

ORDINANCE NO. 1235

An ordinance of the City of Cle Elum amending Cle Elum Municipal Code Chapter 16 Subdivisions.

WHEREAS, it was determined that the City of Cle Elum's subdivision code needed updating to match the City's development standards for streets, sidewalks and stormwater retention as well as updating to make the platting requirements clear and concise; and

WHEREAS, the City Planner drafted proposed amendments to the Subdivision Code for presentation to the City's Planning Commission; and

WHEREAS, on April 20, 2005 and July 6, 2005 the Planning Commission conducted duly noticed open record public hearings and recommended adoption of the proposed amendments to the Subdivision Code; and

WHEREAS, on May 9, 2005 a Determination of Non-Significance was issued on the SEPA checklist for the Subdivision Code update; and

WHEREAS, the City Council conducted a duly advertised public hearing on August 9, 2005 to take testimony on the Planning Commission recommendation and continued the public hearing to September 13, 2005 for further discussion; and

WHEREAS, the City Council conducted the continued public hearing on September 13, 2005; and

WHEREAS, the City Council finds that the proposed ordinance would be in the public interest and will protect the public health, safety and welfare; and

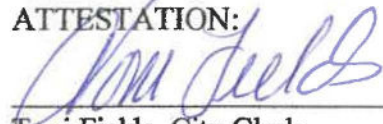
NOW THEREFORE, the City Council of the City of Cle Elum does hereby ordain as follows:

1. The Findings and Conclusions of the Cle Elum City Council attached hereto as Exhibit A are hereby adopted and ratified in their entirety, and are incorporated herein by this reference as if originally set forth fully herein.
2. CEMC 16, the Subdivision Code, is repealed and readopted to read as amended in Exhibit B hereto, and this portion of the ordinance shall be codified.

PASSED by the City Council of the City of Cle Elum, Washington, at a regular meeting thereof, held on this 27 day of September, 2005.

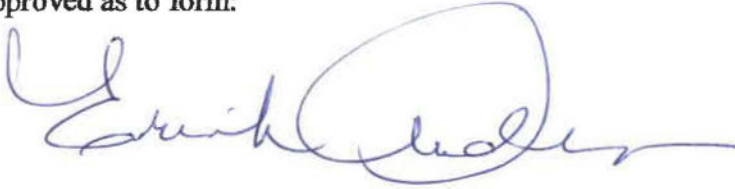

Charles Glondo, Mayor

ATTESTATION:

A handwritten signature in blue ink, appearing to read "Foni Fields", written over a horizontal line.

Foni Fields, City Clerk

Approved as to form:

A handwritten signature in blue ink, appearing to read "Erin L. Anderson", written over a horizontal line.

Erin L. Anderson, City Attorney

Exhibit A

FINDINGS AND CONCLUSIONS OF THE CLE ELUM CITY COUNCIL

In the Matter of the Subdivision Code update to the Cle Elum Municipal Code,

The Cle Elum City Council Finds as follows:

FINDINGS OF FACT

1. Notice of a April 20, 2005 public hearing on the proposed text amendment was published in the Northern Kittitas County Tribune on April 7, 2005 and April 14, 2005.
2. On April 20, 2005 the duly noticed public hearing was held and the Planning Commission suggested several changes for staff prior to making a recommendation to City Council. No one from the public was present to speak this issue.
3. On May 9, 2005 a SEPA Determination of Non-Significance was issued by the City Planner on the proposed update to the Subdivision Code.
4. Written comments were received from David Van Skike of Buck and Gordon suggesting changes to the draft amendments.
5. Notice of a July 6, 2005 public hearing before the Planning Commission was published in the Northern Kittitas County Tribune on June 23, 2005 and June 30, 2005.
6. A staff report dated June 30, 2005 was issued by the City Planner, which summarized the amendments, and made recommendations.
7. The Planning Commission conducted the duly noticed open record public hearing on Wednesday July 6, 2005 at 6:30 PM at the Cle Elum City Hall to consider the amendments and the recommendation of staff. All those wishing to speak were given the opportunity to provide testimony to the Planning Commission. Based on the testimony entered into the record, the Planning Commission forwarded a recommendation for approval.
8. Chad Bala of Terra Design Works spoke to the amendments.
9. No one testified against the proposed amendments
10. On Tuesday August 9, 2005 the Cle Elum City Council held a public hearing to accept formal testimony and voted to continue the public hearing for council discussion to September 13, 2005 so that staff could make suggested changes to the amendments.
11. On Tuesday September 13, 2005 the Cle Elum City Council held the continued public hearing and after viewing and discussing the changes voted to approve the update to the subdivision code finding that:
 - A. The update of the subdivision code will bring it into line with today's development standards for roads, sidewalks and stormwater retention.
 - B. The updated code will provide specific standards for platting within the City of Cle Elum.
 - C. An updated Subdivision Code will be the guiding document for configuration and layout of future lots within the City of Cle Elum.

- D. The new text will help clarify the procedures thus expediting the platting process.
- E. Minor changes to draft were necessary to clarify short plat procedures, tree removal requirements, cul-de-sac requirements and lot layout.

