

Draft Amendments to Camas Municipal Code, Title 17 Land Development

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17.01.050 - Survey content.

- A. Information. When a survey is required, the following information shall be included:
 - 1. The name of the plat, graphic scale and north arrow. The survey shall be done to a reasonable scale on a standard sheet of mylar.
 - 2. Existing features such as streams, streets, railroads and structures, critical areas (wetlands, steep slopes, environmentally protected), existing wells, easements, potential lines of dispute.
 - 3. The lines and names of all existing or platted streets or other public ways, trails, parks, playgrounds, and easements adjacent to the final plat, land division or dedication, including municipal boundaries, county lines, township lines and section lines.
 - 4. Legal description of the boundaries, including the county tax serial number for each property described.
 - 5. A complete survey of the section or sections in which the plat, tract, parcel, lot or replat is located, if necessary, including:
 - a. All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the land division. Location and monuments found or reset with respect to any established centerline of streets adjacent to or within the proposed land division. All other monuments found or established in making the survey of this land division or required to be installed by provisions of this title.
 - b. City or county boundary lines when crossing or adjacent to the land division.
 - c. The location and width of streets and easements intersecting the boundary of lots and tracts.
 - d. Tract, block and lot boundary lines; street rights-of-way with centerlines, dimensions, bearings, radii, arcs and central angles, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot.
 - e. The width and location of existing and proposed easements and rights-of-way.
 - f. The width and location of existing trails both public and private.
 - 6. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.
- B. Preliminary plats and preliminary short plats shall also include the following:
 - 1. Lot and phase numbers beginning with the number one and numbered consecutively without omission or duplication.
 - 2. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.
 - 3. Building Envelopes. The plat shall identify the potentially buildable area, to include identification of required setbacks.
 - 4. Land Inventory. The land inventory shall include the following:
 - a. Total acreage;
 - b. Total developed acreage;
 - c. Total lot area;
 - d. Total infrastructure acreage (includes storm pond);
 - e. Total tract area (if not included in subsection (B)(4)(d) or (f) of this section);
 - f. Total acreage of critical areas (i.e., wetlands, steep slopes, buffer zones, stream beds, conservation areas);

- g. Total acreage of recreational open spaces (not included in subsection (B)(4)(e) or (f) of this section i.e., that portion of land set aside for trails).

Chapter 17.07 - BOUNDARY LINE ADJUSTMENTS¹¹

Sections:

17.07.040 - Approval criteria.

The approval authority shall approve, approve with conditions, or deny a request for a boundary line adjustment in writing based on findings addressing the following criteria:

- A. No additional lots, sites, parcels, tracts, or divisions are created.
- B. The adjustment will not create nonconforming lots, with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards identified in CMC Chapter 18.09 or to fire, building, or other applicable codes.
- C. The degree of nonconformance on existing nonconforming lots with respect to zoning dimension and area standards, zoning setbacks, and floor area ratio are not increased, except that a onetime exception may be allowed to create a lot that exceeds the maximum lot size permitted in the underlying zone. Any future partitioning/reduction of the oversized lot must comply with the lot size requirements of the underlying zone.
- D. All lots have legal access to a public road. Existing required private road improvements and easements are not diminished below city street standards for lots that are served by a private road, and shall not create unreasonably restrictive or hazardous access to a property;
- E. The boundary line adjustment will not result in a lot that contains area in two zone designations.
- F. Boundary line adjustments that are used to circumvent subdivision or short subdivision procedures set forth in this title are not allowed. Factors which indicate that the boundary line adjustment process is being used in a manner inconsistent with statutory intent include: numerous and frequent adjustments to existing contiguous lot boundaries, and/or a large number of contiguous lots being proposed for boundary line adjustments at the same time.
- G. Approval of a boundary line adjustment shall not result in the need for a reasonable use exception as defined in CMC 16.51.
- H. Existing easements for utilities conform to adopted standards for their intended function, or they are extended, moved or otherwise altered to an approved location. The applicant shall be responsible for the relocation of any installed utilities.
- I. If lots to be adjusted are located adjacent to an unimproved street, then the City may determine if dedication of additional land is necessary to comply with the minimum public right of way requirements.

Short Subdivisions

17.09.040 - Expiration.

- A. If the short plat is not recorded within five years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the developer prior to the expiration date, the Community Development Director may grant an extension of not more than four years. The Director shall consider economic conditions and such other circumstances as may warrant the extension. If the Director denies a request for an extension, the developer may appeal that decision to the City Council

by filing a written notice of appeal with the Director not later than thirty days after the date of the decision.

