

ORDINANCE NO. 819**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON
UPDATING SUBDIVISION PROCEDURES AND DEFINITIONS IN
SHORELINE MUNICIPAL CODE CHAPTER 20.30, SUBCHAPTER 7
SUBDIVISIONS, AND CHAPTER 20.20 DEFINITIONS.**

WHEREAS, the City of Shoreline is a non-charter optional municipal code city as provided in Title 35A RCW, incorporated under the laws of the state of Washington, and planning pursuant to the Growth Management Act, Title 36.70A RCW; and

WHEREAS, in 2000 the City adopted Shoreline Municipal Code (SMC) Title 20, the Unified Development Code, which in Chapter 20.30 Subchapter 7 sets forth the City's Subdivision regulations so as to implement Washington State regulations of plats, subdivisions, and dedications; and

WHEREAS, the subdivision review procedures and criteria set forth in Chapter 20.30 Subchapter 7 lack clarity and results in a lengthy process that needs to be updated to create a more efficient and streamline process; and

WHEREAS, pursuant to RCW 36.70A.370, the City has utilized the process established by the Washington State Attorney General so as to assure the protection of private property rights; and

WHEREAS, pursuant to RCW 36.70A.106, the City has provided the Washington State Department of Commerce with a 60-day notice of its intent to adopt the amendment(s) to its Unified Development Code; and

WHEREAS, pursuant to WAC 197-11-800(19)(a), these procedural amendments are categorically exempt from SEPA; and

WHEREAS, on January 4, 2018, the City of Shoreline Planning Commission reviewed the proposed Development Code amendments; and

WHEREAS, on February 1, 2018, the City of Shoreline Planning Commission held a public hearing on the proposed Development Code amendments so as to receive public testimony; and

WHEREAS, at the conclusion of public hearing, the City of Shoreline Planning Commission voted to recommend that the proposed Development Code, as amended by the Planning Commission, be approved by the City Council; and

WHEREAS, on April 16, 2018, the City Council held a study session on the proposed Development Code amendments; and

WHEREAS, the City Council has considered the entire public record, public comments, written and oral, and the Planning Commission's recommendation; and

WHEREAS, the City provided public notice of the amendments and the public hearing as provided in SMC 20.30.070; and

WHEREAS, the City Council has determined that the amendments are consistent with and implement the Shoreline Comprehensive Plan and serve the purpose of the Unified Development Code as set forth in SMC 20.10.020;

THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Amendment to SMC 20.20 Definitions and SMC 20.30 Subchapter 7. SMC Sections 20.20.046 S, 20.30.410, 20.30.440, and 20.30.450 are amended as set forth in Exhibit A to this Ordinance.

Section 2. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and/or the Code Reviser are authorized to make necessary corrections to this ordinance, including the corrections of scrivener or clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering and references.

Section 3. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance or its application to any person or situation.

Section 4. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five (5) days after publication.

PASSED BY THE CITY COUNCIL ON APRIL 30, 2018



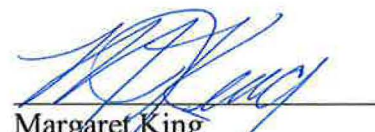
Mayor Will Hall

ATTEST:



Jessica Simulcik Smith
City Clerk

APPROVED AS TO FORM:



Margaret King
City Attorney

Date of Publication: May 3, 2018
Effective Date: May 8, 2018

**Shoreline Municipal Code
Amendments to SMC Chapters 20.20 and 20.30**

SMC 20.20.046 S definitions

Subdivision, Formal A subdivision of ten ~~five~~ or more lots.

Subdivision, Short A subdivision of nine ~~four~~ or fewer lots

SMC 20.30.410 Preliminary subdivision review procedures and criteria.

The short subdivision may be referred to as a short plat – Type B action.

The formal subdivision may be referred to as long plat – Type C action.

Time limit: A final short plat or final long plat meeting all of the requirements of this chapter and Chapter 58.17 RCW shall be submitted for approval within the time frame specified in RCW 58.17.140.

