

Lynnwood Planning Commission
Meeting of March 13, 2003

Staff Report

Agenda Item: H-1

Title 19 (Subdivision Code) Rewrite

- Public Hearing
- Informal Public Meeting
- Work Session**
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Lee Michaelis, Associate Planner

Recommendation:

No action at this work session. Following a public hearing on March 27, 2003, the Planning Commission will be asked to recommend this code amendment to the City Council.

Background:

Title 19 is the section of the Lynnwood Municipal Code that contains the regulations that must be complied with in order for property to owners to divide or consolidate their property. Recent changes in state laws have created the need for the city to update its subdivision standards. In addition to state updates, staff will be updating the process in which subdivisions are processed.

Draft Code Amendment:

At the March 13 Work Session the Commission will have the opportunity to review and discuss the proposed Title 19 (Subdivision Code) Rewrite. The Planning Commission will also hold a public hearing on March 27 to receive public testimony on the proposed code amendment. The staff presentation at the work session will identify the changes being proposed.

The purpose of the code amendment is to; update the city's subdivision code with respect to recent changes in state regulations, change the process in which a subdivision is approved to reflect the way the process actually is carried out, and make changes in development standards

Environmental Review:

The Environmental Review Committee is continuing to review the draft amendment. A threshold determination is expected to be issued prior to the Public Hearing on March 27.

Upcoming Scheduling:

The Planning Commission is scheduled to hold a Public Hearing on this item at the March 27 meeting. Upon completion of the hearing the Planning Commission will be asked to make a recommendation to City Council prior to the Council's Work Session on April 7.

Attachments:

- A. Draft Title 19 (Subdivision Code) Rewrite



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Title 19
SUBDIVISIONS*

23

Chapters:

- 24 19.00 Title
25 19.05 General Provisions
26 19.10 Definitions
27 19.15 Administration
28 19.20 Preliminary Plat Application Procedure
29 19.25 Final Plat Application Procedure
30 ~~19.30 Plat Requirements~~
31 19.35 Design Standards
32 ~~19.40 Required Improvements~~
33 19.45 Plat Variances
34 19.50 Short Subdivisions
35 19.55 Boundary Line Adjustments
36 19.60 Lot Combination
37 19.75 Binding Site Plans
38 19.90 Enforcement

39 *For statutory provisions on planning and zoning by municipalities, see Chapter 35.63 RCW.

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Chapter 19.00
TITLE

Sections:

19.00.000 Title.

19.00.000 Title.

This ordinance, together with any amendments, Title 19 shall be known and may be cited as the subdivision ordinance of the City of Lynnwood LMC Title 19, Subdivisions.

Chapter 19.05
GENERAL PROVISIONS

Sections:

- 19.05.010 Scope and Purpose.
19.05.015 Applicability.
19.05.017 Exemptions.
19.05.020 Compliance required.
19.05.025 Minimum requirements.
19.05.030 Energy conservation, open space preservation and design flexibility.

19.05.010 Scope and Purpose.

The purpose of this title is to regulate the subdivision of land, to avoid or abate public nuisances and to promote the public health, safety, aesthetics and general welfare in accordance with Chapter 58.17 RCW and the standards as established by the city of Lynnwood; to prevent overcrowding of land and the overcongestion of streets and highways while allowing for appropriate density of development and use of the land; to provide for adequate circulation of light and air; to facilitate adequate provisions for water, sewage, park and recreation areas, streets, sidewalks and other

1 public requirements; to provide for proper ingress and egress; to provide for effective use of land;
2 to provide for expeditious review and approval of proposed subdivisions which conform to the
3 zoning standards and local plans and policies of the city of Lynnwood; to adequately provide for
4 the housing and commercial needs of the citizens of Lynnwood; and to require uniform
5 monumenting of land subdivisions and conveyancing by accurate legal descriptions. (Ord. 2045 §
6 9, 1995; Ord. 1314 § 3, 1983)

7 The provisions of this title and subsequent amendments shall govern the platting and
8 subdivision of land, dedication, modification and vacation of plats or portions of the same, filing
9 and recording of plats in accordance with Chapter 58.17 RCW and the standards established by the
10 City of Lynnwood. These regulations are adopted for the following purpose:

11 A. To protect and provide for the public health, safety and general welfare of the community;

12 B. To guide the future growth and development of the community in accordance with the
13 goals, objectives and policies of the comprehensive plan;

14 C. To provide for adequate light, air and privacy, to secure safety from fire, flood and other
15 dangers, and to prevent overcrowding of the land;

16 D. To protect the character and the social and economic stability of all parts of the community
17 and to encourage the orderly and beneficial development of the community through appropriate
18 growth management techniques assuring the timing and sequencing of development, promotion of
19 infill development in existing neighborhoods and nonresidential areas with adequate public
20 facilities;

21 E. To protect and conserve the value of land throughout the community and the value of
22 buildings and improvements upon the land, and to minimize the conflicts among the uses of land
23 and buildings;

24 F. To guide public and private policy and action in order to provide adequate and efficient
25 transportation, water, sewer, schools, parks, playgrounds, recreation, open space and other public
26 requirements and facilities;

27 G. To provide the most beneficial relationship between uses of land and buildings and the
28 circulation of traffic throughout the community, with particular regard to the avoidance of
29 congestion in the streets and highways and the pedestrian traffic movements appropriate to various
30 uses of land and buildings, and to provide for the proper location and width of streets and building
31 lines;

32 H. To establish reasonable standards of design and procedures for subdivision and re-
33 subdivision in order to further the orderly layout and use of land, and to ensure proper legal
34 descriptions and monumentation of subdivided land;

35 I. To ensure that public facilities and services are available concurrent with development and
36 will have sufficient capacity to serve the proposed subdivision and that the community will be
37 required to bear no more than its fair share of the cost of providing facilities and services through
38 requiring the developer to pay fees, furnish land, or establish mitigation measures to ensure that the
39 development provides its fair share of capital facilities needs generated by the development;

40 J. To prevent the pollution of air, streams, ponds and wetlands, to assure the adequacy of
41 drainage facilities, to safeguard the water table, and to encourage the wise use and management of
42 natural resources throughout the community in order to preserve the integrity, stability, and beauty
43 of the community and value of the land

44 K. To preserve the natural beauty and topography of the community and to ensure appropriate
45 development with regard to these natural features;

1 L. To provide for open spaces through the most efficient design and layout of the land,
2 including the use of average density in providing for minimum width and area of lots, while
3 preserving the density of development as established in the city's comprehensive plan and zoning
4 ordinance;

5 M. To ensure that land is subdivided only when subdivision is necessary to provide for uses of
6 land for which market demand exists and which are in the public interest; and
7 To remedy the problems associates with inappropriately subdivided lands, including pre-mature
8 subdivision, excess subdivision, partial or incomplete subdivision, scattered and low-grade
9 subdivision.

10
11 **19.05.015 Applicability.**

12 The regulations in Chapters 19.05 through 19.45 and 19.90 LMC shall apply to:

13 A. ~~The division or the redivision of land within the city of Lynnwood into five or more lots,~~
14 ~~parcels or tracts, or sites for the purpose of sale, lease, or transfer of ownership, whether immediate~~
15 ~~or future. Such division or redivision of land into four or less lots, parcels, tracts or sites are more~~
16 ~~specifically regulated by Chapter 19.50 LMC, Short Subdivisions, as per RCW 58.17.060.~~

17 B. ~~Land within short subdivisions as defined in LMC 19.10.100 that is further divided within~~
18 ~~five years of the effective date of the short subdivisions as per RCW 58.17.060. (Ord. 1808 § 5,~~
19 ~~1991; Ord. 1413 § 3, 1983)~~

20 This Chapter applies to each application for subdivision, short subdivision, boundary line
21 adjustment, or binding site plan applied for after the effective date of the ordinance codified in this
22 title except as provided in Section 19.05.017.

23
24 **19.05.017 Exemptions.**

25 ~~The regulations in Chapters 19.05 through 19.45 and 19.90 LMC shall not apply to~~ The provisions
26 of this chapter do not apply to the following:

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

28 B. Divisions of land into lots, tracts or parcels where each lot is five acres or larger. For this
29 purpose, in computing the area of any lot under this paragraph that borders on a street or road, the
30 lot size shall be expanded to include that area that would be bounded by the centerline of the street
31 or road and the side lot lines of the lot running perpendicular to such centerline;

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

33 D. Divisions of land into lots or tracts ~~zoned~~ classified for industrial or commercial uses when
34 approved by the city in accordance with Chapter 19.75 LMC, Binding Site Plans;

35 E. Except as otherwise provided, a division made for the purpose of alteration by adjusting
36 boundary lines, between platted or unplatted lots or both, which does not create any additional lot,
37 tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains
38 insufficient area and dimension to meet city code; provided, that such alterations shall be first
39 approved by the ~~director of planning~~ Community Development Director who shall initial the
40 revised plat map and shall cause same to be recorded with the Snohomish County ~~a~~ Auditor's office
41 at the applicant's expense. Any change in the number of lots shall be accomplished as a plat or
42 short plat;

43 F. Divisions of land into lots or tracts if:

44 1. The improvements constructed or to be constructed thereon will be included in one or
45 more condominiums or owned by an association or other legal entity in which the owners of units
46 therein or their owners' associations have a membership or other legal or beneficial interest;

- 1 19.10.03570 County auditor.
- 2 19.10.04075 County treasurer.
- 3 19.10.080 Cul-de-sac
- 4 19.10.085 Declaration of Short Subdivision
- 5 19.10.04590 Dedication.
- 6 19.10.095 Easement
- 7 ~~19.10.050~~ Director of public works.
- 8 19.10.055100 Final approval.
- 9 19.10.060105 Final subdivision plat.
- 10 19.10.110 Hearing Examiner
- 11 19.10.115 Improvements
- 12 ~~19.10.063~~ Industrial zone.
- 13 19.10.065120 Lot.
- 14 19.10.125 Lot Combination
- 15 19.10.130 Minor Arterial
- 16 19.10.135 Owner
- 17 19.10.140 Parcel
- 18 19.10.145 Pedestrian Access
- 19 ~~19.10.067~~ Person.
- 20 ~~19.10.070~~ Planning commission.
- 21 19.10.075150 Plat.
- 22 19.10.080155 Preliminary approval.
- 23 19.10.085160 Preliminary plat.
- 24 19.10.165 Principal Arterial
- 25 19.10.170 Private Roadway
- 26 19.10.090175 Public ~~s~~Street or right-of-way.
- 27 19.10.180 Public Works Director
- 28 ~~19.10.095185~~ Short plat.
- 29 ~~19.10.100190~~ Short subdivision.
- 30 ~~19.10.105195~~ Subdivider or developer.
- 31 ~~19.10.110200~~ Subdivision.
- 32 ~~19.10.150~~ Zoning code.

33
 34 **19.10.005 Definitions generally.**

35 For the purpose of this title, certain numbers, abbreviations, terms and words shall be used,
 36 interpreted and defined by this as set forth in this chapter. When not inconsistent with the context,
 37 words used in the present tense shall include the future; the singular shall include the plural and the
 38 plural the singular; the word "shall" is always mandatory, and the words "may" and "should" are
 39 permissive. (Ord. 1314 § 4, 1983)

40
 41 **19.10.010 ALLEY**

42 "Alley" means a public right-of-way or city approved private way which affords only a
 43 secondary means of vehicular access to abutting property, unless specifically allowed by this title
 44 to serve as a primary means of access subject to specific conditions.

1 **19.10.00715 Applicant.**

2 "Applicant" means the owner(s) of land proposed to be subdivided or the owner's
3 representative who shall have express written authority to act on behalf of the owner. Written
4 consent shall be required from the legal owner(s) of the land proposed to be subdivided. ~~any person~~
5 ~~proposing a short subdivision, subdivision or a binding site plan.~~ (Ord. 1578 § 1, 1987)
6

7 **19.10.01020 Binding site plan.**

8 "Binding site plan" means the division of land classified as industrial or commercial use
9 provided by RCW 58.17.020 and 58.17.035. The Binding Site Plan shall include a drawing to
10 scale as specified by this title and the Lynnwood Municipal Code which:

11 A. Identifies and shows the areas and locations of all streets, private roads, easements,
12 improvements, utilities, open spaces, and any other matters specified by this title and the
13 Lynnwood Municipal Code;

14 B. Contains inscriptions or attachments setting forth such appropriate limitations and
15 conditions for the use of the land as are established by this title and the Lynnwood Municipal Code;
16 and

17 C. Contains provisions making any development be in conformity with the site plan. (Ord.
18 1314 § 4, 1983)
19

20 **19.10.01525 Block.**

21 "Block" means all property fronting upon one side of a street between intersecting and
22 intercepting streets, or between a street and a railroad right-of-way, PUD/Interurban right-of-way,
23 terminus or dead-end street, or city boundary. An intercepting street shall determine only the
24 boundary of the block on the side of the street, which it intercepts. Private alleys and private
25 roadways shall not be considered in determining blocks ~~a group of lots, tracts or parcels within~~
26 ~~well-defined and fixed boundaries.~~ (Ord. 1314 § 4, 1983)
27

28 **19.10.030 Bond**

29 "Bond" means any form of a surety in an amount and form satisfactory to the Public Works
30 Director and the City Attorney. All bonds shall be approved by the Public Works Director
31 whenever a bond is required by this title.
32

33 **19.10.035 Boundary line adjustment**

34 "Boundary Line Adjustment" means a division made for the purpose of adjusting boundary
35 lines between platted or unplatted lots or both which does not create any additional lots, tracts,
36 parcels, or sites. A boundary line adjustment may not modify existing nonconforming to make the
37 lots more nonconforming. A boundary line adjustment also provides a procedure to consolidate
38 previously platted lots into a single parcel.
39

40 **19.10.02040 Buffer strip.**

41 "Buffer strip" means a strip of land that is landscaped and maintained as open space in order to
42 eliminate or minimize conflicts and impacts between a development and adjacent land use or public
43 street. The buffer strip shall be held in private ownership and not be dedicated as Public Right-of-
44 Way. ~~a landscaped strip of land that provides a visual barrier.~~ (Ord. 1314 § 4, 1983)
45

46 **19.10.023 Business zone.**

1 "Business zone" means a zone which begins with the zoning prefix of "B" except for "BTP."
2 (Ord. 1578 § 1, 1987)

3
4 **19.10.02445 City.**

5 "City" means for the purposes of this title the city of Lynnwood. (Ord. 1578 § 1, 1987)

6
7 **19.10.02550 City eCouncil.**

8 "City council" means the city council of the city of Lynnwood, Washington. (Ord. 1314 § 4,
9 1983)

10 **19.10.055 Collector arterial**

11 "Collector Arterial" means means those arterials that are designated as collector arterials in the
12 Lynnwood Comprehensive Plan.

13
14 **19.10.27Commercial zone.**

15 "Commercial zone" means a zone which begins with the zoning prefix of "C" or "P," except
16 "P-1." (Ord. 1578 § 1, 1987)

17
18 **19.10.060 Community Development Director**

19 "Community Development Director" means the Director of the Community Development
20 Department for the City of Lynnwood or his/her designated representative.

21
22 **19.10.030065 Comprehensive plan.**

23 "Comprehensive plan" means the plans, maps and reports which comprise the official
24 development plan as adopted by the city council in accordance with RCW Title 35A generalized
25 coordinated land use policy statement of the City of Lynnwood that was adopted pursuant to RCW
26 36.70A. The Plan includes the City's vision and goals, the GMA required "elements, addresses the
27 statewide planning goals, and provides the policy support for implementing regulations. The Plan
28 includes both text and map. (Ord. 1314 § 4, 1983)

29
30 **19.10.03570 County auditor.**

31 "County auditor" means the office of the person assigned such duties as defined in Chapter
32 36.22 RCW or as defined in the Snohomish County Charter. (Ord. 1314 § 4, 1983)

33
34 **19.10.04075 County treasurer.**

35 "County treasurer" means the office of the person assigned such duties as defined in Chapter
36 36.29 RCW or as defined in the Snohomish County Charter. (Ord. 1314 § 4, 1983)

37
38 **19.10.080 Cul-de-sac**

39 "Cul-de-Sac" means a street with only one outlet that terminates in a vehicular turnaround and
40 having an appropriate terminal for the safe and convenient reversal of traffic movement.

41
42 **19.10.085 Declaration of short subdivision**

43 "Declaration of short subdivision" means a document signed by all persons having any peculiar
44 interest in the land being subdivided and acknowledged before a notary that they signed the same
45 as their voluntary act and deed. The declaration shall, at a minimum, contain the elements of:

46 (1) A legal description of the tract being divided and all parcels contained therein; and

1 (2) An illustrative map;

2 (3) If applicable, the restrictive covenants.

3
4 **19.10.04590 Dedication.**

5 “Dedication” means the deliberate appropriation of land or improvements by the owner for any
6 general and public use, reserving to himself no other rights than are compatible with the full
7 exercise and enjoyment of the public uses to which the property has been devoted. The dedication
8 shall be evidenced by the owner on the final plat, and the acceptance by the public shall be
9 evidenced by the approval of such plat for filing by the eCity eCouncil. (Ord. 1314 § 4, 1983)

10
11 **19.10.095 Easement**

12 “Easement” means a use granted by a property owner to specific persons or to the public to use
13 the owner’s property for a specified purpose.

14
15 **19.10.050 — Director of public works.**

16 “Director of public works” means the director of public works of the city of Lynnwood. (Ord.
17 1314 § 4, 1983)

18
19 **19.10.055100 Final approval.**

20 “Final approval” means the final official action taken by the eCity eCouncil on the proposed
21 plat, subdivision binding site plan, dedication or portion thereof that has previously received
22 preliminary approval. (Ord. 1314 § 4, 1983)

23
24 **19.10.060105 Final subdivision plat.**

25 “Final subdivision plat” means the final drawing of the subdivision and dedication prepared for
26 filing for record with the county auditor and containing all elements and requirements as set forth
27 in this title and Chapter 58.17 RCW. (Ord. 1314 § 4, 1983)

28
29 **19.10.110 Hearing Examiner**

30 “Hearing Examiner” means the official designated as the hearing examiner for the City of
31 Lynnwood pursuant to Chapter 2.22 LMC.

32
33 **19.010.115 Improvements**

34 “Improvements” mean any permanent structure or landscape feature that becomes part of,
35 placed upon, or is affixed to real property including streets, with or without curb or gutter,
36 sidewalks, crosswalk ways, water mains, sanitary and storm sewers, street trees and other
37 appropriate items.

38
39 **19.10.063 — Industrial zone.**

40 “Industrial zone” means a zone which begins with the zoning prefix of “L” or “BTP.” (Ord.
41 1578 § 1, 1987)

42
43 **19.10.065120 Lot.**

44 “Lot” means a fractional part of subdivided lands having fixed boundaries, being of sufficient
45 area and dimensions to meet minimum zoning requirements for width and area. The term shall
46 include tracts or parcels. (Ord. 1314 § 4, 1983)

1
2 **19.10.125 Lot Combination**

3 "Lot Combination," means the combination of two or more legal, illegal or nonconforming lots
4 into one or more lots all of which comply with the provisions of the City of Lynnwood Municipal
5 Code in effect at the time of said combination.

6
7 **19.10.130 Minor Arterial**

8 "Minor Arterial" means those arterials that are designated as minor arterials in the Lynnwood
9 Comprehensive Plan.

10
11 **19.10.135 Owner**

12 "Owner" means any person having property rights as a fee owner or contract purchaser, or one
13 duly authorized by the power of attorney to represent the owner.

14
15 **19.10.140 Parcel**

16 "Parcel" means a contiguous quantity of land in the possession of, owned by, controlled by, or
17 recorded as the property of the same owner or joint owners.

18 **19.10.145 Pedestrian Way**

19 "Pedestrian way" means a right-of-way or easement, dedicated to public use and to facilitate
20 pedestrian access between two points.

