

## **Title 18**

### **SUBDIVISIONS\* \*\***

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\* Prior history: Ords. 22156 and 30022, Res. 46284, 54627, 54924 and 55090.

\*\* For statutory provisions on plats, subdivisions and dedications, see RCW Ch. 58.17.

## **Chapter 18.05**

### **GENERAL PROVISIONS**

#### Sections:

**18.05.010 Title.**

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**18.05.120 Exemptions.**

#### **18.05.010 Title.**

This title shall be known as the "Whitman County Subdivision Ordinance."  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.05.040 Purpose.**

The purpose of this chapter is to regulate and provide for the various kinds of subdivision uses that may occur in unincorporated Whitman County.

Division of land may occur for various reasons. There may be division of land in order to sell agricultural land to an adjacent farmer or rancher, to separate out a farmstead from a larger agricultural parcel. There may be adjustment of boundary lines between adjacent parcels, or the consolidation of lots in order to meet setback requirements. Subdivisions may be sought to create more lots for community purposes with the county's designated unincorporated communities, or for industrial and heavy commercial lots, the Pullman-Moscow Corridor District, for the very low density planned residential development, and to implement cluster residential development.

The method by which subdivisions are created can affect the public health, safety, and general welfare of our residents. To assure positive impacts, this chapter establishes standards that will be appropriate for the kind of subdivision being created.

To the extent possible and for the specific kind of subdivision land use, this title will prevent overcrowding, will lessen street and highway congestion, will promote safe and convenient travel by the public, and will provide for adequate light and air. Where appropriate to the specific zone, this chapter will facilitate adequate provision for water and sewer facilities, for park and recreation areas, for schools and school grounds and other essential public facilities. This chapter will provide for proper ingress and egress, for the expeditious review and approval of proposed land divisions that conform to the comprehensive plan, zoning ordinance, and other land use regulations, in order to properly provide for the commercial and housing needs of Whitman County.

This chapter will require uniform monumenting of land subdivisions and conveyancing by accurate legal description, and will implement the goals of the Whitman County comprehensive plan. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.05.080 Administration.**

The Whitman County department of public works director or designee is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the county and may prepare and require the use of such forms as are essential to their administration. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.05.120 Exemptions.**

The following kinds of land divisions are exempt from the long subdivision and short subdivision requirements, except as specified:

- A. Cemeteries and other burial plots while used for that purpose.
- B. Divisions made by testamentary provisions, or the laws of descent. It is recommended that the subdivider verify with Whitman County planning prior to writing testamentary provision land divisions that the lot(s) to be created can in fact meet the requirements for zoning and building. A testamentary division of land that fails to meet land use regulations does not vest the lot(s) with

the right to build or use the lot(s) when the lot(s) does not meet codes.

- C. 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, nor create any lot, which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.
- D. Any division of land made solely to create a lot for gift or sale to Whitman County, a city, town or other municipal corporation, state or federal government.
- E. Any division of land that is greater than twenty acres and which does not contain a dedication, when each proposed lot is determined to have adequate access (frontage or easement and physical road approach capability) to a state highway or an improved county road. All divisions of land proposed under this exemption must first be reviewed by the county engineer to assure that a physical access to the proposed lot is feasible. The county auditor shall not accept any documents that subdivide land unless it is accompanied by a statement from the county engineer that the proposed subdivision has been reviewed and found acceptable with regards to this access issue.

(Ord. 66838 (part), 2007; Res. 63084 (part), 2004; Ord. 61970 (part), 2003).

## **Chapter 18.10**

### **DEFINITIONS**

#### Sections:

- 18.10.030 Alley.
- 18.10.060 Block.
- 18.10.090 Boundary line adjustment.
- 18.10.120 Closed record appeal.
- 18.10.150 Closed record meeting.
- 18.10.180 Cluster development.
- 18.10.210 Comprehensive plan.
- 18.10.240 Covenant.
- 18.10.270 Cul-de-sac.
- 18.10.300 Dedication.
- 18.10.330 Easement.
- 18.10.360 Final plat.
- 18.10.390 Long subdivision.
- 18.10.420 Lot.
- 18.10.450 Monument.
- 18.10.480 Open record hearing.
- 18.10.510 Parcel.
- 18.10.540 Parent parcel.
- 18.10.570 Plat.
- 18.10.600 Preliminary plat.
- 18.10.630 Project permit.
- 18.10.660 Public meeting.
- 18.10.690 Right-of-way.
- 18.10.720 Remainder parcel.
- 18.10.750 Short plat.
- 18.10.780 Short subdivision.
- 18.10.810 Subdivider.

### **18.10.030 Alley.**

"Alley" means a dedicated narrow service way allowing a secondary access to abutting properties. No alley shall be less than twenty feet wide.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.060 Block.**

"Block" is a group of lots within well-defined and fixed boundaries.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.090 Boundary line adjustment.**

"Boundary line adjustment" means the relocation of the boundaries between two or more lots that does not result in the creation of any additional lot or lots.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.120 Closed record appeal.**

"Closed record appeal" means an administrative appeal on the record to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed. (from RCW 36.70B.020(1))

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.150 Closed record meeting.**

"Closed record meeting" means the regular or special meeting held by the body vested with making the final decision, following an open record hearing. No public testimony is allowed at this meeting, unless the decision-making body requests clarification.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.180 Cluster development.**

A "cluster development" is the grouping of residential structures on a portion of a land that allows for a significant amount of the land to be set aside as protected open area.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.210 Comprehensive plan.**

"Comprehensive plan" means the current comprehensive plan for the county, adopted by the county commissioners pursuant to state law.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.240 Covenant.**

A "covenant" is a legally binding agreement between home owners to regulate certain conditions within a subdivision.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.270 Cul-de-sac.**

"Cul-de-sac" means a road closed at one end by a circular area of sufficient size for turning vehicles around, as defined by the building code.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.300 Dedication.**

"Dedication" means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner through the presentment for filing of a final plat or short plat showing the dedication thereon; and, the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit. A dedication of an area of less than two acres for use as a public park may include a designation of a name for the park, in honor of a deceased individual of good character. (from RCW 58.17.0202)  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.330 Easement.**

"Easement" means a grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for a specific purpose and on or over which the owner will not erect any permanent improvements that serve to interfere with the free exercise of that right.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.360 Final plat.**

"Final plat" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in state law and in local regulations adopted under state law authority. (from RCW 58.17.0202) A final plat may not be recorded until it has received the approval of the board of county commissioners.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.390 Long subdivision.**

"Long subdivision" is the division or re-division of land into six or more lots for the purpose of sale, lease, or transfer of ownership.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.420 Lot.**

"Lot" means a fractional part of divided lands having fixed boundaries, being of sufficient area and

dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.450 Monument.**

"Monument" means a permanent type survey marker, which conforms to the Whitman County standard detail for monuments, or an approved substitute.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.480 Open record hearing.**

"Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

(from RCW 36.70B.020(3))

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.510 Parcel.**

"Parcel" is another term for lot or tract.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.540 Parent parcel.**

This is the lot (or parcel) of land that has been legally described and exists as a discrete lot (separate and distinct, as described in a deed) prior to any subdivision activity that would create additional lots and reduce its size.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.570 Plat.**

"Plat" means a map or representation of a subdivision, showing thereon the division of land into lots, blocks, streets and alleys, or other divisions and dedications.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.10.600 Preliminary plat.**

"Preliminary plat" is a draft drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a subdivision consistent with the requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision. (from RCW 58.17.0202)

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.630 Project permit.**

"Project permit" or "project permit application" means any land use or environmental permit or license required from a local government for a project action, including, but not limited to, building permits, subdivisions, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or a subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations. (from RCW 36.70B.020(4))  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.660 Public meeting.**

"Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. A public meeting may include, but is not limited to, a design review or architectural control board meeting, a special review district or community council meeting, or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government's project permit application file. (from RCW 36.70B.020(5))  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.690 Right-of-way.**

"Right-of-way" means land owned by the state, county, municipalities and railroads for the purpose of surface transportation needs such as roads for vehicles, paths for bicycles, and walkways for pedestrians. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.720 Remainder parcel.**

The "remainder parcel" is the acreage that remains in a parent parcel after a lot or lots have been created from it. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.750 Short plat.**

"Short plat" is the map or representation of a short subdivision. (from RCW 58.17.0202)  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.780 Short subdivision.**

"Short subdivision" means the division or re-division of land into four or fewer buildable lots, plus additional nonbuildable lots to be held in common ownership, including the parent parcel, for the purpose of sale, lease, or transfer of ownership. (from RCW 58.17.0202)  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.10.810 Subdivider.**

"Subdivider" means any person, firm or corporation undertaking the subdividing or resubdividing land. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

## **Chapter 18.15**

### **LONG SUBDIVISIONS--PRELIMINARY PLAT**

#### Sections:

**18.15.030 Purpose.**

**18.15.060 Pre-application process.**

**18.15.090 Preliminary plat application.**

**18.15.120 Preliminary plat preparation.**

**18.15.150 Public hearing required.**

**18.15.180 Planning commission recommendation.**

**18.15.210 Findings of fact.**

**18.15.240 Board of county commissioners consideration.**

**18.15.270 Notice of decision.**

**18.15.300 Adjustments of an approved preliminary plat.**

**18.15.330 Phased development.**

**18.15.360 Fees.**

#### **18.15.030 Purpose.**

The purpose of a preliminary plat is to provide the owner(s) of property wishing to divide their property into six or more lots and the county an opportunity to review the overall concept prior to initial development. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.060 Pre-application process.**

Prior to the filing of an application for a preliminary plat, the subdivider or agent is encouraged to contact the county planning office in order to determine any county requirements that need to be incorporated into the preliminary and final plats.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.090 Preliminary plat application.**

All applications for preliminary plat approval shall be accompanied by applicable fees and include the following:

A. A complete application form provided by the planning office;

B. A complete SEPA checklist;

C. Two copies of the preliminary plat in accordance with this chapter.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.120 Preliminary plat preparation.**

A. A preliminary plat shall be prepared by a professional engineer or land surveyor licensed by the state of Washington.

B. A preliminary plat shall contain and conform to the following:

1. General Information.

- a. Proposed name of the subdivision along with the words "Preliminary Plat." Names shall avoid resembling names of existing subdivisions. Proposed road or street names shall avoid duplication or resemblance to existing roads and streets, which shall be reviewed by the department of public works and Whitcom;
- b. Name and address of the subdivider;
- c. Name and address of the professional engineer or land surveyor who prepared the preliminary plat;
- d. Bar scale, numeric scale, true north point, and date of preparation;
- e. Location of boundary lines in relation to section, quarter section or quarter-quarter section lines, corners, and any adjacent municipal boundaries;
- f. A vicinity map sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads and major man-made and natural features shall appear on the preliminary plat.

