall include all materials specified in Table 17.12.020(A). (Ord. 98-005 § 4)

17.22.040 Recordation required.

The approved boundary and/or lot line adjustment shall be prepared for recordation by a registered and licensed land surveyor. The final boundary and/or lot line adjustment shall include a certificate giving a full and correct description of the lands being adjusted as they appear on the map to be recorded, including the statement that the adjustment has been made with the free consent and in accordance with the desires of the owners. The final boundary and/or lot line adjustment shall be reviewed and approved by the planning director prior to being recorded by the applicant with the county auditor. Copies of the recorded boundary or lot line adjustment shall be filed with the city clerk. (Ord. 98-005 § 4)

Chapter 17.24

BINDING SITE PLANS

Sections:

- 17.24.010 Purpose and adoption authority.
- 17.24.020 Applicability.
- 17.24.025 Binding site plans – Minor.
- 17.24.030 Preapplication conference required.
- 17.24.040 Application.
- 17.24.050 Fees.
- 17.24.060 Distribution of plans.
- 17.24.070 Notice of hearing.
- 17.24.080 Hearing.
- 17.24.090 Design regulations.
- 17.24.100 Preliminary approval and authorization for land divider.
- 17.24.110 Expiration.
- 17.24.120 Final binding site plan – Requirements.
- 17.24.130 Final binding site plan survey requirements.
- 17.24.140 Final binding site plan approval and filing.
- 17.24.150 Performance bonds in lieu of required improvements.
- 17.24.160 Development in conformity with the final binding site plan.
- 17.24.170 Amendment.

17.24.010 Purpose and adoption authority.

The purpose of this chapter is to establish a binding site plan review procedure as provided for under the authority of RCW 58.17.040(4), (5) and (7). The binding site plan serves as an official land use control pursuant to Chapter 36.70 RCW. Binding site plans provide an alternative to the conventional platting requirements of the State Subdivision Act (Chapter 58.17 RCW) and allow more flexibility in design and operation of manufactured home parks, recreational vehicle parks, condominium developments, multifamily developments, planned unit developments and commercial and industrial developments. (Ord. 98-005 § 4)

17.24.020 Applicability.

A. Binding site plan review and approval pursuant to this chapter shall be required prior to undertaking any of the following actions:

1. Divisions of land for lease for commercial or industrial uses; and/or
2. Divisions of land for lease where no residential structures, other than recreational vehicles are permitted; and/or
3. The establishment of manufactured home parks, where no lots will be sold; and/or
4. The establishment of condominium developments.

B. Binding site plan review and approval pursuant to this chapter may be pursued as an alternative to the subdivision process for any of the following actions:

1. Divisions of land for sale which is restricted to commercial or industrial uses.
2. Multifamily or apartment complex development where no lots are to be sold. (Ord. 98-005 § 4)

17.24.025 Binding site plans – Minor.

Binding site plans which do not require State Environmental Policy Act (SEPA) review, consistent with the requirements of SMC Title 16, may be considered minor binding site plans, and may be reviewed administratively, consistent with the requirements of SMC Title 20. The planning director may determine that an application for binding site plan which does not require SEPA review will be considered a major binding site plan if, in the director's determination, the scope, scale, size or impact of the proposal requires additional review and a public hearing. (Ord. 98-005 § 4)

17.24.030 Preapplication conference required.

A preapplication conference shall be required for all applications for binding site plan approval consistent with the provisions of Chapter 20.01 SMC. Information for a preapplication conference shall be submitted consistent with the requirements of SMC 17.12.015. (Ord. 98-005 § 4)

17.24.040 Application.

Any person with an ownership interest or permission of the owners desiring approval of a binding site plan shall submit the application materials required in SMC 17.12.020(A). (Ord. 98-005 § 4)

17.24.050 Fees.

Application fees shall be paid consistent with SMC Chapter 20.05, Fee Schedule. (Ord. 98-005 § 4)

17.24.060 Distribution of plans.

If in the opinion of the planning department the application contains sufficient data to determine approval or disapproval they shall affix a file name or number and date of receipt to the application, forward copies of the preliminary site plan to the appropriate agencies and officials, and notice the project consistent with the requirements of SMC Title 20, Land Use and Development. (Ord. 98-005 § 4)

17.24.070 Notice of hearing.

The planning department shall provide for notice of the public hearing consistent with the requirements of SMC Title 20, Land Use and Development. (Ord. 98-005 § 4)

17.24.080 Hearing.

In addition to any relevant evidence received from the general public or the parties involved, the city engineer shall evaluate and determine the engineering accuracy of the proposed binding site plan, including but not limited to the proposed street system, the proposed sewage disposal system, the proposed storm drainage system and the water supply system. The planning department shall evaluate and determine the proposal's conformance with the comprehensive plan and all zoning requirements. The public works department shall evaluate the adequacy of utility system improvements and capacity. (Ord. 98-005 § 4)

17.24.090 Design regulations.

The city council shall not approve applications for binding site plan approval unless it is demonstrated by the applicant that each of the following criteria has been met or shall be met:

A. Each use of the land resulting from the adoption of the binding site plan conforms with the comprehensive plan and with zoning regulations, including lot coverage, setbacks, building heights, off-street parking requirements, landscaping buffering and permitted uses within zoning districts;

B. Adequate provisions for on- and off-site circulation and connection with the surrounding road net have been proposed, consistent with adopted city standards;

C. Curb, gutter, sidewalk, trail connections, transit stops, streets, storm drainage, sanitary sewer lines, water lines and other utilities will be installed at the expense of the applicant and meet city specifications and applicable ordinances and the city engineer has certified or approved the proposed plans for the construction;

D. The applicant has provided, if necessary, easements to the city to accommodate the establishment of municipal utilities;