21
22 **19.10.067 Person.**

23 "Person" means and includes an individual, firm, co-partnership, association or corporation,
24 governmental agency or political subdivision. (Ord. 1314 § 4, 1983)

25
26 **19.10.070 Planning commission.**

27 "Planning commission" means that body as defined in Chapter 35A.63 RCW designated by the
28 city council to perform the planning functions for the city of Lynnwood. (Ord. 1314 § 4, 1983)

29
30 **19.10.075150 Plat.**

31 "Plat" means a map or representation of a subdivision showing thereon the division of a tract or
32 parcel of land into lots, blocks, streets and alleys or other divisions and dedications. (Ord. 1314 § 4,
33 1983)

34
35 **19.10.080155 Preliminary approval.**

36 "Preliminary approval" means the official favorable action taken on the preliminary plat of a
37 proposed subdivision, short subdivision, or Binding Site Plan metes and bounds description, or
38 dedication, by the city council following a duly advertised public hearing as required by Chapter
39 58.17 RCW by the approving authority. (Ord. 1314 § 4, 1983)

40
41 **19.10.085160 Preliminary plat.**

42 "Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing
43 the general layout of streets, alleys, lots, blocks, and restrictive covenants to be applicable to the
44 subdivision, and other elements of a plat or subdivision which shall furnish a basis for the approval
45 or disapproval of the general layout of a subdivision. (Ord. 1314 § 4, 1983)

1 **19.10.165 Principal Arterial**

2 "Principal Arterial" means those arterials that are designated as principal arterials in the
3 Lynnwood Comprehensive Plan as well as those arterials identified in LMC 21.14.210.

4 **19.10.170 Private Roadway**

5 "Private roadway" means a tract, parcel, or easement created to provide the access from a city
6 street to platted lots, the maintenance of which is the responsibility of a homeowners association or
7 similar private party or parties, who shall be noted as such on the face of a plat.

8
9 **19.10.090175 Public street or right-of-way.**

10 "Public street" or "right-of-way" includes every lane, road, street, highway, boulevard, or place
11 in the city available as a matter of right for public travel and shall include principal arterials, minor
12 arterials, collector, neighborhood streets, alleys, bicycle paths, and pedestrian ways. It shall also
13 include streets or portions thereof ~~which~~ thereof, which are designated as portions of the state
14 highway system. (Ord. 1314 § 4, 1983)

15
16 **19.10.180 Public Works Director**

17 "Public Works Director" means the Director of the Public Works Department for the City of
18 Lynnwood or his/her designated representative.

19
20 **19.10.095185 Short plat.**

21 "Short plat" means the map or representation of a short subdivision. (Ord. 1314 § 4, 1983)

22
23 **19.10.100190 Short subdivision.**

24 "Short subdivision" means the division or redivision of land into ~~four~~ nine or fewer lots, tracts,
25 parcels, sites or divisions for the purpose of sale, lease or transfer of ownership; provided, any
26 boundary line adjustment is deemed to be a short subdivision when such boundary line adjustment
27 reconfigures lot lines of property to facilitate future subdivision of that property when such
28 subdivision results in a total of more than ~~four~~ nine lots, tracts, parcels, sites, or division of the
29 property including the lots reconfigured by the boundary line adjustment. Should the future
30 subdivision occur more than five years after the boundary line adjustment or result in ~~four~~ nine or
31 fewer lots, tracts, parcels, sites, or division of property including the reconfigured lots, such
32 boundary line adjustment shall not be deemed a short subdivision. (Ord. 1808 § 6, 1991; Ord. 1314
33 § 4, 1983)

34
35 **19.10.105195 Subdivider ~~or developer.~~**

36 "Subdivider ~~or developer~~" means any person, firm, or corporation proposing to make or having
37 made a subdivision or short subdivision. (Ord. 1314 § 4, 1983)

38
39 **19.10.110200 Subdivision.**

40 "Subdivision" means the division or redivision of land into five or more lots, tracts, parcels,
41 sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided for in
42 LMC 19.10.100. (Ord. 1314 § 4, 1983)

43
44 **19.10.150 ~~Zoning code.~~**

45 "Zoning code" means the city of Lynnwood zoning ordinance, LMC Title 21. (Ord. 1578 § 1,
46 1987)

**Chapter 19.15
ADMINISTRATION**

Sections:

- 19.15.005 Administrator – Powers and duties.
- 19.15.007 Procedure.
- 19.15.010 Plat process functions.

19.15.005 Administrator – Powers and duties.

The ~~planning director~~ Community Development Director is vested with the duty of administering the subdivision regulations within the ~~e~~City of Lynnwood up to and through the preliminary plat approval stage. After preliminary plat approval, it shall be the duty of the ~~p~~Public ~~w~~Works ~~d~~Director to administer the subdivision regulations through the ~~final plat approval, plat recording and plat construction stage.~~ After completion of the construction stage, it shall be the duty of the Community Development Director to administer the subdivision regulations through the final plat approval and plat recording.

The ~~planning director~~ Community Development Director and ~~p~~Public ~~w~~Works ~~d~~Director may prepare and require the use of such forms and procedures as are essential to the administration of such regulations. (Ord. 1314 § 5, 1983)

19.15.007 Procedure.

The city will process an application for a preliminary plat through Process IV, LMC 1.35.400 through 1.35.499. (Ord. 2074 § 1, 1996)

19.15.010 Plat process functions.

The functions and responsibilities for processing plat applications for the city of Lynnwood shall be as generally outlined below:

A. Hearing Examiner. The ~~h~~Hearing ~~e~~Examiner is authorized to hold an informal public meeting on all preliminary plats and to make recommendations to the ~~e~~City ~~e~~Council. In its recommendation to the ~~e~~City ~~e~~Council, the ~~h~~Hearing ~~e~~Examiner shall make proposed findings of fact and conclusions of law to indicate that the proposed subdivision is in conformance with the zoning ordinance and other applicable land use controls, this title and state law;

B. ~~Planning~~ Community Development Department. The ~~planning~~ Community Development ~~d~~Department shall coordinate all activities concerning the preliminary plat including routing departmental and outside agency reviews and recommendations, consolidating staff recommendations to the Hearing Examiner ~~planning commission~~ and ~~e~~City ~~e~~Council and conducting the public hearings and meetings. This provision shall not be construed to conflict with the duties of other named city officials as mentioned in this title;

C. City Council. The Lynnwood ~~e~~City ~~e~~Council shall hold a public ~~meeting or hearing~~ on all preliminary plats; further, the ~~e~~City ~~e~~Council shall have sole authority to approve final plats. No plat may be approved unless the ~~e~~City ~~e~~Council makes a formal finding of fact that the proposed plat is in conformance with the zoning code and all other applicable land use regulations, this title and state law. (Ord. 2074 § 2, 1996; Ord. 1314 § 5, 1983)

1 Chapter 19.20

2 PRELIMINARY PLAT APPLICATION PROCEDURE

3 Sections:

- 4 19.20.005 Pre-application conference.
- 5 19.20.010 Preliminary plat application.
- 6 19.20.015 Fees.
- 7 19.20.020 Referral to other city departments and other agencies.
- 8 19.20.025 ~~Planning commission public hearing~~ Hearing Examiner informal public meeting.
- 9 19.20.030 City Council action.
- 10 19.20.035 Factors to be considered in the preliminary plat process.
- 11 19.20.040 Time limits, extensions and effect of preliminary plat approval.
- 12 19.20.042 Procedures for installing improvements and development standards thereto.
- 13 19.20.045 Methods and procedure for carrying out improvements.

14
15 **19.20.005 Pre-application conference.**

16 A pre-application conference shall be required prior to the submittal of an application for a
17 subdivision. Any subdivider or developer who desires to subdivide land within the city of
18 Lynnwood is encouraged required to consult the planning Community Development Department
19 on an informal basis in order to become familiar with the requirements of this title. The Public
20 Works Department and Fire Marshal's office should also be consulted at this time for advice
21 and assistance in understanding the engineering requirements of the city of Lynnwood. (Ord. 1314
22 § 6, 1983)

23
24 **19.20.010 Preliminary plat application.**

25 A prospective subdivider or developer who wishes to have a preliminary plat considered by the
26 city shall obtain a preliminary plat application form and environmental checklist from the planning
27 department. The applicant shall then submit to the planning department the following materials
28 which together shall comprise a complete application for preliminary plat approval. A complete
29 preliminary plat application and environmental checklist shall be submitted to the Community
30 Development Department for any platting or subdivision of land regulated under this title. A
31 complete application shall contain the following materials:

32 A. Completed application form. Application shall be made on forms provided by the
33 Community Development Department and completed by the applicant;

34 B. Completed environmental checklist (1 original and 3 copies) (environmental impact
35 statement (EIS) if required). A completed State Environmental Policy Act checklist shall be
36 prepared on forms provided by the Community Development Department;

37 C. If requested by an applicant for preliminary plat approval, a preliminary plat shall be
38 processed simultaneously with application for rezones, variances, planned unit developments, site
39 plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural
40 requirements applicable to these actions permit simultaneous processing per RCW 58.17.070. The
41 applicant shall submit to the Community Development Department, in writing, any request to
42 concurrently review other application(s) being processed simultaneously with the preliminary plat.;

43 D. Twelve Eight copies of the preliminary plat which shall be prepared by a registered surveyor
44 in the state of Washington and containing the following information;

- 45 1. The name of the preliminary plat, subdivision or dedication;

2. The date, scale, acreage, north arrow, vertical control datum and certification of the registered land surveyor. The scale shall be one inch equals 50 feet for sites two acres in size or less, and one inch equals 100 feet for sites greater than two acres in size;
 3. The name and address of the owner(s), developer(s), and any party (ies) of interest;
 4. The legal description of all affected tracts and legal descriptions for all proposed lots or dedications;
 5. Snohomish County assessor parcel numbers for all affected tracts;
 6. Boundary lines of the tracts to be subdivided, and corresponding bearings and dimensions and actual dimensions of the tract to be platted, subdivided, or dedicated;
 7. The location, width, and designations of all existing or platted streets or other public ways or easements within or adjacent to the proposed development and all other features such as buildings, utilities, watercourses, power lines, and section lines;
 8. All parcels and tracts being reserved or dedicated as parks, playgrounds, streets, alleys or other public and semi-public uses.
 9. The approximate dimensions of all lots and blocks with lot area, lot numbers and block designations;
 10. The contours, with intervals of five feet or less which shall be referenced to mean sea level datum or such datum acceptable to the Public Works Director, The contour intervals shall extend 100 feet beyond the boundaries of the site;
 11. The zoning of tracts and lands adjacent thereto;
- E Eight copies of the conceptual utility plan containing the following information:
1. A layout showing location and sizes of sewer lines, catch basins, pumps or other drainage and sewage structures;
 2. A layout of a proposed water distribution system;
 3. The grades of proposed streets and methods of storm drainage;
 4. A layout of a proposed underground utility wiring system containing an authorized signature of each applicable utility agency involved; and
 5. A tree retention, land clearing and/or grading plan.
- F A vicinity map at a scale of not more than 400 feet to the inch shall accompany the proposed plat. The vicinity map shall show all adjacent subdivision, streets and tract lines and bordering lines of adjacent property. It shall show how the streets and public ways in the proposed subdivision may connect with existing and proposed streets and public ways in neighboring subdivisions or unplatted property to produce an advantageous development of the entire neighborhood.
- EG. A master plan and schedule if the property is intended to be developed in phases;
- FH. Payment for preliminary plat fee (see Chapter 1.23 LMC);
- GI. Payment for any required application as per subsection (C) of this section; provided, that if an application is a combined planned unit development and plat, only the plat fee shall be assessed;
- HJ. Payment for environmental checklist (see Chapter 2.23 LMC);
- IK. If deemed necessary by the pPublic wWorks eDirector, and/or planning-Community Development eDirector, those items found in LMC 19.30.015; and
- JL. One 8-1/2-by-11-inch by 17-inch reduction each of subsections (D) and (E) of this section;
- M. Additional information may be determined to be needed due to site conditions or proposed improvements, in order for the city to review and approve the proposed development. Other

1 information required may include but limited to critical area assessments, traffic impact
2 assessments, preliminary engineering designs, etc. (Ord. 2074 § 3, 1996; Ord. 1314 § 6, 1983)
3

4 **19.20.015 Fees.**

5 Upon submittal of the preliminary subdivision application and any other application associated
6 with the preliminary subdivision, the applicant shall pay an application fee or fees as set forth in
7 Chapter 2.23 LMC. Application and review fees relating to the preliminary plat process are as
8 follows:

- 9 A. ~~Payment of related fees and costs as set forth in LMC 2.23.120;~~
10 B. ~~Plat Variance. Included in subsection (A) of this section; and~~
11 C. ~~Zoning map amendment, planned unit development, comprehensive plan amendment,~~
12 ~~environmental checklist, amounts as prescribed by the city. (Ord. 2242 § 4, 1999; Ord. 1314 § 1,~~
13 ~~1983)~~
14

15 **19.20.020 Referral to other city departments and other agencies.**

16 The ~~planning~~ Community Development ~~d~~Department shall distribute a copy of the preliminary
17 plat to the ~~p~~Public ~~w~~Works ~~d~~Department; one copy to the ~~b~~Building Official department; one copy
18 to the ~~p~~Police ~~d~~Department; one copy to the ~~f~~Fire ~~d~~Department; one copy to the ~~p~~Parks and
19 ~~r~~Recreation ~~d~~Department; one copy to the Edmonds school district; one copy to the Snohomish
20 County P.U.D.; one copy to the Snohomish County ~~h~~Health ~~d~~Department; and one copy to any
21 utility or public agency that may be affected by the proposed plat.

22 Whenever the property proposed to be subdivided is located within one-half mile of the
23 corporate limits of another city, town or unincorporated county, a copy of the proposed preliminary
24 plat shall be distributed to the respective jurisdiction. Also, whenever the property is located
25 adjacent to the right-of-way of a state highway, one copy of the proposed plat shall be transmitted
26 to the Department of Transportation. (Ord. 1314 § 6, 1983)
27

28 **19.20.022 Notice Requirements**

29 The Community Development Director shall provide notifications (notice of informal meeting
30 and notice of public hearing) when appropriate in accordance with the notification requirements set
31 forth in LMC 1.35.440.
32

33 **19.20.025 ~~Planning commission public hearing~~ Hearing Examiner informal public**
34 **meeting.**

35 A. ~~Notice. The planning commission shall hold a public hearing on any proposed plat. Notice~~
36 ~~of public hearing on any such proposal or application shall consist of:~~

37 1. ~~Notices of hearing stating the time, place and purpose of the hearing shall be posted not~~
38 ~~less than 20 days prior to the hearing in the following public places:~~

39 a. ~~Lynnwood City Hall, Administrative Building, Civic Center, 19100 44th Avenue W,~~
40 ~~Lynnwood, WA;~~

41 b. ~~Lynnwood Fire Station No. 1, 18818 44th Avenue W, Lynnwood, WA;~~

42 e. ~~Lynnwood City Library, 19200 44th Avenue W, Lynnwood, WA;~~

43 d. ~~Lynnwood Recreation Center, 18900 44th Avenue W, Lynnwood, WA;~~

44 2. ~~The announcement of public hearing shall be mailed, at least 20 days prior to the date of~~
45 ~~the public hearing, to the owners of all properties any portion of which is within the distance of 300~~
46 ~~feet from any property line of the land under consideration. If the owner of the real property~~

1 proposed for subdivision owns another parcel or parcels adjacent to the real property proposed for
2 subdivision, notice under this subsection shall be mailed to owners of real property lying within
3 300 feet of any portion of the boundaries of such adjacent parcels. Notice mailed to the addressee
4 found on the city of Lynnwood utility billing records, or if no record for any given lot, then notice
5 mailed to the last owner of record in the office of the county assessor shall be deemed proper
6 notice. Mail notification of condominium owners shall be sent to the designated agent for service of
7 process, according to the records of the county auditor. The notice by mail requirement shall be
8 satisfied by substantial compliance with this section;

9 3. Notice of hearing and the notice of the proposed change shall be given by publication in
10 the official newspaper of the city at least 20 days prior to the date of hearing. The notice of hearing
11 shall include a statement that the planning commission or city council will only consider any and
12 all materials, testimony and statements submitted to it prior to or at the public hearing(s). No
13 information, statements, or other materials submitted after the date of the public hearing(s) shall be
14 considered by the planning commission;

15 4. A city of Lynnwood notice of hearing sign shall be placed on the property under
16 consideration. The sign shall inform of the time, place and purpose of said hearing. This sign shall
17 be posted not less than 20 days prior to the hearing;

18 5. All hearing notices shall include a description of the location of the proposed subdivision.
19 The description may be in the form of either a vicinity location sketch or a written description other
20 than a legal description.

21 B. Hearing Examiner Recommendation. The hearing examiner shall be responsible for holding
22 a public hearing to review all proposed preliminary plats together with accompanying materials and
23 documents, land use applications, staff reports and public testimony. Based on the record
24 established at the public hearing, the hearing examiner shall make a recommendation on the plat
25 and other related land use applications to the city council or return the plat to the applicant with a
26 request for additional information. If the hearing examiner makes a recommendation, such
27 recommendation shall be for approval, disapproval, or approval with conditions. In recommending
28 any proposed plat, the hearing examiner shall propose written findings of fact and conclusions of
29 law to the city council which shall state fully its reasons to the city council. The recommendation
30 and findings of the hearing examiner shall be advisory only. Sole authority to approve or
31 disapprove shall reside in the city council.

32 The hearing examiner shall determine:

33 1. If appropriate provisions are made for, but not limited to:

34 a. The public health, safety, and general welfare;

35 b. Open spaces, drainage ways, streets, roads, alleys, other public ways and transit
36 stops;

37 c. Potable water supplies, sanitary wastes;

38 d. Parks and recreation, playgrounds, schools and school grounds;

39 e. All other relevant facts, including sidewalks and other planning features that assure
40 safe walking conditions.

41 2. That the public use and interest will be served by the platting of such subdivision and
42 dedication.

43 3. That the proposed subdivision and dedication is in conformity with the Lynnwood zoning
44 code and land use controls. (Ord. 1808 § 1, 1991; Ord. 1609 § 2, 1987; Ord. 1314 § 6, 1983)

45 A. Hearing Examiner Recommendation. The Hearing Examiner shall be responsible for holding
46 an informal public meeting to review all proposed preliminary plats together with accompanying

1 materials and documents, land use applications, staff reports and public testimony. Based on the
2 comments and testimony established at the informal public meeting, the Hearing Examiner shall
3 make a recommendation on the plat and other related land use applications to the City Council or
4 return the plat to the applicant with a request for additional information. If the Hearing Examiner
5 makes a recommendation, such recommendation shall be for approval, disapproval, or approval
6 with conditions. In recommending any proposed plat, the Hearing Examiner shall propose written
7 findings of fact and conclusions of law to the City Council which shall state fully its reasons to the
8 City Council.
9

10 **19.20.030 City eCouncil action.**

11 A. The Hearing Examiner recommendation, findings and all supporting documents shall be
12 forwarded to the City Council. The Community Development Department shall set a date and time
13 for a public hearing before the City Council to review the recommendation of the Hearing
14 Examiner. The City Council shall then make its own decision supported by written findings of fact
15 and conclusions of law and approve, approve with conditions, or disapprove the preliminary plat.
16 ~~The planning commission recommendation, findings and all supporting documents shall be~~
17 ~~forwarded to the city council. The city council, within 14 days of the planning commission's action~~
18 ~~shall set a date and time of public meeting to review the recommendation of the planning~~
19 ~~commission. If the city council adopts the planning commission's recommendation and proposed~~
20 ~~findings of fact and conclusions of law no further action is required. However, if the city council~~
21 ~~after considering the matter at the public meeting, deems a change in the planning commission~~
22 ~~recommendations is necessary, the city council shall hold a duly advertised public hearing to~~
23 ~~consider the plat. The city council shall then make its own decision supported by written findings~~
24 ~~of fact and conclusions of law and approve, approve with conditions, or disapprove the preliminary~~
25 ~~plat.~~

26 ~~B. If, prior to city council action on that recommendation, the council identifies additional~~
27 ~~conditions that should be required, and the applicant stipulates in writing his acceptance of those~~
28 ~~conditions, the council may adopt those additional conditions without further public hearings;~~
29 ~~provided, that these conditions:~~

30 ~~1. Would not waive nor reduce any of the conditions recommended by the commission or~~
31 ~~any code requirements; and~~

32 ~~2. Would not increase the intensity of development, nor significantly alter the design or uses~~
33 ~~allowed by the proposal.~~

34 ~~C. Any decision by the planning commission shall reference the above provisions.~~

35 ~~DB. Prior to making a decision the eCity eCouncil may refer the plat back to the planning~~
36 ~~commissionHearing Examiner for further consideration or may require the applicant to modify the~~
37 ~~plat, or require more information to be submitted. (Ord. 1789 § 3, 1990; Ord. 1314 § 6, 1983)~~
38

39 **19.20.035 Factors to be considered in the preliminary plat process.**

40 Hearing eExaminer recommendations and eCity eCouncil action on preliminary plats shall be
41 based on review of Chapter 58.17 RCW and the following factors:

42 A. The preliminary plat shall conform to and it shall be the applicant's burden to demonstrate
43 conformance to the following factors as they now exist or as they may be amended:

44 1. The goals, policies and objectives of the Lynnwood comprehensive plan;

45 2. The Lynnwood comprehensive parks and recreation plan;

46 3. The Lynnwood zoning code;

- 1 4. The standards of this title and Chapter 58.17 RCW;
- 2 5. The Lynnwood comprehensive street and arterial plan;
- 3 6. The environmentally sensitive areas map and the city's environmental policies;
- 4 7. The Lynnwood water system comprehensive plan;
- 5 8. The Lynnwood comprehensive trunk storm drainage plan, and Chapter 13.40 LMC,

6 Drainage Plans;

- 7 9. The compatibility of the plat to the existing neighborhoods;
- 8 10. Other plans and programs as the city of Lynnwood may adopt.

