CALL TO ORDER - Committee Chair

Mayor Larson
Committee Members:
Bryan Holloway, Chair  bholloway@ci.snoqualmie.wa.us
James Mayhew, Member  jmayhew@ci.snoqualmie.wa.us
Katherine Ross, Member  kross@ci.snoqualmie.wa.us

Staff Attendees:
Bob Larson, City Administrator  blarson@ci.snoqualmie.wa.us
Debra Vigil, Admin Services Director  dvigil@ci.snoqualmie.wa.us
Jodi Warren, City Clerk  jwarren@ci.snoqualmie.wa.us

Absent
Bob Sterbank, City Attorney  bsterbank@ci.snoqualmie.wa.us
Robert Hamud, Finance Director  rhamud@ci.snoqualmie.wa.us

PUBLIC COMMENT

NEW BUSINESS
April 2, 2019 Finance and Administration Council Committee meeting minutes

Agenda Bills. After F&A review, the agenda bill is then placed on the Council Meeting Agenda. The following bills, if approved, are expected to be on the next Council Meeting Agenda.

AB#19-037 Resolution 1489 Adopting The Purchasing Matrix

Council Agenda for Monday, April 22, 2019

ADJOURNMENT
CALL TO ORDER - Committee Chair

Mayor Larson
Committee Members:
Bryan Holloway, Chair  bholloway@ci.snoqualmie.wa.us
James Mayhew, Member  jmayhew@ci.snoqualmie.wa.us
Katherine Ross, Member  kross@ci.snoqualmie.wa.us

Staff Attendees:
Bob Larson, City Administrator  blarson@ci.snoqualmie.wa.us
Robert Hamud, Finance Director  rhamud@ci.snoqualmie.wa.us
Jodi Warren, City Clerk  jwarren@ci.snoqualmie.wa.us
Dan Marcinko, Director of Parks and Public Works
Don Harris, Fleet and Facilities Supervisor
Brian Krause, Operations Manager
Drew Bouta, Accountant
James Wharton Hess – Fellow

Absent
Bob Sterbank, City Attorney  bsterbank@ci.snoqualmie.wa.us
Debra Vigil, Admin Services Director  dvigil@ci.snoqualmie.wa.us

PUBLIC COMMENT
No public comment

DISCUSSION
Fleet Program Presentation by Don Harris, Fleet and Facilities Supervisor

WARRANT AND CLAIMS REPORT
Chair Holloway asked if there were any questions by Councilmembers regarding the Warrant and Claims Report. There were no questions.

NEW BUSINESS
March 19, 2019 Finance and Administration Council Committee Minutes

AGENDA BILLS
After F&A review, the agenda bill is then placed on the Council Meeting Agenda. The following bills, if approved, are expected to be on the next Council Meeting Agenda.

AB#19-017   Resolution 1479 ratifying the Proclamation of Emergency for the February 2019 winter storm

*Council committee concurrence keep the funding separate from the Resolution and present a separate agenda bill at the next meeting, and to bring the Resolution forward for action. Councilmember Mayhew requested that an end date be put on the agenda bill for the emergency.*

AB#19-036   Resolution 1485 Adopting The Purchasing Matrix

*Council committee concurrence to bring this back to the committee in two weeks, in order to give the committee an opportunity to review and fully understand. Staff to confirm with legal that this policy can be adopted by Resolution versus Ordinance.*

April 8, 2019 - City Council Agenda

Emergency funding discussion.

There being no further business, Councilmember Holloway adjourned the meeting at 8:08 PM.
CLAIMS APPROVAL

To: Snoqualmie City Council
    Finance and Administration Committee

From: Robert Hamud, Director of Finance

Date: April 16th, 2019

Subject: Approval of payment of claims [and payroll, if applicable] for the period April 1st – 12th 2019.

BACKGROUND

RCW 42.24.080 requires that all claims presented against the City by persons furnishing materials, rendering services, or performing labor must be certified by the appropriate official to ensure that the materials have been furnished, the services rendered, or the labor performed as described, and that the claims are just, due and unpaid obligations against the City, before payment can be made.

The Snoqualmie Municipal Code Chapter 3.85, Claims, Demands and Vouchers Against the City, provides that the Finance Director or his/her designee will examine all claims prior to payment.

RCW 42.24.180 allows expedited processing of the payment of claims when certain conditions have been met. The statute allows the issuance of warrants or checks in payment of claims before the legislative body has acted to approve the claims when: (1) the appropriate officers have furnished official bonds; (2) the legislative body has adopted policies that implement effective internal control; (3) the legislative body has provided for review of the documentation supporting the claims within a month of issuance; and (4) that if claims are disapproved, they shall be recognized as receivables and diligently pursued. The City of Snoqualmie meets all of these requirements.

SMC 3.85.040 provides for the Finance Director’s periodic reporting of the payments and/or the Finance Director’s objection thereto, to the Council for approval. To meet these requirements, the Finance Director schedules payment of claims and payroll for monthly Finance & Administration Committee review followed by full City Council approval on the Consent Calendar. Per SMC Section 3.85.050, documentation supporting claims paid and the Finance Director’s written report are made available to all city council members at City Hall for 48 hours prior to the Finance and Administration Council Committee’s regular meeting. Following the 48-hour review period, the Finance and Administration Council Committee considers the claims as part of its regular agenda and recommends to the full city council whether to approve or disapprove the claims.

S:\Secured Finance Documents, Claims Approval for F & A Committee
Consistent with these requirements, this report seeks City Council approval of payment of claims [and payroll, if applicable] for the period of April 1st – 12th 2019.

The Finance and Administration Council Committee recommends approval [or disapproval, as applicable].

ANALYSIS
The information presented in the Fiscal Impact section covers all claims and payroll payments during the month prior to the date of the council meeting, as required by RCW 42.24.180.

All payments made during this period were found to be valid claims against the City. Details are available in the documentation provided for City Council member review prior to the Finance and Administration Council Committee meeting. The City’s internal controls include certification of the validity of all payments by the appropriate department prior to submission for payment. The Finance Director has delegated authority for the examination of vouchers and authorization of payments to the City’s Accountant and Finance accounting and payroll staff. Finance Department staff review all claims payments, and payroll staff performs system validation and exception reviews to validate payroll records. Department Directors and the City Administrator review all expense reimbursement claims. In addition, the Finance Director performs a random sampling review of supporting documentation for claims payments to ensure validity. The Finance Department regularly reviews its processes to ensure appropriate internal controls are in place.

Payments Issued by Finance Director:

Claims Warrants / Checks & Electronic Payments including settlement of damage claims in the amount of:
$259,759.18.

Payroll Warrants / Checks, electronic (direct) deposits in the amount of:
$131,180.00.
Warrant / Check Number 72436.

Payments/Claims Objected to by Finance Director:

[Itemize claims/demands amounts and circumstances, and summarize reasons for objection]

BUDGET
The foregoing amounts were budgeted in the 2018-2019 budget, and sufficient funds

S:\Secured Finance Documents, Claims Approval for F & A Commitee
have been transferred from the General Fund and others into the Claims Clearing Fund [or Payroll Clearing Fund] to cover these payments.

I, the undersigned, do hereby certify under penalty of perjury that the claims and payroll warrants and/or checks itemized above were issued to pay just, due and unpaid obligations of the City of Snoqualmie for materials furnished, services rendered, or labor performed, and that I am authorized to authenticate and certify the foregoing.

Robert Hamud, Director of Finance Auditing Officer

FINANCE AND ADMINISTRATION COUNCIL COMMITTEE RECOMMENDATION

[ x ] Approve payment of claims and payroll as documented in this report

[ ] Do not approve and provide alternate direction to staff

THE FINANCE AND ADMINISTRATION COUNCIL COMMITTEE RECOMMENDS COUNCIL APPROVAL.

April 16th, 2019
Date

Bryan Holloway, Mayor ProTem/Committee Chair
CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

- Council approval of the agenda

PUBLIC HEARINGS, PRESENTATIONS, PROCLAMATIONS, AND APPOINTMENTS

Public Hearings
Surplus of Utility Property

CITIZEN COMMENTS AND REQUESTS FOR ITEMS NOT ON THE AGENDA (See Guidelines for Public Participation)

CONSENT AGENDA - ACTION ITEMS

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the regular Agenda at the request of a Councilmember)

Minutes
April 8, 2019 Council Meeting
Warrants
Claims Warrants / Checks No. 48343-48491 and slip checks 48341-48342 and Electronic Payments in the amount of $259,759.18 and Payroll Warrants/Checks 72436 and electronic deposits in the amount of $131,180.00
Other Approvals

ORDINANCES

Community Development Committee

REPORTS
Parks and Public Works Committee

Community Development Committee

Finance and Administration Committee
AB19-037 Resolution 1489 Adopting the Purchasing Matrix

Public Safety Committee

Committee of the Whole Committee

ANNOUNCEMENTS

ADJOURNMENT
REGULAR MEETING
OF THE SNOQUALMIE CITY COUNCIL

April 8, 2019
City Hall – Council Chambers
38624 SE River Street

Mayor Larson called the meeting to order at 7:00 PM. Councilmember Shepard led the Pledge of Allegiance.

PRESENT
Mayor Larson
Council members
Bob Jeans
Katherine Ross
Bryan Holloway
James Mayhew (arrived @ 7:02 PM)
Matt Laase
Sean Sundwall
Peggy Shepard
Staff
Bob Larson, City Administrator
Jodi Warren, City Clerk
Bob Sterbank, City Attorney
Perry Phipps, Police Chief
Mark Hofman, Director of Community Development
Dan Marcinko, Director of Parks and Public Works
(left @ 8:35 PM)
PJ Rodriguez, Director of Information Technology
Robert Hamud, Director of Finance
Mike Bailey, Fire Department Captain
Nick Almquist, Police Captain
Debra Vigil, Director of Admin Services
Nicole Sanders, Senior Planner
(left @ 8:23 PM)
Joan Pliego, Communications Coordinator
Brian Krause, Project Engineer (left @ 8:35 PM)
Marilyn Gomez, IT Project Manager
(left @ 8:00 PM)
Jimmie Betts, IT System Support
Mark Gerken, IT System Support

ABSENT
Council
Staff
Mark Correira, Fire Chief

MOVED by Councilmember Jeans SECOND by Councilmember Ross to excuse the absence of Councilmember Mayhew from the April 8, 2019 meeting. Motion CARRIED 6 to 0.

APPROVAL OF AGENDA
MOVED by Councilmember Jeans SECOND by Councilmember Holloway to approve the consent agenda as stated. Discussion.
Councilmember Shepard that the Warrants be removed from the Consent Agenda.

Councilmember Jeans requested that Town Hall Meetings be added to Committee of the Whole.

Mayor Larson requested that Agenda Bill 19-032 be addressed immediately following the appeal hearing.

Motion, as amended, CARRIED 7 to 0.

PUBLIC HEARINGS, PRESENTATIONS, PROCLAMATIONS AND APPOINTMENTS
Land Use Code Interpretation Appeal Hearing – Persona
This was a quasi-judicial land use appeal hearing. Attorney Sterbank administered the quasi-judicial procedural questions to the Council and Mayor. Discussion.

For the record: No representatives from Persona were in attendance.

AB#19-032 Staff Recommendation to deny the appeal by Persona Nutrition of the Community Development Director’s land use interpretation, thus upholding the determination that the proposed proportion of warehouse and distribution uses are inconsistent with the permissible land uses for 7730 Center Blvd SE, Snoqualmie.

Glen J. Amster of Kantor Taylor PC, attorneys for Persona Nutrition, filed a Notice of Appeal with the City on November 15, 2018 for a November 6, 2018 written administrative interpretation letter issued by the Community Development Director. The City Council shall hold an appeal hearing to hear and determine the matter as expeditiously as possible. Four extensions to the hearing date were granted at the appellant’s request.

MOVED by Councilmember Mayhew SECOND by Councilmember Sundwall to deny the appeal by Persona Nutrition of the Community Development Director’s land use interpretation, thus upholding the determination that the proposed proportion of warehouse and distribution uses are inconsistent with the permissible land uses for 7730 Center Blvd SE, Snoqualmie. Discussion. Motion CARRIED 7 to 0.

Proclamation
Mayor Larson proclaimed April 10, as Volunteer Appreciation Day in the City of Snoqualmie.

Presentation
Finance Software Replacement Project - High Level Overview
PJ Rodriguez, Information Technology Director and Marilyn Gomez, IT Project Manager provided a high level overview of the Enterprise Resource Planning System Project.

CITIZEN COMMENTS
Fuzzy Fletcher, Snoqualmie thanked the Council for the Town Hall Meeting, and staff for working with him to resolving accommodations for the hearing impaired during meetings. Fuzzy announced that he will be filing candidacy for Position No. 4 in the upcoming election.

William Donaldson, Snoqualmie commented about vehicle traffic.

Julie Lake, Snoqualmie thanked the Council for the Town Hall, and voiced her discontent with a comment made at the Town Hall regarding the homeless and drugs.

CONSENT AGENDA
Minutes March 25, 2019 - Council meeting minutes

MOVED by Councilmember Holloway SECOND by Councilmember Laase to approve the minutes as stated. Motion CARRIED 7 to 0.

ORDINANCES
No ordinances.

Council Committee Reports

REPORTS
Parks and Public Works Council Committee
AB#19-033 Reject All Bids for the Koinonia Park Improvement Project

In July 2018, City Council approved bid solicitation for the Koinonia Park Improvement Project. Staff received no responsive bids. The project was re-bid in December 2018, due January 17, 2019. Three bids were received for a project budgeted for $297,000. The low bid was $540,836.00, which is $243,836 over the project budget.

MOVED by Councilmember Sundwall SECOND by Councilmember Holloway to Reject All Bids for the Koinonia Park Improvement Project. Discussion. Motion CARRIED 7 to 0.

Community Development Council Committee
AB#19-034 Approve the 2019 Relocation Policy for the Riverfront Acquisitions Program, and authorize the Mayor to conduct up to three relocation assistant payments in 2019.

The 2019 Relocation Policy for the Riverfront Acquisitions Program caps tenant relocation assistance payments for 2019 at $15,000 for each tenant relocation. Riverfront City of Snoqualmie April 8, 2019 Council Meeting Minutes
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Acquisitions Program grants are sufficient to fully fund the three relocation payments anticipated this year.

**MOVED** by Councilmember Mayhew **SECOND** by Councilmember Holloway to approve the 2019 Relocation Policy for the Riverfront Acquisitions Program, and authorize the Mayor to conduct up to three relocation assistant payments in 2019. Discussion. Motion **CARRIED** 7 to 0.

**Finance and Administration Council Committee**

**AB#19-017 Resolution 1479 Ratifying the Proclamation of Emergency for the February 2019 Winter Storm**

Beginning February 8, 2019, a severe winter storm causing disruption of services, hazardous driving conditions and flood preparation requiring emergency public safety and public works operations. This constitutes an emergency as defined by the Snoqualmie Emergency Services and Management Plan and necessitates the utilization of emergency powers granted pursuant to Snoqualmie Municipal Cope Chapter 2.48 and RCW 35.33.081(2).

**MOVED** by Councilmember Holloway **SECOND** by Councilmember Mayhew to adopt Resolution 1479 Ratifying the Proclamation of Emergency for the February 2019 Winter Storm. Discussion. Motion **CARRIED** 7 to 0.

**Approval of Warrants**

Claims/Warrant Report - Claims Warrants/ Check No. 48190 - 48340 and electronic payments in the amount of $1,320,186.20 and Payroll Warrants /Check No. 72333 - 72435 and electronic deposits in the amount of $485,770.10.

**MOVED** by Councilmember Sundwall **SECOND** by Councilmember Holloway to approve the Warrant/Claims as stated in the Claims Approval Report. Discussion.

**MOVED** by Councilmember Ross **SECOND** by Councilmember Mayhew to call the question. Motion **CARRIED** 6 to 1 with Councilmember Shepard voting against.

Motion **CARRIED** 6 to 1 with Councilmember Shepard voting against.

**Public Safety Council Committee**

No report.

**COMMITTEE OF THE WHOLE**

**Town Hall Recap**

Council discussed the Town Hall held on March 30. Council concurrence to proceed with the Council Ad Hoc Committee to further civic engagement. Councilmember Ross stated that the Committee had decided to host “Coffee with the Council” at the YMCA on April 16 from 9 AM – 10:30 AM.

City of Snoqualmie April 8, 2019 Council Meeting Minutes
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MOVED by Councilmember Mayhew SECOND by Councilmember Jeans to add to Committee of the Whole a discussion of comments about funding for alternative types of funding for things like the 1/90-18 interchange. Discussion. Motion CARRIED 5 to 0 with Councilmembers Holloway and Laase abstaining.

Discussion. Alternative types of funding. Councilmember Mayhew requested that the city explore alternative funding such as go fund me.

STAFF REPORTS
Mayor Larson stated that staff reports are written and included on the city website.

ADJOURNMENT
There being no further business to come before the Council, MOVED by Councilmember Holloway SECOND by Councilmember Ross to adjourn the meeting. Mayor Larson adjourned the meeting at 8:57 PM.

Matthew R. Larson, Mayor

Attest:

Jodi Warren/MMC City Clerk

Minutes recorded by
Jodi Warren, City Clerk
Review procedures for subdivisions are mainly unchanged since 1991. Short plats are decided by the Community Development Director, while long plats are decided by the City Council after a public hearing and recommendation by the Hearing Examiner. Final plats are decided by the City Council. State law provides for additional flexibility in approval procedures. The proposed amendments would change the decision-maker for preliminary plats to the Hearing Examiner, change the decision-maker for final plats to the Community Development Director, change the number of lots for a short plat from 4 to 9, streamline some process requirements, and implement general cleanup.

