

Attachment 3

MC16-07

Title 17 - LAND DEVELOPMENT*

Chapter 17.01 - GENERAL PROVISIONS

Sections:

17.01.010 - Title.

This code shall be known as the "City of Camas Land Development Code."

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.01.020 - Purpose.

The purpose of this code is to provide rules, regulations, requirements, and standards for development of land in the city, insuring that the public health, safety, general welfare, and design standards of the city are promoted and protected; that planned growth, development, and the conservation, protection and proper use of land are ensured; that proper provisions for all public facilities including circulation, utilities, open space, and services comply with adopted manuals and standards; and that the goals and policies of the City of Camas comprehensive plans are furthered through the development of land.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.01.030 - Scope and exemptions.

A. Scope.

1. This title is applicable to any development, division of land or modification to an existing lot or parcel line except as exempted under this title.
2. Where this code imposes greater restrictions or higher standards upon the development of land than other laws, ordinances, manuals or restrictive covenants, the provisions of this code shall prevail.
3. Land divisions shall conform to the requirements of state laws and the standards established by this title.

B. Exemptions. The provisions of this title shall not apply to:

- (1) Cemeteries and other burial plots while used for that purpose.
- (2) Any division of land made by testamentary provision or the laws of decent.
- (3) Any division of land resulting from a public dedication.
- (4) Any division of land into lots or tracts each of which is twenty acres or larger.
- (5) Any division of land resulting from a conveyance of land to a municipal corporation or governmental agency for public purposes.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; Ord. No. 2644, § I, 3-5-2012; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#))

17.01.040 - Dedications.

- A. Act of Dedication. The intention to dedicate real property to the public shall be evidenced by showing the dedication on the plat prepared for approval. All dedications, including easements, rights-of-way and real property shall be clearly and precisely indicated on the face of the plat. Unless specifically noted otherwise on the plat, approval of the plat for recording shall constitute acceptance of the dedications.
- B. Public Streets. All streets shown on the final plat and intended for public use shall be offered for dedication for public use.
- C. Tracts. All parcels of land shown on the final plat and intended for public use shall be offered for dedication for public use, except the approving entity may allow the conveyance of certain public improvements to be conveyed to a homeowner's association or similar nonprofit corporation.
- D. Public Trails. All regional, neighborhood and local trails as identified in the Camas parks and open space comprehensive plan, and intended for public use shall be offered for dedication for public use.
- E. Certificate. If the land division includes a dedication, the final plat shall include a certificate of dedication or reference to a separate written instrument which dedicates all required streets and other areas to the public, or the homeowner's association. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by every person having any ownership interest in the lands divided and recorded as part of the final plat.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

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.
- B. Residential surveys or 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 survey or 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).
- C. Statements. The survey or plat shall include the following statements, and certificates of dedication when required:
1. 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.
 2. Certification of examination and approval by the county assessor.
 3. Recording certificate for completion by the Clark County auditor.
 4. Signature lines for the City of Camas community development director or designee, and fire chief or designee.
 5. Certification by the city engineer or designee that the developer has complied with the following:
 - a. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval;
 - b. All improvements meet current public works drawing standards for road, utility and drainage construction plans;
 - c. 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 for city records.
 6. All subdivision plats shall also include certificates and statements for:
 - a. 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.
 - b. Signature line for the mayor of the City of Camas.
- D. 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

([Ord. No. 2691, § I\(Exh. A\), 1-21-2014.](#))

Chapter 17.05 - ADMINISTRATION AND ENFORCEMENT

Sections:

17.05.010 - Planning control area.

There is created within the city a planning control area consisting of all area within the city shown on the official map known as the zoning map.

(Ord. 2483 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.05.020 - Compliance required.

Every partitioning or division of land within the planning control area must comply with the regulations of this title, and must be approved in accordance with the procedures set forth in this title.

(Ord. 2483 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

Chapter 17.07 - BOUNDARY LINE ADJUSTMENTS¹¹

Sections:

Footnotes:

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Editor's note— Ord. No. 2576, § I, adopted December 21, 2009, amended Ch. 17.07, in its entirety, to read as herein set out. Prior to inclusion of said ordinances, Ch. 17.07 pertained to similar subject matter. See also the Code Comparative Table and Disposition List.

17.07.010 - Purpose and intent.

It is the purpose and intent of this chapter to provide an efficient and timely process that allows consistent review of boundary line adjustments to ensure such actions do not create nonconformities with zoning and other city regulations, to provide a permanent record of boundary line adjustments, and to ensure provisions are made for necessary access and utility easements.

(Ord. No. 2576, § I, 12-21-2009)

17.07.020 - Review procedures.

Boundary line adjustments shall be processed as set forth in CMC Chapter 18.55.

(Ord. No. 2576, § I, 12-21-2009)

17.07.030 - Application requirements.

