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ORDINANCE NO. 1487

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON ADDING A NEW SECTION TO THE REDMOND DEVELOPMENT GUIDE TO ESTABLISH REGULATIONS AND STANDARDS TO GOVERN THE SUBDIVIDING OF LAND WITHIN THE CITY, AMENDING SECTION 20F.20.150 OF THE REDMOND DEVELOPMENT GUIDE TO ESTABLISH PROCEDURES TO PROVIDE FOR THE REVIEW AND APPROVAL OF SUBDIVISIONS AND SHORT SUBDIVISIONS, ADDING AND AMENDING DEFINITIONS TO THE REDMOND DEVELOPMENT GUIDE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Redmond deems it desirable to establish processes to accomplish the orderly development of land within the City and to provide for the expeditious review and approval of proposed land divisions, and

WHEREAS, the Planning Commission has considered the report of the Technical Committee and has held at least one public hearing on the amendments to the Development Guide enacted as a part of this ordinance, and

WHEREAS, the Planning Commission has recommended that the City Council adopt the amendments to the Development Guide so as to encourage the orderly development of land within the City, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Subdivision and Short Subdivision Regulations.

A new section 20C.20.242 is hereby added to the Redmond Development Guide to read as set forth in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full.

Section 2. Subdivision and Short Subdivision Procedures.

Section 20F.20.150 of the Redmond Development Guide is hereby amended to read as forth in Exhibit B, attached hereto and incorporated herein by this reference as if set forth in full.

Section 3. Binding Site Plan. A new section 20A.60.177 is hereby added to the Redmond Development Guide to read as follows:

20A.60.177 Binding site plan means a drawing to a scale of no smaller than 1" to 100' which: (a) identifies and shows the areas and locations of all streets, roads, improvements,

utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the City of Redmond; and (c) contains provisions making any development be in conformity with the site plan.

Section 4. Block. A new section 20A.60.178 is hereby added to the Redmond Development Guide to read as follows:

20A.60.178 Block is a group of lots, tracts, or parcels within well defined and fixed boundaries.

Section 5. Dedication. A new section 20A.60.222 is hereby added to the Redmond Development Guide to read as follows:

20A.60.222 Dedication is the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plan or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat.

Section 6. Final Plat. A new section 20A.60.275 is hereby added to the Redmond Development Guide to read as follows:

20A.60.275 Final Plat is the final drawing of the subdivision and dedication prepared for filing for record with the King County Department of Records and Elections, and containing all elements and requirements set forth in the Development Guide.

Section 7. Plat. A new section 20A.60.501 is hereby added to the Redmond Development Guide to read as follows:

20A.60.501 Plat is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

Section 8. Renumbering. Section 20A.60.502 of the Redmond Development Guide is hereby renumbered to read as follows:

20A.60.503 Preschools - See Section 20A.60.220, Day Care Operations. Preschools are considered day care operations for City regulation purposes.

Section 9. Preliminary Plat. A new section 20A.60.502 is hereby added to the Redmond Development Guide to read as follows:

20A.60.502 Preliminary Plat is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a

subdivision consistent with the requirements of the Development Guide. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

Section 10. Short Plat. A new section 20A.60.587 is hereby added to the Redmond Development Guide to read as follows:

20A.60.587 Short Plat is the map or representation of a short subdivision.

Section 11. Subdivision Lots. Section 20C.10.250(90) of the Redmond Development Guide which previously regulated subdivision lots is hereby repealed.

Section 12. Minimum Lot Area. Section 20C.10.250(20) of the Redmond Development Guide is hereby amended to read as follows:

10.250(20) Minimum Lot Area Per Dwelling Unit
(a) Lots for Detached Dwelling Units - The chart establishes the minimum lot area per dwelling unit at the densities set in paragraph (15) of this section. The minimum lot sizes have been established to encourage clustering of dwelling units. The reduction of lot sizes to meet the minimum does not permit an increase in the number of dwelling units established by paragraph (15) of this section. Lots existing at the time of adoption of this section may be developed provided that development is in accordance with the applicable standards and procedures of the Development Guide, including Section 20F.10.060(15).

(b) Area of Waterfront Lots - The area of waterfront lots is considered to be the area landward of the line of ordinary high water on Lake Sammamish (elevation 27 feet above mean sea level), regardless of the extent of ownership; or the area landward of the top of the bank or property line along major watercourses; or the area landward of the centerline of minor watercourses.

(c) Areas of Lots with Private Street or Access Easement - The area of a lot having access to an improved street by a private street or easement shall not include the area of this corridor.

Section. 13. Permit Procedures. The chart entitled "Development Permit Procedures and Responsible Authority" which is incorporated into Section 20F.20.030 of the Redmond Development Guide is hereby amended to read as set forth in Exhibit C, attached hereto and incorporated herein by this reference as if set forth in full.

Section 14. Final Application Approval. Section 20F.20.110 of the Redmond Development Guide is hereby amended to read as follows:

20F.20.110 Final Application Approval - Upon receipt of the required submittals for final consideration, and the report of the Technical Committee, Hearing Examiner or Planning Commission, the approval authority shall consider final approval of the application. The approval authority shall approve, approve with conditions, remand for modification or disapprove the application. The grounds for the action taken shall be entered into the record, and a copy forwarded to the applicant.

Section 15. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 16. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the attached summary which is hereby approved.