Recommended Action:
MOVE to approve Ordinance ____ adopting Plat Procedures Code Amendment (Introduction April 22, 2019, Action May 13, 2019)
BACKGROUND

In summer 2018, the City Council asked staff to investigate the approval procedures for final plats, as other cities in the Puget Sound region provide for administrative (e.g. staff) approval of final plats, instead of City Council approval. Staff began discussion of this topic and related subdivision-related procedural topics in fall 2018 with the Planning Commission. Review procedures for subdivisions, including short and long plats, are specified in SMC Title 16. Title 16 was originally adopted in its current form in 1991 (ordinance 669) and has received only minor updates since then. In general, subdivisions are divided into two categories, each with a different approval process: • Short plats involve subdividing a parcel into 4 or fewer lots. Preliminary short plats are an administrative decision, e.g. by the Community Development Director. Final short plats are also administrative decisions. • (Long) plats involve subdividing a parcel into more than 4 lots. Preliminary plats require a public hearing and recommendation by the Hearing Examiner, followed by a decision by the City Council. Final plats require a City Council decision. The state law requirements for subdivisions are in Chapter 58.17 RCW. The minimum requirement for subdivisions under state law are that short plats are administrative decisions, and long plats require City Council approval. State law also has provisions which give procedural flexibility to cities and counties: • Preliminary plats may be decided by a Hearing Examiner • Final plats may be decided by a Hearing Examiner or by City staff • Short plats may contain up to 9 lots To date, Snoqualmie has adopted none of these optional elements. In addition, staff examined the subdivisions code to identify inconsistencies with other areas of the SMC and for conformance with recent changes to state law. Finally, the table in the exhibits can be helpful when discussing permit review procedures. The table is adapted from SMC 14.30.020 – Categories of Permits.

ANALYSIS

City staff provided analysis including pros and cons of various approaches to plat approval procedures to the Planning Commission. After discussion, the Planning Commission recommended the following: 1. Preliminary Plat Decision-maker – Change the decision-maker for preliminary plats to the Hearing Examiner This shifts preliminary plats from a Category III permit to a Category IV permit 2. Final Plat Decision-maker – Change the decision-maker for final plats to the Community Development Director This shifts final plats from a hybrid Category I/III permit to a Category I permit 3. Short Plat Lot Threshold – not recommended 4. Variances Related to Plats – Align the decision-maker for all variances to the Hearing Examiner This makes all variances a Category IV permit 5. Plat Process Streamlining – Amend plat process requirements, such as the notice mailing radius, comment period length, etc. This would align plat process requirements with other process requirements in the SMC. 6. General Cleanup – Perform general cleanup of the subdivision code This would ensure the subdivision code conforms to current state law and other sections of the SMC. The full text of the amendments in legislative format is included as Exhibit D. The Planning Commission reviewed the proposed amendments and background information at their November 5, January 22, February 19, March 4, and March 18 meetings. A public hearing was held on March 4; there were 2 oral public comments at the public hearing, and the Commission received three written comments prior to and after the public hearing. Following the public hearing, the Planning Commission recommended adoption of amendments 1, 2, 4, 5, and 6, and did not recommend adoption of amendment 3. The Planning Commission’s full written recommendation, including rationale for recommending or not recommending each amendment, and all public comments, is included as Exhibit C. The Planning Commission did not recommend adoption of amendment 3, to change the short plat lot threshold from 4 to 9 lots, because it would have limited applicability, reduce public participation, and not result in efficiency gains for the City.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance amending plat procedures

BUDGET

The proposed amendments would have no budgetary impact
obtaining vested rights to develop their property, thereby rendering the emergency plans moot. Nevertheless, local government may not change the rules applicable to an already submitted application.  

B. Platting and Permits: The Development Process

1. The Platting Process
A plat is a map filed with the county auditor’s office. It describes a particular parcel of property, typically small divisions or “subdivisions” within the larger parcel.

Washington State has always had a law that requires persons selling lots from within a plat to file the plat with the county auditor. A plat dedicates property within the plat, such as roads and parks, and provides a convenient way to describe individual lots for sale purposes. The filing requirement also assures that back taxes and assessments have been paid on the larger parcel prior to sale of the smaller lots.

Washington adopted its first modern subdivision statute in 1936. It required the local approving authority to approve the plats prior to filing, and to inquire into, the public use and interest proposed to be served by the establishment of the plat, subdivision or dedication.

The approving authority also was required to look into the streets, playgrounds, public ways, and all other relevant facts to determine (a) that the development made appropriate provision for physical improvements; and (b) “that the public use and interest... be served by the platting and subdivision.” If these criteria were not met, the plat could be denied. In deciding whether to approve or deny plats when the public interest was not served, the approving authority was to consider the impact of the plats on the entire community, as well as physical improvements within the plat.

The present Subdivision Act, in force since 1969, presents the following definitions:

“Subdivision” is the division or redivision of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in [the definition of “short subdivision” below].

“Short subdivision” is the division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership, except as provided in [the definition of “short subdivision” below].
divisions for the purpose of sale, lease, or transfer of ownership: Provided, that the legislative authority of any city or town may by local ordinance increase the number of lots, tracts, or parcels to be regulated as short subdivisions to a maximum of nine.

“Binding site plan” means a drawing to a scale specified by local ordinance which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

“Short Plat” is the map or representation of a short subdivision.\(^{71}\)

**The statute contains seven exemptions from formal platting requirements:**

1. Cemeteries;
2. Land divisions creating parcels over five acres in size (as measured to the center of the road);
3. Land divisions made by wills or the laws of descent;
4. Industrial parks when such parks are covered by a binding site plan review process;
5. Mobile home parks when such parks are covered by a binding site plan review process;
6. Boundary line adjustments creating no new lots; and
7. Condominiums if a binding site plan has been approved.\(^{72}\)

Many communities implement some form of control over “large lots,” or parcels over five acres in size. These large lot ordinances remove the exemption from the Subdivision Act, and may invoke the same rules that apply to other subdivisions.\(^{73}\)

Criteria for approving a subdivision include a determination by the approving body that the plat provides appropriately for public improvements and amenities and that it serves the public interest.\(^{74}\) If the plat is deficient, or does not serve the public interest, it may be denied.\(^{75}\)

The platting statute specifically provides for plat disapproval in flood or swamp conditions. Permission of the Department of Ecology is required to approve a plat in any state-designated flood control zone.\(^{76}\) Limitations are also placed on plats in irrigation districts.\(^{77}\)

A plat is processed in two phases: preliminary plat and final plat.\(^{78}\)

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\(^{71}\) RCW 58.17.020(1), (6)-(8).
\(^{72}\) RCW 58.17.040.
\(^{73}\) RCW 58.17.040(2).
\(^{74}\) RCW 58.17.110.
\(^{75}\) RCW 86.16.041 & RCW 58.17.120.
\(^{76}\) RCW 57.17.1 10(1).
\(^{77}\) RCW 58.17.140.
a. Preliminary Plat Approval Process

A preliminary plat is the conceptual approval plan. It shows the proposed development and amenities, and is subject to a public hearing before a planning commission authority or a hearings examiner and the approving authority. The hearing is to determine:

(a) If appropriate provisions have been made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students...; and (b) whether the public interest will be served.

The planning commission’s recommendation is advisory. The hearings examiner’s recommendation may be advisory or final, depending on the option selected. Under regulatory reform, only one public hearing may be conducted. (See Chapter 3.)

The power of legislative officials to approve or condition plats is as broad as the perceived public interest. However, the approving authority must act in a timely fashion, and according to adopted policies in effect when the application is filed.

The approving authority may make construction of necessary public facilities a condition of plat approval. If warranted, it may change conditions in successive divisions to meet increasing public standards. However, the legislature has expressly limited the local government’s authority to impose fees in lieu of an improvement, except as provided by statute.

Approval of preliminary plats is a “quasi-judicial” responsibility of local authorities. As such, all hearings and decisions must be made on the record, with all parties given an opportunity to appear and be heard. The approving authority must state, in writing, findings and reasons to support the approval or denial. This requirement is now codified:

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79 RCW 58.17.100.
80 RCW 58.17.330.
81 RCW 57.17.10(l).
82 RCW 58.17.100.
83 RCW 58.17.330(1) & (2).
84 Breuer v. Fourre, 76 Wn.2d 582, 458 P.2d 168 (1969); See also Snider v. Board of County Commissioners, 85 Wn. App. 371, 932 P.2d 704 (1997) (the court of appeals held that a plat condition requiring developer to acquire rights-of-way over third party property was not arbitrary and capricious, and the superior court had no authority to modify the plat condition to require the board to exercise its power of eminent domain to acquire rights-of-way over third party property; the power of eminent domain is a core function of the legislative branch).
No plat or short plat may be approved unless the city, town, or county makes a formal written finding of fact that the proposed subdivision or proposed short subdivision is in conformity with any applicable zoning ordinance or other land use controls which may exist. 89

IMPORTANT NOTE:
In 1997, the Washington Supreme Court ruled that where there is inconsistency between a specific zoning regulation and the comprehensive plan, the zoning regulation prevails. 90 Referring to pre-GMA cases, the court ruled a comprehensive plan is not a document designed for making specific land use decisions, although the court noted that proposed land use decisions must “generally conform” to the comprehensive plan.

The court’s decision is consistent with the GMA, which requires a local government subject to the GMA to adopt specific development regulations that implement and are consistent with the adopted comprehensive plan. Accordingly, to give full legal effect to the policies, goals, and substance of adopted comprehensive plans - and the time, talent, and money expended in their adoption - local governments should take care to ensure their development regulations adequately implement and are consistent with their adopted comprehensive plans.

Courts have ruled that failing to prepare findings is “arbitrary and capricious.” 91 The standard of review for overturning land use decisions is no longer based on arbitrary and capricious conduct. 92 Failure to prepare findings is now reversible error based on the local government’s failure to follow prescribed process.

The time for filing an appeal begins to run from the date on which the land use decision is issued. 93 The approving authority must consider the environmental consequences of a proposal, and may condition or deny a plat for environmental reasons. 94

The plat must be reviewed and considered, based on plans in effect at the date of filing a complete application and development plans. 95 It is inappropriate to consider a pending, proposed, or possible change in zoning or other changes in land use regulations as a basis for approving or denying a project. 96 Consistency with the comprehensive plan is one measure of the public interest served by a plat. 97

89 RCW 58.17.195.
92 RCW 36.70C.130.
93 RCW 36.70C.040(3), (4).
95 Norco Construction v. King County, 97 Wn.2d 680, 649 P.2d 103 (1982).
97 Norco Construction, at 688.
Because “consistency” is now a prerequisite for project approval, a project can be denied if it is inconsistent with the comprehensive plan.  

Through interim zoning, municipalities have ample authority to protect themselves in an emergency. The court has approved interim zoning on an emergency basis without lengthy notice and hearing requirements:

We believe the better-reasoned view recognizes that if notice and hearing requirements were applied to interim zoning decisions, developers could frustrate effective long-term planning by obtaining vested rights to develop their property. This is especially true in Washington where an owner’s right to use his property under existing zoning vests upon the application for a building permit. We, therefore, hold that the act’s notice and hearing requirements do not apply to emergency ordinances enacted pursuant to RCW 36 70.790.99.

A county has 90 days to act on a preliminary plat application, not including time limits imposed by SEPA. The 90-day limit is mandatory. Failure to “approve, disapprove or return to the applicant for modification” any plat within 90 days of filing is grounds for a mandamus action requiring hearings. Further, by statute, such failure may constitute grounds for municipal liability.

Once a preliminary plat is approved, the applicant has five years to file a final plat. Before the preliminary plat expires, there can be no changes to the plat approval conditions. When the local government adopts additional provisions for extensions, however, it can modify the approval conditions during those extension periods.

b) Final Plat Approval Process

To file a final plat, a developer must construct or bond all required improvements of the preliminary plat, and submit a final plat for approval before filing with the county auditor.

Bonding is authorized in pertinent part:

(i) Local regulations shall provide that in lieu of the completion of the actual construction of any required improvements prior to the approval of a final plat, the city, town, or county legislative body may accept a bond, in an amount and with surety and conditions satisfactory to it, or other secure method, providing for and securing to the municipality the actual construction and installation of such improvements within a period specified by the city, town, or county legislative body and expressed in the

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98 RCW 36.70B.030 & .040.
100 RCW 58.17.140.
101 Norco Construction, at 690.
102 Chapter 64.40 RCW. 103
103 RCW 58.17.170.
104 RCW 58.17.130.
In addition, local regulations may provide for methods of security, including the posting of a bond securing to the municipality the successful operation of improvements for an appropriate period of time up to two years after final approval.105

PRACTICE TIP:
Communities should eliminate ambiguity by suggesting that the same provisions apply to short plats, large lots, and binding site plans.

Final plats are “as-built” drawings of the plat as constructed. They must conform to the approved preliminary plat, showing lots, streets, easements, and all other elements required as conditions of preliminary plat approval. The local administrative offices must verify that the final plat meets all conditions and statutory requirements. Once necessary signatures have been obtained, the approving authority approves the plat. The plat may then be filed with the county auditor, and the developer may offer the lots for sale.106

One significant advantage of a final plat is that it provides a five-year protection against zoning changes. 107 Enforcement of the platting requirements includes injunctive relief,108 withholding development permits,109 and criminal penalties.110

On illegally platted lots, a community can only issue permits to innocent purchasers. All others may be required to make plat improvements before obtaining any development permits. The lot purchasers have a statutory cause of action against the illegal subdivider, and may rescind the sale if necessary improvements cannot be made.111

c.) Short Plats
The local legislative agency has the same authority over short plats that it has over plats. The procedure is greatly simplified, however (usually without any hearings), and may contain requirements that are the same or wholly different than those governing preliminary plats.112 Short plats must be processed within 30 days.113

Short plats typically contain a map identifying the lots to be created and a declaration dedicating right-of-way or other required approval conditions. Short plats may not be divided again for five

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105 RCW 58.17.130 (emphasis and enumeration added).
106 RCW 58.17.200.
107 RCW 58.17.170.
108 RCW 58.17.200.
110 RCW 58.17.300.
112 RCW 58.17.060.
113 RCW 58.17.140.
years without processing a long plat. Short plats must be filed with the county auditor to be effective.

2. Site Plan Review

A binding site plan is defined as:

a drawing to a scale specified by local ordinance which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

The Legislature has created three exemptions from the subdivision law for parcels developed through binding site plan review. These exemptions apply when the city, town or county has approved a binding site plan for use of the land according to local regulations:

1. Divisions of land into lots or tracts classified for industrial or commercial use;
2. A division for the purpose of lease, when no residential structures other than mobile homes or travel trailers are permitted on the land; and
3. A division as a result of subjecting the property to the Washington Condominium Act.

Mobile home parks, industrial site plan programs and condominiums require the local jurisdiction to adopt site plan review ordinances. These can create more problems than they solve.

The exemption was created to avoid the two-phased approval process (preliminary and final). But unless a community adopts some form of conditional/final approval mechanism, it may lose control over the improvements needed for final development.

Further, while mobile home site plans are typically used for lease-only operations, most industrial site plans specifically contemplate lease or sale. Title insurance companies and financial institutions do not accept “binding site plans.” Without platting, they may be reluctant to insure or finance lots created in such a fashion.

114 RCW 58.17.060.
115 RCW 58.17.065.
116 RCW 58.17.020(7).
117 RCW 58.17.040(4), (5) & (7).
118 In Strauss v. City of Sedro Woolley, 88 Wn. App. 376, 944 P.2d 1088 (1997), rev. denied, 35 Wn.2d 1002 (1998) the court held that the condominium statute may not be used as a mechanism to avoid the requirements of the subdivision statute. Requiring a condominium developer to comply with the subdivision statute or file a binding site plan does not violate the Condominium Act, which prohibits zoning laws and other requirements which impose requirements on condominiums which do not apply to other forms of property ownership.
3. Common Platting Problems

a.) Findings: The Basis for Approval or Denial
The courts require written findings to deny a preliminary plat, and failure to enter such findings will result in a court reversing a land use decision. The Growth Management Act now specifically requires “written findings” to show that adequate provisions for amenities, schools, and utilities have been made; and has made public use and interest a prerequisite for approval. Furthermore, approving authorities cannot merely deliver a boilerplate recitation of impact on schools, roads, and the bucolic “rural way of life” to support denial. They must show why such facts are true, and how they relate to the area being developed. Once properly identified, however, both existing and potential future impacts can be the basis for properly denying a plat.

Once properly identified, however, both existing and potential future impacts can be the basis for properly denying a plat.

b.) Old Plats
Old plats fall into three categories: (1) those filed before 1909; (2) those filed before 1937; and (3) those filed before 1969.

The 1937 Platting Act was the first Act in which plats were reviewed for adequacy of public improvements and facilities. Some communities use the 1937 law as the date by which they will recognize “existing lots of record.” Prior to 1937, most lots were paper plats. Many communities do not recognize the individual lots as separate building parcels, but look instead to an individual’s total ownership. An additional problem, arising with plats filed before 1909, is that streets may have been vacated by operation of law. Under state law, if county streets platted before 1909 were not opened to public travel within five years of dedication, those streets are vacated.

Many plats filed before 1909 have no public roads, due to this vacating process. This can be a trap for the unwary because the plat filed in the county auditor’s office or recorder’s records will not show the automatic street vacation.

c.) Short Plats Within Plats
A common practice in Washington has been to permit short plats within previously platted areas. This practice is questionable under the present statute, which defines the term “subdivision” as “any redivisions” of land. At least one superior court has declared the practice illegal. In 1980, an Attorney General’s opinion said that division of lots within an existing plat into four or fewer lots constitutes “resubdivision,” and may not be accomplished by a short subdivision. Further, such action

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121 Adoption of Chapter 58.16 RCW (now repealed).
122 Adoption of Chapter 58.17 RCW.
123 §32, Chapter XIX, Laws of 1890 p. 603; Howell v. King County, 16 Wn.2d 557, 134 P.2d 80 (1943).
124 RCW 58.17.020(1).
125 Spokane County Superior Court, Cause No. 247305(1978).
does not require vacating the underlying plats, but may require action if a street is to be vacated or relocated. In 1981, the Legislature redefined short plat to include redivisions, authorizing short plats within plats.

