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Chapter 24.04 - General Provision**Sections:**

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24.04.010 Title

This title shall be known and may be cited as the "Richland Platting and Subdivision Ordinance." (Ord. 73 1.01).

24.04.020 Purpose

This title is adopted in furtherance of the comprehensive plan of the city. It is hereby declared that the regulations contained in this title are necessary for the protection and preservation of the public health, safety, morals and the general welfare, and are designed, among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote the coordinated development of unbuilt areas; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements. (Ord. 73 1.02).

24.04.030 Application of Regulations

The regulations contained in this title shall apply to the subdivision of any lot, parcel, or tract of land into two or more lots or tracts, or other division of land for the purpose of sale or building development, whether immediate or future, including the resubdivision or replatting of land or lots. The regulations shall apply in every situation where there is a dedication of streets, alleys, easements, or land for public use. The provisions of this chapter shall not apply to:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land; PROVIDED, that for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line;
- C. Divisions made by testamentary provisions, or the laws of descent; and
- D. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site. (Ord. 73: Ord. 23-03).

24.04.040 Regulations Mandatory

Any map, plat, replat, or plan hereafter made of any subdivision or any part thereof lying within the territorial limits of the city shall be presented for approval and recorded as prescribed by this title. No such map, plat, replat, or plan shall be recorded or have any validity unless it shall have such approvals as are required by this title. (Ord. 73 1.04: Ord. 295 1.01).

24.04.050 Severability

The invalidity of any article, section, subsection, provision, clause, or portion thereof, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this title or the validity of its application to other persons or circumstances. (Ord. 73 1.05).

Chapter 24.08 - Definitions

Sections:

- 24.08.010 Definition of Words and Phrases
- 24.08.020 Alley Defined
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- 24.08.070 Dedication Defined
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- 24.08.120 Lot, Double-Frontage, Defined
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- 24.08.200 Street, Loop, Defined
- 24.08.210 Street, Major, Defined
- 24.08.220 Street, Marginal Access, Defined
- 24.08.230 Street, Minor, Defined
- 24.08.240 Subdivider, Developer or Platter Defined
- 24.08.245 Subdivision Administrator
- 24.08.250 Zoning Restrictions Defined

24.08.010 Definition of Words and Phrases

The following words and phrases when used in this title shall for the purpose of this title have the meanings respectively ascribed to them in this chapter, unless their context clearly indicates that they are intended to have some other meaning.

Words used in the present tense include the future; the plural includes the singular; the word "shall" is always mandatory; the word "may" denotes a use of discretion in making a decision; and the words "used" or "occupied" shall be considered to be followed by the words "or intended, arranged, or designed to be used or occupied." (Ord. 73 2.01).

24.08.020 Alley Defined

"Alley" shall mean a passage or way, open to public travel and dedicated to public use, affording generally a secondary means of vehicular access to abutting lots and not intended for the general traffic circulation. (Ord. 73 2.02).

24.08.025 Binding Site Plan

"Binding Site Plan" means a drawing which:

- A. Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by this chapter;
- B. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by this chapter; and
- C. Contains provisions making any development be in conformity with the site plan. (Ord. 23-03)

24.08.030 Block Defined

"Block" means a parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage, or a combination thereof. (Ord. 73 2.03).

24.08.040 Commission Defined

"Commission" means the Richland city planning commission. (Ord. 73 2.04).

24.08.050 Comprehensive Plan Defined

"Comprehensive plan" means that plan adopted by the city council as the comprehensive plan for the city. (Ord. 73 2.05).

24.08.060 Cul-de-sac Defined

"Cul-de-sac" means a street opening at one end and having a turn around at the other end. (Ord. 73 2.06).

24.08.070 Dedication Defined

"Dedication" means the deliberate appropriation of land by its owner for any general or public use, reserving unto himself no other right than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been appropriated. (Ord. 73 2.07).

24.08.080 Developer Defined

See "Subdivider." (Ord. 73 2.08).

24.08.090 Easement Defined

"Easement" means a grant by a property owner to specific persons or to the public of the right to use that property for a specific purpose. (Ord. 73 2.09).

24.08.100 Final Plat Defined

"Final plat" means the plan of a plat, subdivision, or dedication or any portions thereof, prepared for filing for record with the county auditor and containing those elements and requirements as set forth for final plats in this title. (Ord. 73 2.10).

24.08.110 Lot Defined

"Lot" means a portion of a plat or subdivision to be transferred or developed as a single unit. (Ord. 73 2.11).

24.08.120 Lot, Double-Frontage, Defined

"Double-frontage lot" means a lot with street frontage along two opposite boundaries. (Ord. 73 2.12).

24.08.130 Lot, Key, Defined

"Key lot" means the first lot to the rear of a corner lot, the front lot line of which is an approximate continuation of the side lot line of the corner lot. (Ord. 73 2.13).

24.08.140 Lot, Reverse-Frontage, Defined

"Reverse-frontage lot" means a double-frontage lot for which the boundary along one of the streets is established as the front lot line and the boundary along the other street is established as the rear lot line, and over the rear of which is an easement as provided in Section 24.16.260 of this title. The rear lot line of the lot shall be that boundary abutting a traffic artery or other disadvantageous use. (Ord. 73 2.14).

24.08.150 Plat or Subdivision Defined

"Plat or subdivision" means an area of land which has been divided into two or more lots, tracts, parcels, or divisions of land for the purpose, whether immediate or future, of transfer of ownership or for building development, including all designations in street line, alley line, public area boundaries, lot lines, easements, rights-of-way, pavement width, curblines, location and size of utilities, location and size of land areas to be dedicated. (Ord. 73 2.15: Ord. 204).

24.08.160 Platter Defined

See "subdivider." (Ord. 73 2.16).

24.08.170 Preliminary Plat Defined

"Preliminary plat" means a neat and approximate drawing of the proposed layout of streets, blocks, lots, and other elements of a plat or subdivision which shall furnish a basis for the city council's approval or disapproval of the general layout of the plat or subdivision. (Ord. 73 2.17: Ord. 715 1.02).

24.08.180 Roadway Defined

"Roadway" means the portion of a street or alley right-of-way that is improved for vehicular traffic. (Ord. 73 2.18).

24.08.190 Street Defined

"Street" means a public right-of-way which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley. (Ord. 73 2.19).

24.08.200 Street, Loop, Defined

"Loop street" means a minor street of limited length which generally follows a "U" alignment with both legs intercepting the same street. (Ord. 73 2.20).

24.08.210 Street, Major, Defined

"Major street" means a street primarily for fast, through and heavy traffic, minimizing intersecting streets and direct access to abutting properties and primarily for the purpose of accommodating general traffic circulation of the community. (Ord. 73 2.21).

24.08.220 Street, Marginal Access, Defined

"Marginal access street" means a minor street which is generally parallel and adjacent to a limited access or major street or railroad right-of-way and which provides access to abutting property and protection from through traffic. (Ord. 73 2.22).

24.08.230 Street, Minor, Defined

"Street, minor" means a street, usually of limited continuity, which serves primarily to provide the principal means of access to abutting property only. (Ord. 73 2.23).

24.08.240 Subdivider, Developer, or Platter Defined

"Subdivider," "developer," or "platter" means any person, firm, or corporation undertaking the subdividing or resubdividing of a lot, block, or other parcel of land. (Ord. 73 2.24).

24.08.245 Subdivision Administrator

"Subdivision Administrator" means the City Manager, or his/her designee. (Ord. 23-03)

24.08.250 Zoning Restrictions Defined

"Zoning restrictions" means the restrictions contained in the zoning ordinances (Title 23) of the city. (Ord. 73 2.25).

Chapter 24.12 - Procedure

Sections:

- 24.12.010 Preliminary Plat-Application for Approval**
- 24.12.020 Preliminary Plat-General Requirements**
- 24.12.030 Preliminary Plat-Specific Requirements**
- 24.12.040 Preliminary Plat-Vicinity Sketch-Street Grades-Utilities-Drainage Facilities**
- 24.12.045 Preliminary Plat-Public Hearing**
- 24.12.050 Preliminary Plat-Public Hearing, Physical Planning Commission Consideration and Recommendation to City Council**
- 24.12.053 Preliminary Plat-Required Findings**
- 24.12.055 Preliminary Plat-City Council Consideration and Action**
- 24.12.060 Final Plat-Submission**
- 24.12.070 Final Plat-Required Information**
- 24.12.080 Final Plat-Required Certificates and Statements**
- 24.12.090 Final Plat-Approval of City Engineer**
- 24.12.110 Final Plat-Final Approval**
- 24.12.120 Final Plat-Time for Determination**
- 24.12.130 Final Plat-Filing**

24.12.010 Preliminary Plat-Application for Approval

For the purpose of expediting the preliminary approval of any subdivision, every subdivider shall file with the subdivision administrator a preliminary plat application on such forms as may be provided by the city. Each application shall include a sufficient number of copies of the preliminary plat map (but in any case, at least thirty-two copies), a report from a title insurance company showing ownership of the property involved, an accurate legal description of the property involved, and a list of names and addresses of all owners of property within three hundred feet of the exterior boundaries of the proposed subdivision. In addition, the report shall include an accurate key map showing the property involved and delineating the property within three hundred feet of the proposed subdivision. Each parcel falling wholly or partly within the three-hundred-foot distance shall be numbered to correspond with the ownership report. The preliminary plat application shall be accompanied by an "application for threshold determination" (environmental assessment checklist) in accordance with the State Environmental Policy Act (SEPA) and Title 22 (Environment) of the Richland Municipal Code. Every subdivider at the time of filing a preliminary plat shall pay to the city such fees as are prescribed in Section 19.80.020.