APPROVED:

Doreen Marchione
MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:

Doris A. Schauble
CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: James E. [Signature]

FILED WITH THE CITY CLERK: 4-13-89
PASSED BY THE CITY COUNCIL: 4-18-89
PUBLISHED: 4-23-89
EFFECTIVE DATE: 4-28-89
ORDINANCE NO. 1487

EXHIBIT A
20C.20.242
SUBDIVISION & SHORT SUBDIVISION
REGULATIONS

20C.20.242 SUBDIVISION AND SHORT SUBDIVISION REGULATIONS

20.242(05) Purpose -- The intent of this section is to provide criteria, regulations and standards to govern the subdividing of land within the City and to:

- (a) Promote the public health, safety and general welfare in accordance with standards established by the State and the City;
- (b) Promote effective use of land by preventing the overcrowding or scattered development which would injure health, safety or the general welfare due to the lack of water supplies, sanitary sewer, drainage, transportation or other public services, or excessive expenditure of public funds for such services;
- (c) Avoid congestion and promote safe and convenient travel by the public on streets and highways through the coordination of streets within a subdivision with existing and planned streets;
- (d) Provide for adequate light and air;
- (e) Provide for water, sewage, drainage, parks and recreational areas, sites for schools and school grounds, and other public requirements;
- (f) Provide for proper ingress and egress;
- (g) Provide for the housing and commercial needs of the community;
- (h) Require uniform monumenting of land divisions and conveyance of accurate legal descriptions;
- (i) Protect environmentally sensitive areas.

20.242(10) Review and Approval Criteria

- (a) Each proposed subdivision or short subdivision shall be reviewed to insure that:
 - 1. The proposal conforms to the goals, policies and plans set forth in Section 20B;
 - 2. The proposal conforms to the site requirements set forth in Section 20C.10.250 Site Requirements;
 - 3. The proposal conforms to the requirements of this section and those set forth in Section 20F.20.150 and Appendix P Subdivision & Short Subdivision;
 - 4. The proposed street system conforms to the City of Redmond Arterial Street Plan and Neighborhood Street Plans, and is laid out in such a manner as to provide for the safe, orderly and efficient circulation of traffic;
 - 5. The proposed subdivision or short subdivision will be adequately served with City approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision;

6. The layout of lots, and their size and dimensions take into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;
 7. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.
- (b) Lack of compliance with the criteria set forth in subsection (a) of this section shall be grounds for denial of a proposed subdivision or short subdivision, or for the issuance of conditions necessary to more fully satisfy the criteria.
- (c) No final plat or short subdivision shall be approved unless:
1. The final plat or short subdivision is in substantial conformance with the provisions of the preliminary approval, including any conditions imposed as part of the approval;
 2. The final plat or short subdivision contains a dedication to the public of all common improvements, including but not limited to streets, roads, sewage disposal and water supply systems which were a condition of approval;
 3. All common improvements required as conditions of approval of the proposed subdivision or short subdivision have been referenced on the final plat or short subdivision.
 4. City approved water and sewer facilities will be available to each lot created by the division of land.
- (d) When the Technical Committee finds that the final plat or short subdivision is in substantial conformity to the preliminary approval, they shall endorse their approval on the final plat or short subdivision and shall implement the final approval and recording procedures set forth in Section 20F.20.150 SUBDIVISION & SHORT SUBDIVISION PROCEDURES.

20.242(15) Subdivision Names - No subdivision shall be approved which bears a name using a word which is the same as, similar to or pronounced the same as a word in the name of any other subdivision in King County, except for the words "town," "city," "place," "court," "addition," "acres," "heights," "villa," or similar words, unless the land so divided is contiguous to the subdivision bearing the same name. All plats must continue the block numbers of the plat of the same name last filed.

20.242(20) Block Standards -- Block lengths and widths shall be determined by the distance and alignment of existing blocks and streets in the vicinity of a proposed subdivision, and by topography, lot size, and traffic flow. Blocks shall not exceed 1,320 feet between street lines unless the adjacent layout or special conditions justify greater length. Except where topographical or other physical features dictate otherwise, block widths should be not less than 120 feet and not more than 400 feet.

20.242(25) Lot Standards

- (a) Suitability for intended use: All lots shall be suitable for the general purpose for which they are intended to be used. No lot shall be of such size or design as to be detrimental to the health, safety or sanitary needs of the residents of the subdivision of such lot.
- (b) Lots shall be created by following the procedures of 20F.20.030, DEVELOPMENT PERMITS AND PROCEDURES and 20F.20.150 SUBDIVISION AND SHORT SUBDIVISION PROCEDURES.
- (c) No lot shall be established which is in violation of the Development Guide.
- (d) Lot Shapes: Lot shapes shall be designed to avoid awkward configuration or appendages.
- (e) Width, area and frontage: Each lot shall have sufficient width, area and frontage to comply with the minimum site requirements as set forth in Subsection 20C.10.250 SITE REQUIREMENTS.
- (f) Depth: Each lot should have an average depth between the front and rear lot lines of not less than 1 foot of depth for each 1 foot of width.
- (g) Front lot line: For corner lots, double frontage lots, and single frontage lots, the front lot line shall be the property line(s) separating the lot from a street or vehicle access corridor and shall be in compliance with the regulations set forth in Subsection 20C.10.250(50)(e) Lot Orientation.
- (h) Side lot lines: As much as possible, where topography and natural features permit, side lot lines should run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.
- (i) Building setback lines: Where watercourses, topography, geology and soils, vegetation, utilities, lot configuration, or other unique circumstances dictate a different building envelope than that set by Subsection 20C.10.250(10) SITE REQUIREMENTS Chart, building setback lines may be required to be shown on the final plat or short subdivision map and observed in development of the lot.
- (j) Future subdividing of lots: Where the subdivision or short subdivision will result in a lot one-half acre or larger in size which is likely to be further divided in the future, it may be required that the location of lot lines and other details of layout

be such that future division may readily be made without violating the requirements of this section and without interfering with orderly extension and connection of adjacent streets. It is intended that the lot lines and other details of future subdivision be advisory only, and shall not be final or binding on the applicant unless he makes further application; however, any restriction of buildings within future street locations may be imposed and may require such restrictions to be set forth on the final plat or short subdivision.