Subdivisions

17.11.060 - Expiration.

- A. Except as provided by subsection (B) of this section, a final plat meeting all requirements of this chapter shall be submitted to the city for approval within seven years of the date of preliminary plat approval if the date of preliminary plat approval is on or before December 31, 2014, and within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2015.
- B. A final plat meeting all requirements of this chapter shall be submitted to the city for approval within ten years of the date of preliminary plat approval if the project is not subject to requirements adopted under chapter 90.58 RCW, and the date of preliminary plat approval is on or before December 31, 2007.
- C. Prior to the expiration date of preliminary plat approvals as defined by subsection (A) of this section, the director may grant an extension of not more than two years, upon written request. The director shall consider economic conditions and such other circumstances as may warrant the extension. If the director denies a request for an extension, the developer may appeal that decision to the city council by filing a written notice of appeal with the director not later than thirty days after the date of the decision.
- D. For an application timely submitted pursuant to terms of CMC Section 17.11.040, the approval authority may, upon approval of the preliminary plat, extend the proposed timeline for phased development to seven years maximum from date of preliminary approval to the final plat of the last phase.
- E. Expired subdivisions or expired phases of subdivisions must make a new land use application, and shall not be permitted to amend or revise the expired preliminary plats unless a phasing plan was approved with specific timelines, as specified with the approved plat.

Chapter 17.15 - BINDING SITE PLAN (BSP)

Sections:

17.15.050 - Improvements.

Prior to the issuance of a building permit for construction within a binding site plan, all improvements required to adequately service that portion of the plan for which the building permit will be issued shall be installed or secured in accordance with CMC Chapters 17.19 and 17.21.

Chapter 17.19 - DESIGN AND IMPROVEMENT STANDARDS

Sections:

17.19.020 - Improvements, supervision, inspections and permits required.

- A. Required Improvements.
 - 1. Every developer shall be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and street name signs, underground transmission lines, provide and install centralized mail delivery boxes as determined by the U.S. Postal Service, together with all appurtenances in accordance with specifications and standards in the Camas Design Standard Manual, the six-year street plan, and other state and local adopted standards and plans as may be applicable.
 - 2. Other improvements installed at the option of the developer shall conform to city requirements.
 - 3. Existing wells, septic tanks and septic drain fields shall be abandoned, in accordance with state and county guidelines regardless of lots or properties served by such utility unless otherwise approved by public works director.
- B. Supervision and Inspection. The city engineering department shall be responsible for the supervision and inspection of all improvements required as a condition of a land use. All improvements shall be certified in writing as completed in accordance with plans and specifications.
- C. Permits. Prior to proceeding with any improvements, the applicant shall obtain those permits from the city as are necessary. The applicant is also responsible for complying with all applicable permit requirements of other federal, state and local agencies.

17.19.030 - Tract, block and lot standards.

- A. Environmental Considerations.
 - 1. Critical Areas. Land that contains a critical area or its buffer as defined in Title 16 of this code, or is subject to the flood hazard regulations, shall be platted to show the standards and requirements of the critical areas.
 - 2. Vegetation. In addition to meeting the requirements of CMC Chapter 18.31, Tree Regulations, every reasonable effort shall be made to preserve existing significant trees and vegetation, and integrate them into the land use design.
 - 3. Density transfers may be applicable if developer preserves critical areas. See Chapter 18.09 of this code.
- B. Blocks. Blocks shall be wide enough to allow two tiers of lots, except where abutting a major street or prevented by topographical conditions or size of the property, in which case the approval authority may approve a single tier.
- C. Compatibility with Existing Land Use and Plans.
 - 1. Buffer Between Uses. Where single-family residential lots are to be adjacent to multiple-family, commercial or industrial land use districts, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for purposes of buffering sound, restricting access, pedestrian safety and privacy shall be provided.
 - 2. Conformity with Existing Plans. The location of all streets shall conform to any adopted plans for streets in the city. The proposed land use shall respond to and complement city ordinances, resolutions and comprehensive plans.