No application will be deemed complete nor a decision issued until a complete application is submitted to the city. A complete application consists of the following:

- A. A completed application on a form provided by the city. The application shall include the signatures of all owners of the lots involved in the boundary line adjustment, and submitted together with the application fee;
- B. A brief narrative that includes a statement of the purpose for the boundary line adjustment, demonstrating how the request can or will meet the approval criteria in Section 17.07.040;
- C. A neat and readable plan, drawn to a standard decimal (engineer) scale, that includes the following information:
 1. Property lines, with those that remain in their existing location shown as a solid line, those that are being moved or removed shown as a dashed line, and those that have been relocated shown as a solid line and clearly identified as a relocated line;
 2. Dimensions of all property lines and total square footage of the lots, before and after the adjustment;

3. Location and footprint of all structures on the site and their setbacks from existing and newly created property lines;
 4. Location and purpose of all easements and utilities on the site;
 5. Location, purpose of any newly created or extended easements proposed;
 6. Location of adjacent public roads and points of access from public road(s). If a lot does not front on a public road, demonstrate how and where access is provided; and,
 7. The location of any known critical areas located within the lots.
- D. Copies of documents that verify current ownership and legal descriptions of all parcels involved in the boundary line adjustment, such as deeds or title reports; and,
 - E. Other documentation necessary to demonstrate compliance with other applicable city permits or regulations.

(Ord. No. 2576, § I, 12-21-2009)

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, 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 one time 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.

(Ord. No. 2576, § I, 12-21-2009; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#))

17.07.050 - Recording.

Upon approval, prior to recording the boundary adjustment, the following must be submitted to the community development department for review.

- A. Survey of the Boundary Line Adjustment. If the approval authority finds, based upon an exhibit to the legal descriptions, that conformance with existing area and dimensional or use standards will clearly be satisfied without the need of a survey, the approval authority may waive the requirement for a survey, otherwise a survey shall be prepared by a Washington State licensed professional land surveyor.
- B. Legal descriptions of the proposed property configuration.
- C. The applicant will be responsible for recording the boundary line adjustment, including an exhibit that corresponds to the drawing approved by the city, with the Clark County auditor's office. A copy of the recorded documents must be returned to the planning division within one year.

(Ord. No. 2576, § I, 12-21-2009)

17.07.060 - Expiration.

The boundary line adjustment application shall expire if it has not been recorded within one year from the date of approval unless a different time frame is specified in a decision for a consolidated review. Upon written request from the applicant prior to the expiration date, the community development director is authorized to grant one extension, not to exceed six months.

(Ord. No. 2576, § I, 12-21-2009)

Chapter 17.09 - SHORT SUBDIVISIONS*

Sections:

17.09.010 - Scope.

- A. Except as provided in CMC Section 17.01.030(B) or a binding site plan under Chapter 17.15 of this title, any land being divided into nine or fewer lots, sites or parcels for the purpose of conveyance, shall meet the requirements of this chapter.
- B. Tracts may be in addition to the lot count provided that the tract is reserved as forested lands, part of the open space network, serving as stormwater detention or set aside as an unbuildable area due to critical lands.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.09.020 - Decision process.

Applications for short plat approval shall be processed as a Type II decision, subject to the provisions of CMC Chapter 18.55.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.09.030 - Preliminary short plat approval.

- A. Preapplication.

1. In accordance with CMC Chapter 18.55, the applicant must proceed with the formal preapplication process prior to application submittal for review.
 2. The applicant shall submit to the community development department the preapplication form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography and overall lot dimensions.
- B. Application/Fees. In addition to those items listed in CMC 18.55.110, the following items are required, in quantities specified by the City of Camas, for a complete short plat application for preliminary approval. Items may be waived if, in the judgment of the community development director, they are not applicable to the proposal:
1. Completed general application form as prescribed by the community development director with the applicable application fee;
 2. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve the proposed development, and to mitigate impacts of the proposal on the surrounding transportation system, if required;
 3. Complete applications for other required land use approvals applicable to the proposal;
 4. Vicinity map showing location of the site; and
 5. Site and development plans which provide the following information:
 - a. A preliminary plat map meeting the standards identified in CMC Section 17.01.050,
 - b. The names of owners of adjacent land and the names of any adjacent subdivisions,
 - c. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted),
 - d. Names, locations, widths and dimensions of existing and proposed public street rights-of-way, public and private access easements, parks and other open spaces, reservations, and utilities,
 - e. Location, footprint and setbacks of all existing structures on the site,
 - f. Location of sidewalks, street lighting, and street trees,
 - g. Lot area and dimensions for each lot,
 - h. Location of proposed new property lines and numbering of each lot,
 - i. Location of proposed building envelopes and sewer tanks,
 - j. Location, dimensions and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements,
 - k. Location of any proposed dedications,
 - l. Existing and proposed topography at two-foot contour intervals, extending to five feet beyond the project boundaries,
 - m. Location of any critical areas and critical area buffers, to indicate compliance with all applicable provisions of the critical areas legislation, as required under Title 16 and Title 18 of this code,
 - n. Description, location and size of existing and proposed utilities, storm drainage facilities, and roads to service the lots,
 - o. Locations of all fire hydrants within five hundred feet of the proposal, and
 - p. A survey of existing significant trees as required under CMC Section 18.31.080;
 6. For properties with slopes of ten percent or greater a preliminary grading plan will be required with the development application that shows:

