



Agenda
Planning Commission Workshop Meeting
Wednesday, March 8, 2023
Richland City Hall ~ Council Chambers
625 Swift Boulevard

Commission Members: Chair Maier, Vice-Chair Richardson, and Members Eadie, Mealer, Nicholson, and Townsend

Council Liaisons: Council Liaison: VanDyke
Council Liaison Alternate: Jones

Staff Liaison: Stevens

Regular Workshop - 6:00 p.m.

Call to Order/Attendance:

Agenda Items:

- I. Richland Land Division Ordinance Update
 - Mike Stevens, Planning Manager

Adjournment

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 509-942-7389.



PLANNING COMMISSION AGENDA ITEM COVERSHEET

Meeting Date: 3/8/2023

Agenda Category: Agenda Items

Prepared By: Mike Stevens, Planning Manager

Subject:
Richland Land Division Ordinance Update

Request:

Recommended Motion:

Summary:
Planning staff will present a rough draft of the replacement code for Title 24, Plats and Subdivision. Planning and Public Works staff have been working on writing a new Title 24 that incorporates current practices and streamlines the review process for various land division actions based upon allowances by Washington State Law.

Attachments:
1. Draft Land Division - USE THIS ONE

ORDINANCE NO. XXX-20

AN ORDINANCE of the City of Richland repealing Richland Municipal Code Title 24: Plats and Subdivision in its entirety and replacing Title 24 RMC with a new Title 24 entitled Land Division Regulations.

WHEREAS, RCW Sections 35.21.500 - .570 provide for codification of city ordinances; and

WHEREAS, Title 24 of the Richland Municipal Code has not been significantly updated since 2010; and

WHEREAS, the proposed changes to Title 24 RMC are deemed necessary or desirable for the purpose of modernizing and clarifying the language of said Title, ensuring a logical arrangement of subject matter, and eliminating conflicts and inconsistencies, as provided in RCW 35.21.500.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Title 24, entitled Plats and Subdivision, as first enacted by Ordinance No. 73, and last amended by Ordinance No. 51-19, is hereby repealed in its entirety and replaced with the following:

**TITLE 24
LAND DIVISION REGULATIONS**

Chapters:

- 24.10 Authority**
- 24.20 General Provisions**
- 24.30 Boundary Line Adjustments/Parcel Combinations**
- 24.40 Short Subdivisions**
- 24.50 Subdivisions**
- 24.60 Binding Site Plans**
- 24.70 Modifications to Preliminary Subdivisions and Short Subdivisions**
- 24.80 Alterations to Final Subdivisions and Short Subdivisions**
- 24.90 Vacation of Final Subdivisions and Short Subdivisions**
- 24.100 Land Division Design Standards**

**Chapter 24.10
AUTHORITY**

Sections:

- 24.10.010 Purpose.**
- 24.10.020 Severability.**
- 24.10.030 Division of land to comply with title.**
- 24.10.040 Authority.**

24.10.010 Purpose.

This title is established in accordance with Chapter 58.17 RCW which authorizes cities to administer the process for the division of land. The Richland City Council finds that the process by which all land within the city of Richland is divided is a matter of city concern, and therefore should be administered in accordance with certain standards. The purpose of this title is to regulate the division of all land and to promote the public health, safety, and general welfare in accordance with standards established to prevent overcrowding of land, to lessen congestion in the streets and highways, to promote effective land use, to promote safe and convenient travel by the public on streets and highways, to provide for adequate light and air, to facilitate adequate provisions for water, sewer, parks and recreation areas and other public requirements, to provide for proper ingress and egress, and to provide for the expeditious review and approval of proposed divisions of land within the city.

24.10.020 Severability.

The provisions of this title are declared to be separate and severable, and the invalidity of any section, subsection, provision, clause or portion of this title, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this title or the validity of its application to other persons or circumstances.

24.10.030 Division of land to comply with title.

Every division of land within the city shall comply with the provisions of this title.

24.10.040 Authority.

The legislative authority of the city of Richland hereby delegates final subdivision and short subdivision approval to the Administrator and Public Works Director, or their designees.

**Chapter 24.20
GENERAL PROVISIONS**

Sections:

- 24.20.010 Purpose.**
- 24.20.020 Exemptions.**
- 24.20.030 Application for exemption.**
- 24.20.040 Definitions.**
- 24.20.050 Undefined words and phrases.**
- 24.20.060 Legal lot.**
- 24.20.070 Approval required prior to recordation.**
- 24.20.080 Prohibition against sale, lease or transfer of property.**
- 24.20.090 Violations.**
- 24.20.100 Violations – Penalties.**
- 24.20.110 Violations – Continuing offense – Penalties.**
- 24.20.120 Injunctive and other proceedings.**

24.20.130 Application, review and inspection fees.

24.20.140 Re-subdivision limitation.

24.20.150 Contiguous ownership.

24.20.160 Professional land surveyor.

24.20.170 Advance tax payment required.

24.20.010 Purpose.

Pursuant to the purposes set forth in RCW 58.17.010, the regulations in this title are necessary to:

A. Promote the health, safety, and general welfare in accordance with standards established by the state and the city;

B. Promote effective use of land by preventing the overcrowding or scattered development which would be detrimental to health, safety, or the general welfare due to the lack of water supplies, sanitary sewer, drainage, transportation, or other public services, or excessive expenditure of public funds for such services;

C. Avoid congestion and promote safe and convenient travel by the public on streets, highways, sidewalks, and multi-use pathways through the proper planning and coordination of new streets within subdivisions with existing and planned streets in the surrounding community;

D. Provide for adequate light and air;

E. Provide for adequate water, sewage, drainage, parks and recreational areas, transit, sites for schools and school grounds, and other public requirements;

F. Provide for proper ingress and egress;

G. Provide for housing and commercial needs of the community;

H. Require uniform monumentation of land divisions and conveyance of accurate legal descriptions;

I. Protect environmentally sensitive areas;

J. Provide for flexibility in site design to accommodate view enhancement and protection, protection of streams and wetlands, protection of steep slopes, and other environmentally significant or sensitive areas;

K. To ensure consistency with and to further the goals and policies of the Comprehensive Plan; and

L. To provide a process for the division of land for the following:

1. Short subdivision. The division of land into nine (9) or fewer lots, tracts, parcels,

sites or divisions with a level of review that is proportional to the effect those lots may have on the surrounding area;

2. Subdivision. The division of land into ten (10) or more lots, tracts, parcels, sites or divisions with a level of review that is proportional to the effect those lots may have on the surrounding area;

3. Binding site plan. An alternative method of dividing property interests and applying to the phased division of any land for sale or lease which is zoned for commercial, business, office, or industrial development, or which is to be developed as condominiums or a manufactured home park.

24.20.020 Exemptions.

The following actions are exempt from the provisions of this title; provided, that in order to determine whether the action qualifies for the exemption claimed, approval must be received from the Administrator. Creation of an exempt lot does not vest the owner with the right to develop the lot when it does not meet access or use requirements of the zoning district in which it is located. Specifically, the provisions of this title shall not apply to the following exemptions:

A. Cemeteries and other burial plots while used for that purpose;

B. Divisions of land into lots or tracts each of which is one-one-hundred-twenty-eighth of a section of land or larger, or five (5) acres or larger if the land is not capable of description as a fraction of a section of land; provided, that for purposes of computing the size of any lot under this subsection which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline;

C. Divisions made by testamentary provisions or the laws of descent;

D. 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 local regulations;

E. A division for the purpose of lease when no residential structure other than mobile homes, tiny houses or tiny houses with wheels as defined in RCW 35.21.686, or travel trailers are permitted to be placed upon the land when the city has approved a binding site plan for the use of the land in accordance with local regulations;

F. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, that does not create any additional lot, tract, parcel, site, or division, nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site;

G. Divisions of land into lots or tracts if:

1. Such division is the result of subjecting a portion of a parcel or tract of land to either Chapter 64.32 or 64.34 RCW subsequent to the recording of a binding site plan for all such land;

2. The improvements constructed or to be constructed thereon are required by the provisions of the binding site plan to be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest;

3. A city has approved the binding site plan for all such land;

4. Such approved binding site plan is recorded in the county or counties in which such land is located; and

5. the binding site plan contains thereon the following statement: "All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein." The binding site plan may, but need not, depict or describe the boundaries of the lots or tracts resulting from subjecting a portion of the land to either Chapter 64.32 or 64.34 RCW.

A site plan shall be deemed to have been approved if the site plan was approved by a city:

- (i) In connection with the final approval of a subdivision plat or planned unit development with respect to all of such land; or
- (ii) In connection with the issuance of building permits or final certificates of occupancy with respect to all of such land; or
- (iii) If not approved pursuant to (i) and (ii) of this subsection (G), then pursuant to other such procedures as such city may have established for the approval of a binding site plan;

H. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. "Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures;

I. A division of land into lots or tracts of less than three (3) acres that is recorded in accordance with Chapter 58.09 RCW and is used or to be used for the purpose of

establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, "electrical utility facilities" means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed;

J. Division of land due to condemnation or sale under threat thereof, by an agency or division of government vested with the power of eminent domain; and

K. Division or acquisition of land for public right-of-way.

24.20.030 Application for exemptions.

An application for exemption for any of the purposes set forth in RMC 24.20.020 shall be processed to determine whether the division is exempt with a minimum review for compliance with applicable city regulations. The application shall be determined complete upon the submittal of the following materials:

1. A completed application;
2. Maps, plans, and/or exhibits containing all applicable information as required by the Administrator; and
3. Applicable fee as set forth in the City of Richland Fee Schedule.

24.20.040 Definitions.

As used in this Title, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

"Administrator" means the Development Services Director or designee who shall be responsible for the administration and enforcement of this code.

"Alley" means a public thoroughfare or right-of-way, open to public travel and dedicated to public use, which affords only a secondary means of access to abutting property.

"Applicant" means the owner or owners of record of the property subject to an application for land division or lot/boundary line adjustment, or authorized representative of such owner or owners, or a duly authorized representative of any governmental agency for which an action is sought for a governmental purpose.

"Application" means all of the application forms, plans, and accompanying documents required for any particular land division or lot/boundary line adjustment request.

"Binding site plan" means a drawing to a scale, specified in Chapter 24.60 RMC, which:

1. Identifies and shows the land areas and locations of all streets, roads, improvements, utilities, open spaces and any other matters specified by this title;
2. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as established by this title; and
3. Contains provisions requiring any development to be in conformance with the binding site plan.

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

"Boundary line adjustment" shall have the same meaning as "lot/boundary line adjustment," meaning the relocation or other minor adjustment of the boundaries of a lot, in which the relocation does not result in the creation of any additional lot or lots.

"Building envelope" refers to the buildable area of a lot after applicable setbacks, easements, and other restrictions on the lot are taken into account.

"Complete application" means an application that appears to contain all necessary information to make a technical determination about a project or application, and includes all anticipated fees at time of application.

"Comprehensive plan" means that plan adopted by the Richland City Council as the comprehensive plan for the city.

"Condominium" means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded in accordance with Chapter 64.32 or 64.34 RCW. Condominiums are not confined to residential units, such as apartments, but also include offices and other types of space in commercial buildings.

"Cul-de-sac" means a street opening at one end and having a turn-around at the other end.

"Dedication" is the deliberate appropriation of land by an owner for any general and 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, short subdivision or binding site plan showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat, short subdivision, or binding site plan for filing by the city.

“Department” means the City of Richland Development Services Department.

“Development permit” means any permit issued by the city of Richland allowing the physical alteration of real property including, but not limited to, building construction, street construction, utility construction or installation, grading, filling or excavating. Approval of a subdivision, short subdivision, or lot/boundary line adjustment is not considered a development permit for the purposes of this title.

“Division” is the division or re-division of land, regardless of the size of the parcels or the number of lots, for the purpose of sale, lease or transfer of ownership and includes subdivision, short subdivision or binding site plan provisions.

“Easement” means a grant by a property owner to specific persons, named entities, or to the public of the right to use that property for a specific purpose.

“Fill” means any sand, gravel, earth, or other materials of any composition whatsoever placed or deposited by humans.

“Final plat” is 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 in other city regulations.

“Flood insurance rate map (FIRM)” means the official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a digital flood insurance rate map (DFIRM).

“Homeowners association” means an incorporated nonprofit organization operating under recorded land agreements.

“Improvements” means the facilities and infrastructure of a land development, including but not limited to the streets, sidewalks, street lights, fire hydrants, stormwater facilities, sanitary sewer facilities, domestic water facilities, and other utilities and facilities required by this title to be constructed in conjunction with any particular land division, as approved by the necessary city departments.