PRACTICE TIP: The best solution to this problem is for the jurisdiction to adopt an ordinance defining its policy. It would appear that if separate parcels are owned by the same individual, no basis exists to declare them as separate parcels outside of plats. Thus, all contiguous property owned by any individual outside a plat is “property” subject to “subdivision” or “short subdivision,” regardless of how many lots the subdivider may own within old plats (pre-1937 plats), assessor parcels, or lots in a recorded survey.

d.) Short Plats and Contiguous Property
Ownership of several contiguous parcels can cause confusion when determining whether four or more lots are created. In some jurisdictions, each separate parcel may be divided as provided by law, allowing short plats in each parcel. Others hold that, for development purposes, the entire ownership must be considered in determining the number of lots.

e.) Boundary Line Adjustments
Boundary line adjustment is a change to a lot that moves a boundary line recognized in the local code (as in a “platted lot” or “tax lot of record”). A boundary line adjustment normally will not be permitted if it creates a building lot smaller than zoning minimums. A boundary line adjustment cannot be used to create a new building lot that did not exist before (that would be a subdivision). The Attorney General has ruled that a boundary line adjustment cannot be used to divide an existing lot in half - add to adjoining properties - because this would change the number of lots.

Communities should set simple, understandable administrative rules for boundary line adjustments, which are often used to allow minor adjustments accommodating driveways, garages, setbacks, and other details.

In 1996, the Legislature added a new process for boundary line adjustments, allowing private parties to resolve boundary disputes without filing a lawsuit or requesting government approval.

f.) Sale of Lots Prior to Recording of Plat
Lots cannot be sold within a preliminary plat or subdivision before the plat is recorded. State law makes all such sales illegal and subject to restraint by the prosecuting attorney. In 1981, the Legislature passed an amendment which provides:

127 Chapters 58.11 & 58.22 RCW (now repealed).
128 RCW 58.17.212; Chapters 36.87 & 35.79 RCW.
129 Chapter 58.18 RCW.
130 Chapter 58.09 RCW.
132 RCW 58.04.020.
133 RCW 58.17.200.
If performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract, or parcel of land following preliminary plat approval is expressly conditioned on the recording of the final plat containing the lot, tract, or parcel... the offer or agreement is not subject to [injunctive action or penalties] and does not violate any provision of this [statute]. 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.  

NOTE: The amendment applies only to subdivisions, not short subdivisions. It is still common practice to sell lots in a short plat subject to short plat approval.

g.) Roads, Parks, and Open Space
The primary purpose of plats is to clearly define public and private rights with respect to roads, parks, and open space. Dedications to public use must be spelled out clearly on the final plat, although any ambiguity with respect to roads will favor public roads. The opposite appears to be true with respect to parks and open space. The presumption appears to be that a park identified on a plat is private (for the benefit of the lot owners only), unless a clear intent is expressed to dedicate the park to public use.

If the hearings examiner is to rule on adequacy of open space, the city must establish proper criteria and a nexus to the expected impact, particularly before “public” open space may be acquired.

h.) Dedications and Vacations
Dedications and vacations are the means of creating or eliminating interests within a plat. Dedication grants a fee title or an easement for public use. Vacation eliminates the public’s rights to or over a parcel of property, or to terminate a plat. Problems often arise in this context because the enabling legislation lacks sufficient clarity.

i) Dedications
The primary purpose of a plat is to secure the “dedication” of roads, parks, and other public spaces within the plat. This concept was embodied in the original platting act.

The concept has continued through to present law, which requires a certificate of dedication to create public versus private streets. The interest in any dedication for road or highway purposes is an easement for public travel. The fee title remains with abutting land owners.

Courts have indicated, however, that merely filing a plat does not automatically create a binding

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134 RCW 58.17.205.
135 RCW 58.17.165.
137 RCW 58.08.050.
138 RCW 58.17.165.
Areas other than public ways could be dedicated to public use by a plat, but three conditions must be met:

1. An affirmative act of donation or grant by the donor or grantor, noted as such on the plat or expressed in some other instrument;
2. The donee or grantee must be named or specifically indicated; and
3. The specific use to which the donated or granted property is to be devoted, according to the intention of the donor or grantor, must be expressed or provable in some way.

In addition to dedication, public roads may be acquired prescriptively.

Once dedicated or acquired by the municipal agency, public rights over property may only be terminated by vacation or a conscious act of abandonment. Except in extreme circumstances, public rights cannot be lost by adverse possession.

ii) Vacations

Any study of the law of vacations of public rights proves that it is easier to give than to retrieve. While dedications require little more than a donative intent and acceptance by the public, vacations require a complicated public process.

Vacations within a plat are initiated by unanimous petition of all parties having ownership interest in that portion of the subdivision to be vacated. A subdivision or any portion of a subdivision (or any area designated or dedicated for public use within the subdivision) is subject to vacation.

Before the vacation can be approved, the approving authority must conduct a public hearing to determine if the vacation serves the public use and interest.

If the vacation involves a public road or street, particular statutes must be followed.

Title to vacated property - other than a street or road-may vest adjoining owners, as determined by the approving authority. Vacated streets wholly within a plat may vest in the subdivision owners.

Vacations of public roads may occur by operation of law. County roads that remain closed to public travel for five years will lose the right of public access and will be vacated by operation of law. The law was amended in 1909 to exempt roads within subdivisions. As a result, many plats that were recorded before 1909 have no public roads, due to this automatic vacation.

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142 RCW 36.75.070 & .080.
143 RCW 58.17.212.
144 Chapter 36.87 RCW (county roads) or Chapter 35.79 RCW (city streets).
145 RCW 36.87.090.
One important exception to the road vacation statute limits the rights of cities to vacate roads abutting water:

A city or town shall not vacate a street or alley if any portion of the street or alley abuts a body of fresh or salt water unless: (a) The vacation is sought to enable the city or town to acquire the property for port purposes, beach or water access purposes, boat moorage or launching sites, park, public view, recreation, or educational purposes, or other public uses; (b) The city or town, by resolution of its legislative authority, declares that the street or alley is not presently being used as a street or alley and that the street or alley is not suitable for any of the following purposes: Port, beach or water access, boat moorage, launching sites, park, public view, recreation, or education; or (c) The vacation is sought to enable a city or town to implement a plan, adopted by resolution or ordinance, that provides comparable or improved public access to the same shoreline area to which the streets or alleys sought to be vacated abut, had the properties included in the plan not been vacated.146

In 1982, the Legislature required the Department of Natural Resources (DNR) to plat all first class tidelands and waterways. It included express provisions about maintaining the waterways and vacating streets or access points.147

4. On-Site Development Conditions

A municipality’s authority to specifically condition a project based on identified on-site needs is well established in case law and by statute. Building permits may be conditioned. “The county’s authority to attach conditions to a building permit is not contested. Indeed, [McQuillin] suggests that “reasonable conditions and requirements may be contained in, or attached to, a permit and compliance therewith after its issuance made essential to its continued force, effect and validity.”148

Plats may be specifically reviewed for adequate access to and within the proposed subdivision; and conditions may be imposed that regulate or limit access.149 For example, as a condition of plat approval, the approving authority may require construction of on-site facilities, such as roads or utilities, to approved county standards.150 However, the Legislature has limited local government’s authority to impose fees to pay for a pro rata share of improvements to public facilities.151

In a case decided by the Court of Appeals prior to the Legislature’s enactment of the restrictions on imposing impact fees provided in Chapter 82.02 RCW, the Court said:

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146 RCW 35.79.035(1).
147 RCW 79.93.010-070.
151 RCW 82.02.020 & .050-.090.
ORDINANCE NO. 6654

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, AMENDING CHAPTERS 14.03, 17.04, 17.10, 17.12, 17.14 AND 17.22, OF THE CITY CODE, RELATING TO THE PROCEDURES USED FOR PROCESSING FINAL PLAT APPROVALS

WHEREAS, the City Council has an ongoing interest to simplify land use decision making, lower City and customer costs, and to take advantage of enhanced efficiencies; and,

WHEREAS, while the City Council strives to implement simplifications and efficiency enhancements, modifications must not sacrifice quality of decision making or public input opportunities; and,

WHEREAS, on April 27, 2017 the Governor signed into law SB 5674 which amends Chapter 58.17 RCW to allow local government to adopt procedures that shift final plat approval from a City Council action to an administrative action; and,

WHEREAS, SB 5674 allows local jurisdictions to make these modifications through the adoption of an ordinance that can go into effect no sooner than July 23, 2017; and,

WHEREAS, Auburn City Code currently establishes codified procedures for processing final plats with the final decision resting with City Council; and,

WHEREAS, pursuant to ACC 18.68.020.B amendments to the text of Title 18 that are purely administrative or procedural do not require a public hearing, nor do they require preliminary review or recommendation of the planning commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN, WASHINGTON, DO ORDAIN as follows:

Section 1. Amendment to City Code. Chapter 14.03 of the Auburn City Code be and the same hereby is amended to read as follows:

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Chapter 14.03

TYPES OF PROJECT PERMIT DECISIONS

Sections:

14.03.001 Generally
14.03.010 Type I decisions.
14.03.020 Type II decisions.
14.03.030 Type III decisions.
14.03.040 Type IV decisions.
14.03.050 Type V decisions.
14.03.060 Legislative nonproject decisions.

14.03.001 Generally.

Project permit decisions are classified into five types, based on whether a director, the hearing examiner or the city council makes the decision and the process by which that decision is made.

14.03.010 Type I decisions.

Type I decisions are administrative decisions made by the city which are not subject to environmental review under the State Environmental Policy Act (SEPA) codified at Chapter 43.21C RCW. Type I decisions include, but are not limited to, the following project applications:

A. Building permit;
B. Plumbing permit;
C. Mechanical permit;
D. Utility permit;
E. Special permit;
F. Excavation permit;
G. Land clearing permit;
H. Grading permit;
I. Floodplain development permit;
J. Public facility extension agreement;
K. Right-of-way use permit;
L. Lot line adjustment
M. Home occupation permit;
N. Temporary use permit (administrative);
O. Administrative use permit;
P. Short subdivision (plat);
Q. Mobile home closure plans;
R. Extensions or minor amendment to an approved master plan;
S. Final plat.

14.03.020 Type II decisions.

Type II decisions are administrative decisions made by the city which include threshold determinations under SEPA. Type II decisions include, but are not limited to, the following project applications:

A. Building permit;
B. Grading permit;
C. Land clearing permit;
D. Public facility extension agreement;
E. Administrative use permit;
F. Short subdivision (plat);
G. Floodplain development permit.
14.03.030 Type III decisions.

Type III decisions are quasi-judicial final decisions made by the hearing examiner following a recommendation by staff. Type III decisions include, but are not limited to, the following project applications:

A. Temporary use permit;
B. Substantial shoreline development permit;
C. Variance;
D. Special exceptions;
E. Special home occupation permit;
F. Preliminary plat;
G. Conditional use permit;
H. Surface mining permit;
I. Master plan.

14.03.040 Type IV decisions.

Type IV decisions are quasi-judicial decisions made by the city council following a recommendation by the hearing examiner. Type IV decisions include, but are not limited to, the following project applications:

Rezone (site-specific).

14.03.050 Type V decisions. Reserved.

Type V decisions are quasi-judicial decisions made by the city council following a recommendation by staff. Type V decisions include, but are not limited to, the following projects applications:

Final plat.

14.03.060 Legislative nonproject decisions.

Legislative nonproject decisions made by the city council under its authority to establish policies and regulations are not classified as a “type” of project permit decision.
Legislative nonproject decisions include, but are not limited to, the following legislative actions:

A. Amendments to the text and map of the comprehensive plan or development regulations.

B. Amendments to the zoning map (rezones) on a city-wide or area-wide basis.

Section 2. Amendment to City Code. That Section 17.04.110 of the Auburn City Code be and the same hereby is amended to read as follows:

17.04.110 Dedication.

"Dedication" means the deliberate conveyance of fee ownership of land, or the granting of a right-of-way, easement, or other interest in land, by an owner or owners of the land to the city for any general and public uses, reserving to the owner or owners 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 or owners presenting for filing a final plat showing the dedication thereon. Acceptance by the city shall be indicated by the approval of the city council, as evidenced by the presence of the mayor's director's signature on the face of the plat.

Section 3. Amendment to City Code. That Section 17.04.330 of the Auburn City Code be and the same hereby is amended to read as follows:

"Short subdivision" means the division or redivision of land into four nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, consistent with the provisions of Chapter 17.09 ACC.

Section 4. Amendment to City Code. That Section 17.10.020 of the Auburn City Code be and the same hereby is amended to read as follows:

17.10.020 Application, submittal and contents.

A. Application. In addition to the requirements for a completed application as provided in ACC Title 14, an application for subdivision approval shall include:

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1. Application requirements found in ACC 17.02.065;

2. A preliminary plat meeting the requirements of RCW 58.17.160 for a preliminary subdivision;

3. A neighborhood circulation plan meeting the requirements of Chapter 17.16 ACC and RCW 58.17.110(2) for safe walking paths for students;

4. Where any lot is proposed to be served by an on-site sewage disposal system, results of preliminary percolation tests for each such proposed lot, conducted under the county department of health rules and regulations;

5. A conceptual utility/site grading plan and/or methodology prepared in accordance with the city's comprehensive plans, standards or ordinance requirements. The conceptual utility/site grading plan shall include adequate horizontal and vertical information to ensure that utilities can be constructed consistent with the preliminary plat layout;

6. The location of other utilities other than those provided by the city;

7. The application shall include a transportation site plan for streets, pedestrian, and bike facilities. The site plan shall include adequate horizontal and vertical information to ensure the transportation facilities can be constructed consistent with the preliminary plat layout;

8. A title report, with liability for errors not to exceed the assessed value of the lots on the date of application. The title report shall be issued no more than 30 days prior to the application date;

9. Copy of restrictions, if any, to be imposed upon the use of the land. Such restrictions must be recorded simultaneously with the subdivision.

B. Preparation. The preliminary plat or short plat shall be prepared by a professional engineer or professional land surveyor registered or licensed by the state of Washington. The preparer shall, by placing his or her signature and stamp upon the
face of the plat, certify that all information is portrayed accurately and that the proposed subdivision or short subdivision complies with the standards and requirements of this title, the Auburn zoning ordinance and any other applicable land use and development controls.

C. Scale and Format. The preliminary plat shall be drawn with reproducible black ink on Mylar any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city. All geographic information portrayed by the preliminary plat shall be accurate, legible, and drawn to an engineering (decimal) scale.

D. Preliminary Plat Contents. A preliminary plat shall provide the following information:

1. General Information. The following information shall appear on each sheet of a preliminary plat or preliminary short plat:

   a. The name of the proposed subdivision, together with the words "preliminary plat";

   b. The name and address of the applicant;

   c. The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat or short plat;

   d. Numeric scale, graphic scale, true north point and date of preparation;

   e. A form for the endorsement of the planning-director, as follows:

   
   EXAMINED AND APPROVED THIS BY-RESOLUTION _____ DAY OF 
   ____________, 20____ THE CITY COUNCIL ON (Date) __________
   
   ______________________
   Director, Planning and Development Dept.
Date

f. Legal description of preliminary plat.

2. Existing Geographic Features. Existing geographic features, as detailed in city application requirements, shall be drawn lightly in relation to proposed geographic features.

3. Proposed Geographic Features. Proposed geographic features, as detailed in city application requirements, shall be shown.

4. Additional Information. The following additional information shall be shown on the face of the preliminary plat:

   a. For proposed subdivisions involving residential land uses, a table providing the following information for each distinct residential area:

      i. Proposed land use (e.g., single-family, duplex, multifamily);

      ii. Number of dwelling units;

      iii. Gross acreage;

      iv. Existing zoning designation;

      v. Proposed zoning designation;

      vi. Approximate area of smallest lot;

   b. Proposed source of domestic water supply;

   c. Proposed sewage disposal system;

   d. Typical street cross section(s);

   e. Proposed storm drainage system;
i. Identification of the location and type of any storm water low impact development or management facilities;

ii. Identification of whether the responsible party for operation and maintenance of a storm water low impact development facility located on private property is the private property owner, a homeowners association, or the city;

f. For preliminary plats that are related to a planned unit development (PUD), the following information shall also be provided:

i. The ordinance and contract of the PUD rezone if previously done;

ii. The location of perimeter walls and fences on the boundary of the PUD and an indication of the height and materials;

iii. The location and size of any entrance signs;

iv. A landscaping plan;

v. Any covenants not previously approved.

Section 5. Amendment to City Code. Chapter 17.12 of the Auburn City Code be and the same hereby is amended to read as follows:

Chapter 17.12

FINAL SUBDIVISIONS

Sections:

17.12.005 Purpose.

17.12.010 Application submittal and contents.

17.12.015 Review process.
17.12.020 Administrative review.

17.12.030 City-council Administrative decision action.

17.12.040 Terms of approval.

17.12.050 Distribution and filing.

17.12.060 Transfer of ownership.

17.12.070 Building, occupancy and model home permits.

17.12.080 Release of improvement guarantee.

17.12.090 Survey requirements.

17.12.005 Purpose.

This chapter establishes specific application materials, review processes and requirements, and terms of approval for final subdivisions.

17.12.010 Application submittal and contents.

A. Application. An application for final subdivision approval meeting all requirements of Chapter 58.17 RCW and this title shall be submitted to the planning department, accompanied by the following:

1. Application materials consistent with the requirements of ACC 17.02.065;

2. A copy of the approved preliminary plat;

3. A final plat meeting the requirements of Chapter 58.17 RCW, including certifications, dedications, and title reports;

4. Agency recommendations pursuant to RCW 58.17.150.
5. A recordable survey and surveyor’s signature meeting the requirements of Chapter 58.09 RCW and RCW 58.17.250;

6. Proposed list of public improvements that will be incomplete at the time of final plat approval and the associated cost to complete the work. The list shall be used to determine the financial security required as part of the final plat review process. The engineer’s certification is required prior to setting the date for consideration by the city council for final plat approval and the director’s approval of the final plat. The engineer’s certification will not be issued until the requirements of ACC 17.14.010 have been met.

