

18.300 Subdivisions

Draft Part 3 Subdivisions

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Chapter 18.300 General Provisions

18.300.010 Intent.

i This section is a simplified version of existing IMC 18.13.010

The purpose of this chapter is to provide standards for subdivisions. The term subdivisions includes both the division of land and changes to lot lines within the City. The standards of this chapter intend to:

- A. Protect the public health, safety, general welfare;

- B. Promote high-quality, attractive, and orderly development;
- C. Provide adequate and coordinated public facilities, connectivity, circulation, utilities, and services;
- D. Ensure efficient use of land, conservation of environmentally sensitive areas, and development designed to take maximum advantage of site characteristics;
- E. Facilitate timely and predictable project review; and
- F. Comply with the provisions of this Title, the Issaquah Comprehensive Plan, and Chapter 58.17 RCW.

18.300.020 Applicability.

i This section is a simplified version of existing IMC 18.13.020 with the addition of text that frames the differences between the different categories of subdivisions, when they would apply, and text to explain that there are other relevant standards that are not repeated here.

This chapter applies to any division of land into two or more lots as well as lot line adjustments or lot consolidations between existing lots. This chapter focuses on submittal requirements, lot and subdivision standards, and review criteria. Additional Titles and chapters of the IMC are also relevant to the subdivision and development process, including those addressing development standards, critical area regulations, review and notice procedures, and fees. The review type for each subdivision is described (procedures section)_____. Generally, divisions of 4 or fewer lots (including lot line adjustments, unit lot subdivisions and binding site plans) will require an Administrative Decision; preliminary plats of 5 or greater lots will be a Hearing Examiner Decision (including 5+ lot binding site plans); and final plat approval will be an Administrative Decision. .

- A. Categories of subdivision are listed below and subject to permit review procedures defined in IMC 18.200 Permits and Procedures:
 - 1. Lot Line Adjustment or Lot Consolidation. The approval criteria in IMC 18.340.010 apply to changes to the location of an existing property line between two or more existing lots that does not increase the total number of lots.
 - 2. Short Plat. The standards in IMC 18.340.020 apply to division of land into four or fewer lots.
 - 3. Plat. The standards in IMC 18.340.030 and 18.340.040 apply to division of land into 5 or more lots. Plats require preliminary and final plat approvals.
 - 4. Binding Site Plan. The standards in IMC 18.340.050 provide an alternative to plats for the creation of lots for non-residential or condominium uses.
 - 5. Unit Lot Subdivision. The standards in IMC 18.340.060 provide an alternative to plats for the division of land for attached single-family dwelling units or cottage housing developments.
- B. Exceptions. These provisions do not apply to:
 - 1. Cemeteries and burial plots;
 - 2. Divisions made by testamentary provisions, or the laws of descent; or
 - 3. Property deeded to the City for right-of-way, road construction, or utility facilities..

- i** The existing submittal requirements from the various types of subdivisions have been combined here with minor modifications.
- i** Updated for consistency between plats and short plats since the submittal requirements and review criteria should be the largely the same. Updated broad categories (e.g., adequate provisions for utilities, drainage, and public services) cover compliance with RCWs and provide more discretion to the city than the very specific improvements listed before. Topsoil analysis requirement formerly in landscape code (IMC 18.12.040.B) brought into subsection D. An limit on the age of the title report has been added to section B.

Chapter 18.320 Submittal Requirements

18.320.010 Lot Line Adjustments and Lot Consolidations

- A. An application for a lot line adjustment or lot consolidations shall include:
1. A title report including all covenants and easements, prepared no longer than 30 days from the date of application; and
 2. A survey prepared by a Washington State licensed surveyor or other accredited professional showing existing and proposed lot lines as well as the location of all easements, utilities, and critical areas.