A. Review procedure: The following procedure shall be applicable to all subdivision applications:

Subdivisions may be processed using one of the following methods: 1) Subdivision without development, 2) Subdivision with development, or 3) Consolidated subdivision.

1. Subdivisions without development.

a. The application and review for subdivisions without development shall follow this process:

i. In order to provide timely and accurate review of subdivision proposals, applications for Preliminary Plat, Site Development, and Right-of-Way must be submitted concurrently.

ii. A Final Plat application shall be reviewed in compliance with SMC 20.30.450.

2. Subdivision with development.

a. The application and review for subdivisions with development shall follow this process:

i. Preliminary Plat application – Review of environmental requirements, availability of utilities, sufficient access, conceptual drainage provisions, frontage improvements, and all dimensional requirements for the

applicable zone must be completed. Approval of Preliminary Plat must be issued before proceeding to SMC 20.30.410(A)(2)(a)(ii).

- ii. Building, Site Development, and Right-of-Way applications must be submitted concurrently for review. The issuance of all three permits will occur at the same time once all requirements, including the submittal of sufficient surety as required in SMC 20.30.440, have been met.
- iii. A Final Plat application shall be reviewed in compliance with SMC 20.30.450 when all Building Permit(s) have been issued.

3. Consolidated subdivision.

- a. The application and reviews for consolidated subdivisions shall follow this process:
 - i. The review process for a consolidated subdivision requires that all applicable required documents and plans be submitted and reviewed under one application package. All required documents and plans associated with the Preliminary Plat, Building(s), Site Development, and Right-of-Way shall be included in the package. The issuance of all permits will occur at the same time once all requirements, including the submittal of sufficient surety as required in SMC 20.30.440, have been met.
 - ii. A Final Plat application shall be reviewed in compliance with SMC 20.30.450 when all Building Permit(s) have been issued.

B. Review criteria: The following criteria shall be used to review proposed subdivisions:

1. A. Environmental.

- a. ~~1.~~ Where environmental resources exist, such as trees, streams, geologic hazards, or wildlife habitats, the proposal shall be designed to fully implement the goals, policies, procedures and standards of the critical areas regulations, Chapter 20.80 SMC, Critical Areas, and the tree conservation, land clearing, and site grading standards sections.
- b. ~~2.~~ The proposal shall be designed to minimize grading by using shared driveways and by relating street, house site and lot placement to the existing topography.
- c. ~~3.~~ Where conditions exist which could be hazardous to the future residents of the land to be divided, or to nearby residents or property, such as floodplains, landslide hazards, or unstable soil or geologic conditions, a subdivision of the hazardous land shall be denied unless the condition can

be permanently corrected, consistent with subsections (A)(1) and (2) of this section, Chapter 20.80 SMC, Critical Areas, and Chapter 13.12 SMC, Floodplain Management.

- d. 4. Low impact development (LID) techniques shall be applied where feasible to minimize impervious areas, manage storm water, and preserve on-site natural features, native vegetation, open space and critical areas.

2. ~~B.~~ **Lot and Street Layout.**

- a. ~~1.~~ Lots shall be designed to contain a usable building area. If the building area would be difficult to develop, the lot shall be redesigned or eliminated, unless special conditions can be imposed that will ensure the lot is developed consistent with the standards of this Code and does not create nonconforming structures, uses or lots.
- b. ~~2.~~ Lots shall not front on primary or secondary highways unless there is no other feasible access. Special access provisions, such as, shared driveways, turnarounds or frontage streets may be required to minimize traffic hazards.
- c. ~~3.~~ Each lot shall meet the applicable dimensional requirements of the Code.
- d. ~~4.~~ Pedestrian walks or bicycle paths shall be provided to serve schools, parks, public facilities, shorelines and streams where street access is not adequate.