20.242(30) Exceptions to Lot Standards

- (a) **Planned Unit Development** - The relaxation of building setbacks, lot size and lot frontage requirements as set forth in Subsections 20C.10.250(50) Front, Rear, and Side Building Setbacks and 20C.20.242(25) Lot Standards may be authorized for a subdivision developed as a planned unit development (PUD) in compliance with Section 20C.20.235. Such authorization shall only occur where the applicant presents a plan whereby the entire subdivision will be designed and developed with provisions for proper maintenance of recreation facilities and open space which will be commonly available for use of the residents of the subdivision and which will be of such benefit to said residents as is equal to that which would be derived from observance of the size and frontage requirements otherwise specified. The relaxation of said requirements shall not violate the purpose and criteria set forth in Subsections 20C.20.242(05) Purpose and 20C.20.242(10) Review and Approval Criteria, respectively.
- (b) **Temporary Parcel** - Parcels smaller than permitted by the Development Guide may be temporarily created if they are subsequently merged in title with an adjacent parcel to create a lot that complies with the Development Guide.
- (c) **Eminent Domain** - Parcels smaller than otherwise permitted by the Development Guide may be created through the action of governmental agencies including the City of Redmond by procedures not contained in ARTICLE 20F, ADMINISTRATION AND PROCEDURES. Such actions include eminent domain and the splitting of a parcel by dedicated right-of-way. Wherever possible, such parcels shall be merged in title with adjacent lots to create lots in compliance with the Development Guide.
- (d) **Substandard Lots** - A lot of record created prior to the effective date of the Development Guide that does not meet the minimum area or dimensional requirements of the land use district in which located shall be considered a conforming lot of record if the following requirements are met: there must be no adjoining lots of record of continuous boundary in the same ownership to which the substandard lot can be merged in title or with which the lot lines can be adjusted to create lots of record which would comply with the Development Guide.
- (e) **Lots for Building Pads** - In industrial, business park, business and multiple residence zones, lots with boundaries coterminous or nearly so with building walls may be created. The standards that normally would apply to such lots shall apply instead to the project tract of which such lots are a part.

20.242(35) Easements

- (a) Public easements for the construction and maintenance of utilities and public facilities shall be granted to provide and maintain adequate utility service to each lot and adjacent lands. The widths of the public easements shall be a minimum of 20 feet unless the City determines a smaller or larger width is appropriate based on site conditions. Whenever possible, public easements shall be combined with driveways, pedestrian accessways and other utility easements.
- (b) Private easements for the construction and maintenance of utilities within the subdivision or short subdivision shall be granted so that individual lots gain access to public facilities. The widths of the private easements shall be a minimum of 10 feet unless the City determines a larger width is appropriate based on the site conditions.
- (c) When there is a need to use a stream for storm water control purposes, public improvement and maintenance easements at least 20 feet wide shall be provided for storm drainage. When possible, said easements shall be located along the centerlines of such facilities. Public improvement and maintenance easements for creeks and other watercourses shall be provided and shall extend 25 feet in each direction from the waterway centerline or ten feet from the top of a recognizable bank, whichever is greater. Such easements shall be of a width sufficient to allow both initial improvements and future maintenance operations. Larger widths may be required where necessary.
- (d) Native growth and protection easements (NGPE) shall be granted as deemed appropriate by the City where the preservation of native vegetation benefits the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, visual and aural buffering, and protection of plant and animal habitat. The NGPE shall impose upon all present and future owners and occupiers of land subject to the easement the obligation, enforceable on behalf of the public by the City of Redmond, to leave undisturbed all trees and other vegetation within the easement, except that area required for future construction of multi-purpose trails as defined in Section 20C.20.260 WALKWAYS, SIDEWALKS, TRAILS, and City approved utilities. The vegetation within the easement may not be cut, pruned, covered by fill, removed, damaged or enhanced without express written permission from the City of Redmond.
- (e) Easements for utility mains or lines shall be held to prohibit the placement of any building on or over the easement, but shall not preclude landscaping of an appropriate variety as determined by the City. Nor shall it prohibit the use of an easement for more than one utility or vehicle and pedestrian access provided the City finds the multi-use appropriate. Restoration shall be required of the site following any excavation or other disturbance permitted by the easement.

- (f) Easements required by this section shall be granted by the terms and conditions of such easements being shown on the final plat or short subdivision or by separate instrument.

20.242(40) Water Supply --All lots shall be served by a water system approved by the City of Redmond. Any common water system serving more than one lot shall be provided by the applicant and dedicated to the appropriate water purveyor. Such water supply systems shall be designed and constructed according to all applicable provisions of the Development Guide, the standards and specifications of the water purveyor and the applicable rules and regulations of the State.