18.320.020 Short Plats, Preliminary Plats, Binding Site Plans, and Unit Lot Subdivisions

An application for a short plat, preliminary plat, binding site plan and unit lot subdivision shall include the following items for a complete application. Items may be waived if the items are not applicable to the particular proposal:

1. Vicinity map adequate to identify the location of the plat in relationship to its surroundings.
2. Title report including all covenants and easements, prepared no longer than 30 days from the date of application; copies of the easement documents are also required.
3. Certification that all contiguous land in the same ownership is included in the application and that the applicant does not own or otherwise have a legal interest in ownership of contiguous parcels.
4. Tree plan consistent with Chapter 18.812 IMC, Tree Preservation and a laboratory topsoil analysis evaluating the practical use of the soil and/or proposed retention for use in the final landscape design.
5. SEPA checklist, unless exempt per Chapter 18.800 IMC, Environmental Policy .
6. Drainage and stormwater plan conforming to Chapter 13.28 IMC, Stormwater Management Policy;
7. Traffic study consistent with the requirements of Chapter 18.208 IMC, Transportation Concurrency, including provisions for sidewalks, traffic calming, and other planning features that assure safe walking conditions for students who walk to and from school, users of public transit, and other pedestrians.

8. Letter of water and sewer availability if other than City of Issaquah.
9. Plat drawing(s) that include:
 - a. The subdivision name and number;
 - b. Name and address of the owner, land surveyor, and engineer;
 - c. The date of preparation, the true north point, and graphic scale;
 - d. The legal description of the property to be subdivided;
 - e. Monumentation of all exterior corners and streets surveyed by a state-licensed land surveyor;
 - f. The location of existing and proposed property lines, streets, sidewalks, parks and open spaces, utility lines, fire hydrants, existing buildings to be retained, and easements on site and within 100 feet of the subject property; development details, such as proposed building footprints or detailed site features must not be shown;
 - g. The acreage of land to be subdivided; the number of lots, the area and dimensions of all lots; and the approximate square footage and approximate percentage of total acreage in open space;
 - h. The location and square footage of all dedicated rights-of-way, utility easements and tracts;
 - i. Delineation of any critical areas or environmental features on site or within 100 feet of subject property;
 - j. Grading plan with existing (solid) and proposed (dotted) elevation contours at minimum five-foot intervals both on and at least 100 feet beyond the boundaries of the proposed plat with references to the United States Coast and Geodetic Survey (U.S.C. and G.S.) datum
10. Phasing plan if phasing is proposed.

18.320.030 Final Plats

An application for final plat approval shall include:

1. Copy of the proposed final plat;
2. A plat certificate from a title insurance company documenting the ownership and title of all interested parties in the plat and listing all encumbrances. The certificate must be dated within 30 days from the date of the application.
3. A title report, prepared no longer than 30 days from the date of application, confirming the land and the proposed subdivision is vested in the name of the owner whose signature appears on the Plat Certificate;
4. Evidence that required facilities and improvements required by the preliminary plat have been completed or that the applicant has submitted a performance bond or other security for deferred improvements;
5. As-built plans on reproducible material acceptable to the Public Works Department;
6. Private covenants intended to be recorded with the final plat;
7. Maintenance agreements, easement and other similar documents required by preliminary plat approval; and

8. Any additional pertinent information necessary to ensure compliance with the conditions of the preliminary plat approval.

Chapter 18.340 Review Criteria

18.340.010 Lot Line Adjustments and Lot Consolidations

i This chapter is from existing IMC 18.13.430 with clarity on submittal requirements and review criteria. Added lot consolidations as part of this section. Added a new requirement that lot line adjustments can't cause a more nonconformity with critical areas regulations IMC 18.302.020.A.3.

The proposed lot line adjustment or lot consolidation must comply with the following criteria:

- A. No additional lots are created;
- B. None of the new lot configurations include more than one zone;
- C. Compliance with all requirements of the zoning code for the zoning district, in which the property is located as identified on the zoning map, such as lot size, required yards and floor area ratio, and the degree of non-conformance on existing nonconforming lots with respect to lot size, required yards and floor area ratio is not increased and the adjustment does not create non-conformity with the adopted building and fire codes;; and
- D. All lots are adjacent to, or have a legally created means of access to, a public street.