3. ~~C.~~ **Dedications and Improvements.**

- a. ~~1.~~ The City may require dedication of land in the proposed subdivision for public use.
- b. ~~2.~~ Only the City may approve a dedication of park land.
- c. ~~3.~~ In addition, the City may require dedication of land and improvements in the proposed subdivision for public use under the standards of Chapter 20.60 SMC, Adequacy of Public Facilities, and Chapter 20.70 SMC, Engineering and Utilities Development Standards, necessary to mitigate project impacts to utilities, rights-of-way, and stormwater systems.
 - i. ~~a.~~ Required improvements may include, but are not limited to, streets, curbs, pedestrian walks and bicycle paths, critical area enhancements, sidewalks, street landscaping, water lines, sewage systems, drainage systems and underground utilities.

4. ~~D.~~ Unit Lot Development.

- a. ~~1.~~ The provisions of this subsection apply exclusively to unit lot developments for single-family attached dwelling units or zero lot line developments in all zones in which these uses are permitted.
- b. ~~2.~~ Unit lot developments may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested.
- c. ~~3.~~ As a result of the subdivision, development on individual unit lots may modify standards in SMC 20.50.020, Exception 2.
- d. ~~4.~~ Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and/or the homeowners' association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; underground utilities; common open space; exterior building facades and roofs of individual units; and other similar features, and shall be recorded with the King County Recorder's Office.
- e. ~~5.~~ Within the parent lot or overall site, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, to be recorded with King County Records and Licensing Services Division.
- f. ~~6.~~ 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 and shall be noted on the plat, to be recorded with King County Records and Licensing Services Division.
- g. ~~7.~~ The applicant shall record a covenant on the plat that states, "These units will be considered individual units and part of one structure that cannot be segregated from one another. A unit lot development is defined as one building or one structure in the International Building Code and International Fire Code and National Electrical Code."

SMC 20.30.440 Installation of improvements.

A. Timing and Inspection Fee. The applicant shall not begin installation of improvements until the Director has approved and issued the Site Development and Right-of-Way Permits improvement plans, and the Director and the applicant have agreed in writing on a time schedule for installation of the improvements, ~~and the applicant has paid an inspection fee.~~

B. **Completion – Bonding.** The applicant shall either complete the improvements before the final plat is submitted for City Council approval, or the applicant shall post a bond or other suitable surety to guarantee the completion of the improvements within one year of the approval of the final plat. The bond or surety shall be based on the construction cost of the improvement as determined by the Director.

C. **Acceptance – Maintenance Bond.** The Director shall not accept the improvements for the City of Shoreline until the improvements have been inspected and found satisfactory, and the applicant has posted a bond or surety for 15 percent of the construction cost to guarantee against defects of workmanship and materials for two years from the date of acceptance.

SMC 20.30.450 Final plat review procedures.

Time limit: A final short plat or final formal plat meeting all of the requirements of this chapter and Chapter 58.17 RCW shall be submitted for approval within the time frame specified in RCW 58.17.140.

A. **Submission.** The applicant may not file the final plat for review until the work required for the Site Development and Right-of-Way Permits are completed and passed final inspection or bonded per the requirements of SMC 20.30.440 has been approved by the City.

B. **Final Short Plat.** The Director shall conduct an administrative review of a proposed final short plat. Only when the Director finds that a proposed short plat conforms to all terms of the preliminary short plat and meets the requirements of Chapter 58.17 RCW, other applicable state laws, and SMC Title 20 which were in effect at the time when the preliminary short plat application was deemed complete, the Director shall sign on the face of the short plat signifying the Director's approval of the final short plat.

C. **Final Formal Plat.** After an administrative review by the Director, the final formal plat shall be presented to the City Council. Only when the City Council finds that a subdivision proposed for final plat approval conforms to all terms of the preliminary plat, and meets the requirements of Chapter 58.17 RCW, other applicable state laws, and SMC Title 20 which were in effect at the time when the preliminary plat application was deemed complete, the City Manager shall sign on the face of the plat signifying the City Council's approval of the final plat.

D. **Acceptance of Dedication.** City Council's approval of a final formal plat or the Director's approval of a final short plat constitutes acceptance of all dedication shown on the final plat.

E. **Filing for Record.** The applicant for subdivision shall file the original drawing of the final plat for recording with the King County Department of Records and Elections. One reproduced full copy on mylar and/or sepia material shall be furnished to the Department.