E. Private property necessary for public use as street rights-of-way have been dedicated to the city by an acceptable deed of dedication or by preparing a plat to be recorded;

F. A bond has been posted to ensure completion of those unconstructed improvements required consistent with the criteria found in this chapter;

G. Adequate public facilities are provided as required by the adopted capital facilities plan; these facilities may include, but are not necessarily limited to, parks, playgrounds, schools, open spaces, transit stops, and trails and trail connections;

H. All requirements of the environmentally sensitive areas and wetlands sections of the SMC and the State Environmental Policy Act (SEPA) have been met;

I. No development shall occur which causes a flooding hazard, and until any development occurring within an identified floodplain has been properly mitigated;

J. The public interest will be served by the proposal;

K. All the requirements of Chapter 58.17 RCW have been met; and

L. All proposed project phasing schedule shall meet the requirements contained in SMC

17.24.100

17.20.090. (Ord. 2005-022 § 6; Ord. 2004-015 § 6; Ord. 98-005 § 4)

17.24.100 Preliminary approval and authorization for land divider.

Preliminary approval of the binding site plan by the city council, consistent with the provisions of SMC Title 20, shall constitute authorization for the applicant and/or project proponent to develop the required facilities and improvements in strict accordance with state laws and the standards contained in this title. (Ord. 2005-022 § 7; Ord. 2004-015 § 7; Ord. 2004-013 § 1; Ord. 98-005 § 4)

17.24.110 Expiration.

The approval given to a binding site plan shall expire within three years following approval unless a proposed final plan, in proper form, is submitted to the city planning department; provided, however, that an extension of time, not to exceed one year, may be granted by the city council upon the recommendation of the planning director. Only two such extensions shall be granted. However, any extension of time may require additional review and additional conditions of approval, if in the determination of the city council such review or conditions are required. (Ord. 2005-022 § 8; Ord. 2004-015 § 8; Ord. 98-005 § 4)

17.24.120 Final binding site plan – Requirements.

The proposed binding site plan shall be submitted in triplicate, including a photo-reproducible mylar copy. Each binding site plan shall consist of one or more pages, each 18 inches wide by 24 inches long, clearly and legibly drawn.

The perimeter of the binding site plan shall be depicted with heavier lines than appear elsewhere on the plan. The scale shall be 50 feet to one inch, unless a different scale is required by the city engineer. A margin of at least one-half inch shall be left around each sheet.

Every final binding site plan shall include an accurate map of the land based on a complete survey consistent with the requirements of this

title. The final plan shall contain, but not be limited to the following information:

A. All section, township, municipal and county lines lying within or adjacent to the binding site plan shall be illustrated;

B. A description of all corners necessary to determine the exterior boundaries of the binding site plan and showing bearing and distance ties to a minimum of two monument corners of record which were used for the survey;

C. The boundary of the binding site plan complete with bearing to the nearest one second and lineal dimensions to the nearest one-hundredth of a foot. The location of all proposed building sites located within the boundaries of the binding site plan; provided, that the building sites locations need only be staked, not surveyed and monumented;

D. The length of all straight lines, and the radii, length of arcs and central angles of all curves;

E. The location, width, centerline, ownership and name and number of all streets within and adjoining the binding site plan; the location of all required improvements, including but not limited to street lights, utilities, fire hydrants, parking areas, sidewalks and trails etc.;

F. The location, width, and descriptions of all easements shall be illustrated by broken lines;

G. A statement identifying the purpose and permitted uses for all common areas other than streets;

H. Dedications to the public or easements granted to the city and/or the lot owners shall be clearly indicated on the face of the final plan;

I. A notice to title shall be included on the face of the plan which indicates that city approval of the binding site plan does not automatically dedicate the use of water, sewer, stormwater, solid waste disposal or other utilities of the city, unless specifically provided for in the preliminary plat approvals, or in an approved development agreement. Potential purchasers of the property should be advised to contact the city for information regarding assessments and fees for utility services;

J. The name and project number of the binding site plan as assigned by the city, a bar scale, north arrow and date of preparation, including revision dates;

K. A legal description of the land contained with the binding site plan;

L. A signed statement by the registered land surveyor who prepared the binding site plan, attesting that it is a true and correct representation of the lands surveyed;

M. The following statement shall be placed verbatim on the face of the plan: “No portion of this binding site plan may be altered, amended, deleted, added to or changed in any manner except by application of amendment to the city of Sequim”;

N. A statement of approval by the city engineer;

O. A statement of approval by the county health officer (if septic facilities are proposed);

P. A statement as to the ownership and maintenance agreements governing any proposed common areas. This statement shall reference all lot owners’ agreements which are filed concurrently;

Q. Every plan filed for record must contain a certificate giving the full and correct description of the divided lands as they appear on the binding site plan, including a statement that the plan has been made with the free consent and in accordance with the desires of the owners. This statement shall be signed and acknowledged by a notary public;

R. A signed statement by the planning director that the binding site plan has been established consistent with the requirements and conditions of the approved preliminary binding site plan, and that all of the conditions thereof have been met and the plan as established is consistent with all applicable city land controls;

S. A signed statement from the Clallam County treasurer that all taxes have been paid in advance on all property included in the binding site plan;

T. A space for the county auditor to sign the plan for recording purposes;

U. A signed copy of the lot owners’ association bylaws, and articles of incorporation, if applicable; and

V. A recent (30-day period) title report specific to the subject property which shows all persons having ownership interest in the property. (Ord. 98-005 § 4)

17.24.130 Final binding site plan survey requirements.

The survey shall be performed in full compliance with the Survey Recording Act, Chapter 58.09 RCW, RCW 58.17.160(3) and 58.24.040. (Ord. 98-005 § 4)

17.24.140 Final binding site plan approval and filing.

A binding site plan shall be approved if the city council finds that the following requirements have been satisfied:

A. The binding site plan is determined to be in conformance with this chapter and contains the signatures and approvals of all of the required officials; and

B. All required on-site and off-site improvements have been installed, and approved by the city, and all outstanding conditions of the preliminary binding site plan approval have been satisfied.