3. Other City Regulations. All land use shall comply with all adopted city regulations. In the event of a conflict, the more restrictive regulation shall apply.
 4. Accessory Structures. If land development would result in an accessory structure remaining alone on a lot, the structure must be demolished before final plat approval.
- D. Lots. The lot size, width, shape and orientation shall conform to zoning provisions and the following:
1. Each lot must have frontage and access onto a public street, except as may otherwise be provided (e.g., approved private roads, access tracts);
 2. Side Lot Lines. The side lines of lots shall run at right angles to the street upon which the lots face as far as practical, or on curved streets they shall be radial to the curve;
 3. Building Envelopes. No lot shall be created without a building envelope of a size and configuration suitable for the type of development anticipated:
 - a. For single-family residential zones, a suitable size and configuration generally includes a building envelope capable of siting a forty-foot by forty-foot square dwelling within the building envelope,
 - b. For multi-family zones, a suitable size and configuration generally includes a building envelope of twenty-feet by forty-feet,
 - c. Other factors in considering the suitability of the size and configuration of any residential lot include the presence of, or proximity to critical areas, adjoining uses or zones, egress and ingress, and necessary cuts and fills.
 4. Where property is zoned and planned for commercial or industrial use, in conformance to the intent of the comprehensive plan, other lot dimensions and areas may be permitted at the discretion of the approval authority;
 5. Flag lots, access tracts, and private roads may be permitted only when the community development director or designee finds the applicant meets the criteria listed hereinafter:
 - a. The pole of a flag lot must be a minimum of twenty feet wide with a minimum of twelve feet of pavement and shall serve no more than one lot;
 - b. The structure(s) accessed by a flag lot, access tract, or private road will be required to furnish a minimum of two off-street parking spaces per residential unit. Under no circumstances will required parking be allowed along the flag pole lot;
 - c. An approved address sign, in accordance with the Camas Municipal Code, must be posted for each residence where the flag lot leaves the public road or access tract; and
 - d. To protect the character of the immediate neighborhood, the city may impose special conditions, where feasible, including access configuration and separation, setbacks, fencing and landscaping;
 6. Double Frontage Lots. Residential lots which have street frontage along two opposite lot lines shall be avoided, except for double frontage lots adjacent to an arterial or collector, which must comply with the following design standards:
 - a. Landscaping. A ten foot landscaped tract is provided along the real property line to visually buffer the rear yards from public view and vehicular access. The ten foot landscaped tract shall include a minimum 2-inch caliper trees every 30-feet on center, three-foot tall shrubs that form a continuous screen, groundcover plants that fully cover the remainder of the landscaped area, and maintained in perpetuity by the homeowner's association
 - i. If the front of the structure faces a collector or arterial street, the ten foot landscape tract is not required; and
 - ii. The lot must provide pedestrian access to the sidewalk including vehicular access to a rear-loaded garage is required.

- b. Fencing and Walls. A sight-obscuring fence or masonry wall shall be located at the line that separates the lot from the 10-foot landscape tract (See Figure 17.19-1). The design must include:
- The height of the fence or wall shall be a minimum 4-feet tall along a collector and 6-feet tall along an arterial.
 - The fence or wall shall include columns or physical indentations in the fence or wall at least every fifty lineal feet to reduce the massing effect of the fencing material.
- c. Architectural Design. Side and rear facades visible from an arterial or collector shall maintain the architectural design, horizontal and vertical articulation, level of detail, and materials and colors consistent with the front façade. Avoid large blank walls on side and rear facades.
- d. Setbacks. Minimum of 20-foot setback will be provided from the property line separating the lot from the tract that is adjacent to the arterial or collector.

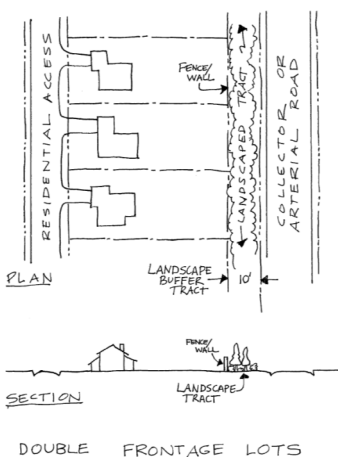


Figure 17.19-1 Double Frontage Lots

7. Corner Lots. Corner lots may be required to be platted with additional width to allow for the additional side yard requirements;
 8. Restricted Corner Lots. Corner lots restricted from access on side yard flanking street shall be treated as interior lots and conform to front, side and rear yard interior setbacks of CMC Chapter 18.09; and
 9. Redivision. In dividing tracts into large lots which at some future time are likely to be redivided, the location of lot lines and other details of the layout shall be such that redivision may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restriction of building locations in relationship to future street right-of-way shall be made a matter of record if the approval authority considers it necessary.
- E. Tracts and Trails.
1. If land division is located in the area of an officially designated trail, in accordance with the current version of the parks, recreation and open space comprehensive plan, provisions shall be made for reservation of the right-of-way or for easements to the city for trail purposes including the construction of the trail. Trail standards for each trail type shall be as specified in appendix B of the parks, recreation and open space comprehensive plan or as amended.
 2. Trails shall be shown as a separate layer in an electronic format submitted with "as-builts" prior to final acceptance.