20.242(45) Sewage Disposal - All lots shall be served by the sanitary sewer system of the City of Redmond or in unique circumstances, City approved alternative disposal systems. Except for private side sewers, any common sanitary sewer system serving more than one lot shall be provided by the applicant and dedicated to the City. Such sewer systems shall be designed and constructed according to all applicable provisions of the Development Guide and the standards and specifications on file in the office of the Director of Public Works.

20.242(50) Storm Drainage

- (a) All lots shall be provided with adequate storm drainage connected to the storm drainage system of the City or other system approved by the Director of Public Works.
- (b) Where a public street is to be dedicated or improved by the applicant as a condition of preliminary approval, the applicant shall provide and dedicate any required storm drainage system in the street.
- (c) When appropriate, storm drainage facilities shall include suitable on-site detention and/or retention facilities.
- (d) Storm drainage shall be provided in accordance with Section 20E.75 GROUND AND SURFACE WATER MANAGEMENT of the Development Guide and standards and specifications approved by the Director of Public Works.
- (e) Easements shall be dedicated as provided in Subsection 20C.20.242(35).

20.242(55) Watercourses - When required by the City, the developer of a subdivision shall enhance any major or minor watercourse which traverses or abuts the subdivision in accordance with the specifications and standards adopted by the Director of Public Works. Any required watercourse easements shall be dedicated as provided in Subsection 20C.20.242(35) Easements.

20.242(60) Underground Utilities --All permanent utility service to lots shall be provided from underground facilities as set forth in Section 20C.20.250 UNDERGROUND WIRING. The applicant shall be responsible for complying with the requirements of this section, and shall make all necessary arrangements with the utility companies and other persons or corporations affected by installation of such underground facilities in accordance with the rules and regulations of the Public Utility Commissioner of the State of Washington.

20.242(65) Water and Sewer Standards

- (a) Design Standards - All City water and sewer facilities shall be designed in compliance with the "Design Requirements - Water and Sewer System Extensions" document available from the Utility Division of the Public Works Department.
- (b) Construction Standards - All City water and sewer facilities shall be constructed in compliance with the standards and specifications available from the Utility Division of the Public Works Department.

20C.242(70) Street Standards - All street improvements, grades and design shall comply with standard regulations and specifications as set forth in Appendix G CONSTRUCTION SPECIFICATION AND DESIGN STANDARDS FOR STREETS AND ACCESS of the Development Guide.

20.242(75) Street Right-of-Way and Pavement Widths

- (a) The street right-of-way in or along the boundary of a subdivision shall conform to the provisions set forth in Appendix G CONSTRUCTION SPECIFICATION AND DESIGN STANDARDS FOR STREETS AND ACCESS of the Development Guide.
- (b) When subdivision or an area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant, greater widths than those provided in subsections (a) of this section may be required.
- (c) Where topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional right-of-way width or slope easements may be required.

20.242(80) Street Lights - All subdivisions shall include underground electric service, light standards, wiring and lamps for street lights according to Section 20C.20.250 UNDERGROUND WIRING and the specifications and standards set forth in Appendix G CONSTRUCTION SPECIFICATION AND DESIGN STANDARDS FOR STREETS AND ACCESS of the Development Guide. The subdivider shall install such facilities and make the necessary arrangements with the serving electric utility.

20.242(85) Monuments

- (a) Permanent survey control monuments shall be provided for all final plats and short plats at:
 - 1. All controlling corners on the boundaries of the subdivision or short subdivision;
 - 2. The intersection of centerlines of roads within the subdivision or short subdivision; and
 - 3. The beginning and ends of curves on centerlines or points of intersections on tangents.

- (b) Permanent survey control monuments shall be set in two-inch pipe, twenty-four inches long, filled with concrete or shall be constructed of an approved equivalent. Permanent survey control monuments within a street shall be set after the street is paved. Every lot corner shall be marked by a three-quarter-inch galvanized iron pipe or approved equivalent, driven into the ground. If any land in a subdivision or short subdivision is contiguous to a meandered body of water, the meander line shall be re-established and shown on the final plat or short plat.

20.242(90) Public Accessways

- (a) When necessary for public convenience or safety, the developer shall improve and dedicate to the public access ways to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, mass transportation stops or other community services.
- (b) The access way shall be of such design, width and location as reasonably may be required to facilitate public use and shall comply with Section 20C.20.260 WALKWAYS, SIDEWALKS, TRAILS as well as the specifications and standards of the Director of Public Works. Where possible, said dedications may also accommodate utility easements and facilities.

20.242(95) Clearing and Grading - All clearing and grading shall be conducted in compliance with the provisions set forth in Section 20C.70.090 CLEARING/GRADING PERMIT FEES.

20.242(100) Improvements--Completion or Guarantee - The applicant shall either complete the required improvements before the final plat or short subdivision is approved or the applicant shall financially guarantee installation of the same pursuant to the provisions set forth below in Subsections 20C.20.242(105) Improvements - Security for Performance and Warranty and 20C.242(110) Improvements - Construction.

20.242(105) Improvements--Security for Performance and Warranty

- (a) In lieu of the completion of the actual construction of required improvements prior to approval of a final plat or short plat, the subdivider may file a performance bond or other suitable security in a form approved by the City Attorney and in an amount to be determined by the City Engineer sufficient to guarantee actual construction and installation of such improvements within three years of final plat or short plat approval. The amount of the security for completion shall not be less than one hundred twenty-five percent of the City Engineer's estimate of the cost of such improvements, but the City Engineer may set a higher percentage based upon the complexity of the project. In addition, before acceptance by the City of the improvements, the subdivider shall file a warranty bond or other suitable security in a form approved by the City Attorney and in an amount to be determined by the City Engineer guaranteeing the repair or replacement of any improvement or any landscaping which proves defective or fails to survive within

a minimum one year time period after final acceptance of the improvements or landscaping by the City. The City shall withhold acceptance of the improvements until any required security for completion and the required security for maintenance are filed.