Exhibit B

Title 16

Subdivisions

Chapters:

16.04	General Provisions
16.08	Definitions
16.12A	Subdivisions
16.14	Short Plats
16.30	Final Plats
16.40	Boundary Line Adjustments
16.46	Binding Site Plans
16.48	Community Development Rates, Fees and Charges

1 **16.04 GENERAL PROVISIONS**

2
3 **Sections:**

- 4 **16.04.010 Purpose**
5 **16.04.020 Administration**
6 **16.04.030 Scope-Authority**
7 **16.04.040 Construction Prerequisites**
8

9 **16.04.010 Purpose.**

10 The purpose of this chapter is to promote the realization of the city's
11 comprehensive plan, to provide reasonable requirements for public streets, community
12 facilities and other public areas; to provide for the health, safety and general welfare of
13 the residents of the city; and to establish development standards and uniform procedures
14 for plats, subdivisions, re-subdivisions and dedications of land.
15

16 **16.04.020 Administration.**

17 Authority for the administration of these regulations shall be vested in the city
18 planner.
19

20 **16.04.030 Scope-Authority.**

21 This title is adopted pursuant to the Revised Code of the State of Washington
22 (RCW) Chapter 58.17 and shall apply to all divisions, re-divisions, and plats within the
23 city of Cle Elum.
24

25 **16.04.040 Construction prerequisites.**

26 It is unlawful for any person, firm, or corporation, proposing to make or have
27 made a plat or subdivision of land, to enter into any contract for the sale of, or to offer to
28 sell, any lot tract, or parcel or to proceed with any construction, including grading and
29 excavation unless approval therefore has been made under this title. Construction of
30 buildings and dwellings shall be started only after issuance of building permits, and no
31 building permits shall be issued prior to recording of the final plat.
32

33 **16.08 DEFINITIONS**

34
35 **Sections:**

- 36 **16.08.010 Generally**
37 **16.08.020 Alley**
38 **16.08.030 Arterial**
39 **16.08.035 Block**
40 **16.08.037 Boundary Line Adjustment**
41 **16.08.040 Buffer planting strip**
42 **16.08.050 Building setback line**
43 **16.08.060 Comprehensive plan**
44 **16.08.070 Crosswalkway.**
45 **16.08.080 Cul-de-sac**
46 **16.08.090 Easement**

1	16.08.100	Final Plat
2	16.08.110	Improvements, public
3	16.08.120	Lot.
4	16.08.130	Major street plan
5	16.08.140	Planning commission
6	16.08.150	Preliminary plat
7	16.08.160	Roadway
8	16.08.165	Short Plat
9	16.08.170	Sidewalk
10	16.08.180	Street
11	16.08.190	Secondary arterial
12	16.08.200	Minor street
13	16.08.210	Subdivision
14	16.08.220	City.
15	16.08.230	Yard
16	16.08.240	Yard, front
17	16.08.250	Yard, rear
18	16.08.260	Yard, side

19
20 **16.08.010 Generally.**

21 For the purpose of these regulations, certain words and phrases used herein are
22 defined in this chapter.

23
24 **16.08.020 Alley.**

25 "Alley" means a minor public right-of-way used primarily for vehicular ~~and other~~
26 service access to the rear or side of properties.

27
28 **16.08.030 Arterial.**

29 "Arterial" means a street of great continuity, which serves or is intended to serve
30 as a principal traffic way for fast or heavy traffic, and which taken together comprises the
31 basic structure of the street system of the city and surrounding area.

32
33 **16.08.035 Block.**

34 "Block" is a group of lots, tracts, or parcels within well defined and fixed
35 boundaries.

36
37 **16.08.037 Boundary Line Adjustment.**

38 "Boundary Line Adjustment" is the modification of the size or alignment of
39 adjacent parcels by the relocation of a shared boundary line(s) recognized by the City
40 where no additional parcels are created.

41
42 **16.08.040 Buffer planting strip.**

43 "Buffer planting strip" means a narrow area planted with trees and shrubs of
44 sufficient density to provide an effective sight-obscuring and sound absorbing screen.

45 **16.08.050 Building setback line.**

1 “Building setback line” means the line indicating the minimum horizontal
2 distance between the property line and buildings, either at the front, rear or side of the lot.

3
4 **16.08.060 Comprehensive plan.**

5 “Comprehensive plan” means the official plan or any portion thereof made and
6 adopted by the planning commission and council in accordance with the Growth
7 Management Act and the laws of the state of Washington indicating the general or
8 specific locations recommended for streets, parks, public buildings, other public and all
9 other land uses.

10
11 **16.08.070 Crosswalkway.**

12 “Crosswalkway” means a public right-of-way, five feet or more in width between
13 property lines, which provides pedestrian access to adjacent properties.

14
15 **16.08.080 Cul-de-sac.**

16 “Cul-de-sac” means a short street having one end open to traffic and being
17 terminated at the other end by a vehicular turnaround.

18
19 **16.08.090 Easement.**

20 “Easement” means a grant, by the owner of land, to others, of the use of a portion
21 of the land for specific purposes.

22
23 **16.08.100 Final Plat.**

24 “Final Plat” means the final drawing of subdivision and dedication prepared for
25 filing for record with the county auditor and containing all elements and requirements set
26 forth in this chapter and consistent with the preliminary plat approval.

27
28 **16.08.110 Improvements Public.**

29 “Public Improvements” means any sanitary sewer, storm sewer, drainage ditch,
30 water main, roadway, parkway strip, sidewalk, planting strip, crosswalkway, off-street
31 parking area, landscaping or other facility for which the city may ultimately assume the
32 responsibility for maintenance and operation.

33
34 **16.08.120 Lot.**

35 “Lot” Means a fractional part of divided lands having fixed boundaries, being of
36 sufficient area and dimension to meet minimum zoning requirements for width and area.
37 The term shall include tracts or parcels.

38
39 **16.08.130 Major Street Plan.**

40 “Major street plan” means a part of the comprehensive plan showing the location
41 and dimensions of principal thoroughfares.