“Land division” means the creation of any new lot or lots for the purpose of sale, lease or transfer of ownership, whether such lot or lots is created by full subdivision, short subdivision, binding site plan or exemption (see RMC 24.20.020).

“Lot” means a parcel of land having fixed boundaries described by reference to a recorded plat, a recorded binding site plan, by metes and bounds, or by section, township and range, and of sufficient area and dimension to meet minimum zoning requirements. The term includes tracts or parcels.

“Lot/boundary line adjustment” is synonymous with “boundary line adjustment” and

means the relocation or other minor adjustment of the boundaries of a lot, in which the relocation does not result in the creation of any additional lot or lots.

“Lot, corner” means a lot situated at the intersection of two or more streets.

“Lot, flag” means an irregular extension or protrusion of a lot created for the purpose of providing such lot with frontage on a public or private street or access way.

“Lot, double-frontage” means a lot with street frontage along two (2) opposite boundaries.

“Lot, frontage” means, in the case of an interior lot, a line separating the lot from the street; in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street; except in those cases in a commercial or industrial district where a lot has two or more street frontage of equal length or nearly equal length, the frontage shall be considered to be the line adjoining the street which the comprehensive plan shows is intended to carry the heaviest traffic flow, or where no public street exists, along a private road, easement or access way.

“Lot, reverse-frontage” means a double-frontage lot for which the boundary along one of the streets is established as the front lot line and the boundary along the other street is established as the rear lot line, and over the rear of which is an easement as provided in **RMC 24.100.380**. The rear lot line of the lot shall be that boundary abutting a street or other disadvantageous use.

“Lot, nonconforming” means a lot of record in existence prior to the effective date of the ordinance codified as Title 24 RMC and any amendments thereto which does not meet the minimum lot size and other requirements as set forth in Title 23 RMC: Zoning.

“Lot of record” means any lot, tract, or parcel of land shown on an officially recorded plat or short subdivision or a parcel of land officially recorded or registered as a unit of property and described by platted lot number or by metes and bounds and lawfully established for conveyance purposes on the date of recording of the instrument first referencing the lot. The term “lot of record” as used herein does not imply that the lot conforms with the legal regulatory requirements for subdivision of property in accordance with Chapter 58.17 RCW or this title.

“Lot, through” means a lot that has both ends fronting on a street neither of which having access restrictions. Both ends shall be deemed front.

“Meander line” means a line along a body of water intended to be used solely as a reference for surveying.

“**Parcel**” means a contiguous quantity of land in the possession of, owned by, controlled by, or recorded as the property of the same owner or joint owners.

“**Parcel combination**” means the combination/merger of two (2) or more lots/parcels into

one (1) lot/parcel.

"Plat" is a map or representation of a subdivision showing thereon the division of tract(s) or parcel(s) of land into lots, blocks, streets and alleys or other divisions and dedications.

"Plat Certificate" means a title report prepared by a title company for the property contained in a proposed binding site plan, subdivision or short subdivision, to include, as a minimum, all owners of record, easements and encumbrances effecting said property.

"Preliminary subdivision/short subdivision" is a neat and approximate drawing of either a proposed subdivision or short subdivision showing the general layout of streets and alleys, lots, blocks and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision or short subdivision.

"Proof of ownership" means an actual or copy of a recorded deed to property and/or a current title insurance policy insuring the status of an applicant as the owner in fee title to real property. Where proof of ownership is required by this title, the Administrator shall have the discretion to require a current title insurance policy.

"Public street" means an approved street, whether improved or unimproved, held in public ownership or control (either through plat dedication, deed, or easement/right-of-way conveyance) and intended to be open as a matter of right to public vehicular travel.

"Public way" means any publicly owned land set aside for utilities or surface transportation purposes, including vehicular, bicycle and pedestrian transportation, whether improved or not improved.

"Public Works Director" means the City of Richland Public Works Director or designee.

"Public Works Standards" means the city's engineering, design, and construction standards and specifications governing the construction of public and private infrastructure improvements. The city of Richland's engineering design standards includes such documents establishing infrastructure standards that are authorized by the Public Works Director and published on the City's web site.

"Right-of-way" shall have the same meaning as "public way."

"Review authority" means the Richland Hearing Examiner in the case of a preliminary subdivision or the Administrator and Public Works Director in the case of all other land divisions.

"Roadway" means that portion of an approved street intended for the accommodation of vehicular traffic, generally between curb lines on an improved surface.

"Short plat" means the map or representation of a short subdivision.

“Short subdivision” is the division or re-division of land into nine (9) or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

“State Environmental Policy Act (SEPA)” means the State Environmental Policy Act as defined by Chapter 43.21C RCW as it now exists or is hereafter amended.

“Street” means a public right-of-way which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley.

“Street, loop” means a minor street of limited length which generally follows a “U-shaped” alignment with both legs intercepting the same street.

“Street, major” means a street intended to carry a heavier traffic loading, minimizing intersecting streets and direct access to abutting properties and primarily for the purpose of accommodating general traffic circulation of the community. Major streets are classified as principal arterial, minor arterial, and major arterial.

“Street, minor” means a street, usually of limited continuity, which serves primarily to provide the principal means of access to abutting property only. Minor streets are classified as minor collector, local street, local street – single frontage, and private street as defined in RMC 12.02.

“Street, private” means a street, secured by private easement, tract or parcel created to provide the access from a city street to platted lots, that is not deeded or dedicated to the city, the maintenance of which is the responsibility of, who shall be noted on the face of the plat.

“Subdivision” is the division or re-division of land into ten (10) or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

“Surety” means a bond, letter of credit, the deposit of a certified check in a city account, a security improvement agreement, or other security acceptable to the city.

“Tax parcel consolidation” means the consolidation of contiguous lots of record which are under one ownership. The purpose of the consolidation shall be for planning and building purposes and any consolidation shall comply with all applicable zoning, subdivision, and other land use controls as deemed necessary by the administrator. If all applicable standards are met, the administrator shall provide a letter to the applicant stating compliance, which the applicant may submit to the Benton County Assessor’s office when requesting the tax parcel consolidation.

Commented [HS1]: Review this definition

“Zoning restrictions” means the restrictions found in the zoning ordinances of the city, primarily Title 23 RMC: Zoning.

24.20.050 Undefined words and phrases.

The definition of any word or phrase, not listed in the definitions, which is in question when administering this title shall be defined according to one of the following sources in order of priority:

- A. Any city of Richland resolution, ordinance, code, regulation or formally adopted comprehensive plan, shoreline master plan or program or other formally adopted land use plan;
- B. Any statute or regulation of the state of Washington;
- C. Legal definitions from Washington common law or a law dictionary;
- D. The common dictionary.

24.20.060 Legal lot.

Development shall be permitted only on legally created lots. A legal lot is created in compliance with applicable state and local land segregation statutes or codes in effect at the time the lot was created or binding site plan was approved, including but not limited to demonstrating that the lot was created through one of the following:

- A. Lots created through subdivision - a plat approved by the city of Richland or Benton County separately describing the lot in question; or
- B. Lots created through short subdivision - a short subdivision approved by the city of Richland or Benton County separately describing the lot in question; or
- C. Lots created pursuant to a binding site plan process in effect at the time the binding site plan was approved by the city of Richland or Benton County; or
- D. A deed, contract of sale, mortgage, property tax segregation, plat, or recorded survey describing the lot in question if the instrument was executed prior to July 1, 1969 (effective date of Chapter 58.17 RCW).

24.20.070 Approval required prior to recordation.

Any map, plat or plan, unless previously exempt, hereafter made of a proposed boundary line adjustment, parcel combination, short subdivision, subdivision or binding site plan, or any part thereof, shall be presented for approval prior to recording at the Benton County Auditor's Office. No such map, plat or plan shall be recorded or have any validity unless or until it has the approval of City departments and agencies with jurisdiction as required by this title.

24.20.080 Prohibition against sale, lease or transfer of property.

No person shall sell, lease or offer to sell or transfer any lot, tract or parcel subject to the requirements of this title without first receiving approval hereunder by the city and recording the approved division with Benton County; provided, that if performance of an offer or agreement to sell, lease or otherwise transfer a lot, tract or parcel of land is

expressly conditioned on the recording of the subdivision, short subdivision or binding site plan containing the lot, tract, or parcel, the offer or agreement does not violate any provision of this title.

24.20.090 Violations.

In the event of the sale, assignment, transfer, lease or conveyance of any lots in violation of the regulations of this title, the city may initiate an action to rescind or enjoin such transfer, assignment, sale conveyance or lease by making application for an injunction in Benton County Superior Court. In addition, the city has such other remedies as are provided by law. Furthermore, any person in violation of any provision of this title shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

24.20.100 Violations – Penalties.

If the same violator has been found to have committed an infraction violation for the same or similar conduct two (2) separate times, with the violations occurring at the same location and involving the same or similar sections of the Richland Municipal Code or other similar codes, the third or subsequent violation shall constitute a misdemeanor, punishable as provided in RMC 1.30.010 for criminal offenses.

24.20.110 Violations – Continuing offense – Penalties.

For any violation of a continuing nature, each day's violation shall be considered a separate offense punishable as provided in RMC 24.20.090 and RMC 24.20.100.

24.20.120 Injunctive and other proceedings.

Notwithstanding the imposition of any penalties hereunder, the city may institute any appropriate action or proceeding to require compliance with or to enjoin violation of the provisions of this title.

24.20.130 Application, review and inspection fees.

The Richland City Council shall establish fees to defray the administrative expenses incurred by the city for the following:

A. Fees associated with land division activities.

1. Short subdivision application fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.
2. Preliminary subdivision application fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.
3. Final plat review fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the final short subdivision or final subdivision.

4. Plat improvement plan review fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable, and the estimated fee shall be paid prior to review of the improvement plans and specifications for the final plat by the Public Works Director or designee. The fee is to cover actual costs incurred by the city. Any deficiency shall be paid prior to the Public Works Director or designee approving the improvement plans and specifications for a final plat.

5. Construction inspection fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable, and the estimated fee shall be paid prior to initiation of construction of the plat improvements. The fee is to cover actual costs incurred by the city. If the cost to the city exceeds the amount of the fees paid, the developer shall pay an additional fee before final approval of the plat improvements.

6. Plat alteration or vacation application fee. As set by the City of Richland Fee Schedule this fee is nonrefundable and shall be paid at the time of submission of the application.

7. Exemption letter fee. As set by the City of Richland Fee Schedule, this fee shall be paid at the time of submission of the application.

8. Preliminary subdivision, short subdivision and binding site plan revision application fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.

9. Deviation request fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the deviation request.

10. Boundary line adjustment/parcel combination fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.

11. Plat exemption/lot line adjustment fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.

12. Subdivision Amendment fee (major or minor). As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.

13. Time Extension request fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable and shall be paid at the time of submission of the application.

B. Fees associated with utility and/or street extensions (not associated with a plat).

1. Utility and/or street extension plan review fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable, and the estimated fee shall be paid prior to plan

review by the Public Works Director or designee. The fee is to cover actual costs incurred by the city. Any deficiency shall be paid prior to the Public Works Director or designee approving the improvement plan.

2. Utility and/or street extension inspection fee. As set by the City of Richland Fee Schedule, this fee is nonrefundable, and the estimated fee shall be paid prior to initiation of construction of the improvements. The fee is to cover actual costs incurred by the city. Any deficiency shall be paid prior to the Public Works Director or designee approving the improvements.

C. For the purposes of this section, the Public Works Director or designee is authorized to establish the total estimated cost of the proposed improvements.

D. For the purposes of this section, "actual costs incurred by the city" shall be the actual salaries and benefits of city staff for the time involved, plus any other direct costs associated with the project such as costs for contracted services.

24.20.140 Re-subdivision limitation.

Land within a short subdivision may not be further divided in any manner within a period of five (5) years from the date of recording of a short subdivision with the Benton County Auditor without the filing of a final plat in accordance with the provisions established in this title for subdivisions; provided, that when the short subdivision contains fewer than four (4) parcels, nothing in this section shall prevent the owner who filed the short subdivision from filing an alteration within the five-year period to create up to a total of four (4) lots within the original short subdivision boundaries.

Commented [HS2]: Can this be increased to 9?

24.20.150 Contiguous ownership.

Contiguous parcels of land in the same ownership and having boundaries in common shall be presumed to be a single parcel in determining whether or not the division of land comprises a short subdivision or a subdivision.