- a. Two-foot contours,
 - b. The proposed lots and existing topography,
 - c. The proposed lots with proposed topography, and
 - d. Total quantities of cut and fill;
7. Preliminary stormwater plan and report;
 8. For properties with development contemplated on slopes of ten percent or greater a preliminary geotechnical report will be consistent with CMC Chapter 16.59;
 9. A narrative addressing ownership and maintenance of open spaces, stormwater facilities, public trails and critical areas, and the applicable approval criteria and standards of the Camas Municipal Code.
- C. Review Procedures.
1. Referral to Other Departments. Upon receipt of a complete application for a short subdivision, the community development department shall transmit one copy of the application to any department or agency deemed necessary to review the proposal.
 2. Additional Submittals. The review process will determine if additional studies or submittals are required with regard to SEPA, critical areas, archeological or historical significance. If further material is required, the review process will stop until the required information is submitted in accordance with CMC Chapter 18.55.
 3. Proposed short subdivisions located adjacent to the right-of-way of state highways shall be submitted to the Washington Department of Transportation (WSDOT) for review, consideration and recommendation. This condition may be satisfied as part of the SEPA process. However, if a SEPA checklist is not required, it is the applicant's responsibility to notify WSDOT of the proposal. Recommendations from Washington Department of Transportation shall be included in the conditions of approval for the short subdivision.
 4. Community Development Director. The community development director or designee may approve, approve with modifications, or deny the application for a preliminary short plat.
- D. Criteria for Preliminary Short Plat Approval. The community development director or designee shall base their decision on an application for preliminary plat approval on the following criteria:
1. The proposed short plat is in conformance with the Camas comprehensive plan, neighborhood traffic management plan, Camas parks and open space comprehensive plan, and any other city adopted plans;
 2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the short plat which are consistent with current standards and plans as adopted in the Camas Design Standard Manual;
 3. Provisions have been made for roads, utilities, street lighting, street trees, and other improvements that are consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
 4. Provisions have been made for dedications, easements and reservations;
 5. Appropriate provisions are made to address all impacts identified by the transportation impact study;
 6. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended;
 7. Provisions are made for the maintenance of commonly owned private facilities;
 8. The short plat complies with the relevant requirements of the Camas land development and zoning codes, and all other relevant local regulations; and

9. That the 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 approval.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

17.09.040 - Expiration.

- A. (Effective until December 31, 2014.) If the short plat is not recorded within seven 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 two 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.
- A. (Effective December 31, 2014.) 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; Ord. No. 2645, § I, 3-19-2012)

17.09.050 - Limitations on further subdivision.

Any land short platted shall not be further divided for a period of five years after the final short plat is recorded without following the provisions for subdivision. This provision applies to any lots, tracts or parcels recorded as part of the plat.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.09.060 - Contiguous short plats.

No application for a short plat shall be approved if the land being divided is held in common ownership with a contiguous parcel that has been divided in a short plat within the preceding five years.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

Chapter 17.11 - SUBDIVISIONS*

Sections:

17.11.010 - Scope.

Any land: (a) being divided into ten or more parcels, lots or sites for the purpose of sale or gift, or (b) that has been divided under the short subdivision procedures within five years and is not eligible for further short platting pursuant to CMC Section 17.09.010, shall conform to the procedures and requirements of this chapter.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.11.020 - Decision process.

Applications for preliminary plat approval shall be processed as Type III decision subject to the provisions of CMC Chapter 18.55.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.11.030 - Preliminary subdivision plat approval.

A. Preapplication.

1. In accordance with CMC Chapter 18.55 the applicant must proceed with the formal preapplication process prior to application submittal review.
2. The applicant shall submit to the community development department the preapplication form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography, and overall lot dimensions.

B. Application. In addition to those items listed in CMC 18.55.110, the following items are required, in quantities specified by community development department, for a complete application for preliminary subdivision approval. Items may be waived if, in the judgment of the community development director or designee, the items are not applicable to the particular proposal:

1. Completed general application form as prescribed by the community development director, with the applicable application fees;
2. A complete and signed SEPA checklist. The SEPA submittal should also include a legal description of the parcel(s) from deed(s);
3. Complete applications for other required land use approvals applicable to the proposal;
4. A vicinity map showing location of the site;
5. A survey of existing significant trees as required under CMC Section 18.31.080;
6. All existing conditions shall be delineated. Site and development plans shall provide the following information:
 - a. A plat map meeting the standards identified in CMC Section 17.01.050,
 - b. Owners of adjacent land and the names of any adjacent subdivisions,
 - c. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted),
 - d. Names, locations, widths and dimensions of existing and proposed public street rights-of-way and easements and private access easements, parks and other open spaces, reservations and utilities,
 - e. Location of sidewalks, street lighting and street trees,
 - f. Location, footprint and setbacks of all existing structures on the site,
 - g. Lot area and dimensions for each lot,