42
43 **16.08.140 Planning Commission.**

44 “Planning Commission” means the planning commission of the City.

45 **16.08.150 Preliminary Plat.**

1 “Preliminary plat” means a neat and approximate drawing of a proposed
2 subdivision showing the general layout of streets and alleys, lots, blocks, and other
3 elements of a subdivision consistent with the requirements of this title.
4

5 **16.08.160 Roadway.**

6 “Roadway” means the portion of the street available and designated for vehicular
7 traffic.
8

9 **16.08.165 Short Plat.**

10 “Short Plat” means of a division of any tract or parcel of land into nine or fewer
11 lots, tracts, parcels, sites or other divisions of land for the purpose, whether immediate or
12 future, of transfer of ownership, sale or lease or for building development.
13

14 **16.08.170 Sidewalk.**

15 “Sidewalk” means the portion of a the street right-of-way or crosswalkway, paved
16 with portland cement concrete or other similar hard and durable surface approved by the
17 city, intended for pedestrian use only.
18

19 **16.08.180 Street.**

20 “Street” means a public right-of-way having the primary purpose of providing for
21 vehicular and pedestrian access to adjacent properties.
22

23 **16.08.190 Street, Access.**

24 “Access Street” means a street of considerable continuity, sometimes called a
25 collector street, which serves or is intended to serve as a secondary traffic way and as a
26 feeder between local residential access streets in a neighborhood and one or more
27 arterials.
28

29 **16.08.200 Minor Street, Local Residential Access.**

30 “Local Residential Access street” means a street of limited continuity which is
31 intended to serve the local needs of a neighborhood by providing direct access to
32 residential properties and by providing access between residential neighborhoods.
33

34 **16.08.210 Subdivision.**

35 “Subdivision” means of a division of any tract or parcel of land into ten or more
36 lots, tracts, parcels, sites or other divisions of land for the purpose, whether immediate or
37 future, of transfer of ownership, sale or lease or for building development. The term
38 includes re-subdivision and re-platting.
39

40 **16.08.220 City.**

41 “City” means the city of Cle Elum.
42

43 **16.08.230 Yard.**

44 “Yard” means the shortest distance between any point of the property line and the
45 nearest building obstructions of a permanent nature including, without limitation,
46 chimneys, decks or bay windows.

16.08.240 Yard, front.

"Front yard" means an open unoccupied space on the same lot with a building located between the front line of the building (exclusive of steps) and the front property line.

16.08.250 Yard, rear.

"Rear yard" means an open unoccupied space on the same lot with a building located between the rear line of the building (exclusive of steps, porches and accessory buildings) and the rear line of the lot including the full width of the lot to its side lot lines.

16.08.260 Yard, side.

"Side yard" means an open unoccupied space on the same lot with a building between the sidewall of the building and the side lot line of the same lot extending from the front yard to the rear yard.

16.12 REQUIREMENTS

REPEAL existing chapter and replace

16.12A SUBDIVISIONS

Sections:

16.12A.010 Applicability

16.12A.020 Application requirements.

16.12A.030 Preliminary plat

16.12A.040 Procedures

16.12A.050 Preliminary Plat Approval Criteria

16.12A.060 Development standards

16.12A.010 Applicability.

The procedural provisions of this chapter are applicable to every division or re-division of land into ten (10) or more lots for sale, lease or transfer except for the following. An exemption from the subdivision process does not provide an exemption from zoning or development standards.

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions made by testamentary provision, or the laws of descent;
- C. Divisions of land into lots or tracts classified for industrial or commercial use when the city has approved a binding site plan for the use of the land in accordance with Chapter 16.46.
- D. A division for the purpose of lease when no residential structure other than mobile home or travel trailers are permitted to be placed on the land when the city has approved a binding site plan for the use of the land in accordance with Chapter 16.46;
- E. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot tract, parcel, site or division nor create any lot, tract, parcel, site or division which

- 1 contains insufficient area and dimension to meet minimum requirements for width
2 and area for buildings sites; and
3 F. Division of land for lots or tracts as provided in Chapter 64.32 and 64.34 RCW.
4

5 **16.12A.020 Application Requirements.**

6 Subdivision applications are subject to the following requirements to be
7 considered complete applications:

- 8 A. A pre-application meeting is required prior to submittal of an application for
9 approval of a preliminary subdivision. Pre-application meetings shall be
10 conducted consistent with CEMC 17.100.050. The applicant shall submit a
11 drawing of the proposed subdivision that indicates the boundaries, proposed lots,
12 streets, and improvements, existing structures and natural features of the property.
13 B. Applications for preliminary subdivision approval shall be made on forms
14 provided by the City, along with the following information:
15 1. Five copies of the preliminary plat that contains the information required in
16 section 16.12A.030.
17 2. Names and addresses of all property owners within 300 feet of the subject site
18 or within 300 feet of the site and adjacent land owned by the applicant and not
19 part of the subdivision.
20 3. The required fee pursuant to the City of Cle Elum fee schedule.
21 4. A completed SEPA checklist.
22 5. A legal description of the subject property supplied by Kittitas County, a title
23 company or surveyor licensed and registered in the state of Washington, and a
24 current county assessors map(s) showing the property(ies) subject to the
25 application.
26 6. An existing conditions plan: An existing conditions plan shall be drawn to the
27 same size and scale as the preliminary plat and shall indicate the location of
28 existing natural features: the subject property boundaries, dimensions and
29 size, Current structural or landscape setbacks, location of existing on-site
30 driveways and access points within 100 feet of the subject site, location and
31 dimension of any on-site structures, location of utilities, location of the nearest
32 fire hydrant, location of existing structures within 100 feet of the site,
33 locations and dimensions of adjacent public or private roads and right-of-way
34 or easements, approximate location of significant natural features including
35 contours, slopes over 25%, water bodies, rock outcrops, wetland areas, areas
36 of significant vegetation, the location of trees or groups of trees over six
37 inches in diameter, and the location of any critical areas.
38 7. A written narrative including information on how the proposed division meets
39 the approval standards.
40