2. Existing Conditions.

- a. Name of adjacent subdivisions and/or land owners;
- b. Topography at intervals of five feet unless waived in writing by the county engineer. The locations of geographic features shall be identified;
- c. Location, width and name of each existing or platted road or other right-of-way, parks and other public open spaces, and buildings, within the proposed subdivision, and twenty feet beyond the exterior boundary of the proposed subdivision;
- d. The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision; in addition, any gas pipeline easement within fifty feet of the proposed subdivision;
- e. The location of any well within the proposed subdivision or within one hundred feet of the boundaries of the proposed subdivision.

3. Proposed Development.

- a. Location and width of proposed roads, alleys, pedestrian ways and easements;
- b. Indication of any portion or portions of the preliminary plat for which separate or successive final plats will be filed;
- c. Layout, numbers and approximate dimensions of lots (net and gross) and numbers of blocks;
- d. Location and size of all proposed parks, playgrounds, buffer zones, open areas, or other special uses of land considered for dedication, or reservation by deed of covenant for special use or for use of all property owners in the subdivision and any conditions of such dedication or reservation;
- e. Indication of proposed land use;
- f. Two copies of proposed road grades may be required by the county engineer where conditions warrant their being furnished;
- g. For proposed subdivisions involving residential land uses, a table shall be provided on the preliminary plat containing the following information:
  - i. Total acreage of proposed plat,
  - ii. Number of lots and square footage of each lot,
  - iii. Minimum lot size,
  - iv. Maximum lot size,
  - v. Number of lots per phase,
  - vi. Total area of proposed rights-of-way per phase,
  - vii. Preliminary layout of water, storm drainage and sanitary sewer systems.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

**18.15.150 Public hearing required.**

A. Upon receipt of a complete application for preliminary plat approval, after staff review and report preparation, a date shall be set for an open record hearing before the planning commission.

B. Notice of public hearing required by this section shall include the hour and location of the hearing and a description of the property to be subdivided. The description will include the legal description as well as an approximate narrative location, direction from a landmark.

C. At a minimum, a notice of the open record hearing is to be given in the following manner:

1. Notice shall be published not less than ten calendar days prior to the hearing in a newspaper of general circulation within Whitman County;
2. Notice shall be mailed to the owners of real property, as shown by the records of the county assessor, located within three hundred feet of any portion of the boundary of a proposed subdivision, except in the case of a cluster residential district which requires notice to adjacent land owners within one thousand feet of the boundaries of the proposed subdivision;
3. Where the proposed subdivision is located within two miles of a publicly owned airport, notice shall be mailed to the Washington State Department of Transportation Aviation Division, the Federal Aviation Administration, and the airport manager.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.180 Planning commission recommendation.**

After the open record hearing on a proposed preliminary plat, the planning commission shall render a recommendation to the board of county commissioners as to whether the proposal based on the findings shall be denied, approved or approved with modifications or conditions.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.210 Findings of fact.**

Upon conclusion of the public hearing, the planning commission shall make and enter into findings from the record and conclusions thereof as to whether or not:

- A. Adequate provisions are made for the public health, safety and general welfare and for open areas, storm water, roads, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds and other public needs;
- B. The proposed subdivision contributes to the orderly development and land use patterns in the area;
- C. The public use and interest will be served by permitting the proposed subdivision;
- D. The proposed subdivision conforms to the general purposes of any applicable policies or plans which have been adopted by the board of county commissioners;
- E. The proposed subdivision conforms to the comprehensive plan and zoning requirements;
- F. The proposed subdivision conforms to the general purposes of this chapter.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.240 Board of county commissioners consideration.**

- A. Upon receipt of the planning commission public hearing minutes and recommendations, as

transmitted by planning staff, the board shall review said documents, and then set a date in their regular session to consider the proposed preliminary plat. During this regular closed record meeting, for which agenda notice has been published, the board shall:

1. Approve the preliminary plat as recommended by the planning commission; or

2. Deny the preliminary plat.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.270 Notice of decision.**

Following action approving or denying a preliminary plat, the applicant shall be notified of the board's decision. The notice shall be accompanied by a copy of the decision and shall also inform the applicant of applicable time limitations for final plat submittal if the preliminary plat was approved. The approved preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with preparation of the final plat.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.300 Adjustments of an approved preliminary plat.**

A. Minor adjustments may be made and approved by the director of public works or designee. Minor adjustments are those which may affect the precise dimensions of the plat but which do not affect the basic character or arrangement of the lots and roads. The adjustments cannot be inconsistent with the approved preliminary plat, and cannot be in violation of this chapter, the county zoning ordinance, any other applicable county land use controls, RCW Chapter 58.17, or any other applicable state law or regulation.

B. Major adjustments are those as determined by the director of public works or designee that substantially change the basic design, layout, open area or other requirements of the plat. When a proposed change constitutes a major adjustment, a new application for a preliminary plat is required and shall be processed as a new and separate application.

C. Time limitations: a preliminary plat shall be valid for a five-year period following board of county commissioner approval of the preliminary plat.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.15.330 Phased development.**

In order to enable appropriate timing of subdivision improvements, such as roads, etc., the following procedure is available:

A. A subdivider or group of subdividers who control a large area of land may prepare a preliminary plat for the entire area of development;

B. On such preliminary plat, development phases may be designated;

C. Upon approval of the preliminary plat, the developer may cause to be prepared a final plat for

one or more phases, provided the order of development allows for logical provisions of utilities and streets;

D. Each completed phase shall be considered a final plat and it shall comply with the provisions of these regulations.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.15.360 Fees.**

At the time of filing an application for a preliminary plat, the subdivider shall pay a fee as established by the adopted county planning fee schedule. In addition to the preliminary plat fee, the subdivider may be responsible for reimbursing the county for costs related to engineering services related to the approval of a final plat.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

## **Chapter 18.20**

### **LONG SUBDIVISIONS--FINAL PLAT**

#### Sections:

**18.20.030 Application.**

**18.20.060 Final plat preparation.**

**18.20.090 Final plat contents.**

**18.20.120 Title certificate required.**

**18.20.150 Approval requirements.**

**18.20.180 Board of county commission approval.**

**18.20.210 Terms of approval.**

**18.20.240 Filing and distribution.**

**18.20.270 Building permits.**

#### **18.20.030 Application.**

A. Within five years of the approval of a preliminary plat, the subdivider shall prepare and submit for approval to the board of county commissioners a final plat for recording purposes, together with such supplementary information, certificates and bonds as may be required. The final plat shall be submitted first to the planning office. If the final plat is not submitted to the board within this five-year period, a new preliminary plat must be resubmitted. (See also RCW 58.17.140)

B. A complete application shall consist of an application form provided by the planning department, the original signed, dated and stamped mylar drawing of the subdivision, a title certificate, and the applicable instrument identified in Section 18.04.040 to cover the cost of outstanding improvements.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.060 Final plat preparation.**

A. Preparation. The final plat shall be prepared by a professional land surveyor licensed by the state of Washington, who by placing his or her signature and stamp upon the face of the plat, certifies that the plat is a true and correct representation of the land actually surveyed, that the existing monuments shown thereon exist as located and that all dimensional and geometric details are correct.

B. Scale and Format. The final plat shall be drawn in permanent black ink on mylar measuring twenty-four inches by thirty-six inches in size, allowing two inches for a margin. The final plat shall be accurate, legible and drawn to an engineering (decimal) scale of one hundred feet or fewer to the inch. If more than one sheet is required, an index sheet showing the entire subdivision with road and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.20.090 Final plat contents.**

The final plat shall show and contain the following information:

- A. Primary control points approved by the county engineer, and descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data on the plat shall be referred;
- B. The final plat shall show original or reestablished corners, with descriptions and actual traverse data showing error of closure and method of balancing, with sketch showing all distances, angles, and calculations required to determine corners and distances of the plat. The allowable error of closure shall not exceed the amount specified by state law;
- C. Lot boundary lines, right-of-way lines of roads, easements and other rights-of-way, and property lines of residential lots and other sites, with accurate courses, distances, dimensions, or deflection angles, complete curve data for road 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. Name and right-of-way width of each road and other right-of-way, or easement;
- E. Locations, dimensions and purpose of any easements;
- F. Number, to identify each lot or site with accurate dimensions in feet and hundredths of feet;
- G. A table showing the square-foot area of each lot;
- H. Purpose for which sites, other than residential, commercial or industrial lots, are dedicated or reserved;
- I. Identification of any nonbuildable lots to be held in common ownership by a homeowners' association and not certified as eligible residential parcels. The plat shall also bear a note stating that no residences may be constructed on parcels so labeled;
- J. Location and description of monuments;
- K. Reference to recorded subdivision plats of adjoining platted land by recorded name, date and number;

- L. Certification by surveyor or engineer certifying to the accuracy of the survey and plat;
- M. Statement by the owner dedicating roads, rights-of-way and any other sites for public use;
- N. Name of the plat, scale, north point and date;
- O. Spaces for certificates or approval by the following officials or agencies:
  - 1. Board of county commissioners,
  - 2. Planning commission chairperson and clerk,
  - 3. County engineer,
  - 4. Environmental health officer,
  - 5. County treasurer,
  - 6. County assessor,
  - 7. County auditor;

P. All signatures shall be in permanent black ink.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.120 Title certificate required.**

All final plats submitted for approval shall be accompanied by a title company certification (current within thirty calendar days as provided by a licensed title company) confirming that title of the land as described and shown in the plat are in the name(s) of the owner(s) signing the plat. A document providing power of attorney for signatures is acceptable.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.150 Approval requirements.**

Prior to approval of a final plat, all required infrastructure improvements must be completed, or the developer may provide the county with a bond, cash, or irrevocable line of credit amount equal to one hundred twenty-five percent of the county engineer's estimate of the cost to complete the required infrastructure. As-built drawings and data of all underground utilities necessary to serve said plat must be provided to the county engineer. No approval shall be given until the county engineer has reviewed and accepted the improvements. No certificate of occupancy will be issued for any structure in a subdivision or phase of a subdivision until all infrastructure improvements have been completed and accepted by the county engineer.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.180 Board of county commission approval.**

The board shall have sole authority to approve final plats. Such approval shall occur by affirmative vote of the board during a regular closed record meeting. The board shall approve the final plat only if the board finds that the subdivision proposed for final plat approval conforms to all the terms of the approved preliminary plat, and that said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws and this chapter that were in effect on the date of preliminary plat approval. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.210 Terms of approval.**

A subdivision shall be governed by the terms of approval of the final plat, and the zoning ordinance or other land use control ordinances, in effect on the land at the time a fully completed application for preliminary plat approval of the subdivision has been submitted to the appropriate county official, unless the legislative body finds that a change in conditions creates a serious threat to the public health or safety in the subdivision. (Based on RCW 58.17.033) These terms of approval remain valid for a period of five years after the date the final plat was filed. (Based on RCW 58.17.1700) (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.240 Filing and distribution.**