9 B. A proposed subdivision and dedication shall not be approved unless the eCity eCouncil
10 makes written findings that:

11 1. Appropriate provisions are made for, but not limited to:

- 12 a. The public health, safety, and general welfare;
- 13 b. Open spaces, drainage ways, streets, roads, alleys, other public ways and transit stops;
- 14 c. Potable water supplies, and sanitary wastes;
- 15 d. Parks and recreation, playgrounds, schools and school grounds;
- 16 e. All other relevant facts, including sidewalks and other planning features that assure safe

17 walking conditions.

18 2. The public use and interest will be served by the platting of such subdivision and
19 dedication.

20 3. The proposed subdivision and dedication is in conformity with the Lynnwood zoning
21 code and land use controls. (Ord. 1808 § 2, 1991; Ord. 1314 § 6, 1983)

22
23 **19.20.040 Time limits, extensions and effect of preliminary plat approval.**

24 A. The eCity eCouncil shall approve, approve with conditions, disapprove or return to the
25 applicant for modification all preliminary plats of proposed subdivisions within 90 days from the
26 date of filing thereof unless the applicant consents to an extension of time; provided, that if an
27 environmental impact statement (EIS) is required pursuant to Chapter 43.21C RCW, the 90-day
28 period shall not include time spent preparing and circulating a required EIS.

29 B. The subdivider shall have five years from the date of preliminary approval to submit to the
30 city a final plat meeting all requirements of this title. Failure to do so will result in the expiration of
31 preliminary plat approval: provided, however, that upon written application to the Community
32 Development Department at least 30 days prior to the expiration of the five-year period and upon
33 satisfactory showing that a good faith effort has been made to submit the final plat within the five-
34 year period, the Community Development Director or designee may grant the applicant an
35 additional period of one year in which to submit the final plat for approval. No extension of time
36 beyond six years from the date of final approval of the preliminary plat shall be granted.

37 C. Approval of a preliminary plat by the eCity eCouncil is approval of the proposed
38 subdivision's design, and relationship with adjoining property. The engineering, construction and
39 installation of improvements and final platting detail shall be subject to approval of the pPublic
40 wWorks dDirector. Approval of the preliminary plat shall authorize the subdivider to proceed with
41 the preparation of the final plat in conformance with the approved preliminary plat and the
42 conditions stipulated. Upon the approval of detailed construction plans by the pPublic wWorks
43 dDirector, construction and installation of the improvements may proceed. (Ord. 2074 § 4, 1996;
44 Ord. 1314 § 6, 1983)

1 **19.20.042 Procedure for installing improvements and development standards thereto.**

2 The Public Works Department shall make available material, design and construction standards
3 for improvements that may or may not be transferred to the city for operation and maintenance.
4 Said standards may be modified due to the locality, topography, soil condition, or geology of the
5 area in which the proposed plat, subdivision or dedication is to be developed and improved. All
6 construction drawings and specifications for improvements shall be prepared and stamped by a
7 licensed professional engineer registered in the state of Washington and shall be subject to approval
8 by the Public Works Director. Minimum improvements shall include the following:

9 A. Streets shall be constructed and graded to the standards set by and under the supervision of
10 the Public Works Director.

11 B. Curbs and gutters shall be installed in accordance with the standards and under the
12 supervision of the Public Works Director.

13 C. Storm sewers and appurtenances shall be provided and installed in accordance with the
14 standards of Chapter 13.40 LMC and under the supervision of the Public Works Director.

15 D. Sidewalks shall be constructed in accordance with the standards and under the supervision
16 of the Public Works Director.

17 E. The water distribution system including the location of fire hydrants shall be designed in
18 accordance with the standards and installed under the supervision of the Public Works Director.
19 Connections shall be provided for each lot.

20 F. The subdivision shall be provided with a complete sanitary sewer system providing a public
21 sewer main lies within 200 feet of the proposed subdivision. The sanitary system shall be designed
22 and installed in accordance with the standards and under the supervision of the Public Works
23 Director.

24 If a public sewer main is not located within 200 feet of the proposed subdivision, the following
25 shall be considered reasonable in lieu of a distribution system.

26 In proposed subdivisions, where the soil conditions have been found satisfactory by the Public
27 Works Director and county health officer, septic tanks or other methods of handling wastes may be
28 installed in accordance with the standards and under the supervision of the Public Works Director
29 and county health officer. Where septic tanks are provided, the minimum lot area for each septic
30 tank system shall be determined by analysis of the soil conditions.

31 G. Trees of a species indicated by the street tree plan may be planted on both sides of the street
32 in accordance with, and under the supervision of the Public Works Director.

33 H. Monuments shall be placed at all street intersections, boundary angle points, points of curves
34 in streets, and at such intermediate points as required by the Public Works Director. The
35 monuments shall be of stone or concrete filled pipe or tile, weighing at least 50 pounds, capped
36 with standard markers. Street monuments shall be set between six inches and one foot below
37 official finished street grades and in paved streets shall be enclosed in a standard monument case.
38 All lot and block corners shall be set with a rebar or an approved equivalent at least 18 inches in
39 length.

40 I. In all dedicated plats, all utility service lines including electric, communications, fire alarm
41 and television antenna cables shall be placed underground.

42 The light standard, base and luminaire, shall be provided and installed at the developer's
43 expense in accordance with city standards and under supervision of the Public Works Director.
44 (Ord. 1314 § 10, 1983)

1 **19.20.045 Methods and procedure for carrying out improvements.**

2 A. If the preliminary plat is approved by the eCity eCouncil, the city may accept a bond or
3 other secure method providing for and securing to the city the actual construction and installation
4 of minimum improvements in accordance with the provisions of Chapter 19.40 LMC within one
5 year by any of the following methods:

6 1. By furnishing the city of Lynnwood with a performance bond satisfactory to the pPublic
7 wWorks dDirector and eCity aAttorney, in which guarantee is given the city that the installation of
8 the minimum improvements will be carried out as provided in Chapter 19.40 LMC herein and
9 according to the specifications of the pPublic wWorks dDirector within one year;

10 2. By actual installation of improvements in accordance with the provisions of Chapter
11 19.40 LMC contained herein and in accordance with the installation requirements and under the
12 supervision of the pPublic wWorks dDirector and furnishing a bond approved by the eCity
13 aAttorney securing successful operation of the improvements for a period of 24 months following
14 completion and acceptance thereof by the city;

15 3. By formation of a local improvement district;

16 4. By a cash deposit with the city or suitable escrow;

17 5. By a combination of these methods; and

18 6. By such other reasonable guarantee acceptable to the pPublic wWorks dDirector and
19 approved by the eCity aAttorney.

20 B. The subdivider may then make application for such permits from the local officers, officials
21 and authorities as are necessary to proceed with the installation of the plat improvements.

22 C. After completing all minimum improvements, the subdivider shall make written request to
23 the pPublic wWorks dDirector for inspection. After finding that all improvements have been
24 completed or provided for in accordance with the installation standards, the pPublic wWorks
25 dDirector shall so notify the ~~planning~~Community Development dDirector.

26 D. Upon receipt of this notification, the ~~planning~~Community Development dDirector shall
27 advise the subdivider that a final plat may be submitted for that portion of the area contained in the
28 proposed plat, subdivision, or dedication in which minimum improvements have been installed or
29 concerning which a performance bond or other acceptable surety has been posted. The subdivider
30 may then submit the final plat in accordance with Chapter 19.25 LMC. (Ord. 1314 § 6, 1983)

31
32 **Chapter 19.25**

33 **FINAL PLAT APPLICATION PROCEDURE**

34 **Sections:**

- 35 19.25.005 Application Preparation.
36 19.25.010 Supplementary materials.
37 19.25.015 Sequence for obtaining signatures.
38 19.25.020 Review by pPublic wWorks dDirector.
39 19.25.025 Review by ~~planning~~Community Development dDirector.
40 19.25.030 Review by eCity eCouncil.
41 19.25.035 Filing.
42 19.25.040 Expiration.
43 19.25.045 Validity of land use.
44 19.25.050 Review of council decision.

1 **19.25.005 Application Preparation.**

2 A. Submittal to the Community Development Department. After approval of the preliminary
3 plat and the detailed construction plans and within the time limits set forth in LMC 19.20.040, the
4 subdivider shall prepare a final plat and the supplementary materials required by this chapter. The
5 final plat application shall be submitted to the ~~public works~~ Community Development ~~d~~Department
6 along with the supplementary materials as per LMC 19.25.010:

7 ~~A. Be drawn to the specifications and contain the information required by Chapter 19.30 LMC;~~

8 B. Conformance with preliminary plat. Conform to the preliminary plat approved by the eCity
9 eCouncil and to any conditions that may have been part of the approval. Slight deviations from the
10 approved preliminary plat may be allowed if the ~~planning~~ Community Development ~~d~~Director
11 and/or ~~p~~Public ~~w~~Works ~~d~~Director determine such deviations are necessary because of unforeseen
12 technical problems;

13 C. Submittal Requirements: The final plat shall be prepared on high grade tracing material, 18
14 inches by 24 inches in size, allowing one-half inch for border, by a registered land surveyor in
15 accordance with the requirements of the Public Works Director surveying standards and shall
16 contain the following information:

17 1. All documents, maps, and survey notes shall contain the name of the subdivision or
18 be clearly referenced to it, and shall contain the name and address of the subdivider and his
19 surveyors or engineer, or be clearly referenced to it.

20 2. The legal description of the plat and the following information shall appear in the
21 following sequences on the final plat, lettered in ink either by hand or mechanical device:

22
23 Know all men by these presents that _____, the undersigned owner (s) in
24 fee simple, and encumbrances of the land hereby platted, hereby declare this plat
25 and dedicate(s) to the use of the public forever, all streets and easements or
26 whatever public property there is shown on the plat and the use thereof for any and
27 all public purposes; also, the right to make all necessary slopes for cuts or fills upon
28 the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of
29 all streets, shown hereon.

30
31 Signed & Sealed
32 _____

33 State of Washington)
34 _____)ss
35 County of Snohomish)
36

37 This is to Certify that on this _____ day of _____, 20 _____ before me the
38 undersigned, a Notary Public, personally appeared _____ to me known to
39 the person(s) who executed the foregoing dedication and acknowledged to me that
40 _____ signed and sealed the same as _____ free and
41 voluntary act and deed for the uses and purposes mentioned.

42
43 Witness my hand and official seal the day and year last above written.

44
45 Notary Public in and for the State of Washington, residing at
46 _____

1 Commission expires

2
3 I hereby certify that the plat of _____ is based on actual survey and
4 subdivision of Section _____ , Township _____ , North, Range _____
5 E.W.M., that the distances and courses and angles are shown thereon correctly, that
6 proper monuments have been set and lot block corners staked on the ground.

7 Signed _____ (Seal)
8 Licensed Land Surveyor

9
10 Examined & Approved this _____ day of _____ , A.D., 20 _____

11 _____
12 Mayor, City of Lynnwood

13
14 Examined & Approved this _____ day of _____ , A.D., 20 _____

15 _____
16 Community Development Director

17
18 Examined & Approved this _____ day of _____ , A.D., 20 _____

19 _____
20 Public Works Director

21
22 Attest:

23 _____
24 Administrative Services Director

25
26 Filed for record at the request of the city of Lynnwood this _____ day of _____ , 20 _____
27 minutes past _____ o'clock, .M., and recorded in Volume _____ of Plats, on Page
28 _____ , records of Snohomish County, Washington.

29 _____
30 Snohomish County Auditor

31 _____
32 Deputy County Auditor

33
34 I, _____, Treasurer of Snohomish County, Washington, do
35 hereby certify that all taxes on the above described tract have been fully paid up to
36 and including the year of 20 _____

37 _____
38 Snohomish County Treasurer

39
40 3. The boundary lines with accurate distances and bearings, location, and width of all
41 existing previously recorded public highways approaching and intersecting the boundaries of the
42 subdivision shall be shown on the map and referenced to the United States Coast and Geodetic
43 Survey datum or the plain coordinate system for the state of Washington, and/or acceptable data
44 prescribed by the Public Works Director.

45 4. The map shall accurately show the boundary lines of all parks and playgrounds and
46 the rights-of-way of all public streets contained in the plat, subdivision, or dedication, and shall

1 contain thereon, suitably inscribed, and described, a statement of dedication of these rights-of-way,
2 playgrounds, parks, and other necessary areas.

3 5. The final plat shall clearly show the following information:

4 a. The lines and names of all streets or other public ways, parks, playgrounds, and
5 easements intended to be dedicated for public use, or granted for use of inhabitants of the
6 subdivision;

7 b. The lines and names of all existing or platted streets or other public ways, parks,
8 playgrounds, and easements adjacent to the final plat, subdivision or dedication, including
9 municipal boundaries, township lines, and section lines;

10 c. The lengths and bearings of all straight lines, curve radii, arcs and semi-tangents of
11 all curves;

12 d. All dimensions along the lines of each lot, with the true bearings plus any other data
13 necessary for the location of any lot lines or corners in the field;

14 e. Suitable primary control points, approved by the Public Works Director or
15 descriptions and ties to such control points, to which all dimensions, angles, bearings and similar
16 data given on the plat shall be referred;

17 f. The name of all subdivisions immediately adjacent thereof;

18 g. The date, true north point, scale and date of survey; and

19 h. The boundary of the tract, with courses and distances marked thereon, as determined
20 by a field survey made by a registered land surveyor of the state of Washington and to close with
21 an error of not more than one foot in 5,000.

22 6. The subdivider shall submit complete field and computation notes showing original
23 or re-established corners, with description of the same; showing true bearings and distances to
24 established street lines and monuments, turning angles, points of curvature, length of tangents, and
25 the actual traverse showing error of enclosure and method of balancing with sketches showing all
26 distances, angles and calculations required to determine corners and distances of the plat,
27 subdivision, or dedication.

28 The final plat as submitted to the City Council shall contain a certificate from the county
29 treasurer indicating that all taxes on said property included in the proposed plat, subdivision, or
30 dedication, have been paid and a certificate from the county assessor and city treasurer indicating
31 that all assessments on this property have been paid in accordance with Chapter 200, Section 1,
32 Laws, 1909, as hereafter amended (RCW 58.08.040) and Chapter 188, Section 1, Laws, 1927, as
33 hereafter amended (RCW 58.08.030).

34 C. Include all of the area shown in the approved preliminary plat; and

35 D. Include, in the manner specified by Chapter 19.30 LMC, all formal, irrevocable offers of
36 dedication to the public and space for the acknowledgments, endorsements and certifications
37 required by Chapter 19.30 LMC. (Ord. 1314 § 7, 1983)

38
39 **19.25.010 Supplementary materials.**

40 The original mylar drawing of the final plat shall be accompanied by:

41 A. One copy of the final plat on sepia material;

42 B. A minimum of four paper copies of the final plat and one ~~8 1/2 by 11 inch~~ 11-inch by 17-
43 inch reduction;

44 C. A copy of any deed restrictions and restrictive covenants proposed by the subdivider;

45 D. A current title report issued by a title insurance company showing all parties whose consent
46 is necessary and their interest in the premises and listing all encumbrances;

1 E. One copy of the "as-constructed" plans, on mylar material, showing all improvements
2 completed which has been prepared and certified by a licensed professional engineer registered in
3 the state of Washington;

4 F. A complete survey and field computation notes;

5 G. If required improvements have not been completed, a plat performance bond or other
6 security as per LMC 19.20.045 of this title;

7 H. If a local improvement district is proposed, a petition bearing sufficient signatures creating
8 the district, unless the eCity eCouncil in approving the preliminary plat indicated it would create a
9 district by resolution; and

10 I. Payment of the inspection fee required by the pPublic wWorks dDepartment for such
11 improvements as have been completed, and payment of related community development fees and
12 costs as set forth in LMC 2.23.120. (Ord. 2242 § 5, 1999; Ord. 1314 § 7, 1983)

13
14 **19.25.015 Sequence for obtaining signatures.**

15 Signatures required by Chapter 19.30 LMC of this title for dedications, acknowledgments, and
16 endorsements normally shall be obtained in the following sequence:

17 A. A notarized signature of the owners in fee simple;

18 B. The licensed land surveyor;

19 ~~C. The Snohomish County treasurer;~~

20 C. The Community Development Director;

21 D. The pPublic wWorks dDirector;

22 ~~E. The planning director;~~

23 ~~F. The mMayor;~~

24 G. The finance-Administrative Services dDirector; and

25 G. The Snohomish County Treasurer; and

26 H. The Snohomish County aAuditor. (Ord. 1390 § 1, 1984; Ord. 1314 § 7, 1983)

27
28 **19.25.020 Review by pPublic wWorks dDirector.**

29 A. The pPublic wWorks dDirector shall:

30 1. Inspect the detail and computation of the final plat for conformance with the specifications
31 and standards of this title; the pPublic wWorks dDirector's determinations shall be conclusive;

32 2. Inspect the final plat for conformance with the preliminary plat approved by the eCity
33 eCouncil and the conditions made a part of such approval; and

34 3. Determine either that all required improvements have been installed in accordance with these
35 regulations or that certain improvements may properly be deferred as per LMC 19.20.045 (A).

36 B. When the pPublic wWorks dDirector is satisfied with the detail and computations of the plat,
37 determines that the plat conforms with the approved preliminary plat and conditions set thereon,
38 and determines that improvements either are complete or may properly be deferred, he shall signify
39 his approval in writing and forward his/her approval along with the ~~of the subdivision by signing~~
40 ~~the original and mylar copy of the final plat. Thereafter, he shall forward the plats and the~~
41 supplementary material to the planning-Community Development dDirector for review.

42 C. If the pPublic wWorks dDirector is not satisfied with the detail and computations of the final
43 plat; finds that the plat does not conform with the approved preliminary plat and conditions,
44 determines that improvements were installed incorrectly; or is not satisfied with the extent or
45 manner in which completion of improvements would be deferred, he shall withhold his signature

1 until the matter is corrected or resolved by the subdivider to the satisfaction of the ~~p~~Public ~~w~~Works
2 ~~d~~Director. (Ord. 1390 § 2, 1984; Ord. 1314 § 7, 1983)
3

4 **19.25.025 Review by ~~planning~~Community Development ~~d~~Director.**

5 After the inspection by the ~~p~~Public ~~w~~Works ~~d~~Director, the ~~planning~~Community Development
6 ~~d~~Director shall review the proposed final plat for conformance with the preliminary plat and
7 conditions approved by the council.