- h. Location of proposed new property lines and numbering of each lot,
 - i. Location of the proposed building envelopes and sewer tanks,
 - j. Location, dimension and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements,
 - k. Location of any proposed dedications,
 - l. Existing and proposed topography at two-foot contour intervals extending to five feet beyond project boundaries,
 - m. Location of any critical areas and critical area buffers to indicate compliance with all applicable provisions of the critical areas legislation,
 - n. Description, location and size of existing and proposed utilities, storm drainage facilities and roads to service the lots,
 - o. Location of all existing fire hydrants within five hundred feet of the proposal;
7. For properties with slopes of ten percent or greater a preliminary grading plan will be required with the development application that shows:
 - a. Two-foot contours,
 - b. The proposed lots and existing topography,
 - c. The proposed lots with proposed topography, and
 - d. Total quantities of cut and fill;
 8. Preliminary stormwater plan and report;
 9. For properties with development proposed on slopes of ten percent or greater a preliminary geotechnical report will be consistent with CMC Chapter 16.59;
 10. Clark County assessor's maps which show the location of each property within three hundred feet of the subdivision;
 11. Applicant shall furnish one set of mailing labels for all property owners as provided in CMC Section 18.55.110;
 12. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve a proposed development and to mitigate impacts of the proposal on the surrounding transportation system; and
 13. A narrative addressing ownership and maintenance of open spaces, stormwater facilities, public trails and critical areas, and the applicable approval criteria and standards of the Camas Municipal Code. It should also address any proposed building conditions or restrictions.
- C. Review Procedures.
1. Referral to Other Departments. Upon receipt of a complete preliminary plat application, the community development department shall transmit one copy of the preliminary plat to any department or agency deemed necessary to review the proposal.
 2. The review process shall follow the guidelines of CMC Chapter 18.55 for a Type III application.
 3. Public Notice and Public Hearing. The process for public notice, hearings, decisions and appeals shall be as provided for Type III decisions as identified in CMC Chapter 18.55.
- D. Criteria for Preliminary Plat Approval. The hearings examiner decision on an application for preliminary plat approval shall be based on the following criteria:
1. The proposed subdivision is in conformance with the Camas comprehensive plan, parks and open space comprehensive plan, neighborhood traffic management plan, and any other city adopted plans;

2. Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the subdivision that are consistent with current standards and plans as adopted in the Camas Design Standard Manual;
3. Provisions have been made for road, utilities, street lighting, street trees and other improvements that are consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
4. Provisions have been made for dedications, easements and reservations;
5. The design, shape and orientation of the proposed lots are appropriate to the proposed use;
6. The subdivision complies with the relevant requirements of the Camas land development and zoning codes, and all other relevant local regulations;
7. Appropriate provisions are made to address all impacts identified by the transportation impact study;
8. Appropriate provisions for maintenance of commonly owned private facilities have been made;
9. Appropriate provisions, in accordance with RCW 58.17.110, are made for:
 - a. The public health, safety, and general welfare and for such open spaces, drainage ways, streets, or roads, alleys or other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe conditions at schools bus shelter/stops, and for students who walk to and from school, and
 - b. The public use and interest will be served by the platting of such subdivision and dedication;
10. The application and plans shall be consistent with the applicable regulations of the adopted comprehensive plans, shoreline master plan, state and local environmental acts and ordinances in accordance with RCW 36.70B.030.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

17.11.040 - Phasing.

The subdivider may develop and record the subdivision in phases. Any phasing proposal shall be submitted for review at preliminary plat. In addition to meeting criteria in CMC Chapter 18.23, approval of the phasing plan shall be based upon making the following findings:

- A. The phasing plan includes all land contained within the approved preliminary plat, including areas where off-site improvements are being made.
- B. The sequence and timing of development is identified on a map.
- C. Each phase shall consist of a contiguous group of lots that meets all pertinent development standards on its own. The phase cannot rely on future phases for meeting any city codes with the exception of storm drainage facilities. Storm drainage must be adequate for each phase, and the stormwater plan must adequately meet the needs of the entire development. Storm drainage facility must be included in the first phase.
- D. Each phase provides adequate circulation and utilities. Public works has determined that all street and other public improvements, including but not limited to erosion control improvements, are assured. Deferment of some improvements may be allowed pursuant to CMC Chapter 17.21.
- E. Specific improvements necessary for the entire development may be required to be completed with the first phase, regardless of phase design or completion schedule of future phases, e.g., storm pond must be completed regardless of area where storm pond is located.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.11.050 - Limitations on further subdivision.

Any land subdivided shall not be further divided for a period of five years after the final plat is recorded. This provision applies to any lots, tracts, or parcels recorded as part of the plat.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

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, city council 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; Ord. No. 2645, § II, 3-19-2012; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#))

Chapter 17.15 - BINDING SITE PLAN (BSP)

Sections:

17.15.010 - Purpose.

This chapter is established to accommodate the division of land for the purpose of sale or lease of property within an integrated commercial or industrial center. This land division allows certain zoning standards including, for example, minimum parking, setbacks, landscaping, lot area and lot dimension on the individual lots to be modified provided the standards for the entire center are met.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.15.020 - Scope.

A binding site plan application may be submitted for a project located on any land zoned commercial or industrial, which is being divided for the purpose of sale or lease consistent with the terms of this chapter.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.15.030 - Preliminary binding site plan (BSP) approval.

A. Preapplication.

1. In accordance with CMC Chapter 18.55, the applicant must proceed with the formal preapplication process prior to application submittal for review.
2. The applicant must submit to the community development department the preapplication form and copies of their proposal drawn to an engineer scale on paper, showing lot sizes, topography, and overall lot dimensions.