The original and copies of the approved final plat shall be distributed as follows:

- A. The original shall be returned to the subdivider once the final plat bears the certificate of approval of all appropriate officials and/or agencies. It is the subdivider's responsibility to record the final plat with the county auditor;
- B. After recording, the auditor shall transmit one paper copy to the county assessor. The original mylar will be archived by Whitman County;
- C. At such time that Whitman County is able to accept electronic copies, when the final plat is created in a digital format, the applicant shall also provide the planning office with one copy of the final plat in a digital format as specified by the county engineer and shall provide the county assessor one copy of the final plat in a digital format as specified by the county assessor.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.20.270 Building permits.**

A. No building permit shall be issued for any lot until after the final plat has been approved, except one building permit may be allowed for one unoccupied model home for display only purposes. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **Chapter 18.25**

#### **SUBDIVISION IMPROVEMENTS**

##### Sections:

**18.25.030 Criteria--Interim county engineering standards for land development, road, and bridge construction.**

### **18.25.030 Criteria--Interim county engineering standards for land development, road, and bridge construction.**

The county engineer maintains a set of standards that govern subdivision improvements. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

## **Chapter 18.30**

### **SHORT SUBDIVISIONS**

#### Sections:

**18.30.030 Purpose.**

**18.30.060 Application submittal and fee.**

**18.30.090 Application preparation.**

**18.30.120 Application content.**

**18.30.150 Administrator's duties.**

**18.30.180 Short plat approval--Authorization for subdivider.**

**18.30.210 Final mylar review, approvals and filing.**

**18.30.240 Appeals.**

**18.30.270 Re-subdivision procedure.**

#### **18.30.030 Purpose.**

The purpose of a short plat is to provide a method of land division allowing the creation of four or fewer buildable lots, plus additional nonbuildable lots to be held in common ownership, that meet the land use requirements of Whitman County in creating lots suitable for building or farming or grazing or utility use or common area or for conservation easement purposes. The intent of the short plat process is to promote orderly and efficient community growth. The short plat shall indicate the purpose of the intended use. Any change in the proposed use will require the appropriate review, and if acceptable, an updated plat.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.30.060 Application submittal and fee.**

Any person or party(ies) desiring to divide land via a short plat, for the purpose of sale, lease, or transfer of ownership shall submit an application for short plat approval to the county planning office. Two paper copies of a draft short plat survey may constitute an application. The board establishes the fee for short plat review in the planning fee schedule.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.30.090 Application preparation.**

The application for approval of a short plat shall be in the form of a draft paper short plat survey submitted to the county planning office.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.30.120 Application content.**

The draft short plat shall contain all the information that is required on the mylar short plat that is to be

submitted for filing:

- A. All draft short plats submitted for review and all mylar short plats submitted for approval shall be accompanied by a title company certification (current within thirty calendar days as provided by a licensed title company) confirming that title of the land as described and shown in the plat are in the name(s) of the owner(s) signing the plat. A document providing power of attorney for signatures is acceptable.
- B. The draft short plat shall reference by planning office file number the zoning approval that establishes the right for a short plat subdivision, such as the rural housing certificate (RHC YY-##), conditional use (CU YY-##), or zone change (ZC YY-##). When a short plat application (draft short plat and fee) is preceded by one of these zoning actions, the notice requirement for adjacent land owners will have been satisfied through the zoning action notice procedure.
- C. Two copies of the draft short plat eighteen inches by twenty-four inches at a scale not smaller than one inch is equal to two hundred feet. The planning office shall send one to the county assessor and treasurer so they have advance time to calculate open space and back taxation amounts. Surveyors shall keep in mind that the draft short plat will be compared to the mylar plat, and that differences between them will lengthen review time and may result in a decision to require another mylar if the one submitted is not acceptable. The contents required for a draft short plat include:
  1. Proposed name of the short subdivision along with the words "Short Plat." Names shall avoid resembling names of existing subdivisions. Proposed private road or street names shall avoid duplication or resemblance to existing roads and streets, which shall be reviewed by the department of public works and Whitcom;
  2. The legal description of the parent parcel and of all proposed lots;
  3. Location of boundary lines in relation to section, quarter section or quarter-quarter section lines, corners, and any adjacent municipal boundaries;
  4. Name and address of owner(s) of the land being subdivided;
  5. Name and address of the professional engineer or land surveyor who prepared the draft short plat;
  6. Land area equation (parent parcel acreage minus proposed short plat acreage equals remainder parcel acreage). The surveyor shall reference the original deed of the parent parcel;
  7. All structures within the proposed new lot, including well(s), septic tank, drain field(s), power poles, etc.;
  8. Any structures on adjacent property if they lie within setbacks to the proposed property line. (This would generally cause a variance to be obtained.) County environmental

health needs to know if there are any wells within one hundred feet of the exterior boundaries of the proposed subdivision;

9. Distances from existing and proposed property lines to structures, if the structures encroach into the setbacks;
10. Name of the adjacent public road and road number (state or county). Culverts or bridges shall be shown;
11. Existing or proposed road approach location, width, culvert size (if any), and driveway;
12. Layout, numbers and approximate dimensions of lots. The draft short plat shall show the area for each lot and the area for any land to be held in common ownership, for example, by a homeowners association;
13. Preliminary layout of water, storm drainage, and septic system drain fields;
14. Indication of proposed land use;
15. If within a cluster residential district, the survey shall show buffer distance from the perimeter boundary, and shall show the area where residential development may occur;
16. The owners of any adjacent land and names of any adjacent subdivision;
17. A vicinity map sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads and major man-made and natural features;
18. Bar scale, numeric scale, true north point, and date of preparation;
19. All easements for utility lines, road access, etc. and in addition, any gas pipeline easement within fifty feet of the proposed subdivision;
20. Resource land reference (agricultural/mineral resource lands);
21. Wetland reference, if any;
22. Flood hazard reference, if any;
23. Acknowledgement of existing agricultural practices, or reference to deed restriction stating such acknowledgement, signed by the owner of the property;
24. Identification of any nonbuildable lots to be held in common ownership by a homeowners' association and not certified as eligible residential parcels. The plat shall also bear a note stating that no residences may be constructed on parcels so labeled;

25. County department approval statements and county official signatures space;
26. Owner(s) statement and space for owner(s) signature;
27. Space for the notary public stamp or imprint located near the edge of the drawing.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.30.150 Administrator's duties.**

The Whitman County department of public works director or designee is vested with the duty of administering subdivision and platting regulations within the unincorporated areas of the county and may prepare and require the use of such forms as are essential to their administration.

- A. After the planning office has received a draft short plat and fee, planning staff shall verify it for consistency with its related zoning action.
- B. The draft short plat shall be submitted to the county engineer for review and comment.
- C. A copy of the draft short plat shall be sent to the county assessor, to enable early computation of back tax and penalty obligations if the land in question would be removed from the assessor's open space tax classification.
- D. Whitman County may seek review by fire districts, school districts, utility providers, etc., as Whitman County deems appropriate. This information may affect short plat language.
- E. The planning office shall transmit changes, questions, or concerns to the subdivider's surveyor, or, to the subdivider, if so requested.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.30.180 Short plat approval--Authorization for subdivider.**

Once the draft short plat has been reviewed, Whitman County will relay any comments or corrections to the surveyor. In those cases where the short plat creates lots within industrial (light industrial or heavy industrial), commercial (heavy commercial, airport commercial, highway/waterway commercial, or Pullman-Moscow Corridor), or residential subdivision (CRD) zones, certain improvements need to be completed prior to approval of the mylar short plat. For example, in all cases where potable water needs to be proven prior to short plat approval unless the site needs no water, (such as cell tower or mini-storage sites), proof of potable water must be demonstrated before the county environmental health department will be able to approve the mylar short plat. Depending upon the zone and the approvals, other improvements may be required prior to mylar short plat approval.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.30.210 Final mylar review, approvals and filing.**

When the mylar short plat has been produced, it shall be first presented to the county planning office. The procedural steps for approval are as follows:

- A. The planning office shall compare the mylar short plat with the previously submitted draft short plat for consistency and compliance. The planning office shall reject any mylar short plat that does not meet codes. A mylar short plat that meets code becomes ready for other county officials for their approvals and signatures.
  - B. The mylar shall be forwarded to the county engineer for review, approval and signature.
  - C. The county environmental health officer shall be invited to review, approve and sign the mylar short plat, or the applicant may take the mylar from public works and take it to that office.
  - D. The applicant shall take the mylar short plat to the county assessor for approval and signature. Note that county procedure intends to have alerted the assessor regarding the forthcoming changes to taxes, and so forth, but it is the applicant's obligation to comply with tax payments and so forth.
  - E. The applicant shall then take the mylar short plat to the county treasurer, who will review and approve it after tax payments have been made.
  - F. Once all four of the above approvals and signatures have been obtained on the mylar short plat, the applicant shall take it to the county auditor legal filings officer for recording.
- (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

**18.30.240 Appeals.**

Any person may, upon payment of fee, appeal the administrative decision to grant or deny a proposed short plat to the board of adjustment. This appeal must be made in writing to the board of adjustment via the planning office within fifteen calendar days of the date of the decision. The board of adjustment, following a public meeting, may affirm or reverse the administrative decision, and may approve it with additional conditions.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

**18.30.270 Re-subdivision procedure.**

Land involved in an approved short plat, including the newly created lots and the parent parcel, may not be further subdivided through a short plat process within a five-year period unless further subdivided via the long subdivision procedure.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

**Chapter 18.35**

**BOUNDARY LINE ADJUSTMENT**

Sections:

18.35.030 Purpose.

18.35.060 Applicability.

18.35.090 Application.

**18.35.120 Administrative review.**

**18.35.030 Purpose.**

The purpose of a boundary line adjustment is to provide an administrative method of modifying the boundary lines between two or more lots of record. The intent of a boundary line adjustment is to address existing problems pertaining to building encroachment, irregular shaped lots, nonconforming lot sizes or to modify lot lines to promote orderly and efficient community growth. (Ord. 66838 (part), 2007; Res. 63084 (part), 2004; Ord. 61970 (part), 2003).

**18.35.060 Applicability.**

The boundary lines separating two or more lots of record may be adjusted under the provisions of this chapter, provided that such adjustment:

- A. Will not result in the creation of any additional lot(s);
- B. Will not create any lot(s), which contains insufficient area and dimensions to meet all of their requirements of the Whitman County zoning standards;
- C. Will not adversely affect access, easement or drain fields;
- D. Will be consistent with any applicable health, building or similar regulations;
- E. Will not increase the nonconforming aspects of an existing nonconforming lot or structure. (Ord. 66838 (part), 2007; Res. 63084 (part), 2004; Ord. 61970 (part), 2003).