8 If the ~~planning~~Community Development ~~d~~Director finds the final plat to be conforming, the
9 director shall prepare a report and forward a recommendation along with signify approval by
10 signing the original drawing and mylar copies, then shall forward them the plat and supplementary
11 material to the ~~e~~City ~~e~~Council for consideration. (Ord. 1390 § 3, 1984; Ord. 1314 § 7, 1983)
12

13 **19.25.030 Review by ~~e~~City ~~e~~Council.**

14 The ~~e~~City ~~e~~Council shall review final plats at a public meeting, considering the factors set forth
15 below. The council shall determine whether:

16 A. The final plat conforms to the approved preliminary plat conditions set thereon;

17 B. The public use and interest will be served by the subdivision and the final plat meets the
18 requirements of Chapter 58.17 RCW and of this title;

19 C. Improvements have been completed or properly guaranteed to be completed in accordance
20 with LMC 19.20.045;

21 D. The dedications, certifications, acknowledgments and signatures required have been fully
22 stated and obtained;

23 E. Proposed covenants are in satisfactory form and ready for recording with the final plat; and

24 F. Any other supplementary materials required by this title or by the council have been
25 satisfactorily completed.

26 If the council affirmatively makes the above determinations, the ~~m~~Mayor along with the Public
27 Works Director, Community Development Director, and the Administrative Services Director shall
28 inscribe and execute the council's will on the face of the original mylar drawing of the final plat. If
29 the council withholds approval, it shall return the plat sheets and supplementary materials to the
30 applicant and provide him with a statement of reasons for its decision and of the changes necessary
31 to permit granting approval. (Ord. 1314 § 7, 1983)
32

33 **19.25.035 Filing.**

34 The subdivider shall file the original drawing of the final plat for recording with the Snohomish
35 County auditor. ~~One reproduced full copy on mylar and/or sepia~~original signed mylar and 2 paper
36 copies of the recorded final plat material shall be furnished to the ~~p~~Public ~~w~~Works ~~d~~Director.
37 (Ord. 1314 § 7, 1983)
38

39 **19.25.040 Expiration.**

40 Any final plat not filed for recording within 21 days after ~~e~~City ~~e~~Council approval shall be null
41 and void. To be reactivated, the plat must be resubmitted as a new preliminary plat. (Ord. 1314 § 7,
42 1983)

43 **19.25.045 Validity of land use.**

44 As per RCW 58.17.170, a subdivision shall be governed by the terms of approval of the final
45 plat, and the statutes, ordinances, and regulations in effect at the time of approval under RCW
46 58.17.150(1) and (3) for a period of five years after final plat approval unless the ~~e~~City ~~e~~Council

1 finds that a change in conditions creates a serious threat to the public health or safety in the
2 subdivision. (Ord. 1314 § 7, 1983)

3
4 **19.25.050 Review of council decision.**

5 Any decision approving or disapproving any plat shall be renewable by an aggrieved city
6 property owner pursuant to RCW 58.17.180. (Ord. 1314 § 7, 1983)

7
8 **Chapter 19.30**
9 **PLAT REQUIREMENTS**

10 **Sections:**

11 ~~19.30.005 — General requirements for preliminary plats.~~

12 ~~19.30.010 — Specific requirements for preliminary plats.~~

13 ~~19.30.015 — Special requirements of the preliminary plats.~~

14 ~~19.30.020 — Requirements for the final plat.~~

15 **19.30.005 — General requirements for preliminary plats.**

16 In addition to the requirements of RCW 58.17.100 and 58.17.165, preliminary plats shall meet
17 the following requirements:

18 A. All mapped information shall be prepared in a neat and legible manner in pencil or ink, and
19 on high grade paper.

20 B. A vicinity sketch at a scale of not more than 400 feet to the inch shall accompany the
21 proposed plat. The vicinity sketch shall show all adjacent subdivision, streets and tract lines and
22 bordering lines of adjacent property. It shall show how the streets and public ways in the proposed
23 subdivision may connect with existing and proposed streets and public ways in neighboring
24 subdivisions or unplatted property to produce an advantageous development of the entire
25 neighborhood.

26 C. The scale of the proposed plat shall be 100 feet to the inch or such other scale as approved
27 by the planning director. Street and sewer profiles as required shall be of a scale as specified by the
28 public works director. (Ord. 1314 § 8, 1983)

29
30 **19.30.010 — Specific requirements for preliminary plats.**

31 The preliminary plat, subdivision or dedication shall provide the following:

32 A. The name of the preliminary plat, subdivision or dedication;

33 B. The date, scale, acreage, north arrow, vertical control datum and certification of the
34 registered land surveyor;

35 C. The name and address of the owner(s), developer(s), and any party(ies) of interest;

36 D. A legal description of the plat, subdivision or dedication;

37 E. Boundary lines (to scale) and actual dimensions of the tract to be platted, subdivided, or
38 dedicated;

39 F. The location, width, and designations of all existing or platted streets or other public ways or
40 easements within or adjacent to the proposed development and all other features such as buildings,
41 utilities, watercourses, power lines, and section lines;

42 G. The zoning of tracts and lands adjacent thereto;

43 H. The contours, with intervals of five feet or less which shall be referenced to mean sea level
44 datum or such datum acceptable to the public works director;

45 I. The approximate dimensions of all lots and blocks with lot area, lot numbers and block
46 designations; and

1 J. All parcels and tracts being reserved or dedicated as parks, playgrounds, streets, alleys or
2 other public and semi-public uses. (Ord. 1314 § 8, 1983)

3
4 **19.30.015 — Special requirements of the preliminary plats.**

5 The subdivider may be required to submit any or all of the following if the public works
6 director and/or planning director determines that there are circumstances to warrant them:

7 A. A layout showing location and sizes of sewer lines, catch basins, pumps or other drainage
8 and sewage structures;

9 B. A layout of a proposed water distribution system;

10 C. The grades of proposed streets and methods of storm drainage;

11 D. A layout of a proposed underground utility wiring system containing an authorized signature
12 of each applicable utility agency involved;

13 E. A tree retention, land clearing and/or grading plan; and

14 F. Any other study, plan, layout, cross-section, or documentation deemed necessary. (Ord. 1314
15 § 8, 1983)

16
17 **19.30.020 — Requirements for the final plat.**

18 The final plat, containing all the information specified in this section, shall be prepared in a neat
19 and legible manner in drawing ink and on high grade tracing material, 18 inches by 24 inches in
20 size, allowing one-half inch for border.

21 A. All documents, maps, and survey notes shall contain the name of the subdivision or be
22 clearly referenced to it, and shall contain the name and address of the subdivider and his surveyors
23 or engineer, or be clearly referenced to it.

24 B. The legal description of the plat and the following information shall appear in the following
25 sequences on the final plat, lettered in ink either by hand or mechanical device:

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

33 Signed & Sealed _____

34 State of Washington —)

35 —)ss

36 County of Snohomish —)

37
38 This is to Certify that on this ___ day of _____ A.D., 19__ before me the
39 undersigned, a Notary Public, personally appeared _____ to me known to the
40 the person(s) who executed the foregoing dedication and acknowledged to me that
41 _____ signed and sealed the same as _____ free and
42 voluntary act and deed for the uses and purposes mentioned.

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

44 _____
45 Notary Public in and for the State of Washington, residing at
46 _____

1 Commission expires _____

2
3 I hereby certify that the plat of _____ is based on actual survey and
4 subdivision of Section _____, Township _____, North, Range _____
5 E.W.M., that the distances and courses and angles are shown thereon correctly, that
6 proper monuments have been set and lot block corners staked on the ground.

7 Signed _____ (Seal)
8 Licensed Land Surveyor

9
10 Examined & Approved this ___ day of _____, A.D., 19 ___.

11 _____
12 Public Works Director

13
14 Examined & Approved this ___ day of _____, A.D., 19 ___.

15 _____
16 Planning Director

17
18 Examined & Approved this ___ day of _____, A.D., 19 ___.

19 City of Lynnwood

20 _____
21 Mayor

22
23 Attest:

24 _____
25 Finance Officer/City Clerk

26
27 Filed for record at the request of the city of Lynnwood this ___ day of _____, A.D.,
28 19___ at _____ minutes past _____ o'clock, ___M., and recorded in Volume _____
29 of Plats, on Page _____, records of Snohomish County, Washington.

30 _____
31 Snohomish County Auditor

32 _____
33 Deputy County Auditor

34
35 I, _____, Treasurer of Snohomish County, Washington, do
36 hereby certify that all taxes on the above described tract have been fully paid up to and
37 including the year of 19___.

38 _____
39 Treasurer, Snohomish County

40 _____
41 Deputy Treasurer

42
43 C. The boundary lines with accurate distances and bearings, location, and width of all existing
44 previously recorded public highways approaching and intersecting the boundaries of the
45 subdivision shall be shown on the map and referenced to the United States Coast and Geodetic

1 Survey datum or the plain coordinate system for the state of Washington, and/or acceptable data
2 prescribed by the public works director.

3 D. The map shall accurately show the boundary lines of all parks and playgrounds and the
4 rights of way of all public streets contained in the plat, subdivision, or dedication, and shall contain
5 thereon, suitably inscribed, and described, a statement of dedication of these rights of way,
6 playgrounds, parks, and other necessary areas.

7 E. The final plat shall clearly show the following information:

8 1. The lines and names of all streets or other public ways, parks, playgrounds, and
9 easements intended to be dedicated for public use, or granted for use of inhabitants of the
10 subdivision;

11 2. The lines and names of all existing or platted streets or other public ways, parks,
12 playgrounds, and easements adjacent to the final plat, subdivision or dedication, including
13 municipal boundaries, township lines, and section lines;

14 3. The lengths and bearings of all straight lines, curve radii, arcs and semi-tangents of all
15 curves;

16 4. All dimensions along the lines of each lot, with the true bearings plus any other data
17 necessary for the location of any lot lines or corners in the field;

18 5. Suitable primary control points, approved by the public works director or descriptions
19 and ties to such control points, to which all dimensions, angles, bearings and similar data given on
20 the plat shall be referred;

21 6. The name of all subdivisions immediately adjacent thereof;

22 7. The date, true north point, scale and date of survey; and

23 8. The boundary of the tract, with courses and distances marked thereon, as determined by a
24 field survey made by a registered land surveyor of the state of Washington and to close with an
25 error of not more than one foot in 5,000.

26 F. The subdivider shall submit complete field and computation notes showing original or re-
27 established corners, with description of the same; showing true bearings and distances to
28 established street lines and monuments, turning angles, points of curvature, length of tangents, and
29 the actual traverse showing error of enclosure and method of balancing with sketches showing all
30 distances, angles and calculations required to determine corners and distances of the plat,
31 subdivision, or dedication.

32 G. The final plat as submitted to the city council shall contain a certificate from the county
33 treasurer indicating that all taxes on said property included in the proposed plat, subdivision, or
34 dedication, have been paid and a certificate from the county assessor and city treasurer indicating
35 that all assessments on this property have been paid in accordance with Chapter 200, Section 1,
36 Laws, 1909, as hereafter amended (RCW 58.08.040) and Chapter 188, Section 1, Laws, 1927, as
37 hereafter amended (RCW 58.08.030). (Ord. 1578 § 2, 1987; Ord. 1390 § 4, 1984; Ord. 1314 § 8,
38 1983)

40 Chapter 19.35

41 SUBDIVISION DESIGN STANDARDS

42 Sections:

43	<u>19.35.005</u>	Purpose
44	<u>19.35.0057</u>	Generally Requirements.
45	19.35.010	Lot and block design.
46	19.35.015	Utility easements.

- 1 19.35.020 Street and right-of-way design.
- 2 19.35.025 Connections to existing streets.
- 3 19.35.090 Severability.

4
5 **19.35.005 Purpose**

6 The purpose of this chapter is to provide design principles, standards and specifications regarding
7 the subdivision, modification or resubdivision of property in accordance with the regulations within
8 this title.

9
10 **19.35.0057—Generally Requirements.**

11 The following requirements apply to all activities regulated by this title unless specifically
12 stated as exempt:

13 A. Standards and Specifications. In addition to compliance with the provisions of this title, all
14 subdivision, short subdivisions, binding site plans and lot line adjustments shall comply with the
15 following requirements:

- 16 1 Lynnwood Comprehensive Plan;
- 17 2 LMC 21, Zoning;
- 18 3 LMC 17, Environmental;
- 19 4 Other applicable provisions of the Lynnwood Municipal Code including LMC Title
20 12, Streets and Sidewalks, LMC Title 13, Water, LMC Title 14, Sewers, LMC Title 9, Fire; and
21 PMC Title 16, Building; and
- 22 5 Any other applicable federal, state or local regulations.

23 B. Surveying and Monumentation. In order to ensure the establishment and preservation of
24 land surveys, and ensure accurate and consistent standards and procedures for surveying and
25 monumentation, all surveying and monumentation shall be performed in accordance with the
26 requirements of the Public Works Director. In the planning of a plat, subdivision or dedication, the
27 subdivider shall prepare his proposed plat in conformance with the provisions described in this
28 chapter. (Ord. 1314 § 9, 1983)

29
30 **19.35.010 Lot and block design.**

31 In order to ensure a functional and efficient design, reduce conflicts with transportation
32 facilities, and create desirable lots for development, all activities regulated under this title shall
33 comply with the following requirements:

34 A. Lot design.

35 1. All lots shall meet the minimum requirements of the Zoning Ordinance, LMC Title 21,
36 for the zone in which the property is located with respect to area, depth, width at street right-of-
37 way, width at building line, yards, percentage of coverage, and, if applicable, parking and loading.
38 Lots should generally be no less than 100 feet deep.

39 2. All lots shall be provided direct access from a dedicated public street by means of
40 minimum frontage on a public street right-of-way or by a private road as specified by LMC
41 19.50.050.A Private Road Title 21 connecting to a developed public street.

42 3. In general, lots and streets should be designed so that no residential property has direct
43 driveway access to a principal arterial. Direct driveway access to minor arterials and collectors
44 shall be minimized. Where driveway access from a principal, minor, or collector arterial may be
45 necessary for two or more adjoining lots, said lots may be required to be served by a common
46 driveway in order to limit possible traffic hazards:

1 4. Where lots are more than double the minimum size required for the zone, the subdivider
2 may be required to arrange lots so as to allow further subdivision and the opening of future streets
3 to serve potential lots.

4 5. In general, side lot lines shall be at right angles to street lines (or radial to curving street
5 lines) unless variation from this rule will provide a better street or lot pattern.

6 6. Lots shall be laid out to provide drainage away from all buildings, and individual lot
7 drainage shall be coordinated with the storm drainage pattern for the area. Drainage shall be
8 designed to avoid concentration of storm water from one lot onto an adjacent lot.

9 7. In general, the ratio of the depth of any lot to its width shall not be greater than two and
10 one-half to one.

11 ~~8. Corner lots shall allow for the required setback lines as defined by the regulations of the~~
12 ~~area in which it is zoned.~~

13 ~~9. Lots having frontage on two streets shall be avoided wherever possible.~~

14 ~~10. Side and rear lines shall be straight, or composed of straight line elements, except where~~
15 ~~bounded by curved street right-of-way.~~

16 9. The area within the private roads, or access areas such as "panhandles and "flag lots"
17 shall not be included in the computation of the lot area or be used to meet any dimensional
18 requirement of the lot.

19 B. Blocks shall meet the following requirements:

20 1. The length of blocks shall not exceed 1,320 feet where the average size of lots does not
21 exceed two acres in area;

22 2. In any block exceeding ~~660~~ 500 feet in length, walks or pedestrian ways at a mid-block
23 point shall be required in order to encourage walking in between residential subdivisions.
24 Pedestrian walkways may be required and to provide circulation or access to schools, playgrounds,
25 shopping centers, etc.: The walks or pedestrian ways shall be provided in a public easement the
26 right-of-way of which shall be at least 10 feet in width and designed to the specifications of the
27 Public Works Director. or as otherwise specified by the public works director; and

28 3. Lots and blocks intended for commercial and industrial use shall be designed specifically
29 for such purposes, with adequate space provided for off-street parking, loading, and delivery. In
30 order to assist review of the proposed development, the eCity eCouncil may require a preliminary
31 site plan, a preliminary floor plan, or a preliminary landscaping plan to insure that the platted area
32 is adequate and will not create a need for future variances.

33 4. The eCity eCouncil may grant an exception to the requirements of this subsection ~~only if~~
34 ~~it finds that complying with these requirements would result in a neighborhood street functioning~~
35 ~~as a collector arterial~~ improved traffic calming and/or pedestrian circulation. (Ord. 2161 § 1, 1997;
36 Ord. 1314 § 9, 1983)

37 38 **19.35.015 Utility easements.**

39 In order to ensure the provision of adequate utilities as determined by the Public Works
40 Director or designee in a timely manner consistent with the city's Comprehensive Plan, and protect
41 the health, safety and welfare of the city and its residents, all activities regulated under this title
42 shall comply with the following requirements:

43 A. Public easements for the construction and maintenance of utilities and public facilities shall
44 be granted to provide and maintain adequate utility service to each lot and adjacent lands. The
45 widths of the public easements shall be a minimum of 20 feet unless the City determine a smaller

1 or larger width is appropriate based on site conditions. Whenever possible, public easement shall
2 be combined with driveways, pedestrian accessways and other utility easements.

3 B. Private easements for the construction and maintenance of utilities within the subdivision or
4 short subdivision shall be granted so that individual lots gain access to public facilities. The widths
5 of the private easements shall be a minimum of 10 feet unless the City determines a larger width is
6 appropriate based on the site conditions.

7 C. Native growth and protection easements (NGPE) shall be granted as deemed appropriate by
8 the City where the preservation of native vegetation benefits the public health, safety and welfare,
9 including control of surface water and erosion, maintenance or slope stability, visual and aural
10 buffering, and protection of plant and animal habitat. The NGPE shall impose upon all present and
11 future owners and occupiers of land subject to the easement the obligation, enforceable on behalf
12 of the public by the City of Lynnwood, to leave undisturbed all trees and other vegetation within
13 the easement. The vegetation within the easement may not be cut, pruned, covered by fill,
14 removed, damaged or enhanced without express written permission from the City of Lynnwood.

15 D. Easements for utility mains or lines shall be held to prohibit the placement of any building
16 on or over the easement, but shall not preclude landscaping of an appropriate variety as determined
17 by the City. Nor shall it prohibit the use of an easement for more than one utility or vehicle and
18 pedestrian access provided the City finds the multi-use appropriate. Restoration shall be required
19 of the site following any excavation or other disturbance permitted by the easement.

20 E. Easements required by this section shall be granted by the terms and conditions of such
21 easements being shown on the final plat or short subdivision or by separate instrument.