The time of filing a preliminary plat shall be fixed as the date when all maps and information required by this chapter and Title 19 have been filed, checked and accepted as completed by the subdivision administrator and the required fees paid. (Ord. 73 3.01: Ord. 486 1.01: Ord. 677 1.02: Ord. 34-76 1.03: Ord. 32-79 1.01: Ord. 87-79 1.12: Ord. 13-96: Ord 23-03).

24.12.020 Preliminary Plat-General Requirements

The preliminary plat shall include the following:

- A. The proposed name of the subdivision. Names shall not too closely resemble those of existing subdivisions, nor shall given names or initials be used with surnames in a plat name;
- B. The location of boundary lines in relation to section, quarter-section, and quarter-quarter-section lines and any adjacent corporate boundaries of the city which are part of the legal description of the property;
- C. The names and addresses of the subdivider and the engineer, surveyor, landscape architect, or other person making the plat;
- D. The scale of the plat, which shall not be less than fifty feet to the inch nor more than one hundred feet to the inch;
- E. The date of submission and the north point. (Ord. 73 3.02).

24.12.030 Preliminary Plat-Specific Requirements

The preliminary plat shall specifically include the following:

- A. The location, width, and name, if any, of each existing or platted street, other rights-of-way, parks, playgrounds, and other open spaces, schools and permanent buildings within the proposed subdivision;

- B. The names of adjacent subdivisions and the location and names of all adjacent streets;
- C. The topography at an appropriate contour interval (unless specifically waived by the city planner), the location of all natural water courses, and other physical features pertinent to the subdivision;
- D. The layout, number and approximate dimensions of lots and the number of blocks;
- E. The indication of any lots on which a use other than residential is proposed by the subdivider;
- F. The indication of any portion or portions of the plat for which successive or separate final plats are to be filed. (Ord. 73 3.03).

24.12.040 Preliminary Plat-Vicinity Sketch-Street Grades-Utilities- Drainage Facilities

The vicinity sketch shall be at a legible scale and shall show the relationship of the proposed plat to existing schools, parks, shopping centers, and other like facilities.

The city engineer may require the submission of two copies of the proposed street grades where in his opinion conditions so warrant.

The city engineer may require the submission of two copies of the proposed general layout and dimensions of water, sanitary sewer, drainage, lighting and fire protection facilities and easements. (Ord. 73 3.04).

24.12.045 Preliminary Plat-Public Hearing

The subdivision administrator shall schedule a hearing for the preliminary plat and prepare a notice of public hearing consistent with the requirements of Chapter 19.40. Notice of public hearing on the preliminary plat shall be given in the following manner:

- A. Mailing a written notice not less than ten days prior to date of such hearing to the owners of all properties within three hundred feet of the exterior boundaries of the proposed subdivision pursuant to the title insurance company report required by Section 24.12.010;
- B. Posting public notices in three conspicuous places on or adjacent to the land proposed to be subdivided at least fifteen days prior to the date of a public hearing;
- C. Notice of public hearing shall be published in the official newspaper of the city not less than ten days prior to the date of such hearing. (Ord. 486: Ord. 87-79: Ord. 13-96: Ord 23-03).

24.12.050 Preliminary Plat-Public Hearing, Physical Planning Commission Consideration and Recommendation to City Council

- A. The physical planning commission shall consider the preliminary plat at their next available meeting and shall conduct an open record public hearing in accordance with Chapter 19.60. After public hearing and review the physical planning commission shall determine whether the preliminary plat is in accordance with the comprehensive plan and other applicable code requirements and shall either make a recommendation for approval or disapproval to the city council, or may table the application if they determine that additional information or design revisions are needed.

Recommendation for approval of the preliminary plat shall not be given by the commission without the prior review and approval of the city manager or his designee with respect to the engineering elements of said plat including the following:

1. Adequacy of proposed street, alley, right-of-way, easement, lighting, fire protection, drainage, and utility provisions;
 2. Adequacy and accuracy of land survey data;
 3. The submittal by the applicant of a plan for the construction of a system of street lights within the area proposed for platting, including a timetable for installation; provided, that in no event shall such a plan be approved that provides for the dedication of such a system of lighting to the city later than the occupancy of any of the dwellings within the subdivision.
- B. The planning commission recommendation shall be forwarded to the city clerk for scheduling for city council consideration. (Ord. 73 3.05: Ord. 715 1.03: Ord. 54-75 1.04: Ord. 53-94: Ord. 13-96).

24.12.053 Preliminary Plat-Required Findings

The planning commission shall not recommend approval of any preliminary plat application, unless it adopts written findings that:

- A. The preliminary plat conforms to the requirements of Title 24, Plats and Subdivisions;

- B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, street or roads, alleys, 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 walking conditions for students who only walk to and from school;
- C. The public use and interest will be served by the platting of such subdivision and dedication; and
- D. The application is consistent with the requirements of RMC 19.60.095. (Ord. 3-00).

24.12.055 Preliminary Plat-City Council Consideration and Action

- A. The city council shall consider the recommendation of the physical planning commission together with other recommendations, maps and documents and matters of record and render a decision on the preliminary plat consistent with the requirements of Title 19 for Type III permit application.
- B. The application for preliminary plat approval shall be approved, disapproved or returned to the applicant for modification or correction within ninety (90) days of the date of acceptance.
- C. City council approval of a preliminary plat shall not guarantee final approval of the plat or subdivision and shall not constitute an acceptance of the subdivision, but shall authorize the subdivider to proceed with the preparation of the final plat along the lines indicated in the preliminary plat.
- D. Approval of the preliminary plat shall be operative for five years from the date of approval by the city council during which time a final plat or plats may be submitted.
- E. The planning commission may extend the approval period or may require that the preliminary plat must be resubmitted after the expiration of the approval period. (Ord. 13-96: Ord. 23-03).

24.12.060 Final Plat-Submission

Within the approval period prescribed in Section 24.12.055, the subdivider may submit to the subdivision administrator a final plat which shall be drawn in ink on good quality four mil mylar drafting film and shall contain the information, certificates and statements required by this title. The plat scale shall neither be less than fifty feet to the inch nor more than one hundred feet to the inch unless otherwise specifically authorized by the subdivision administrator. All plats shall be drawn on a standard sheet, twenty-four inches by thirty inches, and with a two-inch margin on the left edge and a one-inch margin on all other edges. If more than one sheet is required, the sheets shall be numbered and indexed, and each sheet shall bear all certificates, approvals, descriptions and statements required. (Ord. 73: Ord. 13-96: Ord. 23-03).

24.12.070 Final Plat-Required Information

The final plat shall contain or be accompanied by the following information:

- A. The primary control point approved by the city engineer and descriptions and ties to such control points to which all angles, bearings, dimensions, and similar data on the plat shall be referred.
- B. A complete set of field and computation notes showing original or reestablished corners with descriptions of them; actual traverses showing error of closures and method of balances; and a sketch showing all distances, angles, and calculations required to determine distances and corners of the plat. The allowable error of closure shall not exceed one foot in five thousand feet for residential areas, and one foot in ten thousand feet for commercial and industrial areas.
- C. All tract boundary lines, right-of-way lines of streets, easements, and other rights-of-way, and property lines of lots and other sites, with accurate bearings, dimensions, deflection angles, complete curb data for street centerlines and property lines, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points and points of curve to lot lines.
- D. The name and right-of-way width of each street and other rights-of-way shall be shown.
- E. The location, dimensions, and purposes of each easement shall be shown.
- F. The purpose for which sites, other than residential lots, are dedicated or reserved shall be shown.
- G. Numbers to identify each parcel, lot and block shall be shown.
- H. The location and description of all monuments shall be shown.
- I. References to recorded plats of adjoining land by record name, date and number shall be shown. (Ord. 73: Ord. 23-03).

24.12.080 Final Plat-Required Certificates and Statements

Each sheet of the plat shall contain the following certificates:

- A. The following Land Surveyor's Certificate to be shown on each sheet of the plat:

"I, _____ registered land surveyor, hereby certify that the plat of _____ as shown hereon is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that the monuments have been set and the lot corners staked as shown on the plat.