18.340.020 Short Plats

i This chapter is a merge of existing IMC 18.13.350-410.

The proposed short plat must comply with all of the following criteria:

- A. Protects public health, safety, and welfare.
- B. Adequate provisions have been provided for:
 1. Natural amenity areas and landscaping;
 2. Utilities including water, sanitary sewage disposal, storm drainage, erosion control and other public services that are consistent with applicable standards and plans; and
 3. Roads and sidewalks including dedications, and easements to provide access to all lots that is consistent with current standards and plans including Chapter 18.602 IMC, Circulation Facilities; and access is safe and efficient for vehicular and pedestrian circulation, including safe routes to schools.

i The following section includes new subdivision design criteria, consistent with Title 18 Goals and Outcomes Chart Goal 13 to add subdivision design criteria that incorporate basic design features

that are important to the community, such as street connections, relationship to the street, public realm, etc.

- C. Provides cohesive neighborhood pattern and connected circulation within and beyond the short plat. This residential neighborhood pattern is generally designed in a grid based on the following guidelines:
 - 1. Streets are connected and contiguous, cul-de-sacs or street-ends are discouraged, and a future connection to adjacent public street or non-motorized through access is encouraged;
 - 2. Block lengths, including access drives do not exceed 250 feet;
 - 3. New streets connect to existing street stubs on adjacent property;
 - 4. All new lots are designed to face the street frontage; and
 - 5. Lots accessed from an alleyway by vehicle are preferred over lots that have driveways on the public street, and if existing alleys are adjacent to the subdivision, these alleys must be extended and used for vehicle and driveway access.
- D. Complies with all applicable zoning, land use, lot size, subdivision, development, environmental, and other relevant standards of the city.
- E. Serves the public interest and does not create new hazards. All lots intended for development must be buildable without need for a reasonable use variance due to critical areas, flooding hazards, buffers, or other site features.

18.340.030 Preliminary Plat

i This section is a merge of existing IMC 18.13.060- 18.13170. Many of the previous standards are covered in the procedures section (the future IMC 18.200 Permits and Procedures) and have been removed. Submittal requirements have been standardized across applications. Review criteria added consistent with RCWs and other standards in this Title.

The proposed preliminary plat must comply with RCW 58.17.110 and the following criteria:

- A. Protects public health, safety, and welfare, including adequate provisions have been made for:
 - 1. Natural amenity areas, open spaces, playgrounds, parks, and other recreation, consistent with Chapter 18.612 IMC, Community Spaces and Green Necklace;
 - 2. Utilities including water, sanitary sewage disposal, storm drainage, erosion control and other public services that are consistent with applicable standards and plans; and
 - 3. Roads and sidewalks including dedications, and easements to provide access to all lots that are consistent with applicable standards and plans including Chapter 18.602 IMC, Circulation Facilities; and access is safe and efficient for vehicular and pedestrian circulation, including safe routes to schools.
- B. Provides cohesive and connected circulation within and beyond the plat, including access to a public road for each lot. The residential neighborhood pattern is generally designed in a grid based on the following guidelines:

1. New streets are connected and contiguous to encourage compact and walkable neighborhoods and connections between neighborhoods. Cul-de-sacs or street-ends are discouraged. A future connection to adjacent public street or non-motorized through access is encouraged.
2. Block lengths do not exceed 250 feet in any dimension or 1,600 feet in perimeter.
3. New streets connect to existing street stubs on adjacent property.
4. All new lots are designed to face the primary street frontage.
5. Lots accessed from an alleyway by vehicle are preferred over lots that have driveways on the public street. If existing alleys are adjacent to the subdivision, these alleys must be extended and used for vehicle and driveway access.

