Ordinance No. 3206

(Amending or Repealing Ordinances)

CFN=458 – Subdivision Codes
Passed 1/3/1995
Amending Section 12.04.420(C)(5)

Amended by Ord. 3511;3906
ORDINANCE NO. 3206

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Chapter 12.04 of the Kent City Code by amending Section 12.04.420(C)(5) relating to submission of title reports on subdivision plats.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 12.04 of the Kent City Code is hereby amended by amending Section 12.04.420(C)(5) to read as follows:

Sec. 12.04.420. Subdivision and certain short subdivision final plat.

A. An application for subdivision final plat shall be filed with the planning department on forms prescribed by the planning department. Eleven (11) copies of the final plat plus the original shall be submitted. The final plat shall be prepared by a land surveyor registered in accordance with the requirements of RCW ch. 18.43, and shall conform to the preliminary plat. Application fees are on file in the city clerk's office.
B. The final subdivision plat or final short subdivision plat for short subdivisions of five (5) or more lots shall be drawn to a scale of not less than one (1) inch representing one hundred (100) feet unless otherwise approved by the department of engineering and on sheets eighteen (18) by twenty-two (22) inches. The original drawing shall be in black ink on linen tracing cloth or on stabilized drafting film, and shall:

1. Include the date, title, name and location of the subdivision, graphic scale and true north point.

2. Display the lines of all streets and roads, alley lines, lot lines, lot and blocks numbered in numerical order, reservations, easements, and any areas to be dedicated to public use, with notes stating their purpose and any limitations.

3. Contain data sufficient to determine readily and reproduce on the ground the location, bearing, and length of every street, easement line, lot line, boundary line and block line on site.

4. Include dimensions to the nearest one-hundredth of a foot and angles and bearings in degrees, minutes and seconds.

5. Include Lambert coordinates, if provided by the department of public works for permanent control monuments on the final plat as determined by the city engineer's office.

6. Display all interior permanent control monuments located as determined by the city engineer's office. All interior monuments shall be installed prior to the release of any bond.
7. Be mathematically correct.

8. Be accompanied by an approved printed computer plot closure or demonstrated mathematical plot closure on all lots, streets, alleys and boundaries.

9. Contain a legal description of the land to be subdivided on both the title report and final linen. Legal description shall be metes-and-bounds description reflecting within such description ties to all subdivision lines, donation claim lines and/or recorded plat lines.

10. Be accompanied by a complete survey of the section in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes showing the original or reestablished corners with descriptions of the same and the actual traverse showing error of closure 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 (1) foot in five thousand (5,000) feet.

C. In addition to other requirements as specified in this section, the final plat shall contain or be accompanied by the following:

1. Certification showing that streets, rights-of-way and all sites for public use have been dedicated.
2. Certification by a licensed land surveyor that a survey has been made and that monuments and stakes will be set.

3. Certification by the responsible health agencies that the methods of sewage disposal and water service are acceptable.

4. Certification by the engineering department that the subdivider has complied with either of the following alternatives:
   a. All improvements have been installed in accordance with the requirements of these regulations, or
   b. Certain improvements have been deferred according to section 12.04.400 D., deferred improvements.

5. The subdivider shall furnish the city a current plat certificate or title report from a title insurance company that documents the ownership and title of all interested parties in the plat, subdivision, or dedication and that lists and listing all encumbrances. The city reserves the right to require updates of the certificate or title report at any time. The certificate shall be dated within forty five (45) days prior to the granting of the final plat by the city council.

6. Certification by the King County finance department that taxes have been paid in accordance with RCW 58.08.030 and 58.08.040 and that a deposit has been made with the King County finance department in sufficient amount to pay the taxes for the following year.
7. Certification by the finance director that there are no delinquent special assessments and that all special assessments certified to the finance director for collection on any property herein contained dedicated for streets, alleys or other public uses are paid in full.

8. Certification of approval to be signed by the city engineer and the planning director.

9. Certification of approval to be signed by the mayor and the city clerk.

10. Copies of any restrictive covenants as may be used in the subdivision.

D. The planning department shall distribute the final plat to all departments and agencies receiving the preliminary plat, and to any other departments, utility agencies and other governmental agencies deemed necessary.

E. At its first public meeting following the date the final plat application has been officially accepted by the planning department, the city council shall set a date for a public hearing or meeting to consider the final plat. The final plat shall be approved, disapproved or returned to the applicant for modification or correction within thirty (30) days of the date of application, unless the applicant consents to an extension of such time period.
F. Before the final plat is submitted to the city council, it shall be signed by the city engineer and planning director. After the final plat is approved by the city council, it shall be signed by the mayor and the city clerk. The final plat shall be filed with the King County auditor by the city.

G. If a final plat has not been submitted for recording within six (6) months after approval by the city council, the plat shall expire and be null and void. To revitalize the expired plat, the plat shall be resubmitted as a preliminary plat. One (1) extension to the six-month period may be granted by the city council.

SECTION 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR
I hereby certify that this is a true copy of Ordinance No. 326, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK (SEAL)