- (b) The City may enforce the bonds or other security required by this section according to their terms, pursuant to any and all legal and equitable remedies. In addition, any bond or other security filed pursuant to this section shall be subject to enforcement in the following manner:
1. In the event the improvements are not completed as required, or warranty is not performed satisfactorily, the City Engineer shall notify the property owner and the guarantor in writing which shall set forth the specific defects which must be remedied or repaired and shall state a specific time by which such shall be completed.
 2. In the event repairs or warranty are not completed as specified in the notice referred to in subparagraph 1. of this subsection by the specified time, the City may proceed to repair the defect or perform the warranty by either force account, using City forces, or by private contractor. Upon completion of the repairs or maintenance, the cost thereof, plus interest at twelve percent per annum, shall be due and owing to the City from the owner and guarantor as a joint and several obligation. In the event the City is required to bring suit to enforce maintenance, the subdivider and guarantor shall be responsible for any costs and attorneys' fees incurred by the City as a result of the action. In the event that the security is in the form of a cash deposit with the City, the City may deduct all costs set forth in this section from the cash on deposit and the subdivider shall be required to replenish the same for the duration of the guaranty period.

20.242(110) Improvements--Construction - Construction of subdivision improvements prior to final plat or short plat approval or subsequent to final plat approval as a condition to meeting bond requirements shall proceed as follows:

- (a) Complete construction drawings, specifications and related material shall be submitted to the City Engineer for approval prior to the commencement of construction. The submitted drawings and specifications shall be designed and certified by a registered civil engineer. Construction drawings shall be in conformance with the conditions, if any, of preliminary plat or short plat approval and applicable City standards.
- (b) Construction of improvements shall not be initiated without authorization of the City Engineer. The City Engineer shall authorize the subdivider to proceed with construction after approval of the construction drawings and specifications by the appropriate City Department or Division. The City Engineer may grant approval on condition additions or changes are made in the drawings or specifications, or on the inclusion or implementation of mitigating measures necessary to minimize the impacts of the construction on the environment. Conditions required to minimize environmental impacts shall conform with the requirements of Section 20F.30. ENVIRONMENTAL IMPACT PROCEDURES.

- (c) Any changes to the construction drawings or specifications involving design of the improvements shall first be reviewed and approved by the City Engineer and the appropriate City Department or Division.
- (d) Construction of the improvements shall proceed as shown in the construction drawings and specifications. Construction shall proceed under the supervision of a registered civil engineer. The City Engineer or his designee shall inspect construction progress on a regular basis to review compliance with construction plans and required standards.
- (e) After the completion of construction in accordance with the approved plans and specifications, "as-built" drawings showing the improvements as constructed shall be certified as true and complete by a registered civil engineer. The certified "as-built" drawings on reproducible mylar shall be submitted to the City. When a final plat is involved, the certified "as-built" drawings are required to be submitted prior to the acceptance of the subdivision improvements by the City Council.

20.242(115) Survey--Required - The survey of every proposed subdivision or short subdivision shall be made by or under the supervision of a registered land surveyor. All surveys shall conform to standard practices and principles for land surveying as set forth in the laws of the State of Washington and Appendix P of the Development Guide. Subdivision control and staking traverses shall close within an error of one foot in five thousand feet. Primary survey control points shall be referenced to section corners and monuments.

EXHIBIT B

**20F.20.150
SUBDIVISION & SHORT SUBDIVISION
PROCEDURES**

20.150(05) Administration

- (a) Purpose - The intent of this section is to identify processes to accomplish the orderly development of land within the City, and to provide for the expeditious review and approval of proposed land divisions which comply with this section, other city land use regulations and standards, and RCW Chapter 58.17 PLATS - SUBDIVISIONS - DEDICATIONS;
- (b) Definitions - See Section 20A.60 DEFINITIONS of the Development Guide.
- (c) Applicability - All divisions or redivisions of land into lots, tracts, parcels, sites or division for the purpose of sale, lease or transfer of ownership shall comply with the provisions of State law and the Redmond Community Development Guide. All contiguous parcels of land, regardless of date of acquisition or location in different lots, tracts, parcels, tax lots or separate government lots, that are to be subdivided shall constitute a single subdivision or short subdivision action. Multiple applications or applications and/or exemptions shall not be utilized as a substitute for comprehensive subdividing in accordance with the requirements of this section.
- (d) Exceptions - The provisions of this section shall not apply to:
- . Cemeteries and burial plats;
 - . Divisions made by testamentary provisions or the laws of dissent;
 - . Division for sale or lease of commercial or industrially zoned property provided a binding site plan has been approved and recorded;
 - . Divisions for purposes of lease when no residential structure other than mobile homes or travel trailers are permitted, provided a binding site plan has been approved and recorded.
 - . A division made for the purposes of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division, nor create any lot, tract, parcel, site or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site; and
 - . A division made under the provisions of the Horizontal Properties Regimes Act (RCW 64.32) provided a binding site plan has been approved.
- (e) Subdivisions Processed Simultaneously - Unless the applicant requests otherwise, a subdivision or short subdivision application shall be processed simultaneously with application for variances, planned unit development, site plan review, street vacations, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing in compliance with the provisions set forth in Section 20F.20.055 PROCESSING INCONSISTENT OR CONCURRENT APPLICATIONS.