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

C. Scale and Format. The final plat shall be drawn with reproducible ink on Mylar any standard material consistent with and conforming to Chapter 58.09 RCW and WAC 332-130-150 and acceptable to the city measuring 18 inches by 24 inches in size with a one inch border on one edge and a one half inch border for the other three edges for projects in King County and measuring 18 inches by 24 inches with a two inch border on the left edge and a one half inch border for the other three edges for projects in Pierce County. The final plat shall be accurate, legible and drawn to an engineering (decimal) scale of 100 feet or fewer to the inch. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size and conform to, and compatible with, the Pierce County Auditor’s or King County Recorder’s recording standards and guidelines. All signatures or certifications appearing on a final plat shall be in reproducible black ink.

D. Final Plat Contents. A final plat shall contain the following information:

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1. The name of the subdivision;

2. Legal description of the property being subdivided;

3. Numeric scale, graphic scale, true north point and date of preparation of the final plat;

4. The boundary line of the plat, referenced to city datum in accordance with the city design and construction standards and based on an accurate traverse, with angular and linear dimensions and bearings;

5. The exact location, width and assigned name of all streets, alleys and other public ways within and adjacent to the subdivision;

6. A table depicting the assigned address for each lot within the subdivision;

7. The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;

8. True courses and distances to the nearest established street lines, or section or quarter section corner monuments which shall accurately locate the subdivision;

9. Municipal, township, county or section lines accurately tied to the lines of the plat by distances and courses;

10. All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet;

11. The radii, internal angles, points of curvature, tangent bearings and lengths of all arcs;

12. The accurate location of each permanent control monument. One such monument shall be located at each and every controlling corner on the boundaries of the parcel of land being subdivided; at each street centerline

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intersection, each point of curvature (PC), each point of tangency (PT), and each point of reverse curve (PRC); and at each intersection of a street centerline with a plat boundary. All permanent control monuments shall be marked with the land surveyor's registration number;

13. All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20 feet from, the high water line of such body;

14. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes of such dedication or reservation and any limitations indicated thereon and in the dedication;

15. Accurate outlines of any areas to be reserved by deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;

16. Any restrictions or conditions on the lots or tracts within the subdivision, as required by the hearing examiner, or at the discretion of the property owner;

17. The final recorded subdivision plat shall include a notice to the individual property owners and/or the homeowners' association of the location, responsibilities, and requirements associated with storm water low impact development and management facilities;

18. The name and seal of the licensed land surveyor responsible for preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;

19. A signed certification stating that the subdivision has been made with the free consent, and in accordance with the desires, of the owner or owners. If the plat includes a dedication, the certificate or a separate written instrument shall

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contain the dedication of all streets and other areas to the public, any individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage or maintenance of said street or other areas so dedicated. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided. An offer of dedication may include a waiver of right of direct access to any street from any property. Such waiver may be required by the city engineer 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 as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant. At the discretion of the city engineer conveyances of right-of-way may be required to be by statutory warranty deed. The acceptance of right-of-way by the city shall not obligate the city to improve or develop the lands in the right-of-way;

20. Forms for the appropriate certifications of the finance director, city engineer and planning director, as follows:

FINANCE DIRECTOR'S CERTIFICATE

I hereby certify that there are no delinquent special assessments for which the property subject to this subdivision may be liable to the city, and that all special assessments on any property herein contained dedicated as streets, alleys or for any other public use have been duly paid, satisfied or discharged, this _____ day of ____________, 20___.

Auburn Director of Finance

CITY ENGINEER'S CERTIFICATE
I hereby certify that this final plat is in compliance with the certificate of improvements issued pursuant to ACC 17.14.015, and is consistent with all applicable City improvement standards and requirements in force on the date of preliminary plat approval, this _____ day of ____________, 20__.  

______________________________________________

Auburn City Engineer

COMMUNITY DEVELOPMENT ASSISTANT PLANNING DIRECTOR'S CERTIFICATE

I hereby certify on this ______ day of ____________, 20__, that this final plat is in substantial conformance with the preliminary plat and any conditions attached thereto, which preliminary plat was approved by Resolution Number _______ of the Auburn City Council on the ______ day of ____________, 20__, or by the Decision of the Hearing Examiner for the City of Auburn dated on the _____ day of ____________, 20__.  

______________________________________________

Auburn Assistant Planning-Director of Community Development

21. A form for the approval of the mayor, pursuant to ACC 17.12.030, as follows:

APPROVAL

Examined and approved this _______ day of ____________, 20__, pursuant to City Ordinance Number ______, adopted by the Auburn City Council on the ______ day of ____________, 20__.  

______________________________________________

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2221. A form for the certificate of the applicable (King/Pierce) county finance division, as follows, or as required by the applicable county, if different:

**FINANCE DIVISION CERTIFICATE**

I hereby certify that all property taxes are paid, that there are no delinquent special assessments certified to this office for collection, and that all special assessments certified to this office for collection on any of the property herein contained dedicated as streets, alleys or for other public use are paid in full this ___ day of ______, 20__.  

__________________________

Manager

__________________________

Deputy

2322. A form for the approval of the applicable (King/Pierce) county assessor, as follows, or as required by the applicable county, if different:

**ASSESSOR'S APPROVAL**

Examined and approved this _____ day of ________, 20__.

__________________________
Account number

2423. A form for the certificate of the applicable (King/Pierce) county recorder, as follows, or as required by the applicable county, if different:

RECORDING CERTIFICATE

Filed for record at the request of the City of Auburn this ______ day of ________, 20___ at _____ minutes past _______ M., and recorded in Volume _____ of Plats, page ________ Records of (King or Pierce) County, Washington.

County Recording Number ______.

________________________________________________________________________

Manager

________________________________________________________________________

Superintendent of Records

2524. Any additional pertinent information as required at the discretion of the city engineer or planning-director as defined in this Title.

17.12.015 Review process.

A final plat shall be reviewed in accordance with ACC Title 14 as a Type V-I decision.
17.12.020 Administrative review.

A. Upon receipt of a final plat for council approval, the director shall place the final plat on the next council agenda that allows for at least 10 working days of staff review prior to the council meeting.

AB. The director shall forward the plat to the city engineer and to other city departments for review. The city engineer shall review the final plat and determine if it is in compliance with the certificate of improvements issued under ACC 17.14.015, is consistent with all applicable city improvement standards and requirements in effect on the date of preliminary plat approval.

BC. Prior to the date at which the council will consider the final plat, the director shall forward to the council the original of the final plat, along with the planning agency's report which discusses the conformity or nonconformity of the final plat with: The director, or designee, shall review the final plat for consistency with the terms and conditions of the preliminary plat approval; the requirements of Chapter 58.17 RCW and other applicable state laws in effect at the time of preliminary plat approval; and the requirements of this title in effect at the time of preliminary plat approval.

17.12.030 City council action Administrative decision action.

The city council shall have sole authority to approve final plats. The council/director shall approve, disapprove, or return to the applicant for modification or correction, a proposed final plat within 30 days of the date of filing a complete application, on the date of the meeting set for consideration of the final plat under ACC 17.12.020(A); unless the applicant agrees, in writing, to an extension of the time period provided by RCW 58.17.140. If the council/director finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the said subdivision meets the requirements of Chapter 58.17 RCW, other applicable state laws, and this title, which requirements were in effect on the date of preliminary plat approval, the director shall direct and authorize the mayor to suitably inscribe and execute its a written approval on the face of the final plat.

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17.12.040 Terms of approval.

A subdivision shall be governed by the terms of approval of the final plat, and the zoning ordinance and regulations in effect on the date of preliminary plat approval for a period of five years after final plat approval unless the hearing examiner finds that a change in conditions creates a serious threat to the public health or safety in the subdivision; provided, that for any final plat approved before January 1, 2015 it is vested for a period of 7 years from final plat approval and if approved prior to January 1, 2008, it is vested for a period of 10 years from final plat approval in effect on June 10, 2010; through December 31, 2014, the terms of approval shall be for a period of seven years following the date of the notice.

17.12.050 Distribution and filing.

The director shall distribute the original and copies of the approved final plat as follows:

A. An original of the plat must be recorded in the appropriate county office within 30 days or the plat shall become null and void. A recorded Mylar certified copy on any standard material acceptable to the city shall be returned to the city and kept with the city's records;

B. Two paper copies shall be transmitted to the county assessor;

C. One reproducible copy shall be retained in the files of the department;

D. One reproducible copy shall be provided to the applicant.

17.12.060 Transfer of ownership.

Whenever any parcel of land lying within the city is divided under the provisions of this title, no person, firm or corporation shall sell or transfer, or offer or advertise for sale or transfer, any such lot, tract or parcel without having first had an approved final plat of such subdivision filed for record, except as provided by ACC 17.10.090.
17.12.070 Building, occupancy and model home permits.

A. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision prior to a determination by the fire marshal that adequate fire protection for construction needs exists.

B. No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved subdivision until:

1. The minimum required improvements which will serve the subject lot or parcel have been constructed in accordance with ACC 17.14.070; and

2. All remaining improvements have been financially guaranteed under the requirements of ACC 17.14.010.

C. Prior to final plat approval of an approved preliminary plat, building permits for model homes may be granted by the building official subject to the following conditions:

1. Model homes are single-family dwellings as defined by ACC 18.04.340(A). The purpose of a model home is for sales promotion and display of homes that will be typically built within a subdivision and are open to the public for viewing.

2. Up to two model homes may be allowed for preliminary plats up to 20 lots. Up to four model homes may be allowed for preliminary plats in excess of 20 lots.

3. All model homes shall be served by an all weather surface access as approved by the city engineer and fire marshal.

4. All model homes shall be located within 300 feet of an operating fire hydrant as determined and approved by the fire marshal.

5. Prior to the public being allowed to access a model home, written permission must be received from the building official.
6. Information must be submitted with the final plat application that indicates the model home meets all applicable zoning code standards of the lot on which it is located.

D. Where a plat is approved subject to conditions, no building permit shall be issued for property subject to the subdivision prior to the conditions either being fulfilled or guarantees provided to ensure the conditions are met.

17.12.080 Release of improvement guarantee.

A. If a financial security for the improvements has been submitted under ACC 17.12.070 or 17.14.010, such guarantee shall only be released upon acceptance by the city of a properly executed bill of sale for such improvements and submittal of adequate record drawings for which the guarantee was submitted.

B. A portion of the guarantee equivalent to 10 percent of the value of the public improvements guaranteed shall be retained as a maintenance guarantee by the city for a minimum period of one year from the date the city engineer certifies the completion of the plat improvements have been satisfied, to ensure the adequate operation of such improvements, following which any unused portion of such guarantee shall be released. This shall be consistent with the facility extension provisions of ACC Title 13 (Water, Sewers and Public Utilities).

17.12.090 Survey requirements.

A. A licensed professional land surveyor shall complete all lot staking prior to the recording of the final subdivision.

B. All lot corners, including interior lot corners, shall be marked with a permanent marker that bears the land surveyor’s registration number. When the boundary lines follow a meandering line, the corners shall be set as directed by the city of Auburn.
C. When the legal description of the final subdivision utilizes partial or complete section subdivisional breakdown to establish the boundaries, section subdivision survey information shall be shown in accordance with the requirements of WAC 332-130-030.

D. All reference monuments used in the establishment of the final subdivision corners shall be identified, described and noted as set or found. When appropriate, the survey shall reference previous surveys that served as the basis for the survey.

E. When the final subdivision is adjacent to a constructed public right-of-way and the plat corners or its offset represent a quarter corner, section corner or donation land claim that is not of record or has been lost (or obliterated), a standard monument shall be placed.

F. Whenever a final subdivision is adjacent to existing right-of-way, the centerline of the right-of-way shall be located on the plat drawing. If the constructed improvements fall outside of the documented right-of-way, the surveyor shall identify the existing edge of the pavement and limits of the maintained right-of-way section on the drawing and show its relationship to said centerline.

G. All requirements of Chapter 58.09 RCW and Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed that reads:

   THIS SURVEY COMPLIES WITH ALL THE STANDARDS AND
   GUIDELINES OF THE "SURVEY RECORDING ACT"
   CHAPTER 58.09 RCW AND WAC 332-130.

H. The side lot lines of each lot, which if extended would intersect with the curb, shall be marked on the curb. The offset distance from the curb mark to the property corner shall be noted on the face of the plat. Curb pins shall be marked with a permanent marker bearing the land surveyor's registration number.

Section 6. Amendment to City Code. That Section 17.14.010 of the Auburn City Code be and the same hereby is amended to read as follows:

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17.14.010 Improvement Methods

Following preliminary plat approval and approval of all plans required by this chapter, and prior to setting the date for consideration by the city council for and prior to final plat approval, the applicant/plat developer shall guarantee the public improvements required for the plat are completed by one of the following methods:

A. By completion of construction of the minimum required plat improvements in conformance with ACC 17.14.070 (minimum improvement requirements) and furnishing to the city an assignment of funds or an irrevocable letter of credit or guarantee bond or other similar security satisfactory to the city engineer, in which assurance is given the city that the installation of the remaining required public improvements will be carried out as provided by plans submitted and approved pursuant to this chapter and in accordance with the city's design and construction standards, and under the supervision of the city engineer.

1. The amount of the assignment of funds or irrevocable letter of credit or other security shall be 150 percent of the estimated construction cost of all remaining required public improvements, as determined by the applicant and approved by the city engineer. A substantial portion of the remaining required public improvements, subject to the satisfactory security, shall be completed within the initial 12-month period of the satisfactory security for the plat improvements. The remainder of the improvements shall be completed within six months. During construction, the city engineer may allow a partial release of the financial security as construction progresses:

   a. The city engineer shall allow not more than one partial release of the financial security during plat construction;

   b. The sequencing of the partial release of the financial security is to be determined by the city engineer prior to the acceptance of the security.
2. The city engineer may allow a single incremental six-month extension of the satisfactory security time frame, beyond the initial 18-month period, if there are unforeseen circumstances, beyond the control of the plat developer, that do not allow the completion of the public improvements.

3. As a condition of the plat improvement permitting approval, the developer shall agree that in the case of the developer’s default or failure to complete the improvements as per the approved plans and conditions, including time schedules, the city shall have the authority to complete the construction of public improvements utilizing the above-described satisfactory security.

4. The city engineer may further agree to allow the developer to utilize assignment of funds or irrevocable letter of credit or other security acceptable to the city engineer to cover the minimum warranty period.

B. By the formation of a local improvement district consistent with the provisions of Chapter 3.20 ACC and any other applicable requirement of the city and the state.

C. By actual installation of the required improvements in accordance with the provisions of this chapter, and in accordance with the city’s design and construction standards and under the supervision of the city engineer.

D. By a combination of these methods.

E. For any of the above combinations of methods, other than subsection C of this section, the plat developer shall execute and record against the plat properties a statement approved by the city attorney which holds the city harmless and limits the city’s financial obligation to construct any defaulted private utility facilities and public infrastructure for streets, water utility, sanitary sewer utility, or storm water utility systems to the face value of the bond shall be memorialized on the plat documents. The statement shall also recognize the city’s reserved, unilateral rights to establish the schedule for construction of defaulted plat infrastructure. Such statements shall be legally binding upon the heirs and assigns of the developer, subsequent property owners and their heirs and assigns.

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Section 7. Amendment to City Code. That Section 17.22.030 of the Auburn City Code be and the same hereby is amended to read as follows:

17.22.030 Public hearing.

The hearing examiner shall conduct a public hearing pursuant to ACC 2.46.130 on the application for a vacation and may recommend to recommend to the city council to approve or deny the application for vacation of the subdivision after determining the public use and interest to be served by the vacation of the subdivision. The city council director shall adopt by ordinance any approval of the public hearing pursuant to this chapter.

Section 8. Amendment to City Code. That Section 17.22.040 of the Auburn City Code be and the same hereby is amended to read as follows:

17.22.040 Title to vacated property.

A. If any portion of the land contained in the subdivision was dedicated to the public for public use or benefit, such land, if not deeded to the city, shall be deeded to the city unless the city council director shall set forth findings that the public use would not be served in retaining title to those lands.

B. Title to the vacated property shall vest with the rightful owner as shown in the county records. If the vacated land is land that was dedicated to the public, for public use other than a road or street, and the city council director has found that retaining title to the land is not in the public interest, title thereto shall vest with the person or persons owning the property on each side thereof, as determined by the city council director. When the road or street that is to be vacated was contained wholly within the subdivision and is part of the boundary of the subdivision, title to the vacated road or street shall vest with the owner or owners of property contained within the vacated subdivision.
C. If it is necessary to retain an easement through any portion of vacated property, the easements shall be properly executed and recorded concurrent with the ordinance approving the vacation.

Section 9. Implementation. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Section 10. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 11. Effective date. This Ordinance shall be in full force and effect on July 23, 2017 and five days after its passage, approval and publication as provided by law.

INTRODUCED: JUN 19 2017
PASSED: JUN 19 2017
APPROVED: JUN 19 2017

CITY OF AUBURN

ATTEST: Nancy Backus, Mayor

Danielle E. Daskam, City Clerk
APPROVED AS TO FORM:

Daniel B. Heid, City Attorney

Published: 06/22/2017 in the Seattle Times
CITY OF LYNNWOOD

ORDINANCE NO. ________

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO FINAL PLAT APPROVAL AUTHORITY AND PROCESS; AMENDING CHAPTER 19.25 LMC, LMC 19.15.010, LMC 19.35.020A AND C, LMC 19.35.025, AND LMC 19.75.100B AND G; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION.