Signed _____ (Seal)"

- B. A certification from the proper officer in charge of tax collections that all taxes and delinquent assessments have been paid, satisfied or discharged.
- C. Each plat shall be accompanied by a certificate of title showing all persons and parties having an interest in the land platted. The commission may require additional certificates, affidavits, or endorsements, as they may become necessary for the reasonable enforcement of these regulations.
- D. Each sheet of the plat shall contain a statement by the owner of the land dedicating all streets, rights-of-way, and other appropriate sites and easements for the public use. A certificate that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners. If the plat or short plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private as shown on the plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.
- E. Each plat shall be accompanied by a copy of all restrictive covenants and other deed restrictions that are to be placed upon any of the lots in the subdivision. (Ord. 73: Ord. 23-03).

24.12.090 Final Plat-Approval of City Engineer

Upon the receipt of the final plat, the subdivision administrator shall deliver the plat to the city engineer for his approval. The city engineer shall determine whether the plat is accurate and correct in all details and whether minimum improvements have been provided as described in this title and whether it and the subdivision comply with applicable law. If conditions so warrant, the city engineer may cause a field inspection to be made. The costs of such inspection at prevailing rates shall be charged the applicant and shall be paid before approval of the plat is given by the city engineer. If the city engineer approves the plat, he shall so certify on the plat. If he does not approve the plat, he shall state in writing the specific reasons therefore. After approval or disapproval, the city engineer shall return the plat to the subdivision administrator. If the city engineer has not approved the plat, the plat shall be returned to the subdivider for the corrections or changes necessary to comply with the city engineer's objections. Thereafter, the subdivider may resubmit the final plat. (Ord. 73: Ord. 715: Ord. 23-03).

24.12.110 Final Plat-Approval

Upon receipt by the subdivision administrator, the final map and other data shall be reviewed. If the subdivision administrator determines that the final plat is in full conformance with the approved preliminary plat and other necessary ordinances, he shall so advise the chairman of the planning commission. The chairman of the planning commission may then recommend approval, without further action by the planning commission. If the final plat is referred to the chairman of the planning commission without submission to the commission, the chairman may elect to submit the plat to the commission for further action.

After planning commission review and recommendation, the plat shall be referred to the city council for final action. (Ord. 73: Ord. 486: Ord. 715: Ord. 23-03).

24.12.120 Final Plat-Time for Determination

The final plat, subdivision, or dedication shall be approved, disapproved, or returned to the subdivider for modification or correction within thirty days from the date of filing or refiling thereof unless the subdivider in the meantime shall have filed written consent for a longer period in which the city council may act thereon. (Ord. 73 3.12: Ord. 715 1.06).

24.12.130 Final Plat-Filing

After approval by the city council, the final plat may be filed with the county auditor and thereafter shall be known as an authorized plat, subdivision, or dedication of land. In addition to filing the original copy with

the county auditor, the subdivider shall also file two copies with the county assessor and one copy each with the city engineer and the city planning commission. (Ord. 73 3.13: Ord. 715 1.07).

Chapter 24.13 - Short Subdivisions

Sections:

- 24.13.010 Permission and Procedure to Plat
- 24.13.020 Submission
- 24.13.030 Required Information
- 24.13.040 Required Certificates and Statement
- 24.13.050 Park, Recreation, and Open Spaces-Requirements
- 24.13.060 Approval by City Engineer
- 24.13.070 Disapproval by City Engineer
- 24.13.080 Time for Determination
- 24.13.090 Appeal
- 24.13.100 Filing
- 24.13.110 Resubdivision

24.13.010 Permission and Procedure to Plat

When an owner or subdivider desires to subdivide a parcel of land so as to produce not more than a total of four lots, none of which has been subdivided by short subdivision within a period of five (5) years, and with no dedication of any part thereof as a public street or highway, it may be done in the following manner. (Ord. 295 1.02: Ord. 474 1.01: Ord. 15-84).

24.13.020 Submission

An original, drawn in permanent black ink on good quality linen tracing cloth or stabilized drafting film, and five prints of a plat containing the information, certificates, and statements required by this title shall be submitted to the office of the city engineer. The plat scale shall be either fifty feet to an inch or one hundred feet to an inch. All plats shall be drawn on a standard sheet, eighteen inches by twenty-four inches, and with a two-inch margin on the left edge and a one-inch margin on all other edges. (Ord. 295: Ord. 15-84: Ord. 23-03).

24.13.030 Required Information

The short subdivision plat shall contain or be accompanied by the following information:

- A. The title of the short subdivision shall be shown on the face of the plat in the following manner: Short plat no. _____.
- B. The primary control point approved by the city engineer and descriptions and ties to such control points to which all angles, bearings, dimensions, and similar data on the plat shall be referred.
- C. A complete set of field and computations notes showing original or re-established corners with descriptions of them, actual traverses showing error or closures and method of balances; and a sketch showing all distances, angles, and calculations required to determine distances and corners of the plat. The allowable error of closure shall not exceed one foot in four thousand feet.
- D. All tract boundary lines, right-of-way lines of existing streets, easements, and other rights-of-way, and property lines of lots and other sites, with accurate bearings, dimensions, deflection angles, complete curve data for existing street center lines and property lines, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all angle points and points of curve to lot lines.
- E. The name and right-of-way width of each existing street and other rights-of-way.
- F. The location, dimensions, and purposes of each existing easement.
- G. The purpose for which sites, other than residential lots, are dedicated or reserved.
- H. Numbers to identify each parcel, lot and block.
- I. The location and description of all monuments.
- J. References to recorded plats of adjoining land by record name, date and number. (Ord. 295 1.02: Ord. 15-84 1.03).

24.13.040 Required Certificates and Statement

- A. Each sheet of the plat shall contain the following certificates:

"I, _____ registered land surveyor, hereby certify that the plat of _____ as shown hereon is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that the monuments have been set and the lot corners staked as shown on the plat.

Signed _____ (Seal)"

- B. A certification from the proper officer in charge of tax collections that all taxes and delinquent assessments have been paid, satisfied or discharged.
- C. A certificate that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners. If the plat or short plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual or individuals, religious society or societies or to any corporation, public or private as shown on the plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.
- D. Each plat shall be accompanied by a copy of all restrictive covenants and other deed restrictions that are to be placed upon any of the lots in the subdivision. (Ord. 295: Ord. 23-03).

24.13.050 Park, Recreation, and Open Spaces-Requirements

When property is divided to form additional residential lots, the requirements of Chapter 22.12 of this code shall be complied with. (Ord. 295: Ord.78-80).

24.13.060 Approval by City Engineer

The city engineer may approve and affix his certificate of approval on the plat only if he finds:

- A. The plat is accurate and correct in all details;
- B. Minimum improvements, including improvements to streets bordering the property, have been provided as described in this title, or adequate provisions have been made to assure that such improvements will be made when needed;
- C. The proposed subdivision will not interfere with the future development of any remaining property under the same ownership or of any adjacent property;
- D. Adequate access is available for the proposed subdivision and any possible future development and dedication of a public street will not be required;
- E. The lots conform to the requirements of the zoning ordinance and any comprehensive plan adopted by the city for the area under consideration. (Ord. 295).

24.13.070 Disapproval by City Engineer

If the city engineer finds the above criteria have not been complied with, he may either disapprove the application or he may require that the applicant make necessary changes which would cause him to give his approval. If the application is denied by the city engineer, the applicant may file a subdivision plat with the planning commission in accordance with Chapter 24.12 of this code, or he may appeal the decision of the city engineer in accordance with Section 24.13.090. (Ord. 295).

24.13.080 Time for Determination

Action on said short subdivision shall be conveyed to the applicant within ten days after the city engineer has received the application. (Ord. 295: Ord. 15-84).

24.13.090 Appeal

Appeal to the planning commission concerning interpretation or administration of this title may be taken by any person aggrieved. Such appeals shall be taken within ten days from the date of the order, requirement, decision, or determination, by filing with the city engineer and the planning commission a notice of appeal specifying the grounds thereof. The planning commission may, so long as such action is in conformity with the terms of this title, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have powers of the city engineer. (Ord. 295).

24.13.100 Filing

One print and the original of the approved map shall be returned to the applicant. The original shall be submitted to the auditor of Benton County who may accept it for filing and record only if all requirements stated have been complied with. (Ord. 295).

24.13.110 Resubdivision

No land within the boundaries of a short subdivision may be further divided in any manner which will create additional buildable lots within a period of five (5) years except by subdivision in accordance with Chapter 24.12 (Procedure) of this Title. (Ord. 15-84 1.05).