Development permits for on-site buildings and structures (excepting those required to accommodate utility infrastructure) may not be issued until the final binding site plan has been filed by the applicant for the record with the county auditor. (Ord. 98-005 § 4)

17.24.150 Performance bonds in lieu of required improvements.

Performance bonds may be accepted in lieu of required improvements for a binding site plan consistent with the requirements of this title. (Ord. 98-005 § 4)

17.24.160 Development in conformity with the final binding site plan.

Following final approval of a binding site plan pursuant to the requirements of this chapter, any and all development and use of the land to which the plan pertains shall be in conformity with all conditions and requirements of final approval. Development undertaken pursuant to the conditions and requirements of an approved binding site plan shall be estab-

lished consistent with the requirements of all other applicable city and state codes. (Ord. 98-005 § 4)

17.24.170 Amendment.

An approved binding site plan may be amended upon application to the planning director. The applicant must make the request to amend the binding site plan in writing. The planning director shall approve the amendment if it meets all of the following criteria:

- A. No new building pads are proposed;
- B. No building shall be greater than 10 percent larger than shown of the final binding site plan; and
- C. The amendment would not result in increased amounts of traffic, nor propose circulation patterns which are different than those proposed by the original application, nor significantly increase or cause unanticipated environmental impacts.

All amended site plans shall meet the requirements associated with a final site plan as described in SMC 17.24.120. All amendments shall be numbered successively (i.e., first amendment to the binding site plan).

If the proposed amendment does not meet the above referenced criteria, a new binding site plan application shall be required. (Ord. 98-005 § 4)

Chapter 17.26

PHASED DEVELOPMENT STANDARDS

Sections:

- 17.26.010 Purpose.
- 17.26.020 Applicability.
- 17.26.030 Phasing plan required.
- 17.26.040 Approval.
- 17.26.050 Final plat approval.
- 17.26.060 Bonding.

17.26.010 Purpose.

The purpose of this chapter is to facilitate the establishment of larger more complex projects with significant infrastructure requirements by establishing a procedure which allows applications proposed consistent with the requirements of this title, to complete infrastructure and other improvements in “phases.” Proposed phasing plans shall be reviewed and adopted in a manner which ensures that each phase is self-sufficient and is not dependent on subsequent phases to fulfill infrastructure requirements and other conditions of approval. Phased development which is approved consistent with the requirements of this title may proceed with a minimum of additional review. (Ord. 98-005 § 4)

17.26.020 Applicability.

Phased development plans may be considered for those proposed projects which meet the following requirements:

- A. The proposed project includes 10 or more lots or tracts; and
- B. The proposed project includes a land area of two acres or greater. (Ord. 98-005 § 4)

17.26.030 Phasing plan required.

Applications for subdivision or binding site plan approval which propose to complete the required infrastructure improvements in phases shall include a preliminary phasing plan. A final phasing plan which incorporates all required conditions of approval and details infrastructure improvements and sequencing of the phases shall be submitted prior to any ground disturbing activities.

A. Preliminary phasing plans shall be submitted concurrently with the land use application. Preliminary phasing plans shall include the following information:

1. Illustrative maps for each proposed phase which clearly marks in heavy lines the boundaries of the subject phase, labels the phase alphabetically (to avoid confusion with lot numbers), and depicts roads, lots, infrastructure, easements, dedications and open space which are included within the subject phase. The plan shall also illustrate those proposed improvements which mitigate impacts associated with the unbuilt portions of the project which are not located within the boundaries of the subject phase. Previously established phases, including roads, lots, infrastructure, easements, dedications, and open space should be shown on the map shaded or gray-scaled. All phasing maps shall be drawn at the same scale.

2. A narrative description or table which describes each phase and its associated improvements. In addition, the narrative or table shall demonstrate that each phase would compromise a “stand-alone” development which, should no subsequent phases be constructed, would meet or exceed the standards of this title and all other conditions of approval. The narrative should also describe the proposed timeline for completion of the entire project and any proposals to bond for required unbuilt or yet-to-be constructed improvements.

B. The final phasing plan shall be submitted to the planning department prior to any ground disturbing activity, and shall include the following:

1. Illustrative maps for each proposed phase which clearly marks in heavy lines the boundaries of the subject phase, labels the phase alphabetically (to avoid confusion with lot numbers), and depicts roads, lots, infrastructure, easements, dedications and open space which are included within the subject phase. The plan shall also illustrate those proposed improvements which mitigate impacts associated with the unbuilt portions of the project which are not located within the boundaries of the subject phase. Previously

established phases, including roads, lots, infrastructure, easements, dedications, and open space should be shown on the map shaded or gray-scaled. All phasing maps shall be drawn at the same scale. The final phasing plan map should be drawn at the same scale as the preliminary plat map.