**18.35.090 Application.**

A. Application for a boundary line adjustment shall be made on forms to be provided by the planning office, and shall be submitted to the planning office together with the applicable fee and one copy of a sketch of the proposed boundary line adjustment adhering to the following requirements:

- 1. The sketch will be on 8.5" x 11" or 8.5" x 14" paper. If larger, there are two options: The drawing or survey could be reduced to paper sizes mentioned above as long as the print is no smaller than eight-point font size. If a larger size survey or drawing is filed, it must be on mylar and will be filed as a survey of record;
- 2. Existing property lines that are to be changed or removed shall be shown as a dashed line, (- - - , etc.);
- 3. Existing property lines that will not be changed shall be shown as a solid line;
- 4. Proposed property lines shall be shown as a bold double line, (====);
- 5. A north arrow and approximate scale shall be shown;

6. Adjacent property owners shall be identified and labeled;
7. Distance of structures to existing and proposed property lines must be shown, and setback information described;
8. Lot dimensions must be shown and labeled;
9. All site utilities-well and water lines, sewage lines, septic tank and drain field; gas, electrical, telephone, cable TV lines, driveways, road access, and easements must be located and described on the sketch;
10. Creeks, wetlands, drainages, water bodies, and any portions of the parcel with slopes greater than twenty-five percent shall be shown on the sketch;
11. Existing and proposed legal descriptions must be described.

B. If a survey of record is required for a boundary line adjustment, it shall be prepared by a licensed land surveyor in the state of Washington. They shall be labeled as a boundary line adjustment, and space shall be provided on the survey for the planning office filename for that specific boundary line adjustment. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.35.120 Administrative review.**

An application for a boundary line adjustment shall be approved, approved with conditions, returned to the applicant for modifications or denied within fifteen calendar days of its receipt by the planning office. The planning office shall not be considered to be in receipt of a complete application unless and until such time as the application meets the requirements for a boundary line adjustment, as determined by the planning office.

- A. The planning office is authorized to review the proposed boundary line adjustments or lot consolidations. Approval will be given as long as no new or additional lot(s) is/are created, and provisions of the zoning ordinance are met. Those provisions include, but are not limited to, minimum lot dimensions, parcel size, setbacks, water and sewer requirements.
- B. The owner(s) must file a quitclaim deed with the Whitman County auditor to complete the process of property transfer to the adjacent owner(s).
- C. If the boundary line adjustment is denied, the planning director shall make appropriate findings of fact in writing. When approved, the boundary line adjustment shall be filed by the applicant with the Whitman County auditor (legal filings division), along with the sketch, drawing, or survey and related documents such as legal descriptions and quitclaim deeds.
- D. The auditor shall furnish copies of the filed boundary line adjustment to the planning office and county assessor for their files. The county assessor will make the ownership change on their records for tax assessment purposes.
- E. Appeals of an administrative decision relating to boundary line adjustments may be made to the

board of adjustment. This appeal must be made in writing to the board of adjustment via the planning office within fifteen calendar days of the date of the decision. The board of adjustment, following a public meeting, may affirm or reverse the administrative decision, and may approve it with additional conditions. If not, the decision of the planning office is final and no further appeal may be made.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

## **Chapter 18.40**

### **DEDICATIONS AND RESERVATIONS**

#### Sections:

**18.40.030 Dedications required.**

**18.40.060 Dedication process.**

#### **18.40.030 Dedications required.**

A. No plat shall be approved unless adequate provision is made (if required and accepted by Whitman County) in the subdivision for such storm drainage, roads, alleys, easements, parks, playgrounds, sites for schools, school grounds, and other general purposes, as may be required to protect the public health, safety, welfare and open spaces. Dedication of the land to any public body may be required as a condition of a final plat or short subdivision approval.

B. Every final plat of a subdivision filed for record must contain a certificate giving full and correct description of the lands divided as they appear on the plat, including a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner or owners.

C. If the plat is subject to a dedication, the certificate or a separate written instrument shall contain the dedication of all roads 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. 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. Every plat containing a dedication filed for record must be accompanied by a title report (current within thirty calendar days) confirming the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.

E. An offer of dedication may include a waiver of right of direct access to any road from any property, and if the dedication is accepted, any such waiver is effective. Local authorities may require such waiver as a condition of approval. Roads not dedicated to the public must be clearly marked on the face of the plat. Any dedication, donation or grant as shown on the face of the plat shall be considered, to all intents and purposes, as a quitclaim deed to the recipient, grantee or grantees for his, her, or their use for the purpose intended by the donors or grantors as aforesaid.

F. Protective improvements and easements to maintain such improvements shall be dedicated.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.40.060 Dedication process.**

A. All dedications of land shall be clearly and precisely indicated on the face of the plat.

B. If the board of county commissioners concludes that the public interest will be served thereby, the board may, in lieu of requiring dedication of land in a subdivision for protective improvements, storm drainage, roads, alleys, sidewalks, parks, playgrounds, recreational, community or other general purposes, allow the said land to be conveyed to a homeowners association or similar nonprofit corporation.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **Chapter 18.45**

#### **DEDICATION FOR PARKS**

##### Sections:

**18.45.030 Provision for park/playground required.**

**18.45.060 Determination of value.**

**18.45.090 Cash payment in lieu of dedication.**

**18.45.120 Disposition of land and cash payments.**

**18.45.150 Applicability.**

#### **18.45.030 Provision for park/playground required.**

To assure appropriate and adequate provision for parks and other recreation facilities is made at the time of short plat or long subdivision approval, the subdivider may be required to dedicate, by statutory warranty deed, a parcel or parcels of land as selected by the county in such amount to be at least equal in value to the total value of park and recreation demand generated by the short plat or subdivision as determined by this title. The county decision to require park dedication shall be explored in the preliminary discussions with the subdivider, and the final decision regarding this dedication will be made no later than the preliminary plat hearing for long subdivisions or at the close of the draft short subdivision administrative review. Said land shall be exclusive of required subdivision improvements and free of any and all encumbrances, including all labor and material liens, or the subdivider shall provide a bond in lieu thereof.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.45.060 Determination of value.**

Based on the proposed short plat or subdivision and the zoning classification thereto, a total number of dwelling units expected to be contained by the short plat or subdivision shall be determined. Said total number of dwelling units shall then be multiplied by the base park fund fee as determined by resolution by the board of county commissioners, the product of which shall represent the total value of the park and recreation demand expected to be generated by the proposed subdivision.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.45.090 Cash payment in lieu of dedication.**

In lieu of dedication of land as required in Section 18.45.030, the board of county commissioners may, at its discretion, require a cash payment equal to the total value of park and recreation demand expected to be generated by the proposed short plat or subdivision. The board may, at its discretion, require a combination of

land dedication and cash payment provided the total combined value is at least equal to the total value of park and recreation demand. The cash payment is required to be paid to the Whitman County parks and recreation department prior to final short plat/subdivision approval.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.45.120 Disposition of land and cash payments.**

Any land deeded under the provisions of this chapter may be held for future sale or for park/recreation use improvements. Any dedicated park land to be sold prior to one hundred percent development of the subdivision shall be first offered to the subdivider at its stated parkland value. The proceeds from the sale of any land dedicated under the requirements of this chapter and any cash payment in lieu of such dedication shall be deposited in the park acquisition and development fund as administered by the Whitman County parks and recreation department.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.45.150 Applicability.**

The provisions of this chapter shall apply to any short plat or subdivision or portion thereof receiving final approval subsequent to the effective date of the ordinance codified in this chapter. However, a preliminary plat with a fully completed application properly filed for review or approved prior to the effective date of the ordinance codified in this chapter need not comply with the provisions of this chapter at the time of final approval of the short plat/subdivision or portion thereof.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **Chapter 18.50**

#### **ENFORCEMENT**

##### Sections:

**18.50.030 Development of illegally divided land.**

**18.50.060 Penalties.**

**18.50.090 Enforcement of provisions of the final plat.**

**18.50.120 Offer to sell lots following preliminary plat approval.**

**18.50.150 Severability.**

#### **18.50.030 Development of illegally divided land.**

A. An application for a building permit for any lot of land divided in violation of state law or this chapter shall not be granted.

B. All purchasers or transferees of illegally divided property shall comply with provisions of this chapter and each purchaser or transferee may recover his damages from any person, firm, corporation, or agent selling or transferring land in violation of this chapter, including any amount reasonably spent as a result of inability to obtain any development permit and expenditures associated with conforming to the requirements of this chapter including the cost of investigation, suit, and reasonable attorney's fees occasioned thereby. Such purchaser or transferee may as an alternative to conforming to these requirements, rescind the sale or transfer and recover costs of investigation, suit, and reasonable attorney's fees occasioned thereby.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.50.060 Penalties.**

A. Whenever any parcel of land is divided into two or more lots and any person, firm or corporation, or any agent of any of them sells or transfers, offers or advertises for sale or transfer any such lot without having a final plat of such long subdivision or mylar of such short subdivision recorded with the county auditor's office, the prosecuting attorney shall commence an action to restrain and enjoin further subdivisions or sales, or transfers, or offers of sale or transfer and compel compliance with all provisions of this chapter. The costs of such action shall be taxed against the person, firm, corporation or agent selling or transferring the property.

B. Any person who violates any court order or injunction issued pursuant to this chapter shall be subject to a fine of not more than five thousand dollars or imprisonment for not more than ninety days or both.

C. In the enforcement of this chapter, the prosecuting attorney may accept an assurance of discontinuance of any act or practices deemed in violation of this chapter from any person engaging in, or who has engaged in such act or practice. Any such assurance shall be in writing and be filed with and subject to the approval of the superior court of the county in which the alleged violation occurs. A violation of such assurance shall constitute prima facie proof of a violation of this chapter.

D. The Whitman County prosecutor shall prosecute violators in accordance with RCW 58.17.300 for any person, firm, corporation, or association or any agent of any person, firm, corporation, or association who violates any provision of this chapter or any local regulations adopted pursuant thereto relating to the sale, offer for sale, lease, or transfer of any lot and each sale, offer for sale, lease or transfer of each separate lot in violation of any provisions of this chapter or any local regulation adopted pursuant thereto, shall be deemed a separate and distinct offense.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **18.50.090 Enforcement of provisions of the final plat.**

To further the mutual interest of the residents of a platted residential development and of the public in the preservation of the integrity of the plat as finally approved, and to insure that modifications, if any, in the plat shall not impair the reasonable reliance of the said residents upon the provisions of the final plat, nor result in changes that would adversely affect the public interest, the enforcement and modification of the provisions of the plat as finally approved shall be subject to the provisions of this section.