WHEREAS, subdivisions ("plats") are divisions of property into ten (10) lots or more; and

WHEREAS, the Lynnwood Hearing Examiner is responsible for holding a public hearing for preliminary plats and after such hearing renders a decision on the preliminary plat, as provided by Chapter 19.20 LMC; and

WHEREAS, the City Council currently approves final plats as provided in Chapter 19.25 LMC; and

WHEREAS, in an effort to streamline the subdivision approval process, the State of Washington legislature recently amended the Revised Code of Washington (RCW), specifically RCW 58.17.100, .170 and .190, to allow administrative approval of final plats; and

WHEREAS, the City has determined that providing for administrative approval of final plats of ten (10) lots or more by the Public Works Director and the Community Development Director is appropriate, efficient, cost effective and less time consuming for the City and for applicants; and

WHEREAS, in addition, the State legislature recently passed HB 1283, repealing RCW 58.17.040 and revising RCW 82.40.042 to eliminate the requirement that persons seeking to subdivide property deposit with the County Treasurer a sum equal to the estimated property taxes due on the property for the next year; and

WHEREAS, the Snohomish County Assessor informed the City that the Assessor has determined that based on this legislation, the Assessor’s Office no longer needs to review plats prior to recording; and
WHEREAS, the City determined that certain amendments are necessary to the City’s subdivision regulations (Title 19 LMC) in order to make the City code consistent with State law and with the County Assessor’s new procedure; and

WHEREAS, the City Council after due consideration has determined that the amendments to the City’s Subdivision Code (Title 19) stated in this ordinance are in the best interests of the public health, safety and general welfare; now, therefore

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. Upon consideration of the provisions of this Ordinance, the City Council finds that the amendments contained herein are: a) consistent with the comprehensive plan; and b) substantially related to the public health, safety, or welfare; and c) not contrary to the best interest of the citizens and property owners of the city of Lynnwood.

Section 2. Amendment. Chapter 19.25 of the Lynnwood Municipal Code is amended to read as provided in Exhibit A to this ordinance.

Section 3. Amendment. LMC 19.15.010 is amended to read as follows:

19.15.010 Plat approval process. The procedures and responsibilities for processing plat applications shall be as follows:
A. Hearing Examiner. The hearing examiner is authorized to hold a public hearing on all preliminary plats and to render a decision pursuant to Process I. In making the decision, the hearing examiner shall make findings of fact and conclusions of law to indicate that the proposed subdivision is in conformance with the zoning ordinance and other applicable land use controls, this title and state law.

B. Community Development Department.
   1. The community development department shall coordinate all activities concerning the preliminary plat including routing departmental and outside agency reviews and recommendations and consolidating staff recommendations to the hearing examiner. This provision shall not be construed to conflict with the duties of other named city officials as mentioned in this title.
   2C. City Council. The community development directorLynnwood city council shall have sole authority to approve final plats. No plat may be approved unless the community development directorcity council makes a formal finding of fact that the proposed final plat is in conformance with the zoning code and all other applicable land use regulations, this title and state law.
Section 4. Amendment. LMC 19.35.020A is amended to read as follows:

A. Street and rights-of-way shall meet the following design criteria:

1. Cul-de-sacs shall be no longer than 500 feet;
2. Streets shall be related appropriately to the topography in order to minimize steepness of grade and reduce the need for excessive cut and fill; use of curvilinear streets and U-shaped streets shall be encouraged in residential subdivisions;
3. All streets shall be platted and constructed at the full width as required in this chapter and all other city ordinances;
4. Neighborhood residential streets within the proposed subdivision shall be located, designed and improved to provide adequate access for emergency services as determined by the fire marshal;
5. Where adequate emergency access has been provided, neighborhood residential streets should be located, designed and improved to prevent or discourage their use as shortcuts for through traffic and to mitigate the effects of through traffic. The subdivider shall be required to install improvements within existing or new rights-of-way in order to mitigate impacts of traffic from the subdivision on existing residences, to mitigate impacts or to improve livability in new subdivisions, and may be required to install other traffic calming measures as required by the public works director;
6. Where existing streets adjacent to or within a subdivision are of inadequate width or where the city’s capital improvements plan or comprehensive plan indicate need for a new street or additional right-of-way or realignment for an existing street, the subdivider shall make improvements to said streets pursuant to this title and as approved by the public works director and shall dedicate necessary right-of-way to the city in the filing of the final recorded documents;
7. Where residential subdivisions abut a major arterial, the subdivider shall provide a landscape buffer strip a minimum of 10 feet in width along the plat boundary abutting the arterial. The buffer strip shall consist of one row of evergreen conifer trees, spaced a maximum of 10 feet on center. Minimum tree height shall be six feet. The remainder of the buffer strip shall be promptly planted with low evergreen plantings that will mature to a total groundcover within five years. A permanent six-foot site-screening fence shall be placed at the property line. The buffer strip may become a separate lot or lots in which owners of all lots within the plat have an undivided interest or may be held as a
separately held tract inseparable from the adjacent lot for ownership purposes.
The buffer strip shall be the property owners' responsibility to maintain. Care
shall be taken to alleviate sight obstruction at intersections and driveways.
Unless specifically approved otherwise, the strip shall be designated on the plat
generally as follows: “This strip is reserved for screening. The placement of any
structure hereon is prohibited.”
8. The public works director city council may grant an exception to the
requirements of this subsection only if it finds that complying with these
requirements would result in a neighborhood street functioning as a collector
arterial.

Section 5. Amendment. LMC 19.35.020C is amended to read as follows:

C. Cul-de-Sacs.
1. Permanent dead-end streets shall terminate with a turning circle, and shall
meet the following minimum standards:
   a. Right-of-way width: 50 feet in residential areas and 60 feet in commercial
      and industrial areas;
   b. Radius right-of-way in the turning circle: 52 feet in residential, commercial
      and industrial areas; and
   c. Radius of pavement surface in the turning circle: 45 feet in residential,
      commercial and industrial areas.
2. Where property adjacent to a subdivision is undeveloped and where the public
   works director council determines it is desirable to allow for future continuation of
   a street into the adjacent property, the right-of-way shall extend to the subdivision
   boundary and an interim turning circle shall be provided. The radius of such
   turning circle shall conform to subsections (C)(1)(b) and (C)(1)(c) of this section.
   The final plat may contain a notation that land outside the normal street right-of-
   way within the turning circle shall revert to abutting property owners whenever
   the street is continued through to city standards; provided, that all public
   improvements within the turning circle have been properly relocated.

Section 6. Amendment. LMC 19.35.025 is amended to read as follows:

19.35.025 Connections to existing streets.
The design and location of connections between existing streets and new
subdivisions shall meet the following criteria:
A. A proposed subdivision shall provide street connections to all street stub-ends that abut the boundary of the subdivision. New streets shall not extend existing streets at less than the width of the existing street.

B. A proposed subdivision shall provide street stub-ends at the boundary of the subdivision to allow for future connection(s) to possible adjoining subdivisions.

C. The number of intersections of neighborhood and collector streets with minor and principal arterials shall be minimized.

D. Where a subdivision provides a stub-end of a street that is intended to be extended into land that may be subdivided, the subdivider shall install a permanent sign at the stub-end of the street indicating that the street may be extended into the adjoining land when that land is subdivided. The text, design and method of installation shall be subject to approval by the public works director.

E. Where a subdivision provides a stub-end of a street that is intended to be extended into land that may be subdivided, the subdivider shall record a notice of the planned extension of the street as part of the record of the subdivision.

F. The public works director city council may grant an exception to the requirements of this section only if it finds that complying with these requirements would result in a neighborhood street functioning as a collector arterial.

Section 7. Amendment. LMC 19.75.100B is amended to read as follows:

B. The legal description of the binding site plan and the following information shall appear in the following sequences on the final binding site plan, lettered in ink either by hand or mechanical device:

Know all men by these presents that _____________, the undersigned _____________ owner _____________ in fee simple, and encumbrances of the land hereby platted, hereby declare this binding site plan and dedicate(s) to the use of the public forever, all streets and easements or whatever public property there is shown on the binding site plan and the use thereof for any and all public purposes; also, the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on this binding site plan in the reasonable original grading of all streets, shown hereon.

Signed & Sealed _____________

State of Washington    )
)ss
County of Snohomish    )
This is to Certify that on this ___ day of ________ A.D., 20__, before me the
undersigned, a Notary Public, personally appeared ____________ to me known to
the person(s) who executed the foregoing dedication and acknowledged to me
that _______________ signed and sealed the same as ________________
free and voluntary act and deed for the uses and purposes mentioned.
Witness my hand and official seal the day and year last above written.

_____________________________________________________

Notary Public in and for the State of Washington,
residing at ________________________________
Commission expires __________

I hereby certify that the binding site plan of ______________ is based on actual
survey and subdivision of Section ________, Township ________, North, Range
_________ E.W.M., that the distances and courses and angles are shown
thereon correctly, that proper monuments have been set and lot block corners
staked on the ground.
Signed ________________ (Seal)
Licensed Land Surveyor

Examined & Approved this ___ day of ___________, A.D., 20__.
_____________________________________________________
Public Works Director

Examined & Approved this ___ day of ___________, A.D., 20__.
_____________________________________________________
Community Development Director

Examined & Approved this ___ day of ___________, A.D., 20__.
City of Lynnwood
_____________________________________________________
Mayor

Attest:
Section 8. Amendment. LMC 19.75.100G is amended to read as follows:

G. The final binding site plan as submitted to the community development director shall contain a certificate from the county treasurer indicating that all taxes on said property included in the binding site plan or dedication, have been paid and a certificate from the county assessor and/or city treasurer indicating that all assessments on this property have been paid in accordance with Chapter 200, Section 1, Laws, 1909, as hereafter amended (RCW 58.08.040), and Chapter 188, Section 1, Laws, 1927, as hereafter amended (RCW 58.08.030).

Section 9. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 10. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.
PASSED BY THE CITY COUNCIL the ________ day of ______________, 2017.

APPROVED:

_________________________________
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

_________________________________
Sonja Springer, Finance Director

APPROVED AS TO FORM:

_________________________________
Rosemary Larson, City Attorney

FILED WITH ADMINISTRATIVE SERVICES: ______
PASSED BY THE CITY COUNCIL: ______________
PUBLISHED: ______________
EFFECTIVE DATE: ______________
ORDINANCE NUMBER: ______________
On the _____ day of ___________, 2017, the City Council of the City of Lynnwood, Washington, passed Ordinance No. _______. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO FINAL PLAT APPROVAL AUTHORITY AND PROCESS; AMENDING CHAPTER 19.25 LMC, LMC 19.15.010, LMC 19.35.020A AND C, LMC 19.35.025, AND LMC 19.75.100B AND G; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY AND SUMMARY PUBLICATION.

The full text of this Ordinance will be mailed upon request.

DATED this _____ day of ___________, 2017.
ORDINANCE NO. 2017-030

AN ORDINANCE amending the City of Yakima Municipal Code, Section 14.20: Subdivision—Procedure and Section 14.05: General Provisions, to allow the Community Development Director, rather than the City Council, to approve final subdivision plats.

WHEREAS, Yakima Municipal Code section 14.20 specifies the procedures for review and approval of final plats; and

WHEREAS, the Yakima City Council currently is the authorized decision-maker to approve a proposed final plat; and

WHEREAS, Senate Bill 5674 approved by the Washington State Legislature and signed into law by Governor Jay Inslee on April 27, 2017—with an effective date of July 23, 2017—authorizes a local legislative authority to adopt an ordinance delegating final plat approval to an established planning commission or agency, or to such other administrative personnel; and

WHEREAS, the Yakima Planning Commission is responsible for the review of amendments to the City's subdivision ordinances and for recommending modifications thereto; and

WHEREAS, the Planning Commission held a study session on August 9, 2017 where it reviewed the Senate Bill; and

WHEREAS, the Planning Commission reviewed the proposed text changes to the Yakima Municipal Code on October 11, 2017, after Notice of a public hearing was properly sent, and an opportunity for written comment was provided; and

WHEREAS, on October 11, 2017, the Planning Commission held a public hearing on the text amendments, heard from City staff and public comment, and

WHEREAS, after the public hearing and review by the Planning Commission it recommended that the City Council adopt the changes, as proposed, to the Yakima Municipal Code to allow administrative personnel to sign and approval final plats, as evidenced in its Recommendations to the Yakima City Council for Amendment to Yakima Municipal Code Title 14 Subdivision document, dated October 24, 2017; and

WHEREAS, the Yakima City Council seeks to maximize the efficiency of the final plat approval process; and

WHEREAS, the City Council of the City of Yakima finds it is in the best interests of the City and its residents to amend the final plat procedure to allow for final plat approval administratively rather than by council approval; now, therefore,
BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Yakima Municipal Code section 14.20.180(A) shall be amended to read as follows:

14.20.180 Final plat—Submission for approval required—Copies—Fees.

A. A final plat of a proposed subdivision may be submitted for approval by the administrator by filing the proposed final plat with the planning division within five years from the date of approval of the preliminary plat or within the time provided as an extension granted by the city council.

Section 2. Yakima Municipal Code section 14.20.200 shall be amended to read as follows:

14.20.200 Final plat—Conformance with preliminary plat approval.

A proposed final plat must conform to the conditions of preliminary plat approval. The administrator may approve a proposed final plat which, because of unforeseen technical or engineering problems, involves minor deviations from the preliminary plat.

Section 3. Yakima Municipal Code section 14.20.210 shall be amended to read as follows:

14.20.210 Final plat—Requirements.

Each final plat submitted for approval shall be drawn at a scale of one inch equals one hundred feet or larger, shall be eighteen inches by twenty-four inches in size, and shall contain the following information on the face of the plat or on additional sheets if approved by the administrator:

A. Date, north arrow and scale.

B. Name of the subdivision.

C. Accurate and complete legal description of the subdivision on the face of the final plat.

D. A complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to properly orient the plat within such section or sections.

E. Boundary lines of the subdivision; of the proposed lots therein; of the rights-of-way for any streets, highways, roads, easements or other uses; and of any associated dedications; all to be indicated by accurate dimensions, bearing or deflection angles, and radii, arcs, and central angles of all curves.
F. Notation and description of any protective improvements or dedications required by the city council or otherwise provided.

G. Reference to any recorded subdivision or short subdivision adjoining the subdivision.

H. Name and right-of-way width of each street or other right-of-way.

I. Location, dimensions, and purpose of any easements.

J. Number to identify each lot and block.

K. Addresses for each lot within the plat.

L. Purpose for which sites, other than residential lots, are dedicated or reserved.

M. Certificate by the professional surveyor certifying to the accuracy of the survey and plat in substantially the following form:

I, __________________________, a Professional Land Surveyor, do hereby certify that the plat of __________________________ is based upon an actual survey and subdivision of Section _____, Township _____, Range _____, that the distances, courses, and angles are shown thereon correctly and that monuments and lot corners have been set on the ground as shown on the plat.

______________________________

(Surveyor's signature and seal)

N. Acknowledged certificate of free consent executed by all parties having any interest in the lands being subdivided as shown by a current title report; and also, in the case of plats containing a dedication of roads, streets, or other areas, the dedication, waiver of claims for damages, and, if required, a waiver of direct access, all pursuant to RCW 58.17.165 and in a form substantially the same as specified by YMC 14.15.090(l).
O. If the subdivision lies wholly or in part in an irrigation district, a statement evidencing irrigation water right-of-way in substantially the following form:

The property described hereon is wholly or in part within the boundaries of the ___________ Irrigation District and all lots within the short plat are subject to the terms, conditions, reservations and obligations in the present and future concerning irrigation water rights-of-way and easements as may be imposed by said district in accordance with the law.

P. Dedication by the owner of streets, rights-of-way, easements, and any sites for private, semi-private, or public use.

Q. The signature of the city engineer or other licensed engineer acting on behalf of the city. Signature by the city engineer shall certify that the subdivision applicant has either:

1. Completed all improvements in accordance with these regulations and with the action of the city council; or

2. Submitted a bond or other method of security in accordance with the provisions of YMC 14.20.130 sufficient to assure completion of all required improvements.

R. A space for the signature of the administrator certifying that the final plat conforms to the conditions of approval for the preliminary plat.

Section 4. Yakima Municipal Code section 14.20.220 shall be amended to read as follows:

14.20.220 Final plat approval.

Upon receipt of a final plat meeting the requirements of YMC 14.20.210, the administrator shall review the final plat and shall approve the final plat if the administrator determines that the final plat conforms to the conditions of preliminary plat approval and applicable state laws and meets the requirements of YMC Title 14 as they existed when the preliminary plat was approved. The administrator shall evidence final plat approval by signing the final plat in accordance with YMC 14.20.210.

Section 5. Yakima Municipal Code section 14.20.230 shall be amended to read as follows:

14.20.230 Final plat—Recording.

All final plats approved by the administrator shall be filed for record immediately, or as soon as possible, by the subdivision applicant in the Yakima County
auditor's office. The subdivision applicant shall be responsible for all filing fees. Any final plat filed for record containing a dedication shall be accompanied by a current title report. A copy of the recorded plat shall be provided to the city prior to the issuance of any building permits.

**Section 6.** Yakima Municipal Code section 14.05.050 shall be amended to read as follows:

**14.05.050 Authority.**

Pursuant to RCW Chapter 58.17, primary authority for subdivision and short subdivision of land in the city of Yakima is vested in the city council as the legislative body. Pursuant to RCW 58.17.060, the Yakima city council delegates responsibility for final determination of proposed short plats and boundary line adjustments to the planning manager, or designee. Pursuant to RCW Chapter 58.17 and YMC 1.43.080, the hearing examiner is authorized to make a recommendation to the city council on preliminary plats and modifications to preliminary plats, and to make final decisions on requests for preliminary plat extension under RCW 58.17.140, plat amendment and plat vacation. The city council shall make final decisions on all preliminary plats and modifications to approved preliminary plats. Pursuant to RCW 58.17.100, the Yakima city council delegates responsibility for final plat approval to the administrator, or designee.

**Section 7.** Yakima Municipal Code section 14.05.200 shall be amended to read as follows:

**14.05.200 Allowance of bond in lieu of actual construction of improvements prior to approval of short plat or final plat.**

A. The subdivision or short subdivision applicant may, as an alternative to actual construction of any required improvements, provide a surety bond or other secure method providing for and securing to the city the actual construction of required improvements within a specified period of time and expressed in a bond or other appropriate instrument establishing such security. Any bond or other method of securing actual construction of required improvements shall specify the improvements covered and the schedule for completion.

B. In cases of subdivision, the bond or other method of securing actual construction of required improvements shall be subject to approval by the city engineer and city attorney prior to approval of the final plat by the administrator. In cases of short subdivisions, the bond or other method of securing actual construction of required improvements shall be subject to approval by the city engineer and city attorney prior to approval of the final short plat by the administrator. In no case shall the amount of the bond or other method of securing actual construction of required improvements be less than one hundred ten percent of the estimated actual cost of the improvements based upon the approved civil engineering design of the required improvements.