C. Design Requirements

1. All lots must meet minimum lot size requirements for the property as established by this Title, and the lot arrangement and orientation of the homes should complement the lot arrangement and orientation of the existing neighborhood
2. The placement and orientation of lots and homes should consider privacy, solar orientation, access, location and access to open space and natural spaces that can contribute to the overall livability of the home and its relationship to the surrounding environment.
3. The plat layout shall meet the design principles of IMC Terrain Management Chapter to respect the natural features including topography and critical areas. The plat must be designed to preserve and enhance as many of these valuable features as possible and comply with IMC Tree Chapter.
3. Native Growth Protection Areas (NGPAs) shall be created and dedicated as an easement where the preservation of native vegetation is reasonably necessary to control surface water and erosion, maintain slope stability, provide visual and aural buffering, protect plant and animal habitat, or otherwise protect critical areas. The NGPE shall require all present and future owners of the NGPA to leave undisturbed all trees and other vegetation within the NGPA, except with the express written permission of the City of Issaquah.
4. Zero lot line, shared access lots and alley access lots are encouraged. See Chapter 18.850 IMC for additional standards related to these lots.

D. Complies with all applicable zoning, land use, lot size, subdivision, development, environmental, and other relevant standards of the city and is in conformance with the Issaquah Comprehensive Plan.

E. Appropriate provisions for maintenance of privately owned common facilities have been made.

F. Serves the public interest and does not create new hazards. All lots intended for development must be buildable without need for a reasonable use exception due to critical areas, buffers, or other site features.

G..

H. Approval of a preliminary plat allows the applicant to proceed with permits and construction in strict conformance to the conditions of approval required by the decisionmaker and to prepare a final plat.

18.340.040 Final Plats

A. Review Criteria.

The City must review a proposed final plat using the permit review procedures defined in Chapter 18.200 IMC, Permits and Procedures and grant approval only if

The final plat is in conformance with the approved preliminary plat and/or any approved modifications and complies with the following criteria;

1. Any inconsistencies with the approved preliminary plat are minor deviations that do not increase the number of lots, decrease any lot size by more than 10%, or substantially alter the location or nature of improvements;
2. The final plat is consistent with the provisions of Chapter 58.17 RCW and other applicable state and local laws;
3. The final plat bears the required certificates and statements of approval;
4. The plat is technically correct and accurate as certified by the land surveyor responsible for the plat; and
5. The Department verifies that the applicant has either completed the required installations. It is the intent to have all infrastructure improvements required by a preliminary approval constructed and approved by the City prior to final approval. Only in limited cases such as final lift for the roadway or other minor punch list items may the City accept a bond or other financial security in lieu of the completion and approval of the infrastructure improvements. Financial security provided by a bond, cashier's check, or other security shall be for 150% of the cost estimate of deferred improvements.

B. Final plats with changes that do not meet the criteria shall be denied unless a preliminary plat modification approval is obtained pursuant to 18.380.020 prior to getting the final plat approval. If the scope of changes to the preliminary plat cannot meet the minor modification criteria listed under 18.380.020 a new preliminary plat is required.

18.340.050 Binding Site Improvement Plans

The proposed binding site improvement plan must comply with the following criteria:

- A. The binding site improvement plan must be part of a coordinated development permit approval for nonresidential structures on land classified for either industrial or commercial use;
- B. The binding site improvement plan must set forth limitations and conditions for the use of land and include the following statement on the face of the plat:
 1. All development of the land described herein shall be in accordance with the binding site plan, as it may be amended. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners or owners' association has a membership or other legal or beneficial interest.
- C. In addition to the review criteria in this section:
 1. A binding site improvement plan of 4 or fewer lots must meet the review criteria at IMC 18.340.020 for Short Plats.
 2. A binding site improvement plan of 5 or more lots must meet the review criteria at IMC 18.340.030 for Preliminary Plats and IMC 18.340.40 Final Plats.

i The Unit Lot Subdivision process below is new.