3. Trails, which are dedicated to the city and part of the regional trail system, shall be surveyed and dedicated by the developer prior to final acceptance.
 4. Tracts and trails that are not dedicated to the city and are located within the subdivision, short plat or planned development are the responsibility of the homeowners association to maintain. Provisions must be in writing, such as in CC&R's, informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with city standards.
- F. Landscaping.
1. Each dwelling unit within a new development shall be landscaped with at least one tree in the planting strip of the right-of-way, or similar location in the front yard of each dwelling unit, with the exception of flag lots and lots accessed by tracts. Required trees shall be a minimum two-inch diameter at breast height (dbh) to create a uniform streetscape (dbh is four and one-half feet above the ground as measured from upside of tree).
 2. The city council finds that the existing mature landscaping of trees, and shrubs provide oxygen, filter the air, contribute to soil conservation and control erosion, as well as provide the residents with aesthetic and historic benefits. For these reasons, the city encourages the retention of existing trees that are not already protected as significant trees under the Camas Municipal Code. Generally, the city may allow the tree requirements under subsection (F)(1) of this section to be reduced at the request of the developer, by a ratio of two new trees in favor of one existing tree, provided such trees have been identified on approved construction plans.
 3. Prior to final acceptance of any land development, the land developer shall install trees adjacent to or within all common areas and landscape tracts as specified in the Camas Design Standard Manual.
 4. Street trees adjacent to individual lots must be installed prior to final occupancy or bonded for and installed prior to expiration of the two-year warranty period, whichever comes first.
 4. Landscaping shall conform to plant criteria in the Camas Design Standard Manual. Any planting of trees or shrubs within the right-of-way or vision clearance area must be shown on the construction drawings for approval.
 5. Storm drainage facilities, pump stations and other visible facilities shall be setback a minimum of thirty feet from any street or accessory structure and be landscaped in accordance with criteria in the Camas Design Standard Manual.
- G. Non-City Utility Easements. Easements for electric lines or other public utilities may be required. Easements for utilities shall be a minimum of six feet in width and centered on front or side lot lines.
- H. Watercourse Easements. Where a development is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse and such further width as will be adequate for the purpose. Streets parallel to major watercourses may be required.
- I. Street Signs. The developer shall be responsible for the initial cost of any street name or number signs, or street markings, including installation thereof, that public works finds necessary for the development.
- J. Lighting. Street lighting shall conform to the Clark public utility standards and approved by the city. The developer shall bear the cost of the design and installation of the lighting system.
- K. All residential streets shall conform to the guidelines and standards of the city neighborhood traffic management plan.

17.19.040 - Infrastructure standards.

Note: For the purposes of this title, the terms "street" and "road" are synonymous in meaning.

- A. Private Street: Private street(s) may be authorized when all of the following occur:

1. Allowing private streets in the area being developed will not adversely affect future circulation in neighboring lots of property or conflict with an existing adopted street plan;
2. Adequate and reasonable provisions are made for the ownership, maintenance, and repair of all utilities and the proposed private streets;
3. The proposed private streets can accommodate potential full (future) development on the lots or area being developed;
4. Connect to no more than one public street, unless it is an alley;
5. Conform to the Camas Design Standard Manual;
6. Alleys shall be privately owned and maintained;
8. Access requirements for recycle service, garbage service, and emergency vehicles are provided;
9. Provisions for adequate parking enforcement are recorded within a private covenant to ensure emergency vehicle access. These provisions shall be noted on the final plat, e.g. Towing service.