B. Application/Fees. In addition to those items listed in CMC Section 18.55.110, the following items are required, in quantities specified by community development department, for a complete binding site plan (BSP) application. Items may be waived if in the judgment of the community development director the items are not applicable to the particular proposal:

1. Completed binding site plan application form as prescribed by the community development director with the appropriate fee;
2. Complete applications for other required land use approvals applicable to the proposal;
3. Vicinity map showing location of the site;
4. A survey of existing trees as required under CMC Section 18.31.080;
5. A survey prepared to the standards specified in CMC Section 17.01.050;
6. Site and development plans that provide the following information.
 - a. The owners of adjacent land and the names of any adjacent subdivisions,
 - b. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted),
 - c. Names, locations, widths and dimensions of existing and proposed public street rights-of-way and easements and private access easements, parks and other open spaces, reservations and utilities,
 - d. Location of sidewalks, street lighting and street trees,
 - e. Location, footprint and setbacks of all existing structures on the site,
 - f. Lot area and dimensions for each lot,
 - g. Location of proposed new property lines and numbering of each lot,
 - h. Location of proposed dedications,
 - i. Existing and proposed topography at two-foot contour intervals extending to five feet beyond the project boundaries,
 - j. Location of critical areas and critical area buffers to indicate compliance with all applicable provisions of the critical areas legislation,
 - k. Description, location and size of existing and proposed utilities, fire hydrants, storm drainage facilities and roads to service the lots,

- l. Expected location of new buildings and driveways, including finished floor elevations of the buildings,
 - m. Demonstrate that the parking calculations meet requirements of CMC Chapter 18.11,
 - n. Proposed cross easement and maintenance agreement for shared parking, circulation, utility and landscaping improvements,
 - o. Legal descriptions of all tracts located within the boundaries of the BSP, and
 - p. Other items as may be required by code;
7. For properties with slopes of ten percent or greater a preliminary grading plan will be required with the development application that shows:
 - a. Two-foot contours,
 - b. The proposed lots and existing topography,
 - c. The proposed lots with proposed topography, and
 - d. Total quantities of cut and fill;
 8. Preliminary stormwater plan and report;
 9. For properties with development contemplated on slopes of ten percent or greater a preliminary geotechnical report will be consistent with CMC Chapter 16.59.
- C. Review Procedures. An application for binding site plan shall be reviewed and acted upon in the same manner prescribed in Chapter 17.09 for short subdivisions.
- D. Approval Criteria.
1. Prior to approval of any binding site plan, the community development director shall insure that the following improvements are provided to sufficiently service the anticipated uses throughout the proposed plan and meet the following decision criteria:
 - a. Provisions have been made for water, storm drainage, erosion control and sanitary sewer disposal that are consistent with the Camas Design Standard Manual and other state adopted standards and plans;
 - b. Provisions for road, utilities, street lighting, street trees, access to off-street parking and loading and other improvements consistent with the six-year street plan, the Camas Design Standard Manual and other state adopted standards and plans;
 - c. Street signs must be in place, fire apparatus access complete to most current adopted International Fire Code standards, and fire hydrants shall be flow tested by a Washington State licensed fire sprinkler contractor. Flow test results shall be submitted to the fire department. Fire hydrant locations shall be verified by the fire department;
 - d. Provisions have been made for all public dedications, and/or easements; and
 - e. Monumentation of all exterior site corners.
 2. The site is zoned commercial or industrial and meets the definition of an integrated site.
 3. Appropriate easements and maintenance agreements for shared facilities, including but not limited to, circulation, parking, utilities and landscaping, have been provided.
 4. When taken as a whole, and not considering any interior lot lines, the integrated site meets all the zoning and subdivision requirements.
 5. Modifications to the minimum zoning standards for individual lots located within the integrated site, including setbacks, parking, landscaping, lot area and lot dimension are not detrimental to the public health, safety and welfare, do not adversely affect the rest of the integrated site or other properties in the vicinity.

6. Common improvements necessary to serve any particular phase of development must be sufficient for meeting the zoning and subdivision requirements for that phase.
7. The circulation system incorporates appropriate provisions for safe pedestrian activity to the site from the street, and from building to building within the site.
8. The sign regulations shall be applied to the integrated site as a whole. For example, the number of freestanding signs allowed is based on one site within the binding site plan. Individual ownership within the integrated site are not considered to be separate sites in determining the number of freestanding signs allowed.
9. Comply with yard requirements of the most current adopted International Building Code.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

17.15.040 - Final approval of plan.

- A. Prior to the plan being granted final approval a survey, prepared by a licensed surveyor to the standards contained in CMC Section 17.01.050, shall be submitted to the community development director with the final plan. The survey and plan shall be consistent with the preliminary approval.
- B. Once the community development director determines the survey, plan and other documents for recording are consistent with the preliminary approval, it will be certified for filing by the community development director.
- C. After being certified for filing by the community development director, binding site plans and survey shall be filed by the applicant with the Clark County department of records and elections. The applicant shall pay all costs associated with this filing.
- D. A copy of the recorded documents shall be returned to the city community development department prior to issuance of any building permits for construction within the site.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

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 bonded in accordance with CMC Chapters 17.19 and 17.21.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.15.060 - Revision of plan.