18.340.060 Unit Lot Subdivision.

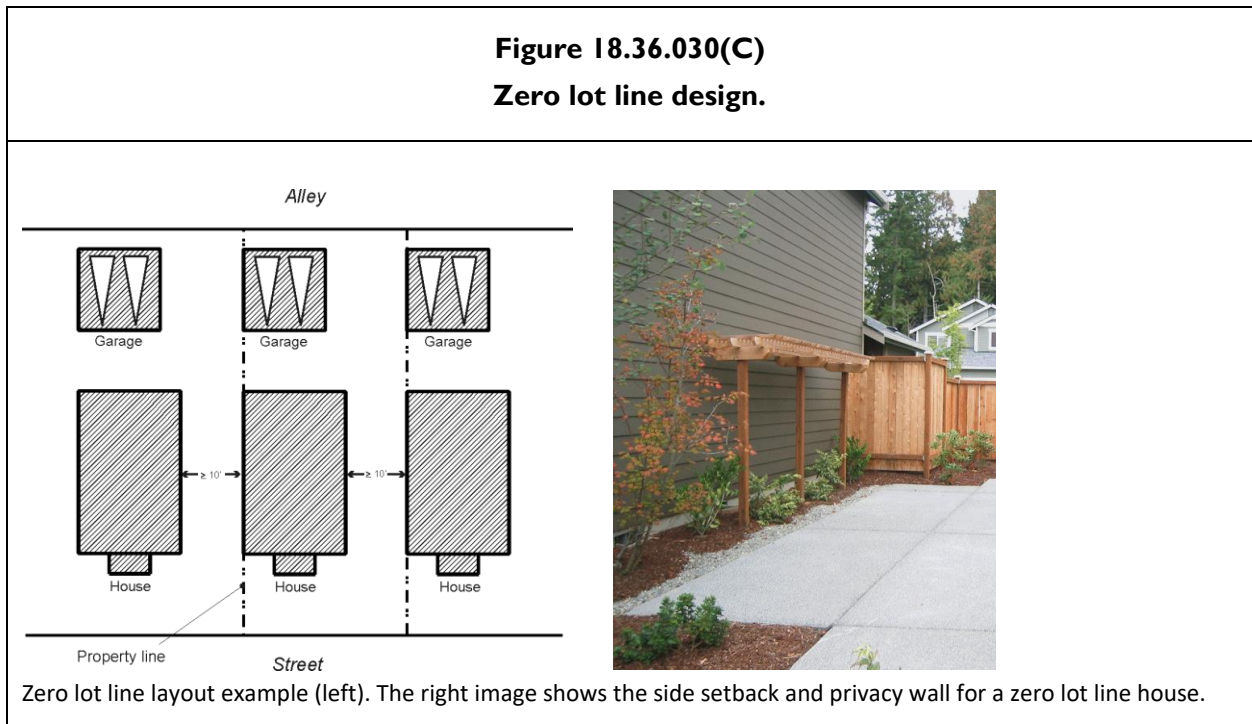
- A. Applicability. The Unit Lot Subdivision process can be used to establish attached dwelling units/townhouses or detached small lot housing such as cottage housing.
- B. A unit lot subdivision is permitted in all zones that permit residential land uses.
- C. Review Criteria
 - 1. The City must review a proposed unit lot subdivision using the permit review procedures defined in Chapter 18.200 IMC, Permits and Procedures.
 - 2. Within a unit lot subdivision, individual unit lots do not need to conform to minimum lot area requirements, minimum density, or other applicable dimensional and development standards as long as the parent lot complies with all applicable regulations.
 - 3. Required parking for each dwelling unit within a unit lot subdivision may be provided on a separate lot than that of the dwelling unit served, if a parking and access easement is recorded.
 - 4. Required private, usable open space for each dwelling unit within a unit lot subdivision must be provided on the same lot as the dwelling unit it serves.
 - 5. Subsequent modifications may not create a nonconformity in the parent lot.
 - 6. In addition to the review criteria in this section:
 - a. A unit lot subdivision of 4 or fewer lots must meet the review criteria at IMC 18.320.020 for Short Plats.
 - b. A unit lot subdivision of 5 or more lots must meet the review criteria at IMC 18.320.030 for Preliminary Plats and IMC 18.320.040 for Final Plats.
- D. In addition to the provisions of Chapter 18.14 IMC, Recording and Expiration, the recorded unit lot subdivision must include:
 - 1. Note stating that each the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot,
 - 2. Easements for parking, ingress, egress, utilities, and emergency services; and
 - 3. Joint use agreements and maintenance agreements e.g. for garages, common parking spaces, common Natural Amenity Areas or open space.