The provisions of the final plat relating to the following items shall run in favor of the county and shall be enforceable in law or in equity by the county without limitation on any powers of regulation otherwise granted to the county by law:

- A. Use, bulk and location of buildings and structures;
- B. Quantity and location of common open areas;
- C. Intensity of use or the density of residential units;

- D. Design;
- E. Development of improvements;
- F. Surveys;
- G. Dedications;
- H. Sewer and water; and
- I. Fire protection.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.50.120 Offer to sell lots following preliminary plat approval.**

If performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract or parcel of land following preliminary plat or short plat approval is expressly conditioned on the recording of the final plat containing the lot(s) under this chapter, the offer or agreement is not subject to RCW 58.17.200 or 58.17.300 or Sections 18.50.030 and 18.50.060 of this chapter, and does not violate any provisions of this chapter. All payments on account of an offer or agreement conditioned as provided in this section shall be deposited in an escrow or other regulated trust account and no disbursement to sellers shall be permitted until the final plat is recorded.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

#### **18.50.150 Severability.**

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter or the application of the provision to other persons or circumstances shall not be affected.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

### **Chapter 18.55**

#### **FEES**

##### Sections:

**18.55.030 Fees.**

#### **18.55.030 Fees.**

Whenever an application requiring a fee under this chapter in addition to all other required data, the applicant shall pay a fee as established by the adopted county planning fee schedule. No application shall be processed unless the respective application fee listed above has been paid in full, which shall be nonrefundable.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 61970 (part), 2003).

### **Chapter 18.60**

## PLANNED RESIDENTIAL DEVELOPMENT (PRD)

### Sections:

- 18.60.010 Purpose and intent.
- 18.60.020 Definitions.
- 18.60.025 General application process overview.
- 18.60.030 Application requirements for conceptual review.
- 18.60.035 Modification of application requirements.
- 18.60.040 Criteria for conceptual review and preliminary approval.
- 18.60.045 Conceptual review.
- 18.60.050 Application for preliminary approval.
- 18.60.060 Preliminary approval.
- 18.60.070 Limitations and conditions.
- 18.60.080 Application for final design approval.
- 18.60.090 Community area.
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- 18.60.140 Fees.
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### **18.60.010 Purpose and intent.**

This document outlines a design, review and approval process for a specialized form of planned residential development (PRD) which will foster creative, efficient, and comprehensive site development, intended for special site locations, conditions and circumstances.

These regulations provide guidance and flexibility in site design and development in order to:

- A. Create a development form which allows for preservation of critical areas, resource lands, significant shorelines and ecosystems, priority habitat areas and species of local importance within the county; and the goals of which are compatible with Whitman County's comprehensive plan;
- B. Create alternative forms of residential development that also offer economic benefits to the county with minimum impacts to the county;
- C. Produce a development which would be better than traditional lot-by-lot development, on either consolidated lots or unsubdivided property, through variety in design, placement of buildings, and use of natural, undeveloped areas, in order to capitalize on the special features of the individual site;
- D. Permit flexibility that will encourage a more creative approach in the development of land and will result in a more efficient, aesthetic, and desirable use of natural, undeveloped areas, while at the same time harmonizing with adjoining development and land uses;
- E. Ensure preservation of undeveloped areas, natural habitat, and important ecosystems;

- F. Preserve and enhance special site features, including priority habitat, wetlands and areas of cultural significance;
  - G. Preserve and enhance natural recreational opportunities of the site and adjacent areas;
  - H. Maximize use of alternative energy sources and energy-efficient structures, while employing strategies for conservation of water and other resources.
- (Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

**18.60.020 Definitions.**

- A. Definitions.
  - 1. The term "planned residential development" or "PRD" is defined as an area of land developed as a single entity, or in approved stages in conformity with a site development plan by a single owner, developer, or group of developers acting jointly, which is planned to provide for a variety of residential and compatible uses and common natural and recreational areas.
  - 2. The "low-density" planned residential development is a special form of PRD appropriate for certain areas comprised of significant environmental attributes and features which can be maintained through a careful planning process which emphasizes protection of valuable ecosystems, undeveloped areas, and priority habitat areas. The term "low density" in this case can be translated to average overall densities of equal to or less than one unit per twenty acres.
  - 3. Community Areas. For a planned residential development, community areas refer to those areas of the site set aside for use by all residents of a planned residential development (PRD) which encompass natural and undeveloped areas and may include recreation uses. (See Section 18.60.090). Community areas include those areas for active recreation uses such as tennis courts, swimming pools, as well as landscaped areas of the site.
  - 4. Common Land. For a planned residential development, common land refers to the land set aside as undeveloped area and includes areas designated as priority habitat, wetlands, buffer areas not intended for active recreational uses. Common land may include passive recreation uses where appropriate such as hiking and horseback riding trails.

A planned residential development has a requirement to set aside a minimum of fifty percent of the gross acreage as common land, not to be developed. A project owner may wish to clarify the various land uses through use of more specific terms, such as "protected habitat" or "community recreational areas" (including hiking, biking, horseback riding, etc.).

- 5. "Priority habitats and species" means species and habitats identified by the Washington Department of Fish and Wildlife as priorities for management and preservation.
- 6. "Priority habitat" means a habitat type with unique or significant value to many species. An area classified and mapped as priority habitat must have one or more of the following attributes: comparatively high fish and wildlife density, comparatively high fish and wildlife species

diversity, important fish and wildlife breeding habitat, important fish and wildlife seasonal ranges, important fish and wildlife movement corridors, limited availability, high vulnerability to habitat alteration, unique or dependent species.

7. "Priority species" means fish and wildlife species requiring protective measures and/or management guidelines to ensure their perpetuation as provided by federal or state law.

B. Components of a PRD.

1. Common Land. PRDs shall contain a minimum of fifty percent of gross acreage as natural undeveloped areas for the common use of residents in the development. This acreage shall be located within natural areas of the project landscape in such a way to ensure the maximum opportunity for the preservation and enhancement of priority habitat and special features of the site as per Section 18.60.010(F). Areas set aside as common land may be used for passive recreation uses such as hiking or horseback riding if deemed appropriate.

This open land shall be shown on the plat of the development and permanently dedicated to common usage. No private or individual use or right shall be assigned or permitted on common land. Common lands may also be referred to as community areas, providing that they meet the requirements as listed in Section 18.60.090 of this chapter.

2. Homeowner's Association. PRDs shall include a homeowners association which is an incorporated, nonprofit corporation to operate under recorded land agreements through which: (a) each lot owner in the PRD is a member, and (b) each lot is subject to a charge for a proportionate share of the expenses for the organization's activities and maintenance of common property.

3. Common Area Improvements. Common area improvements which may be required to accomplish the PRD concept may include such facilities as walkways, trails, bicycle paths, tennis courts, parks and landscaped areas for the benefit of all residents within the PRD.

(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

### **18.60.025 General application process overview.**

Applications for planned residential developments shall be processed pursuant to this chapter.

The PRD shall be initiated by the owner of all property involved, if under one ownership, or by joint application of all owners having title to the area proposed for the PRD.

A. The PRD approval process entails three phases: (1) a conceptual plan review, (2) a preliminary approval phase, and (3) a two-part final approval phase.

1. Conceptual Plan Review. The initial conceptual review phase involves submission of applicable materials including a site development plan, topographic map, required supporting materials. At this stage, review is provided by the planning director and related county and state agencies. At the applicant's discretion, he/she may make a

presentation to the planning commission for its nonbinding overview of the conceptual plan.

2. Preliminary Approval Phase. For the preliminary approval phase, additional materials, including further development of the master plan, and summaries of environmental impact and site studies are submitted for administrative and planning commission review, and are made available for public review.

A public hearing will be held before the planning commission within the preliminary approval phase. The planning commission shall either recommend approval of the PRD to the board of county commissioners, or deny the PRD. The board shall hold a public hearing prior to their decision to accept or reject the commission's approval recommendation of the PRD during this phase. A denial by the commission may be appealed to the board of county commissioners within thirty days of the denial.

Approvals at the preliminary approval phases shall not be construed as to render the final PRD plan inflexible. Approval at this stage is valid for a five-year period, which may be extended by determination of the planning commission. Prior to expiration of the preliminary approval, approval of a final master plan is required. Once all of the improvements and conditions of the preliminary PRD have been met, approval of the final PRD shall occur after a public meeting by the board of county commissioners.

The purpose of the two-step preliminary review and approval process is to allow for detailed review and feedback by the planning commission at an earlier stage in the project. If the owner so chooses, these two phases may be combined into one submission phase. In this scenario, the project owner would be required to submit all materials listed in both the conceptual and preliminary approval phases as well as conform to requirements for public review of the project.

Project information requirements for preliminary approval represent development of the project to a conceptual stage, along with completion of necessary environmental and related site studies and reports needed for the site analysis, planning and design phases of project development. This allows for review of the project at an earlier stage in the design and planning process, before the owners proceed to full site planning and engineering work. It also allows for changes or refinements to the project concept at an earlier stage, that will lead to resolution of project issues and later approval of the project at the final stage. It must be noted that the preliminary approval stage represents a lesser stage of development and information requirements as compared to a typical preliminary approval for a subdivision.

3. Final Approval Phase. The final PRD approval phase is comprised of two related sub-phases, the final design approval phase and the final project approval phase. The final design approval section outlines additional site and project information requirements that must be completed, and submitted to the county before review and approval by the planning commission. The final design approval phase represents more complete development of project information including necessary site design and civil engineering work. All necessary county and state project permits would be obtained within this phase

as a prerequisite to obtaining final PRD project approval.

More detailed site design and engineering work and associated drawings are not undertaken until after preliminary approval is received. Actual project-related site work including site grading must not begin on the site until after the final (project) design approval is received.

The final PRD project approval represents the phase of completing legal requirements for sale of property including filing of plats, legal descriptions of lots and other requirements, before obtaining the final legal project approval from the county.

- B. Phased Planned Residential Development. A PRD may be developed in phases, subject to an approved phasing schedule. All construction and improvements not completed within ten years of approval of the phased final PRD are subject to compliance with the updated county standards through a time extension action.

See information on expiration of final project approval, Section 18.60.135.  
(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

#### **18.60.030 Application requirements for conceptual review.**

Each application for conceptual review of a PRD shall include as a minimum, but need not be limited to, the following information:

- A. The name, location, street address, and legal description of the affected parcel or property, together with the names, addresses, and telephone numbers of the applicant or applicants, the owners of record of the land, and any associated professional consultants, including architects, engineers, planners and other consultants;
- B. An accurate site map or maps drawn to a scale of not less than one inch to twenty feet nor greater than one inch to two hundred feet, depending on the size and complexity of the site as determined by the planning director. (Additional copies may be shown at a reduced size, for example, one inch equals four hundred feet. Blowups of special sections of the project where more detail is required should be shown at a scale large enough to illustrate an adequate level of detail.