24.20.160 Professional land surveyor.

The preparation of all preliminary and final short subdivisions, subdivisions and binding site plans shall be made by or under the supervision of a professional land surveyor licensed in the state of Washington. The professional land surveyor shall certify on the final plat that it is a true and correct representation of the lands actually surveyed. A survey is required on all final plats. All surveys shall comply with Chapter 58.09 RCW and Chapter 332-130 WAC.

24.20.170 Advance tax payment required.

All taxes on the property to be platted must be paid as indicated by the seal and signature of the Benton County Treasurer on the face of the plat.

Chapter 24.30
BOUNDARY LINE ADJUSTMENTS/PARCEL COMBINATION

Sections:

- 24.30.010 Purpose.**
- 24.30.020 Scope.**
- 24.30.030 Review process.**
- 24.30.040 Application submittal and contents.**
- 24.30.050 Approval criteria.**
- 24.30.060 Time limitation to record approved lot/boundary line adjustment and parcel combination.**
- 24.30.070 Recording.**

24.30.010 Purpose.

The purpose of this chapter is to clearly delineate the criteria used by the city of Richland to review lot/boundary line adjustments and parcel combinations. Parcel combination allows for two (2) or more lots/parcels to be combined into one (1) lot/parcel. Lot/boundary line adjustments provide a procedure for changes in property lines. A lot/boundary line adjustment is intended to apply to minor boundary changes, to correct a controversy regarding the location of a lot line, and to remedy property use constraints caused by adverse topographical features. A lot/boundary line adjustment does not apply to boundary changes that would otherwise be regulated by applicable city of Richland land use codes and regulations, or to actions requiring the re-plat, alteration, or vacation of a subdivision or short subdivision. The adjustment must be consistent with all applicable zoning, health, building, and similar regulations, and cannot result in nonconformance or increase an existing nonconformance. This chapter is also intended to ensure compliance with the Survey Recording Act, Chapter 58.09 RCW, and Chapter 332-130 WAC.

24.30.020 Scope.

The lot lines separating two lots of record may only be adjusted/removed under the provisions of this chapter, except as provided under RCW 58.17.040, as now adopted or hereafter amended. Actions which change or impair conditions or requirements imposed by previous platting decisions must be accomplished pursuant to the land division requirements set forth in this title; provided, that all requirements set forth in this chapter are met, lot/boundary line adjustments proposing lot reorientations shall be deemed to be minor in nature.

Boundary line adjustments shall be a minor alteration in the location of lot or parcel boundaries on existing lots or parcels. In this section, "lot" shall mean a parcel of land having fixed boundaries described by reference to a recorded plat, a recorded binding site plan, by metes and bounds, or by section, township and range, and be of sufficient area to meet minimum zoning requirements. The purpose of the parcel combination process is to remove interior lot lines of a parcel comprised of two (2) or more separate lots with contiguous ownership. Boundary line adjustments must be consistent with the following:

A. Such alteration shall not increase the number of lots nor diminish in size open space or other protected environments as required by the City of Richland Critical Area Ordinance and Shoreline Master Program;

B. Such alteration shall not diminish the size of any lot so as to result in a lot which would not comply with zoning regulations except as provided in RMC Section 24.30.050(B);

C. Such alteration shall not result in a building setback violation or site coverage to less than prescribed by the zoning regulations; and

D. All lots resulting from the boundary line alteration shall be in conformance with all applicable zoning requirements.

24.30.030 Review process.

Boundary line adjustments and parcel combinations are classified as Type I applications and shall be reviewed pursuant to RMC Section 19.20.010. Based on comments from the Public Works Department, public health official, and other applicable agencies and departments, the Administrator shall approve the proposed lot line adjustment or lot combination only upon finding that the standards of the Richland Municipal Code have been satisfied.

24.30.040 Application submittal and contents.

To be considered complete, a lot/boundary line adjustment or parcel combination application shall include the following:

A. Applications for lot/boundary line adjustments or parcel combinations shall be made on forms provided by the city of Richland Development Services Department, and shall be submitted to the Development Services Department along with the appropriate fees as established in the City of Richland Fee Schedule;

B. A completed boundary line adjustment and parcel combination request form, including all materials required pursuant to the Richland Municipal Code, to include a site plan showing (1) the location and dimensions of all structures/improvements existing upon the affected lots; (2) the distance between each structure/improvement and the proposed lot/boundary lines; and (3) structures proposed to be removed from the site depicted with broken lines and structures to remain on the site depicted with solid lines;

C. Two (2) copies of a clean and legible record of survey suitable for recording showing the following:

1. The proposed lines for all affected lots, indicated by bold solid lines;
2. The existing lot lines proposed to be changed, indicated by light broken lines;
3. The original legal description of the entire property together with new separate legal descriptions for each parcel, labeling them specifically as parcel A, parcel B, etc.;

4. A north arrow and scale;
5. All parcel numbers of affected lots;
6. The location of the property as to quarter/quarter section;
7. The location and dimensions of any easements within or adjacent to any affected lots;
8. The location, right-of-way widths, pavement widths and names of all existing or platted streets, whether public or private, and other public ways within or adjacent to the affected lots;
9. The area and dimensions of each lot following the proposed adjustment;
10. The existing and, if applicable, proposed future method of sewage disposal for each affected lot, including the location and dimensions of the proposed drain field;
11. The location of all existing and proposed water, sewer and storm drainage facilities;

D. The drawing shall be attached to or include on the face a formal legal declaration of the lot/boundary line adjustment, signed and notarized by all legal owners of the subject properties; and

E. If on-site wastewater (septic tanks) disposal is proposed under the limited circumstances where the Richland Municipal Code does not require connection to the city's sewer system, the applicant shall provide written verification from the Benton-Franklin Health District that the site is adequate to accommodate an on-site sewage disposal system.

24.30.050 Approval criteria.

All public improvements installed for any lot/boundary line adjustment or parcel combination shall be in accordance with the city's Public Works Standards. Lot/boundary line adjustments and parcel combinations shall not:

- A. Create any additional lot, tract, parcel, or division;
- B. Result in a lot, tract, parcel, site, or division which contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in the city's zoning and land use and state and local health codes and regulations. This provision shall not be construed to require correction or remedy of preexisting nonconformities or substandard conditions; however, existing nonconformity shall not be increased or create any new nonconformity;
- C. Diminish or impair drainage, water supply, existing sanitary sewage disposal, and/or access or easement for vehicles or pedestrians, utilities, and/or fire protection for any lot,

tract, parcel, site, or division;

D. Diminish or impair any public or private utility easement or deprive any parcel of access or utilities;

E. Create unreasonably restrictive or hazardous access to the property;

F. Increase the nonconforming aspects of an existing nonconforming lot relative to the city's zoning and land use regulations;

G. Re-plat or vacate a plat or short subdivision, or revise or amend the conditions of approval of any full or short subdivision; or

H. Amend the conditions of approval for previously platted property.

24.30.060 Time limitation to record approved lot/boundary line adjustment and parcel combination.

If the final documents are not recorded within ninety (90) days of approval, the lot line adjustment or parcel combination shall automatically become null and void.

24.30.070 Recording.

A. Upon approval of the application, the Administrator shall notify the applicant. The applicant shall then record with the Benton County Auditor the certificate or document issued by the Administrator indicating approval of the lot/boundary line adjustment or parcel combination, together with the legal document(s) transferring title, any applicable restrictive covenants, and the survey, if one was required and has not yet been recorded.

B. A lot/boundary line adjustment or parcel combination does not become effective until the applicant has recorded the documents required by the Benton County Auditor. The applicant shall return one copy of each recorded document to the Department, which copy must bear the Benton County Auditor's stamp to verify recording. No building or other site development permits shall be granted until the applicant returns the copy of the recorded document to the Department.

**Chapter 24.40
SHORT SUBDIVISIONS**

Sections:

24.40.010 Contents of application.

24.40.020 Distribution of plans.

24.40.030 Preliminary short subdivision – Administrative review.

24.40.040 Findings.

24.40.050 Appeals.

24.40.060 Final short subdivision submittal.

24.40.070 Phasing.

24.40.080 Contents of final short subdivision.

24.40.090 Final short subdivision – Approval of Administrator and Public Works Director.

24.40.100 Recording.

24.40.110 Expiration of preliminary approval.

24.40.120 Time extensions.

24.40.010 Contents of application.

Every preliminary short subdivision shall consist of the appropriate application form, applicable fees, and the following:

A. Maps and Exhibits.

1. Two (2) copies of the preliminary short subdivision which shall be a legibly drawn map 24 x 36 inches in size at a scale of one (1) inch equals 50 feet or one (1) inch equals 100 feet. If approved by the Department, an alternative appropriate scale may be used;
2. One (1) reduced (11 x 17 inches) copy of the preliminary short subdivision;
3. One (1) copy of the short plat shall be submitted to the City in a digital or electronic format as a Portable Document Format (PDF).
4. SEPA environmental checklist, if applicable. An environmental checklist will be required for a preliminary short subdivision if the construction of improvements will involve more than 500 cubic yards of grading, excavation or fill, or if critical areas exist on site;
5. A plat certificate dated within thirty (30) days of the application filing date confirming that the title of the lands as described and shown on the short subdivision is in the name of the owners signing;
5. Any other information deemed necessary by the Administrator to demonstrate compliance with requirements of the Richland Municipal Code.

B. Preliminary short subdivision data (to be included on the preliminary short subdivision maps or exhibits).

1. Title of the proposed short subdivision;
2. Location of subject property by quarter-quarter(s) of the section, township and range;
3. Legal description of the subject property with the source of the legal description clearly indicated;
4. A vicinity map at a scale of not more than 400 feet to the inch, except that the

Administrator may approve an alternative scale if requested. The vicinity map shall show all adjacent parcels. It shall show how the streets and alleys in the proposed short subdivision connect with existing and proposed streets and alleys in neighboring subdivisions or un-platted property;

5. North arrow, scale and boundary of the proposed short subdivision, and the date the map is prepared;

6. Boundaries of all blocks, lot numbers, and lot lines along with their dimensions and areas in square feet;

7. Location and identification of existing utilities;

8. Location, names and widths of all existing and proposed streets, roads and access easements within the proposed short subdivision and within 100 feet thereof, or the nearest city street if there is no city street within 100 feet of the subject property;

9. All easements, including border easements, or tracts proposed to be dedicated for any public purpose or for the common use of the property owners of the short subdivision;

10. All existing easements that affect the subject property;

11. Location of any natural features such as wooded areas, streams, drainage ways, special flood hazard areas identified on the Flood Insurance Rate Map, and critical areas as defined in Chapter 22.10 RMC;

12. Location of existing buildings, septic tanks, drain fields, wells and other improvements, and a note indicating if they will remain or be removed;

13. Whether adjacent property is platted or un-platted. If platted, give the name of the subdivision. If the proposed short subdivision is the division of a portion of an existing plat, the approximate lines of the existing plat are to be shown and a copy of the existing plat must be provided, along with the recording numbers of any recorded covenants and easements;

14. Topographic information as provided by a Licensed Land Surveyor, at five-foot maximum contour intervals, or at two-foot intervals where overall site topography is too flat to be depicted by five-foot intervals. Delineate areas with any slopes that are fifteen percent (15%) or greater; and

15. Site data table showing number of proposed lots, existing zoning, water supplier, and method of sewerage.

24.40.020 Distribution of plans.

When the Department determines that the application is complete pursuant to Chapter

19.30 RMC, the Department shall distribute the application materials to agencies deemed prudent by the city. The application materials shall also be provided to nearby municipalities when the subject property is located adjacent to or within one mile of another municipal boundary. Application materials shall also be provided to the Washington State Department of Transportation when the subject property is located adjacent to the right-of-way of any existing or proposed state or federal highway. Any reviewing agency may request additional information during the review process.

24.40.030 Preliminary short subdivision – Administrative review.

Preliminary short subdivisions are classified as Type I applications and shall be processed pursuant to the applicable provisions of Title 19 RMC. The Administrator is authorized to approve, approve with conditions, or deny the application for preliminary short subdivision. The applicant will be notified in writing by the Administrator as to the requirements for the filing of the short subdivision (preliminary short subdivision approval) or its denial within thirty (30) days of determining that the application is complete. The decision of the Administrator is final unless a timely appeal is filed pursuant to RMC 24.40.050, Appeals.

24.40.040 Findings.

Prior to approving any preliminary short subdivision the Administrator shall determine and make written findings of fact that the public interest will be served by the short subdivision, the proposed short subdivision is in conformity with all applicable development code provisions and that appropriate provisions are made for the following:

- A. The public health, safety, and general welfare;
- B. Open spaces;
- C. Drainage ways;
- D. Streets or roads, alleys, sidewalks, multi-use pathways, and other public ways;
- E. Transit stops;
- F. Public potable water supplies;
- G. Sanitary sewer;
- H. Parks and recreation;
- I. Playgrounds, schools and school grounds;
- J. Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;

K. Other requirements found to be necessary and appropriate and for which written standards and policies have been adopted.