Chapter 18.350 Additional Design Standards for zero lot line, shared access and alley access

18.350.10. Zero lot line.

This is a configuration where the house and/or garage is built up to one of the side property lines within the development, providing the opportunity for more usable side setback space. The following standard apply:

1. Dwelling units and accessory structures may be placed on one interior side property line that is part of the development. The opposite side setback must be at least 10-feet.
2. Privacy wall. In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero lot line structure are allowed except for windows that do not allow for visibility into the interior side setback of the adjacent lot. Examples include clerestory or obscured windows. See Figure 18.36.030(C) below for an example of a privacy wall for a zero lot line house.
3. Eaves along a zero lot line may project a maximum of 18-inches over the interior side property line.
4. Lots intended for zero lot line homes must be noted on the plat, together with minimum side setback areas and maximum building envelopes.



18.350.20. Shared-access lots.

This includes a series of lots clustered around a shared driveway. The following standards apply:

1. Maximum number of lots served by a shared-access: Six [this includes lots fronting the street on either side of the shared-access as shown in Figure 18.36.030(E)].
2. Maximum length and width of shared-access shall be per IMC Circulation Chapter.
3. Setback standards and options for lots served by a shared driveway:
 - a. Lots fronting on a public street and containing a shared driveway on one side are considered corner lots for the purpose of determining setbacks.

- b. Garages facing a shared driveway easement must be setback at least 20-feet from the easement line.
- c. For interior lots featuring a shared driveway and easement extending through one side of the lot, no street setback is required. Such lots are subject to interior side setbacks on three sides. For the side of the lot featuring the access easement, the interior side setback is applied from the edge of the easement. The rear setback is located opposite the shared driveway.
- d. Lots sited at the terminus of a shared driveway easement are exempt from the street setback requirement. Such lots must meet interior side setbacks on three sides and a rear setback on one side.

See Figures below for examples of subdivisions served by shared driveways and clarification of street, interior, and rear setbacks.

Figure 18.36.030(E)
Examples of shared-access lots.





18.350.30 Alley access lots.

This includes configurations where lots are provided with vehicular access by an alley designed per the most recent version of the Issaquah Engineering Design Standards. The following standards apply:

1. Alley access lots are only allowed where the lots front onto a park or trail (on the opposite side of the lot from the alley). Dead-end alleys are subject to the turn-around standards of IMC Circulation Chapter and through alleys are limited by the maximum block length standards of IMC Circulation Chapter.
2. Pedestrian access to each alley access lot must be provided by either a public street or a pedestrian easement with a sidewalk.

Chapter 18.360 Recording and Expiration

18.360.010 Recording

The proposed lot line adjustment/consolidation, short plat, final plat, binding site improvement plan or unit lot subdivision is not considered formally approved until it is filed for record with the King County Recorder's Office. Filing is the applicant's responsibility.

- A. The applicant must return the following to the Permit Center within 10 days of recording:
1. One conformed, full-size hard copy of the recorded subdivision;
 2. A conformed electronic copy of the recorded subdivision. This can be a scan of the full-size conformed paper drawings; and
 3. Digital drawing files, such as Computer-Aided Design (CAD) or other acceptable software, of the approved subdivision.