- (f) Deviation from Requirements - Subdivision and short subdivision development requirements may be modified by the approval authority only upon a showing by the applicant that the criteria of Section 20F.20.190, VARIANCES can be complied with. Deviations shall not be allowed on the basis of economic hardship. A request by the applicant must be attached to the application and shall be processed in conjunction with the application. Action taken by an approval authority on the request shall be entered into the record.

20.150(10) Preliminary Plat Review

- (a) Application Submittal - Whenever it is proposed to subdivide land into 5 or more lots, tracts, parcels, sites or divisions, the applicant shall file with the Planning Department a preliminary plat application packet in conformance with the provisions set forth in Appendix P of the Development Guide.
- (b) Public Notice - Notice of the public hearing shall be provided by the City in compliance with Section 20F.20.070 PUBLIC HEARING AND NOTICE REQUIREMENTS of the Development Guide and by the applicant in compliance with Redmond Municipal Code Chapter 2.90 NOTICE OF MAJOR LAND USE ACTION. The sign required by said Chapter shall comply with the specifications and requirements set forth in Appendix O, POSTING OF PUBLIC NOTICES of the Development Guide.
- (c) Public Hearing and Public Hearing Record - Upon completion of the public hearing notice period, the Hearing Examiner shall hold a public hearing to receive all relevant evidence to determine whether to approve, approve with conditions or deny the preliminary plat. Any hearing may be continued at the discretion of the Hearing Examiner. Records of the public hearing shall be kept by the Planning Department and they shall be open to public inspection.
- (d) Criteria - As a basis for approval, approval with conditions or disapproval of a preliminary plat, the Hearing Examiner shall determine if appropriate provisions have been made for, but not limited to the purpose and criteria set forth in Section 20C.20.242 SUBDIVISION AND SHORT SUBDIVISION REGULATIONS.
- (e) Decisions by the Hearing Examiner - The final decision made by the Hearing Examiner shall be given the effect of an administrative decision and shall be provided in compliance with the provisions of Section 20F.10.080 HEARING EXAMINER and the Hearing Examiner Rules set forth in Appendix A of the Development Guide. The decision may be appealed in compliance with Section 20F.20.200 APPEALS. If the decision is appealed, the appeal shall stay the running of the ninety (90) day time period defined below in following Subsection 20F.20.150(10)(g) Time Limits.
- (f) Effect of Preliminary Plat Approval - Approval of the preliminary plat shall constitute authorization for the applicant to develop the subdivision facilities and improvements in strict accordance with the plans and specifications as approved by the Public Works Department subject to any conditions imposed by the Hearing Examiner.

(g) Time Limit:

Approval Within Ninety (90) Days - A preliminary plat shall be approved, approved with conditions, disapproved or returned to the applicant for modification or correction within ninety (90) days from the date of filing of a complete application unless the applicant agrees to an extension of the time period in writing. Provided, should an Environmental Impact Statement (EIS) be required per RCW Chapter 43.21C.030 Guidelines for state agencies, local governments, the ninety (90) day period shall not include the time spent in preparing and circulating the EIS by the City. A preliminary plat application shall not be deemed "filed" until all of the application requirements of this section have been met.

Limitation on Approval - Final approval must be acquired within three (3) years of preliminary approval, after which time the preliminary subdivision approval is void. An extension may be granted by the Hearing Examiner for one (1) year if the applicant has attempted in good faith to submit the final plat within the three (3) year time period. Provided, however, the applicant must file a written request with the Hearing Examiner requesting the extension at least thirty (30) days before expiration of the three (3) year period.

20.150(15) Final Plat

(a) Application Submittal - The final plat application packet shall include the application, documents, certification, survey data and improvement security or construction requirements as set forth in Section 20C.20.242 SUBDIVISION AND SHORT SUBDIVISION REGULATIONS and Appendix P SUBDIVISION & SHORT SUBDIVISION of the Development Guide.

(b) Review--Time Limits - Final plats shall be approved, disapproved or returned to the applicant for modification or correction within thirty days from the date of filing unless the applicant consents to an extension of such time period.

(c) Review--City Engineer - The City Engineer or a licensed professional engineer acting on behalf of the City shall review the survey data, layout of lot lines, streets, alleys and other rights-of-way, design of bridges, and utility systems improvements including storm drainage, water and sanitary sewer. The City Engineer or other professional engineer acting on behalf of the City shall convey his findings to the City Council, prior to approval, the engineer shall assure that:

1. The proposed final plat meets all standards established by state law and this section relating to the final plat's drawings and subdivision improvements;
2. The proposed final plat bears the certificates and statements of approval required by this section;
3. Current title insurance report furnished by the subdivider confirms the title of the land in the proposed subdivision is vested in the name of the owners whose signatures appear on the final plat;
4. The legal description of the plat boundary on the current title insurance report agrees with the legal description on the final plat;

5. The facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider has provided a security in an amount and with securities commensurate with improvements remaining to be completed, securing to the City the construction and installation of the improvements.
 6. The surveyor has certified that all survey monument lot corners are in place and visible.
- (d) Review--City Council -- The City Council shall review the final plat as follows:
- . At a public meeting, the City Council shall determine whether the subdivision proposed for final subdivision approval conforms to all terms of preliminary approval, and whether the subdivision meets the requirements of the Community Development Guide, applicable state laws and all other local ordinances adopted by the City which were in effect at the time of preliminary approval.
 - . If the conditions have been met, the City Council shall authorize the Mayor to inscribe and execute the written approval on the face of the plat map. If the City Council disapproves the plat, it will be returned to the applicant with reasons for denial and conditions for compliance.
- (e) Recording -- All final plats shall be recorded in compliance with the following:
- . Recording Required. No final plat shall be recorded unless approved by the City Council. The original of an approved final plat shall be filed for record with the King County Auditor.
 - . Fees and Recording Procedure. Prior to recording, the applicant shall submit the original final plat drawings to the Public Works Department together with the plat checking fees and performance bond(s). After the City has approved said drawings, the applicant shall submit the City approved original final plat drawings to the King County Auditor together with the recording fees.