22 ~~Perpetual easements to utility providers for installation and maintenance of utilities shall be~~
23 ~~provided to serve each and every lot at locations deemed necessary by the utility providers. Such~~
24 ~~utilities may include but not be limited to sanitary sewer, storm sewer, water, gas, electric,~~
25 ~~telephone, and television lines and cables. Utility easements shall be as specified by the public~~
26 ~~works director. Additional easements for major distribution and transmission lines or unusual~~
27 ~~electric or communication facilities may be required. (Ord. 1314 § 9, 1983)~~
28

29 **19.35.020 Street and right-of-way design.**

30 A. Street and rights-of-way shall meet the following design criteria:

31 1. Cul-de-sacs shall be no longer than 500 feet;
32 2. Streets shall be related appropriately to the topography in order to minimize steepness of
33 grade and reduce the need for excessive cut and fill; use of curvilinear streets and U-shaped streets
34 shall be encouraged in residential subdivisions;

35 3. All streets shall be platted and constructed at the full width as required in this chapter,
36 Chapter 19.40 LMC and all other city ordinances;

37 4. Neighborhood residential streets within the proposed subdivision shall be located,
38 designed and improved to provide adequate access for emergency services as determined by the
39 Fire Marshal;

40 5. Where adequate emergency access has been provided, neighborhood residential streets
41 should be located, designed and improved to prevent or discourage their use as shortcuts for
42 through traffic and to mitigate the effects of through traffic. The subdivider shall be required to
43 install improvements within existing or new rights-of-way in order to mitigate impacts of traffic
44 from the subdivision on existing residences ~~and/or~~ to mitigate impacts or to improve livability in
45 new subdivisions, and may be required to install other traffic calming measures as may be required
46 by the director of public worksPublic Works Director;

6. Where existing streets adjacent to or within a subdivision are of inadequate width or where the city's capital improvements plan or comprehensive plan indicate need for a new street or additional right-of-way or realignment for an existing street, the subdivider shall dedicate necessary right-of-way to the city in the filing of the final plat; and

7. Where residential subdivisions abut a major arterial, the subdivider shall provide a buffer strip (Type IV as per LMC Title 21) a minimum of 10 feet in width along the plat boundary abutting the arterial. The buffer strip shall consist of one row of evergreen conifer trees, spaced a maximum of 10-feet on center. Minimum tree height shall be six feet. The remainder of the buffer strip shall be promptly planted with low evergreen plantings that will mature to a total groundcover within five years. A permanent six-foot site-screening fence shall be placed at the property line. The buffer strip shall become a separate lot or lots in which owners of all lots within the plat shall have an undivided interest be held as a separately held tract but shall be inseparable from the adjacent lot for ownership purposes. The buffer strip shall be the adjacent property owners' responsibility to maintain. Care shall be taken to alleviate sight obstruction at intersections and driveways. Unless specifically approved otherwise, the strip shall be designated on the plat generally as follows: "This strip is reserved for screening. The placement of any structure hereon is prohibited."

8. The eCity eCouncil may grant an exception to the requirements of this subsection only if it finds that complying with these requirements would result in a neighborhood street functioning as a collector arterial.

B. Minimum Widths. Minimum standards for widths (in feet) of street right-of-way, pavement (measured from curb face to curb face), utility/planting strips, and sidewalks shall be as specified in the following table:

Minimum-Maximum Width Standards for Street Right-of-Way Improvements*

Street Class	Right-of-Way	Curb-to-Curb Pavement	Utility Planting Strip	Sidewalk Sides
Principal Arterial	60'	44'	Variable	Yes
Minor Arterial	60'	40'	Variable	Yes
Collector Arterial-Local	60'	40'	Variable	Yes
Neighborhood Streets (serve 10 or more residential lots)	50'	36'	Variable	Yes
Local Access (serve 5-9 residential lots)	35'	24'	Variable	One side
Alleys (if required)	20'	16'	Variable	No

*Note: The Public Works Director shall have the authority to modify these standards if documented conditions so warrant.

C. Cul-de-Sacs.

1. Permanent dead-end streets shall terminate with a turning circle, and shall meet the following minimum standards:

- 1 a. Right-of-way width: 50 feet in residential areas and 60 feet in commercial and
2 industrial areas;
3 b. Radius right-of-way in the turning circle: 52 feet in residential, commercial and
4 industrial areas; and
5 c. Radius of pavement surface in the turning circle: 45 feet in residential, commercial
6 and industrial areas.

7 2. Where property adjacent to a subdivision is undeveloped and where the council
8 determines it is desirable to allow for future continuation of a street into the adjacent property, the
9 right-of-way shall extend to the subdivision boundary and an interim turning circle shall be
10 provided. The radius of such turning circle shall conform to subsections (C)(1)(b) and (C)(1)(c) of
11 this section. The final plat shall contain a notation that land outside the normal street right-of-way
12 within the turning circle shall revert to abutting property owners whenever the street is continued
13 through to city standards; provided, that all public improvements within the turning circle have
14 been properly relocated.

15 D. Maximum Grades.

- 16 1. Principal and minor arterials: 10 percent;
17 2. Collector, local, and neighborhood streets: 15 percent; and
18 3. Alleys and pedestrian ways: 15 percent.

19 E. Minimum Curve Radii at Centerline.

- 20 1. Principal and minor arterials: 200 feet;
21 2. Collector, local and neighborhood streets: 100 feet; and
22 3. A tangent of at least 150 feet in length between curves in principal and minor arterials
23 and 100 feet in all others.

24 F. Intersections. Street intersections shall be as nearly at right angles as possible. Intersecting
25 streets shall be offset from one another at a distance as specified by the pPublic wWorks dDirector,
26 to insure that the movement of traffic is maximized. Proposed new intersections along one side of
27 an existing street shall coincide, whenever possible, with any existing intersection on the opposite
28 side of such street or be spaced a minimum of 100 feet. Curbs at intersections shall be rounded by
29 an arc that may vary from 15 to 50 feet dependent upon the geometrics of the intersection and the
30 classification or use of the intersecting streets. (Ord. 2161 § 2, 1997; Ord. 1992 § 1, 1994; Ord.
31 1314 § 9, 1983)

32 G. Street Trees. Street trees selected from a City approved tree species list shall be planted
33 along all public and private streets in a subdivision according to the location approved during
34 review of the engineer drawings..
35

36 **19.35.025 Connections to existing streets.**

37 The design and location of connections between existing streets and new subdivisions shall
38 meet the following criteria:

39 A. A proposed subdivision shall provide street connections to all street stub-ends that abut the
40 boundary of the subdivision. New streets shall not extend existing streets at less than the width of
41 the existing street.

42 B. A proposed subdivision shall provide street stub-ends at the boundary of the subdivision to
43 allow for future connection(s) to possible adjoining subdivisions.

44 C. The number of intersections of neighborhood and collector streets with minor and principal
45 arterials shall be minimized.

1 D. Where a subdivision provides a stub-end of a street that is intended to be extended into land
2 that may be subdivided, the subdivider shall install a permanent sign at the stub-end of the street
3 indicating that the street may be extended into the adjoining land when that land is subdivided. The
4 text, design and method of installation shall be subject to approval by the ~~director of public~~
5 ~~works.~~ Public Works Director.

6 E. Where a subdivision provides a stub-end of a street that is intended to be extended into land
7 that may be subdivided, the subdivider shall record a notice of the planned extension of the street as
8 part of the record of the subdivision.

9 F. The eCity eCouncil may grant an exception to the requirements of this subsection only if it
10 finds that complying with these requirements would result in a neighborhood street functioning as a
11 collector arterial. (Ord. 2161 § 3, 1997)

12
13 **19.35.090 Severability.**

14 If any section, subsection sentence, clause, phrase or word of this chapter should be held to be
15 invalid or unconstitutional by a court of competent jurisdiction, such invalidity or
16 unconstitutionality thereof shall not affect the validity or constitutionality of any other section,
17 subsection, sentence, clause, phrase or word of this chapter. (Ord. 2161 § 4, 1998)

18
19
20 **Chapter 19.40**
REQUIRED IMPROVEMENTS

21 **Sections:**

22 ~~19.40.005 — Procedure for installing improvements and development standards thereto.~~

23
24 ~~19.40.005 — Procedure for installing improvements and development standards thereto.~~

25 ~~The public works department shall make available material, design and construction standards~~
26 ~~for improvements that may or may not be transferred to the city for operation and maintenance.~~
27 ~~Said standards may be modified due to the locality, topography, soil condition, or geology of the~~
28 ~~area in which the proposed plat, subdivision or dedication is to be developed and improved. All~~
29 ~~construction drawings and specifications for improvements shall be prepared and stamped by a~~
30 ~~licensed professional engineer registered in the state of Washington and shall be subject to approval~~
31 ~~by the public works director. Minimum improvements shall include the following:~~

32 ~~A. Streets shall be constructed and graded to full right-of-way width and surfaced with~~
33 ~~bituminous mix or concrete in accordance with the standards set by and under the supervision of~~
34 ~~the public works director.~~

35 ~~B. Curbs and gutters shall be installed in accordance with the standards and under the~~
36 ~~supervision of the public works director.~~

37 ~~C. Storm sewers and appurtenances sufficient to carry normal runoff or flood waters~~
38 ~~characteristic to the area included in the proposed plat, subdivision or dedication, shall be provided~~
39 ~~and installed in accordance with the standards of Chapter 13.40 LMC and under the supervision of~~
40 ~~the public works director.~~

41 ~~D. Sidewalks shall be constructed on both sides of the street in accordance with the standards~~
42 ~~and under the supervision of the public works director.~~

43 ~~E. The water distribution system including the location of fire hydrants shall be designed in~~
44 ~~accordance with the standards and installed under the supervision of the public works director.~~
45 ~~Connections shall be provided for each lot.~~

1 ~~F. The subdivision shall be provided with a complete sanitary sewer system providing a public~~
2 ~~sewer main lies within 200 feet of the proposed subdivision. The sanitary system shall be designed~~
3 ~~and installed in accordance with the standards and under the supervision of the public works~~
4 ~~director.~~

5 ~~If a public sewer main is not located within 200 feet of the proposed subdivision, the following~~
6 ~~shall be considered reasonable in lieu of a distribution system:~~

7 ~~In proposed subdivisions, where the soil conditions have been found satisfactory by the public~~
8 ~~works director and county health officer, septic tanks or other methods of handling wastes may be~~
9 ~~installed in accordance with the standards and under the supervision of the public works director~~
10 ~~and county health officer. Where septic tanks are provided, the minimum lot area for each septic~~
11 ~~tank system shall be determined by analysis of the soil conditions.~~

12 ~~G. Trees of a species indicated by the street tree plan may be planted on both sides of the street~~
13 ~~in accordance with, and under the supervision of the public works director.~~

14 ~~H. Monuments shall be placed at all street intersections, boundary angle points, points of curves~~
15 ~~in streets, and at such intermediate points as required by the public works director. The monuments~~
16 ~~shall be of stone or concrete filled pipe or tile, weighing at least 50 pounds, capped with standard~~
17 ~~markers. Street monuments shall be set between six inches and one foot below official finished~~
18 ~~street grades and in paved streets shall be enclosed in a standard monument case. All lot and block~~
19 ~~corners shall be set with a rebar or an approved equivalent at least 18 inches in length.~~

20 ~~I. In all dedicated plats, all utility service lines including electric, communications, fire alarm~~
21 ~~and television antenna cables shall be placed underground.~~

22 ~~The light standard, base and luminaire, shall be provided and installed at the developer's~~
23 ~~expense in accordance with city standards and under supervision of the public works director. (Ord.~~
24 ~~1314 § 10, 1983)~~

Chapter 19.45 PLAT VARIANCES

Sections:

- 29 19.45.005 Plat variance application procedure.
30 19.45.010 Criteria for granting variances.

19.45.005 Plat variance application procedure.

33 It is recognized that in some cases pertaining to particular plats, circumstances may justify the
34 granting of plat variances from the standards of this title. Applications for plat variances shall be
35 coordinated with preliminary plat review. Petitioners for plat variances shall describe fully the
36 variance sought and the grounds for the application, and shall bear the burden of proof that
37 approval of such application conforms to the criteria of LMC 19.45.010. The ~~planning~~
38 ~~commission~~Hearing Examiner shall develop separate recommendations on plat variance
39 applications and forward them to the ~~e~~City ~~e~~Council along with the recommendation on the
40 preliminary plat. The ~~commission's~~Hearing Examiner's recommendation and the council's action
41 may be for a lesser degree of variation from a standard than sought by the applicant, and may
42 include conditions. The council shall have sole authority to approve plat variances from the
43 standards of this title. (Ord. 1314 § 11, 1983)

1 **19.45.010 Criteria for granting variances.**

2 In order for a plat variance to be recommended by the ~~commission~~Hearing Examiner and
3 approved by the council, it must be determined that all or some of the following apply:

4 A. There are special topographic physical and/or other conditions affecting the property that are
5 not common to all property in the area;

6 B. Hardship, as distinguished from mere inconvenience, would result from strict compliance
7 with the standards of this title;

8 C. A variance complies with the spirit and intent of this title and will not be detrimental to the
9 public health, safety, or welfare or injurious to other property in the vicinity;

10 D. A variance will not have the effect of nullifying the spirit and intent of the comprehensive
11 plan, zoning ordinance, and/or any other land use regulation adopted by the city; and

12 E. In the case of a variance to sidewalk standards, adequate provision nevertheless will be made
13 for pedestrian movement and safety. (Ord. 1314 § 11, 1983)

14
15 **Chapter 19.50**
16 **SHORT SUBDIVISIONS**

17 Sections:

18 19.50.005 Applicability.

19 19.50.010 Administration.

20 19.50.015 Exemptions.

21 19.50.020 Preliminary short subdivision Application procedure.

22 19.50.022 Review Procedure

23 19.50.025 Planning Community Development ~~and~~ Director's review and recommendation of
24 short subdivisions.

25 19.50.027 Mayor's review and determination of short plats.

26 19.50.028 Mayor to make written findings.

27 19.50.030 Preliminary approvals.

28 19.50.035 Final approval and recording.

29 19.50.040 Final short plat Application.

30 19.50.045 General standards.

31 19.50.050 General requirements.

32 19.50.055 Public street rights-of-way.

33 19.50.060 Survey – When required – Monuments and markers.

34 19.50.070 Violation – Injunctive relief.

35 19.50.080 Assurance of discontinuance.

36 19.50.090 Unapproved short plat – Not to be filed.

37
38 **19.50.005 Applicability.**

39 Every division of land into ~~four~~nine or less lots, tracts, parcels, sites of subdivisions for the
40 purpose of sale, lease, or transfer of ownership shall proceed in compliance with this chapter;
41 provided, that any land contained within a short subdivision shall not be further divided for a
42 period of five years from the date of filing of a short plat without the filing of a final plat.

43 Contiguous parcels of land in the same ownership and having boundaries in common shall be
44 presumed to be a single parcel in determining whether or not the division of land comprises a short
45 subdivision. (Ord. 1314 § 12, 1983)

1 **19.50.010 Administration.**

2 The ~~planning~~ Community Development ~~d~~Director shall have the responsibility and duty of
3 administering the provisions of this chapter. The ~~m~~Mayor shall have sole authority to summarily
4 approve or disapprove a proposed short plat under the guidelines set forth in this chapter and to
5 approve or disapprove final applications of short subdivisions. The ~~planning~~ Community
6 Development ~~D~~irector shall prepare and require the use of such forms as needed essential to the
7 implementation of this title. (Ord. 1314 § 12, 1983)
8

9 **19.50.015 Exemptions.**

10 The provisions of this chapter shall not apply to those cases as per LMC 19.05.0157(B). (Ord.
11 1314 § 12, 1983)
12

13 **19.50.020 Preliminary Short Subdivision Application procedure.**

14 Any person desiring to divide land under the provisions of this title situated in the city of
15 Lynnwood into ~~four~~ nine or fewer lots shall submit an application for short subdivision approval to
16 the ~~C~~ommunity ~~D~~evelopment ~~d~~irector together with payment of related fees and costs as noted
17 in LMC 2.23.120.

18 A. Applications for approval of a preliminary short plat subdivisions shall be submitted on
19 forms prescribed by the ~~planning~~ Community Development ~~d~~irector. All applications submitted
20 to the ~~planning~~ Community Development ~~d~~irector shall be complete with all information as
21 required by LMC 19.50.040. An application lacking sufficient information for review, shall be
22 rejected by the ~~planning~~ director prior to the acceptance of application fees and such rejection shall
23 be accompanied by a written statement citing the reason for rejection and contain the following
24 material:

- 25 1. The name, address and telephone number of the owner(s);
- 26 2. A written statement by the owner showing the entire contiguous ownership of land in
27 which there is an interest by reason of ownership, contract for purchase, earnest money agreement
28 or option by any person, firm or corporation in any manner connected with the development, and
29 the names and addresses and telephone numbers of all such persons, firms or corporations;
- 30 3. The existing zoning classifications;
- 31 4. The square footage computation of each lot or parcel. The square footage of land
32 contained in access panhandles and/or private roads shall not be included in the lot size
33 computation;
- 34 5. The source of water supply;
- 35 6. The method of sewage disposal;
- 36 7. A survey prepared by a licensed surveyor registered in the state of Washington.

37 However, if the Community Development Director determines that existing conditions so warrant
38 because of previous development, construction or subdividing, the requirement of a survey of the
39 property to be subdivided may be waived for the preliminary short plat, but a survey shall be
40 required for the final short plat;

41 8. For the same reasons as stated in subsection (A)(7) of this section, a current ownership
42 certificate from a recognized title company at the preliminary short plat stage may be waived for
43 the preliminary short plat; however, it shall be required for final short plat approval.

44 B. Map. A map shall be prepared on a sheet of reproducible material, having dimensions of 8-
45 1/2 inches by 14 inches, and containing the following information:

- 46 1. The date, scale and north arrow;

- 1 3. The boundary lines, to scale, of the tract to be subdivided and each lot contained therein;
- 2 4. The dimensions, square footage and number assigned to each proposed lot;
- 3 5. All existing structures;
- 4 6. All setback dimensions for existing structures;
- 5

6 **19.50.022 Review Procedure**

7 ~~BA.~~ Procedure of a Short Plat Application. When the planning director determines that the
8 proposed short plat application contains the required information and data as a basis for its
9 approval or disapproval, a file number and a date of receipt shall be affixed and copies of the short
10 plat application shall be distributed to the following for their review and comment:

- 11 1. County health officer;
- 12 2. All city departments; and
- 13 3. Federal, state or local agency which may have an interest in the short plat as determined
14 by the ~~planning~~ Community Development ~~d~~Director.

15 ~~CB.~~ Review by agencies shall be completed within 10 working days from the date of referral. If
16 any agency cannot complete the review within 10 days they shall so notify the ~~planning~~
17 Community Development ~~d~~Director with reasons for the need for more time and an estimate of
18 when the review can be completed.