Alteration of an approved and recorded binding site plan shall be accomplished by application to the community development director as set forth in CMC Chapter 18.55.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

Chapter 17.19 - DESIGN AND IMPROVEMENT STANDARDS

Sections:

17.19.010 - Applicability.

The standards set forth within this chapter are minimum standards applicable to land development. Based on the complexity or circumstances of the project or site conditions location (e.g., critical areas), the decision maker may require a land development to be designed to exceed the minimum standards or impose conditions deemed in the public interest.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

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.

(Ord. 2517 § 2, 2008; Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2582, § II, 2-1-2010)

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 detached housing, 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. 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. Primary structures accessed by flag lots, access tracts, or private roads are required to have automatic fire sprinklers;
 - d. 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
 - e. 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 lots which provide separation of a residential development from a traffic arterial or collector, in which case additional lot depth of at least twenty feet will be provided

to act as a buffer strip, or ten-foot landscape tract with ten-foot additional lot depth, or a combination of both to achieve twenty-foot additional depth between the lot and the traffic arterial;

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 parks and recreation comprehensive plan, provisions shall be made for reservation of the right-of-way or for easements to the city for trail purposes. A minimum fifteen-foot width shall be provided for the proposed trail.
2. Trails shall be shown as a separate layer on computer disk 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 to maintain. Provisions must be in writing 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. Tree planting, when required as a vegetative buffer, shall be of a species as approved by the city.
4. The tree planting shall be the responsibility of the land developer and shall be installed or bonded for prior to final plat approval, or as specified in the land use decision.
5. 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.
6. 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#))

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;
 - 7. Homes constructed to access from private roads shall have automatic fire sprinklers installed per NFPA 13D or 13R;
 - 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 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 streets 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. 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.

b. Where critical areas are impacted, the standards and procedures for rights-of-way in the critical areas overlay zone shall be followed.

c. 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.

d. 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.

e. 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.

f. 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. 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.

c. In addition to restricting access, where a residential development abuts or contains an existing or proposed marginal street, the city may also require reverse frontage lots with suitable depth, appropriate fencing with landscaping or masonry walls contained in a non-access reservation with a minimum ten-foot width along the real property line, or such other treatment as may be necessary for adequate protection of residential properties and for the separation of through and local traffic.

12. Street Design. When interior to a development, publicly owned streets shall be designed and installed to full width improvement as a means of insuring the public health, safety, and general welfare in accordance with the city comprehensive plans. Full width improvements shall include

utility easements, sidewalks, bike lanes as necessary, and control of stormwater runoff, street lighting, and signage, as provided below.

- a. Shall be graded as necessary to conform to Camas Design Standard Manual.
 - b. Grades shall not exceed six percent on major and secondary arterials, ten percent on collector streets, or twelve percent on any other street. However, provided there are no vehicular access points, grades may be allowed up to fifteen percent when:
 - i. Exceeding the grades would facilitate a through street and connection with a larger neighborhood;
 - ii. The greater grade would minimize disturbance of critical slopes;
 - iii. Automatic fire sprinklers are installed in all structures where the fire department response to the structure requires travel on the grade;
 - iv. Tangents, horizontal curves, vertical curves, and right-of-way improvements conform to public works department standards;
 - v. Full width improvement is required as a condition of the land use approval in accordance with city standards; and
 - vi. In flat areas allowance shall be made for finished street grades having a minimum slope of one-half percent.
 - c. Centerline radii of curves shall be not less than three hundred feet on primary arterials, two hundred feet on secondary arterials, or seventy feet on other streets.
 - d. Shall be of asphaltic concrete according to Camas Design Standard Manual.
 - e. Shall have concrete curbs and gutters. Curb return radii shall be no less than thirty-five feet on arterial and collector streets, and no less than twenty-five feet on all other streets. Larger radii may be required at the direction of the city engineer.
 - f. Shall have storm drains in accordance with the Camas Design Standard Manual.
13. Sidewalks shall be constructed as specified in Camas Design Standard Manual. See Table 17.19.040-1 and Table 17.19.040-2 for dimensions.
- a. Prior to final acceptance of any land development, the developer shall install sidewalks, when required under Table 17.19.040-1 and Table 17.19.040-2, adjacent to or within all public or common areas or tracts, and at all curb returns. Sidewalks along individual lots may be deferred at the discretion of the city engineer until occupancy of the primary structure. Further, any trail or trails, including but not limited to the T-5 and T-1 trails, identified in the most recent Camas Parks and Open Space Plan shall be constructed prior to final acceptance;
 - b. All sidewalk areas shall be brought to sub grade by the developer at the time of improving streets.
14. Cul-de-sacs. A cul-de-sac greater than four hundred feet from the centerline-to-centerline intersections shall require special considerations to assure that garbage, recycle, and emergency vehicles have adequate access. Buildings on all lots located more than four hundred feet from the centerline-to-centerline intersections shall have automatic fire sprinklers.
15. Turn-arounds. Adequate provisions for turn arounds shall be provided and shall be designed and installed in a manner acceptable to the city engineer, or in accordance with the Camas Design Standard Manual, if applicable.

C. Utilities.

1. Generally. All utilities designed to serve the development shall be placed underground and, if located within a critical area, shall be designed to meet the standards of the critical areas ordinance.