20.150(20) Valid Land Use -- As required by RCW Chapter 58.17.170 Written Approval of Subdivision -- a subdivision shall be governed by the terms of the approval of the final plat, and any lots created shall be a valid land use for a period of no less than five (5) years from date of filing, unless the City Council finds that a change in conditions in subdivision creates a serious threat to the public health or safety.

20.150(25) Subdivision Vacation -- Any person interested in the vacation of any subdivision or part of a subdivision, or area dedicated for public use shall file an application for vacation with the Planning Department. The application shall set forth the reasons for vacation and shall contain signatures of all parties having an ownership interest in that portion to be vacated. If the subdivision is subject to restrictive covenants which are

filed at the time of approval of the subdivision, and the vacation would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the covenants to accomplish the purpose of the vacation.

The approval authority shall conduct a public hearing on the application for a vacation and may approve or deny the application for vacation of the subdivision after determining the public use and interest to be served. If any portion of the land contained in the subdivision was dedicated to the public for public use or benefit, such land, if not deeded to the City, shall be deeded to the City unless the approval authority adopts written findings that the public use would not be served in retaining title to those lands. Title to vacated property shall be governed by RCW Chapter 58.17 Plats -- Subdivision - Dedications.

20.150(30) Subdivision Alterations - Any person interested in the alteration of any subdivision, except as provided in 20F.20.150(45) Final Plat and Short Plat Corrections, that person shall submit an application for the alteration to the Planning Department. The application shall contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered and other application submittal materials as required. If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration.

The processing of the alteration application shall follow the procedures of the General Development Permit, Section 20F.20.030 DEVELOPMENT PERMIT PROCEDURES AND RESPONSIBLE AUTHORITY. After approval of the alteration, the applicant shall submit to the City a revised drawing of the approved alteration of the subdivision, which after signature of the approving authority, shall be filed with the County Auditor to become the lawful plat of the property. The revised drawing shall be surveyed and prepared by a Washington State licensed land surveyor.

20.150(40) Short Subdivision Review

- (a) Application Submittal - Whenever it is proposed to subdivide land into 4 or fewer lots, tracts, parcels, sites or divisions, the applicant shall file with the Planning Department a short subdivision application packet in compliance with the requirements as set forth in Section 20C.20.242 SUBDIVISION AND SHORT SUBDIVISION REGULATIONS and Appendix P SUBDIVISION & SHORT SUBDIVISION of the Development Guide.
- (b) Public Notice - Notice of the filing of the short subdivision applicant shall be provided by the City in compliance with Section 20F.20.070 PUBLIC HEARING AND NOTICE REQUIREMENTS and RCW Chapter 58.17.155 Short Subdivision Adjacent to state highway - Notice to department of transportation.
- (c) Criteria - As a basis for approval, approval with conditions or disapproval of a short subdivision, the Technical Committee shall determine if appropriate provisions have been made for, but not limited to the purpose and criteria set forth in Section 20C.20.242 SUBDIVISION AND SHORT SUBDIVISION REGULATIONS.

- (d) Decisions by the Technical Committee -- Each final decision of the Technical Committee shall be in writing and shall include findings and conclusions based on the record to support the decision. The decision made by the Technical Committee shall be given the effect of an administrative decision and may be appealed in compliance with Section 20F.20.200 APPEALS.
- (e) Effect of Short Subdivision Approval -- Approval of the short subdivision shall constitute authorization for the applicant to develop the short subdivision facilities and improvements in strict accordance with the plans and specifications as approved by the Public Works Department subject to any conditions imposed by the Technical Committee.
- (f) Recording -- All short subdivisions shall be filed in compliance with the following:
- . Recording Required. No short subdivision shall be filed unless approved by the Technical Committee and City Engineer. A copy of an approved short subdivision shall be filed for record with the King County Auditor and one reproducible copy shall be furnished to the City Engineer.
 - . Fees and Recording Procedure. Prior to recording, the applicant shall submit the original short subdivision drawings to the Planning Department for signatures together with the short subdivision application fee.
- (g) Short Subdivisions -- Restrictions -- The area included in an approved and recorded short subdivision shall not be further divided within a period of five (5) years from the date of final approval without meeting the requirements for a subdivision or resubdivision. Except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries.

20.150(45) Final Plat and Short Plat Corrections --

- (a) Public Dedication--not involved. Amendments, alterations, modifications and changes to recorded final plats and short plats not involving a public dedication shall be accomplished only by one of the following methods:
- . File a new plat for the lots in question by following the full subdivision procedures of this Chapter; or
 - . File a short plat for lots in question by following the procedures of this Chapter provided that short plats occurring in final subdivisions approved under the provisions of the Development Guide do not exceed the density allowed under the zoning existing at the time the plat was approved, or are not inconsistent with other provisions of the plat; or

File a minor modification or lot line revision. This method may be used to correct or adjust short plats or final plats, provided the proposed changes are minor and do not create new lots. This method may be used to consolidate two or more existing lots. A final plat or short plat mylar shall be filed with the normal and required signature attachments and a cross-reference to the original final or short plat and fees only for technical review. Normal and required signatures shall mean only the signatures of owners of lots affected by a minor modification or lot line revision.