41 **16.12A.030 Preliminary Plat.**

42 The Preliminary plat shall contain the following information and meet the
43 following requirements:

- 44 A. Size and scale: The map shall be drawn on paper that is 18 inches by 24
45 inches. Scale shall be no greater than 1 inch by 100 feet and in all cases shall
46 be a standard drafting scale;

- B. Name of subdivision, which shall not be the same or similar name of any other subdivision in the county;
- C. Legal description;
- D. Scale, date, north arrow;
- E. Basis of bearings;
- F. Boundary lines of the property including length and bearing lines;
- G. The relationship of the subdivision to section and half-section lines and to any adjacent city boundary lines and monuments;
- H. The location, widths, and names of streets or other public ways, easements, railroad and utility rights-way within or adjacent to the property plat;
- I. The name and location of adjacent subdivisions and the location and layout of existing or proposed streets which are adjacent to or across contiguous right-of-way from the proposed development;
- J. The location and dimension of proposed lots, tracts, reserve areas and any public dedications, and lot and block numbers;
- K. The location, dimensions, and cross sections of all proposed streets;
- L. A preliminary stormwater plan;
- M. A preliminary utility plan;
- N. A preliminary erosion control plan;
- O. Proposed contours with intervals of five feet or less;
- P. The names and addresses of the owner, developers and surveyor or engineer who designed the plat;
- Q. Phasing plan, if phasing of the final plat is proposed;
- R. Other information that may be necessary to determine compliance with City standards.

16.12A.040 Procedures.

Preliminary plats are considered type IV applications pursuant to CEMC 17.100 and shall be processed in accordance with the procedures established therein.

16.12A.050 Preliminary Plat Approval Criteria.

Prior to granting approval, the applicant shall demonstrate to the decision maker that:

- A. The preliminary plat is in the public interest;
- B. The subject preliminary plat is consistent with the Comprehensive Plan;
- C. The preliminary plat shall conform to the applicable requirements of the zoning district in which it is located including but not limited to requirements for area, dimensions, use and density;
- D. The preliminary plat conforms to the applicable standards in Chapter 18.01, Maintenance, Enhancement and Preservation of Critical Areas;
- E. For those preliminary plats located within a designated floodplain, conformance with the applicable requirements of CEMC Chapter 15.24;
- F. The preliminary plat includes appropriate provisions for public, health, safety and welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways including trails, transit stops, potable water, sanitary waste disposal, parks and recreation, playgrounds, schools, sidewalks and safe walking conditions for those students who will only walk to school;

- G. The preliminary plat conforms or can conform to adopted standards for the construction of all public facilities including streets, sidewalks, stormwater control, sewer systems, water systems and street lighting;
- H. Every proposed lot, tract or area in the preliminary plat has an approved access to a public right-of-way;
- I. The proposed preliminary plat conforms to the established design requirements;
- J. The proposed preliminary plat will not cause the level of service of public facilities or services to drop below established limits;
- K. The proposed preliminary plat is consistent with any other applicable city regulations, and development or other agreements specific to the subject property.

16.12A.060 Development Standards.

A. Design: All subdivisions shall conform to the following design requirements:

1. Blocks: Blocks shall not exceed 800 feet in length nor less than 300 feet on any single side, unless terrain or property boundaries prevent compliance with this standard;
2. Arterial streets: Blocks abutting an arterial street shall be designed to provide limited access from the arterial. Individual lots may not be accessed from an arterial street;
3. Property lines at street intersections shall be arcs having radii of at least twenty feet or shall be cords of such arc.
4. The shape and orientation of lots shall be appropriate to the location of the proposed subdivision and the type of development contemplated. Generally, lots should be rectangular in shape and side lot lines should be at approximately right angles to the street which they intersect;
5. Lots with frontages on a public street on both the front and rear lot lines, with the exception of corner lots and alleys, shall be avoided by appropriate subdivision design;
6. Future Subdivision: If a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged to allow for logical future subdivision;
7. Reserve strips: There shall be no reservation of strips of land that prevent or limit access to land dedicated or intended to be dedicated to public use;
8. Clearing: A tree preservation and clearing plan shall be submitted for approval and large trees shall be preserved whenever possible by appropriate design and clearing shall not occur where prohibited by critical areas ordinances;
9. Variances: Variances to development standards are subject to the provisions of CEMC 17.85;
10. Streets: All lots shall abut on a dedicated and improved public street for at least 20 feet;
11. Utilities: City utilities (water & sewer) shall be installed and maintained at a minimum depth of not less than 48 inches below the street. All other utilities shall be installed underground and shall meet or exceed state and federal safety codes for installation.
12. Secondary access required. Subdivisions containing forty or more lots shall contain at least two ingress-egress routes which are interconnected. Subdivisions

1 containing fewer than 40 lots shall be subject to review of the egress routes.
2 When determined necessary by the City Public Works Director more than one
3 egress route shall be required.