- a. Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the public works department; such installation shall be completed and approved prior to application of any surface materials.
 - b. Easements may be required for the maintenance and operation of utilities as specified by the public works department.
2. Sanitary sewers shall be provided to each lot at no cost to the city and designed in accordance with city standards.
 - a. Detached units shall have their own sewer service and STEP or STEF or conventional gravity system as required.
 - b. Duplex units may have up to two sewer services at the discretion of the engineering and public works departments.
 - c. Multifamily units shall have one sewer lateral per building.
 - d. Commercial or industrial units shall have privately owned and maintained sewer systems acceptable to the city.
 - e. Capacity, grade and materials shall be as required by the city engineer. Design shall take into account the capacity and grade to allow for desirable extension beyond the development. The city will not require the developer to pay the extra cost of required oversize sewer mains or excessive depth of mains necessary to provide for extension beyond the development.
 - f. If sewer facilities mandated by this section will, without additional sewer construction, directly serve property outside the development, equitable distribution of the costs thereof shall be made as follows:
 - i. If the property outside the development is in a stage of development wherein the installation of sewer facilities may occur, then the city may require construction as an assessment project, with appropriate arrangements to be established with the developer to insure financing their proportional share of the construction.
 - ii. In the event the sewer facility installation is not constructed as an assessment project, then the city shall reimburse the developer an amount estimated to be equal to the proportionate share of the cost for each connection made to the sewer facilities by property owners outside of the development, limited to a period of fifteen years from the time of installation. At the time of the approval of the plat, the city shall establish the actual amount of reimbursement, considering current construction costs.
 - g. Developments that require a sanitary sewer pumping station that will be conveyed to the city for future operation and maintenance shall be shown on a separate tract, and be dedicated to the city at the time the plat is recorded.
3. Storm Drainage. The storm drainage collection system shall meet the requirements of the city's officially adopted storm water standards.
 - a. Storm drainage facilities shall be placed on their own tract or within an open space tract and are to be maintained by the homeowners within the development in accordance with city standards. Alternatively, the city may allow, on a case by case basis, a development to connect to an off-site storm drainage facility provided such facility will be adequately sized and appropriate agreements are in place for maintenance of said facility. Provisions must be in writing informing the homeowners of the responsibility and outlining the maintenance procedures in accordance with adopted city standards.
 - b. Drainage facilities shall be provided within the development. When available and required by the public works department, drainage facilities shall connect to storm sewers outside of the development.

- c. Capacity, grade and materials shall be as provided by the city engineer. Design of drainage within the development shall take into account the capacity and grade necessary to maintain unrestricted flow from areas draining through the development and to allow extension of the system to serve such areas.
 - d. All stormwater generated by projects shall be treated, detained, and disposed of in accordance with the applicable standards set forth in CMC 14.02. Any deviations from the aforementioned standards shall be submitted in writing to the director of public works for his review and approval.
 - e. All lots shall provide drainage for stormwater runoff from roof and footing drains to an approved drainage system. Rear yard low point area drains and/or storm drain lateral stubs connected to an approved drainage system shall be provided to each lot as necessary to prevent stormwater runoff impacts to adjoining parcels as determined by the city.
4. Water System.
- a. Each lot within a proposed development shall be served by a water distribution system designed and installed in accordance with city design standards. Locations of fire hydrants and flow rates shall be in accordance with city standards and the International Fire Code. The distance between fire hydrants, as indicated in the fire code, is allowed to be doubled when automatic fire sprinklers are installed throughout the development.
 - b. Each unit of a duplex shall have its own water service.
 - c. Multifamily units shall have one service for each building.
 - d. Landscaping in open space tracts must have a service for an irrigation meter. The owner of the tract is responsible for payment for all fees associated with the installation of the meter and the water usage.

(Ord. 2491 § 1 (Exh. A), 2007; Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2450 § 1, 2006; Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2545, § II, 5-4-2009; Ord. No. 2582, § III, 2-1-2010; Ord. No. 2612, § I(Exh. A), 2-7-2011; [Ord. No. 2691, § I\(Exh. A\), 1-21-2014](#).)

Chapter 17.21 - PROCEDURES FOR PUBLIC IMPROVEMENTS*

Sections:

17.21.010 - Plans and permits required for public improvements.

- A. Approval of a land division, binding site improvement plan, boundary line adjustment, or site plan shall constitute approval for the applicant to develop construction plans and specifications, for all facilities and improvements, in substantial conformance to the preliminary approval, design standards, and any special conditions required by the city; to obtain permits and complete installation for such improvements; and to prepare a final plat, plans, surveys and other documents for recording, or final acceptance as applicable.
- B. Prior to installing improvements, the developer shall apply for all required permits for those improvements. The applications shall include development plans as specified on the application form.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.21.020 - Process for installing public improvements.