The site map shall include or show:

1. The boundaries of the property proposed to be developed or divided; names and addresses of all property owners who, as obtained from the county assessors office, are within one mile of the exterior boundaries of the proposed PRD, shall be presented along with a map or aerial photograph copy showing said ownership,
2. A topographic relief of the entire site at five-foot contour intervals unless otherwise specified by the planning director, illustrating natural features including wetlands, slopes, priority habitat areas, hazardous areas, floodplains, other significant natural features of

the site,

3. All proposed structures and improvements to be constructed on the land and their precise locations including (but not limited to) all residential and nonresidential structures, recreational facilities to be constructed in the first phase of construction,
  4. All common areas, natural areas and undeveloped areas, showing area, grades and proposed function upon completion along with required easements and property setbacks,
  5. All areas set aside for protection of wetlands and wetlands buffer areas, priority habitat and buffer areas, and shorelines setbacks and buffer areas,
  6. The layout of all existing and proposed driveways, roadways, trails, pedestrian walks, and proposed landscaped areas,
  7. If known, include the general location of existing water sources for fire control, on-site water sources, and sewage disposal systems;
- C. A written description of the project including general purpose, overall concept, and explanation of all features pertaining to use and other pertinent matters not readily identifiable in map form. Such explanatory text may specify uses permitted on the site, if any, or other necessary restrictions;
- D. Summary of project program for all community buildings and infrastructure including, location, height, number of stories, and gross floor area for all structures or other improvements existing and proposed;
- E. A report and/or plan describing alternatives for on-site disposal of waste along with description of the source and method of distribution of potable water, in total conformity with applicable federal, state, and county laws;
- F. Summary of significant site and environmental studies, including summary of recommendations;
- G. Description of design standards for all project buildings, including residential buildings.

Descriptive information will include typical elevations for various types of buildings including common buildings, and amenities.

Note: For final application, a separate document describing architectural and development guidelines for project describing common design standards for all building and site development, related review process, and maintenance standards for the project will be required;

- H. A description of and schedule for phases of the project or for future phases of development, should all proposed lots not be developed at the same time;
- I. Such other information as may be determined by the planning commission to be necessary to

carry out the policy and intent of this chapter.  
(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

### **18.60.035 Modification of application requirements.**

The planning commission may waive or modify any required portion of Section 18.60.030 deemed unnecessary or redundant to the purposes of this chapter, or may establish any subset of Section 18.60.030 as application requirements to adapt to specific and unique site conditions or to allow adjustment for projects of limited scale and impact; provided that any action taken by the planning director pursuant to this section shall be considered an appealable administrative decision provided further that any interested party, at the public hearing on the proposal, may question whether sufficient information has been provided to address the review criteria of Section 18.60.030.  
(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

### **18.60.040 Criteria for conceptual review and preliminary approval.**

No application for preliminary approval shall be approved unless it meets the requirements of this section. No development pursuant to an approved PRD shall be undertaken unless it meets the requirements of county and state laws and ordinances pertaining to such development.

- A. General Criteria. The proposed development should advance the following general objectives:
1. Preservation of important prime agricultural areas, priority habitat and important natural ecosystems, historical resource, and other significant areas.
  2. Preservation of natural areas, undeveloped areas, and related natural recreational opportunities.
  3. Minimizing of impacts to the existing county infrastructure. Arrangements between the project owner and applicable service providing districts and Whitman County will be defined in advance of granting of the final design approval defining the coverage of additional services and costs generated by the development. Such services would include but are not limited to: fire protection and management, emergency medical services, security systems, and schools.
  4. Minimizing of impacts to surrounding and adjacent properties, land areas, and water bodies.
  5. Utilization of design methods which help to preserve important environmental aspects of the site and minimize impacts to the site and surrounding areas.
  6. Development and utilization of appropriate architectural design standards which provide guidelines to ensure a design aesthetic that is harmonious to the landscape and surrounding areas.
  7. Development shall demonstrate adequate access for emergency services without

increasing the cost or liability to the county for road maintenance costs.

B. Specific Evaluation Criteria.

1. Preservation of Underlying Ecosystem. To the greatest extent possible, design in such a manner to preserve the functional capacity of important ecosystems. In environmentally significant areas, this involves preserving important wetlands, priority habitat areas, and undeveloped areas, in areas large enough to provide for the life cycle needs of priority species.

Design in such a manner to cause no negative environmental impacts to surrounding areas including water bodies. Note: A management plan developed by a qualified biologist may be necessary to develop reasonable goals and standards.

2. Preservation of Natural Features and Landscape. Natural features and landscape shall be preserved in their natural state, insofar as practical, by minimizing tree and soil removal. Removal of any vegetation shall be in keeping with the character of the surrounding land, to protect natural features and views.
3. Preservation of Natural Recreational Opportunities. The development shall endeavor to preserve or create recreational opportunities in natural areas where appropriate as determined by a qualified biologist.
4. Relationship of Proposed Buildings to Site. Proposed lots and/or structures shall be placed to relate harmoniously to site terrain and natural features. Placement shall consider spacing, protection of privacy, siting for noise reduction, and orientation to views and vistas, sunlight, and prevailing winds.
5. Relationship of Proposed Lots and Buildings to Surrounding Area. Proposed structures shall be placed to provide a harmonious and compatible transition with the surrounding community, existing and proposed land uses, and general development pattern. The transition to adjoining uses and streets shall be provided by native vegetation, undisturbed natural areas, landscape screening, fencing, or other buffering techniques. The compatibility of proposed structures and/or lots shall be achieved by taking into account bulk, scale, orientation, placement, style, design, buffering, and view obstruction.
6. Strategies for Resource Efficient Design. Architectural and development guidelines should incorporate strategies for resource efficient design including methods for conserving on-site water use, energy efficiency and resource efficiency in building design and construction methods.
7. Driveways, Parking, and Circulation. Relationship to traffic circulation of the surrounding area, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient shall be considered. Insofar as practicable, such activities should not detract from the design of proposed or existing buildings or structures or surrounding properties, and access points to the surface

street system shall be minimized.

8. Roadway Design Flexibility--Roadway Widths and Services. Within PRDs, private roadways not intended for dedication may be reduced to twenty feet for one-way traffic or twenty-two feet for two-way traffic providing that the following conditions are fulfilled. Internal roads must be maintained in such a manner as to allow proper access by emergency vehicles.
  - a. There shall be provided, through covenants or other legal means, assurance of permanent maintenance of private streets and parking areas.
  - b. On-site parking shall be provided which is functionally convenient to planned dwelling units/residences.
  - c. Emergency access standards are described in the Uniform Fire Code.

Roads will be constructed to Whitman County minimum requirements as per the county engineer, as per the interim or draft standards, or as per adopted standards, whichever is applicable at the time of submittal.

9. Surface and Groundwater. Special attention shall be given to proper site surface drainage so that site drainage will enhance groundwater recharge and not adversely affect downstream properties and the site.
10. Utility Service. Wherever possible, electric, telephone, and other utility lines shall be installed underground. Any other utility installations remaining above ground shall be located and screened so as to have a harmonious relation to surrounding properties and the site.
11. Recreational Facilities. Community facilities, clubhouses, beaches, swimming pools, exercise pathways, tennis courts, walking and horseback riding trails, and other such special recreation features are acceptable uses within the PRD. Any structures or facilities shall be discouraged from being placed along or facing street frontages and shall be subject to such setbacks, landscaping, screen plantings or other screening methods as shall reasonably be required to ensure a harmonious transition with the existing or planned land uses and surrounding properties.
12. Fire-Resistive Design. Site design and architectural codes for site buildings shall incorporate design measures to aid in fire-resistive design. For example, methods should include site design measures such as planting of low-growing, native species that are less flammable; providing good access for emergency vehicles; providing on-site fire management system; use of noncombustible roofing materials, and interior methods such as utilization of sprinklers for fire control.

C. Specific Design Criteria.

1. Permitted Uses.
  - a. Single-family residential dwellings;
  - b. Single-family recreational or part-time dwellings;
  - c. Buildings that are accessory to the above uses;
  - d. Community-oriented buildings including community centers, cultural centers, retreat centers or facilities;
  - e. Service-oriented facilities including utilities structures, storage buildings, garages for emergency equipment and related maintenance buildings;
  - f. Certain home-based businesses that allow residents to work out of the home. Businesses that require a violation of other permitted uses are considered as a conditional use. Homeowner's covenants are required to define parameters of home-based businesses;
  - g. Small recreational buildings including facilities for tennis courts, swimming pools and pool houses, boat houses, park shelters and small boat storage structures, and animal barns;
  - h. Uses associated with natural and undeveloped areas including parks and protected habitat areas, such as walking and horseback riding trails.
2. Allowable Uses.
  - a. Limited commercial uses including small convenience stores;
  - b. Service-oriented uses including schools, churches, etc.;
  - c. Temporary structures such as mobile homes for construction crews;
  - d. Overnight accommodation facilities for rental purposes including small townhouses, bed and breakfast facilities, or small hotels.
3. Excluded Uses.
  - a. Mobile homes except as allowed in subsection (C)(2)(c) of this section;
  - b. Trailer parks and recreational vehicle parks;
  - c. Industrial uses;
  - d. Golf courses.

4. Density. The average density shall not be more than one unit per twenty acres. Overall average density is determined by dividing the number of units by the entire area.
5. Minimum Project Size. Minimum site area for a PRD project shall not be less than two hundred acres.
6. Lot Size. Lot size will vary depending on the individual site characteristics and overall project concept.
7. Setbacks. Residential structures and primary community and support buildings shall be setback a minimum of two hundred feet from site property lines on those sides adjacent to agricultural uses. Additional buffer areas on property boundaries adjacent to agricultural uses are encouraged.
8. Project Covenants, Conditions and Restrictions. At the preliminary approval phase, the owner/development team is required to submit as part of the project information package, a document summarizing priority covenants, conditions, and restrictions.

At the final design approval stage, the owner shall submit as part of the package, the completed set of documents defining covenants, conditions and restrictions, along with description of the rules and operations of the homeowner's association. In addition, a site management plan describing maintenance of the natural areas of the site shall be provided.

The owner/developer shall demonstrate to the satisfaction of the planning commission, the ability to carry out the management of the project as described within the various project guidelines and covenants, conditions and restrictions for the project.

D. Planned Residential Development Standards. The following minimum requirements apply to PRDs. Applicant may be required to provide analysis, by professionals with documented expertise, of the following items:

1. Soils and Geology. The PRD application shall show that the development has been planned so that the improvements will not be subject to geologic hazards or soil conditions that would damage such improvements or cause environmental degradation.
2. Drainage. The PRD master plan shall show that the development has been planned so historical surface flow patterns (one hundred-year floodplain if known) and runoff amounts will be maintained in a manner that will preserve the natural character of the area and prevent property damage of a type generally attributed to increased runoff rate, velocity increases, unplanned ponding, or storm runoff.
3. Erosion. The PRD master plan shall indicate areas of the site where slopes are greater than thirty percent and/or are highly erodible as determined by soil conservation service soils capability rating. The erosion plan shall include road systems and shall show that the development has been planned so that a minimum amount of natural vegetation and

soil cover is disturbed, that adequate provision is made for recontouring and soil stabilization and that cuts and fills are designed to minimize erosion.