4 B. Stormwater: Each development shall be provided with a drainage system for the
5 collection, control, and/or disposal of the surface water runoff consistent with the
6 following requirements:

- 7 1. A stormwater drainage plan, prepared by an engineer licensed and registered
8 in the State of Washington, shall be required for any new development that
9 creates more than 5,000 square feet of impervious surfaces;
- 10 2. Design calculations for peak flow and peak volume storage requirements shall
11 be based on a design storm frequency of ten years. Design calculations for
12 treatment shall be based on 64% of the 2 year recurrence interval, 24 hour
13 storm runoff event;
- 14 3. The plan shall provide for the on-site treatment and detention/retention of all
15 increased runoff based on the design storm over the predevelopment
16 conditions;
- 17 4. Treatment standards shall be based on best management practices identified in
18 the Washington State Department of Ecology's *Stormwater Management*
19 *Manual for Eastern Washington* or an equivalent manual deemed acceptable
20 by the City;
- 21 5. The overflow of runoff in excess of the design storm quantities must be
22 situated or directed to locations to where it would overflow prior to
23 development. Appropriate methods must be used to attenuate flows so that
24 erosion or damage to downstream properties does not occur;
- 25 6. The drainage plan shall include all calculations for the determination of the
26 required size of the system. Said calculations shall be based on the required
27 criteria and upon an analysis of estimated runoff from areas contributing to the
28 facilities. Peak flow analyses shall be done using the Rational Method.
29 Storage volume quantities shall be calculated by the Rational-Stored Rate
30 Method. The assumption for the outflow rate used in the Stored Rate Method
31 will need to be verified by the developer by actual field-testing in the case of
32 infiltration systems. Collection systems shall be gravity pipe systems;
- 33 7. In calculating the amount of impervious surfaces, the area of roofs shall not be
34 included if the roof drains to downspout or other systems that discharge
35 directly to the ground and not onto paved or other impervious surfaces;
- 36 8. Treatment of runoff from sidewalks and detached bikeways is not required if
37 the sidewalk or bikeway drains away from roadways so the stormwater does
38 not mix with runoff from the roadway;
- 39 9. Storm water facilities should be incorporated into on-site open spaces and
40 preference will be given to those facilities that maintain a natural appearance.

41 C. Streets: All subdivisions shall be served by public streets meeting the following
42 requirements:

- 43 1. Street layout shall be designed to efficiently serve the development. Where
44 existing streets abut the development they shall be extended to serve the
45 development. Streets shall be stubbed to serve future development on

- adjacent undeveloped parcels if development can be reasonably expected. where terrain and parcel configuration allow, streets should form a grid or modified grid pattern similar to the existing areas of the city;
2. Cul-de-sacs: Dead end streets or cul-de-sacs are not permitted unless terrain and parcel conditions result in greater impacts than connected streets. Where permitted, dead end streets shall be constructed with a turnaround located within the right-of-way or in a temporary easement. In no case shall a cul-de-sac exceed 400 feet in length. Cul-de-sacs shall be located within a minimum right-of-way radius of 50 feet and shall have a minimum paved radius of 45 feet;
 3. Alley: Paved alleys with a minimum width of 16 feet within a 20 feet of right-of-way shall be provided unless prohibited by physical limitations that are not caused by the proposed street layout or the design of the project;
 4. Where a proposed development abuts a public street that is not improved with the required frontage improvements, the developer shall be responsible for making the remaining improvements to that street for the length of the proposed development;
 5. Street grades shall conform in general to the natural terrain and shall not be less than one-half of one percent and generally not greater than 11 percent. Short sections of steeper grades are permitted where approved by the City Engineer and will not result in hazardous traffic conditions;
 6. Intersections of streets shall be made at 90-degree angles unless terrain or other physical limitations not caused by the subdivision design or the developer require a different angle that will not result in a traffic hazard;
 7. Curb radii shall not be less than 10 feet.
 8. The paved portion of the street shall be constructed to the following standards unless a geo-technical engineer can certify that another pavement section is suitable:
 - 2" Asphalt concrete pavement or portland cement concrete
 - 3" Crushed surfacing-top course (5/8"-0)
 - 4" Ballast (2 1/2"-0)
 9. Roadway and right-of-way widths. Roadways shall be built to the following standards:

Design Requirement	Arterial	Access (Cul-de-sacs)	Local Residential Access (Cul-de-sacs)	Alley
Pavement Width ¹	52'	36'	32'	16'
Right-of-way width	80'	60'	58'	20'
Travel Lanes	2, 12' travel 1, 12' median or turn lane ²	2, 10' travel	2, 10' travel	2, 8' travel

Parking lane width ³	8' Both sides	8' Both sides	6' Both sides	None
Sidewalks ⁴	7' Both sides, 12' in commercial areas.	6' Both sides, 12' in commercial areas.	6' Both sides	None
Curb and gutter	Yes	Yes	Yes	None
Bike Lane	Optional, unless specified in comprehensive plan	None	None	None
Design speed	35	25	20	20
Cul-de-sac Length		400' max.	400' max.	
Cul-de-sac right of way radius		50'	50'	
Cul-de-sac paved radius		45'	45'	

Notes 1: Measured curb face to curb face

2: A turn lane shall only be provided where a traffic study indicates they are warranted to preserve safety or capacity.

3: On street parking is 0° (parallel to curb).