**Section 8.** This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.
PASSED BY THE CITY COUNCIL, signed and approved this 21st day of November, 2017.

Carmen Méndez, Mayor Pro Tern

ATTEST:

Sonya Claar Lee, City Clerk

Publication Date: November 24, 2017
Effective Date: December 24, 2017
ITEM TITLE: Open record public hearing and Ordinance regarding text amendments to YMC Title 14, Subdivision Ordinance to allow administrative approval of final long plats

SUBMITTED BY: Joan Davenport, AICP, Community Development Director
Joseph Calhoun, Planning Manager (509) 575-6042

SUMMARY EXPLANATION:
The Legislature passed Senate Bill 5674, allowing local legislative bodies to adopt an ordinance delegating final plat approval to administrative personnel. Governor Inslee signed the bill on April 27, 2017 and it became effective July 23, 2017. City Staff brought the bill to the attention of the NCBC. The NCBC referred the matter to the Planning Commission for review. The Planning Commission reviewed the proposed text changes during a study session in August, and then set the matter for a public hearing on October 11, 2017. After reviewing the staff information and hearing public comment, the Planning Commission recommended that the amendments be made, in conformity with Senate Bill 5674, to allow an administrative official to approve final plats.

ITEM BUDGETED: NA
STRATEGIC PRIORITY: Neighborhood and Community Building

APPROVED FOR SUBMITTAL: City Manager

STAFF RECOMMENDATION:
Pass Ordinance

BOARD/COMMITTEE RECOMMENDATION:
The Yakima Planning Commission issued its written recommendation for approval on October 24, 2017.
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**Preliminary Plats**
- Snoqualmie: City Council
- Issaquah: Hearing Examiner
- Sammamish: Hearing Examiner
- Newcastle: City Council
- Bellevue: Hearing Examiner
- Kirkland: Hearing Examiner
- Lynnwood: Hearing Examiner

**Final Plats**
- Snoqualmie: City Council
- Issaquah: Hearing Examiner
- Sammamish: Staff
- Newcastle: City Council
- Bellevue: Hearing Examiner
- Kirkland: City Council
- Lynnwood: Staff

**Variances**
- Snoqualmie: Hearing Examiner
- Issaquah: Hearing Examiner
- Sammamish: Staff
- Newcastle: Hearing Examiner
- Bellevue: Staff
- Kirkland: Hearing Examiner
- Lynnwood: Hearing Examiner

**Conditional Use Permits**
- Snoqualmie: Hearing Examiner
- Issaquah: Hearing Examiner
- Sammamish: Staff
- Newcastle: Hearing Examiner
- Bellevue: Hearing Examiner
- Kirkland: N/A
- Lynnwood: Hearing Examiner

Key: City Council, Hearing Examiner, Staff
WHEREAS, pursuant to requirements of the Growth Management Act {Chapter RCW 36.70A}; Optional Municipal Code {Chapter 35A.63 RCW}; and Snoqualmie Municipal Code {SMC 17.85.010 and Chapter 21.30 SMC}, the Planning Commission reviewed the proposed amendments to the Snoqualmie Municipal Code; and

WHEREAS, this amendment process is consistent with the Snoqualmie Comprehensive Plan’s Goals and Policies; and

WHEREAS, environmental review was done on the proposed amendments and a Determination of Nonsignificance for a non-project action was issued on March 1, 2019, for these amendments. The comment period for this Determination of Nonsignificance ended on March 15, 2019, and the appeal period ends on March 29, 2019; and

WHEREAS, the public review process for the proposed amendments included a Planning Commission public hearing on March 4, 2019, to: 1) review the proposed amendments, and 2) take public comments on the proposed amendments. Required notice to the State of Washington was sent on January 30, 2019. Legal notice of the public hearing was published in the Snoqualmie Valley Record on February 15, 2019. Notice of the public hearing was posted on the City’s website and on its social media accounts. The public hearing was held on March 4, 2019, and two persons provided oral comment. The Planning Commission also received two written comments. After hearing comment, the Planning Commission closed the public hearing; and

WHEREAS, all persons desiring to comment on the proposed amendments were given a full and complete opportunity to be heard;
NOW, THEREFORE, the Planning Commission is satisfied that the proposed amendments are sufficiently considered, and hereby makes and enters the following:

I. PROPOSED AMENDMENTS, RATIONALE, AND RECOMMENDATION

-Amendment 1-

Preliminary Plat Decision-Maker


PROPOSED AMENDMENT: The amendment includes amending several sections of the SMC to change the decision-maker for a preliminary plat from the City Council to the Hearing Examiner. As shown in SMC 14.30.020(B), this would change preliminary plats from a Category III permit to a Category IV permit.

RECOMMENDATION: On March 18, 2019, the Planning Commission recommended approval of Amendment 1.

RATIONALE: As preliminary plats are quasi-judicial decision, changing the decision-maker for preliminary plats to the Hearing Examiner would provide for an administrative appeal within the City by allowing the City Council to act as an appeal body for preliminary plats, instead of requiring any appeal be directly to King County Superior Court. In addition, this amendment would retain the public hearing to ensure public input is heard and streamline the review process.

-Amendment 2-

Final Plat Decision-Maker

CODE SECTIONS: SMC 16.10.120

PROPOSED AMENDMENT: The amendment includes amending SMC 16.10.120 to change the decision-maker for a final plat from the City Council to the Community Development Director. As shown in SMC 14.30.020(B), this would change preliminary plats from a hybrid Category I and III permit to a Category I permit.

RECOMMENDATION: On March 18, 2019, the Planning Commission recommended approval of Amendment 2.

RATIONALE: Review of final plats is to ensure the final plat is in conformance with the approved preliminary plat and any conditions of approval. Final plats are not an opportunity to
change the prior approval of the preliminary plat. Therefore, changing the decision-maker for final plats to the Community Development would shift a largely ministerial approval, one involving little discretion, to a more appropriate decision-maker for ministerial decisions. In addition, this amendment would provide for an administrative appeal within the City by allowing the Hearing Examiner to act as an appeal body for final plats instead of requiring any appeal be directly to King County Superior Court. Finally, this amendment would make the review process more efficient.

-Amendment 3-
Short Plat Lot Threshold


PROPOSED AMENDMENT: The amendment includes amending various sections of the SMC to change the number of lots for a short plat from 4 to 9. Under state law short plats undergo an administrative review and approval process. The practical effect of this amendment would be to change the decision-maker for a 5-9 lot subdivision from the City Council to the Community Development Director, with no public hearing (e.g. from a Category III permit to a Category II permit).

RECOMMENDATION: On March 18, 2019, the Planning Commission recommended Amendment 3 not be approved.

RATIONALE: Changing the number of lots for a short plat would have limited applicability and would shift more potential projects to a decision process (Category II permit) that lacks a public hearing. This amendment would negatively affect public comment and public participation. Because of the potentially limited applicability of this amendment, there is little or no efficiency to be gained for the City. Finally, this amendment would allow for potentially larger subdivisions without a public hearing if two or more contiguous lots are to be subdivided.

-Amendment 4-
Variances Related to Plats

CODE SECTIONS: SMC 16.04.160

PROPOSED AMENDMENT: The amendment would make all variances a Category IV permit, meaning a Hearing Examiner decision, with a public hearing held by the Hearing Examiner. Presently the decision-maker for variances is different depending on whether the variance is related to a short plat, and preliminary plat, or is a “general” variance.
RECOMMENDATION: On March 18, 2019, the Planning Commission recommended approval of Amendment 4.

RATIONALE: Making the Hearing Examiner the decision-maker for all variances would enhance predictability and provide for administrative appeals within the City by allowing the City Council to act as an appeal body for variances, instead of requiring any appeal be directly to King County Superior Court.

-Amendment 5-
Plat Process Streamlining

CODE SECTIONS: SMC 16.08.030, SMC 16.08.040, & SMC 16.10.040

PROPOSED AMENDMENT: The amendment would clarify that the required notice mailing radius for plat applications is 500 feet; reduce the time period between a determination of complete application and the Notice of Application from 20 to 14 days; and extend the public comment period from 15 to 21 days.

RECOMMENDATION: On March 18, 2019, the Planning Commission recommended approval of Amendment 5.

RATIONALE: Aligning the City’s public notification procedures across different sections of the code promotes transparency and predictability, while extending the public comment period from 15 to 21 days enhances transparency.

-Amendment 6-
General Cleanup


PROPOSED AMENDMENT: The amendment would perform general “clean up” of various code provisions which are outdated, have incorrect terminology, or are no longer in conformance with state law.

RECOMMENDATION: On March 18, 2019, the Planning Commission recommended approval of Amendment 6.

RATIONALE: Providing for various general cleanup is important to ensure the City’s code remains current.
II. REASONS FOR ACTION

Having made the determinations set forth above, the Planning Commission makes the following conclusions:

1. The proposed amendments are reviewed as described in SMC 17.85.010 and Chapter 21.30 SMC. The Planning Commission is responsible for reviewing the proposed amendments, holding a public hearing on the proposed amendments, and making a recommendation to the City Council.

2. The Planning Commission determined that the proposed amendments are consistent with:
   a. Requirements of the Growth Management Act, Chapter 36.70A RCW;
   b. Requirements of the Optional Municipal Code, Chapter 35A.63 RCW;
   c. Snoqualmie Comprehensive Plan (“Snoqualmie 2032”); and
   d. Snoqualmie Municipal Code, SMC 17.85.010 and Chapter 21.30 SMC.

III. ACTION TAKEN

It is for these reasons that the Snoqualmie Planning Commission decided to recommend the City Council approve amendments 1, 2, 4, 5, and 6; and not approve amendment 3.

________________________________________  ______________________________
Kenya Rose Dillon, Chair                              Date Signed
Snoqualmie Planning Commission

Attachments:
A. Proposed Amendments
B. Public Comments
C. Planning Commission Minutes from 3/4/2019
A1. Preliminary Plat Decision-Maker & General Cleanup, SMC 16.10.020

Proposed Changes:

To make the Hearing Examiner the decision-maker for preliminary plats, change references to the City Council to the Hearing Examiner.

Change a reference to “sensitive” areas to “critical” areas; allow for 2-5 foot contours; and delete reference to a required page size.

16.10.020 Preliminary subdivision application.

A. Preliminary subdivision approval consists of conceptual approval and establishment of the conditions of final subdivision and final plat approval by the city council hearing examiner.

B. The applicant shall submit a completed preliminary subdivision application on a form prescribed by the planning official, together with an environmental checklist. The application shall include the following information:

1. A site plan certified by a licensed land surveyor pursuant to Chapter 58.09 RCW which includes one or more drawings at a scale of not less than one inch equaling 100 feet or to a scale prescribed by the planning official showing the following:
   a. The proposed name of the plat;
   b. A vicinity map showing the location of the site and its relationship to surrounding areas, including current land use, and zoning of both the site and surrounding areas;
   c. The scale of the plat, date and north arrow;
   d. The existing site conditions, including contours at five-foot-intervals of between two and five feet, water bodies, the limits of all sensitive-critical areas, as defined in Chapter 19.12 SMC, including streams, wetlands, steep slopes and seismic hazard areas, unique natural features, and forest cover;
   e. Location by section, township, range, and/or other legal description;
   f. Approximate lot dimensions and lot numbers;
   g. Depiction of proposed phases, if any;
h. The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites and similar public or semipublic uses;

i. The existing and proposed circulation system of roads and alleys, including general location of off-street parking areas, and points of access to public rights-of-way;

j. Notations of proposed ownership, private or public, where appropriate;

k. Road right-of-way widths and typical cross section of such;

l. The location of existing and proposed pedestrian circulation system, including bicycle lanes and trails;

m. The location of existing and proposed water, sewer, power, and drainage systems on, under, or over the property showing size and location;

n. The location of existing and proposed fire hydrants;

o. The location and extent of the 100-year floodplain, as it affects the property;

p. The general location of all existing structures to remain on the property after platting;

q. The location of all easements of record;

r. Encroachments, if any, disclosed by survey; and

s. Existing zoning, and proposed changes in zoning, if the applicant will be proposing a zone change concurrent with the subdivision application.

2. Information in a form as required by the planning official disclosing:

   a. The name, address, and telephone number of each owner of the property being subdivided and of the official representative of the subdivision, if different;

   b. A legal description of the subject property;

   c. The names and addresses of adjacent property owners within 500 feet of the subdivision boundary or within 500 feet of the outside boundary of the applicant’s adjoining land, whichever is greater;

   d. A description of the total acreage in the subdivision, number of lots proposed, lot sizes (maximum, average, and minimum), and the overall density for the proposed plat;

   e. The number of lots per gross acre;

   f. The acreage allocated to lots, roads and open space, and percent of the total acreage for each;

   g. A description of source of water supply and proposed connection to sanitary sewer;

   h. A description of anticipated phasing of the proposal, if any, and the anticipated project completion date;

   i. A plat certificate issued within 30 days of the filing of the application from a title company authorized to do business within the state; and

   j. The signature of the applicant or agent authorized to act on behalf of the applicant.

C. The preliminary subdivision application shall be accompanied by five copies of the preliminary plat map folded to a maximum size of 18 inches by 24 inches, together with other required materials; provided, the applicant shall provide such additional copies as the planning official may require for efficient administration of this title.

D. The application shall be scheduled for public hearing before the hearing examiner after reviews have been completed by appropriate city departments and other agencies.

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**A2. Preliminary Plat Decision-Maker, SMC 16.10.050**

**Proposed Changes:**

To make the Hearing Examiner the decision-maker for a preliminary plat, delete or change references to the City Council to the Hearing Examiner.

**16.10.050 Hearing examiner recommendation decision.**

A. The hearing examiner shall determine if appropriate provisions are made for the public health, safety and welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways,
transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools
and school grounds, and sidewalks and safe walking conditions for students who walk to and from
school, and shall consider all other relevant facts and determine whether the public interest will be
served by the subdivision and dedication. Such determinations shall be reduced to written findings.

B. If the hearing examiner finds that the proposal complies with the provisions of this title, and other
applicable city codes, regulations, plans and policies, it shall recommend approval to the city
council approve the proposal with or without conditions. If it finds that the proposal does not
comply with such provisions, the hearing examiner may recommend denial of the proposal, or
recommend approval subject to modifications necessary for the proposal to comply.

C. The hearing examiner shall forward a written recommendation, including findings and
conclusions pursuant to subsections (A) and (B) of this section, to the city council within 14
days of the hearing.


**Proposed Changes:**

To make the Hearing Examiner the decision-maker for preliminary plats, delete un-needed sections referring to the City Council review process.

#### 16.10.060 City council hearing.

A. After receipt of the hearing examiner recommendation, the city council shall at a public meeting
review the proposal, the findings and recommendation of the hearing examiner and the
accompanying record at a closed record hearing as defined in SMC Title 14.

B. The city council, after reviewing the proposal, may approve with or without conditions, modify, or
disapprove the proposed subdivision. [Reserved]

#### 16.10.070 City council decision.

When the city council has fully considered the proposed subdivision, it shall adopt written findings and
conclusions in support of its decision, including all matters specified in SMC 16.10.050(A) and (B);
provided, the city council may adopt by reference some or all of the findings and recommendations of
the hearing examiner. [Reserved]

### A4. Preliminary Plat Decision-Maker, SMC 16.10.090

**Proposed Changes:**

Change references to the City Council to the Hearing Examiner.

#### 16.10.090 Notification of action.

Upon approval, disapproval, or modification of the preliminary plat by the city council hearing examiner,
the planning official shall so notify the applicant by mail within 10 days of the action. The action of the
city council hearing examiner shall be noted on two copies of the preliminary plat, including reference
to any attached documents describing conditions imposed by the city council hearing examiner. The
planning official shall return one copy to the applicant and retain one copy for the permanent file.

### A5. Preliminary Plat Decision-Maker & General Cleanup, SMC 16.10.100

**Proposed Changes:**

To make the Hearing Examiner the decision-maker for preliminary plats, change references to the City
Council to the Hearing Examiner.
Change the duration of validity for a preliminary plat approval from three years to five, in accordance with a change to state law in 2012 (RCW 58.17.140).

### 16.10.100 Duration of approval.

**A.** Approval of the preliminary plat shall be effective for **three-five** years from the date of approval by the city council hearing examiner, during which time a final plat must be prepared and submitted with a final subdivision application; provided, the terms and conditions upon which the preliminary approval was given will not be changed without the applicant’s consent.

**B.** An applicant who files a written request with the planning official at least 30 days before the expiration of this **three-five**-year period shall be granted one one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within the **three-five**-year period.

**C.** If a final plat has not been filed prior to the expiration of the one-year extension, an applicant may file a written request for, and the planning official may grant, up to two additional one-year extensions of the approval period; provided, that if the planning official determines that the preliminary plat does not continue to serve the public use and interest or comply with existing zoning or other applicable laws or plans, he or she shall schedule such extension request for a public hearing before the city council hearing examiner, upon notice as required in SMC 16.10.060.

**D.** Knowledge of this expiration date and initiation of a request for extension is the responsibility of the applicant. The city **shall not** require to provide notification of expirations of preliminary plat approvals.

### B. Final Plat Procedures & General Cleanup, SMC 16.10.120

**Proposed Changes:**

Change the decision-make for Final Plats to the Community Development Director.

Change the duration of validity for a preliminary plat approval from three years to five, in accordance with a change to state law in 2012 (RCW 58.17.140).

### 16.10.120 Submission and approval of final plat.

**A.** A final plat, or phased portion thereof, shall be prepared by the applicant within **three-five** years after approval of the preliminary plat, or within any approved extension period in accordance with the requirements of this section, and submitted to the planning official with an application for final plat approval, together with accompanying data as required by the planning official, including but not limited to:

1. An updated plat certificate;
2. Computer generated calculations showing closure of all created lots and tracts;
3. Evidence that all required sureties have been approved and are in effect; and
4. Evidence that any required covenants, conditions and restrictions applicable to the subdivision have been duly executed and recorded.