24.40.050 Appeals.

Any decision approving or disapproving any land division shall be reviewable pursuant to the appropriate project permit application type as provided in RMC 19.20.030 and the procedure set forth in Chapter 19.70 RMC.

24.40.060 Final short subdivision submittal.

A. The final short subdivision shall incorporate all conditions of the preliminary approval, and all conditions of approval imposed by the Administrator.

B. All final short subdivision submittals shall include the following:

1. A minimum of two (2) copies of the proposed final short subdivision;
2. Appropriate fees as provided in RMC 24.20.130;
3. Plat certificate dated within thirty (30) days of the application filing date confirming that the title of the lands as described and shown on the short subdivision is in the name of the owners signing; and
4. Maps shall also be submitted in portable document format (.pdf) format at the time of submittal.

24.40.070 Phasing.

Phasing of short subdivisions is not permitted.

24.40.080 Contents of final short subdivision.

All surveys shall comply with the Survey Recording Act (Chapter 58.09 RCW), minimum standards for survey and land descriptions (Chapter 332-130 WAC), and any applicable city standards. The contents of a final short subdivision shall include the following:

A. The final short subdivision shall be a legibly drawn, printed, or reproduced permanent map. Final short subdivisions shall measure 24 x 36 inches. A two-inch margin shall be provided on the left edge, and a one-half-inch margin shall be provided at the other edges of the plat map. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.

B. The file number of the short subdivision, location by quarter-quarter(s) of a section, township and range shall be shown.

C. The scale shall be 50 feet or 100 feet to the inch. If approved by the Department, an appropriate scale may be used which does not exceed 200 feet to the inch, provided a 400 feet to the inch reduced copy is also submitted. The scale shall be shown in a text form as well as a graphic bar scale.

D. A bold boundary line shall delineate the existing perimeter boundary of the short subdivision prior to any dedication to the public.

E. The location and widths of streets, alleys, rights-of-way, and easements serving the property, parks and open spaces proposed within the division and those platted easements existing immediately adjacent to the division shall be shown and or identified. Areas to be dedicated to the public must be labeled.

F. Layout and names of adjoining subdivisions, subdivision lots or portions thereof shall be shown within and adjacent to the short subdivision boundary.

G. The layout, lot and block numbers, and dimensions of all lots shall be shown.

H. Street names shall be shown.

I. Street addresses for each lot shall be shown.

J. Plat restrictions required as conditions of preliminary short subdivision approval shall be shown.

K. Existing easements and utility easements shall be identified, shown and labeled. Recording information for the easement(s) shall be provided on the survey. Any easement and/or utility easement being created by the immediate land division shall also be identified, shown and labeled.

L. Any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas, and connections to adjacent state highways shall be shown.

M. A notarized certification and acknowledgement by the owner(s) and beneficiary, if other than the city, as shown on a current plat certificate shall be provided dedicating streets, areas intended for other public use, and the granting of easements for slope and utilities.

N. A certification signed by a professional land surveyor registered in the state of Washington stating: (1) that the final short subdivision was surveyed and prepared by him/her, or under his/her supervision; (2) that the short subdivision map is a true and correct representation of the subject land; and (3) that monumentation has been established as required by city standards. The certification must be consistent with Chapter 58.09 RCW.

O. All monuments found, set, reset, replaced or removed and not replaced, describing their kind, size and location and giving other data relating thereto;

P. Bearing trees, corner accessories or witness monuments, basis of bearings, bearing and length of lines, scale of map with graphic bar scale and north arrow;

Q. Any other data necessary for the interpretation of the various items and locations of the points, lines and areas shown;

R. The allowable error of mathematical closure for the final plat map shall not exceed one foot in 80,000 feet or 0.30 foot, whichever is greater;

S. Bearings and lengths are to be shown for all lines. No ditto marks are to be used;

T. Arrows shall be used to show limits of bearings and distances whenever any chance of misinterpretation could exist;

U. Short subdivision boundary and street center lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show two (2) spiral curve elements in addition to the chord bearing and length;

U. Lots along curves shall show arc length and radius. For lot corners that are on non-tangent or non-perpendicular curves, the radial bearing shall be shown. If a curve table is provided, it shall show angle for each segment of the curve along each lot, arc length, tangent length, and radius;

V. All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds. All partial measurements shown shall equal the total overall measurements shown;

W. Requirements for lot development, such as intersection sight distance preservation features and other constraints on lot improvements;

X. The final short subdivision map shall indicate the actual net area for each platted lot exclusive of dedicated or private road right-of-way. Lots one (1) acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet to the nearest square foot.

Y. Signature blocks. The plat must be reviewed and signed by the following:

1. Richland Public Works Director;
2. Administrator;
3. Benton-Franklin Health District (only where septic systems and/or private wells are required to serve the development);
4. Benton County Treasurer;
5. Benton County Assessor; and

6. Applicable irrigation purveyor.

24.40.090 Final short subdivision – Approval of Administrator and Public Works Director.

A. Upon receipt of the final short subdivision application, the Administrator and Public Works Director shall review and approve the final short subdivision once it has been determined that it conforms to the conditions of the preliminary approval and applicable state laws, and meets the Title 24 RMC requirements in existence when the preliminary short subdivision was approved. Minimum improvements shall consist of all of the following elements:

1. Issuance of a right-of-way construction permit pursuant to Chapter 12.08 RMC; and
2. All elements of the permitted sanitary sewer system installed, inspected and accepted. Completion of manhole and cleanout casting adjustments may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
3. All elements of the permitted potable water distribution system installed, inspected and accepted. Completion of valve covers and surface adjustments to fire hydrants may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
4. All elements of the permitted stormwater drainage system installed, inspected, and accepted. Completion of manhole and inlet casting adjustments and long term erosion control treatment of retention basins may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
5. All elements of the permitted public streets installed, inspected and accepted. Consistent with RMC 24.40.100, completion of asphalt paving and curb and gutter may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
6. Concrete sidewalks included in the right-of-way construction permit may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
7. Inspection, acceptance and energizing of streetlights may be deferred if secured by a security improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
8. All off-site infrastructure required by preliminary short subdivision conditions is installed, inspected and accepted, and all property rights acquisition for said infrastructure is completed. Property rights transactions must be recorded in the public record; and

9. Placement of all public street survey monumentation and property boundary markers may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and

10. Record drawings of the public infrastructure meeting the Public Works Standards.

B. The Public Works Director may determine that the minimum improvements described above are substantially complete if: (1) all of the items listed above are complete to the point of providing service as intended by their design, even if minor work is needed to complete adjustments and site cleanup; and (2) the total estimated value of the minor work is less than \$10,000; and (3) the applicant has deposited \$10,000 with the city prior to submittal of the final short subdivision or subdivision application to secure completion of the required minor work. Inspection, acceptance and energizing of street lights may be included in the scope of this minor work.

24.40.100 Recording.

The applicant shall record the completed final short subdivision map with the Benton County Auditor's Office and submit copies of the recorded documents to the Department within ten (10) days of recordation. All fees for such recording shall be paid by the applicant prior to recording.

24.40.110 Expiration of preliminary approval.

Approval of a preliminary short subdivision shall automatically expire two (2) years from the date of approval unless a complete application for a final short subdivision meeting all requirements under this title is submitted to the city. Extension of time may be granted as provided in RMC 24.40.120.

24.40.120 Time extensions.

A. An extension request letter and supporting data for time extension requests shall be submitted to the Development Services Department at least forty-five (45) days prior to the expiration of the preliminary short subdivision. Time extension requests shall be processed as a Type I application under to Title 19 RMC.

B. The Administrator may approve one (1) twelve (12)-month time extension provided there are no significant changed conditions or changed development regulations which would render recording of the short subdivision contrary to the public health, safety, or general welfare. Prior to granting the time extension, the Department shall circulate the time extension request to affected agencies for comment. Additional or altered conditions recommended by the Department or affected agencies may be required as a condition of this extension. This may include new or updated city regulations deemed necessary to protect the public health, safety, or general welfare.

C. The Department shall issue a written decision approving or denying the time extension request and provide copies to affected agencies, the applicant, and those parties

requesting a copy of such decision. Appeals of a time extension shall be filed in a manner consistent with the provisions of Chapter 19.70 RMC.

Chapter 24.50 SUBDIVISIONS

Sections:

- 24.50.005 Pre-Application conference required.**
- 24.50.010 Contents of application.**
- 24.50.020 Distribution of plans.**
- 24.50.030 Preliminary subdivision – open record hearing.**
- 24.50.040 Preliminary subdivision – review by hearing examiner.**
- 24.50.050 Findings.**
- 24.50.060 Appeals.**
- 24.50.070 Expiration of preliminary approval.**
- 24.50.080 Time extensions.**
- 24.50.090 Final subdivision submittal.**
- 24.50.100 Contents of final subdivision.**
- 24.50.110 Phasing.**
- 24.50.120 Final plat – approval of Administrator and Public Works Director.**
- 24.50.130 Performance bond.**
- 24.50.140 Recording.**

24.50.005 Pre-application conference required.

A pre-application conference pursuant to RMC 19.30.010 is required prior to filing an application for a preliminary subdivision unless the Administrator waives this requirement. The Administrator's determination to waive this pre-application requirement is based on the scope and complexity of the proposed project, and will be made in the Administrator's sole discretion.

24.50.010 Contents of application.

Every preliminary subdivision shall consist of the appropriate application form, applicable fees, and the following:

A. Maps and Exhibits.

1. Two (2) copies of the preliminary subdivision which shall be a legibly drawn map 24 x 36 inches in size at a scale of one (1) inch equals 50 feet or one (1) inch equals 100 feet. If approved by the Department, an alternative appropriate scale may be used;
2. One (1) reduced (11 x 17 inches) copy of the preliminary short subdivision;
3. One (1) copy of the short plat shall be submitted to the City in a digital or electronic format as a Portable Document Format (PDF).
4. SEPA environmental checklist;

5. A plat certificate dated within thirty (30) days of the application filing date confirming that the title of the lands as described and shown on the short subdivision is in the name of the owner(s) signing;

6. Any other information deemed necessary by the Administrator to demonstrate compliance with requirements of the Richland Municipal Code.

B. Preliminary subdivision data (to be included on the preliminary subdivision).

1. Title of the proposed subdivision;

2. Location of the subject property by quarter-quarter(s) of the section, township and range;

3. Legal description of the subject property with the source of the legal description clearly indicated;

4. A vicinity map at a scale of not more than 400 feet to the inch, except that the Administrator may approve an alternative scale if requested. The vicinity map shall show all adjacent parcels. It shall show how the streets and alleys in the proposed subdivision connect with existing and proposed streets and alleys in neighboring subdivisions or un-platted property;

5. North arrow, scale and boundary of the proposed subdivision, and the date the map is prepared;

6. Boundaries of all blocks, lot numbers, and lot lines along with their dimensions and areas in square feet;

7. Location and identification of existing utilities;

8. Location, names and widths of all existing and proposed streets, roads and access easements within the proposed subdivision and within 100 feet thereof, or the nearest city street if there is no city street within 100 feet of the subject property;

9. All easements, including border easements, or tracts proposed to be dedicated for any public purpose or for the common use of the property owner(s) of the subdivision;

10. All existing easements that affect the subject property;

11. Location of any natural features such as wooded areas, streams, drainage ways, special flood hazard areas identified on the Flood Insurance Rate Map, or critical areas as defined in Chapter 22.10 RMC;

12. Location of existing buildings, septic tanks, drain fields, wells or other improvements, and a note indicating if they will remain or be removed;

13. Whether adjacent property is platted or un-platted. If platted, give the name of the subdivision. If the proposed subdivision is the division of a portion of an existing plat, the approximate lines of the existing plat are to be shown, and a copy of the existing plat shall be submitted, along with the recording numbers of any recorded covenants and easements;

14. Topographic information as provided by a Licensed Land Surveyor, at five-foot maximum contour intervals, or at two-foot intervals where overall site topography is too flat to be depicted by five-foot intervals. Delineate areas with any slopes that are 15 percent (15%) or greater; and

15. Site data table showing number of proposed lots, existing zoning, water supplier, and method of sewerage.

24.50.020 Distribution of plans.

When the Department determines that the application is complete pursuant to Chapter 19.30 RMC, the Department shall distribute the application materials to agencies deemed prudent by the city. The application materials shall also be provided to nearby municipalities when the subject property is located adjacent to or within one (1) mile of another municipal boundary. Application materials shall also be provided to the Washington State Department of Transportation when the subject property is located adjacent to the right-of-way of any existing or proposed state or federal highway. Any reviewing agency may request additional information during the review process.