- 19 1. ~~The health officer shall notify the planning director that:~~
 - 20 a. ~~Sanitary sewerage disposal methods contemplated for use in the proposed short plats,~~
21 ~~do or do not conform with current standards; and~~
 - 22 b. ~~Where sanitary sewers are not available, that each lot contains adequate area and~~
23 ~~proper soil, topographic and drainage conditions to be served by an on-site sewerage disposal~~
24 ~~system.~~
- 25 2. ~~The public works director shall notify the planning director that:~~
 - 26 a. ~~The proposed road, utilities and other improvements do or do not conform to~~
27 ~~current standards;~~
 - 28 b. ~~Access to the boundary of all short subdivisions shall be provided by an opened,~~
29 ~~constructed and maintained city street; and~~
 - 30 c. ~~The survey does or does not conform to the standard practice and principles of~~
31 ~~land surveying.~~
- 32 3. ~~The fire chief or fire marshal shall respond to the planning director of any concerns on~~
33 ~~fire flow and ingress and egress of emergency vehicles.~~
- 34 4. All city departments and ~~Other~~ agencies shall notify the planning ~~Community~~
35 Development ~~d~~Director of their concerns and shall so list their concerns for consideration by the
36 ~~m~~Mayor in his findings for approval or denial of the short plat. (Ord. 2242 § 6, 1999)

37 38 **19.50.025 Planning Community Development dDirector's review and recommendation of** 39 **short subdivisions.**

40 Within 90 days of filing of a valid short plat application or a longer period as agreed to by the
41 applicant or as required by Chapter 43.21C RCW, the ~~planning~~ Community Development
42 ~~d~~Director shall review the reports and comments received. The director shall include in his
43 recommendation to the ~~m~~Mayor a determination that the short subdivision is or is not in
44 conformance with the following as they now exist or as they may be amended:

- 45 A. The goals, policies and objectives of the Lynnwood comprehensive plan;
- 46 B. The Lynnwood comprehensive parks and recreation plan;

- 1 C. The Lynnwood zoning code;
- 2 D. The standards of this title and Chapter 58.17 RCW;
- 3 E. The Lynnwood comprehensive street and arterial plan;
- 4 F. The environmentally sensitive areas map and the city's environmental policies;
- 5 G. The Lynnwood water system comprehensive plan;
- 6 H. The Lynnwood comprehensive trunk storm drainage plan, and Chapter 13.40 LMC,
- 7 Drainage Plans;
- 8 I. The compatibility of the plat to the existing neighborhoods;
- 9 J. Other plans and programs as the city of Lynnwood may adopt. (Ord. 1808 § 3, 1991; Ord.
- 10 1314 § 12, 1983)

11
12 **19.50.027 Mayor's review and determination of short plats.**

13 After receipt of the ~~planning~~ Community Development ~~e~~Director's determination, the ~~m~~Mayor
14 shall within the time period specified above:

- 15 A. Approve the short subdivision (preliminary or final) as per LMC 19.50.030 and 19.50.035;
- 16 or
- 17 B. Return the short plat to the applicant for corrections or for the applicant's construction of
- 18 improvements in a manner consistent with official findings; or
- 19 C. Disapprove the short subdivision and the short plat thereof with written findings. (Ord. 1808
- 20 § 3, 1991; Ord. 1314 § 12, 1983)

21
22 **19.50.028 Mayor to make written findings.**

23 A proposed short plat and short subdivision shall not be approved unless the ~~m~~Mayor makes
24 written findings that:

- 25 A. Appropriate provisions are made for, but not limited to:
 - 26 1. The public health, safety, and general welfare;
 - 27 2. Open spaces, drainage ways, streets, roads, alleys, other public ways and transit stops;
 - 28 3. Potable water supplies, and sanitary wastes;
 - 29 4. Parks and recreation, playgrounds, schools and school grounds;
 - 30 5. All other relevant facts, including sidewalks and other planning features that assure safe
 - 31 walking conditions.
- 32 B. The public use and interest will be served by the platting of such short subdivision.
- 33 C. The proposed short subdivision is in conformity with the Lynnwood zoning code and land
- 34 use controls. (Ord. 1808 § 3, 1991)

35
36 **19.50.030 Preliminary approvals.**

37 If the adopted recommendations require the meeting of conditions, construction of
38 improvements, or time is necessary for the obtaining of required certifications, then the approval
39 action shall be preliminary approval. Preliminary approvals shall be for ~~six~~ 12 months whereby the
40 conditions of approval and required improvement shall be accomplished. If good cause is shown
41 and a written request is received at least two weeks prior to the deadline, the ~~m~~Mayor may grant
42 the applicant an one additional ~~six~~ 12-month time extension ~~to the applicant~~ for meeting conditions
43 of approval and/or construction of improvements. (Ord. 1314 § 12, 1983)

1 **19.50.035 Final approval and recording.**

2 When the short subdivision and the short plat thereof meet all the requirements as per city
3 ordinance and state law and will serve the public use and interest and the subdivider has provided
4 all the required documentation/certification, then the written approval shall be inscribed upon the
5 face of the short plat. The action of approving a short plat shall become effective if, within 21
6 working days, the final short plat has been filed for record with the auditor of Snohomish County.
7 No final short plat shall be accepted for filing unless all current taxes have been paid in full to the
8 county treasurer. (Ord. 1314 § 12, 1983)
9

10 **19.50.040 Final Short Plat Application.**

11 A. The final short plat application shall be on a form provided by the planning director and
12 shall contain the following information:

- 13 1. The name, address and telephone number of the owner(s);
- 14 2. A certification by the owner showing the entire contiguous ownership of land in which
15 there is an interest by reason of ownership, contract for purchase, earnest money agreement or
16 option by any person, firm or corporation in any manner connected with the development, and the
17 names and addresses and telephone numbers of all such persons, firms or corporations;
- 18 3. The existing zoning classifications;
- 19 4. The square footage computation of each lot or parcel. The square footage of land
20 contained in access panhandles and/or private roads shall not be included in the lot size
21 computation;
- 22 5. The source of water supply;
- 23 6. The method of sewage disposal;
- 24 7. A survey prepared by a licensed surveyor registered in the state of Washington.

25 ~~However, if the planning director determines that existing conditions so warrant because of~~
26 ~~previous development, construction or subdividing, the requirement of a survey of the property to~~
27 ~~be subdivided may be waived for the preliminary short plat, but a survey shall be required for the~~
28 ~~final short plat;~~

29 8. ~~For the same reasons as stated in subsection (A)(7) of this section, a current ownership~~
30 ~~certificate from a recognized title company at the preliminary short plat stage may be waived for~~
31 ~~the preliminary short plat; however, it shall be required for final short plat approval.~~

32 B. Map. A map shall be prepared on a sheet of reproducible material, having dimensions of 18
33 inches X 24 inches~~8 1/2 inches by 14 inches~~, and containing the following information:

- 34 1. A legal description of the property to be subdivided and legal descriptions of lots, tracts,
35 or parcels therein together with the legal description of private roads and easements therein, if any,
36 all prepared or approved and sealed by a licensed surveyor registered in the state of Washington.
37 The planning director may substitute the map for several narrative legal descriptions if it provides
38 as good or better description of property lines;
- 39 2. The date, scale and north arrow;
- 40 3. The boundary lines, to scale, of the tract to be subdivided and each lot contained therein;
- 41 4. The number assigned to each lot;
- 42 5. The location, names, widths and auditor's file number of any existing easements, existing
43 and proposed roads, existing and proposed rights-of-way for public services utilities within the area
44 contained within the short subdivision, and within 100 feet thereof, and location of the nearest city
45 streets;

1 6. The boundaries of all lands reserved in the deeds for the common use of the property
2 owners of the short subdivision;

3 7. The location of permanent and topographic features which will have an impact upon the
4 short subdivision, such as all existing or platted streets adjacent to the short subdivision, buildings,
5 watercourses, rights-of-way, all utility rights-of-way, township lines and section lines;

6 8. Statement. Land within this short subdivision shall not be further subdivided for a period
7 of five years unless a final plat is filed pursuant to Chapter 19.25 LMC and Chapter 58.17 RCW;

8 9. Signature block for approval by the Mayor;

9 10. A certificate as per RCW 58.17.165.

10 C. Supporting Documents. The following documentation shall accompany each application for
11 approval of a final short plat:

12 1. A vicinity map clearly identifying the location of the property being short subdivided,
13 having a scale of not more than 400 feet to the inch;

14 2. Copies of restrictions, if any, proposed to be imposed upon the use of the land. Such
15 restrictions must be recorded either prior to or simultaneously with the short plat;

16 3. In any short subdivision where lots are served or to be served by a private street, the
17 subdivider shall furnish copies of such further covenants or documents that will result in:

18 a. Each lot owner having access thereto having responsibility for maintenance of any
19 private street contained within the short subdivision;

20 b. Such covenants or documents shall obligate any seller to give actual notice to any
21 prospective purchaser of the method of maintenance of the private street which notice shall be
22 caused to be included in any deeds or contracts relating to such sale, and such covenants or
23 documents shall be recorded either prior to or simultaneously with the moment the short
24 subdivision becomes effective;

25 4. A current title certificate consisting of a report prepared by a recognized title company,
26 showing interest of the persons signing the final short plat and showing restrictions encumbering
27 the land. All parties of interest shall sign the plat map. (Ord. 1314 § 12, 1983)

28
29 **19.50.045 General standards.**

30 A. Design. The design of the short plat and short subdivision plans shall conform with the
31 requirements of any official control relating to the land use which may be adopted to implement the
32 Lynnwood comprehensive plan or any element thereof, or any other official plan; provided, that in
33 the event of a discrepancy among standards and requirements, the responsible department may
34 exercise professional judgment to determine which standard or requirement shall control.

35 The design, shape, size and orientation of the short subdivision shall be appropriate to the use
36 for which the divisions of land are intended, the character of the area in which they are located, and
37 site characteristics including sanitation needs, utilities, steep slopes, access, slide hazards, water
38 supply, poor drainage or flood hazards and any other unique conditions or features which may
39 warrant protection of the public interest.

40 B. Easements. Easements shall be provided where necessary for road utility installation and
41 maintenance, public or private access, drainage, and buffer strip or protective easements.

42 C. Overall Plan. A generalized plan for the entire ownership shall be required to indicate that
43 the road pattern and general arrangement for the short subdivision can be coordinated with the
44 entire tract when fully developed. Topographic information may be required if conditions so
45 warrant.

1 Where property is short subdivided into divisions, lots or tracts of one acre or more, the
2 ~~planning-Community Development~~ Director may require an arrangement of divisions, lots or
3 tracts and roads such as to permit later re-subdivision in conformity with zoning, access, division,
4 lot or tract standards, when such re-subdivision complies with this title.

5 D. Survey Standards. A survey conducted by or under the supervision of a registered land
6 surveyor shall be made of every short subdivision filed for approval in Lynnwood. The surveyor
7 shall certify on the short plat that it is a true and correct representation of the lands actually
8 surveyed. All surveys shall conform to standards, practices and principles for land surveying. (Ord.
9 1314 § 12, 1983)

10
11 **19.50.050 General requirements.**

12 In addition to the Design Standards of Chapter 19.35 the following are applicable to all short
13 subdivisions:

14 A. Private Roads.

15 1. Any ~~right-of-way~~ or road surface not open to general public use, shall be retained
16 permanently as a privately owned and privately maintained road. This may be accomplished by
17 creating a private tract or easement for ingress and egress purposes.

18 2. The ~~face~~ covenants of any short plat containing a private road shall bear the following
19 language: "Warning: Lynnwood has no responsibility to build, improve, maintain, or otherwise
20 service the private roads contained within or providing service to the property described in this
21 short plat."

22 3. Privately owned roads shall be open for necessary public use (emergency and utility
23 access) as determined by the City of Lynnwood.

24 4. When two or more lots are served or when the road exceeds 200 feet in length, a
25 workable, turnaround with a minimum turning radius of 40 feet shall be provided. A "T"- or "Y"-
26 shaped paved surface may be allowed in lieu of a turning circle in conformance with the standards
27 of the ~~Public Works~~ Department and ~~Fire~~ Department.

28 5. Private roads ~~rights-of-way~~ shall meet the following:

29 a. The driving surface shall be a minimum of 20 feet wide;

30 b. No parking shall be permitted on the private road serving two or more lots. A "No
31 Parking" sign shall be posted in accordance with city standards and at the owner's expense.

32 6. All roads within a short plat shall meet city construction standards for private roads.

33 7. Private roads shall serve no more than four lots and not exceed 300 feet in length. The
34 area within the private road shall not be included in the computation of the lot area or be used to
35 meet any dimensional requirement of the lot regardless of whether the private road is within a
36 separate tract or access easement for single-family zoned parcel.

37 8. A private maintenance agreement shall be required for any private road serving two or
38 more lots.

39 B. Lots.

40 1. All lots shall provide for the minimum depth, width, width at the building line and area as
41 required by the zoning code, LMC Title 21.

42 2. The ~~planning-Community Development~~ Director ~~may~~ shall designate the yard
43 designations and setbacks for lots within short plats that do not front a public street, to insure that
44 the location of buildings will be compatible to the existing development in the area. In determining
45 setbacks, under no circumstance shall a house be allowed to be constructed within 15-feet of a

1 private road whether held in a separate tract is access easement. The determined setbacks shall be
2 indicated on the final short plat map.

3 C. Utilities.

4 1. All utility improvements shall be prepared and certified by a licensed professional
5 engineer, registered in the state of Washington.

6 2. All utility improvements shall be designed in conformance with the standards of the
7 ~~p~~Public ~~w~~Works ~~d~~Department. (Ord. 1314 § 12, 1983)

8
9 **19.50.055 Public street rights-of-way.**

10 A. Dedication or deeding to the city of such right-of-way as may be consistent with adopted
11 city standards for public streets, or a portion thereof, shall be required within or along the
12 boundaries of the short plat of any lot(s) within, under the following circumstances:

13 1. Where the comprehensive street and arterial plan indicates the necessity of a new right-
14 of-way or portion thereof for street purpose; or

15 2. When there is less than the right-of-way required from the centerline of the street to the
16 property line; or

17 3. Where necessary to extend or complete the existing public street; or

18 4. Where necessary to provide future access to other properties.

19 B. Public street improvements, consistent with adopted city standards and specifications for
20 public streets, shall be required under the following circumstances:

21 1. When new public right-of-way is deeded or dedicated;

22 2. When necessary to develop an existing undeveloped or unmaintained city right-of-way to
23 city standard for public streets, when such right-of-way abuts the land for which short plat approval
24 is sought;

25 3. In lieu of public street improvements when required, the city may accept a bond
26 approved by the ~~e~~City ~~a~~Attorney or other reasonably equivalent guarantee that the improvements in
27 the public right-of-way could and would be installed at the expense of the developer and/or assigns
28 upon the right-of-way within a reasonable time after notice so to do is given by the city.

29 C. Public street improvements shall be consistent with adopted city design standards and
30 specifications.

31 D. When the ~~p~~Public ~~w~~Works ~~d~~Director determines that it is necessary to provide for future
32 public street right-of-way and/or to assure orderly development of a neighborhood street pattern, he
33 may require the setting aside of a sufficient future right-of-way. The dimensions of such tract,
34 when required, shall be based on ~~p~~Public ~~w~~Works ~~d~~Director estimates, consistent with adopted city
35 standards for public streets. Such tract may contain a private road, consistent with the standards set
36 forth in LMC 19.50.050.

37 E. Lots within a short subdivision shall be designed so that lots adjacent to principal arterials do
38 not require direct access except that if the subdivider presents proof that direct access to such lot is
39 necessary to the development of his/her property and the ~~planning~~Community Development
40 ~~d~~Director so finds, direct access may be permitted.

41 F. Access to the boundary of all short subdivisions shall be provided by an opened, constructed
42 and maintained city street. (Ord. 1314 § 12, 1983)

43
44 **19.50.060 Survey – When required – Monuments and markers.**

45 All permanent monuments with the subdivision shall be located and described, and all
46 controlling corners on the boundaries of the short subdivision shall be marked by a rebar pipe or

1 approved equivalent driven into the ground. All monuments and markers shall be shown on the
2 face of the plat. (Ord. 1314 § 12, 1983)

3
4 **19.50.070 Violation – Injunctive relief.**

5 Wherever any parcel of land is divided into ~~four~~nine or less lots, tracts, or parcels of land and
6 any person, firm, corporation, or association or any agent of any person, firm, corporation, or
7 association sells or transfers or offers or advertises for sale or transfer any such lot, tract, or parcel
8 without having a short plat of such subdivision approved pursuant to this title then such action is
9 hereby declared to be unlawful and a public nuisance and the eCity aAttorney may commence an
10 action to restrain and enjoin further subdivisions, sales or transfers, or offers of sale or transfer and
11 compel compliance with all provisions of this title. The costs of such action shall be taxed against
12 the persons, firm, corporation, association, or agent of such entities selling or transferring the
13 property. (Ord. 1314 § 12, 1983)

14
15 **19.50.080 Assurance of discontinuance.**

16 In the enforcement of this chapter, the eCity aAttorney may accept an assurance of
17 discontinuance of any act or practice deemed in violation of this chapter from any person engaging
18 in or who has engaged in such act or practice. Any such assurance shall be in writing and be filed
19 with and subject to the approval of the superior court of Snohomish County. A violation of such
20 assurance shall constitute prima facie proof of a violation of this title. (Ord. 1314 § 12, 1983)

21
22 **19.50.090 Unapproved short plat – Not to be filed.**

23 The auditor shall refuse to accept for filing any short plat which does not bear the certificate of
24 approval of the city of Lynnwood. Should a short plat be filed without a certificate, the eCity
25 aAttorney shall apply for a writ of mandate on behalf of the city directing the auditor to remove the
26 unapproved plat from the auditor's files. (Ord. 1314 § 12, 1983)

27
28 **CHAPTER 19.55**
29 **BOUNDARY LINE ADJUSTMENT**

30 **Sections:**

31 **19.55.010 Purpose**

32 **19.55.020 Scope**

33 **19.55.030 Approval criteria**

34 **19.55.040 Survey and preparation of boundary line adjustment**

35 **19.55.050 Application**

36 **19.55.060 Review procedures**

37 **19.55.070 Recording**

38 **19.55.080 Expiration**

39
40 **19.55.010 Purpose**

41 The purpose of this chapter is to delineate procedures and criteria used to review boundary line
42 adjustments for minor or insignificant changes in property lines. A boundary line adjustment is
43 intended to apply to minor boundary changes, to correct a controversy regarding the location of a
44 boundary line, to remedy adverse topographical features. A boundary line adjustmet does not
45 apply to boundary changes that would directly result in increase development or density otherwise
46 regulated by applicable land use codes and regulations, or to actions requiring replat, amendment,

1 alteration, or vacation of a plat or short subdivision. The adjustment must be consistent with any
2 applicable health, building or similar regulations. This chapter is also intended to insure,
3 compliance with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC.
4

5 **19.55.020 Scope**

6 The boundary lines separating two or more contiguous lots of record may be adjusted under the
7 provisions of this chapter except as provided under RCW 58.17.040. Actions which change or
8 impair conditions or requirements imposed by previous platting decisions must be accomplished
9 pursuant to the subdivision regulations.

10
11 **19.55.030 Approval authority**

12 The Community Development Director or designee shall approve a proposed boundary line
13 adjustment only upon finding that the standards of this chapter have been satisfied. A boundary
14 line adjustment shall not:

- 15 1. Create any additional lot, tract, parcel, site or division;
- 16 2. Result in a lot, tract, parcel, site or division which contains increased density or
17 insufficient area or dimension to meet the minimum requirements for area and dimensions as set
18 forth in the zoning code and building codes and regulations. This provision shall not be construed
19 to require correction or remedy of pre-existing nonconformities or substandard conditions;
- 20 3. Diminish or impaired drainage, water supply, existing sanitary sewage disposal, and
21 access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or
22 division;
- 23 4. Create or diminish any easement or deprive any parcel of access or utilities;
- 24 5. Increase the nonconforming aspects of any existing nonconforming lot relative to
25 the zoning and land use regulations;
- 26 6. Replat, amend, or vacate a plat or short subdivision; or
- 27 7. Amend the conditions of approval for previously platted property.

28
29 **19.55.040 Survey and preparation of boundary line adjustment**

30 Applications for boundary line adjustments shall be submitted on forms provided by the city of
31 Lynnwood Community Development Department, and include a map prepared by a licensed
32 surveyor with the the following information:

- 33 1. All existing and proposed property lines.
- 34 2. Existing structures and setbacks from proposed property lines.
- 35 3. Legals descriptions of existing lots and proposed lots.
- 36 4. Existing easments
- 37 5. Survey Calculations.
- 38 6. and any other information as may be required by the Snohomish County Auditor as
39 condition of recording.

40
41 **19.55.050 Application**

42 Applications for boundary line adjustments shall be made on forms provided by and submitted
43 to the Community Development Department.
44
45

1 **19.55.060 Review procedure**

2 A. A complete application for a boundary line adjustment shall be reviewed and action taken
3 on within 90 working days of complete application submittal. The Department shall not be
4 considered to be in receipt of a complete application unless and until such time as the applicant
5 meets the requirements of LMC 19.55.040.

6 B. Prior to approval, a proposed boundary line adjustment shall be reviewed by the Public
7 Works Director and the Community Development Director or their designees.

8 C. The Community Development Director or designee shall approve a proposed boundary line
9 adjustment only upon finding that the standards of this chapter have been satisfied.

10 D. The approval of a boundary line adjustment shall not be a guarantee that future permits will
11 be granted for any structure or development within a lot affected by the boundary line adjustment.
12

13 **19.55.070 Recording**

14 All approved boundary line adjustments shall be recorded with the Snohomish County Auditor
15 upon approval by the Snohomish County Treasurer Office and the City of Lynnwood Community
16 Development Director or designee.
17

18 **19.55.080 Expiration**

19 If the record of survey and required deeds of conveyance have not been recorded with 60 days
20 of approval, the boundary line adjustment shall be null and void.
21

22 **CHAPTER 19.60**
23 **LOT COMBINATION**

24 Sections:

25 19.60.010 Purpose

26 19.60.020 Scope

27 19.60.030 Procedure

28 19.60.040 Approval Criteria

29 19.60.050 Application

30 19.60.060 Review Procedures

31 19.60.070 Requirement for recording

32 19.60.080 Expiration

33 **19.60.010 Purpose**

34 The purpose of this chapter is to specify the circumstances, conditions and the process by which
35 contiguous parcels may be combined or consolidated into larger parcels for ownership,
36 development or redevelopment.