**B.** The application for final plat approval shall comply with all of the requirements of SMC 16.08.070(B) through (E) for approval of final short plats.

**C.** Upon receipt of the final plat and accompanying data specified in subsection A of this section, the planning official shall review the final map and documents to determine whether the plat conforms with the approved preliminary plat, that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, that the interests of the city are fully protected, and that the plat complies with provisions of this title and other applicable laws. City staff may enter the property to verify the information on the map.
D. The planning official shall affix his or her signature to the plat upon determination that the final plat conforms fully with all applicable regulations and standards meets the requirements of subsection C of this section.

E. After being approved by the planning official, the final plat shall be presented to the city council. Upon finding confirming the planning official’s determination that the final plat has been submitted in accordance with the provisions of this title, and all other applicable laws, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the city council, by majority vote, shall by motion approve the final plat. The mayor shall sign the final plat, accepting such dedications and easements as may be included thereon, and the final plat shall be returned to the applicant for filing.

F. Final plats shall be approved, disapproved or returned to the applicant within 30 days from the date of filing with the planning official, unless the applicant consents to an extension of such time period.

C1. Short Plat Lot Threshold & General Cleanup, SMC 16.08.010

**Proposed Changes:**

Change the lot number threshold for a short plat from four (4) lots to nine (9) lots, as allowed by RCW 58.17.020(6).

*Note: The Planning Commission does not recommend approval of the Short Plat Lot Threshold amendment. Changes related to this amendment are highlighted. Changes related to General Cleanup are not highlighted.*

**16.08.010 Applicability.**

Every division of contiguous land into four-nine or fewer lots, any one of which is less than one-thirty-second of a section, or less than 20 acres if the land is not capable of description as a fraction of a section of land, for the purpose of sale, lease or transfer, may proceed in compliance with this chapter, unless the applicant elects to proceed in compliance with Chapter 16.10 SMC, subject to the following:

A. Parcels of land in the same ownership having contiguous boundaries shall be considered a single parcel for the purpose of this title.

B. Any number of short subdivisions of parcels of land in the same ownership having contiguous boundaries may be permitted; provided, that no more than eight-eleven lots are created within the contiguous ownership.

C. All lots created by short subdivision shall comply with the zoning, health, drainage, access and procedural requirements established by this chapter.

D. Land within a short subdivision shall not be further divided in any manner within a period of five years after recording of the short plat without the filing of a final plat; provided, this section shall not prevent the owner who filed a short plat containing fewer than four-nine lots from filing an alteration within the five-year period to create up to a total of four-nine lots within the original short plat boundaries.

C2. Short Plat Lot Threshold & Plat Process Streamlining, SMC 16.08.030

**Proposed Changes:**

Change the lot number threshold for a short plat from four (4) lots to nine (9) lots, as allowed by RCW 58.17.020(6).
Streamline the notification procedures to make them more consistent and to align with SMC 14.30.060.

*Note: The Planning Commission does not recommend approval of the Short Plat Lot Threshold amendment. Changes related to this amendment are highlighted. Changes related to Plat Process Streamlining are not highlighted.

**16.08.030 Notice of application.**

A. Upon the filing of an application which would result in four-nine or fewer lots being created, the city shall prepare and send notices of the proposed short subdivision to the owners of property within 500 feet of any boundary of the subject property.

B. Upon the filing of applications which would result in five to eight lots being created upon contiguous ownership, the city shall prepare and send notices of the proposed short subdivision to:

1. The owners of property within 500 feet of any boundary of the subject property;
2. Any city located within 500 feet of the boundary of the subject property;
3. The Washington State Department of Transportation if any part of any short subdivision within the contiguous ownership adjoins a state right-of-way;
4. Any other person or agency deemed appropriate by the planning official.

C. Such notices shall be mailed within 20-14 days after the filing-determination of a complete application, and shall contain:

1. The name of the applicant and the proposed short plat;
2. The street address of the property to be short subdivided, or if this is not available, a description of the location;
3. The name of the owner of the property to be short subdivided;
4. A description of the proposal, including the number of lots proposed, typical lot size, and the proposed use;
5. A statement of the right of any person to submit written testimony to the planning official regarding the matter, and the deadline for submitting such testimony; and
6. A statement that only a person who submits written testimony to the planning official may appeal the planning official’s decision.

**C3. Short Plat Lot Threshold, SMC 16.12.030**

Proposed Changes:

Change the lot number threshold for a short plat from four (4) lots to nine (9) lots, as allowed by RCW 58.17.020(6).

*Note: The Planning Commission does not recommend approval of the Short Plat Lot Threshold amendment. Changes related to this amendment are highlighted.

**16.12.030 Planning official decision on binding site improvement plans of four-nine or fewer lots or tracts or residential condominium units.**

A. The procedure for notice, planning official review and approval of binding site improvement plans for proposals to create four-nine or fewer lots, parcels or residential condominium units shall be as set forth in Chapter 16.08 SMC.

B. The planning official shall preliminarily approve the application and conceptual site plan with or without conditions, deny or return the application to the applicant, based upon the following findings:

1. The conformance of the proposed site plan with all city codes, ordinances, plans and regulations; and
2. The adequacy of water supply, sanitary sewage disposal, storm water and surface water management facilities, fire hydrants and fire flow, internal access to all proposed uses within the site, open spaces and parking facilities, and pertinent expertise or jurisdiction.

C. Such preliminary approval of the application and conceptual site plan shall be valid for a period of three years. During that period a final binding site improvement plan shall be approved and filed for record. Upon good cause shown, the planning official may allow an extension of one additional 12-month period.

### C4. Short Plat Lot Threshold & Preliminary Plat Decision-Maker, SMC 16.12.035

**Proposed Changes:**

Change the lot number threshold for a short plat from four (4) lots to nine (9) lots, as allowed by RCW 58.17.020(6).

Change references to the City Council to the Hearing Examiner.

Change the duration of validity for a preliminary plat approval from three years to five, in accordance with a change to state law in 2012 (RCW 58.17.140).

*Note: The Planning Commission does not recommend approval of the Short Plat Lot Threshold amendment. Changes related to this amendment are highlighted. Changes related to Preliminary Plat Decision-Maker are not highlighted.*

### 16.12.035 Binding site improvement plans creating more than four nine lots, parcels or residential condominium units.

A. The procedure for notice, planning official review, hearing examiner review and recommendation and city council decision on binding site improvement plans for proposals to create more than four nine lots, parcels or residential condominium units shall be as set forth in Chapter 16.10 SMC.

B. The hearing examiner shall make a recommendation decision to approve the application and conceptual site plan with or without conditions, deny or return the application to the applicant, based upon the following findings:

1. The conformance of the proposed site plan with all city codes, ordinances, plans and regulations; and

2. The adequacy of water supply, sanitary sewage disposal, storm water and surface water management facilities, fire hydrants and fire flow, internal access to all proposed uses within the site, open spaces and parking facilities, and pertinent expertise or jurisdiction.

C. The city council shall consider the hearing examiner recommendation at a closed record hearing, and make its written findings and decision as provided in Chapter 16.10 SMC.

D. Such preliminary approval of the application and conceptual site plan shall be valid for a period of three-five years. During that period a final binding site improvement plan shall be approved and filed for record. Upon good cause shown, the planning official may allow an extension of one additional 12-month period.

### D. Variances related to plat applications, SMC 16.04.160

**Proposed Changes:**

Make explicit the implication that variances for short plats require the Hearing Examiner to decide the underlying short plat as well.
Modify the section to make the Hearing Examiner the decision maker for the variance for preliminary plats.

As a request for a variance related to a short plat application is invariably tied to the underlying short plat, it is desirable to consolidate the decision with the Hearing Examiner.

Under the current code, the Hearing Examiner holds the public hearing and makes a recommendation on the variance and the preliminary plat to the City Council, which makes the final decision. The proposed change would make the Hearing Examiner the decision maker, instead of the City Council.

Together, these changes would make all variance requests (those specified here along with the variance process in SMC 17.85.020) Category IV permits.

### 16.04.160 Variances.

**A.** An applicant for a short subdivision or subdivision may apply for a variance from any development standards set forth in this title where there exist extraordinary conditions such as topography, access, location, shape, size, drainage or other physical features of the site or other adjacent development which result in unusual hardship or extraordinary difficulties to the owner in attempting to make use of the land. Such application shall accompany the preliminary application, shall include information necessary to support the application, and shall outline the provisions from which the variance is sought.

**B.** All applications for variances shall be heard by the hearing examiner. Notice of the hearing shall be mailed to all property owners within 500 feet of the affected property not less than 10 days prior to the date of the hearing. For a variance for a short subdivision, the decision of the hearing examiner shall be final unless appealed. For subdivisions, the hearing examiner’s recommendation on the variance request shall be made part of the record forwarded to the city council for action. In making recommendations for approval of variances the hearing examiner's decision may include conditions that will further the objectives of the standards or requirements so varied. For a variance for a short subdivision, the hearing examiner shall also decide the underlying short plat application.

**C.** The hearing examiner and the city council shall base their recommendation and decision respectively upon the finding of an unusual hardship or extraordinary difficulties if the minimum requirements of this title are strictly applied, and further find that:

1. The public welfare, use and interest are protected;
2. The granting of the variance will not confer a special privilege to the subject property that is denied other lands in the same district;
3. The development is in keeping with the intent of these regulations;
4. The variance would not have the effect of nullifying the intent and purpose of the zoning code, the comprehensive plan, or this title; and
5. The extraordinary conditions or unusual hardship do not result from the actions of the applicant.

### E1. Plat Process Streamlining, SMC 16.08.040

**Proposed Changes:**

Adjust the comment period for a short plat to 21 days.

### 16.08.040 Review period.
A. Any person or agency shall have 15 days from the latter of (1) the date notification is mailed, or (2) the date of publication of notice, if published, in which to respond, or the planning official shall conclude that the reviewing agency or person has no interest in the application.

B. The application for short subdivision shall be approved, disapproved, or returned to the applicant for modification or correction within 90 days of the date of filing of a complete application, or within 90 days after the issuance of a final environmental impact statement, if required, whichever is later, unless the applicant consents to an extension of such time period.

E2. Plat Process Streamlining & General Cleanup, SMC 16.10.040

Proposed Changes:
Align the notification requirements for a preliminary plat public hearing with SMC 14.30.060, and remove outdated references to “tape recorded” in favor of the generic “audio recording.”

16.10.040 Hearing examiner hearing.

A. Upon receipt of a preliminary subdivision application and all required data, and after issuance of any required draft environmental impact statement, the planning official shall set a date for public hearing before the hearing examiner. Notice of the date, time, and place of the public hearing, and a description of the location of the proposed subdivision in the form of a vicinity sketch or a description in nonlegal language, and including a statement that the application and all supporting materials are available for public inspection at the planning department shall be given by mail not less than 10 days prior to the date of the hearing as follows:

1. To all of the owners of land within 300 feet of the exterior boundary of the proposed subdivision. If the applicant owns adjoining land, the distance of notification shall be measured from the outside of the applicant’s ownership. Names and addresses for such property owners shall be as shown on the latest records of the county assessor, and shall be supplied to the planning official by the applicant pursuant to SMC 16.04.090. Failure of any person to receive the notice shall not invalidate the hearing or decision;

2. To any town, city or county whose boundaries are adjacent to or within one mile of the proposed subdivision;

3. To the State Department of Transportation of every proposed subdivision located within 300 feet of the right-of-way of a state highway; and

4. To the State Department of Ecology, if the land is situated in a floodplain, and

5. To any other federal, state or local agency as may be deemed relevant by the planning official to determine if the public use and interest may be served by the proposed subdivision.

B. Notice of such hearing shall also be given by publication at least once in a newspaper of general circulation within the city.

C. The planning official shall make a written staff report for the hearing examiner, summarizing all pertinent information and containing staff recommendations regarding all matters specified in SMC 16.10.050(A) and (B).

D. At the public hearing, the hearing examiner shall accept testimony from all interested persons or agencies regarding the proposed subdivision. A tape recorded or stenographic record of the public hearing shall be kept by the hearing examiner or planning official and made available for public inspection.

F1. General Cleanup, SMC 16.04.020

Proposed Changes:
Delete references to maximum lot size for subdivisions.
While state law (RCW 58.17.040) continues to allow for subdivisions of very large lots to occur without a formal local approval process, this is not desirable.

### 16.04.020 Applicability.
This title shall apply to all divisions of land into two or more lots or tracts, any one of which is less than one-thirty-second of a section, or less than 20 acres if the land is not capable of description as a fraction of a section of land, for the purpose of sale, lease, or transfer. It shall apply to plats, replats, subdivisions, short subdivisions and binding site improvement plans. The provisions of this chapter shall apply to all applications under any chapter of this title.

#### F2. General Cleanup, SMC 16.04.030

**Proposed Changes:**
Delete references to maximum lot size for subdivisions.

**While state law (RCW 58.17.040) continues to allow for subdivisions of very large lots to occur without a formal local approval process, this is not desirable.**

### 16.04.030 Exemptions.
The provisions of this title shall not apply to:

A. Cemeteries and other burial plots while used for that purpose.
B. Any division of land made by testamentary provisions or the laws of descent.
C. Any division of land within which the smallest parcel is one-thirty-second of a section or larger, or 20 acres or larger if the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this section, the lot size shall include that area up to the centerline of any road or street bordering the lot. [Reserved]
D. Any deeding of land to the city; provided, however, that any remaining lot or lots which do not comply with the requirements of this code relating to zoning, access or health and safety shall not be considered as building sites by the city.
E. Any division of land for the purpose of adjustment of one or more boundary lines between adjacent lots or tracts, subject to the following provisions:
   1. Adjustments to boundary lines may only be approved to consolidate existing lots, or to effect minor changes to existing property lines.
   2. Adjustments to boundary lines shall not result in the creation of any new lot or tract, substandard lot or substandard yard or setback, nor increase the degree of nonconformity of any existing legal nonconforming lot.
   3. Adjustments to boundary lines shall not significantly change the configuration, shape or pattern of more than four existing lots, nor require the relocation of an existing public street or the creation of a new public or private street to provide access to the lots after the adjustment of boundary lines.
   4. All requirements of this section shall be narrowly and strictly construed and applied, and the responsible official shall resolve any reasonable question as to whether the proposed adjustment of boundary lines creates a new lot or a substandard lot in favor of denial of the boundary line adjustment.
   5. The director shall prepare a written decision on all proposed adjustments of boundary lines, setting forth the basis therefor. The decision may be to approve, approve with conditions or deny.
   6. The applicant shall prepare a true and correct graphic representation to a scale prescribed by the director. The graphic representation shall be produced in recordable form upon one or more sheets of 18-inch by 25-inch mylar or similar reproducible material, with two-inch borders. All previously existing and adjusted boundary lines shall be depicted, and all
conditions of approval established by the director shall set forth as notes thereon. The approval of the director shall be endorsed upon such graphic representation prior to recording.

7. The right to appeal a decision of the director pursuant to this subsection is limited to those owners of record of any and all property whose boundaries are changed by the boundary line adjustment.

F3. General Cleanup, SMC 16.10.010

Proposed Changes:
Delete references to maximum lot size for subdivisions.

While state law (RCW 58.17.040) continues to allow for subdivisions of very large lots to occur without a formal local approval process, this is not desirable.

16.10.010 Applicability.
Every division of contiguous land into any number of lots, any one of which is less than one thirty-second of a section, or less than 20 acres if the land is not capable of description as a fraction of a section of land, for the purpose of sale, lease or transfer shall proceed in compliance with this chapter, unless the applicant is authorized and elects to proceed under Chapter 16.08 SMC.

F4. General Cleanup, SMC 2.12.040

Proposed Changes:
Delete the section, as the process requirements previously changed.

The City has used the Hearing Examiner to hold the public hearing and provide a recommendation to the City Council since 1996. With the proposed changes, this section serves no purpose.

2.12.040 Submission of plats or plans for subdivisions.

All plats or plans of subdivisions of land within the city or proposed additions, as well as dedications of streets and alleys, offered to the city council for acceptance shall first be submitted to the planning commission for its recommendation and report, which report shall be made to the council within 30 days after submission, or at such earlier date as the council shall direct.[Reserved].
Thursday, February 28, 2019

Jason Rogers
Senior Planner
City of Snoqualmie
PO Box 987
Snoqualmie, WA 98065

Dear Mr. Rogers:


Please accept my comments and my opposition to what is outlined in the project description.

The project description outlines changing procedural requirements for subdivisions. Those changes are described as moving decision-making for plats from the City Council to the city’s hearing examiner for preliminary plats and for final plats from the City Council to the community development director.

The residents of Snoqualmie have elected City Council members to make these decisions. Moving the decision-making on subdivision plats takes that process away from democratically elected members of the community and grants it to staff. The hearing manager is appointed by the mayor and the economic development manager is hired and reports to the city manager.

I am surprised to see a small community like Snoqualmie move away from transparency.

After performing research into the positions of hearing examiner and economic development director, it’s clear that the people of Snoqualmie don’t intend for hired and appointed staff people to make determinations that will impact their way of life. It is in city code that the hearing manager sets their own rules for public hearings, which means they can set their own rules for hearings on new subdivisions. We elect people with an understanding of their positions on development – what is good and what is not – for our city and we want transparency.

Further, the economic development manager is tasked with one goal – economic development. That person does not see issues from the same lens as someone who is in touch with all areas of the community – business owners and developers, but also retired people, school teachers and people who have sought out and enjoy the current way of life in Snoqualmie.

Please keep the decisions on subdivisions with the city council and reject this proposal.

Regards,

Amanda Rich
Gwyn,

Could you please print copies of this for the Planning Commission tonight? Thanks,

Jason Rogers

---

From: WAYNE RUSSELL <waynestuff@comcast.net>
Sent: Monday, March 04, 2019 4:00 PM
To: Jason Rogers <JRogers@ci.snoqualmie.wa.us>
Subject: Plat Procedure Changes

CAUTION: This email originated from outside the City of Snoqualmie. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning Commission,

We as concerned citizens are questioning the changes to the Short and Long Plat approval process and oppose these changes?