2. The final narrative description or table which describes each phase and its associated improvements. The final narrative shall also include the proposed timeline for completion of the entire project and any proposals to bond for required unbuilt improvements. (Ord. 98-005 § 4)

17.26.040 Approval.

The city council shall review and approve phasing plans only if the phasing plan does not erode the intent of the criteria for approval of the subdivision or binding site plan. In addition, phasing plans shall be reviewed to ensure that they meet or exceed the following criteria:

A. Each proposed phase shall provide no less than a proportionate fair share of required open space, recreation facilities, and/or dedications for public use concurrent with development. In cases where construction of a proportionate fair share improvement is not feasible or would result in incomplete facilities which do not mitigate the impacts of the phase, construction of the entire improvement shall be required;

B. All required off-site improvements which mitigate impacts associated with the subject phase shall be completed prior to final approval of that phase;

C. All phases shall be required to be “stand-alone.” No proposed prior phase shall be dependent on the completion of subsequent phases to be consistent with any required approvals and/or conditions, including, but not limited to: the looping of roads and utilities; the provision of fire flow; and the mitigation of transportation, recreation and/or public services impacts. Landscaping and parking improvement shall be provided within each phase as required;

D. Phases shall be constructed in the manner approved in the phasing plan to ensure orderly and planned development. Phases shall

17.26.050

be planned to ensure the efficient construction of adjacent future phases (those phases immediately next to the subject phase, sharing a common boundary line), and to ensure that phased development does not allow for “leap-frog” development;

E. Infrastructure improvements which are required to serve the entire project may be constructed within a nonadjacent phase; and

F. Phasing plan timelines shall be approved only if they propose to establish all requirements of plat approval for the entire project within a 10-year period from the date of preliminary plat approval. (Ord. 2005-022 § 9; Ord. 2004-015 § 9; Ord. 98-005 § 4)

17.26.050 Final plat approval.

Statutory time periods associated with final plat approval of successive project phases shall commence upon completion of the preceding project phase. All project phases shall be completed within 10 years of the date of preliminary plat approval. The preliminary plat of subsequent project phases shall automatically expire and become void if the applicant fails to file for approval of the final plat for each successive phase within three years of the immediately preceding phase, unless the city council determines that a request for extension pursuant to SMC 17.20.030 shall be granted. Council may approve an alternative date of expiration for subsequent phases if an approved development agreement has been adopted. Additional review and conditions may be required for any phased final plats which are submitted more than five years from the date of preliminary approval of the initial subdivision if environmental conditions have changed. (Ord. 98-005 § 4)

17.26.060 Bonding.

Bonding for phased developments may be approved consistent with the requirements of SMC 17.64.020. (Ord. 98-005 § 4)

Chapter 17.28

GENERAL DESIGN STANDARDS

Sections:

17.28.010 Purpose.

17.28.020 Subdivision and site design – Site analysis recommended.

17.28.025 Subdivision and site design – Performance standards.

17.28.030 Trees.

17.28.040 Landscape design.

17.28.050 Open space and recreation.

17.28.010 Purpose.

Good subdivision design is critical to the establishment of a functional and attractive development which minimizes adverse impacts to the environment and ensures that the project will be an asset to the community. To promote this purpose, all subdivisions and/or site plans shall conform to the standards contained in this chapter. These standards have been designed to assist in the development of a well-planned and constructed subdivision without adding unnecessarily to development costs. (Ord. 98-005 § 4)

17.28.020 Subdivision and site design – Site analysis recommended.

A site analysis of the proposed subdivision and/or binding site plan project location and surrounding properties should be made to ensure that all of the natural and constructed characteristics of the site are considered in the preparation of the preliminary plat. The purpose of the site analysis is to assist the applicant in the preparation of the preliminary plat by identifying constraints and opportunities found on-site. Preparation of the site analysis, prior to preapplication conference, can provide substantial assistance in facilitating project review. The site analysis may include text and/or may be indicated graphically on a scaled base map. The site analysis should include:

A. General Site Context. The general site context includes adjacent land use patterns, circulation systems, population characteristics, ecological and hydrographic systems of

region, area economy, nearby projects and their effects on the site.

B. Physical, Historical and Cultural Data. The physical, historical and cultural data associated with the site and adjacent land, usually comprised of the following:

1. Geology and soil, including soil types found on the site and their depth, any identified areas of fill, and any portions of the site which are located within aquifer recharge areas.

2. Water, including bodies of water found on or adjacent to the site, the drainage pattern of the site and surrounding areas, the depth to the water table, the availability of on- or off-site water supplies, and the location of the site or the surrounding area within a floodplain.

3. Topography, including the topographic pattern of land forms found on the site and in the immediate area, any unique topographic features found on the site, and the location and inclination of slopes found on the site and in the surrounding area.

4. Plant and animal communities, including the pattern of plant cover and the location of any unique or rare specimens on-site or in the surrounding community.

5. Manmade structures, including existing buildings, road and path networks, and the location and condition of utilities on-site or in the surrounding area.

6. Visual qualities, including the character and relationship of visual spaces, viewpoints or vistas on-site or as seen from the site, and potential focal points on-site or as seen from the site.

7. Use, including the nature and location of current land uses on-site and in the immediate area, an assessment of who is participating in the existing uses, property ownership patterns, existing on-site easements, existing zoning, and the applicability of subdivision and other regulations. (Ord. 98-005 § 4)

17.28.025 Subdivision and site design – Performance standards.

A. Structures and infrastructure shall be located, to the maximum extent practicable, in a manner which preserves the natural features of the site, avoids environmentally sensitive

areas and wetlands, and minimizes adverse impact and alteration of natural features.

B. The following specific areas shall be preserved as undeveloped open space as required by applicable codes and plans:

1. Wetlands and environmentally sensitive areas including streams, stream corridors, ravines, geologically hazardous areas, wildlife habitat areas and shorelines, as defined by the city of Sequim wetlands and environmentally sensitive areas ordinances and the city of Sequim shoreline management master plan.

2. Lands located within floodplains, as defined by the Sequim Municipal Code. If any portion of the land within the boundary of a preliminary plat or approved record of survey is subject to flood or inundation or is in a flood control zone, consistent with Chapter 86.16 RCW, that portion of the subdivision shall have the written approval of the Department of Ecology before the city council shall hear the final plat.