Chapter 24.14 - Binding Site Plan Procedure

Sections:

- 24.14.010 Purpose and Scope**
- 24.14.015 Definitions**
- 24.14.020 Overview of Procedures**
- 24.14.030 Preliminary Site Plan Procedures**
- 24.14.040 Application for Binding Site Plan Approval**
- 24.14.050 Content of Binding Site Plan**
- 24.14.060 Review Procedures for Large Properties**
- 24.14.070 Review Procedures for Small Properties**
- 24.14.080 Requirements for Design and Bonding of Improvements**
- 24.14.090 Commercial and Industrial Subdivisions and Binding Site Plan**
- 24.14.100 Appeals**

24.14.010 Purpose and Scope

The purpose of this chapter is to establish procedures for public review of the division of commercial and industrial land which are less cumbersome and more flexible than traditional subdivision and short subdivision procedures, while fulfilling the purpose of this Code as set forth in Title 24. This Chapter shall apply to every division of commercially or industrially zoned land into two or more parcels for the purposes of sale, lease, or other transfer of ownership, except for those land divisions exempted in Title 24, and except when the land is to be platted. (Ord. 47-94).

24.14.015 Definitions

Administrator. The city manager or his designee shall be responsible for the administration and enforcement of this Code. (Ord. 47-94).

24.14.020 Overview of Procedures

The general procedures for processing a binding site plan shall consist of the following steps:

- A. Preparation and submittal of a preliminary site plan (optional) for review by affected city departments and other appropriate agencies;
- B. Submittal of an application for binding site plan processing;
 1. For a lot containing less than two hundred thousand (200,000) square feet in surface area, administrative review and action on the binding site plan;
 2. For a lot containing two hundred thousand (200,000) square feet or more in surface area, review and recommendation by the technical advisory committee and review and action by the physical planning commission;
- C. Approval by the city engineer of appropriate engineering design plans for streets and other public improvements and either construction of improvements or provision of bonding or other legally sufficient assurance of improvement as required;
- D. Approval of the binding site plan by the administrator; and
- E. Recording of binding site plan with the Benton County Auditor. (Ord. 47-94).

24.14.030 Preliminary Site Plan Procedures

- A. Preliminary Site Plan Procedures - Optional. It is the applicant's option whether or not to apply for preliminary site plan review. Preliminary site plans should be filed for properties that have not been previously divided under the binding site plan procedure or for properties for which additional dedications, easements, covenants, or other restrictions may be required. The preliminary site plan procedure is intended to assist applicants in understanding code provisions and to inform them of any dedications, easements, covenants, or other restrictions that may be required on the binding site plan. Being so informed, applicants may be able to avoid revisions to the binding site plan and delays in division of property.

Properties for which a binding site plan has already been filed and for which few, if any, additional requirements will be imposed on the binding site plan may, but need not, apply for preliminary site plan review.

- B. Request for Review.

1. A letter requesting a preliminary binding site plan review and meeting shall be filed with the administrator at least fifteen (15) days prior to the binding site plan file deadline for properties containing more than two hundred thousand (200,000) square feet of surface area. Fifteen (15) copies of the preliminary site plan shall be submitted with the letter of request.
 2. A letter requesting a preliminary binding site plan review by the administrator for properties containing less than two hundred thousand (200,000) square feet shall be filed at least ten (10) working days prior to a request for review under RMC 24.14.070, Review Procedures for Small Properties. Fifteen (15) copies of the preliminary site plan shall be submitted with the letter of request.
- C. Contents of Preliminary Site Plan. The preliminary site plan shall be a sketch drawing which shall contain sufficient information to describe:
1. The location and boundaries of the property to be divided;
 2. The general outline of the property division desired;
 3. The locations of existing streets and other rights-of-way;
 4. The desired location of driveway accesses onto public thoroughfares and the desired location and pattern of circulation corridors for the entire parcel to be divided; and
 5. The general location, arrangement, and size of existing and proposed buildings, yards, outdoor sales area, and parking areas.
- D. Referral. The administrator shall, within three (3) working days of the date that the request for preliminary site plan review is received, transmit to the following departments and divisions at least one (1) copy of the map:
1. Engineering Division;
 2. Water & Waste Utilities Sub-Department;
 3. Electrical Engineering;
 4. Planning Division;
 5. Fire and Emergency Services Department;
 6. Building Safety and Inspection Division; and
 7. Energy Resources Division.
- E. Response from Affected Departments. Each affected department/division shall provide a written response to the administrator outlining comments or recommended modifications to the preliminary site plan or indicating that no comments or recommendations are forthcoming. Such written response shall be delivered to the administrator either prior to or at the preliminary site plan meeting.
- F. Preliminary Site Plan Meeting. At the time of referral to other departments, the administrator shall schedule a preliminary site plan meeting to be attended by the departments receiving the preliminary site plan. Such meeting shall be held not less than three (3) or more than five (5) working days from the date of preliminary site plan referral. The written recommendations of the various departments for revision of the preliminary site plan or inscriptions that will be required on the binding site plan should be discussed at such meeting and if modifications to the preliminary site plan are agreed to at the meeting, the administrator shall act on it as modified. A written summary of the meeting shall be prepared by the administrator.
- G. Findings and Action by the Administrator. Following the aforesaid site plan meeting, the administrator shall evaluate the preliminary site plan according to the following criteria:
1. Appropriateness of the locations and dimensions of driveway accesses to public thoroughfares, and interior circulation corridors as evaluated against design criteria and appropriate city regulations;
 2. Conformance of the circulation patterns shown on the preliminary site plan with thoroughfare plans and circulation patterns established or proposed for the area in which the binding site plan is proposed;
 3. Conformance with planned or existing utilities and storm drainage; and
 4. General compatibility with planned and existing land uses in the surrounding area.

After evaluating the preliminary site plan against the above criteria, the administrator shall prepare a recommendation for any modifications required by the preliminary site plan and inscriptions (easements, dedications, covenants, etc.) that will be required on the binding site plan.

- H. Notification to Applicant and Further Action. The administrator shall formally notify the applicant by letter as to the findings and recommendations of the preliminary site plan meeting within three (3) working days from the date of the meeting. Copies of the written recommendations and comments from the departments and the preliminary site plan meeting summary will be attached to this letter to

provide the applicant with a complete record. The letter shall also indicate filing deadlines, fees, procedural steps, and the anticipated schedule for processing a binding site plan application. A copy of the letter, including attachments, shall be forwarded to all affected departments or agencies that have reviewed the preliminary site plan. (Ord. 47-94).

24.14.040 Application for Binding Site Plan Approval

Prior to the division of commercial or industrial land, a binding site plan application shall be filed. If the property to be divided is two hundred thousand (200,000) square feet or more in surface area, application for binding site plan approval shall be filed with the administrator at least thirty (30) calendar days prior to the physical planning commission meeting at which the application is to be considered. The application shall include:

- A. A completed application form;
- B. Fifteen (15) copies of the binding site plan prepared by a registered professional land surveyor and one (1) set of letter size (8-1/2" x 11") or legal size (8-1/2" x 14") reductions of the binding site plan;
- C. For properties containing over two hundred thousand (200,000) square feet in surface area, a report from a title insurance company showing:
 1. Ownership of the property involved;
 2. Easements, exceptions and restrictions of record;
 3. A list of names and addresses of owners of property within three hundred (300) feet of the property involved, exclusive of the public rights-of-way and other property owned by the applicant; and
 4. A key map showing the property involved and delineating the adjacent property exclusive of the public rights-of-way with each parcel that is shown numbered to correspond with the ownership report.
- D. For properties containing less than two hundred thousand (200,000) square feet in surface area, a report from a title insurance company showing:
 1. Ownership of the property involved; and
 2. Easements, exceptions, and restrictions of record.
- E. Application fee as required by Section 19.80.020. (Ord. 47-94: Ord. 13-96).