24.50.030 Preliminary subdivision – open record hearing.

Preliminary subdivisions are classified as Type IIIA applications and shall be processed pursuant to the applicable provisions of Title 19 RMC. Notice of the time, place, and purpose of the hearing examiner open record hearing on the preliminary subdivision shall be given in accordance with RMC 19.40.010 and in the following manner:

A. Mailing a written notice not less than fifteen (15) days prior to the date of such hearing to the owners of all properties within 300 feet of the exterior boundaries of the proposed subdivision, said mailing to be by regular, first class mail, postage prepaid; and

B. Posting public notice on or adjacent to the land proposed to be subdivided at least fifteen (15) days prior to the date of the open record hearing; and

C. Publishing in the official newspaper of the city and on the city's website a notice of the open record hearing not less than fifteen (15) days prior to the date of such hearing.

24.50.040 Preliminary subdivision – review by hearing examiner.

The hearing examiner will hold an open record hearing concerning all preliminary subdivisions submitted to the city, and will review all preliminary subdivisions to assure conformance of the proposed subdivision to the general purposes of the comprehensive plan or other official growth management controls of the city, and to assure conformance

to city planning standards, zoning, and specifications.

A. The hearing examiner shall inquire into the public use and interest proposed to be served by the subdivision and any dedications associated therewith. The hearing examiner shall determine if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets, alleys, multi-use pathways, and other public ways, transit stops, public potable water supplies, sanitary sewer, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features, that assure safe walking conditions for students who walk to and from school, and determine whether the public interest will be served by the subdivision and dedications.

B. Every decision of the hearing examiner shall be in writing and shall include findings of fact and conclusions to support the decision.

C. The hearing examiner must act on the application within 90 days of filing of a fully completed preliminary subdivision application unless the applicant consents to an extension of time. This 90-day period excludes time required to comply with Chapter 43.21C RCW and RMC 24.50.030.

D. The decision of the hearing examiner is final unless a timely appeal is filed pursuant to RMC 24.50.060.

24.50.050 Findings.

Prior to approving any preliminary subdivision, the hearing examiner shall determine and make written findings of fact that the public interest will be served by the subdivision, the proposed subdivision is in conformity with all applicable development code provisions and that appropriate provisions are made for the following:

- A. The public health, safety, and general welfare;
- B. Open spaces;
- C. Drainage ways;
- D. Streets or roads, alleys, sidewalks, multi-use pathways, and other public ways;
- E. Transit stops;
- F. Public potable water supplies;
- G. Sanitary sewer;
- H. Parks and recreation;
- I. Playgrounds, schools and school grounds;

J. Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;

24.50.060 Appeals.

Any decision approving or disapproving any land division shall be reviewable pursuant to the appropriate project permit application type as provided in RMC 19.20.030 and procedure as set forth in Chapter 19.70 RMC.

24.50.070 Expiration of preliminary approval.

Approval of a preliminary subdivision shall automatically expire five (5) years from the date of approval unless a complete application for a final subdivision meeting all requirements under this title is submitted to the city. Extension of time may be granted as provided in RMC 24.50.080.

24.50.080 Time extensions.

A. An extension request letter and supporting data for time extension requests shall be submitted to the Department at least forty-five (45) days prior to the expiration of the preliminary subdivision. Time extension requests shall be processed as a Type I application pursuant to Title 19 RMC.

B. Subject to the routing and comment requirement provided herein, the Administrator may grant a single one-year time extension provided there are no significant changed conditions or changed development regulations which would render recording of the subdivision contrary to the public health, safety, or general welfare. Prior to granting the one-year time extension, the Department shall circulate the time extension request to affected agencies for comment. Additional or altered conditions recommended by the Department or affected agencies may be required as a condition of the time extension. This may include new or updated city regulations deemed necessary to protect the public health, safety, or general welfare.

C. The Department shall issue a written decision approving or denying the time extension request and provide copies to affected agencies, the applicant, and those parties requesting a copy of such decision. Appeals of a time extension shall be filed in a manner consistent with the provisions of Chapter 19.70 RMC.

24.50.090 Final subdivision submittal.

A. The submittal of an application for final subdivision approval shall only occur after:

1. The applicant has completed all work and it has been accepted by the Public Works Department; or
2. The applicant has substantially completed all work required by the Public Works Department, including preparation and submittal of record drawings and survey data, a walk-thru inspection has been completed (with punch list items valued at less than

\$10,000), and financial security a surety bond for the punch list items has been provided and accepted by the Public Works Department; or

3. A security and improvement agreement in a form approved by the City Attorney and executed by applicant and the City Manager, coupled with the required financial surety, is attached to the final subdivision application.

B. Upon satisfaction of one of the three options above and submission of the final subdivision application to the Department, it shall be routed to appropriate departments and agencies to review for compliance with the conditions of approval. Once all reviewing departments and agencies are satisfied, all necessary infrastructure has been installed, and all conditions have been met or appropriate bonding and surety obtained pursuant to RMC 24.50.110, the final subdivision map shall be submitted by applicant to the Department for obtaining the required signatures. Final subdivisions shall be approved, disapproved, or returned to the applicant within thirty (30) days from the date of receipt thereof, unless the applicant consents to an extension of such time period (RCW 58.17.140).

24.50.100 Contents of final subdivision.

All surveys shall comply with the Survey Recording Act (Chapter 58.09 RCW), minimum standards for survey and land descriptions (Chapter 332-130 WAC), and any applicable city standards. The contents of a final subdivision shall include the following:

A. The final subdivision shall be a legibly drawn, printed, or reproduced permanent map. Final subdivisions shall measure 24 x 36 inches. A two-inch margin shall be provided on the left edge, and a one-half-inch margin shall be provided at the other edges of the plat map. If more than one sheet is required, each sheet shall show sheet numbers for the total sheets.

B. The file number of the subdivision, location by quarter-quarter(s) of a section, township and range shall be shown.

C. The scale shall be 50 feet or 100 feet to the inch. If approved by the Department, an appropriate scale may be used which does not exceed 200 feet to the inch, provided a 400 feet to the inch reduced copy is also submitted. The scale shall be shown in a text form as well as a graphic bar scale.

D. A bold boundary line shall delineate the existing perimeter boundary of the subdivision prior to any dedication to the public.

E. The location and widths of streets, alleys, rights-of-way, and easements serving the property, parks and open spaces proposed within the division and those platted easements existing immediately adjacent to the division shall be shown and or identified. Areas to be dedicated to the public must be labeled.

F. Layout and names of adjoining subdivisions, subdivision lots or portions thereof shall

be shown within and adjacent to the subdivision boundary.

G. The layout, lot and block numbers, and dimensions of all lots shall be shown.

H. Street names shall be shown.

I. Street addresses for each lot shall be shown.

J. Plat restrictions required as conditions of preliminary subdivision approval shall be shown.

K. Existing easements and utility easements shall be identified, shown and labeled. Recording information for the easement(s) shall be provided on the survey. Any easement and/or utility easement being created by the immediate land division shall also be identified, shown and labeled.

L. Any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas, and connections to adjacent state highways shall be shown.

M. A notarized certification and acknowledgement by the owner(s) and beneficiary, if other than the city, as shown on a current plat certificate shall be provided dedicating streets, areas intended for other public use, and the granting of easements for slope and utilities.

N. A certification signed by a professional land surveyor registered in the state of Washington stating: (1) that the final subdivision was surveyed and prepared by him/her, or under his/her supervision; (2) that the subdivision map is a true and correct representation of the subject land; and (3) that monumentation has been established as required by city standards. The certification must be consistent with Chapter 58.09 RCW.

O. All monuments found, set, reset, replaced or removed and not replaced, describing their kind, size and location and giving other data relating thereto;

P. Bearing trees, corner accessories or witness monuments, basis of bearings, bearing and length of lines, scale of map with graphic bar scale and north arrow;

Q. Any other data necessary for the interpretation of the various items and locations of the points, lines and areas shown;

R. The allowable error of mathematical closure for the final plat map shall not exceed one foot in 80,000 feet or 0.30 foot, whichever is greater;

S. Bearings and lengths are to be shown for all lines. No ditto marks are to be used;

T. Arrows shall be used to show limits of bearings and distances whenever any chance

of misinterpretation could exist;

U. Subdivision boundary and street center lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show two (2) spiral curve elements in addition to the chord bearing and length;

U. Lots along curves shall show arc length and radius. For lot corners that are on non-tangent or non-perpendicular curves, the radial bearing shall be shown. If a curve table is provided, it shall show angle for each segment of the curve along each lot, arc length, tangent length, and radius;

V. All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds. All partial measurements shown shall equal the total overall measurements shown;

W. Requirements for lot development, such as intersection sight distance preservation features and other constraints on lot improvements;

X. The final subdivision map shall indicate the actual net area for each platted lot exclusive of dedicated or private road right-of-way. Lots one (1) acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet to the nearest square foot.

Y. Signature blocks. The plat must be reviewed and signed by the following:

1. Richland Public Works Director;
2. Administrator;
3. Benton-Franklin Health District (only where septic systems and/or private wells are required to serve the development);
4. Benton County Treasurer;
5. Benton County Assessor; and
6. Applicable irrigation purveyor.

24.50.110 Phasing.

A. Any subdivision may be developed in phases or increments. A master phasing plan shall be submitted with the preliminary subdivision for approval by the Department. The phasing plan may be approved by the Administrator provided:

1. The phasing plan includes all land identified within the legal notice;
2. The sequence of phased development is identified by a map;

3. Each phase has reasonable public or private infrastructure to support the number of dwelling units or proposed commercial or industrial development contained in that phase and to appropriately mitigate and identified impacts;

4. Each phase constitutes an independent planning unit with facilities, adequate circulation, and any requirements established for the entire subdivision or binding site plan; and provided that any non-finalized portion meets the minimum lot size of the underlying zone for the proposed use; and

5. The Public Works Director approves the necessary documents so that all road improvement requirements are assured for that phase.

B. A phasing plan may be amended or substituted following preliminary approval. Said plan may be approved administratively provided the above criteria are met.

24.50.120 Final plat – Approval of Administrator and Public Works Director.

A. Upon receipt of the final subdivision map, the Administrator and Public Works Director shall review the final map and shall approve the final subdivision once it has been determined that the final subdivision conforms to the conditions of the preliminary approval and applicable state laws, and meets the Title 24 RMC requirements in existence when the preliminary subdivision was approved. Minimum improvements shall consist of all of the following elements:

1. Issuance of a right-of-way construction permit pursuant to Chapter 12.08 RMC; and
2. All elements of the permitted sanitary sewer system are installed, inspected and accepted. Completion of manhole and cleanout casting adjustments may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
3. All elements of the permitted potable water distribution system are installed, inspected and accepted. Completion of valve covers and surface adjustments to fire hydrants may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
4. All elements of the permitted stormwater drainage system are installed, inspected and accepted. Completion of manhole and inlet casting adjustments and long term erosion control treatment of retention basins may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
5. All elements of the permitted public streets are installed, inspected and accepted. Consistent with RMC 24.50.120, completion of asphalt paving and curb and gutter may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and

6. Concrete sidewalks included in the right-of-way construction permit may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
7. Inspection, acceptance and energizing of streetlights may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
8. All off-site infrastructure required by preliminary subdivision conditions is installed, inspected and accepted, and all property rights acquisition for said infrastructure is completed. Property rights transactions must be recorded in the public record; and
9. Placement of all public street survey monumentation and property boundary markers may be deferred if secured by a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager; and
10. Record drawings of the public infrastructure meeting the Public Works standards may be deferred if secured by a security agreement in a form approved by the City Attorney and executed by the City Manager.

B. The Public Works Director may determine that the minimum improvements described above are substantially complete and authorize the final plat if: (1) all of the items listed above are complete and the total estimated value of the incomplete work is less than \$10,000; and (2) the applicant has deposited \$10,000 with the City prior to submittal of the final subdivision application to secure completion of the required work; or (3) if the applicant and the City enter into a Security Improvement Agreement to secure the completion of incomplete items..

