

SHORT PLAT APPLICATION

Application Fee of \$200.00

1. Subdivider (Applicant):
Name: _____
Address: _____
Telephone: _____
2. Attach a copy of the legal description for the property to be subdivided.
3. Attach names, addresses and telephone numbers of all persons, firms, or corporations having ownership, contract for purchase, earnest money agreement, or option on the property to be subdivided.
4. Existing zoning classification(s): _____
5. The square footage of each lot:

Lot 1	_____	Square feet
Lot 2	_____	Square feet
Lot 3	_____	Square feet
Lot 4	_____	Square feet
6. The source of water supply: _____
7. Method of sewage disposal: _____
8. Environment Documents. Please attach completed State Environmental Policy Act SEPA Checklist if any portion of the property is partially or wholly covered by water.

Signature of Applicant

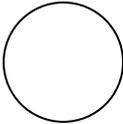
Date

PLEASE NOTE: A surveyed preliminary short plat may be required in circumstances where the exact location of an existing structure(s) needs to be shown for compliance with the Zoning Code. Two (2) Mylar copies of the final short plat page will be required as part of the recording process.



PRELIMINARY SHORT PLAT MAP

Scale: 1" = _____



North Arrow

Chapter 16.08
SHORT PLATS

Sections:

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16.08.010 Applicability. Every division of land into four or fewer lots, tracts, parcels, sites or subdivisions for the purpose of sale or lease, or owner's permitted uses, shall proceed in compliance with this chapter. It is established that the city engineer is authorized and directed to enforce all the provisions of this chapter. (Prior code § 11.04.010)

16.08.020 Exemptions. The provisions of this chapter shall not apply to:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions made by testamentary provisions or the laws of descent;
- C. Any division of land pursuant to RCW 58.17 governing divisions containing dedications and divisions into five or more lots, parcels or tracts;
- D. Boundary line adjustment of parcels not in a recorded plat or short plat, where access is not affected and where no new lot is created thereby, or where no lot is reduced in size below the minimum square footage required by the applicable zoning control;
- E. Divisions of land due to condemnation or sale under threat thereof, by an agency or division of government vested with the power of condemnation;
- F. Any division of land lots, tracts, or parcels where the smallest lot is one one-hundred-twenty-eighth of a section of land or larger, or is five acres or larger if

the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this item, which borders on a street, the lot size shall be expanded to include that area which would be bounded by the centerline of the street and the side lot running perpendicular to such centerline. (Prior code § 11.04.020)

16.08.030 Summary procedure.

- A. Two-lot Subdivisions. Where the division of land is into two lots or parcels only, then the provisions of Sections 16.08.080 and 16.08.090, relating to identification markers, shall not apply and the city engineer may request immediate review and comment from the Grays Harbor Health District, the engineering department, and any other agency listed in Section 16.08.100. Subsequently, the city engineer may summarily approve or reject the proposed short division.
- B. Boundary Line Adjustments. Application for boundary line adjustments within an approved subdivision or short subdivision shall be presented to the city engineer for approval together with a fee of seventy-five dollars (\$75.00). The city engineer shall issue a certificate of approval if the proposed adjustment complies with minimum zoning, health, building, and similar regulations and will not adversely affect access, easements or drain fields. The certificate shall be affixed to a supplemental declaration of short subdivision, which shall contain the adjusted legal description and shall be effective upon being filed for record. (Prior code § 11.04.030)

16.08.040 Redivisions.

- A. Land within a short subdivision may not be further divided in any manner within a period of five years without the filing of a final plat as per RCW 53.17 or, when the original short subdivision contains fewer than four lots, the above prohibition shall not apply to the creation of additional lots not exceeding a total of four. After five years, further divisions may be permitted when otherwise consistent with the then current regulations of the city of Aberdeen; provided, that when the subdivider owns more than one lot within a short subdivision, he may not divide the aggregate total into more than four lots unless subdivision is done as per requirements of RCW 58.17.
- B. Where there have been no sales of any lots in a short subdivision, nothing contained in this section shall prohibit a subdivider from completely withdrawing his entire short plat and thereafter presenting a new application. (Prior code § 11.04.040)

16.08.050 Defining of land. Where a subdivider owns not less than one-eighth of a section or, if the land is not capable of subdivisional description, eighty (80) acres, he may define the boundaries of his short subdivision to include not less than one-sixteenth of a section or, if the land is not capable of subdivisional description, forty (40) acres, remain; and provided further, that his definition of boundary leaves proper provision for access to the remaining parcel and is approved by the approving authority. (Prior code § 11.04.050)

16.08.060 Short plat application and fees. The proposed short plat or short plat modification shall be submitted to the city engineer on forms furnished by the city engineer who shall affix a file number and date of receipt. The city engineer shall not accept any application until a fee of two hundred dollars (\$200.00) for each proposed plat is paid to the city. Any subsequent refilling by an applicant shall not be accepted by the city engineer until the above-mentioned fee is paid. The application shall contain the following:

- A. The name, address, and telephone number of the subdivider;
- B. A certification by the subdivider showing the entire contiguous land in which there is an interest by reason of ownership, contract for purchase, earnest money agreement, or option by any person, firm or corporation in any manner connected with the development, and the names, addresses and telephone numbers of all such persons, firms or corporations;
- C. The existing zoning classifications;
- D. The square footage computation of each lot or parcel sufficiently accurate to show that each such lot or parcel contains at least sufficient footage to meet minimum zoning and health requirements. The square footage of land contained in access panhandles shall not be included in the lot size computation;
- E. The source of water supply, if any, and if a public system is used, the name of the supplier;
- F. The method of sewage disposal;
- G. Environmental documents needed to comply with the state's Environmental Policy Act, if any;
- H. Any other documents judged necessary by the city engineer. (Prior code § 11.04.060)

16.08.070 Time of official action. Short plats shall be approved, disapproved, or returned to the applicant for modification or correction within thirty (30) days from the date of submission thereof, unless the applicant gives a written consent to the extension of such time period. (Prior code § 11.04.070)

16.08.080 Identification marker. The subdivider shall, for identification purposes only, cause markers of a type approved by the city engineer to be placed upon each of the approximate road frontage corners of the subject property, and maintain them thereon during the period extending from the time of application to the time of final action, for purpose of permitting field checks by the applicable agencies. (Prior code § 11.04.080)

16.08.090 Consent of access. The subdivider shall permit free access to the land being divided to all agencies considering the short subdivision for the period of time extending from the time of application to the time of final action. (Prior code § 11.04.090)

16.08.100 City Engineer.

- A. The city engineer shall distribute one copy of the short plat to each of the following:
 - 1. Grays Harbor Pacific Health District;

2. Secretary of the planning commission;
 3. Grays Harbor County Assessor;
 4. Any other federal, state or local agencies as may be relevant;
 5. Fire department.
- B. The city engineer shall set a date for the return of findings and recommendations from each relevant agency, the date to be ten working days from the date of the application. If the findings and recommendations are not so returned, then the city engineer may make such findings, as he deems proper. (Prior code § 11.04.100)

16.08.110 Environmental considerations. Environmental considerations meeting with the state Environmental Policy Act of 1971, amendments thereto, and the Washington Administrative Code shall be completed prior to filing with the city engineer. (Prior code § 11.04.110)

16.08.120 City engineer action.

- A. The city engineer shall consider and review the proposed short subdivision with regard to:
1. Its conformance to the general purposes of the city of Aberdeen's comprehensive plan, shoreline master program, and to any other applicable laws and policies;
 2. Whether appropriate provisions are made for: drainage ways, streets, alleys, other public ways, water supplies, and sanitary wastes;
 3. The physical characteristics of the short subdivision site. Disposal may be made because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval;
 4. All other relevant facts, to determine whether the public use and interest will be served by the short subdivision.
- B. The city engineer may:
1. Approve the short subdivision, with or without condition; or
 2. Return the short plat to the applicant for correction or for the applicant's construction of improvements in a manner consistent with official findings; or
 3. Disapprove the short subdivision and the short plat thereof. (Prior code § 11.04.120)

16.08.130 Notice required.

- A. Upon approval or denial, the city engineer shall insure that a notice is published in a newspaper of general circulation within the area in which the development is proposed, and said notice shall describe the proposed short subdivision, action taken by the city engineer, and that any person aggrieved by the decision of the city engineer may request a review of that decision by the Aberdeen city council; provided, that the appeal is made in writing and filed with the city comptroller's office within ten days from the date of publication.
- B. In addition, the city engineer shall insure that an additional notice of the decision, which clearly indicates the appeal procedure, is given by at least one of the following:

1. Mailing to the latest property owners, as shown on the county assessor's records, within three hundred (300) feet of the boundary of the proposed short subdivision;
2. Posting in a conspicuous manner on the proposed short subdivision property of adjacent properties;
3. Any other manner deemed appropriate by the city engineer to accomplish the objectives of reasonable notice to adjacent landowners and the public. (Prior code § 11.04.130)

16.08.140 Appeal to Aberdeen city council. Any person aggrieved by the decision of the city engineer may request a review of that decision by the Aberdeen city council. Such request must be made in writing, within ten days from the date notice requirements are met according to Section 16.08.130, upon receipt of an appeal, the city council shall, at its next public meeting, set the date for a public hearing which shall be not more than ten days from the meeting, and the city engineer and all persons aggrieved shall be notified within five days of the date, time and location of the public hearing. The city council shall make a determination of the appeal request at the public hearing or subsequent continued hearing. (Prior code § 11.04.140)

16.08.150 Conditional approvals. When approval by the city engineer or the city council requires the meeting of conditions, the construction of improvements or corrections, or time is necessary for improvements or corrections, or time is necessary for the obtaining of required certifications, then the approval action shall be a conditional approval which shall, at the option of the approving body, be conditioned upon fulfillment prior to the final approval of a building permit or upon fulfillment within six months. Upon application within the time period, and upon good cause shown, the approving body may grant an additional six-month time period. (Prior code § 11.04.150)