24.14.050 Content of Binding Site Plan

The binding site plan shall consist of a cover sheet, if necessary, containing approvals, conditions, certificates, and inscriptions; and a scaled drawing(s) representing the parcel to be divided. The cover sheet is necessary only if the binding site plan contains more than one (1) sheet. All sheets shall be drawn in permanent black ink on sheets of stabilized drafting film measuring twenty-four (24) by thirty-six (36) inches, and with a two (2) inch margin on the left edge and a one (1) inch margin on all other edges. The drawing shall be drawn at an appropriate decimal scale such that it is not cramped or illegible. The cover sheet and drawing shall contain the following:

- A. Content of Cover Sheet. The cover sheet shall contain the following information and inscriptions:
 1. At the top of the sheet, the title "Binding Site Plan No. (number) of (year)" followed by the name of the proposed binding site plan. If the land to be divided is a portion of a larger property for which a binding site plan has previously been recorded, the name shall be "a portion of...." followed by the name of previously recorded binding site plan;
 2. Sufficient data to readily determine and reproduce on the ground the bearing and length of every line described below, for which an exact location is known, with all dimensions shown to the nearest one hundredth (1/100) of a foot, curves described by length of arc, radius, and central angle, with all angles and bearings shown in degrees, minutes, and seconds;
 3. Location by section, township, and range to the nearest quarter section;
 4. Legal descriptions of all the lots, parcels, or tracts of land within the boundaries of the parcel as they are proposed to be divided at the time of binding site plan approval application; and
 5. Inscriptions setting forth appropriate limitations and conditions for use of the land; and
 6. Certificates, dedications, and approvals substantially in conformance with Plate No. 2 of this reference made a part of this code and set forth at the end of the chapter and any other certificates and approvals required by the administrative official.
- B. Content of Binding Site Plan Drawing(s). The binding site plan drawing(s) shall contain the following information:
 1. At the top of the sheet, the title and name of the binding site plan as provided in Section 24.14.050(A)(1);

2. Location by section, township, and range to the nearest quarter section;
3. Scale of drawing, date, and north arrow;
4. Existing topography of the land indicated by contour lines at two (2) foot intervals or less;
5. The boundary line of the binding site plan which contains the entire parcel which is to be divided, and the line of all existing buildings, streets, roads, rights-of-way, easements, lots, blocks, tracts, etc., within or adjacent to the property to be divided;
6. The locations of all proposed streets, roads, rights-of-way, easements, etc.;
7. The lines of the lot divisions proposed at the time of binding site plan application;
8. The exact location, width, and name or purpose of existing and proposed streets, roads, alleys, walks, utility, access control, or other easements, driveway accesses onto public streets, open spaces, etc., except that where exact locations and dimensions are not known at the time of binding site plan application, general locations shall be shown and appropriate limitations and conditions shall be referenced to and contained within inscriptions on the binding site plan cover sheet;
9. Preliminary engineering plans including but not limited to water, sewer, power, street lighting, roads, storm drainage and sidewalks;
10. Sufficient data to readily determine and reproduce on the ground the bearing and length of every line described above, for which an exact location is known, with all dimensions shown to the nearest one hundredth (1/100) of a foot, with curves described by length of arc, radius, and central angle, with all angles and bearings shown in degrees, minutes and seconds; and
11. The location of all streams, ponds, wetlands, or other bodies of water, prominent topographic features, sensitive areas, or other significant natural features on the site which affect or might be affected by the division or development of the land. (Ord. 47-94: Ord 23-03).

24.14.060 Review Procedures for Large Properties

For properties containing two hundred thousand (200,000) square feet or more in surface area, the following procedures shall apply:

- A. Referral to Technical Advisory Committee and Other Involved Agencies. The administrator, within three (3) working days of binding site plan application, shall transmit a copy of the binding site plan to each member of the technical advisory committee and to all other agencies required by this Code. The transmittal of the binding site plan shall be under cover of a letter or memorandum scheduling a meeting of the technical advisory committee and shall stipulate the time and place of such meeting.
- B. Written Response from the Technical Advisory Committee Member and other Agencies Required. Written comments, recommendations, or requirements from the technical advisory committee members, or other involved agencies, shall be delivered to the administrator either prior to or at the technical advisory committee. Failure to provide such written response to the administrator shall constitute an assumption that the proposed binding site plan is acceptable to the department or agency not responding and, therefore, there is no need to comment.
- C. Technical Advisory Committee Meeting. The technical advisory committee meeting shall convene at the stipulated time and place, and shall be attended by regular committee members, other involved agencies, and the applicant and/or applicant's representatives. The administrator shall serve as moderator of the meeting and shall prepare a written report summarizing the recommendations of the committee.
- D. Public Hearing Notice Requirements. The administrator, upon receipt of a binding site plan application, shall schedule a public hearing before the physical planning commission at the commission's next regular meeting. Notice of such hearing shall be given in accordance with the following requirements:
 1. Notice shall be published in the official newspaper of the city, not less than ten (10) calendar days prior to the date of public hearing before the commission;
 2. Written notice shall be mailed to owners of record of property within three hundred (300) feet of property involved, exclusive of public rights-of-way, at least ten (10) calendar days prior to the public hearing before the commission; and
 3. All hearing notices shall include a legal description of the location of the proposed binding site plan and either a vicinity sketch or a location description in non-legal language or both.
- E. Referral to Physical Planning Commission. The administrator shall forward the binding site plan to the physical planning commission at least five (5) days prior to the commission meeting at which the public hearing has been scheduled. The following information shall be forwarded along with the binding site plan:

1. A copy of the Notice of Public Hearing;
 2. A copy of the preliminary binding site plan letter including attachments;
 3. A copy of the technical advisory committee summary report; and
 4. A report of the administrator's analysis, findings, and recommendation.
- F. Physical Planning Commission Public Hearing, Consideration, Findings, and Action. The physical planning commission shall conduct the public hearing on the binding site plan at the scheduled time and shall afford a reasonable opportunity for testimony both for and against the application to be heard. In addition to the testimony received, the commission shall consider all written and oral information made available and shall determine if the binding site plan makes adequate provision for the public health, safety, welfare, and will be in the best interest of the citizens of the city and in accordance with the design criteria of this Code.

After due consideration of all testimony, information, and criteria, the commission shall adopt such findings as it deems appropriate and, on the basis of such findings, shall approve, approve with modifications, or deny the application for binding site plan.

The physical planning commission may act to table an application for binding site plan approval to afford additional time for resolution of problems, concerns, or issues, which cannot be resolved at the commission meeting. The commission may table an application with or without the consent of the applicant until the next regular meeting following the public hearing. However, the commission may table an application for longer periods of time with the applicant's consent.

Upon approval, the applicant shall record the binding site plan with Benton County. (Ord. 47-94).

24.14.070 Review Procedures for Small Properties

For properties containing less than two hundred thousand (200,000) square feet in surface area, the following procedures shall apply:

- A. Referral to City Departments and Divisions. Within three (3) working days of the filing of a binding site plan application, the administrator shall transmit a copy of the binding site plan to the water & waste utilities sub-department, electrical engineering, planning, engineering, building safety and inspection divisions, and the fire and emergency services department. The transmittal of the binding site plan shall be under cover of a memorandum scheduling a meeting of the affected departments and divisions within ten (10) working days following the filing of a binding site plan application and shall stipulate the time and place of such meeting.
- B. Written Response from Affected Departments. Written comments and recommendations or requirements from affected departments shall be delivered to the administrator either prior to or at the binding site plan meeting. Failure to provide such written response shall constitute an assumption that the binding site plan is acceptable to the department not responding and, therefore, there is no need to comment.
- C. Binding Site Plan Meeting. The binding site plan meeting shall convene at the stipulated time and place and shall be attended by affected departments and the applicant and/or representatives of the applicant. The administrator shall serve as moderator of the meeting and shall prepare a written report summarizing the recommendations of the meeting. A copy of the summary report shall be forwarded to each affected department and to the applicant or representative of the applicant no later than three (3) working days from the date of the binding site plan meeting.
- D. Consideration and Action by the Administrator. The administrator, with a period of three (3) working days from the date of the binding site plan meeting, shall consider all information provided and determine if the application for binding site plan makes adequate provisions for the public health, safety, and welfare, and will be in the best interest of the citizens of the city and in accordance with the design criteria of this Code. After due consideration of the above, the administrator shall approve, approve with modifications, deny, or return the binding site plan application to the applicant.

The administrator may return the application for binding site plan to the applicant without taking action on it when additional information or modifications are required. After an application is resubmitted, the administrator may refer the application to affected city departments and divisions and schedule a second binding site plan meeting according to the procedure previously set forth for referral and meeting, or the administrator may take action on the binding site plan application re-submittal. The administrator shall act to approve, conditionally approve, or deny the application for the binding site

plan; however, the administrator may, with the applicant's consent, return the binding site plan to the applicant without taking action on it.

Upon approval, the applicant shall record the binding site plan with Benton County.

- E. Appeal. Any action by the administrator may be appealed to the physical planning commission in accordance with the requirements set forth in Title 19 for Type I permit application. (Ord. 47-94: Ord. 13-96).

24.14.080 Requirements for Design and Bonding of Improvements

Prior to affixing of a signature of approval on the binding site plan by the administrator, the applicant shall upon the decision of the city engineer either have included specific conditions on the face of the binding site plan with regard to the timing of bonding or construction of public infrastructure improvements within the proposed rights-of-way or easement areas or have prepared and submitted to the city engineer, and the city engineer shall have approved detailed engineering and design plans for any required streets, utility systems, storm drainage systems, and street lighting systems, or other required improvements, in accordance with the applicable specifications and standards of the city and other involved utility agencies. Irrigation system designs, site grading, and other such designs or plans that may be required by law or that were specifically required as conditions of binding site plan approval shall be submitted concurrently for the city engineer's review and approval. Furthermore, bonding or other legally sufficient assurance of installation of required improvements shall be provided as required in Chapter 24.12, Subdivision Procedures, of this title. Following the affixing of all required signatures, the binding site plan shall be filed for record in the office of the Benton County Auditor.