24.50.130 Performance bond.

In lieu of the construction of the required improvements prior to final platting or dividing of the property, the applicant may enter into a Security Improvement agreement with the city to construct the required street improvements at a later date, and shall furnish to the city a performance bond or other security in an amount and with surety conditions satisfactory to the city, providing for and securing to the city the actual construction of the streets within a period specified by the city and expressed in the bond and/or contract. The full amount of the bond shall be retained by the city until completion of the construction of the streets and acceptance of the improvements by the city.

24.50.140 Recording.

The applicant shall record the completed final subdivision map with the Benton County Auditor's Office and submit copies of the recorded documents to the Development Services Department within ten (10) days of recordation. All fees for such recording shall be paid by the applicant prior to recording.

Chapter 24.60 BINDING SITE PLANS

Sections:

- 24.60.010 Purpose and scope.**
- 24.60.020 Overview of procedures.**
- 24.60.030 Application for binding site plan approval.**
- 24.60.040 Content of binding site plan.**
- 24.60.050 Review procedures for preliminary approval.**
- 24.60.060 Requirements for final approval including design and bonding of improvements.**
- 24.60.070 Commercial and industrial subdivisions and binding site plan.**
- 24.60.080 Performance bond.**
- 24.60.090 Appeals.**
- 24.60.100 Recording and enforcement.**
- 24.60.110 Rescission.**
- 26.60.120 Expiration.**
- 26.60.130 Time extensions.**
- 24.60.140 Notice of filing.**

24.60.010 Purpose and scope.

A. The purpose of the binding site plan is to establish an alternative procedure of land division in lieu of other provisions of Title 24 RMC. The intent of the binding site plan process is to promote orderly and efficient community growth consistent with the provisions of RCW 58.17.035. This chapter shall apply to every division of commercially or industrially zoned land into two or more parcels for the purposes of sale, lease, or other transfer of ownership, except for those land divisions exempted from this title. The division of property by the binding site plan process may only be used for the following:

1. Division of land for the sale or lease of commercial, industrial or other non-residentially zoned property;
2. The division of land for the purposes of leasing space for manufactured homes, travel trailers, tiny houses or tiny houses with wheels as defined in RCW 35.21.686, or other recreational vehicles so long as the site plan complies with all other applicable regulations; and
3. The division of land involving improvements constructed or to be constructed that will be one or more condominiums or owned by an association or other legal entity.

B. Binding site plans will not be approved unless appropriate provisions and dedications of public rights-of-way, utilities, and easements are made to meet infrastructure provisions per city standards. The city may also require a development agreement governing future development of the property.

24.60.020 Overview of procedures.

A. The general procedures for processing a binding site plan shall consist of the following steps:

1. Submittal of an application for preliminary approval of a binding site plan;

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Can't subdivisions or short plats still be done?

2. Approval by the Public Works Director of appropriate engineering design plans for streets and other public improvements, and either construction of improvements or submittal of a security and improvement agreement in a form approved by the City Attorney and executed by the City Manager;
3. Approval of the binding site plan by the Administrator; and
4. Recording of binding site plan with the Benton County Auditor's Office.

24.60.030 Application for binding site plan approval.

Prior to the division of commercial or industrial land, a binding site plan application shall be filed. The application shall include:

- A. A completed application form;
- B. Two (2) copies of the binding site plan prepared by a registered professional land surveyor (24 x 36 inches) and one set of reduced size (11 x 17 inches) reductions of the binding site plan;
- C. A Plat Certificate dated no later than thirty (30) days prior to the date of application showing the name of all parties with an interest in the land being subdivided;
- D. Preliminary engineering plans including, but not limited to water, sewer, streetlights, roads, storm drainage and sidewalks;
- E. Application fee as required by the City of Richland Fee Schedule;
- F. SEPA Checklist; and
- G. Any other information deemed necessary by the Administrator to demonstrate compliance with requirements of the Richland Municipal Code.

24.60.040 Content of binding site plan.

The binding site plan shall consist of a cover sheet, if necessary, containing approvals, conditions, certificates, and inscriptions; and a scaled drawing(s) representing the parcel to be divided. The cover sheet is necessary only if the binding site plan contains more than one sheet. All sheets shall be drawn in permanent black ink on sheets of paper measuring 24 x 36 inches, and with a two-inch margin on the left edge and a one-inch margin on all other edges. The drawing shall be drawn at an appropriate decimal scale such that it is not cramped or illegible. The cover sheet and drawing shall contain the following:

A. Content of cover sheet. The cover sheet shall contain the following information and inscriptions:

1. At the top of the sheet, the title "Binding Site Plan No. (number) of (year)" followed by the name of the proposed binding site plan. If the land to be divided is a portion of a larger property for which a binding site plan has previously been recorded, the name

shall be "a portion of..." followed by the name of previously recorded binding site plan;

2. Sufficient data to readily determine and reproduce on the ground the bearing and length of every line described below, for which an exact location is known, with all dimensions shown to the nearest one hundredth of a foot, curves described by length of arc, radius, and central angle, with all angles and bearings shown in degrees, minutes, and seconds;

3. Location by section, township and range to the nearest quarter section;

4. Legal descriptions of all the lots, parcels, or tracts of land within the boundaries of the parcel as they are proposed to be divided at the time of binding site plan approval; and

5. Inscriptions setting forth appropriate limitations and conditions for use of the land; and

6. Certificates, dedications, and approvals as required by the Administrator.

B. Content of binding site plan drawing(s). The binding site plan drawing(s) shall contain the following information:

1. At the top of the sheet, the title and name of the binding site plan as provided in subsection (A)(1) of this section;

2. Location by section, township and range to the nearest quarter section;

3. Scale of drawing, date, and north arrow;

4. Existing topography as provided by a Licensed Land Surveyor of the land indicated by contour lines at two-foot intervals or less and delineating any areas with slopes that are 15% or greater;

5. The boundary line of the binding site plan which contains the entire parcel which is to be divided, and the line of all existing buildings, streets, roads, rights-of-way, easements, lots, blocks, tracts, etc. within or adjacent to the property to be divided;

6. The locations of all proposed streets, roads, rights-of-way, easements, etc.;

7. The lines of the lot divisions proposed at the time of binding site plan application;

8. The exact location, width, and name or purpose of existing and proposed streets, roads, alleys, walks, utility, access control, or other easements, driveway accesses onto public streets, open spaces, etc., except that where exact locations and dimensions are not known at the time of binding site plan application, general locations shall be shown and appropriate limitations and conditions shall be referenced to and

contained within inscriptions on the binding site plan cover sheet;

9. Sufficient data to readily determine and reproduce on the ground the bearing and length of every line described above, for which an exact location is known, with all dimensions shown to the nearest one hundredth of a foot, with curves described by length of arc, radius, and central angle, with all angles and bearings shown in degrees, minutes and seconds; and

10. The location of all streams, ponds, wetlands, or other bodies of water, prominent topographic features, sensitive areas, or other significant natural features on the site which affect or might be affected by the division or development of the land.

24.60.050 Review procedures for preliminary approval.

A. Referral to city departments and divisions. Within five (5) working days of the filing of a complete binding site plan application, the Administrator will transmit a copy of the binding site plan to the Public Works Department, Energy Services, Fire & Emergency Services, and the Building division of the Development Services Department. Transmittal of the binding site plan shall be under cover of a memorandum scheduling a meeting of the affected departments and divisions within twenty (20) business days following the filing of a complete binding site plan application, and shall stipulate the time and place of such meeting.

B. Written response from affected departments. Prior to or at the binding site plan meeting, written comments, recommendations or requirements from the affected departments shall be delivered to the Administrator. Failure to provide a written response shall constitute an assumption that the binding site plan is acceptable to the department not responding.

C. Binding site plan meeting. The binding site plan meeting shall convene at the stipulated time and place, and shall be attended by affected departments and the applicant and/or representatives of the applicant. The Administrator shall serve as moderator of the meeting.

D. Consideration and action by the Administrator. The Administrator, within a period of five (5) business days from the date of the binding site plan meeting, shall consider all information provided and determine if the application for binding site plan makes adequate provisions for the public health, safety, and welfare, and will be in the best interests of the citizens of the city and in accordance with the design criteria of the Richland Municipal Code. After due consideration of the above, the Administrator shall approve, conditionally approve, deny, or return the binding site plan application to the applicant.

E. Return and resubmission. The Administrator may return the application for binding site plan to the applicant without taking action on it when additional information or modifications are required. After an application is resubmitted, the Administrator may (1)

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refer the application to affected city departments and divisions and schedule a second binding site plan meeting according to the procedure previously set forth, or (2) take action on the binding site plan application resubmittal. The Administrator shall act to approve, conditionally approve, or deny the application for the binding site plan; however, the Administrator may, with the applicant's consent, return the binding site plan to the applicant without taking action on it.

24.60.060 Requirements for final approval including design and bonding of improvements.

A. Prior to affixing of a signature of approval on the binding site plan by the Administrator, the applicant shall, upon the decision of the Public Works Director, either have included specific conditions on the face of the binding site plan with regard to the timing of bonding or construction of public infrastructure improvements within the proposed rights-of-way or easement areas, or have prepared and submitted to the Public Works Director, and the Public Works Director shall have approved, detailed engineering and design plans for any required streets, utility systems, storm drainage systems, and street lighting systems, or other required improvements in accordance with the applicable specifications and standards of the city and other involved utility agencies. Irrigation system designs, site grading, and other such designs or plans that may be required by law, or that were specifically required as conditions of binding site plan approval, shall be submitted concurrently for the Public Works Director's review and approval. Furthermore, bonding or other legally sufficient assurances of installation of required improvements shall be provided as required in RMC 24.50.110 related to subdivision procedures. Following the affixing of all required signatures, the binding site plan shall be filed for record in the Benton County Auditor's Office.

B. When binding site plans are approved in areas where a master plan including preliminary engineering has been reviewed and approved by all departments and the Richland City Council, the Administrator shall allow recording of the binding site plan, provided specific conditions have been included on the face of the binding site plan noting that the master plan shall be the basis for controlling the location and size of all utilities and roads, and that a building permit shall not be issued for site development until all detailed engineering plans are submitted and approved by the city, and are either constructed or bonded or otherwise conditioned.

24.60.070 Commercial and industrial subdivisions and binding site plan.

In addition to the design criteria found elsewhere in this code, commercial and industrial property proposed to be divided under the binding site plan provisions of this title shall be evaluated according to the following criteria:

A. Streets. Where necessary to meet the criteria for length and width of commercial and industrial blocks or where shown on the comprehensive plan, streets shall be dedicated to the public. The design and improvement of commercial and industrial streets shall conform to the applicable criteria and standards for streets elsewhere in this code. In addition, streets shall be designed and improved in a manner sufficient to accommodate the types of vehicles and volume of traffic expected as determined by the Public Works

Director. The Public Works Director may require commercial or industrial access streets to be developed to a greater width than required for residential access streets. Where it is proposed that frequent truck and bus traffic will share roadways with passenger vehicles, turning radii shall be such that movement of trucks and buses into adjacent lanes is minimized.

B. Private access easements / roadways. In addition to any required public streets, private roadways or traffic aisles shall provide access to lots created such that the traffic generated by ultimate development within the boundaries of the property to be divided will be separated from through traffic on collector and arterial streets. The number of intersections of commercial and industrial access roadways with collector and arterial streets shall be minimized.

1. Except for driveway entrances of corner lots, the number of intersections of private streets and traffic aisles with arterial streets on any one street frontage of any block shall be limited to one for every 400 feet of street frontage, or portion thereof, on that side of the block, except where specifically permitted by the city;

2. Corner lots shall be permitted a maximum of one (1) driveway entrances for each street frontage, and all driveway entrances shall be at the far property line from the right-of-way line of an intersecting street, unless approved by the Public Works Director;

3. Corner lots shall have access to the access roadways for other lots in the block as described in this section;

4. As nearly as is practicable, intersections of access roadways with public streets, including driveway entrances, shall be evenly spaced; and

5. All access roadways shall be a minimum of twenty (20) feet in width and shall be designed and improved in a manner sufficient to accommodate the type of vehicles and volume of traffic expected as determined by the Public Works Director.

C. Trails, walkways, and paths. Safe and convenient pedestrian and bicycle access shall be provided from public streets to commercial and industrial lots as determined by the city.

D. Utilities and storm drainage. Utility plans and storm drainage plans shall be reviewed and approved by the Public Works Department, Energy Services, and the Development Services Department prior to approval of any binding site plan.

E. Blocks. Block length shall normally not exceed 2,000 feet or be less than 600 feet. Block width shall normally not exceed 1,000 feet or be less than 300 feet. This requirement may be waived by the Administrator when reviewing a detailed site plan containing specific location of building and design of traffic aisles and parking areas, or when special circumstances are found to exist.