37 **19.60.020 Scope**

38 The combination of two or more contiguous parcels can only be accomplished under the
39 provisions of this chapter except as provided under RCW 58.17.040. Contiguous parcels may be
40 combined for purposes of ownership, development or redevelopment. These provisions do not
41 apply to combination or consolidation of tax parcels for taxing purposes only as approved by the
42 county assessor. Parcel combinations are distinguished from boundary line adjustments which
43 retain portions of the original parcels as separate lots or tracts, or short plats, subdivisions or
44 replats, which result in the creations of more than one parcel, lot or tract.
45

1 A. Circumstances under which contiguous parcels would be required to be combined as a
2 condition of city development plan approval are as follows:

3 1. When an existing or proposed structure extends over a property line;

4 2. When contiguous parcels share common facilities including but not limited to
5 access, parking, utilities, open space, landscaping, signage, etc., for which no easements or other
6 legal instruments exist to ensure continuous ownership, use and maintenance of such facilities;

7 3. When a parcel proposed for development contains insufficient area dimensions or
8 frontage on a public street, to meet the minimum area, dimensions or other city requirements, and
9 is contiguous to one or more parcels of the same ownership, and cannot be made to comply with
10 city requirements by application of a boundary line adjustment;

11 B. Nothing in this chapter shall prohibit a property owner from combining multiple contiguous
12 parcels under single ownership provided the combination is performed in accordance with the
13 provisions of this chapter.

14 **19.60.030 Procedure**

15 The Community Development Director or designee shall approve a proposed lot combination
16 only upon finding that the standards of this chapter have been satisfied.

17 **19.60.040 Approval Criteria**

18 Lot combinations shall not be approved, if approval would result in one or more of the
19 following:

20 A. Result in a lot, tract, parcel, site or division which contains increase density or insufficient
21 area or dimension to meet the minimum requirements for area and dimension as set forth in the
22 land use code and regulations.

23 B. Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or
24 easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or division;

25 C. Diminish any easement or deprive any parcel of access of utilities, unless alternate
26 easements, access or utilities can be satisfactorily provided;

27 D. Replat or vacate a plat or short subdivision;

28 E. Amend the conditions of approval for previously platted property;

29 F. Includes property currently not annexed to the city; or

30 G. Extend or increase the use of city utilities previously granted under an approved pre-
31 annexation utility extension agreement.

32 **19.60.050 Application.**

33 Applications for lot combinations shall be submitted on forms provided by the City of
34 Lynnwood Community Development Department. The completed application shall be submitted to
35 the Community Development Department, and shall include the information specified in LMC
36 19.55.040 and any other information as may be required by the Snohomish County Auditor as a
37 condition of recording.

38 **19.60.060 Review procedures.**

39 The Community Development Department shall not be considered to be in receipt of a
40 complete application unless and until the applicant meets the requirements of 19.55.050 and shall
41 be subject to the following:

42 A. Prior to approval, a proposed lot combination or consolidation shall be reviewed by the
43 Public Works Director and Community Development Director or their designees;

1 B. The Community Development Directory or designee, with the concurrence of the Public
2 Works Director or designee, shall approve the proposed lot combination or consolidation only upon
3 finding that the standards of this chapter have been satisfied; and

4 C. The approval of the lot combination or consolidation shall not be a guarantee that future
5 permits will be granted for any structure or development within a lot affected by the combination or
6 consolidation.

7 **19.60.070 Requirements for recording.**

8 All approved lot combinations or consolidations shall be recorded with the Snohomish County
9 Auditor following approval by the city.

10 **19.60.080 Expiration.**

11 An approved lot combination or consolidation shall be recorded within 60 days of city
12 approval, or the lot combination or consolidation shall be invalid.

13
14 **Chapter 19.75**
15 **BINDING SITE PLANS**

16 Sections:

- 17 19.75.003 Purpose.
18 19.75.005 Applicability.
19 19.75.010 Definitions.
20 19.75.015 Compliance required.
21 19.75.020 Minimum requirements.
22 19.75.025 Administrator – Powers and duties.
23 19.75.030 Binding site plan process function.
24 19.75.035 Preliminary binding site plan application.
25 19.75.037 Processing procedures.
26 19.75.040 Notice to adjacent property owners.
27 19.75.045 Planning director recommendation on preliminary binding site plan.
28 19.75.050 Action of the ~~m~~Mayor.
29 19.75.055 Factors to be considered in the preliminary binding site plan.
30 19.75.060 Time limits, extensions and effect of preliminary binding site plan approval.
31 19.75.065 Methods and procedure for carrying out improvements.
32 19.75.070 Final binding site plan application procedure.
33 19.75.075 Binding site plan supplementary materials.
34 19.75.080 Review by ~~p~~Public ~~w~~Works ~~d~~Director.
35 19.75.085 Filing and recording binding site plan.
36 19.75.090 Expiration.
37 19.75.095 Development.
38 19.75.100 Requirements for the final binding site plan.
39 19.75.105 Design and development standards.
40 19.75.110 Variances.
41 19.75.115 Binding site plan revisions.

42
43 **19.75.003 Purpose.**

44 The purpose of this chapter is to establish an alternate process to subdividing and short
45 subdividing of land as provided for in Chapters 19.05 and 19.50 LMC.

1
2 **19.75.005 Applicability.**

3 Any person, firm, corporation, or other entity which does not divide their property in
4 accordance with Chapter 19.05 LMC and seeks to divide business-, commercial-, or industrial-
5 zoned property ~~or multiple family zoned property subjected to state and city condominium laws for~~
6 the purpose of sale, lease or transfer of ownership is required to apply for and complete a binding
7 site plan as is required by this chapter. (Ord. 1808 § 4, 1991)

8
9 **19.75.010 Definitions.**

10 The definitions found in Chapter 19.10 LMC shall apply to this chapter.

11
12 **19.75.015 Compliance required.**

13 No person shall sell, lease or transfer the ownership of or offer for sale, lease or transfer of
14 ownership any real property that is subject to this chapter without full compliance with this chapter
15 and Chapter 58.17 RCW except that, following preliminary binding site plan approval,
16 performance of such offer or agreement is expressly conditioned on the recording of the final
17 binding site plan containing the lot, tract or parcel as per RCW 58.17.205 is permitted.

18
19 **19.75.020 Minimum requirements.**

20 In their interpretation and application the provisions of this chapter shall be held to be
21 minimum except as may be modified by LMC 19.75.115.

22
23 **19.75.025 Administrator – Powers and duties.**

24 The ~~planning director~~Community Development Director is vested with the duty of
25 administering the binding site plan regulations within the city of Lynnwood up to and through the
26 preliminary approval. After preliminary approval it shall be the duty of the ~~p~~Public ~~w~~Works
27 ~~d~~Director to administer the binding site plan regulations through the final approval, recording and
28 construction stage.

29 The ~~planning director~~Community Development Director and ~~p~~Public ~~w~~Works ~~d~~Director may
30 prepare and require the use of such forms and procedures as are essential to the administration of
31 such regulations.

32
33 **19.75.030 Binding site plan process function.**

34 The functions and responsibilities for processing binding site plan applications for the city of
35 Lynnwood shall be as generally outlined below:

36 A. ~~Planning~~Community Development Department. The ~~planning~~Community Development
37 ~~d~~Department shall coordinate all activities concerning the preliminary binding site plan including
38 routing departmental and outside agency reviews and recommendations and consolidating staff
39 recommendations. The ~~planning~~Community Development ~~d~~Department shall make a
40 recommendation indicating that the proposed binding site plan is in conformance with the zoning
41 ordinance and other applicable land use controls, this title and state law;

42 B. Mayor. The ~~m~~Mayor shall review the ~~planning director~~Community Development Director's
43 recommendation. The ~~m~~Mayor shall have sole authority to approve a final binding site plan.

1 **19.75.035 Preliminary binding site plan application.**

2 A. Pre-Application Conference. Any subdivider or developer who desires to subdivide land
3 within the city of Lynnwood is encouraged to consult the ~~planning-Community Development~~
4 ~~d~~Department on an informal basis in order to become familiar with the requirements of this title.
5 The ~~p~~Public ~~w~~Works, ~~f~~Fire Departments and ~~b~~Building Official departments should also be
6 consulted at this time for advice and assistance in understanding their department's respective
7 requirements.

8 B. Preliminary Binding Site Plan. No binding site plan shall be considered until a completed
9 application is submitted. A person who wishes to have a binding site plan considered by the city
10 shall obtain an application form and environmental checklist from the ~~planning-Community~~
11 ~~Development d~~Department. The applicant shall then submit to the ~~planning-Community~~
12 ~~Development d~~Department the following materials which together shall comprise a complete
13 application:

- 14 1. Completed application form;
- 15 2. Completed environmental checklist (environmental impact statement (EIS) if required);
- 16 3. ~~Twelve~~ Eight copies of the binding site plan which shall be prepared by a registered
17 surveyor in the state of Washington with the following information:
 - 18 a. The name of the binding site plan or dedication;
 - 19 b. The date, scale, area, north arrow, vertical control datum and certification of the
20 registered land surveyor;
 - 21 c. The name and address of the owner(s), developer(s), and any party(ies) of interest;
 - 22 d. A legal description of the binding site plan or dedication;
 - 23 e. Boundary lines (to scale) and actual dimensions of the tract to be platted, subdivided,
24 or dedicated;
 - 25 f. The location, width, and designations of all existing or platted streets or other public
26 ways or easements within or adjacent to the proposed development and all other features such as
27 buildings, utilities, watercourses, power lines, and section lines;
 - 28 g. The zoning of tracts and lands adjacent thereto;
 - 29 h. The contours, with intervals of five feet or less which shall be referenced to mean sea
30 level datum or such datum acceptable to the ~~p~~Public ~~w~~Works ~~d~~Director;
 - 31 i. The approximate dimensions of all lots and blocks with lot area, lot numbers and
32 block designations; and
 - 33 j. All parcels and tracts being reserved or dedicated as parks, playgrounds, streets,
34 alleys, or other public and semi-public uses;
- 35 4. A master plan and schedule if the property is intended to be developed in phases;
- 36 5. Payment for binding site plan fee;
- 37 6. Payment for environmental checklist;
- 38 7. The following items, if deemed necessary by the ~~p~~Public ~~w~~Works ~~d~~Director and/or
39 ~~planning director~~Community Development Director:
 - 40 a. A layout showing location and sizes of sewer lines, catch basins, pumps or other
41 drainage and sewage structures;
 - 42 b. A layout of a proposed water distribution system;
 - 43 c. The grades of proposed streets and methods of storm drainage;
 - 44 d. A layout of a proposed underground utility wiring system containing an authorized
45 signature of each applicable utility agency involved;
 - 46 e. A tree retention, land clearing and/or grading plan; and

1 f. Any other study, plan, layout, cross-section, or documentation deemed necessary;

2 8. The names and addresses of adjacent property owners.

3 C. Fees. Application and review fees relating to the binding site plan process are as follows:
4 fees and costs are set forth in LMC 2.23.120.

5 D. Referrals. The ~~planning~~ Community Development ~~d~~Department shall distribute a copy of the
6 binding site plan to the ~~p~~Public ~~w~~Works ~~d~~Department; one copy to the ~~b~~Building Official
7 ~~d~~epartment; one copy to the ~~p~~Police ~~d~~Department; one copy to the ~~f~~Fire ~~d~~Department; one copy to
8 the ~~p~~Parks and ~~r~~Recreation ~~d~~Department; one copy to the Edmonds school district; one copy to the
9 Snohomish County P.U.D.; one copy to the Snohomish County ~~h~~Health ~~d~~Department; and one
10 copy to any utility or public agency that may be affected by the proposed plat.

11 Whenever a binding site plan is proposed within one-half mile of the corporate limits of another
12 city, town or unincorporated county, a copy of the proposed preliminary binding site plan shall be
13 distributed to the respective jurisdiction. Also, whenever the property is located adjacent to the
14 right-of-way of a state highway, one copy of the proposed binding site plan shall be transmitted to
15 the Department of Transportation. (Ord. 2242 § 7, 1999)

16
17 **19.75.037 Processing procedures.**

18 The city will process an application for a binding site plan in conformance with LMC 1.35.001
19 through 1.35.099. (Ord. 2074 § 5, 1996)

20
21 **19.75.040 Notice to adjacent property owners.**

22 A. Notices to Property Owners. The city shall send adjacent property owners notice that a
23 binding site plan application has been filed with the city. The city will only be required to send
24 notice to the addressee found on the city of Lynnwood utility billing records, or if no record for any
25 given lot, then notice mailed to the last owner of record in the office of the county treasurer shall be
26 deemed proper notice. Mail notification of condominium owners shall be sent to the designated
27 agent for service of process, according to the records of the county auditor. The notice by mail
28 requirement shall be satisfied by substantial compliance with this section. Notice is deemed sent
29 once placed in the mail.

30 B. Adjacent property owners shall have 10 working days from the date sent in which to submit
31 written comment to the ~~planning~~ Community Development ~~d~~Department.

32
33 **19.75.045 ~~Planning director~~ Community Development Director recommendation on
34 preliminary binding site plan.**

35 The ~~planning director~~ Community Development Director shall be responsible for reviewing all
36 proposed applications together with accompanying materials and documents, referral comment and
37 public comments. Based on the above, the ~~planning director~~ Community Development Director
38 shall make a recommendation on the application to the ~~m~~Mayor or return it to the applicant with a
39 request for additional information. If the ~~planning director~~ Community Development Director
40 makes a recommendation, such recommendation shall be for approval, disapproval, or approval
41 with conditions. The recommendation of the ~~planning director~~ Community Development Director
42 shall be advisory only. Sole authority to approve or disapprove shall reside with the ~~m~~Mayor.

43
44 **19.75.050 Action of the ~~m~~Mayor.**

45 After reviewing the recommendation of the ~~planning director~~ Community Development
46 Director, the ~~m~~Mayor within two weeks shall:

- 1 A. Adopt the recommendation of the planning director; or
- 2 B. Remand the binding site plan back to the planning director for further consideration.

3
4 **19.75.055 Factors to be considered in the preliminary binding site plan.**

5 ~~Planning director~~Community Development Director recommendations and mayoral action on
6 preliminary binding site plans shall be based on review of Chapter 58.17 RCW and other factors
7 that follow:

8 A. The preliminary binding site plan shall conform to and it shall be the applicant's burden to
9 demonstrate conformance to the following factors:

- 10 1. The Lynnwood comprehensive parks and recreation plan;
- 11 2. The Lynnwood zoning code, LMC Title 21;
- 12 3. The standards of this title and Chapter 58.17 RCW;
- 13 4. The Lynnwood six-year transportation and improvement plan;
- 14 5. The environmentally sensitive areas map, Ord. No. 1415, and the city's environmental
15 policies, LMC Title 17, as may be amended;
- 16 6. The Lynnwood water system comprehensive plan;
- 17 7. The Lynnwood comprehensive trunk storm drainage plan, as may be amended, and
18 Chapter 13.40 LMC, as may be amended;
- 19 8. The compatibility of the binding site plan to the existing adjacent developments;
- 20 9. The land clearing code, Chapter 21.08 LMC;
- 21 10. The federal flood hazard area map and criteria, Chapter 16.46 LMC; and
- 22 11. Other plans and programs as the city of Lynnwood may adopt.

23 B. The ~~planning~~Community Development ~~d~~Director, ~~p~~Public ~~w~~Works ~~d~~Director and ~~m~~Mayor
24 shall determine whether appropriate provisions are made for the public use and interest by the
25 proposed binding site plan. More specifically, they shall determine if appropriate provisions are
26 made in the binding site plan for, but not limited to:

- 27 1. The public health, safety and general welfare;
- 28 2. Open spaces, parks and playgrounds;
- 29 3. Storm drainage;
- 30 4. Streets, alleys, sidewalks, trails and other public ways;
- 31 5. Water supplies; and
- 32 6. Sanitary and solid waste disposal.

33 If it is found that the public use and interest will not be served by the binding site plan, the
34 ~~planning~~community development director shall recommend disapproval. If the ~~m~~Mayor finds that
35 the public use and interest will not be served he shall disapprove the application.
36

37 **19.75.060 Time limits, extensions and effect of preliminary binding site plan approval.**

38 A. The city shall approve, approve with conditions, disapprove or return to the applicant for
39 modification all binding site plans within ~~60~~90 days from the date of filing thereof unless the
40 applicant consents to an extension of time; provided, that if an environmental impact statement
41 (EIS) is required pursuant to Chapter 43.21C RCW, or other environmental studies required for a
42 determination of nonsignificance, or if a variance or other similar applications are required, the
43 ~~60~~90-day period shall not include time spent preparing and circulating a required EIS, or the time
44 required for processing the other application(s).

45 B. The applicant shall have three years from the date of preliminary approval to submit to the
46 city a final binding site plan meeting all requirements of this chapter. Failure to do so will result in

1 the expiration of preliminary binding site plan approval. However, an applicant who files a written
2 request with the ~~m~~Mayor's office at least 30 days before the expiration shall be granted one one-
3 year extension upon a showing that the applicant has attempted in good faith to submit the final
4 binding site plan within the three-year period.

5 C. Approval of a preliminary binding site plan by the ~~m~~Mayor is approval of the proposed
6 binding site plan's design, and relationship with adjoining property. The engineering, construction
7 and installation of improvements and final detail shall be subject to approval of the ~~p~~Public
8 ~~w~~Works ~~d~~Director. Approval of the preliminary binding site plan shall authorize the applicant to
9 proceed with the preparation of the final binding site plan in conformance with the approved
10 preliminary binding site plan and the conditions stipulated. Upon the approval of detailed
11 construction plans by the ~~p~~Public ~~w~~Works ~~d~~Director, construction and installation of the
12 improvements may proceed.

13
14 **19.75.065 Methods and procedure for carrying out improvements.**

15 If the preliminary binding site plan is approved by the ~~m~~Mayor, the city may accept a bond or
16 other secure method providing for and securing to the city the actual construction and installation
17 of minimum improvements in accordance with the provisions of LMC 19.75.105 within one year
18 by any of the following methods:

19 A. By furnishing the city of Lynnwood with a performance bond satisfactory to the ~~e~~City
20 ~~a~~Attorney, in which guarantee is given the city that the installation of the minimum improvements
21 will be carried out as provided in LMC 19.75.060 herein and in accordance with city specifications
22 within one year;

23 B. By actual installation of improvements in accordance with the provisions of LMC 19.75.060
24 contained herein and in accordance with the installation requirements and under the supervision of
25 appropriate city departments and furnishing a bond approved by the ~~e~~City ~~a~~Attorney securing
26 successful operation of the improvements for a period of 24 months following completion and
27 acceptance thereof by the city;

28 C. By formation of a local improvement district;

29 D. By a cash deposit with the city or suitable escrow;

30 E. By a combination of these methods; and

31 F. By such other reasonable guarantee acceptable to the ~~e~~City ~~a~~Attorney.

32 The applicant may then make application for such permits from the local officers, officials and
33 authorities as are necessary to proceed with the installation of the binding site plan improvements.

34 After completing all minimum improvements, the applicant shall make a request to the
35 appropriate department for inspection. After finding that all improvements have been completed or
36 provided for in accordance with the installation standards, the appropriate department shall so
37 notify the ~~planning director~~Community Development Director.

38 If applicant uses another approved method for carrying the improvements out, the appropriate
39 department will so notify the ~~planning director~~Community Development Director.