Improvements installed by the developer, either as a requirement or of the developer's own option, shall conform to the requirements of this title and improvement standards, specifications, inspections and procedures as set forth by the Camas Design Standard Manual and shall be installed in accordance with the following procedures:

- A. Work shall not be commenced until fees are paid and plans have been checked for adequacy and approved by public works to the extent necessary for the evaluation of the development proposal. The plans may be required before approval of the final plat, if improvements are to be deferred. Plans shall be prepared in accordance with the requirements of the city.
- B. Work shall not commence until public works has been notified in advance and if work has been discontinued for any reason, it shall not be resumed until public works has been notified.
- C. Public improvements shall be constructed under the inspection and to the satisfaction of the director of public works. The city may require changes in typical sections and details if unusual conditions arise during construction to warrant the change.
- D. All underground utilities, sanitary sewers, water, and storm drainage systems improvements installed in the streets by the developer shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities, sanitary sewers, and water system improvements shall be placed to a length obviating the necessity for disturbing the street improvements when surface connections are made.
- E. All regional, neighborhood and local trails shall be shown on a trail plan as constructed.
- F. Plans showing all improvements as built shall be filed with the city upon completion of the improvements.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.21.030 - Land disturbing activities—Erosion prevention/ sediment control.

Any person, company, corporation, group, entity or jurisdiction proposing to commence any land-disturbing activity, shall be required to meet the following standards:

- A. Install all erosion prevention/sediment control measures required by the approved erosion prevention/sediment control plan prior to commencement of work.
- B. Furnish to the city an approved form of security in the amount of two hundred percent of the estimated cost of the erosion prevention/sediment control measures, including associated labor, set forth in the approved erosion prevention/sediment control plan for all land-disturbing activities of an acre or more.
- C. Construct any storm drainage facilities required to detain and dispose of stormwater generated by the project, prior to commencement of work on other portions of the project. The city may require the construction of a temporary storm drainage facility that would bypass and protect the permanent facility until such time as the rest of the project is complete and ready for the permanent facility to be brought online.
- D. Implementation of erosion prevention/sediment control measures in addition to those measures approved on the erosion prevention/sediment control plan may be required to address weather-related problems and to assure compliance with local, state and federal requirements for water quality. Any proposed additional erosion prevention/sediment control measures must be approved by the city prior to use. The city shall have the right to issue a stop work order on all construction not related to erosion prevention/sediment control until such time as acceptable prevention and control measures are implemented.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.21.040 - Improvement agreements.

- A. Required Improvements. Before any development receives final 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 an agreement guaranteeing completion of such improvements together with any needed replacement or repair. 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 bond or other 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 bond or other financial security in an amount equal to at least ten 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

17.21.050 - Bonds and other financial agreements.

- A. Bond 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:
 - 1. 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;
 - 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; and
 - 3. A cash deposit made with the City of Camas.
- B. Amount of Financial Security.
 - 1. For site plan or subdivision improvement bonds, the financial security provided shall be at least one hundred five 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 warranty or maintenance bonds, the financial security provided shall be at least ten 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

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. 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.
- C. 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.
- D. 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.
- E. 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.
- F. 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

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 ten 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.

(Ord. 2483 § 1 (Exh. A (part)), 2007)

(Ord. No. 2612, § I(Exh. A), 2-7-2011; [Ord. No. 15-011](#), § VI, 4-20-2015)

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 his 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.
 2. Easements. The approval authority may approve an easement of way to be established by deed without full compliance with these regulations provided such an easement is the only reasonable method by which a portion of a lot large enough to warrant partitioning into two parcels may be provided with access. If the existing lot is large enough so that two or more parcels not having frontage on an existing street may be created, an easement of way will not be acceptable and a street must be dedicated.
 3. Streets. The approval authority may approve the creation of a street to be established by deed without full compliance with these regulations provided such conditions as are necessary to preserve to objectives of the standards of this title are accepted, and provided either of the following conditions exists;
 - a. The establishment of such street is initiated by the hearings examiner and is declared essential for the purpose of general traffic circulation and the partitioning of land is an incidental effect rather than the primary objective of the creation; and
 - b. The tract in which the street is to be dedicated is an isolated ownership of one acre or less.
- B. Procedures. An application for any exception from this code shall be submitted in writing by the subdivider, as part of the application for land division or, binding site plan, and substantiating facts and evidence pertinent to the request.
1. Short Subdivision. A short subdivision or binding site plan exception shall be reviewed by the community development director or designee and/or the fire chief or designee in conjunction with review of the short subdivision or binding site plan application. The decision of the community development director or designee and/or the fire chief or designee shall be final and conclusive unless appealed in accordance with the appeal procedure for Type II decisions set forth in CMC Chapter 18.55.
 2. Preliminary Plat. A preliminary plat exception shall be considered by the hearings examiner at the same time the public hearing is conducted for the preliminary plat.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

(Ord. No. 2612, § I(Exh. A), 2-7-2011)

17.23.020 - Enforcement.

Any violation of any provision or failure to comply with any of the requirements of this title, or a violation of or failure to comply with any of the terms and conditions of any approval issued under the provisions of this title, shall be subject to the enforcement provisions of CMC Sections 18.55.400 through 18.55.460.

(Ord. 2483 § 1 (Exh. A (part)), 2007: Ord. 2443 § 2 (Exh. A (part)), 2006)

17.23.030 - City not liable.

This code shall not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any land use in the city for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the city or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized in this chapter.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)

17.23.040 - Severability.

If any section, subsection, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

(Ord. 2483 § 1 (Exh. A (part)), 2007; Ord. 2443 § 2 (Exh. A (part)), 2006)