4: In residential areas, sidewalks shall be separated from the curb by a minimum 4' planting strip or filter strip

10. Sidewalks shall be located in the right-of-way and must be constructed of portland cement concrete. Curb ramps for physically handicapped persons shall be constructed at all intersections and other appropriate locations;

11. Vehicular access to single family residential lots shall be limited to the alley unless otherwise approved through an alternative access plan as part of an approved subdivision by the City;

12. The standards for the construction of roads and all other construction within the publicly owned right-of-way, shall consist of the current published addition of the "Standard specifications for Road, Bridge and Municipal Construction" and "Standard plans for Road and Bridge Construction" as published by the Washington State Department of Transportation and the American Public Works Association.

D. The following public improvements are required for all land divisions.

Improvements shall be made in accordance with adopted city standards or specifications established by the public works director:

1. Concrete curb, gutters and sidewalks;
2. Streets;

3. Sanitary sewers;
 4. Water mains and hydrants: Fire protection facilities including hydrants and appurtenances shall be provided in accordance with the Uniform Fire Code;
 5. Landscaping;
 6. Concrete survey monuments.
- E. Maintenance and correction of improvements:
- The applicant shall be responsible for:
1. Correcting any defect in materials and/or workmanship arising within two years following completion and acceptance of the improvements;
 2. Protecting all improvements from loss or damage during construction, filling, grading, landscaping or other work within or adjacent to the subdivision;
 3. If any repairs are required to public improvements resulting from the applicant's action, the two-year period shall be restarted for the improvement being repaired.
- F. Guarantee and Security: The applicant shall secure a maintenance bond in favor of the city or shall provide an alternate security in a form acceptable to the city attorney to guarantee the successful operation of any required improvements for two years, and assuring the correction or repair of any defects in workmanship or material appearance within the two year period. The amount and conditions of the maintenance bond or other approved security shall be ten percent of the cost of construction of the improvements as estimated by the developer or actual costs;
- G. Protection of existing improvements: The applicant shall be responsible to insure that existing improvements and city property are not damaged or rendered less useful or unsightly by the operations of the developer, those working at the direction of the developer or those constructing the development. This includes damage or nuisance to the property of the city including but not limited to damage to existing streets, sidewalks, curbs and gutter by passage thereover of equipment or trucks or by excavation for any purpose, the spillage or tracing of earth, sand or rock onto existing streets, sidewalks, right-of-way or city property, the washing by stormwater of earth or sand onto city right-of-way or streets, curbs, gutters or stormwater systems, or damage to water mains, sanitary sewer, storm drains or culverts. The city may require the posting of a bond or other surety to cover the cost of clearing any debris and the repair of any damages. It shall be the sole cost of the developer to clean, fix, repair or replace any damaged improvements.
- H. Inspections: The applicant is responsible for all costs associated with the inspection of all public improvements. Inspections and testing shall be completed as necessary to insure that public improvements are completed in conformance with the approved plans and adopted standards.
- I. As-built drawings for all public improvements shall be completed by a licensed and registered engineer in the State of Washington and provided to the public works director on a mylar and in an electronic form as specified by the city public works director.

1 **16.14 SHORT PLATS**

2
3 **Sections:**

- 4 **16.14.010 Applicability**
5 **16.14.020 Procedures**
6 **16.14.030 Application requirements**
7 **16.14.040 Approval criteria**
8 **16.14.050 Limitations on further division**
9

10 **16.14.010 Applicability.**

11 The provisions of this chapter are applicable to every division or re-division of land into
12 nine (9) or fewer lots for sale, lease or transfer except the following:

- 13 A. Cemeteries and other burial plots while used for that purpose;
14 B. Divisions made by testamentary provision, or the laws of descent;
15 C. Divisions of land into lots or tracts classified for industrial or commercial use
16 when the city has approved a binding site plan for the used of the land in
17 accordance with Chapter 16.46.
18 D. A division for the purpose of lease when no residential structure other than mobile
19 home or travel trailers are permitted to be placed on the land when the city has
20 approved a binding site plan for the use of the land in accordance with Chapter
21 16.46;
22 E. A division made for the purpose of alteration be adjusting boundary lines,
23 between platted or un-platted lots or both, which does not create any additional lot
24 tract, parcel, site or division nor create any lot, tract, parcel, site or division which
25 contains insufficient area and dimension to meet minimum requirements for width
26 and area for buildings sites; and
27 F. Division of land for lots or tracts as provided in Chapter 64.32 and 64.34 RCW.
28

29 **16.14.020 Procedures.**

30 Preliminary short plats are considered Type II applications pursuant to CEMC
31 17.100 and shall be processed in accordance with the procedures established therein.
32

33 **16.14.030 Application Requirements.**

- 34 A. An application for a short plat shall include the following information:
35 1. A short plat application form provided by the City Planner completed and
36 signed.
37 2. Five copies of a preliminary short plat map meeting the requirements of
38 16.12A.030 and the development standards of 16.12A.060.
39 3. Names and addresses of all property owners within 300 feet of the subject
40 site or within 300 feet of adjacent land owned by the applicant and not part
41 of the subdivision.
42 4. The required fee pursuant to the City of Cle Elum fee schedule.
43 5. A SEPA checklist and required fee, if applicable.
44 6. A legal description of the subject property supplied by Kittitas County, a
45 title company or surveyor licensed in the state of Washington, and a

current county assessors map(s) showing the property(ies) subject to the application.

7. An existing conditions map consistent with CEMC 16.12A.020(B)(6)
8. A written narrative including information on how the proposed division meets the approval standards.

B. The information required above is required for a complete application pursuant to CEMC 17.100.060(B)(5).

16.14.040 Approval Criteria.

The review authority shall approve a preliminary short plat if they find that the applicant has sustained the burden of proving that the application complies with the approval criteria in Section 16.12A.050 of this code, or that the application can comply with the criteria through the adoption of reasonable conditions of approval.