18.360.020 Expiration and Extensions

- A. Expiration. A subdivision approval expires unless the applicant meets all required actions of this section, as shown in Table IMC 18.360.020.A, or is granted an extension consistent with this section.

Table IMC 18.360.020.A Subdivision Approval Expiration and Extensions

Subdivision Type	Time Before Approval Expires	Action Required	Number of 1-Year Extensions Allowed
Lot Line Adjustment	2 years	Record Approved Drawings	1
Short Plat	5 years	Construct Improvements Record Approved Drawings	3 if consistent with IMC 18.360.020.C
Preliminary Plat	5 years	Construct improvements Record Final Plat	3 if consistent with IMC 18.360.020.C
Final Plat	5 years from the date of preliminary plat approval	Record Final Plat	Not Applicable
Binding Site Plan	5 years	Construct improvements Record Approved Drawings	3 if consistent with IMC 18.360.020.C
Unit Lot Subdivision	5 years	Construct improvements Record Approved Drawings	3 if consistent with IMC 18.360.020.C

- B. Extension. Following the appropriate process defined at Chapter 18.200 IMC, Permits and Procedures, an applicant may seek an extension to approval expiration time established in IMC Table 18.360.020.A.
- C. Extension Criteria. An applicant may be eligible for an extension of up to one year if the request meets the following criteria:
1. Timing. Requests for extension of subdivision approval must be submitted to the Department a minimum of 30 days prior to the expiration date and must describe the reasons an extension is justified. A properly submitted request for extension that is determined to be sufficient will delay the expiration of the approval until the decision on the extension takes place. The timely and proper submittal of a request for extension of a subdivision approval is the responsibility of the applicant.
 2. Considerations. The applicant must demonstrate the extension request is reasonable using following considerations:
 - a. Evidence of intention on the part of the applicant to complete the lot line adjustment, plat, binding site improvement plan or unit lot subdivision;
 - b. Unusual engineering problems, weather, or factors beyond the applicant’s control; and/or
 - c. Changes in City construction standards and/or land use standards that might make additional review of the proposed subdivision advisable.
 3. Duration. The extension may be granted only in one-year increments. Each extension is considered individually.
 4. Failure to Obtain an Extension. If an applicant allows an extension to expire without applying for another or performing the required actions of the specific subdivision type shown in Table IMC 18.360.02.A, the project must resubmit for a new approval.

Chapter 18.380 Construction of Improvements.

i Consolidated and separated deferred improvement text from IMC 18.13.280 since improvement deferrals apply to more than just Preliminary Plats.

A. Construction of improvements.

1. Permits. Prior to proceeding with any subdivision improvements, the applicant must obtain appropriate permits from the City as well as any permits required by federal, state, and local agencies.
2. Design. All required improvements must be designed by a professional engineer licensed in the state of Washington and submitted to the City for review and approval before any construction starts. Improvement designs in plan and profile form must show street lines, sanitary sewers, storm sewers, water lines and any similar improvements drawn to a vertical to horizontal ratio of 10:1 unless otherwise approved by Director.
3. Inspection and certification. A licensed engineer or a construction inspector supervised by the licensed engineer must supervise and inspect all subdivision improvements and certify in writing that all improvements were completed in accordance with plans and specifications as approved by the City.
4. All required or conditioned improvements must be constructed in accordance with City standards or bonded for as described in Chapter 18.380 IMC, Bonding and Construction of Improvements. Submittal of as-built plans of all public improvements are required before the City accepts the improvements.