When binding site plans are approved in areas where a master plan including preliminary engineering has been reviewed and approved by all departments and the city council, the administrator shall allow recording of the binding site plan provided specific conditions have been included on the face of the binding site plan noting that the master plan shall be the basis for controlling the location and size of all utilities and roads and that a building permit shall not be issued for site development until all detailed engineering plans are submitted and approved by the city and are either constructed or bonded or otherwise conditioned. (Ord. 47-94).

24.14.090 Commercial and Industrial Subdivisions and Binding Site Plan

In addition to the design criteria found elsewhere in this chapter, commercial and industrial property proposed to be divided under the binding site plan provisions of this Title shall be evaluated according to the following criteria:

- A. Streets. Where necessary to meet the criteria for length and width of commercial and industrial blocks or where shown on the comprehensive plan, access streets shall be dedicated to the public. The design and improvement of commercial and industrial streets shall conform to the applicable criteria and standards for streets elsewhere in this Code. In addition, they shall be designed and improved in a manner sufficient to accommodate the types of vehicles and volume of traffic expected as determined by the city engineer. The city engineer may require commercial or industrial access streets to be developed to a greater width than required for residential access streets. Where it is proposed that frequent truck and bus traffic will share roadways with passenger vehicles, turning radii shall be such that encroachment of trucks and buses into adjacent lanes is minimized.
- B. Access Roadways. In addition to any required public streets, private roadways or traffic aisles shall provide access to lots created such that the traffic generated by ultimate development within the boundaries of the property to be divided will be separated from through traffic on collector and arterial streets. The number of intersections of commercial and industrial access roadways with collector and arterial streets shall be minimized.
1. Except for driveway entrances of corner lots, the number of intersections of private streets and traffic aisles with arterial streets on any one street frontage of any block shall be limited to one (1) for every four hundred (400) feet of street frontage, or portion thereof, on that side of the block, except where specifically permitted by the reviewers;
 2. Corner lots shall be permitted a maximum of two (2) driveway entrances for each street frontage and all driveway entrances shall be at least twenty-five (25) feet from the right-of-way line of an intersecting street;

3. Corner lots shall have access to the access roadways for other lots in the block as described in this section;
 4. As nearly as is practicable, intersections of access roadways with public streets, including driveway entrances, shall be evenly spaced; and
 5. All access roadways shall be minimum of twenty (20) feet in width and shall be designed and improved in a manner sufficient to accommodate the type of vehicles and volume of traffic expected as determined by the city engineer.
- C. Trails, Walkways, and Paths. Safe and convenient pedestrian and bicycle access shall be provided from public streets to commercial and industrial lots as determined by the reviewers.
- D. Utilities and Storm Drainage. Utility plans and storm drainage plans shall be reviewed and approved by the Utilities and Public Works Group and Community and Development Services Group prior to approval of any binding site plan.
- E. Blocks. Block length shall normally not exceed two thousand (2000) feet or be less than six hundred (600) feet. Block width shall normally not exceed one thousand (1000) feet or be less than three hundred (300) feet. When staff or the commission review and approve a detailed site plan containing specific location of building and design of traffic aisles and parking areas, or when special circumstances are found to exist, they may waive this requirement. (Ord. 47-94: Ord. 31-03).

24.14.100 Appeals

Any action taken by the physical planning commission on a binding site plan application may be appealed to the city council in accordance with the requirements set forth in Title 19 for a Type II permit application. (Ord. 47-94: Ord. 13-96).

Chapter 24.16 - Design Standards**Sections:**

- 24.16.010 Streets-Conformity with Comprehensive Plan**
- 24.16.020 Streets-Relation to Adjoining Street Systems**
- 24.16.030 Streets-Access to Bodies of Water**
- 24.16.040 Streets-Minor Streets**
- 24.16.050 Streets-Dead End**
- 24.16.060 Streets-Limited Access**
- 24.16.070 Streets-Alignment**
- 24.16.080 Streets-Intersections**
- 24.16.090 Streets-Jogs at Intersections**
- 24.16.100 Streets-Grades**
- 24.16.110 Streets-Width**
- 24.16.130 Alleys-Required-Prohibited**
- 24.16.140 Alleys-Standards**
- 24.16.150 Easements-Public Utilities**
- 24.16.160 Easements-Unusual Facilities**
- 24.16.170 Easements-Watercourses**
- 24.16.180 Blocks-Length**
- 24.16.190 Blocks-Width**
- 24.16.200 Blocks-Super**
- 24.16.210 Blocks-Crosswalks**
- 24.16.220 Lots-Access**
- 24.16.230 Lots-Size**
- 24.16.240 Lots-Shape**
- 24.16.250 Lots-Key**
- 24.16.260 Lots-Double Frontage**
- 24.16.270 Lots-Unsewered**
- 24.16.290 Plats and Subdivisions-Design Standards**

24.16.010 Streets-Conformity with Comprehensive Plan

The alignment of major streets shall conform as nearly as possible with that shown on the comprehensive plan of the city. (Ord. 73 4.01).

24.16.020 Streets-Relation to Adjoining Street Systems

The layout of streets shall provide for the continuation of principal streets existing in adjoining subdivisions or of their proper projection when adjoining property is not subdivided. The layout shall also provide for future projection of streets into areas which presently are not subdivided. (Ord. 73 4.02).

24.16.030 Streets-Access to Bodies of Water

Unless topography or ground conditions prevent, subdivisions bordering on a river or public waterfront reservation shall be provided with at least one street not less than sixty feet wide to the low water mark or the reservation boundary at one-half mile intervals as measured along such body of water. (Ord. 73 4.03).

24.16.040 Streets-Minor Streets

Minor streets which serve primarily to provide access to abutting property only shall be designed to discourage through traffic. (Ord. 73 4.04).

24.16.050 Streets-Deadend

Streets designed to have one end permanently closed or in the form of a cul-de-sac shall be no longer than four hundred feet and shall be provided at the closed end with a turn-around having a minimum right of way radius or not less than fifty feet or with "Y" or "T" permitting comparable ease of turning. (Ord. 73 4.05).

24.16.060 Streets-Limited Access

Streets which are designated in the comprehensive plan as "limited access" shall be dedicated in such a manner as to qualify them as "limited access facilities" as such are defined in RCW Chapter 47.52, but nothing shall prohibit the construction, operation and maintenance of the public facilities in the right of way of a limited access facility. (Ord. 73 4.06).

24.16.070 Streets-Alignment

Connecting street center lines deflecting from each other at any one point more than ten degrees shall be connected by a curve of at least one hundred feet radius for minor streets and at least three hundred feet radius for major streets. A tangent at least one hundred feet long shall be introduced between curves on arterial streets. (Ord. 73 4.07).

24.16.080 Streets-Intersections

Street intersections shall be as nearly at right angles as is practicable. When the most feasible plan entails an intersection angle that deviates more than fifteen degrees from a right angle, curves of suitable radius and lengths shall be provided. (Ord. 73 4.08).

24.16.090 Streets-Jogs at Intersections

Street jogs with center line off-sets of less than one hundred twenty-five feet shall be avoided. (Ord. 73 4.09).

24.16.100 Streets-Grades

Streets shall conform closely to the natural contour of the land, except where a different grade has been established by the city authorities or the agency furnishing municipal services to the community. Grades shall be not less than 0.30 percent on any street and not more than six percent for major streets or ten percent for minor streets. Changes in grades shall be connected by easy vertical curves. (Ord. 73 4.10).

24.16.110 Streets-Width

Street right of way widths shall be as shown in the comprehensive plan of the city, but shall be not less than as follows:

Principal Arterial	100 feet
Minor Arterial	80 feet
Arterial Collector	60 feet
Neighborhood Collector	54 feet
Local Street	54 feet
Local Street – Single Frontage	40 feet
Rural Street	60 feet

A street lying along the boundary of a subdivision may be dedicated one-half the required width if it is practical to require the dedication of the other half when the adjoining property is subdivided; and, whenever there exists a dedicated half-street of an adjoining plat, the other half shall be dedicated on the proposed plat to make the street complete. (Ord. 73 4.11: Ord. 204: Ord. 29-94: Ord. 11-07).

24.16.130 Alleys-Required-Prohibited

Alleys shall be provided at the rear of all lots intended for business or industrial uses, except that this requirement may be waived by the commission where other definite and assured provision is made for service access, such as, off-street loading, unloading and parking consistent with and adequate for the uses proposed. Alleys shall not be provided in residential areas. (Ord. 73 4.13).