16.14.050 Limitations on further division.

As provided in RCW 58.17.060, a lot that is created by short plat shall not be further divided by short platting for a period of five years, except that when the division contains less than four (4) lots, further division may be made by short plat to create up to four (4) total lots with the original short plat boundaries. Any further division shall be processed as a subdivision. However, any revision of the lot lines of an approved short subdivision in which the total number of lots is not increased, shall not be considered a further division and shall be approved or disapproved in the manner prescribed by Chapter 16.40

16.30 FINAL PLATS

Sections:

- | | |
|------------------|---|
| 16.30.010 | Required |
| 16.30.020 | Application requirements |
| 16.30.030 | Survey and improvement standards |
| 16.30.040 | Final plat procedures |

16.30.010 Required.

A final plat is required for all subdivisions and short plats to finalize the land division.

16.30.020 Application Requirements.

- A. Applications for Final Plat approval shall be filed with the City of Cle Elum.
- B. Applications for final plats shall include the necessary fee established by the City of Cle Elum fee schedule and the following information:
 1. Name of the subdivision or short plat;
 2. Date;
 3. Acreage;
 4. Number of lots;
 5. Zoning designation

6. Name, address, phone number and signature of the applicant and/or property owner;
 7. The decision document from the City on the preliminary plat or short plat.
- C. A Mylar, a sepia and three (3) paper copies of the final plat map shall be provided that includes the following:
1. Subdivision name which shall not be the same as any other subdivision in the county;
 2. Legend;
 3. Scale, including graphic scale, north arrow and basis of bearings.
 4. Location, including one-quarter (1/4) section, section, township, range, and, as applicable, donation land claim and/or subdivision;
 5. Boundary survey;
 6. Lot, block, and street right-of-way and centerline dimensions;
 7. Street names (to be approved or determined by city);
 8. Areas to be dedicated;
 9. Surveyor's certificate, stamp, date and signature;
 10. Signature blocks for the following: city engineer, county auditor, mayor, county assessor, county health department and city planning director;
 11. Private easements;
 12. Utility easements;
 13. Any required notes;
 14. Other information necessary to show compliance with the preliminary plat such as restrictions on access.
- D. A legal description of the boundary that has been certified by the land surveyor, with seal and signature as being accurate description of the lands actually surveyed shall be provided.
- E. A plat certification, including any dedications, consistent with RCW 58.17.165 shall be submitted.
- F. A certificate of title shall be provided.
- G. Restrictions, notes, covenants, and/or binding agreements as required by code, preliminary approval or SEPA shall be provided.
- H. A treasurer's certification shall be submitted.

16.30.030 Survey and Improvement Standards.

- A. Final plans, specifications, profiles for all required public improvements shall be provided in a manner acceptable to the Public Works Director. Improvements shall conform to adopted City standards or other standards specified by the Public Works Director. Plans shall be stamped and signed by a professional engineer licensed and registered in the State of Washington.
- B. Survey Certificate. The survey and preparation of final plats shall be made by or under the supervision of a registered land surveyor who shall certify on the final plat that it is a true and accurate representation of the lands actually surveyed. The certification shall include that all required monuments have been set and that all lot corners have been staked on the ground consistent with the final plat. All

1 surveys shall conform to standard practices and principles of land surveying As
2 outlined in chapter 58.09 RCW.

3
4 **16.30.040 Final Plat Procedures.**

- 5 A. Filing Period -An application for final plat containing all of the required items
6 shall be made within five years of the date of preliminary plat approval.
- 7 B. Administrative Review: The Planning Director shall review the proposed final
8 plat for conformance with the preliminary plat approval by the City Council.
9 Upon approval, the director shall then forward the plans to the City Engineer for
10 review of the final plat and public improvement plans. Upon approval of the city
11 engineer the director may authorize construction of the required improvements
12 prior to final plat approval. Prior to filing the final plat for Council action, the
13 planning director shall make a determination that:
- 14 i. The final plat meets all approval requirements of the
15 preliminary plat approval, this title, and state law;
 - 16 ii. The proposed final plat contains all of the necessary
17 information,
 - 18 iii. A title insurance report confirms that the title of the land in the
19 proposed subdivision is vested in the name of the owners
20 having a title interest and whose signatures appear on the plat
21 certificate;
 - 22 iv. The necessary public improvements have been installed
23 consistent with the approved engineering plans and meeting of
24 the city requirements and/or the developer has provided any
25 required surety in a form acceptable to the city in an amount
26 consistent with the required improvements.
- 27 C. Bonding: All required public improvements shall be made prior to final plat
28 approval, unless a surety in an amount acceptable to the city is made. As
29 provided by RCW 58.17.130, necessary improvements not completed prior to
30 council approval of the final plat shall post a bond equal to 150% of the
31 estimated cost of completion as approved by the City Engineer.
32 Improvements that may be bonded are limited to sidewalks, landscaping,
33 street lighting and final pavement lifts.
- 34 D. Council Action: The Council shall review the plat within 30 days of receiving
35 an application and determine if the conditions of the preliminary plat approval
36 have been met and that any required bonding is adequate to assure complete
37 of the required improvements that have not been completed and accepted by
38 the city.
- 39 E. Certification and Recording: Upon approval, the Council shall certify its
40 acceptance by authorizing the mayor to sign the plat. The director shall have
41 the final plat recorded with county auditor.
- 42
43
44
45
46