24.060.080 Performance bond.

In lieu of the construction of the required streets prior to final platting or dividing of the property, the applicant may enter into a security and improvement agreement with the city to construct the required street improvements at a later date, and shall furnish to the city a performance bond or other security in an amount and with surety conditions satisfactory to the city, providing for and securing to the city the actual construction of the streets within a period specified by the city and expressed in the bond and/or contract. The full amount of the bond shall be retained by the city until completion of the construction of the streets and acceptance of the street improvements by the city.

24.60.090 Appeals.

Any action taken by the Administrator on a binding site plan application may be appealed to the hearing examiner in accordance with the requirements set forth in Title 19 RMC for a Type I permit application.

24.60.100 Recording and enforcement.

All approved binding site plans must be recorded with the Benton County Auditor. The lots, parcels, or tracts created through this procedure are legal lots of record. All provisions, conditions, and limitations on the binding site plan are binding on the owner, purchaser, or any other person acquiring a lease or other interest of any lot, parcel, or tract created pursuant to the binding site plan. Any sale, transfer, or lease of any lot, tract, or parcel created pursuant to the binding site plan, without a binding site plan approval, is a violation of Chapter 58.17 RCW and this title.

24.60.110 Rescission.

A. The city may rescind, vacate or modify all or a portion of a final binding site plan upon the request of the owner or owners of a legal lot or lots subject to a recorded binding site plan; provided, that any portion of a binding site plan which is rescinded, vacated or modified shall be considered to be configured as it was immediately prior to the time that the binding site plan was recorded.

B. Signatures of all the owners of those portions of a binding site plan which are proposed to be altered by an amendment, rescission or vacation are required on the application for rescission, vacation or modification.

C. The process for rescinding, modifying or vacating a binding site plan shall be accomplished by following the same procedure and satisfying the same laws and conditions as required for a new binding site plan, and the action to rescind, modify or vacate must be found by the city to further the public interest and not cause a significant environmental or land use impact on or beyond the site.

24.60.120 Expiration.

Approval of a binding site plan shall automatically expire five (5) years from the date of approval. Extension of time may be granted as provided in RMC 24.60.130.

24.60.130 Time extensions.

A. An extension request letter and supporting data for time extension requests shall be

submitted to the Department at least forty-five (45) days prior to the expiration of the binding site plan preliminary approval. Time extension requests shall be processed as a Type I application pursuant to Title 19 RMC.

B. Subject to the routing and comment requirement provided herein, the Administrator may grant an initial one-year time extension provided there are no significant changed conditions or changed development regulations which would render recording of the binding site plan contrary to the public health, safety, or general welfare. Subsequent one-year extensions may be granted by the Administrator based on the same analysis. Prior to granting time extensions, the Department shall circulate the time extension request to affected agencies for comment. Additional or altered conditions recommended by the Department or affected agencies may be required as a condition of the time extension. This may include new or updated city regulations deemed necessary to protect the public health, safety, or general welfare.

C. The Department shall issue a written decision approving or denying the time extension request and provide copies to affected agencies, the applicant, and those parties requesting a copy of such decision. Appeals of a time extension shall be filed in a manner consistent with the provisions of Chapter 19.70 RMC.

24.60.140 Notice of Filing.

Notice of filing of a binding site plan adjacent to or within one (1) mile of another municipal boundary must be given to the appropriate municipal official. Notice of such filing located adjacent to the right-of-way of any existing or proposed state or federal highway must be given to the Washington State Department of Transportation. Notice of the filing may be given to any other agency deemed prudent by the city.

CHAPTER 24.70

MODIFICATION TO PRELIMINARY SUBDIVISIONS AND PRELIMINARY SHORT SUBDIVISIONS

Sections:

24.70.010 Applications.

24.70.020 Revisions of preliminary subdivisions and short subdivisions.

24.70.010 Applications.

An application may be submitted for any proposed modification to a preliminary subdivision or preliminary short subdivision. The application shall contain the signatures of the parties having an ownership interest in the plat or binding site plan, and shall be reviewed as a Type I land use decision under Title 19 RMC.

24.70.020 Revisions of preliminary subdivisions and short subdivisions.

A. A request to modify a subdivision or short subdivision that has received preliminary

approval shall be submitted to the Development Services Department.

B. Proposed modifications to a preliminary subdivision that would result in a substantial change, as determined by the Administrator, shall be treated as a new application for purposes of vesting and transportation concurrency, and shall be reviewed as a Type IIIA land use decision under Title 19 RMC.

C. Proposed modifications to a preliminary short subdivision that would result in a substantial change, as determined by the Administrator, shall be treated as a new application for purposes of vesting and, where applicable, transportation concurrency, and shall be reviewed as a Type I land use decision pursuant to Title 19 RMC.

D. For the purpose of this section, a substantial change includes, but is not limited to:

1. Any amendment that would result in or would have the effect of decreasing the aggregate area of open space in the subdivision by 10 percent (10%) or more;
2. Any amendment that would result in increasing the number of lots in the subdivision beyond the number previously approved;
3. Any amendment that would result in the relocation of any roadway access point as it connects to an exterior street from the plat;
4. Any amendment that proposes phasing of plat development when no phasing plan was included in the original preliminary subdivision approval; or
6. Any amendment that, in the opinion of the Administrator, would significantly increase any adverse impacts or undesirable effects of the plat.
6. A change to conditions of approval of an approved preliminary subdivision or preliminary short subdivision that leads to environmental impacts that were not addressed in the original approval.

E. Proposed changes to a subdivision or short subdivision that do not result in a substantial change, as determined by the Administrator, shall be treated as a minor change and may be approved administratively by the Administrator as a Type I land use decision pursuant to Title 19 RMC.

F. For purposes of this section, minor changes include, but are not limited to:

1. Changes to engineering design standards necessitated by changed circumstances, such as reconfiguration or reduction of lots;
2. Changes in lot dimensions that are consistent with the underlying zone;
3. A decrease in the number of lots to be created so long as the minimum lot size and

minimum density of the underlying zone is maintained;

4. Changes in timing of phased plans; and

5. Changes to engineering design that reduce construction-related impacts and do not eliminate off-site improvements specifically required as a condition of preliminary approval.

Chapter 24.80

ALTERATIONS TO FINAL SUBDIVISIONS AND FINAL SHORT SUBDIVISIONS

Sections:

24.80.010 Application.

24.80.020 Alteration of final subdivision – Procedure.

24.80.010 Application.

A. An application may be submitted for any proposed alteration to a final plat or final short subdivision. The application shall contain the signatures of the majority of the parties having an ownership interest in lots, tracts, parcels, sites or divisions in the subject subdivision or portion to be altered. If the subdivision is subject to restrictive covenants which were filed at the time of approval of the subdivision, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation of the subdivision, or portion thereof.

B. A subdivision alteration is classified as a Type III permit, and shall be processed pursuant to Title 19 RMC and in a manner consistent with RCW 58.17.215.

C. Any short subdivision alteration proposed under this section shall be subject to the requirements of Chapter 24.40 RMC.

24.80.020 Alteration of final subdivision – Procedure.

A. Upon receipt of a completed application for the alteration of a final subdivision, the Administrator shall provide notice of the application to all owners of property within the subdivision, publication in the official newspaper of the city, and to those owners of property within 300 feet of that portion or phase of the subdivision proposed for alteration. The notice shall include a statement that a public hearing will be conducted by the hearing examiner.

B. Consistent with RCW 58.17.217 and RCW 58.17.330, any hearing for alteration of a subdivision shall be administered by the hearing examiner, and such decision shall be given the effect of a final decision.

C. During the public hearing, the hearing examiner shall determine the public use and interest in the proposed alteration, and may deny or approve the application for alteration.

If any land within the alteration is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration. If any land within the alteration contains a dedication to the general use of parties residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

D. Following approval of an alteration, the applicant shall produce a revised drawing of the approved alteration of the final plat, which shall be signed by the Administrator and Public Works Director and filed with the Benton County Auditor's Office to become the lawful plat of the property.

Chapter 24.90

VACATION OF FINAL SUBDIVISIONS AND FINAL SHORT SUBDIVISIONS

Sections:

24.90.010 Subdivision or short subdivision vacation – Application.

24.90.020 Subdivision or short subdivision vacation – Process.

24.90.030 Vacation of subdivision or short subdivision – Procedure.

24.90.040 Vacation of subdivision or short subdivision – Conduct of hearing.

24.90.010 Subdivision or short subdivision vacation – Application.

An application may be submitted for the proposed vacation of all or part of a recorded subdivision or short subdivision. The application shall contain the signatures of the majority of those parties having an ownership interest in the lots, tracts, parcels, sites or division in the subject subdivision/short subdivision or portion to be vacated.

24.90.020 Subdivision or short subdivision vacation – Process.

Vacation of a subdivision or short subdivision is classified as a Type III application. Upon submittal of a complete application for vacation of a subdivision or short subdivision, the Administrator shall process the vacation request pursuant to Title 19 RMC and in a manner consistent with RCW 58.17.212.

24.90.030 Vacation of subdivision or short subdivision – Procedure.

Whenever any person is interested in the vacation of any subdivision or portion thereof, or any area designated or dedicated for public use, that person shall file an application for vacation with the city. The application shall set forth the reasons for vacation, and shall contain signatures of all parties having an ownership interest in that portion of the subdivision subject to vacation. If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the application for vacation would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation of the subdivision or portion thereof. Vacations will be processed in accordance with rules prescribed under state law.

24.90.040 Vacation of subdivision or short subdivision – Conduct of hearing.

Consistent with RCW 58.17.217 and RCW 58.17.330, any hearing for vacation of a subdivision shall be administered by the city's hearing examiner, and such decision shall be given the effect of a final decision.

**Chapter 24.100
LAND DIVISION DESIGN STANDARDS**

Sections:

- 24.100.010 Application.**
 - 24.100.020 Street requirements.**
 - 24.100.030 Streets – Conformity with comprehensive plan.**
 - 24.100.040 Streets – Relation to adjoining street systems.**
 - 24.100.050 Streets – Access to bodies of water.**
 - 24.100.060 Streets – Local residential streets.**
 - 24.100.070 Streets – Dead-end.**
 - 24.100.080 Streets – Alignment.****24.100.090 Streets – Intersections.**
 - 24.100.100 Streets- Half Widths**
 - 24.100.110 Streets – Grades.**
 - 24.100.120 Streets – Intersection spacing.**
 - 24.100.150 Rural street standards.**
 - 24.100.160 Street name signs.**
 - 24.100.170 Alleys**
 - 24.100.180 Sewer system requirements.**
 - 24.100.190 Water system requirements.**
 - 24.100.200 Provision for irrigation.**
 - 24.100.210 Stormwater system requirements.**
 - 24.100.220 Utility rights-of-way and easements – Required.**
 - 24.100.230 Easements – Watercourses.**
 - 24.100.240 Capacity for future developments.**
 - 24.100.250 Blocks – Depth.**
 - 24.100.260 Blocks – Pedestrian pathway connections.**
 - 24.100.270 Lots – Access.**
 - 24.100.280 Lots – Size.**
 - 24.100.290 Lots – Shape.**
 - 24.100.300 Lots – Double frontage.**
 - 24.100.310 Standard specifications.**
 - 24.100.320 Streetlights required.**
 - 24.100.330 Other utilities required.**
 - 24.100.340 Datum.**
 - 24.100.350 Monumentation.**
 - 24.100.360 Conflicts with other code provisions.**
 - 24.100.370 Infrastructure - Permitting.****24.100.380 Deviation.**
 - 24.100.390 Deviation - Conditions.**
- 24.**

24.100.010 Application.

Except for divisions of land which meet the conditions of RMC 24.20.020, the regulations contained in this chapter shall apply to all divisions of land within the city. Every map, plat, replat or plan hereafter made of any such division of land within the city limits shall comply with the provisions of this chapter and the Public Works Standards.

24.100.020 Street requirements.

All streets and rights-of-way within a short subdivision, subdivision or binding site plan shall be designed and improved in accordance with city standards as established by Chapter 12.08 RMC and the Public Works Standards.

24.100.030 Streets – Conformity with comprehensive plan.

The alignment of streets shall conform as nearly as possible with those shown on the comprehensive plan or related plans of the city.

24.100.040 Streets – Relation to adjoining street systems.

The layout of streets shall provide for the continuation of major streets existing on adjoining properties or of their proper projection when adjoining property is not divided. The layout shall also provide for future projection of streets into areas which presently are not subdivided.