16.08.160 Final approval and recording. When the short subdivision and the short plat thereof meet all the requirements thereof and will serve the public use and interest, and the subdivider has provided all of the required documentation and certification, then written approval shall be inscribed upon the face of the short plat. The action approving a short plat shall become effective if, within five working days, the applicant files for record with the auditor of Grays Harbor County a declaration of short subdivision and no appeal has been made as described in Section 16.08.140. (Prior code § 11.04.160)

16.08.170 Map. A map shall be prepared on a sheet of paper or on reproducible material, either of them having dimensions of eight and one-half inches by fourteen (14) inches and containing the following information:

- A. A legal description of the short subdivision and of the lots, tracts or parcels therein, together with the legal description of private streets and easements therein, all prepared or approved and sealed by a land surveyor registered with the state of Washington. In addition, where it differs from the description of the short subdivision, a legal description of the contiguous land owned by the subdivider;
- B. The date, scale and north arrow;

- C. The boundary lines to scale of the tract to be subdivided and each lot contained therein, and block, if any;
- D. The number assigned to each lot, and block, if any;
- E. The location and widths of any easements and rights-of-way for public services or utilities within the area contained within the short subdivision;
- F. The boundaries of all lands reserved in the deeds for the common use of the property owners of the short subdivision;
- G. The location, outside lands to be subdivided, of permanent features which will have an impact upon the short subdivision, such as all existing or platted streets adjacent to the short subdivision, water courses, railroad rights-of-way, all utility rights-of-way, township lines and section lines. (Prior code § 11.04.170)

16.08.180 Supporting documents. The following documentation shall accompany each application for approval of a short plat:

- A. A vicinity sketch clearly identifying the location of the property being short subdivided, the sketch having a scale of not less than three inches to the mile;
- B. Copies of restrictions or covenants, if any, proposed to be imposed upon the use of the land. Such restrictions shall be recorded simultaneously with the short plat before it becomes effective;
- C. In any short subdivision where lots are served or to be served by a private street, the subdivider shall furnish copies of such further covenants or documents that will result in:
 - 1. A declaration of short subdivision;
 - 2. Certification of approval by the city engineer given when he finds that the short plat serves a public use and interest and complies with all adopted recommendations for approval. (Prior code § 11.04.180)

16.08.190 Certification. The written approval of the city engineer or the mayor, if it renders the decision, shall be inscribed on the face of the short plat. (Prior code § 11.04.190)

16.08.200 Minimum standards. Upon the following subjects, the public use and interest shall be deemed to require as a minimum the standards set out below:

- A. Each lot shall contain sufficient square footage to meet minimum zoning requirements and Uniform Plumbing Code requirements or regulations established by the city engineer.
- B. Adequate bridges and storm drainage facilities shall be provided.
- C. Where any abutting city or county street has insufficient width to conform to minimum street width standards for the city of Aberdeen, sufficient additional right-of-way as determined by the city engineer shall be deeded to the city of Aberdeen.
- D. If the lots are to be served by septic tanks, soil data and percolation rates may be required by the city engineer. Notations regarding the conditions for approval may be required to be inscribed upon the short plat. The city engineer may request recommendations from the Grays Harbor Health District for determining suitability for septic tanks and drain fields.

- E. Lots within a short subdivision shall be designed so that lots adjacent to primary and secondary arterials do not require direct access; except that, if the subdivider presents proof that direct access to such lots is necessary to the development of his property and the city engineer so finds, the city engineer may permit direct access. This shall not apply to any parcels of one one-hundred-twenty-eighth of a section, or five acres or more.
- F. Access to the boundary of all short subdivisions shall be provided by an opened, constructed and maintained city or county street; except, that access to the boundary of a short subdivision by private street may be permitted where such private streets are otherwise permitted by this chapter.
- G. The maximum number of lots that may be served by a private street shall be four, unless modification is granted by the Aberdeen city council. In all other cases, access to any lot shall be by an opened, constructed and maintained city or county street. In no case shall this mean that the city council may grant an exception to RCW 58.17.
- H. If the subdivider uses a private street, each lot having access thereto shall have a responsibility for maintenance of such private street. Any private street shall also contain a drainage and utilities easement. (Prior code § 11.04.200)

16.08.210 Application for modification.

- A. Any subdivider may make application for a variation or modification where it appears there exist extraordinary conditions, such as topography, access, location, shape, size, drainage, or other physical features of the site or other adjacent development. Such application shall accompany the proposed short plat and shall include any and all details the developer deems necessary to support his application properly, and shall outline the provisions from which the modification is sought.
- B. All modifications shall be heard by the Aberdeen city council at a public hearing.
- C. Such application shall be filed with the city engineer no later than ten days prior to the Aberdeen city council's public meeting.
- D. If the Aberdeen city council finds unusual hardship or extraordinary difficulties, the minimum requirements of this chapter may be modified to mitigate the hardship; provided, that the public use and interest is protected and the development is in keeping with the general spirit and intent of these regulations, and the modification is not in violation of RCW 58.17. No such modification may be granted if it would have the effect of nullifying the intent and purpose of the zoning ordinance, the comprehensive plan, or this chapter. (Prior code § 11.04.210)