B. Streets.

1. Half Width Improvement. Half width improvements, when determined appropriate by the City Engineer, shall include utility easements, pedestrian pathway, storm water drainage, street lighting and signage, environmental permits, provisions for mitigation improvements and mitigation areas as necessary, bike lanes, and improvements to the centerline of the right-of-way as necessary to provide the minimum structural street section per the Camas Design Standard Manual.
2. Streets abutting the perimeter of a development shall be provided in accordance with CMC 17.19.040(B)(1) above, and the Design Standard Manual. Additional paving may be required to ensure safe and efficient roads to exist to serve the land development and provide bike lanes.
3. The city engineer may approve a delay of frontage street improvements for development proposals under any of the following conditions:
 - a. If the future grade or alignment of the adjacent public street is unknown and it is not feasible to establish the grade in a reasonable period;
 - b. The immediate improvement of the street would result in a short, isolated segment of improved street;
 - c. The frontage is part of an impending or eminent city street improvement project;
 - d. Street improvements in the vicinity are unlikely to occur within six years.
4. In the event the frontage improvement is delayed, the owner must provide an approved form or financial surety in lieu of said improvements.
5. Dedication of additional right-of-way may be required for a development when it is necessary to meet the minimum street width standards or when lack of such dedication would cause or contribute to an unsafe road or intersection.
6. Extension. Proposed street systems shall extend existing streets at the same or greater width unless otherwise approved by the public works department and authorized by city council in approval of the plat.
 - a. Where appropriate, streets and pedestrian/bicycle paths shall be extended to the boundaries of the plat to ensure access to neighboring properties. The city's goal is to have an integrated system of local vehicular and pedestrian circulation whenever practical. Where platted streets touch, they shall connect and show extension to adjoining streets.
 - b. Grading of steep topography may be necessary to achieve this objective.
7. Names. All street names, street numbers, and building numbers shall be assigned in accordance with CMC 12.24

8. Right-of-way, tract and pavement widths for streets shall be based on Table 17.19.040-1 and Table 17.19.040-2.

Table 17.19.040-1 Minimum Private Street Standards

Private Road/Street	Tract Width	Pavement Width	Sidewalk
A. Access to four or less dwelling units ²	20'	12'	Sidewalk optional, no parking on both sides.
B. Access to five or more dwelling units less than or equal to 100' in length ³	30'	20'	Five-foot detached sidewalk on one side, with planter strip, no parking on both sides.
C. Access to five or more dwelling units greater than 100' and not over 300' in length ³	42'	28'	Five-foot detached sidewalk on one side, with planter strip, no parking on one side.
D. Access to five or more dwelling units, greater than 300 feet in length ³	48'	28'	Five-foot detached sidewalks required on both sides of the street, with planter strip. No parking on one side.
E. Alley	18'	16'	No parking on both sides.
F. Commercial/Industrial ²	40'	24'	Five-foot detached sidewalk on one side, with planter strip, no parking both sides.

Table 17.19.040-2 Minimum Public Street Standards

Public Street	Right-of-Way	Pavement Width	Sidewalk
A. Street (by approval of City Engineer) ¹	52'	28'	Five foot detached sidewalk on both sides, with planter strip, no parking on one side.

B. Street (two lane)	60'	36'	Five foot detached sidewalks required on both sides of the street, with planter strip. Bike lanes required on collectors and arterials, no on-street parking.
C. Street (three lane)	74'	46' to include 12' median	Six foot detached sidewalks required on both sides of the street, with planter strip, bike lanes, no on-street parking.
D. Street (five lane)/Arterial	100'	74' to include 14' median	Six foot detached sidewalks required on both sides of the street, with planter strip, bike lanes, no on-street parking.

Notes to tables above:

- 1 All buildings abutting a street designed and constructed with less than 36 feet of pavement width shall have automatic fire sprinkler systems installed that comply with NFPA 13D or 13R.
- 2 Access to two lots or less may be designed and established as an easement rather than a tract. Garbage and recycling containers shall be placed at the public right-of-way. If roadway is less than 150 feet in length, the minimum structural road section is exempt.
- 3 Road/street lengths are calculated to include the cumulative network.
9. Intersections. Any intersection of streets that connect to a public street, whatever the classification, shall be at right angles as nearly as possible, shall not exceed fifteen degrees, and not be offset insofar as practical. All right-of-way lines at intersections with arterial streets shall have a corner radius of not less than twelve feet.
10. Street Layout. Street layout shall provide for the most advantageous development of the land development, adjoining area, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions for vehicle, bicycle and pedestrian traffic, and, where feasible, street segments shall be interconnected.
 - a. Circulation Plan. Applicants shall submit a circulation plan at application which includes the subject site and properties within six hundred (600) feet of the proposed development site. The plan shall incorporate the following features both onsite and offsite:
 - i. The circulation plan shall be to an engineering scale at 1" = 100' or the scale may be increased or decreased at a scale approved by the Director;
 - ii. Existing and proposed topography for slopes of ten (10) percent or greater, with contour intervals not more than 10 feet;
 - iii. Environmental sensitive lands (geologic hazards, wetlands, floodplain, shoreline, etc.)
 - iv. Existing and proposed streets, bicycle/pedestrian pathways, trails, transit routes; and
 - v. Site access points for vehicles, pedestrians, bicycles, and transit.
 - b. Cross-circulation shall be provided that meets the following:
 - i. Block lengths shall be less than 1,000 feet, measured from the nearest centerline,