B. Bonding for Deferred Improvements

1. Written Notice. . It is the intent to have all infrastructure improvements required by a I, short plat, subdivision, BSIP, or unit lot subdivision constructed and approved by the City prior to final approval. Final approvals may not be granted until either all required improvements are constructed and approved, or sufficient bond has been posted in lieu of construction and approval An applicant wishing to defer construction of certain on-site improvements must provide written notice of proposed deferral at pre-submission meeting for Final Plat approval, or final approval of binding site improvement plan. Only in limited cases such as final lift for the roadway or other minor punch list items may the City accept a bond or other financial security in lieu of the completion and approval of the infrastructure improvements. The City will issue a Notice of Decision regarding the request.
2. Amount. The applicant must furnish a bond to the City in an amount equal to 150% of the estimated cost of the deferred improvements as determined by the Public Works Director.
3. Time Limit. Such bond, to be filed with and held by the City , must list the exact work to be performed by the applicant and specify that all of the deferred improvements be completed within one year.. If an extension is authorized by the City, the bond must be revised to reflect the new completion date.
4. Check in Lieu of Bond. The applicant may substitute a certified or cashier's check, assignment of funds, or any other method of security acceptable to the City in lieu of a performance bond.
5. Proceed Against Bond or Other Security. The City reserves the right, in addition to all other remedies available to it by law, to proceed against such bond or other security in lieu thereof.

6. Binding Upon Applicant. The requirement of the posting of any performance bond or other security is binding upon the applicant, heirs, successors, and assigns.

Chapter 18.380 Subdivision Modifications.

i Modification language from 18.13.410 moved to broader section since it applies to more than just short plats.

18.380.010 General provisions

- A. Modifications to an approved subdivision must be reviewed as a new application unless they meet the minor modification criteria below.
- B. Requests for minor modifications must be submitted in writing by the applicant.
- C. Minor modifications approved after recording require the applicant to record a corrected subdivision with the King County Department of Records and return one hard copy and one electronic copy of the modified recording to the Department within 10 days of recording.

18.380.020 Allowed minor modifications

- A. An applicant may request a minor modification to any approved preliminary short plat, preliminary subdivision, preliminary BSIP, lot line adjustment or lot consolidation if it meets the criteria of this section. A requested modification to an approved subdivision that does not meet the criteria below must be processed as a new application. The City must review a proposed minor modification using the permit review procedures defined in Chapter 18.200 IMC, Permits and Procedures to ensure that the modification meets the following criteria.
 1. A minor modification:
 - a. Does not alter or vacate City easements, roads, or City-owned lands; and
 - b. Does not increase the number of lots; and
 - c. Maintains the design quality established by the original approval; and
 - d. Does not cause a significant change in environmental or land use impacts on or beyond the site; and
 - e. Is necessary due to circumstances that make accomplishing a condition or requirement of approval unfeasible or detrimental to the public interest.
- B. The Notice of Decision must include the following:
 1. A description of the original approval and the proposed amendment; and
 2. An analysis of the proposed modification using the applicable decision criteria, including the facts upon which the decision and any conditions for the project are based; and
 3. A statement that the modification is approved, approved with conditions, or denied subject to the provisions of this part.
- C. Final plat modifications shall also meet the requirements of RCW 58.17.215 with the approval made by a hearing examiner. Upon receipt of an application for alteration, the city shall provide notice of the application to all owners of property within the subdivision, and as provided for in

RCW [58.17.080](#) and [58.17.090](#). The notice shall either establish a date for a public hearing or provide that a hearing may be requested by a person receiving notice within fourteen days of receipt of the notice.

Chapter 18.390 Subdivision Phasing and Vesting

i This section is new.

18.390.010 Applicable standards.

- A. A proposed division of land by short plat or plat, shall be considered under the zoning and other land use control ordinances in effect on the date of complete application submittal.
- B. A subdivision developed in phases must obtain extensions to its original approval, per IMC 18.360.020, to maintain vesting for future phases. Otherwise, future phases of an expired approval will be reviewed as a new application subject to current zoning or other land use control ordinances.

8.390.020 Exceptions.

Stormwater regulations in Chapter -----, permit fees, and impact fees are not considered zoning and land use control ordinances for vesting purposes and projects will be evaluated based on standards in place at the time of approval, not application.