3. Development shall be laid out to avoid adversely affecting groundwater and aquifer recharge, to reduce cut and fill, to avoid unnecessary impervious surfaces, to prevent flooding, to provide adequate access to all lots and sites, and to mitigate adverse impacts relating to shadow, glare, traffic, odors and drainage on neighboring properties. (Ord. 98-005 § 4)

17.28.030 Trees.

A. Every reasonable effort shall be made to preserve existing trees.

B. If preservation of the existing trees would enhance the appearance of the subdivision, or prevent erosion and other negative environmental effects, the city may impose tree cutting restrictions on trees eight inches in diameter or larger. Such restrictions shall be noted on the face of the final plat and shall run with the land. (Ord. 98-005 § 4)

17.28.040 Landscape design.

A. Reasonable landscapings should be provided at the site entrances, in public areas, and adjacent to buildings. The type and amount of landscaping shall be allowed to vary consistent

17.28.050

with the type of development and the requirements of the zoning district.

B. Landscaping materials shall be those which best serve the intended function, and shall be appropriate for the soil and other environmental conditions of the site. Drought-tolerant, low water plant materials shall be encouraged.

C. The successful establishment and long-term maintenance of landscaping features shall be addressed. (Ord. 98-005 § 4)

17.28.050 Open space and recreation.

Major subdivision, minor subdivision and binding site plan developments shall be required to provide open space proportional to their impact. Developed open space shall be designed to provide active recreational facilities to serve the residents of the development. Undeveloped open space shall be designed to preserve important site amenities and environmentally sensitive areas.

A. Minimum Requirements. Open spaces shall be provided proportionally to anticipated impacts associated with the proposed subdivision.

1. Minor subdivisions located in residential zones which provide standard yards and setbacks consistent with the zoning code shall be determined to have provided adequate open space.

2. Subdivisions located in residential zoning districts, other than minor subdivisions, shall provide a minimum of 10 percent open space, at least half of which shall be designed for active recreational uses, excepting where open space set aside to protect critical areas, as required by the SMC, exceeds 20 percent of the proposed project area. Easements for trails, excepting those trails constructed in lieu of sidewalks, may be considered as meeting the active recreational open space requirements.

3. Binding site plan developments and commercial and industrial subdivisions shall provide a minimum of 10 percent open space which may provide for either passive and/or active open space, and which may include required landscaped areas, stormwater detention facilities, irrigation ditches and easements, and other environmentally sensitive

area open spaces. Easements for trails, excepting those trails constructed in lieu of sidewalks, may be considered as meeting the open space requirements.

4. Proposed open space areas designed for active recreational use shall be concentrated in large areas so as to be functionally usable.

5. Active open space parcels shall be conveniently located in relation to the dwelling units they are intended to serve.

B. Improvements to Open Space Dedications.

1. Improvements to active open space dedications may be required to mitigate the anticipated recreational impacts of the proposed development.

2. Improvements shall seek proportionality in the character of the open space and the intended active recreational use, and the cost of the recreational facilities.

3. Major subdivisions located within 600 feet of an existing municipal recreational facility may provide a contribution in lieu of establishing an active open space. In the instance where the recreational level of service (LOS) for a given area has been successfully fulfilled by the establishment of an off-site facility, the requirements for the contribution may be waived.

4. Whenever practicable, undeveloped open space should be left in its natural state. Enhancement may be allowed to provide approved trails, to thin and remove diseased trees, and to enhance vegetation or to provide view corridors.

C. Exceptions to the Standards. The city council or planning director, as applicable, may permit minor deviations from the open space standards when it can be determined that:

1. The objectives of these standards may be met without strict adherence to the open space requirements; and/or

2. Due to the existing conditions found on the tract of land or facilities proposed, strict adherence to these standards would be unreasonable.

D. Deed Restrictions. Any lands dedicated for open space purposes shall contain appro-

appropriate covenants and deed restrictions ensuring that:

1. The open space will not be further subdivided in the future;
2. The use of the open space will continue in perpetuity for the purpose specified; and
3. Appropriate provisions will be made for the maintenance of designated open space areas.

E. Open Space Ownership. The form of ownership of the land proposed for open space purposes shall be selected by the applicant, subject to approval of the city. Forms of ownership may include, but are not necessarily limited to, the following:

1. Ownership by the city, or other local jurisdiction, contingent on acceptance by the governing body;
2. Ownership by quasi-public entities or jurisdictions, conditioned upon their acceptance;
3. Ownership by homeowner, condominium owner or cooperative associations or organizations;
4. Ownership by individual lot owners, if the open space is wholly located within one tract or lot; or
5. Ownership by a shared or undivided interest of all property owners within the subdivision. (Ord. 98-005 § 4)

Chapter 17.32

STREET DESIGN STANDARDS

Sections:

- 17.32.010 Conformity to roadway functional classification system.
- 17.32.020 Relation to adjoining street system.
- 17.32.030 Arterials and intersections.
- 17.32.040 Local roads.
- 17.32.050 Minimum widths.
- 17.32.060 Topography.
- 17.32.070 Full width streets.
- 17.32.080 Existing streets.
- 17.32.090 Private streets.
- 17.32.100 Vertical curves.
- 17.32.110 Two access points required.
- 17.32.120 Grades.
- 17.32.130 Centerlines.
- 17.32.140 Storm management.
- 17.32.150 Access to arterials and collectors.
- 17.32.160 Easements.
- 17.32.170 Sidewalks.
- 17.32.180 Street name signs.
- 17.32.190 Street lighting.

17.32.010 Conformity to roadway functional classification system.

A. The proposed street system of any subdivision shall conform to the roadway functional classification system as adopted by the Sequim comprehensive plan.

B. In order to provide the most advantageous development of the proposed subdivision and adjacent area, the subdivision shall provide for the continuity of streets and utilities and shall conform to the standard drawings included in the City of Sequim Streets and Utilities Development Regulations (SUDR).