ii. Cul-de-sacs and permanent dead-end streets shall be prohibited unless topographic or other physical constraints prohibit achieving this standard. When cul-de-sacs or dead end streets are permitted, a direct pedestrian or bicycle connection shall be provided to the nearest available street or pedestrian oriented use. When cul-de-sacs or dead-end streets are allowed, they shall be limited to no more than 300-feet measured at the centerline of the nearest intersection.

iii. The City Engineer may recommend approval of a deviation to the design standards of this section based on findings that the deviation is the minimum necessary to address the constraint and the application of the standard if impracticable due to topography, environmental sensitive lands, or existing adjacent development patterns.

- c. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal.
- d. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.
- e. When the proposed development's average lot size is seven thousand four hundred square feet or less, one additional off-street parking space shall be required for every five units, notwithstanding the requirements of CMC Chapter 18.11. These spaces are intended to be located within a common tract.
- f. When, on the basis of topography, projected traffic usage or other relevant facts, it is unfeasible to comply with the foregoing right-of-way, tract and street width standards, the approval authority, upon recommendation from the city engineer, may permit a deviation from the standards of Table 17.19.040-1 and Table 17.19.040-2.
- g. The city engineer or designee may determine a wider width is necessary due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities that justify an increase in width.
- h. When existing streets adjacent to or within land to be developed are of inadequate width, additional right-of-way shall be provided at the time of land development.

11. Access Management.

- a. Access to all marginal access streets shall be restricted so as to minimize congestion and interference with the traffic carrying capacity of such street, and to provide separation of through and local traffic in accordance with CMC 17.19.030.D.6. The restrictions imposed shall be in accordance with the Camas Design Standard Manual.
- b. The city engineer may grant exceptions to the access restriction policies and standards when no other feasible access alternative exists.

17.21.040 - Improvement agreements.

A. Required Improvements. Prior to final plat approval, the developer shall install required improvements and replace or repair any such improvements, which are damaged during the development. In lieu of installation of all required improvements, the developer may execute and file with the city for review and approval by the public works director an agreement guaranteeing completion of such improvements together with any needed replacement or repair only when completion of improvements prior to final plat approval is impracticable due to extenuating circumstances or other factors beyond the control of the applicant as determined by the city. The agreement shall:

- 1. Specify the period of time within which all work required would be completed. The time for completion shall not exceed two years from the date of final approval of the plat. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be

requested, approved by the city council, and properly secured in advance of the required initial completion date;

2. Require notice by the developer to the public works director promptly upon completion of all required improvements;
 3. Provide for notice of approval or disapproval by the public works director of the improvement within a reasonable time after receiving notice of completion;
 4. Require financial security to be provided by the subdivider pursuant to CMC Section 17.21.050;
 5. Provide that if the developer fails to complete all required work within the period specified, the city may take steps to demand performance of the developer's obligation within a reasonable time not to exceed ninety days from the date of demand;
 6. Provide that if the required improvements are not completed within that time, the city may take action to require the subdivider to forfeit the financial security;
 7. Provide that the city shall be entitled to recover all costs of such action including reasonable attorney's fees;
 8. Provide that following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred; and
 9. Provide that should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the city shall be entitled to recover the deficiency from the developer.
- B. Maintenance Agreement. Regardless of whether all required improvements are completed prior to final approval, as a condition of such approval the developer shall execute an agreement to assure successful operation of all improvements. The agreement shall:
1. Require the developer to post a financial security in an amount equal to at least twenty five percent of the total cost of all required improvements to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following final acceptance of installation of all required improvements;
 2. Require the developer to perform maintenance functions on drainage improvements for a period of time not to exceed two years from approval of their completion or final acceptance, whichever is later. It shall be the developer's responsibility to assure there is a functioning storm drainage system at the end of the two-year warranty period; and
 3. Not relieve the developer of liability for the defective condition of any required improvements discovered following the effective term of the security given;
 4. Provide a waiver by the developer of all claims for damages against any governmental authority that may occur to the adjacent land as a result of construction, drainage and maintenance of the streets and other improvements.

17.21.050 - Financial security agreements.