- (b) Public Dedication—Involved. Amendments, alterations, modifications and changes to recorded final plats and short plats involving a public dedication shall be accomplished by following the procedures of Subsections 20.150(25) Subdivision Vacation or 20.150(30) Subdivision Alteration.

20.150(50) Divisions Requiring Binding Site Plans - A subdivision of land which is exempt from the subdivision regulations, but requires that a binding site plan be approved, shall be processed through the General Development Permit procedure, Sections 20F.20.030 DEVELOPMENT PROCEDURES AND RESPONSIBLE AUTHORITY and 20F.20.170 GENERAL DEVELOPMENT PERMIT. The following requirements shall apply to proposals submitted under this section.

- (a) Applications submitted shall comply with the requirements for subdivisions and subsection 20F.20.050(10), APPLICATION REQUIREMENTS;
- (b) Binding site plans shall be drawn at a scale no smaller than one inch equals 100 feet and shall include the design of any lots or building envelopes and the areas designated for landscaping and vehicle use;
- (c) Approved binding site plans shall be submitted for record with the King County Auditor.
- (d) Approved site plans shall be binding and shall be enforced as provided in Section 20F.10.050 ENFORCEMENT. All provisions, conditions and requirements of the binding site plan shall be legally enforceable on the purchaser or any person acquiring a lease or other ownership interest of any lot, parcel or tract created pursuant to the binding site plan. A sale, transfer, or lease of any lot, tract or parcel and created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan approval, shall be considered a violation of this Chapter and shall be restrained by injunctive action and shall be illegal as provided in RCW Chapter 58.17 PLATS - SUBDIVISIONS - DEDICATIONS.
- (e) All development shall be in conformity with the approved binding site plan and any existing or subsequent applicable Site Plan Review approval in compliance with the provisions set forth in Section 20F.20.060 STAFF REVIEW, SITE PLAN REVIEW AND ENVIRONMENTAL ASSESSMENT OF THE APPLICATIONS. Each binding site plan document shall reference the requirement for compliance with any existing or subsequent Site Plan Review approval.
- (f) Amendments to or vacations of an approved binding site plan shall be made through the process of this paragraph;
- (g) Approved binding site plans may contain any easements, restrictions, covenants, or conditions as would a subdivision approved by the City.

EXHIBIT C

20F.20.030 DEVELOPMENT PERMIT PROCEDURES AND RESPONSIBLE AUTHORITY												
MAJOR STEPS IN PROCESSING APPLICATION		TYPE OF APPLICATION										
		PP	SDP	GDP	SP	SS	VA	RV	CU	A	DGA	ZMA
Pre-Application Conference	20F.20.040	TC	TC	TC	TC	TC	TC	TC	TC	CC	TC	TC
Filing of Application	20F.20.050	DPCD	DPCD	DPCD	DPCD	DPCD	DPCD	DPCD	KCA	DPCD	DPCD	DPCD
Staff Review, SPR & Environmental Assessment	20F.20.060	TC	TC	TC	TC	TC	TC	TC	TC	TC	TC	TC
Public Hearing (Recommendation)	20F.20.070	HE	HE				HE	CC	RKC	CC	PC	HE*
Preliminary Plat Approval	20F.20.150	HE										
Compliance Review and Plan Check	20F.20.090	AD	AD									
Pre-Construction Conference	20F.20.100	AD	AD									
Final Application Approval	20F.20.110	CC	CC	TC	TC	TC	HE	CC	RKC	CC	CC	CC
Compliance Review and Plan Check	20F.20.090	AD	AD	AD	AD	AD						
Pre-Construction Conference	20F.20.100	AD	AD	AD	AD	AD						
Modification of Final Order - Major	20F.20.120		CC	TC	TC	TC	HE	CC		CC	CC	CC
Modification of Final Order - Minor	20F.20.120		TC	TC	TC	TC	HE					
Revocation of Approval	20F.20.130	CC	CC	TC	TC	TC	HE	CC		CC	CC	CC
Appeals from Hearing Examiner	20F.20.200	CC					CC					

Use of the Chart - Sections 20F.20.040 through 20F.20.140 explain procedural steps, and Sections 20F.20.150 through 20F.20.260 explain each application. The sections describing the individual applications may contain paragraphs that modify or add special requirements to the procedures indicated on the chart. Procedural steps may be combined for projects requiring one or more applications where feasible, at the discretion of the Technical Committee. *ZMA's requiring a change to the Land Use Plan are processed as a DGA.

RESPONSIBLE AUTHORITY:

TC: Technical Committee HE: Hearing Examiner PC: Planning Commission CC: City Council
DPCD: Dept. of Planning & Community Development RKC: Redmond-King County Council's Committee
KCA: King County Assessor AD: Appropriate City Department

LEGEND:

PP - Subdivision; SDP - Special Development Permit; GDP - General Development Permit; SP - Shoreline Permit;
SS - Short Subdivision; VA - Variance; RV - Right-of-Way Vacation; CU - Current Use Tax; A - Direct
Petition Annexation; DGA - Development Guide Amendment; ZMA - Zoning Map Amendment