See related requirements for an erosion and sediment control plan for final design approval in Section 18.60.080(C)(11).

4. **Waste Treatment.** PRD applications shall show that on-site sewage treatment systems are adequate to accommodate the volume and composition of sewage expected to be generated by the proposed use, that the on-site sewage disposal system will be properly maintained and designed to prevent overloading or any other failure which could cause the discharge of inadequately processed effluent into the environment. On-site sewage disposal shall meet the Whitman County regulations and standards for waste treatment, the Washington State Department of Health and the Washington State Department of Ecology Standards.
5. **Wildlife.** PRD applications shall show that the development has been planned, in conjunction with the Washington State Department of Wildlife, to mitigate significant adverse impact on wildlife habitat including but not limited to deer wintering areas, migration corridors, fawning sites, nesting grounds, breeding areas, and other significant wildlife habitat areas.
6. **Archaeological and Historical Features.** PRD applications shall show that any development located on or near a historical or archaeological site is consistent with and would not destroy or have an adverse effect on the historical or archaeological site.
7. **Critical Areas.** The PRD application shall show that critical area ordinance requirements have been addressed and that areas designated as critical areas are protected within the development.
8. **Aquifer Recharge.** The application shall provide evidence to demonstrate that the proposed development does not interfere with aquifer recharge on the site and complies with requirements of the aquifer recharge ordinance of Whitman County. Note: See additional standards in application for final design approval, Section 18.60.080.
9. **Services.** An arrangement between the project owner service providing districts and Whitman County will be worked out in advance of granting of the final design approval defining the coverage of additional services and costs generated by the development. Such services would include but are not limited to: fire protection and management, emergency medical services, security systems, and schools.

See final design approval, Section 18.60.080(C)(16) for more information.

The above review criteria shall be in addition to any standards or requirements established by applicable state and county laws or ordinances. They are not intended to be absolute in nature or to discourage creativity and innovation. The planning commission shall have the authority to modify standards contained within criteria as may be found necessary. However, said modifications shall be

made only to ensure that the proposal is adapted to any unique or special site feature and is compatible with surrounding land uses.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.045 Conceptual review.**

The conceptual plan review phase entails an administrative review by the planning director, (county planner) and the planning commission (at the discretion of the applicant). The review phase provides an opportunity for feedback and recommendations by the planning director, the planning commission (at the applicant's option) and reviewing agencies including the county department of health and State Department of Ecology at an early state of the project development. It is understood that additional information is required for evaluation to meet the criteria for the subsequent preliminary and final approvals.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.050 Application for preliminary approval.**

The application for preliminary approval requires further development of the master plan in more detail, additional site and environmental information, summary of expected project impacts. In addition to those elements outlined in requirements for conceptual approval (Section 18.60.030), the following items will be required:

A. Location of any major physiographic or other natural features, such as drainage ways, wetlands, steep slopes, shorelines, and/or other development-limiting overlay zones.

To more clearly show environmental attributes of the site, an overlay or overlays of the topographic site map shall illustrate environmentally significant features of the site including priority habitat areas, wetlands, streams, shorelines, recommended buffer areas, nesting sites, recommended wildlife corridors and other important features. Note: An overlay illustrating important native plant associations is recommended at this stage and will be a requirement for final design approval. See Section 18.60.080(C)(10).

B. Any existing drainage patterns and systems and the nature and location of proposed temporary and permanent storm water and drainage systems or description of storm water systems to be employed. (Final design approval application will contain detailed description and location information.)

C. An approximation of the percentage of proposed paved or other impervious surfaces, natural areas, wetlands, steep slopes, or other development-limiting overlay zones, recreation areas, and total area of the site.

D. A map showing location of all anticipated uses and zones of the site including natural areas, recreational areas, trails, community buildings and uses, amenities along with location of natural site features including wetlands, habitat and buffer areas.

E. Summary of additional site studies and project reports. In addition, a report summarizing anticipated environmental impacts as outlined in the environmental checklist.

F. Visual studies or sketches illustrating architectural standards along with conceptual renderings of

proposed primary project buildings or typical buildings.

Further development of architectural and development guidelines.

G. Any information previously submitted during a conceptual review, such as the list and map of land owners within one mile of the exterior boundary of the proposed PRD, needs to be updated by the applicant if there have been changes.

H. The applicant shall agree to provide public access or to acquire and provide public access on- or off-site to the public water body associated with the proposed PRD. This public access land is to be offered to a state agency or Whitman County. If the dedication of this public access is accepted, the appropriate ownership conveyance documents shall be filed along with the filing of the final plat.

I. If required, compliance with WCO Section 19.10.110. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.060 Preliminary approval.**

A. Prior to the preliminary approval public hearing, legal notice as prescribed in the Whitman County zoning ordinance, Section 19.04.040(B) (published legal notice requirement) and Section 19.06.040 (written notice via USPS mail) shall apply, except that written notice shall be sent to all land owners within one mile of the exterior boundary of the proposed PRD parcel.

B. At the public hearing, the planning commission shall consider all relevant evidence to determine the adequacy of the preliminary plan, compliance with WCO Section 19.10.110, together with any information developed as part of the SEPA review of the proposal, and any input received from reviewing agencies.

When in the opinion of the planning commission, the review of the preliminary application indicates the presence of significant adverse impacts, the planning commission shall recommend the imposition of conditions, or performance standards designed to mitigate the adverse impacts. If in the opinion of the planning commission, impacts cannot be mitigated sufficiently to assure maintenance of the public health, safety and welfare, and/or the applicable comprehensive planning goals are not met, they may recommend disapproval of the application. The planning commission's recommendation to the board of county commissioners for their preliminary approval must include findings and minutes. The board of county commissioners shall also hold an open record public hearing on this legislative decision. The board shall then or subsequently decide to approve or deny the PRD.

C. Upon preliminary approval of a PRD and special conditional use pursuant to WCO Section 19.10.110, the approving authority, the board of county commissioners, shall affix their signature(s) in an appropriate place on the plan, along with a brief statement that the authority has granted preliminary approval of the PRD, referencing any conditions of final (design and project) approval, if any, and the date of the approval. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.070 Limitations and conditions.**

The approving authority shall have the authority to place on any PRD granted preliminary approval,

appropriate limitations and conditions to insure that the development is consistent with applicable ordinances, plans, and policies of Whitman County and to carry out the recommendations of the planning commission or reviewing departments as applicable.

(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

**18.60.080 Application for final design approval.**

A. Two copies of the final planned residential development design application package shall be submitted to the planning department for approval.

B. The PRD plan shall be plotted in permanent black ink on one or more sheets of mylar capable of reproduction, twenty-four inches by thirty-six inches in size, and bearing the information listed below unless specifically waived by the approving authority at the time of preliminary approval. (Note: Site plan may be of a larger size to accommodate a readable scale.)

C. The PRD plan shall contain updated versions of all information contained in the preliminary application with additional information provided as follows:

1. The legal description of the land contained in the planned residential development;
2. The boundary lines of the PRD and any lots within it showing the full extent of the parcel from which the PRD is to be segregated;
3. The length and bearing of PRD boundary lines and lots, if applicable;
4. The location of monuments or evidence used as ties to establish the PRD boundaries;
5. The location, dimensions, and auditor's file number of all easements and/or private rights-of-way within or adjoining the planned residential development and the purpose thereof, together with the names of all public rights-of-way within or adjoining the PRD;
6. The location of all approved improvements, wetlands, priority habitat, natural areas, steep-unstable slopes, and other development-limiting overlay zones within the PRD;
7. Tabulation of the area (in acres) of various uses contained within the PRD, including common areas and community buildings and services, roadways, individual home sites, natural areas, dedicated habitat or park areas, community trail system, and recreational areas;
8. Typical building elevations of common buildings, along with program description including building areas and uses;
9. In separate document, summary version of architectural and development guidelines for project describing common design standards for all building and site development, and maintenance standards for the project. Architectural guidelines will include acceptable design methods and materials, construction standards and methods, and design review process;

10. A landscape plan, drawn to scale, showing community area, pathways, or other recreation area, significant landscape features and vegetation on the site, and the location and design of landscaped area, the types, and other pertinent landscape features and irrigation systems required to maintain trees and plant materials. As a prerequisite to detailed site planning and engineering, an overlay locating significant native plant associations is required for final design approval. The plan(s) for final design approval shall be in a scale appropriate to the area shown. For example, areas to be developed more intensely should be shown at a larger scale than a general site plan illustrating natural areas of the site;
11. General grading and drainage plans for the PRD along with plans for the storm sewer system. In addition, an erosion and sediment control plan will be required. The intent of this plan is to prevent runoff from the site draining directly into adjacent water bodies and to minimize erosion and sedimentation from the site;
12. Plans illustrating location of utilities for the site, including placement of water, and waste treatment systems;
13. Restrictive covenants that are to be recorded with respect to property included in the proposed PRD. In addition, description of homeowners' association and rules for enforcement of restrictive covenants;
14. A habitat management plan for the site describing measures to ensure protection of sensitive areas of the site. Plan should also describe goals for coexistence with wildlife on the site, and measures to monitor and achieve stated goals. The plan shall be developed with the input of a qualified biologist;
15. Owner's consent and acknowledgment of the planned residential development, signed by the owners of the property;
16. A fire management plan shall be included which describes the fire prevention and control measures designed into the project, and the methods for covering costs and logistics;
17. A plan describing security systems and measures for the project.

D. Such documents or other information as may be required to demonstrate compliance with and/or satisfaction of all terms and conditions of preliminary approval. These documents shall be recorded along with the PRD when appropriate.

E. A current plat certificate showing all ownership interests in the subject property.

F. Final approval of the county engineer, building official, fire district chief, health officer and planning director.

G. Planned Residential Development Standards. For final approval, the applicant shall be required to show compliance with the following items, and may be required to provide analysis by professionals with documented expertise, of the following items:

1. **Water Availability.** For final approval, PRD applications shall submit a report to show that adequate water exists to support the proposed development. The applicant shall comply with requirements of Whitman County department of health on water availability and water quality issues.

If required, an approved water right permit must be obtained for applicable withdrawals as defined by the State Department of Ecology. The applicant shall comply with the requirements of Whitman County Building and Fire Codes.

2. **Agricultural Compatibility.** The planned residential application shall address issues of compatibility with surrounding area uses as well as potential conflicts that may arise as a result of the development.

PRD applications shall show that the development has been planned to minimize the loss of the lands within the proposed PRD that are designated agricultural land of long-term commercial significance. To ensure proper management of marginal agricultural lands dedicated as common and a management plan shall be incorporated into the homeowner's covenants. The plan shall also address proper maintenance of buffer areas bordering agricultural uses.