- A. Financial Security Requirements. To assure full performance of the agreements required herein, the developer shall provide one or more of the following in a form approved by the city attorney. Below are options in order of preference:
1. A cash deposit made with the City of Camas.
 2. An assignment of account with a financial institution, which holds the money in an account until such time the city signs a written release. The assignment of account will allow the city to withdraw the funds in the event the provisions of the agreement are not met;
 3. A letter of credit as acceptable to the City finance director; and

4. A surety bond executed by a surety company authorized to transact business in the state of Washington. Surety bonds may be performance, maintenance/warranty bonds, erosion control/wetland, or subdivision improvement bonds.
- B. Amount of Financial Security.
1. For site plan or subdivision improvement bonds, the financial security provided shall be at least one hundred fifty percent of the estimated cost of the improvements to be completed, all related engineering and incidental expenses, final survey monumentation and preparation of reproducible mylar or electronic records in a format approved by public works and meeting current public works drawing standards of the "as-built" improvements. The subdivider shall provide an estimate of these costs for acceptance by the public works director.
 2. For two-year warranty or maintenance bonds, the financial security provided shall be at least twenty five percent of the cost estimate provided in subsection (B)(1) of this section.
 3. Erosion prevention and wetland bonds shall equal two hundred percent of the erosion prevention and sediment control items or wetland management items from the estimate provided in subsection (B)(1) of this section.
- C. Defective Work. The acceptance of improvements by the city shall not prevent the city from making a claim against the developer for any defective work if such is discovered within two years after the date of completion of the work.

17.21.060 - Final plat or short plat procedures for land divisions.

- A. Application. The following items are required, in quantities specified by the community development department, for a complete application for final plat or short plat approval. Items may be waived if, in the judgment of the community development department, the items are not applicable to the particular proposal:
1. Completed general application form and applicable fees;
 2. An eight and one-half inches by eleven inches copy of the final plat;
 3. Documentation of the square footage of each lot and mathematical boundary closure of the subdivision, of each lot, tract and block, of street centerlines, showing the error of closure, if any;
 4. Three copies of the final plat or short plat survey in conformance with the standards set forth in CMC Sections 17.01.050, 17.09.020 and 17.11.020, as applicable;
 5. A plat certificate from title insurance company documenting the ownership and title of all interested parties in the plat or short plat, subdivision or dedication, and listing all encumbrances. The certificate must be dated within forty-five calendar days prior to the date of filing the application for final plat or short plat approval;
 6. Public improvements must either be complete or secured. If secured, the developer/owner must submit a subdivision improvement bond or other financial security in a form acceptable to the city attorney in the amount of one hundred five percent of improvement cost of deferred improvement and in accordance with CMC Section 17.21.050(B)(1);
 7. Any documentation necessary to demonstrate conditions of preliminary plat or short plat approval have been met; and
 8. Private covenants intended to be recorded with the plat or short plat that include provisions for maintenance of all required improvements, such as storm or sewage facilities, open space areas, etc.
- B. Contents of Final Plat or Short Plat.

1. The final plat or short plat shall include the survey information in CMC Section 17.05.050(A) and (B).
 2. Statements. The plat shall include the following statements, and certificates of dedication when required:
 - a. A certificate with the seal of and signature of the surveyor responsible for the survey and preliminary plat in accordance with RCW 58.09.080.
 - b. Certification of examination and approval by the county assessor.
 - c. Recording certificate for completion by the Clark County auditor.
 - d. Signature lines for the City of Camas community development director or designee, and fire chief or designee.
 - e. Certification by the city engineer or designee that the developer has complied with the following:
 - i. All improvements have been installed or financially secured for in accordance with the requirements of this title and with the preliminary plat approval;
 - ii. All improvements can or will meet current public works drawing standards for road, utility and drainage construction plans;
 - iii. Original and reproducible mylar or electronic records in a format approved by the public works director or designee and certified by the designing engineer as being "as constructed" have been submitted or financially secured for city records.
 - f. City of Camas finance director certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.
 - g. Signature line for the mayor of the City of Camas.
- C. Monumentation.
1. Imprinted Monument. All monuments set in land division shall be at least one-half-inch by twenty-four-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.
 2. Centerline Monument. After paving, except as provided in CMC Chapter 17.19, monuments shall be driven flush with the finished road surface at the following intersections:
 - a. Centerline intersections;
 - b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves;
 - c. Intersections of the plat boundaries and street centerlines.
 3. Property Line Monumentation. All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in CMC Chapter 17.19. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.
 4. Post-Monumentation. All monuments for exterior boundaries of the land division shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within ninety days of final land division construction inspection by the public works department, and if the developer guarantees such interior monumentation.