C. Streets shall be constructed consistent with the minimum street design standards identified in the City of Sequim SUDR Detail SQM-R1A, R1B, R2A, R2B and R2C. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.020 Relation to adjoining street system.

A. The proposed street system shall extend existing streets at the same or greater width,

17.32.030

but in no case less than the required minimum width.

1. When existing streets are determined by the public works director to be wider than the required width, and safety concerns can be met, the developer may be permitted to provide for a transition between the “over-wide” street and the new street.

B. Streets shall intersect at right angles, or as nearly so as possible.

C. Intersections of streets shall be designed so as to avoid “dog-legs.” The minimum distance between intersections shall be 125 feet unless a different distance is approved by the city engineer.

D. All streets, curbs, trails and sidewalks shall be improved to the full width of the dedication continuing from intersection to intersection. On streets where the dedication does not continue from intersection to intersection, the improvements shall be continuous from intersection to subdivision boundary. On streets where a proposed subdivision adjoins an existing subdivision or existing street dedication in midblock and the existing subdivision or existing street dedication is unpaved, the subdivider shall be responsible for paving that portion of the street within the existing subdivision or street dedication to the next intersection.

E. All dead-end streets or alleys shall terminate in a cul-de-sac having a minimum right-of-way diameter of 100 feet with a 90-foot paved portion. Length of the cul-de-sac shall not exceed 400 feet and shall be measured to the center of the cul-de-sac. Turnarounds may be utilized if designed consistent with WSDOT standards. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.030 Arterials and intersections.

Streets intersecting with minor arterials shall be held to a minimum, subject to review and approval by the public works director. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.040 Local roads.

Local roads shall be so laid out that their use by through traffic will be minimized. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.050 Minimum widths.

A variety of right-of-way and improvement widths are required to address the range of development types and their traffic generation, consistent with the requirements identified in the City of Sequim SUDR Details SQM-R1A, R1B, R2A, R2B and R2C. Widths greater than the minimum widths may be required. In steep hillside areas, the right-of-way width, street widths and sidewalk requirements shall be reviewed and shall be developed as recommended by the appropriate city departments. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.060 Topography.

The placement of streets and lots in relation to topography shall be considered in order to minimize filling, grading or other alterations of existing conditions. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.070 Full width streets.

All streets shall be platted at full width, and no boundary streets at less than full width in accordance with the City of Sequim SUDR Details SQM-R1A, R1B, R2A, R2B and R2C. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.080 Existing streets.

Whenever existing opened or undeveloped streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.090 Private streets.

Private streets are only allowed in gated communities, and the following criteria shall be met:

A. Overall city-wide circulation would not be adversely impacted;

B. Every subdivision shall provide at least one access to a publicly dedicated street. See SMC 17.32.110;

C. There shall be no privately owned parcels or rights-of-way which landlock, deny or control access to, or create unrestricted/uncontrolled access to the street system;

D. Public pedestrian access shall be provided by trails or sidewalks;

E. A maintenance agreement for the private street is recorded, consistent with Chapter 17.64 SMC;

F. All private streets shall meet all requirements of public streets; and

G. The subdivision is designed to be a gated community with a human or electronically controlled gate with immediate access provided to all city, garbage, emergency and other official vehicles. (Ord. 2007-002 § 2; Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.100 Vertical curves.

All changes in grade shall be connected by vertical curves as required for sight distance by the city engineer and in conformance with AASHTO and WSDOT standards. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.110 Two access points required.

Each subdivision shall have at least two points of access, except for those minor subdivisions with nine or fewer lots. The two points of access may be combined if separated by a minimum 10-foot-wide landscape area and encompass two 20-foot-wide drive lanes. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.120 Grades.

Street grades shall conform in general to the terrain and shall be consistent with AASHTO and WSDOT standards. Street grades shall be such as to provide natural surface drainage of storm water regardless of the presence or absence of storm sewers. The intent of this section is to avoid creating depressions or inverts which will flood in flash storms and for which storm sewers are inadequate. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.130 Centerlines.

Street pavement centerlines shall coincide with the centerline of the right-of-way where practical. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.140 Storm management.

Streets shall have storm provisions for stormwater management and control consisting of the proper size pipe and catch basins or

open ditch, consistent with the requirements of SMC Title 13, Division V, Stormwater Management. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.150 Access to arterials and collectors.

Lots adjacent to arterials shall be laid out so as to provide access to streets other than arterials. Lots adjacent to collector streets shall be laid out so as to avoid direct access to the collector, if an access road can be provided. A waiver of direct access shall be required as a condition of approval. If the project proponent presents proof that direct access to such lots from collector streets is essential to facilitate the development of the subject property, and can provide a turnaround on the affected lots to prevent backing out onto collector streets, the city council or planning director, where applicable, may permit direct access. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.160 Easements.

Areas occupied by road-access easements shall not be included in the computation of the minimum area or the minimum width requirement of the lot. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.170 Sidewalks.

All arterials and collector streets except those located within R-I zones shall have sidewalks with a minimum width of six feet in residential areas or eight feet in commercial or mixed use areas. In any situation where the planning director, school district, city engineer, public works director or other reviewing agency recommend sidewalks to serve the public interest or obviate a potential safety hazard, the city council or planning director, as applicable, may require sidewalks to be installed.

A. Off-street walkway systems and/or trails may be considered in lieu of sidewalks as required by this section.

B. Sidewalks shall be located on the public right-of-way contiguous to the property line to prevent interference or encroachment by fencing, walls, hedges, or other planting or structures. Wider sidewalks may be required to match existing development, along arterials

17.32.180

and major and minor collectors, and to meet public health and safety concerns. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.180 Street name signs.