1 **16.40 BOUNDARY LINE ADJUSTMENTS**

2
3 **Sections:**

4 **16.40.010 Review required**

5 **16.40.020 Application requirements**

6 **16.40.030 Procedures**

7 **16.40.040 Criteria**

8
9 **16.40.010 Review required.**

10 Boundary line adjustment shall not be made without review and approval
11 consistent with this chapter.

12
13 **16.40.020 Application requirements.**

14 Applications for boundary line adjustments shall submit the following
15 information:

- 16 A. Written authorization from all property owners involved;
17 B. The assessors tax identification numbers of the parcels involved;
18 C. The existing legal descriptions of the parcels involved;
19 D. The existing dimensions and acreage of the parcels involved;
20 E. The proposed dimension and acreage of the parcels involved;
21 F. A copy of the assessors quarter section map clearly identifying the parcels
22 subject to the application;
23 G. A survey or graphic representation of the proposed adjustment. A survey may be
24 required at the discretion of the director if the proposed adjustment is complex.

25
26 **16.40.30.1 Procedures.**

27 Boundary line adjustments are considered Type 1 applications pursuant to CEMC
28 17.100.

29
30 **16.40.040 Criteria.**

31 Boundary line adjustments shall be approved if the subject parcels are existing
32 legal lots of record and the proposed adjustment is consistent with the minimum lot size
33 requirements of the zoning ordinance. Existing non-conforming lots may be adjusted as
34 long as the degree of non-conformity is not increased by the adjustment. Boundary line
35 adjustment may not cause the violation of any ordinance standards such as setbacks,
36 maximum lot coverage or density.

1 **16.46 BINDING SITE PLANS**

2
3 **Sections:**

4	16.46.010	Purpose
5	16.46.020	Applicability
6	16.46.030	Binding Site Plan
7	16.46.040	Application requirements
8	16.46.050	Review procedures
9	16.46.060	Approval criteria
10	16.46.070	Approval periods

11
12 **16.46.010 Purpose.**

13 The purpose of this chapter is to provide an alternative method of land division
14 for commercial and industrial properties and condominiums as provided in RCW
15 58.17.035. A binding site plan allows for the division of land for a specific use and a
16 specific location through the approval of a site plan and the recording of a survey.

17
18 **16.46.020 Applicability.**

19 This chapter is applicable to the development and division of lands for
20 commercial or industrial use within the General Commercial, Downtown Commercial,
21 Entryway Commercial, Industrial and Public Reserve district and the development of
22 condominiums authorized by RCW chapter 64.34

23
24 **16.46.030 Binding Site Plan.**

25 A binding site plan shall consist of an approved site plan that establishes the use
26 and location of all structures and lands and a record of survey showing the location of all
27 structures and divisions of land.

28
29 **16.46.040 Application requirements.**

30 A binding site plan application shall consist of the information specified in CEMC
31 17.76 Site and Design Review. The submitted site plan shall include the proposed
32 location and dimensions of all proposed lots, tracts or parcels. The application shall
33 include the following materials unless waived by the planning director, as well as all
34 application materials required as a result of the pre-design meeting:

- 35 A. Written narrative description of uses, types of structures proposed, hours
36 of operation, abutting properties, proposed access, frequency of
37 deliveries, and construction schedule, including any proposed phasing of
38 development
- 39 B. Three copies of an existing conditions site plan containing the
40 information set forth in CEMC 16.12A.040(B)(6).
- 41 C. Three copies of a site plan drawn to a minimum scale of one inch equals
42 two hundred feet on a sheet no larger than twenty-four inches by thirty-
43 six inches and including one reduced size copy no larger than legal size.
44 The Site plan shall contain the following information: the subject
45 property boundaries, dimensions and size, location, dimensions and
46 height of all proposed structures, location of building accesses, proposed

1 uses of structures and properties, proposed setbacks, proposed phasing,
2 proposed landscaping, location and dimensions of vehicle and pedestrian
3 access points and circulation routes, the location of all proposed on-site
4 parking including provisions for handicap parking, any easements, the
5 location of any proposed lights, and any other proposed site
6 improvements.

7 D. Three copies of proposed architectural elevations.

8 E. Preliminary grading, erosion control and stormwater plan.

9 F. Preliminary utility plan.

10 G. Any other items that are necessary to review the proposed development.

11
12 **16.46.050 Review procedures.**

13 A. Binding site plans shall be reviewed as a Type II application pursuant to CEMC
14 17.100.

15 B. Binding site plan applications will be reviewed by the planning director who also
16 shall make a determination on the binding site plan.

17 C. The survey and site plan shall become effective only upon recording with the
18 Kittitas County auditor. The lots, tracts or parcels created through this process are
19 legal lots of record provided they are consistent with recorded binding site plan.

20
21 **16.46.060 Approval criteria.**

22 The review authority shall approve a binding site plan if they find that the
23 applicant has sustained the burden of proving that the application complies with the
24 approval criteria in Section 16.12A.050 of this code and other applicable criteria or
25 approvals, or that the application can comply with the criteria through the adoption of
26 reasonable conditions of approval.

27
28 **16.46.070 Approval periods.**

29 If the improvements, structures and uses specified in the binding site plan are not
30 constructed within five years of the recording of the site plan, the binding site plan shall
31 expire and the division of land shall become null and void.

32
33 **16.46.080 Alteration or vacation of an approved binding site plan.**

34 An alteration or vacation of a binding site plan shall be considered a Type I
35 permit process. Alterations are permitted if they do not increase the number of lots
36 originally permitted and are consistent with the criteria for approval. Vacations of all or
37 part of a binding site plan are permitted.