5. Post-Monumentation Bonding. In lieu of setting interior monuments prior to final plat recording as provided in CMC Chapter 17.19, the public works director may accept a performance bond in an amount and with surety and conditions satisfactory to the director or other secure method as the public works director may require, providing for and securing the actual setting of the interior monuments.
- D. Final Plat or Short Plat Approval Review Procedures.
1. Referral to Other Departments and Agencies. The community development department shall distribute the final plat or short plat to all departments and agencies receiving the preliminary plat or short plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary for their review and comments.
 2. Departmental Approval. The community development department and other interested departments and agencies shall review the final plat or short plat, legal descriptions and lot closures and submit to the community development department written comments with respect to the final plat or short plat decision criteria.
 3. The community development department shall return the redlined plat or short plat with all department comments to the applicant's architect or engineer, and a copy of the comments to the applicant.
- E. Criteria for Final Plat or Short Plat Approval. The approval authority for subdivision final plats is the city council, and the community development department is the approval authority for short plats. If a subdivision, then all documents deemed necessary by the city for final plat approval must be submitted to the community development department no later than a minimum of fourteen calendar days prior to the city council meeting. The following criteria is the basis for approval:
1. That the proposed final plat or short plat bears the required certificates and statements of approval as required in CMC Section 17.01.050(C);
 2. That the title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;
 3. That the facilities and improvements required to be provided by the developer/owner have been completed or, alternatively, that the developer/owner has submitted with the proposed final plat or short plat an improvement bond or other security in conformance with CMC Section 17.21.040;
 4. That the plat or short plat is certified as accurate by the land surveyor responsible for the plat or short plat;
 5. That the plat or short plat is in substantial conformance with the approved preliminary plat or short plat; and
 6. That the plat or short plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat or short plat approval.
- F. Signing the Plat or Short Plat. Once the community development department verifies that all corrections have been made, the applicant shall submit two mylar copies for signature.
- G. Filing the Plat or Short Plat. The applicant shall file the final plat or short plat with the recording division of the Clark County auditor's office. The plat or short plat will be considered complete when a copy of the recorded documents are returned to the City of Camas Community Development Department.
- H. Permits for one sales office and/or one model home per plat or phase may be issued after the final plat is recorded, and prior to final acceptance, after review and approval by the city consistent with CMC 18.07.040 Table 2. Building permits for any other residential or commercial buildings will not be issued until after final acceptance.

17.21.070 - Final acceptance.

- A. Upon final acceptance of the development improvements a two-year warranty bond commences.
- B. The city shall accept all improvements within all land divisions, and applicable site plan developments, provided:
 - 1. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval. (RCW 58.17.130, reference the last sentence);
 - 2. Approved plat and "as-constructed" engineering drawings have been submitted to the city in an electronic format approved by public works;
 - 3. Copies of any dedicated tracts, easements, or lots as set forth in CMC Section 17.01.040 have been submitted to the city;
 - 4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to twenty five percent of the cost of the improvement for a period not to exceed two years shall be submitted to the city to warranty all improvements in accordance with CMC Section 17.21.050(B)(2). The public works director or city engineer may grant an exception to this bonding requirement for certain outstanding items; and
 - 5. Binding maintenance agreements have been recorded to provide for the maintenance of commonly owned private facilities.
- C. A development may receive final acceptance, exclusive of wetlands where three-year, five-year and ten-year monitoring plans require replacement vegetation and maintenance as part of the SEPA or wetland mitigation. However, a wetland bond may be required in the amount of the monitoring and maintenance.
- D. Within sixty days of expiration of the two-year period following acceptance of the improvements by the city, the engineering department shall reinspect the required improvements. If there are no faults, the warranty bond will lapse at the end of the warranty period and the city accepts the improvements.
- E. The public works department will issue a letter of final acceptance once all items listed in this chapter have been completed, submitted, reviewed, and approved by the city.

Chapter 17.23 - EXCEPTIONS, PENALTIES, SEVERABILITY, LIABILITY

Sections:

17.23.010 - Exceptions.

- A. Exception Criteria.
 - 1. Land Division. Except as provided in subsection (A)(2) or (A)(3) of this section, exceptions from the requirements of this title may be granted when undue hardship may be created as a result of strict compliance with the provisions of this title. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:
 - a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of the applicant's land;
 - b. The exception is necessary to insure such property rights and privileges as are enjoyed by other properties in the vicinity and under similar circumstances; and
 - c. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.