3. **Visual Impacts.** PRD applications shall show that design and construction standards will minimize the aesthetic impact of the proposal on the site. The application shall also describe what steps are being taken to maintain integrity of the terrain (native vegetation, planting, streams) and to maintain architectural and building clusters compatible with the surrounding area.
4. **Reduction of Nonconforming Uses.** The PRD master plan shall show that the development will result in the upgrading or elimination of existing nonconforming uses and structures which occur on the subject property. (Structures or building designated as historical by state of Washington may be granted a waiver of this provision by the planning commission.)

(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

#### **18.60.090 Community area.**

A. Any natural or developed areas and/or recreation areas may be designated as community area on the planned residential development master plan.

B. No areas may be accepted as community area under the provisions of this chapter unless it meets the following standards:

1. The location, shape, size, and character of the community area must be suitable for the PRD.
2. Community area must be used for amenity or recreational purposes. The uses authorized for the community area must be appropriate to the scale and character of the PRD considering its size, density, expected population, topography, and the number and type of dwellings to be provided.

3. Community area must either be suitably improved for its intended use or suitably reserved and protected from development. The buildings, structures and improvements which are permitted in the community area must be appropriate to the uses which are authorized for the community area and must conserve and enhance the amenities of the community area having regard to its topography and unimproved condition.

C. All land proposed as community area must be established and conveyed under one of the following options:

1. It may be conveyed to a public agency that will agree to maintain the community area and any buildings, structures, or improvements which have been placed on it; or
2. When no maintenance of the community area is required, it may be conveyed to all new owners in undivided joint ownership; or
3. When maintenance of the community area is required and the applicant does not propose to remain responsible for maintenance, then a homeowners' association or similar organization shall be established by covenant for the maintenance of the community area. Membership in the association or organization and dues or other assessment for maintenance purposes shall be mandatory. Noxious weed control is the responsibility of the applicant until a homeowner's association is formed.

D. The community area must be subject to covenants approved by the county which restrict the community area to the uses specified in the PRD application and which provide for the maintenance of the community area in a manner which assures its continuing use for the intended purpose.

E. Community area may not be put to any use not specified in the application unless the PRD has been amended by Whitman County to permit said use. However, no change of use so authorized may be considered as a waiver of any of the covenants limiting the use of community areas. (Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

### **18.60.100 Final project approval.**

A PRD shall not be deemed finally approved until:

- A. A copy of the application with the signature and statement of the approving authority is filed by the applicant with the planning department, building department, engineering department and health department.
- B. Any land restricted as community area is recorded with covenants through easement or other conveyance by the applicant with the county auditor, together with an adequate legal description of the community area.
- C. All site and off-site improvements required as a condition of preliminary PRD approval are completed or, at the discretion of the board of county commissioners by recommendation of the planning director and county engineer, are bonded for.

- D. The boundaries of the property and lots created therein, if any, proposed as shown on the PRD shall be shown on a survey made by a registered land surveyor or under his direction, in conformance with legal requirements pertaining to surveying.
- E. The boundaries and locations of all parcels dedicated to the public or reserved for community use, and all conservation easements.
- F. A certificate of title showing the ownership and title of all interested parties in the planned residential development shall be submitted to the planning director. The certificate shall be dated not to exceed thirty days prior to the time of submitting the plat for final approval.

1. Necessary certificates and declarations, including:

a) Surveyor Certificate

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Whitman County and the Washington State Survey Recording Act, in the month of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature and Seal Certificate Number

b) Owner's Consent and Acknowledgment Know all men by these presents that the undersigned applicant(s) hereby certify that this Planned Residential Development is made as his/their free and voluntary act and deed.

	_____	_____
	Owner's Signature	date
	_____	_____
	Owner's Signature	date

Acknowledgment		
State of Washington	)	
	)	SS
County of Whitman	)	

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before \_\_\_\_\_ a Notary Public in and for the aforesaid state, personally appeared before me \_\_\_\_\_; to me known to be the person(s) who executed the foregoing owner's certificate, and that they signed the same as their free and voluntary act and deed in witness thereof, and date above written.

\_\_\_\_\_  
Notary Public in and for the State of Washington

Residing at \_\_\_\_\_

My Commission expires \_\_\_\_\_.

c) Health Official's Approval:

Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20

d) County Engineer's Approval:

Examined and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20

e) Assessor's Certificate:

The parcel(s) of land shown hereon is/are assessed to lf= \_;

f) Treasurer's Certificate

All taxes levied which have become a lien upon the lands herein described have been fully paid and discharged according to the records of my office, including taxes for the current year, \_\_\_\_\_, advance tax for year \_\_\_\_\_ plus 25% have also been paid.

g) Planning Commission Certificate

The PRD Plat as shown is consistent with the Preliminary Approvals that were examined and approved by action of the Whitman County Planning Commission at a regular meeting, with a Quorum Present, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_

Chair, Whitman County Planning Commission

h) Board of County Commissioners approval

This Planned Residential Development conforms to the requirements of the Planned Residential Development as established by chapter 18.60 and 19.10.110, Whitman County Code, and is hereby approved this \_\_\_\_\_ day of rule;, 20\_\_\_\_\_.

\_\_\_\_\_  
Chair, Board of County Commissioners

\_\_\_\_\_  
Member, Board of County Commissioners

Member, Board of County Commissioners

- G. The final PRD, incorporating any conditions of preliminary approval, is filed for record with the county auditor.

The procedure for recording is as follows:

1. Upon approval of a final PRD, the planning director shall forward the original and one paper copy of the plan and associated documents to the auditor for recording.
2. Upon receipt of an approved final PRD, the auditor shall record the plan and associated documents and place the original in the appropriate volume of plats. Following recording, the legal description of each lot or reference for each building, in a PRD shall be known as:
  - a. The legal filing has an auditor's certificate, and
  - b. The reference is to plat book or computer.

(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

#### **18.60.110 Development in conformity with planned residential development.**

Where the approving authority approves a PRD, any and all development and use of the land to which the PRD pertains shall be in conformity with the PRD as finally approved. Further, no development pursuant to an approved PRD shall be undertaken without meeting the requirements of Whitman County pertaining to on-site waste disposal, land development, and water standards.

(Ord. 66838 (part), 2007; Res. 63084 (part), 2004).

#### **18.60.120 Amendments and modifications to development plan.**

A. An approved PRD may be amended by the same procedures provided under this chapter for the original PRD approval. For purposes of this chapter, amendment shall include changes in building layout, type or size, changes to community area, or improvements thereto, modifications of conditions of approval and changes in approved uses; provided that changes that comply with all previously imposed conditions of approval shall not require a PRD amendment unless: (a) major alterations in building layout, circulation, project phasing, building type or size are proposed, or (b) the changes may generate environmental impacts not considered in the previous PRD approval.

B. Major Modifications. Application for major modifications of the final design approval package plan must be submitted to the planning commission, hearings held, and recommendations made and referred to the board of county commissioners for approval.

C. Minor Modifications. Minor modifications in the final design approval package plan may be approved by the administrator (county planner). Such changes may include minor shifting of the location of

buildings, proposed streets, public or private ways between the easements, parks or other features of the plan, but shall not include those changes in exterior boundaries, changes in land use or other changes of location of specific land uses or changes that impact previously identified buffers to priority habitat or species.

Minor modifications to the language or content of this document may be approved by the county planner (administrator).  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.130 Expiration of preliminary approval.**

A. Preliminary planned residential development approval shall expire if a complete application for final design approval is not submitted and accepted for approval within five years of the date of the preliminary approval of the proposed project, or first phase of such project if a project phasing schedule has been approved for a PRD, or within one year if processed administratively.

B. An applicant who files a written request with the approving authority at least thirty days before the expiration of the final design approval period shall be granted a single one-year extension. However, said extension may be granted by the approving authority only upon a finding that the applicant has attempted in good faith to complete the final PRD within the designated period.

C. In the event that judicial review or quasi-judicial review of preliminary approval or amendments to preliminary approval is sought, the applicant may file a written request with the approving authority to extend the herein above stated final PRD approval deadline. The request must be filed at least thirty days prior to the expiration of the original deadline. For the extension to be granted the applicant must demonstrate that judicial review or quasi-judicial review prevents the timely completion of the project and fulfillment of conditions required by the approving authority.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.135 Final project approval--Action or nondevelopment.**

If, within ten years after the granting of final project approval of a PRD building permits have not been issued for the first phase of the approved project, the planning commission shall review on its own motion the grant of such planned residential development at a public hearing after giving appropriate written notice of such hearing to all persons claiming any right, title or interest of record in and to the affected property and adjacent property owners.

The planning commission shall determine whether the continued existence of the planned residential development is in the public interest, and such determination shall be based on the criteria specified within this document. The planning commission shall adopt a motion by a majority of its voting members which shall recommend to the board of county commissioners that the final planned residential development be continued or extinguished.  
(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.140 Fees.**

The required fees shall be paid to each department in accordance with their adopted fee schedules.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004).

#### **18.60.150 Enforcement.**

Any PRD approved under this chapter and its requirements shall be legally enforceable on any subsequent purchaser or other person acquiring ownership of the land subject to the PRD or any lot, tract, or parcel of such land, as well as on the applicant(s) and owner(s) of the land who obtained PRD approval. (Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 62507 (part), 2004).

#### **18.60.160 Penalties.**

Any violation of a PRD approved by Whitman County, or any sale, lease, transfer, gift, or other conveyance of a lot, tract, or parcel in violation of a PRD approval, or any other violation of the provisions of this chapter shall be considered a violation of the county subdivision ordinance Sections 18.32.010 and 18.32.020.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 62507 (part), 2004).

#### **18.60.170 Severability.**

A. If any provision or provisions of this chapter or its/their application to any person or circumstance is held invalid, the remainder of this chapter and the application of such provision or provisions to other persons or circumstances shall not be affected.

B. Scrivener's errors, typographical errors that do not affect the intent or substance of the code provisions or that cause them to be illogical obviously or apparently due to the error, may be corrected by the planning director without need for a public hearing by filing the corrections with the clerk of the board of county commissioners and filing for enactment on the consent agenda of the elected board. Scrivener's errors are errors of drafting the text of the code that include inadvertent errors of codification, cross-reference, citation to other sections, the index, table of contents, ordinances, laws and office administrative manuals, manuals of practice cited by reference in the code, misspellings, incorrect grammar, punctuation, syntax or ambiguous grammatical structure. Typographical errors are errors of preparation of the text for printing that is typed or set in type that include: inversions of numbers and words, order of words, mispaginated pages, incorrect fonts or styles, inverted, broken or indistinct type characters and upside down typed materials or pages.

(Ord. 66838 (part), 2007: Res. 63084 (part), 2004: Ord. 62507 (part), 2004).