24.16.140 Alleys-Standards

Deadend alleys shall be avoided wherever possible, but if unavoidable, shall be provided with adequate turnaround facilities at the deadend. Alley intersections and sharp changes in direction shall be avoided, but where they are necessary, corners shall be cut off sufficiently to permit safe vehicular movement. Alley right of way width shall be not less than twenty-five feet. Except as otherwise provided in this chapter, alleys shall follow the general standards governing streets. (Ord. 73 4.14).

24.16.150 Easements-Public Utilities

Where alleys are not provided, easements for public utilities shall be provided on each side of all rear lot lines and side lot lines where necessary. Such easements shall not be less than five feet wide on the half-width that is reserved from the rear of each of the adjacent lots. Insofar as possible, the easements shall be continuous and aligned from block to block within the subdivision and with adjoining subdivisions. Easements for existing or future utility lines which do not lie along rear or side lot lines shall be at least ten feet wide. (Ord. 73 4.15).

24.16.160 Easements-Unusual Facilities

Easements for unusual facilities such as high-voltage electric lines, irrigation canals, and pondage areas, shall be of such widths as is adequate for the purpose, including any necessary maintenance roads. (Ord. 73 4.16).

24.16.170 Easements-Watercourses

Where a subdivision is traversed by a watercourse, drainage way, wasteway, channel, or stream, there shall be provided a storm water easement or drainage right of way conforming substantially to the lines of such watercourse, drainage way, wasteway, channel, or stream, and such further width for construction, or both, as will be adequate for the purpose. (Ord. 73 4.17).

24.16.180 Blocks-Length

In general, blocks shall be as long as is reasonably possible consistent with the topography and the needs for convenient access, circulation, control and safety of street traffic, and type of land use proposed, but ordinarily, block lengths shall not exceed fifteen hundred feet or be less than five hundred feet. (Ord. 73 4.18).

24.16.190 Blocks-Width

Except for reverse-frontage parcels, the width of blocks shall ordinarily be sufficient to allow for two tiers of lots of depths consistent with the type of land use proposed, that is normally not less than two hundred feet for the sum of two lot depths. (Ord. 73 4.19).

24.16.200 Blocks-Super

For large parcels with access provided by a series of cul-de-sac or loop streets entering from the periphery and for large parcels platted into half acre and larger lots, the criteria in Sections 24.16.180 and 24.16.190 shall be disregarded in favor of considerations on an individual basis. Blocks of acreage-type lots, however, shall have block lengths and widths that will lend themselves to later re-subdivisions in accordance with the standards prescribed in this title. (Ord. 73 4.20).

24.16.210 Blocks-Crosswalks

A pedestrian crosswalk right of way not less than ten feet wide shall be provided approximately at the midpoint of any block exceeding one thousand feet in length or in any block of lesser length where such a crosswalk is deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation lines, and other community facilities. (Ord. 73 4.21).

24.16.220 Lots-Access

Each lot shall be provided with satisfactory access by means of a public street connecting to an existing public highway or by some other legally sufficient right of access which is permanent and inseparable from the lot served. (Ord. 73 4.22).

24.16.230 Lots-Size

Lot widths and lot areas shall conform with the zoning restrictions applicable to the area within which the property may be located, except that corner lots for which side yards are required shall have extra width to permit appropriate setback from and orientation to both streets. Lot depths shall be suitable for the land use proposed. (Ord. 73 4.23).

24.16.240 Lots-Shape

Lots shall be as nearly rectangular as possible with side lot lines approximately at right angles or radial to street lines. Ordinarily, the ratio of width to depth shall be one to not more than two and one-fourth (1:2 1/4). (Ord. 73 4.24).

24.16.250 Lots-Key

Key lots shall be avoided where practicable. (Ord. 73 4.25).

24.16.260 Lots-Double Frontage

Residential lots which have street frontage along two opposite boundaries shall be avoided except for reverse-frontage lots which are essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. For such lots, there shall be an easement in favor of the appropriate governmental entity for a planting screen at least ten feet wide along the lot lines abutting such a traffic arterial or other disadvantageous use across which there shall be no right of access. (Ord. 73 4.26).

24.16.270 Lots-Unsewered

Lots which need not be connected to an approved sanitary sewer system under the provisions of this title shall be of sufficient size, considering the type of soil, ground conditions involved and location of the lots in relation to public or private water supplies, to allow complete absorption of such septic tank effluent as may reasonably be expected from the uses permitted by applicable zoning restrictions and proposed uses, provided that all lots are served by the public water system. Approval shall be given by the Benton-Franklin County district health department and the city engineer prior to the filing of an application for final plat approval. (Ord. 73 4.27).

24.16.290 Plats and Subdivisions-Design Standards

For parcels of land adjacent to major arterial streets, zoned commercial, the access streets, off-street parking lots, and driveways shall be designed where practical and where an undue hardship would not be created so that single or paired curb cuts on major arterial streets are spaced at least three hundred feet apart, and preferably up to six hundred feet apart. (Ord. 403 1.01).

Chapter 24.20 - Improvement Standards

Sections:

- 24.20.010 Roadways**
- 24.20.020 Curbs**
- 24.20.030 Utilities-Storm Sewers**
- 24.20.040 Utilities-Sanitary Sewers**
- 24.20.050 Utilities-Potable Water System**
- 24.20.060 Street Name Signs**
- 24.20.070 Capacity for Future Developments**
- 24.20.080 Standard Specifications**
- 24.20.090 Low-Density Street Standards**

24.20.010 Roadways

All streets, not including alleys, shall be improved by grading the full right-of-way width and constructing roadways consisting of an asphaltic concrete pavement over suitable base and leveling courses in accordance with the following schedules of widths measured from the inside edge of opposite curbs.

CLASS OF STREET	WIDTH OF STREET
Principal Arterial	70 feet
Minor Arterial	48 feet
Arterial Collector	36 feet
Neighborhood Collector	36 feet
Local Street	34 feet
Local Street – Single Frontage	27 feet
Rural Street	32- feet

Except that streets lying along the boundary of a subdivision, whether dedicated by the plat or already dedicated, but not improved, need be improved by the subdivider only to the center of the street. (Ord. 73 15.01: Ord. 204: Ord. 29-94: Ord. 11-07).

24.20.020 Curbs

All streets shall be improved at each edge of the paved roadway with portland cement concrete curbs. Such curbs shall be similar in design and construction to concrete curbs adopted as standard for the city unless special conditions warrant the waiver of this requirement by the commission. (Ord. 73 5.02).

24.20.030 Utilities-Storm Sewers

Surface drainage from streets and other areas shall be disposed of through an adequate system of gutters and storm sewers. (Ord. 73 5.03).

24.20.040 Utilities-Sanitary Sewers

If a public sanitary or combined sewer is available for connection within five hundred feet of the subdivision, the subdivision shall be provided with a complete sanitary sewer system serving each lot design for human habitation. Design of sewage disposal system shall be in accordance with Washington Pollution Control Commission requirements. (Ord. 73 5.04).

24.20.050 Utilities-Potable Water System

If a public water main is available for connection within five hundred feet of the subdivision, the subdivision shall be provided with a potable water distribution system serving each lot designed for human habitation, and unless equal protection can be otherwise supplied, shall be provided with fire hydrants at each street intersection and at approximately six-hundred-foot intervals on each street between intersections. Water distribution systems shall be designed in accordance with National Board of Fire Underwriters recommendations. (Ord. 73 5.05).

24.20.060 Street Name Signs

Street signs corresponding in design to those adopted as standard for the city shall be installed at each intersection for convenient identification of streets. (Ord. 73 5.06).

24.20.070 Capacity for Future Developments

The capacities and dimensions of water, sewerage, drainage, and street facilities shall be adequate to provide for the future needs of other undeveloped properties in the general vicinity and the city may share in the cost of these improvements to the extent of the difference in cost between the capacities needed to serve the subdivision and the capacities required to serve the vicinity. (Ord. 73 5.07).

24.20.080 Standard Specifications

Physical developments and improvements required by this title shall be designed and installed in accordance with applicable construction standards of the city. Construction shall be performed under the supervision of the city engineer. (Ord. 73 5.08).

24.20.090 Low-Density Street Standards

Notwithstanding any contrary provision contained elsewhere in this code, the street development standards shall not apply to the floodplain use district (FP), agricultural use district (AG) and suburban agricultural use district (SAG). Development standards for these districts shall be as described on the standard drawings marked Exhibit A and Exhibit B attached to Ordinance 61-78 and by this reference incorporated herein. (Ord. 33.78 1.01: Ord. 61-78 1.01: Ord. 22-81 1.26).