A. Street name signs shall be placed at all intersections within or abutting the subdivision. Such signs shall be of a standard type as approved by the city public works director.

B. The subdivider shall reimburse the city for the cost of the street name signs and the installation necessary in the subdivision.

C. Street names shall be approved by the public works, fire and police departments to prevent duplication and facilitate efficient emergency response. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

17.32.190 Street lighting.

Additional street lighting may be required by the public works director to address issues of public health and safety. (Ord. 2006-019 § 3; Ord. 98-005 § 4)

Chapter 17.36

BLOCK DESIGN STANDARDS

(Repealed by Ord. 2006-019)

Chapter 17.40

Chapter 17.43

LOT DESIGN STANDARDS

**INNOVATIVE LOT
DESIGN STANDARDS**

Sections:

17.40.010 Lot requirements.

(Repealed by Ord. 2007-010)

17.40.010 Lot requirements.

A. Arrangement. Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines.

B. Minimum Size. The size of the lots shall meet the minimum area and width requirements of the applicable zoning classification and shall be appropriate for the type of development and use contemplated.

C. Every lot shall abut a public or private street.

D. Width of lots at the building line shall conform to the requirements of the zoning code.

E. Lots, except corner lots, having frontage on two streets, should be avoided.

F. Lots which are bordered by two more or less parallel streets shall be permitted access to only one of these streets.

G. Property Corners at Intersections. All lot corners at intersections of dedicated public rights-of-way shall have a minimum radius of 25 feet or shall be concentric with the curb radius.

H. Corner lots for residential use may be required to be platted wider than interior lots to provide the front yard requirements on the side street as prescribed by the zoning code. (Ord. 98-005 § 4)

Chapter 17.44

**MANUFACTURED HOME PARK
DESIGN STANDARDS**

Sections:

17.44.010 General requirements and standards.

17.44.010 General requirements and standards.

The standards for residential subdivisions shall also apply to manufactured home park subdivisions when lots in such subdivisions are to be sold, unless other standards are specifically approved by the city. Applications for manufactured home park subdivisions may be considered consistent with the innovative lot design standards of Chapter 17.43 SMC. (Ord. 98-005 § 4)

Chapter 17.48

IMPROVEMENTS

Sections:

17.48.010 Curbs, gutters and paving.

17.48.020 Street lighting.

17.48.030 Sidewalks – Pedestrian walkways – Urban trails.

17.48.040 Fire protection facilities.

17.48.050 Utilities.

17.48.060 City acceptance.

17.48.010 Curbs, gutters and paving.

Curbs, gutters and paving shall be constructed consistent with the requirements in the City of Sequim Streets and Utilities Development Regulations. (Ord. 2006-019 § 5; Ord. 98-005 § 4)

17.48.020 Street lighting.

A. All street light wiring, conduit and service connections shall be located underground. Street light spacing shall take existing trees, structures, landscaping, streetscaping, natural features and irrigation ditches into consideration.

B. The design of street lighting shall be approved by the city engineer. The city may adopt specific standards for street lighting types, location and heights. All street lighting shall be fully shielded and downward facing. (Ord. 2006-019 § 5; Ord. 98-005 § 4)

17.48.030 Sidewalks – Pedestrian walkways – Urban trails.

Sidewalks, pedestrian ways or trails and trail connections shall be installed to provide continuity between pre-existing pedestrian improvements located in or adjacent to the subject subdivision.

All requirements for sidewalks, pedestrian walkways, and/or urban trails shall be installed or an appropriate performance bond or guarantee established consistent with the requirements of Chapter 17.64 SMC prior to a final approval. (Ord. 2006-019 § 5; Ord. 98-005 § 4)

17.48.040 Fire protection facilities.

A. Adequate facilities for fire protection purposes shall be provided.

B. Except when otherwise permitted by the city, fire hydrants shall be spaced at distances not to exceed 600 feet in residential areas and 300 feet in all other areas.

C. All proposed water lines shall be sufficient to provide the minimum flow as determined by the International Fire Code in addition to other consumptive uses.

D. Where fire hazards exist, the city may require the removal of flammable vegetation from an area used as a fire break around or within a subdivision. (Ord. 2006-019 § 5; Ord. 98-005 § 4)

17.48.050 Utilities.

A. New Utilities.

1. Where telephone, electric and cable-vision utilities are not existing in a proposed subdivision and additional utility construction is required, all new utility construction shall be located underground. Underground utilities shall be placed in such a manner and at a depth which permits the planting of trees.

2. Those utilities, including all service connections, which are to be located beneath paved surfaces shall be installed as approved by the public works department. Such installation shall be completed and approved prior to the application of any surface material.

B. Water Mains.

1. The subdivider shall install water mains as shown on plans and documents as approved by the public works director and the city engineer. The minimum size for trunk lines shall be 10 inches unless a larger size is required to meet fire flow requirements.

2. When water mains are required through or adjacent to a property other than the proposed subdivision or binding site plan development, the applicant shall install fire hydrants every 1,000 feet. The applicant shall be required to install Ts in the required water main at 500-foot intervals to facilitate the future installation of fire hydrants when property adjoining the required water main is subdivided or developed. The developer shall

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obtain easements, to be dedicated to the city of Sequim, through property other than his own.

C. Sanitary Sewers.

1. Standards. The sanitary sewer system shall be designed and installed in accordance with city and state standards and under the supervision of the department of public works.