24.100.050 Streets – Access to bodies of water.

Unless topography or ground conditions prevent, any division of land bordering on a river or public waterfront reservation shall be provided with at least one (1) street not less than 60 feet wide to the low water mark or the reservation boundary at one-half mile intervals as measured along such body of water.

24.100.060 Streets – Local residential streets.

Local streets which serve primarily to provide access to abutting property shall be designed to discourage cut-through traffic and planned to channel traffic onto minor collectors and other major streets. Local residential streets shall be designed to discourage average traffic speeds in excess of the posted or basic rule (25 mph) speed.

24.100.070 Streets – Dead-end.

Streets designed to have one end permanently closed or in the form of a cul-de-sac shall be no longer than 400 feet or as otherwise allowed due to topographical constraints and allowed by Appendix D of the International Fire Code as adopted by reference in Title 20 RMC, and shall be designed and improved in accordance with city standards as established by Chapter 12.08 RMC and the Public Works Standards.

24.100.080 Streets – Alignment.

For major streets, connecting street centerlines deflecting from each other at any one point more than 10 degrees shall be connected by a horizontal curve that meets the minimum curve radius per AASHTO guidelines unless otherwise approved by the Public Works Director. Connecting tangents between curves shall be a minimum of 100 feet

long. For minor streets, curves shall have a typical minimum deflection angle of 30 degrees with curve radii between 100 feet minimum and 150 maximum unless approved by the Public Works Director or designee. These parameters are to minimize the potential for speeding within neighborhoods.

24.100.090 Streets – Intersections.

Street intersections shall be as nearly at right angles as is practicable. When the most feasible plan entails an intersection angle that deviates more than 15 degrees from a right angle, curves or suitable radius and lengths shall be provided. Where street intersections have curvature within 275 feet of the centerline of a stop or yield controlled intersection (looking right or left), the plat designed shall establish sight distance easements if necessary based on evaluation of the AASHTO sight triangles per RMC 12.11.020.

24.100.100 Streets – Half-width.

A street lying along the boundary of a subdivision may be dedicated to a width of 30 feet if it is practical to require the dedication of the other half when the adjoining property is subdivided; and, whenever there exists a dedicated half-street of an adjoining parcel, the other half shall be dedicated on the proposed plat to make the street complete. Streets lying along the boundary of a subdivision, whether dedicated by the plat or already dedicated, but not improved, shall be improved by the developer to a minimum paved width of 20 feet. These regulations shall not apply to new roads/streets to be located adjacent to unincorporated land or as otherwise determined by the Public Works Director.

24.100.110 Streets – Grades.

Streets shall confirm closely to the natural contour of the land, except where a different grade has been established by the city authorities or the agency furnishing municipal services to the community. Grades shall be not less than 0.50 percent on any street and shall meet AASHTO maximum guidelines for major streets and a maximum of 12 percent for minor streets, unless otherwise approved by the Public Works Director and the Fire Marshall based on the fire department's specific apparatus needs. Changes passing through intersections shall not exceed 5 percent with 1 percent grade breaks allowed upon entry and exit.

24.100.120 Streets – Intersection spacing.

Intersection spacing or jogs of minor streets in neighborhoods shall not be less than 125 feet from centerline to centerline of street. Intersection spacing along major streets with minor streets shall use the following table to the extent feasible based on the posted speed of the major street. Greater spacing may be required in some instances where a proposed intersection might be within the 95th percentile queues from intersections of two major streets.

Posted Speed (MPH)	Minimum Spacing (Feet)
25	155
30	200
35	250

40	305
45	360

24.100.130 Streets – Width.

Street widths and right-of-way widths shall be as shown in the Public Works Standards.

24.100.140 Roadway widths and standards.

All streets, not including alleys, shall be improved in accordance with the Public Works Standards.

24.100.150 Rural street standards.

Rural street standards shall apply in the FP, AG and SAG zoning districts and elsewhere with approval from the Public Works Director.

24.100.160 Street name signs.

Street signs corresponding in design to those adopted as standard for the city shall be installed at each intersection for convenient identification of streets. Street naming and addressing shall be consistent with Chapter 12.01 RMC.

24.100.170 Alleys

Alleys shall not be provided within the City of Richland.

24.100.180 Sewer system requirements.

All proposed land division shall be provided with a complete sanitary sewer system serving each lot designed for human habitation. Design of the sewage disposal system shall be in accordance with Title 17 RMC and the Public Works Standards.

24.100.190 Water system requirements.

All new development shall be connected to the public water main to provide a potable water distribution system serving each lot designed for human habitation. Design of the water distribution system shall be in accordance with International Fire Code Standards, Title 18 RMC and the Public Works Standards.

24.100.200 Provision for irrigation.

Non-potable irrigation facilities must be provided for every lot within any proposed residential land division in which the use of potable water is restricted pursuant to RMC 18.16.080. The irrigation distribution system (as distinguished from the separate domestic water distribution system) must be designed and installed in accordance with the Public Works Standards and irrigation providers requirements, except as otherwise approved by the Public Works Director.

24.100.210 Stormwater system requirements.

Stormwater runoff from streets, impervious areas, and other areas shall be disposed of through stormwater drainage facilities complying with RMC Title 16 and the Public Works Standards.

24.100.220 Utility rights-of-way and easements – Required.

All municipal utility rights-of-way and utility easements shall be dedicated to the public and shown on the plat. Ten (10) feet public utility easements shall be placed adjacent to existing and proposed public street ROWs. Separate utility easements shall be located as required by the provider.

24.100.230 Easements – Watercourses.

Where a development is traversed by a watercourse, canal, drainage way, wasteway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, canal, drainage way, wasteway, channel, or stream, and such further width for construction and maintenance as will be adequate for the purpose.

24.100.240 Capacity for future developments.

The capacities and dimensions of water, sewerage, drainage, electrical, and street facilities shall be adequate to provide for the future needs of other undeveloped properties in the general vicinity. The city may share in the cost of these improvements to the extent of the difference in cost between the capacities needed to serve the development and the capacities required to serve the vicinity.

24.100.250 Blocks – Depth.

Except for reverse frontage lots, the width of blocks shall be sufficient to allow for two tiers of lots of depths consistent with the type of land use proposed.

24.100.260 Blocks – Pedestrian pathway connections.

For blocks over 500 feet in length a pedestrian pathway right-of-way not less than ten (10) feet wide shall be provided where such a pathway is deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation lines, and other community facilities.

24.100.270 Lots – Access.

Each lot shall be provided with satisfactory access by means of a public street or by some other legally sufficient right of access (easement) which is permanent and inseparable from the lot served subject to the provisions of RMC Title 12.

24.100.280 Lots – Size.

Lot widths and lot areas shall conform with the zoning restrictions applicable to the area within which the property may be located, except that corner lots for which side yards are required shall have extra width to permit appropriate setback from and orientation to both streets. Lot depths shall be suitable for the land use proposed.

24.100.290 Lots – Shape.

Lots shall be as nearly rectangular as possible with side lot lines approximately at right angles or radial to street lines. Ordinarily, the ratio of width to depth shall be one to not more than two and one-fourth. Flag lots shall be discouraged unless no other practical alternative exists as determined by the review authority.

24.100.300 Lots – Double frontage.

Residential lots which have street frontage along two opposite boundaries shall be avoided except for reverse frontage lots which are essential to provide separation of residential development from traffic arterials, or to overcome specific disadvantages of topography and orientation. For such lots, there shall be an easement in favor of the city limiting access to only one street and a note stating such shall be placed on the face of the final plat map.

24.100.310 Standard specifications.

Physical developments and improvements required by this title shall be designed and installed in accordance with Public Works Standards and/or other specifications as determined by the Public Works Director. Construction shall be performed subject to the inspection of the Public Works Director or designee. The improvement intended to become part of the city system, including streets, water, electrical and sewer utilities, shall not become part of the city system until formally accepted by the city.

24.100.320 Streetlights required.

Streetlights shall be installed by the developer in accordance with the Public Works Standards..

24.100.330 Other utilities required.

New electrical, telephone, and cable television lines must be placed underground, except:

1. Electric utility substations, pad-mounted transformers and switching facilities, and electrical service pedestals.
2. CATV pedestals, active and passive devices, including amplifiers and cable warning signs.
3. Telephone pedestals, cross connect terminals, repeaters and cable warning signs.
4. Temporary services for construction.
5. Existing overhead electric and communications lines which are not in substantial conflict with the final, approved design such that they would render lots or streets unusable.
6. Existing main feeder lines which are relocated.

24.100.340 Datum.

A. The horizontal datum for all survey work shall be the Washington State Lambert Grid Coordinate System South Zone, using the current NGS adjustment as established in accordance with Chapter 58.20 RCW. The unit of measure shall be the U.S. Survey Foot.

B. The plans shall show the horizontal control used to establish ties to the datum, with type, size, and location, date visited, and the State Plane coordinates for each monument used. At least one (1) monument must be shown for each street in the project.

C. Richland Public Works maintains a Continuously Operating Reference Station (DANP CORS) which can be utilized to establish NAD83 – 2011 epoch 2010.00 (current adjustment). Contact the City Surveyor to obtain data from the network.

D. The Vertical datum for all survey work shall be the North American Vertical Datum of 1988 (NAVD 1988). Plans shall show the benchmarks used to establish ties to the datum, with description, location and elevation of each benchmark used.

24.100.350 Monumentation.

A. Right-of-way, street centerline and street intersection monumentation shall be established as described by Public Works Design Standards. In addition, for short subdivision, subdivision or binding site plans, every lot corner shall be marked or referenced in a permanent manner with the registration number of the professional land surveyor in charge of the survey in accordance with state law.

B. Monuments shall be installed as follows:

1. Concrete or iron pipe monuments approved by the City Engineer and installed in a cast-iron monument case shall be set at the centerline of all streets at intersections, at all angle points on street centerlines, at all points of curvature and points of tangent in street centerlines, at the radial points of cul-de-sacs, and at all external corners and block corners of the subdivision.

2. The corners of all lots within the subdivision shall be marked by iron pins, not less than one-half of an inch in diameter, and 24 inches in length, firmly driven for their full length into the ground.

24.100.360 Conflicts with other code provisions.

In the event the standards and conditions established by this chapter conflict with other standards and conditions established in this title, the provisions contained in this chapter shall control. In the event the provisions of this chapter conflict with the provisions of Richland Municipal Code Title 23: Zoning, the provisions of Title 23 RMC shall control.

24.100.370 Infrastructure - Permitting

Whenever any public improvements or public works infrastructure are required to support

Commented [HS5]: Comment from Franklin County Public Works:

"This is changing for Washington State. See changes in RCW 58.20.185 & RCW 58.20.111. The National Institute of Standards and Technology (NIST) and NOAA's National Geodetic Survey (NGS) have co-issued a Federal Register Notice (FRN) to retire the U.S. Survey Foot. This FRN announces the final decision to deprecate the U.S. survey foot on December 31, 2022"

the development , the plans for all public infrastructure improvements shall be submitted to, reviewed, and approved by the Public Works Director or designee before commencement of construction.

24.100.380 Deviation.

A. The owner/developer of property may seek a deviation from the provisions of the municipal code and Public Works Standards or requirements codified by this chapter by submitting a deviation application to the city along with the permit application. A deviation fee, as set forth in the City of Richland Fee Schedule, shall be due at the time of application. Deviations for short subdivisions and binding site plans shall be reviewed administratively and approved by the Administrator as part of the short subdivision or binding site plan review process. Deviations for subdivisions shall be decided by the hearing examiner during the preliminary subdivision hearing.

B. The basis for such a deviation from the strict application of the requirements of the municipal code and Public Works Standards is undue and unnecessary hardship on the property owner. No deviation from the provisions or requirements of this chapter shall be authorized unless the review authority finds:

1. That exceptional or extraordinary circumstances or conditions exist to the division of the property, or to the intended use of the property, that do not apply generally to other properties similarly situated; and
2. That the deviation is necessary for the preservation and enjoyment of a substantial property right of the property owner/developer, or is necessary for the reasonable and acceptable development of the property. Financial hardship is not a basis for a deviation from the provisions of this chapter; and
3. That the authorization of the deviation will not be materially detrimental to the public welfare or injurious to property in the vicinity; and
4. That the deviation from the provisions and requirements of the municipal code and Public Works Standards does not grant a special privilege to the applicant.

C. Deviation from those items requiring approval of the Public Works Director may be granted by the review authority only upon written recommendation of the Public Works Director.

24.100.390 Deviation – Conditions.

In authorizing a deviation, the review authority may attach thereto such conditions regarding the features of the deviation as deemed necessary to carry out the spirit and purposes of this title and in the public interest.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the ____ day of _____, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____