40 Upon receipt of this notification, the ~~planning director~~Community Development Director shall
41 advise the applicant that a final binding site plan may be submitted for that portion of the area
42 contained in the proposed binding site plan, or dedication in which minimum improvements have
43 been installed or concerning which a performance bond or other acceptable surety has been posted.
44 The applicant may then submit the final binding site plan application in accordance with LMC
45 19.75.070.
46

1 **19.75.070 Final binding site plan application procedure.**

2 After approval of the preliminary binding site plan and the detailed construction plans, and
3 within the time limits set forth in LMC 19.75.060, the applicant shall prepare a final binding site
4 plan and the supplementary materials required by this chapter. The final application shall be
5 submitted to the ~~planning~~ Community Development ~~d~~Department along with the supplementary
6 materials as per LMC 19.75.075, and shall:

7 A. Be drawn to the specifications and contain the information required by LMC 19.75.105;

8 B. Conform to the preliminary binding site plan approved by the ~~m~~Mayor and to any conditions
9 that may have been part of the approval. Slight deviations from the approved preliminary binding
10 site plan may be allowed if the ~~planning~~ Community Development ~~d~~Director and/or ~~p~~Public
11 ~~w~~Works ~~d~~Director determine such deviations are necessary because of unforeseen technical
12 problems and comply with the spirit and intent of the preliminary approval and will not be
13 detrimental to the public health, safety or welfare or injurious to other properties in the area.
14 Examples of slight deviations are (but not limited to):

15 1. Modification of lot lines which do not violate any development codes or regulations of
16 the city;

17 2. Reconfiguration of parking lots or landscape areas that would conform to city standards
18 and the spirit and intent of the preliminary binding site plan approval;

19 3. Relocation of fire lanes that would conform to city regulations and approved by the ~~f~~Fire
20 ~~d~~Department;

21 4. Relocation of utilities that would conform to city regulations and approved by the
22 ~~p~~Public ~~w~~Works ~~d~~Department;

23 5. Modification of building configurations that does not significantly increase the floor area,
24 increase the height of the building resulting in an increase in the number of stories, or violate any
25 city regulations;

26 C. Include all of the area shown in the approved preliminary binding site plan; and

27 D. Include, in the manner specified by LMC 19.75.105, all formal, irrevocable offers of
28 dedication to the public and space for the acknowledgments, endorsements and certifications
29 required by LMC 19.75.100.

30
31 **19.75.075 Binding site plan supplementary materials.**

32 The original mylar drawing of the final binding site plan shall be accompanied by:

33 A. One copy of the final binding site on reproducible material;

34 B. A minimum of four paper copies of the final binding site plan;

35 C. A copy of any deed restrictions and restrictive covenants proposed by the applicant;

36 D. A current title report issued by a title insurance company showing all parties whose consent
37 is necessary and their interest in the premises and listing all encumbrances;

38 E. One copy of the "as-constructed" plans, on mylar material, showing all improvements
39 completed which has been prepared and certified by a licensed professional engineer registered in
40 the state of Washington;

41 F. A complete survey and field computation notes;

42 G. If required improvements have not been completed, a plat performance bond or other
43 security as per LMC 19.75.065;

44 H. If a local improvement district is proposed, a petition bearing sufficient signatures creating
45 the district, unless in approving the preliminary binding site plan indicated it would create a district
46 by resolution; and

1 I. Payment of the inspection fee required by the pPublic wWorks dDepartment for such
2 improvements as have been completed.

3
4 **19.75.080 Review by pPublic wWorks dDirector.**

5 A. The pPublic wWorks dDirector shall:

6 1. Inspect the detail and computation of the final binding site plan for conformance with the
7 specifications and standards of this title; the pPublic wWorks dDirector's determinations shall be
8 conclusive;

9 2. Inspect the final binding site for conformance with the preliminary binding site plan
10 approved by the mMayor and the conditions made a part of such approval; and

11 3. Determine either that all required improvements have been installed in accordance with
12 these regulations or that certain improvements may properly be deferred as per LMC 19.75.065.

13 When the pPublic wWorks dDirector is satisfied with the detail and computations of the
14 binding site plan, determines the binding site plan conforms with the approved preliminary binding
15 site plan and conditions set thereon, and determines that improvements either are complete or may
16 properly be deferred, he shall signify his approval by signing the original and mylar copy of the
17 final. Thereafter, he shall forward the binding site plan and the supplementary material to the
18 planning director for review.

19 B. Review by Planning-Community Development Director. After the inspection by the pPublic
20 wWorks dDirector, the planning-Community Development dDirector shall review the proposed
21 final binding site plan for conformance with the preliminary binding site plan and conditions
22 approved by the mMayor.

23 If the planning-Community Development dDirector finds the final binding site plan to be
24 conforming, the director shall signify approval by signing the original drawing and mylar copies,
25 then shall forward them to the mMayor for his approval.

26
27 **19.75.085 Filing and recording binding site plan.**

28 The applicant shall file the original drawing of the final binding site for recording with the
29 Snohomish County auditor. One reproduced full copy on mylar and/or sepia material shall be
30 furnished to the pPublic wWorks dDirector.

31
32 **19.75.090 Expiration.**

33 Any final binding site plan not filed for recording within 21 days after mayoral approval shall
34 be null and void. To be reactivated, the binding site plan must be resubmitted as a new preliminary
35 binding site plan.

36
37 **19.75.095 Development.**

38 All development must be in accordance with the recorded binding site plan.

39 **19.75.100 Requirements for the final binding site plan.**

40 The final binding site plan, containing all the information specified in this section, shall be
41 prepared in a neat and legible manner in drawing ink and on high grade tracing material, 18 inches
42 by 24 inches in size, allowing one-half inch for border.

43 A. All documents, maps, and survey notes shall contain the name of the binding site plan or be
44 clearly referenced to it, and shall contain the name and address of the applicant and his surveyors or
45 engineer, or be clearly referenced to it.

1 B. The legal description of the binding site plan and the following information shall appear in
2 the following sequences on the final binding site plan, lettered in ink either by hand or mechanical
3 device:
4

5 Know all men by these presents that _____, the undersigned
6 _____ owner _____ in fee simple, and encumbrances of the land
7 hereby platted, hereby declare this binding site plan and dedicate(s) to the use of the
8 public forever, all streets and easements or whatever public property there is shown on
9 the binding site plan and the use thereof for any and all public purposes; also, the right
10 to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on
11 this binding site plan in the reasonable original grading of all streets, shown hereon.
12

13 Signed & Sealed _____
14 State of Washington)
15)ss
16 County of Snohomish)

17 This is to Certify that on this ___ day of _____ A.D., 1920 before me the
18 undersigned, a Notary Public, personally appeared _____ to me known to the
19 the person(s) who executed the foregoing dedication and acknowledged to me that
20 _____ signed and sealed the same as _____ free and
21 voluntary act and deed for the uses and purposes mentioned.
22 Witness my hand and official seal the day and year last above written.
23

24 _____
25 Notary Public in and for the State of Washington, residing at
26 _____
27 Commission expires _____

28 I hereby certify that the binding site plan of _____ is based on actual survey
29 and subdivision of Section _____, Township _____, North, Range _____
30 E.W.M., that the distances and courses and angles are shown thereon correctly, that
31 proper monuments have been set and lot block corners staked on the ground.
32 Signed _____ (Seal)

33 Licensed Land Surveyor

34
35 Examined & Approved this ___ day of _____, A.D., 1920.
36 _____
37 Public Works Director

38
39 Examined & Approved this ___ day of _____, A.D., 1920.
40 _____
41 ~~Planning-Community Development~~ Director

42
43 Examined & Approved this ___ day of _____, A.D., 1920.
44 City of Lynnwood
45 _____
46 Mayor

1 Attest:

2 _____
3 Finance Officer/City Clerk
4

5 Filed for record at the request of the city of Lynnwood this ____ day of _____, A.D.,
6 1920 at _____ minutes past _____ o'clock, __.M., and recorded in Volume
7 _____ of Plats, on Page _____, records of Snohomish County, Washington.
8

9 _____
10 Snohomish County Auditor

11 _____
12 Deputy County Auditor

13 I, _____, Treasurer of Snohomish County, Washington, do
14 hereby certify that all taxes on the above described tract have been fully paid up to and
15 including the year of 1920 .
16

17 _____
18 Treasurer, Snohomish County

19 _____
20 Deputy Treasurer

21 C. The boundary lines with accurate distances and bearings, location, and width of all existing
22 previously recorded public highways approaching and intersecting the boundaries of the
23 subdivision shall be shown on the map and referenced to the United States Coast and Geodetic
24 Survey datum or the plain coordinate system for the state of Washington, and/or acceptable data
25 prescribed by the pPublic wWorks dDirector.

26 D. The map shall accurately show the boundary lines of all parks and playgrounds and the
27 rights-of-way of all public streets contained in the plat, subdivision, or dedication, and shall contain
28 thereon, suitably inscribed, and described, a statement of dedication of these rights-of-way,
29 playgrounds, parks, and other necessary areas.

30 E. The final binding site plan shall clearly show the following information:

31 1. The lines and names of all streets or other public ways, parks, playgrounds, and
32 easements intended to be dedicated for public use, or granted for use of inhabitants of the
33 subdivision;

34 2. The lines and names of all existing or platted streets or other public ways, parks,
35 playgrounds, and easements adjacent to the final plat, subdivision or dedication, including
36 municipal boundaries, township lines, and section lines;

37 3. The lengths and bearings of all straight lines, curve radii, arcs and semi-tangents of all
38 curves;

39 4. All dimensions along the lines of each lot, with the true bearings plus any other data
40 necessary for the location of any lot lines or corners in the field;

41 5. Suitable primary control points, approved by the pPublic wWorks dDirector or
42 descriptions and ties to such control points, to which all dimensions, angles, bearings and similar
43 data given on the plat shall be referred;

44 6. The name of all subdivisions immediately adjacent thereof;

45 7. The date, true north point, scale and date of survey; and

1 8. The boundary of the tract, with courses and distances marked thereon, as determined by a
2 field survey made by a registered land surveyor of the state of Washington and to close with an
3 error of not more than one foot in 5,000.

4 F. The applicant shall submit complete field and computation notes showing original or re-
5 established corners, with description of the same; showing true bearings and distances to
6 established street lines and monuments, turning angles, points of curvature, length of tangents, and
7 the actual traverse showing error of enclosure and method of balancing with sketches showing all
8 distances, angles and calculations required to determine corners and distances of the binding site
9 plan or dedication.

10 G. The final binding site plan as submitted to the planning director shall contain a certificate
11 from the county treasurer indicating that all taxes on said property included in the binding site plan
12 or dedication, have been paid and a certificate from the county assessor and city treasurer
13 indicating that all assessments on this property have been paid in accordance with Chapter 200,
14 Section 1, Laws, 1909, as hereafter amended (RCW 58.08.040), and Chapter 188, Section 1, Laws,
15 1927, as hereafter amended (RCW 58.08.030).

16
17 **19.75.105 Design and development standards.**

18 A. Street Right-of-Way Realignment, Dedication or Widening. If the city concludes that the
19 street right-of-way adjacent to a proposed binding site plan is inadequate for widening and
20 realignment of the existing street is necessary, then the city may require a dedication of necessary
21 right-of-way and improvement of that right-of-way.

22 B. Design and Improvement Standards.

23 1. The design and development of binding site are encouraged to preserve the natural
24 drainage, existing ~~top soil~~topsoil, trees, natural vegetation, and wetlands to the maximum extent
25 possible. Information generated through the threshold determination and/or EIS will be used in
26 designing the development in such a way as to mitigate potential adverse environmental impacts.

27 2. In reviewing any project, all existing structures shall comply with the standards of this
28 title and zoning code requirements. However, if the structures are nonconforming, the applicant
29 shall bring the project into compliance with Chapter 21.12 LMC.

30 3. The use of the site-specific energy schemes shall be encouraged that best offer
31 opportunities for maximum use of southern exposures and the use of natural climate conditions.

32 4. Land identified in the Lynnwood special flood hazard area as per Chapter 16.46 LMC
33 with accompanying flood insurance maps shall not be developed unless the requirements of flood
34 plain regulations are met.

35 5. Landscaping shall be required on all projects per LMC Title 21, Zoning Code,
36 requirements and city standards.

37 6. The number of parking stalls shall be provided per zoning code requirements. All parking
38 lots shall be paved and designed per city standards.

39 7. Loading areas shall be provided per zoning code requirements.

40 8. Outdoor storage areas shall be fully screened as per the zoning code.

41 9. All signs shall be per zoning code requirements and city sign ordinance. All signing shall
42 be approved by the city and integrated into the building design and the overall site plan.

43 10. Lot arrangement shall be related to the natural features of the site and provide a suitable
44 building site. Lots in general in a binding site plan do not have to meet lot dimensional
45 requirements of the zoning code, as long as the city has approved the overall binding site plan.

1 11. All setbacks for structures shall be the same as the zoning code, provided, however,
2 when the city has approved a binding site plan, interior lots need not meet zoning code
3 requirements; provided, that construction meets building and fire codes.

4 12. Fire hydrants shall be installed per city hydrant requirements.

5 13. Ingress and egress shall be approved by the pPublic wWorks dDirector.

6 14. Whenever a project is proposed on an existing public street, frontage shall be improved
7 to current city standards.

8 15. All sanitary sewer improvements shall be per city standards.

9 16. All water improvements shall be per city standards.

10 17. Storm drainage improvements shall be required as specified by city's comprehensive
11 storm drainage plan and ordinance.

12 18. Before any site modification where existing natural features would be disturbed or
13 removed, a grading plan must be submitted to the city and approved by the city showing the extent
14 of the proposed modification.

15 Debris and waste such as trees, timber, rocks, stones, junk, rubbish, or other waste materials
16 of any kind shall not be buried in any land or deposited in any surface water.

17 All erosion control plans must be in compliance with the city comprehensive storm
18 drainage plan and ordinance.

19 In critical drainage areas, no clearing of lots shall be allowed until building permits have
20 been issued.

21 19. All utility facilities shall be constructed in accordance with city standards.

22 20. Permanent easements shall be provided for utilities and other public services whenever
23 requested by the city.

24 21. All projects shall have all power lines, telephone wires, television cables, fire alarm
25 systems and other communication wires, cables or lines placed underground in accordance with
26 applicable city regulations.

27 All such underground installations or systems shall be approved by the appropriate utility
28 company and shall adhere to all governing applicable regulations including but not limited to the
29 city and state applicable regulations and specific requirements of the appropriate utility.

30 If the appropriate utility company determines that an underground system as proposed above
31 cannot reasonably be installed according to accepted engineering practices, this requirement may
32 be waived upon receipt of a written notice from said utility to the pPublic wWorks dDirector.

33 All utility easements within a proposed binding site plan shall be approved by the appropriate
34 utility company before final acceptance of the binding site plan and shall be shown in their exact
35 location on the final drawing of said plat.

36
37 **19.75.110 Variances.**

38 Variances to LMC 19.75.105(B)(1), (B)(2), and (B)(5) through (B)(11), Design and
39 Development Standards, may be requested prior to preliminary binding site plan approval. The
40 criteria and procedures for such variances shall be as outlined in Chapter 2.22 LMC, Hearing
41 Examiner. The decision on the variances request shall be rendered prior to the granting of
42 preliminary binding site plan.

43
44 **19.75.115 Binding site plan revisions.**

45 Alteration of an approved preliminary or final binding site plan other than slight deviations as
46 defined in LMC 19.75.070(B) shall be accomplished by application as set forth in LMC 19.75.035

1 and shall be subject to all procedures and requirements established in this chapter. (Ord. 1578 § 3,
2 1987)
3

4 **Chapter 19.90**
5 **ENFORCEMENT**

6 **Sections:**

7 19.90.010 Penalties.

8 19.90.020 Development of illegally divided land – Innocent purchaser for value.
9

10 **19.90.010 Penalties.**

11 Any person, firm, corporation, or association or any agent of any person, firm, corporation, or
12 association who violates any provision of this title or of state law relating to the sale, offer for sale,
13 lease, or transfer of any lot, tract, or parcel of land shall be guilty of a gross misdemeanor and each
14 sale, offer for sale, lease, or transfer of each separate lot, tract, or parcel of land in violation of any
15 provision of this title or state law shall be deemed a separate and distinct offense. (Ord. 1314 § 13,
16 1983)
17

18 **19.90.020 Development of illegally divided land – Innocent purchaser for value.**

19 No building permit, septic tank permit, or other development permit shall be issued for any lot,
20 tract, or parcel of land divided in violation of this title or state law unless the Mayor finds that the
21 public interest will not be adversely affected thereby. The prohibition contained in this section shall
22 not apply to an innocent purchaser for value without actual notice. (Ord. 1314 § 13, 1983).

Lynnwood Planning Commission
Meeting of March 13, 2003

Staff Report

Agenda Item: H - 2

**Development Regs. Phase 2 – Related
Comprehensive Plan Amendments**

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Dennis Lewis, Senior Planner

BACKGROUND:

Phase 2 of the Development Regulations Update Project includes preparing a draft listing of zoning districts. If such zoning district changes will require changes in the future land use categories of the Plan, we need to know what the changes will be before the April 1st deadline for listing proposed Plan changes.

PROPOSED ZONING DISTRICTS

A discussion draft of proposed zoning districts has been prepared. The draft was included in the staff report at the last meeting. Please refer to that staff report if you need specific information on the draft listing of zoning districts. The important point is that staff has concluded from the early work on the listing of zoning districts that some adjustments to the Comprehensive Plan land use categories will be necessary to allow for the anticipated amendments to zoning districts

COMPREHENSIVE PLAN AMENDMENTS

As stated earlier, the time sensitive decision needed at this time is to determine what amendments to the land use categories on the Future Land Use Map of the Comprehensive Plan would be needed to accommodate the proposed amended list of zoning districts. Staff had given some thought to the changes required and they are shown in the following listing of Comprehensive Plan land use categories in bold highlighting. These changes are in proposal stage and subject to revision through Planning Commission suggestion.

- SF1 – Low Density Single-family Residential
- SF2 – **Medium** Density Single-family Residential
- **SF3 – High Density Single-family Residential**

- MF1 – Low Density Multiple-family Residential
- MF2 – Medium Density Multiple-family Residential
- MF3 – High Density Multiple-family Residential
- MU – Mixed Use
- LC – Local Commercial
- **CC – Community Commercial**
- RC – Regional Commercial
- **CCP – City Center Sub-area Plan**
- BTP – Business/Technical Park
- I – Industrial
- PF – Public Facilities
- PRO – Parks, Recreation, and Open Space

The foregoing listing contains three basic changes to the Comprehensive Plan land use categories. First is an addition of a high-density single-family residential (SF-3) category. A related required revision is changing the current SF-2 category name from **high** to **medium**. The second change is in the naming of commercial categories. We propose to replace the Office Commercial category with a category called Community Commercial. This will give us three commercial categories (local, community, and regional) that reflect a progression in intensity and service area. It will still allow us to have a specialized office commercial zoning district if that is determined to be necessary. Such zone would be consistent with either the Community Commercial or Regional Commercial land use plan categories. The third change to the future land use plan categories is the addition of a placeholder category for the City Center. As explained at the last meeting, we were expecting to have specific proposals from the City Center planning consultant team by now, but the project has been delayed.

If the Planning Commission concurs with staff on these three proposed changes to the Comprehensive Plan land use categories, staff will prepare these changes as specific proposed amendments for the study list. The specific proposals may include related amendments to the text of the Comprehensive Plan.



**Lynnwood Planning Commission
Meeting of March 13, 2003**

Staff Report

Agenda Item: I-1

Upcoming Commission Meetings

- Public Hearing
- Informal Public Meeting
- Work Session
- New Business
- Old Business
- Information
- Miscellaneous

Lynnwood Dept. of Community Development — Staff Contact: Ron W. Hough, Planning Manager

■ The following schedule is for planning purposes – subject to adjustments.

March 13	Public Hearing:	None scheduled
	Work Session:	<u>Development Regs. – Phase 2</u> (Related Plan Amends) <u>Subdivision Code Rewrite</u>
March 27	Informal Meeting:	<u>Mobile Home Park Study</u>
	Public Hearing:	<u>Subdivision Code Rewrite</u>
	Work Session:	<u>Plan Amendment Docket and New Proposals</u>
April 10	Public Hearing:	<u>Opiate Substitution Program Ordinance</u> <u>Comp. Plan Amendment Study List</u> & Recommendations
	Work Session:	<u>Plan Amendment Proposals</u> – (to be determined)
April 24	Public Hearing:	None scheduled
	Work Session:	<u>Plan Amendment Proposals</u> <u>Development Regulations Update</u>
May 8	Public Hearing:	<u>Transportation Improvement Plan (TIP)</u>
	Work Session:	<u>Plan Amendment Proposals</u>
May 22	Public Hearing:	None scheduled
	Work Session:	<u>Plan Amendment Proposals</u> <u>Development Regulations Update</u>