2. The provisions of Chapter 13.102 SMC, Service Extension Review Process, shall apply to all proposed subdivisions and binding site plans. The standards and requirements of that chapter shall supersede the standards and requirements of this section, where applicable. (Ord. 2006-019 § 5; Ord. 98-005 § 4)

17.48.060 City acceptance.

City acceptance of all utilities and street improvements established as a condition of subdivision approval shall be required. The owner and/or contractor shall provide the following information to the city prior to acceptance of any utility and/or street improvements:

A. As-built drawings in paper and compatible electronic format;

B. A two-year warranty on constructed improvements;

C. A two-year maintenance guarantee, in a form acceptable to the city attorney; and

D. Easements and dedications necessary to ensure continued city maintenance and operation of the subject facilities. Easements shall not be less than 20 feet in width and shall be configured and located as to extend five feet at each side beyond the centerline of the outermost utility. Additional width shall be provided where necessary to accommodate utilities, utility structures, and utility pole bracing. The city council and/or planning director, as applicable, may require evidence of approval by the public utility company of the proposed easement width. Where an easement occurs on a side lot and adjacent to a driveway, there shall not be less than 10 feet of clearance between the easement line and the extreme projection of the building structure. (Ord. 2006-019 § 5; Ord. 98-005 § 4)

Chapter 17.56

MONUMENTS

Sections:

17.56.010 Generally.

17.56.010 Generally.

A. Monuments shall be set at the centerline intersections of all public streets within a plat, and at the centerline intersections of all public streets abutting the plat if not already monumented. Monuments shall be a minimum two-inch brass cap in concrete in a standard monument case.

B. Plat boundaries and lot corners shall be set with one-half inch diameter minimum magnetic markers 18 inches long, flush with the ground and with a surveyor's identification cap at all corners and at major angle points in the lot and plat boundaries.

C. Monuments shall be placed in conformance with the city's centerline and vertical control program. (Ord. 98-005 § 4)

Chapter 17.64

GUARANTEES

Sections:

- 17.64.010 Completion – Maintenance guarantee.
- 17.64.020 Performance bonds.
- 17.64.030 Protection and repair of existing improvements.
- 17.64.040 Site repair and cleanup required.

17.64.010 Completion – Maintenance guarantee.

A final plat and/or final binding site plan shall not be considered for approval unless the applicant has guaranteed to complete all required improvements within a reasonable period consistent with approved working drawings and specifications, and has guaranteed to maintain the improvements until they are accepted by the city. The guarantee of completion and maintenance shall provide that the applicant will reimburse the city for any maintenance work which is required consistent with this chapter upon failure of the applicant to perform such work after receiving due notice from the city. This guarantee shall be by at least one of the three methods established in SMC 17.64.020. Only one method shall be applied for each specific improvement. (Ord. 98-005 § 4)

17.64.020 Performance bonds.

A. The applicant may post a performance bond prepared in a form approved by the city attorney and/or underwritten by a surety company. The amount of the bond shall be not less than 125 percent of the final estimate of cost of the improvement as estimated by the city engineer. There shall be no reduction in the amount of that portion of the bond applying to a particular improvement. The bond shall list the exact work that shall be performed by the applicant and shall specify that all of the deferred improvements be completed within the time established by the city. If no time is established, then improvements shall be completed not later than two years after approval of the

final plat by the city council. The bond shall be held by the city clerk.

B. The applicant may deposit a cash bond with the city in accordance with a specific escrow agreement approved by the city attorney and in an amount not less than 125 percent of the final estimate of cost of the improvement as estimated by the city engineer. There shall be no reduction in the amount of that portion of the bond applying to a particular improvement. The bond shall list the exact work that shall be performed by the applicant and shall specify that all of the deferred improvements be completed within the time established by the city; if no time is established, then not later than two years after approval of the final plat by the city council. The maximum time limit to defer improvements shall be two years after the approval of the final plat or final binding site plan by the city council. The bond shall be held by the city clerk/treasurer.

C. The applicant may elect to complete one or more improvements prior to approval of the final plat or final binding site plan. Where the applicant elects to guarantee completion of an improvement by this method, approval of the final plat or final binding site plan shall be contingent upon certification by the city engineer and public works director that the improvement has been completed in accordance with drawings and specifications, that the inspection reports are favorable and the guarantee has been provided to cover the cost of maintenance of the improvement. (Ord. 98-005 § 4)

17.64.030 Protection and repair of existing improvements.

The applicant, his contractors and suppliers shall be responsible to insure that existing improvements and the property of the city are not damaged or rendered less useful or unsightly by the operations of the applicant, his contractors or suppliers. This provision is intended to include damage or nuisance with respect to the land, improvements or landscaping of the city; damage to existing streets, sidewalks, curbs and gutters by passage thereover of equipment or trucks or by excavation for any purpose; the spillage or tracking of earth,

sand or rock onto existing streets, sidewalks, curbs and gutters; the washing by stormwater of earth or sand onto streets, sidewalks, curbs and gutters or into catchbasins; damage to water mains, sanitary sewers, culverts or storm sewers. In order to reduce or localize the possibility of damage to streets by heavy trucking, the city shall instruct the subdivider as to the streets to be used for access to the development by equipment and trucks, and the applicant shall be responsible for the enforcement of this instruction as to his contractors and their suppliers. The applicant shall make provisions to prevent the washing of earth or sand onto sidewalks, streets, curbs and gutters and into catchbasins by stormwater. Where deemed advisable, the city council shall have the power to require, either prior to the commencement of construction or after construction is in process, that the applicant post a surety bond to guarantee repair of damages or abatement of nuisances. Expenses incurred by the city in repairing damages, cleaning streets, catchbasins and sewers shall be deducted from the surety bond. (Ord. 98-005 § 4)

17.64.040 Site repair and cleanup required.

Prior to release of any bonds, and/or prior to final plat and/or final binding site plan approval, the city shall require that all construction equipment not in use for individual site development be removed from the site, all spoils or construction debris be removed, final grading of all common areas be completed and that all exposed surfaces be seeded. (Ord. 98-005 § 4)