Chapter 24.24 - Administration and Enforcement

Sections:

- 24.24.010 Approval of Improvements**
- 24.24.020 Performance Bond**
- 24.24.030 Monuments**
- 24.24.040 Deviations-Requirements**
- 24.24.050 Deviations-Conditions**
- 24.24.055 Amendments**
- 24.24.060 Fees and Deposits**
- 24.24.070 Recording Prohibited**
- 24.24.080 Sale of Lots Unlawful**
- 24.24.090 Sale Pursuant to Unrecorded Plat**
- 24.24.100 Unlawful Representations**
- 24.24.110 Violations - Penalties**
- 24.24.120 Violations - Continuing Offense-Penalties**
- 24.24.130 Injunctive and Other Proceedings**

24.24.010 Approval of Improvements

Plans for each improvement shall be approved by the city engineer before its construction is commenced; provided, that:

- A. Where said improvement is to be financed by a local improvement district, the engineering costs will be included as an item to be borne by the property specially benefited thereby; provided, however, that engineering costs may be waived by the Richland city council for any municipally owned public park improvement where the cost of constructing such municipally owned public park improvement, or a portion of such cost, has been borne by the property owners specially benefited thereby; and
- B. Where the improvements are to be installed by the developer at his expense and dedicated to the city, plans and specifications of the improvements shall be submitted by the developer to the city engineer. The city engineer shall review these plans and specifications prior to giving his approval. A fee is established to defray the cost of the review by the city engineer. The fee shall be in the amount of five percent of the total estimated cost of the improvement. The fee shall be paid prior to the review of the plans and specifications of the city engineer's department and receipt thereof shall be a condition precedent to the city engineer's approval. (Ord. 73 6.01: Ord. 728 1.01: Ord. 22-77 1.01).

24.24.020 Performance Bond

In lieu of the installation of the required improvements at the time of platting and subdividing, the subdivider may enter into a contract with the city to install the improvements at a later date and shall furnish a performance bond or other sufficient security acceptable to the city for such installation. (Ord. 73 6.02).

24.24.030 Monuments

Monuments shall be installed as follows:

- A. Concrete or iron pipe monuments approved by the city engineer and installed in a cast-iron monument case shall be set at the centerline of all streets at intersections, all angle points on street centerlines, all points of curvature and points of tangent in street centerlines, at the radial points of cul-de-sac, and at all external corners and block corners of the subdivision.
- B. The corners of all lots within the subdivision shall be marked by iron pins, not less than three-fourths of an inch in diameter, and twenty-four inches in length, firmly driven for their full length into the ground. (Ord. 73 6.03).

24.24.040 Deviations-Requirements

In specific cases, the commission may authorize deviations from the provisions or requirements of this title that will not be contrary to public interest; but only where, owing to special conditions pertaining to a specific subdivision, the literal interpretation and strict application of the provisions or requirements of this title would cause undue and unnecessary hardship. No such deviation from the provisions or requirements of this title shall be authorized by the commission unless the commission shall find that all of the following facts and conditions exist:

- A. Exceptional or extraordinary circumstances or conditions applying to the subject subdivision or to the intended use of any portion thereof that does not apply generally to other properties in similar subdivisions or in the vicinity of the subject subdivision.
- B. Such deviation is necessary for the preservation and enjoyment of a substantial property right of the subdivider or is necessary for the reasonable and acceptable development of the property.
- C. The authorization of such deviation will not be materially detrimental to the public welfare or injurious to property in the vicinity in which the subdivision is located.
- D. The authorization of such deviation will not adversely affect the comprehensive plan of the city.
- E. Deviations with respect to those matters originally requiring the approval of the city engineer may be granted by the commission only with the written approval of the city engineer. (Ord. 73).

24.24.050 Deviations-Conditions

In authorizing a deviation, the commission may attach thereto such conditions regarding the features of the deviation as it may deem necessary to carry out the spirit and purposes of this title and in the public interest. (Ord. 73).

24.24.055 Amendments

At any time after preliminary plat approval and before final plat approval, the applicant may submit an application to the subdivision administrator that proposes an amendment to the approved or conditionally approved preliminary plat.

- A. Minor Amendments. The subdivision administrator shall have the authority to administratively approve amendments that the subdivision administrator deems to be minor.
- B. Major Amendments. A major amendment shall include, but is not limited to, the following:
 - 1. Any amendment that would result in or would have the effect of decreasing the aggregate area of open space in the subdivision by ten percent (10%) or more;
 - 2. Any amendment that would result in increasing the number of lots in the subdivision beyond the number previously approved;
 - 3. Any amendment that would result in the relocation of any roadway access point to an exterior street from the plat;
 - 4. Any amendment that proposes phasing of plat development when no phasing plan was included in the original preliminary plat approval; or
 - 5. Any amendment that, in the opinion of the subdivision administrator, would significantly increase any adverse impacts or undesirable effects of the plat.
- C. Process for Major Amendments. If the subdivision administrator determines that the proposed amendment is major, the Planning Commission shall hold a public hearing on the proposed major amendment in accordance with the requirements for preliminary plat approval found within this Title, provided, however, that any public hearing on a proposed major amendment shall be limited to whether the proposed major amendment should or should not be approved. Within thirty (30) days following receipt of the Planning Commission's written recommendation, the City Council shall approve or disapprove any proposed major amendment and may make any modifications in the terms and conditions of the preliminary plat approval to the extent that they are reasonably related to the proposed amendment. If the applicant is unwilling to accept the proposed major amendment under the terms and conditions specified by the City Council, the applicant may withdraw the proposed major amendment and develop the subdivision in accordance with the original preliminary plat approval (as it may have been previously amended). (Ord. 23-03)

24.24.060 Fees and Deposits

For the purpose of partially defraying expenses involved in the administrative processing of subdivision applications, an application fee of seven dollars and fifty cents for each lot proposed in the preliminary subdivision plat shall be paid the city by the applicant at the time of submission of the preliminary subdivision plat. In no case, however, shall such fee be less than fifty dollars. In the instance where renewal of a preliminary plat, as originally approved, is requested, no further fee will be required for that renewal. (Ord. 73: Ord. 486: Ord. 673: Ord. 103-76).

24.24.070 Recording Prohibited

No map, plat, replat, or plan of a subdivision subject to the provisions of this title shall be recorded or received for recording in any public office unless or until that map, plat, replat, or plan shall bear the certified final approval of the city council. (Ord. 73 6.07: Ord. 715).

24.24.080 Sale of Lots Unlawful

It is unlawful for any person to sell, trade, or otherwise convey, or offer to sell, trade, or otherwise convey any lot or parcel of land in a subdivision unless he has fully complied with this title. (Ord.).

24.24.090 Sale Pursuant to Unrecorded Plat

It is unlawful to sell, trade, or otherwise convey, or offer to sell, trade, or otherwise convey any lot or parcel of land as a part of, or in conformity with, any map, plat, replat, or plan of any subdivision unless and until said map, plat, replat, or plan shall have been first recorded in the office of the county auditor under the provisions of this title. (Ord. 73).

24.24.100 Unlawful Representations

It is unlawful for any person, firm, or corporation owning a plat or subdivision of land within the city to represent that any improvement upon any of the streets, alleys, or other public ways of said plat or subdivision has been constructed according to the plans and specifications approved by the city engineer or the city council or has been supervised or inspected by the city engineer when such improvement has not been so constructed, supervised, or inspected. (Ord. 73: Ord. 715).

24.24.110 Violations-Penalties

Any person who has violated any provision of this chapter shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

Provided, if the same violator has been found to have committed an infraction violation for the same or similar conduct, two separate times, with the violations occurring at the same location and involving the same or similar sections of the Richland Municipal Code or other similar codes, the third or subsequent violation shall constitute a misdemeanor, punishable as provided in RMC 1.30.010 for criminal offenses. (Ord. 73: Ord. 17-84: Ord. 06-10).

24.24.120 Violations-Continuing Offense-Penalties

For any violation of a continuing nature, each day's violation shall be considered a separate offense and shall subject the offender to the penalties provided in Section 24.24.110 for each offense. (Ord. 73).

24.24.130 Injunctive and Other Proceedings

Notwithstanding the imposition of any penalties hereunder, the city may institute any appropriate action or proceeding to require compliance with or to enjoin violation of the provisions of this title or any administrative orders or determinations made pursuant to this title. (Ord. 73).

HISTORICAL CHRONOLOGY OF ORDINANCES

Ord. 73
Ord. 204
Ord. 295
Ord. 403
Ord. 474
Ord. 486
Ord. 673
Ord. 677
Ord. 715
Ord. 728
Ord. 54-75
Ord. 34-76
Ord. 103-76
Ord. 22-77
Ord. 33-78
Ord. 61-78
Ord. 32-79
Ord. 87-79
Ord. 78-80
Ord. 22-81
Ord. 15-84
Ord. 29-94
Ord. 47-94
Ord. 53-94
Ord. 06-96
Ord. 13-96
Ord. 01-00
Ord. 23-03
Ord. 31-03
Ord. 11-07
Ord. 06-10