It would appear that the streamlining of the short and long plat process would take away from citizen participation by individuals or our dually elected city council members and place these decisions in the hands of a supposedly impartial hearing examiner or the Community Development Director of which these decisions lye with one person. Nothing is mentioned on who does the hiring of the hearing examiner and who addresses any specific issues to our city codes if questions arise for the examiner, since we are sure these examiners are up to par on the Washington State RCW’s but every cities codes are different!

1-Category I changes would no longer be by a hearing examiner and placed in the hands of the Community Development director vice the City Council.

2-Category II has no changes

3-Category III also changes from the City Council decision making to the Community Development Director

4-Category IV changes from Hearing Examiner recommendation with City Council decision and no administrative appeal to Hearing Examiners decision with Administrative appeal to city council

Questions:

1-Who hires the hearing examiner and do they need council approval?
2-Why is public hearings removed from Category III

3-Why is the city council which is our direct representative body removed from these major development decisions such as Platting and Variances as suggested in SMC 16.04.160 part B?

4-Who would be responsible for initiating an administrative appeal after the Public hearing and hearing examiners decision for Category IV to the city council?

5-If development is slowing why we would want to change the Short Plat from 4 to 9 or is this just for proposed developers and not brought forward possible proposed annexations?

6-Mailing radius of 300-400 feet is sort of bogus when notifications aren’t given within 100 feet of projects?

7-Why is the suggested cleanup of language

8-Why change SMC 16.08.010 from 4 to 9 and part B from 8 to 18 unless to favor prospective developers and not present citizens?

9-Why change SMC 16.12.030 again from 4 to nine and shorten the time adjacent land owners have notifications from 20 o 14 days?

10-Why change SMC 16.12.30 from 4-9 for prospective developers by Planning officials decision?

11-Why change Preliminary Plat approval procedures from 3 to 5 years by approval of council if not for developers benefit?

12- Why change SMC 16.10.020 part B subsection d from sensitive to critical if not for a developers benefit? As a matter of fact this could change the outcome of an EIS in progress?

13- Ending with lucky 13 we again wonder why more citizen involvement is requested but administration makes it less and less to inviting for citizens and also is now proposing to eliminate our elected decision makers from many of these processes?

Thank you for your consideration on these issues and there are apparently several more changes that are repetitious for the plat changes. Please keep our council in the decision making process and not leave it up to one or two individuals!

Wayne Russell 8438 Meadowbrook Way SE
March 7, 2019

Mark Hofman  
Community Development Director  
PO Box 987  
Snoqualmie WA 98065  

Via email to: mhofman@ci.snoqualmie.wa.us

Re: Plat Procedures Code Amendment

Dear Mr. Hofman,

Thank you for the opportunity to review the Plat Procedures Code Amendment. In Section 16.08.030 of the code, regarding “Notice of application,” subsection A lists parties who will be notified. We request that the City add the Snoqualmie Indian Tribe (Tribe) to the list of parties who will be notified. Please mail notices to the Tribe’s PO Box, and we additionally request that as a courtesy, electronic notification also be provided to Matt Baerwalde and Steven Mullen-Moses, tribal staff for the ENR and DAHP Departments within the Tribe, respectively. Their email addresses are: mattb@snoqualmietribe.us and steve@snoqualmietribe.us.

The Tribe requests that the City amend their SEPA procedural code to specify notification of the Tribe for all Notices of Application, Determinations of Nonsignificance, and Environmental Impact Statements, that the City distributes.

Thank you for the opportunity to comment.

Sincerely,

Robert de los Angeles, Chairman
OPEN PLANNING COMMISSION MEETING

Call to Order and Pledge of Allegiance
Vice Chair Johnson called the meeting to order at 7:03pm.

Roll Call

PRESENTE
Planning Commissioners
Rachel Money
Steve Smith
Colleen Johnson
Luke Marusiak
Muhammad Shakil

Staff
Mark Hofman, Community Development Director
Jason Rogers, Senior Planner
Gwyn Berry, Planning Technician

Also present
Councilmember Laase, Council liaison
Councilmember Shepard
Wayne Russell
Richard Sheel

ABSENT
Planning Commissioners
Kenya Dillon

Approval of the agenda;
The agenda was approved as presented.

Citizen Comments
Wayne Russell- Snoqualmie, WA
Feels that the Planning Commissioner email addresses should be made public.

Council Liaison Report
Councilmember Laase did not have a council update and then left prior to the public hearing.

Minutes
MOTION by Commissioner Money, SECONDED by Commissioner Means to approve the February 19, 2019 minutes as presented. Motion passed unanimously.
PERMIT REVIEW / DESIGN REVIEW BOARD ITEMS
No action items.

LEGISLATIVE / POLICY ITEMS
Plat Procedures Public Hearing
Vice Chair Johnson opened the public hearing at 7:47pm. Staff gave an overview of the current regulations and the proposed changes. The Vice Chair opened the hearing up for public comments. The following comments were made;

Wayne Russell- Snoqualmie, WA
Testified that he felt the proposed changes would benefit the developers.

Richard Scheel- Snoqualmie, WA
Testified that notices should be on the website. Doesn’t like the idea of raising the number of units that can be short platted. Approves of the idea of having plats done in front of the hearing examiner with an appeal to City Council. Supports the increase of sending notices to homeowners in 300’ to 500’.

After citizen comments, Vice chair Johnson closed the public hearing 7:56pm and the Commissioners deliberated. Action will be taken at the March 18th meeting.

OTHER BUSINESS
Follow up of previous items of Planning Commission interest- Staff gave updates on the following;

- Newton Street project.
  - Public Works staff is still working on the plans. They are looking at the current pavement conditions.
- Barrels on the Brewery roof.
  - Code enforcement contacted the manager and had the barrel removed.
- Old library update.
  - Public Works is getting a repair and maintenance estimate to see how much it will be to fix up the building.
- Snow removal after action plan.
  - Staff is waiting for a couple more invoices to complete the after-action plan.
- Greek Streets bid opening.
  - The anticipated bid opening is before the end of March.
- Private vs. public alleyways.
  - Public Works and GIS are working together to create a map of public and private alleys and roads for the Emergency Operations Center.

Items of Planning Commissioner Interest - The following items were discussed;

- Barrels on the sidewalk.
  - PSE and the brewery owner are disputing who did the damage to the sidewalk.
- Damage to curbs from snow plowing.
- Dark school bus stops.

Upcoming Schedule
- Mill Site Master Plan (TBD)
- Code Violation Penalties (TBD)
- Comprehensive Review of the Landmark District (April 15th)
- Planning Commissioner Guidebook (March 18th)

ADJOURNMENT
MOTION by Commissioner Money, SECONDED by Commissioner Smith to adjourn the Planning Commission meeting adjourned at 9:03pm.

Next regularly scheduled meeting – 7:00pm on Monday, March 18, 2019

__________________________
Colleen Johnson, Vice Chair

__________________________
Attest: Gwyn Berry

Minutes taken by Gwyn Berry
Meeting audio is available on the City website
Topics

• Permit Process Overview
• Short Plats – Process
• Preliminary Plats – Process
• Final Plats – Process
• Short Plat Lot Threshold
• General Cleanup
• Details & Code Sections
Permit Categories and Process

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<td>Cat IV</td>
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SMC 14.30.020 – Categories of Permits

Short Plats – Process (existing)

- Category II
- Requirements:
  - Notice of Application
  - Public comments via writing, verbal to staff, etc.
  - No public hearing
  - Staff (CD Director) decision
  - Appeal to Hearing Examiner
- **NO CHANGES PROPOSED**
Preliminary Plats – Process (existing)

• Category III
• Requirements:
  – Notice of Application
  – Public comments in writing or verbal to staff, or written or verbal at public hearing.
  – Public hearing by Hearing Examiner
  – Hearing Examiner recommendation
  – City Council Decision
  – No administrative appeal

Preliminary Plats – Process (proposed)

• *Category IV*
• Requirements:
  – Notice of Application
  – Public comments in writing or verbal to staff, or written or verbal at public hearing.
  – Public hearing by Hearing Examiner
  – *Hearing Examiner decision*
  – *Administrative appeal to City Council*
Final Plats – Process (existing)

• Hybrid of Category I and III
• Requirements:
  – No Notice of Application
  – Public comments are technically accepted
    • With no notice the City would typically receive no comments
    • Comments on a final plat would be inapt, as final plats involve no discretion, and cannot change Pre-Plat decision
  – No public hearing
  – City Council Decision
  – No administrative appeal

Final Plats – Process (proposed)

• Category I
• Requirements:
  – No Notice of Application
  – Public comments are technically accepted
    • With no notice the City would typically receive no comments
    • Comments on a final plat would be inapt, as final plats involve no discretion, and cannot change Pre-Plat decision
  – No public hearing
  – Staff (CD Director) decision
  – Administrative appeal to Hearing Examiner
Permit Categories and Process

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</tbody>
</table>

SMC 14.30.020 – Categories of Permits

Short Plat Lot Threshold

- Pros:
  - Shorter, more efficient process
  - Less expensive
  - Provides for a hearing examiner appeal

- Cons:
  - Public hearing only if appealed
  - Potentially limited applicability
Short Plat Lot Threshold

- Snoqualmie: currently 4 lots
- Other cities:
  - Issaquah: 4
  - Sammamish: 9
  - Bellevue: 9
  - Redmond: 9
  - North Bend: 9
  - Carnation: 4
  - Kirkland: 9
  - Duvall: 4

Variances

- Variances are in two sections, with three different processes:
  - SMC 16.04.160, for variances related to plat applications
    - Hearing Examiner decision for short plat-related variances (Cat IV)
    - City Council decision for preliminary plat-related variances (Cat III)
  - SMC 17.85.020, for “general” variances
    - Hearing Examiner decision (Cat IV)
- Amend the code to align variance procedures as a Hearing Examiner decision (Cat IV)
Process and General

• Process Streamlining to align various procedural requirements between different sections of the code.
  – Mailing radius (300 → 500 feet)
  – Comment period (longer)
  – Timing of Notice of Application (sooner)

• General Cleanup to correct minor inconsistencies and amend outdated language
  – Preliminary plats valid for 5 years instead of 3 (state law change in 2012)
  – Change reference to “tape recorded” to “audio recording”

Details

• Preliminary Plat decision-maker
  – Change the decision-maker to the Hearing Examiner (currently City Council)

• Short Plat lot threshold
  – Change the threshold to 9 lots (currently 4)

• Variances related to plats
  – Align the variance process

• Process streamlining
  – Alignment of code provisions regarding notice, mailing radius, comment periods, etc.

• General cleanup
  – Other cleanup items
Both the Executive and Council have expressed interest in eliminating “approval redundancy,” described as the subsequent Council authorization of an item following its explicit discussion and inclusion in the authorized budget. Additionally, staff has expressed an interest in compiling the City’s purchasing guidelines into a single, easy to understand document. To address both concerns, staff is in the process of drafting a comprehensive Procurement Guide and Policy Document to define the City’s policies and procedures. This matrix will act as the centerpiece of this forthcoming document and solidify the process by which purchasing decisions are to be made and the approval authority required for procurement.

**Recommended Action:**
MOVE to adopt Resolution 1489 adopting a purchasing matrix.
BACKGROUND
On December 10, 2018, the Council adopted Ordinance 1210, adopting the 2019-20 Biennial Budget. Since authorization, administration and several Councilmembers have expressed interest in eliminating “approval redundancy” described as the subsequent Council authorization of an item following its explicit discussion and inclusion in the approved budget. Additionally, staff has expressed an interest in compiling the City’s purchasing guidelines into one single, easy to understand document. To address both concerns, staff is in the process of drafting a comprehensive Procurement Guide and Policy Document to define the City’s policies and procedures. This matrix will act as the centerpiece of this forthcoming document and solidify the process and approval authority required for procurement.

ANALYSIS
The proposed purchasing matrix will reduce the time Council spends on purchasing decisions while maintaining confidence in the city’s internal procurement process. Increasing the threshold for Council approval from $10,000 to $50,000 on most purchases will allow Council to focus on its goal-setting, strategic planning and policy-making responsibilities and reduce time spent on procurement decisions. For reference, between 2017 and 2018, the Council approved 109 agenda bills for procurement of goods and services. Of those, 65 would fall under the thresholds being proposed to require Council approval. Confidence in the City’s internal procurement process should also improve with the adoption of this matrix. By mandating secondary, prior authorization on most procurement decisions, Council will ensure that no single action may be taken without sanctioning by at least one higher level employee. As mandated by the proposed matrix, even “authorized staff” will be required to seek secondary, retroactive approval for materials, supplies and equipment under $1,000. Providing a standardized, easy to read matrix will also decrease the staff time spent researching complicated procurement requirements. Breaking down the multitude of regulations and statutes will help to ensure adherence to statute and City policy. This purchasing matrix will serve as the centerpiece for the City’s Procurement Guide and Policy Document and will help to accomplish the Council’s objective to decrease approval redundancy, improve internal controls and maximize community value.

RECOMMENDATION
Staff recommends approval.

BUDGET
No budget impact.
RESOLUTION NO. 1489

A Resolution of the City of Snoqualmie, Washington Adopting the Purchasing Matrix

WHEREAS, the City Council would like to eliminate approval redundancy for certain purchases; and

WHEREAS, City staff has expressed an interest in a more accessible reference document when considering purchases; and

WHEREAS, a more accessible document will likely improve efficiency; and

WHEREAS, such a guideline will improve internal controls and ensure the responsible use of public funds; and

WHEREAS, the City seeks to update its procurement policies to reflect both current statute and best practices; and

WHEREAS, the purchasing matrix would serve as the centerpiece of these policies and procedures:

RESOLVED that the City of Snoqualmie hereby adopts the purchasing matrix attached as Exhibit A.

PASSED by the City Council of the City of Snoqualmie, Washington, this 22nd day of April 2019.

__________________________
Matthew R. Larson, Mayor

ATTEST:

__________________________
Jodi Warren, MMC, City Clerk

Approved as to form:

__________________________
Bob Sterbank, City Attorney
MEMORANDUM

DATE: March 25th, 2019
TO: Finance and Administration Committee, Mayor, City Councilmembers
FROM: Robert Hamud, Finance Director
      Andrew Bouta, Budget Analyst
      Kyla Henderson, Accountant
      James Wharton-Hess, Management Fellow
SUBJECT: Purchasing Matrix

POLICY SUMMARY

Employees who commit City of Snoqualmie funds to purchase goods or services can do so for legitimate government purposes only and designated management employees must pre-authorize such a commitment of funds in writing. Purchasing commitments include (but are not limited to) issuing purchase orders, requisitions, and entering into verbal or written agreements and contracts for goods or services listed in the procurement category column of the following purchasing matrix.

Employees, who have been granted approval authority, except in the case of materials, supplies, and equipment under $1,000, must first obtain approval in writing from a secondary approval source, in accordance with the required secondary approval column of the purchasing matrix, for all purchases prior to committing government funds. The secondary approval source must work in the same department as the employee unless that source is the Mayor, City Administrator, or City Council. Furthermore, employees must execute the appropriate process within the process column of the purchasing matrix prior to committing government funds and produce documentation for the process completed.

Employees must also ensure that sufficient capacity exists within the appropriated budget to cover an anticipated purchase. If no capacity exists, the purchase and a corresponding budget amendment must obtain City Council approval.

The Revised Code of Washington (RCW) requires different competitive bid processes and approval authority for certain procurement categories. Thus, the City's procurement matrix identifies separate procurement categories and the minimum approval authority and competitive processes required at each threshold.

PURCHASING MATRIX

<table>
<thead>
<tr>
<th>PROCUREMENT CATEGORY</th>
<th>DOLLAR LIMIT</th>
<th>PROCESS</th>
<th>APPROVAL AUTHORITY</th>
<th>REQUIRED SECONDARY APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Materials, Supplies, &amp; Equipment</td>
<td>Under $1,000</td>
<td>No Competitive Process Required</td>
<td>Authorized Staff</td>
<td>None¹</td>
</tr>
</tbody>
</table>

¹ None if the purchase is for materials, supplies, or equipment under $1,000.
<table>
<thead>
<tr>
<th>PROCUREMENT CATEGORY</th>
<th>DOLLAR LIMIT</th>
<th>PROCESS</th>
<th>APPROVAL AUTHORITY</th>
<th>REQUIRED SECONDARY APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Materials, Supplies, &amp; Equipment</td>
<td>$1,000-$7,500</td>
<td>No Competitive Process Required</td>
<td>Authorized Staff</td>
<td>Manager</td>
</tr>
<tr>
<td></td>
<td>$7,500-$15,000</td>
<td>Purchase Cooperative, Vendor Roster, OR Formal Competitive Bid</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td></td>
<td>$15,000-$50,000</td>
<td>Purchase Cooperative, Vendor Roster, OR Formal Competitive Bid</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>Over $50,000</td>
<td>Purchase Cooperative, Vendor Roster, OR Formal Competitive Bid</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>Capital Equipment²</td>
<td>Under $300,000</td>
<td>Refer to Material, Supplies, &amp; Equipment (Above)</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>Over $300,000</td>
<td>Purchase Cooperative, Vendor Roster, OR Formal Competitive Bid</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>Personal Services</td>
<td>Under $15,000</td>
<td>Consultant/Vendor Roster OR On-Call Contract</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td>Architectural &amp; Engineering Services (A&amp;E)</td>
<td>$15,000-$50,000</td>
<td>Consultant/Vendor Roster OR On-Call Contract</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>$50,000-$100,000</td>
<td>Consultant/Vendor Roster OR On-Call Contract</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td></td>
<td>Over $100,000</td>
<td>Consultant/Vendor Roster OR Formal Competitive Bid</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>General or Purchased Services</td>
<td>Under $15,000</td>
<td>No Competitive Process Required</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td></td>
<td>$15,000-$50,000</td>
<td>Purchase Cooperative, Consultant/Vendor Roster, OR Formal Competitive Bid</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>Over $50,000</td>
<td>Purchase Cooperative, Consultant/Vendor Roster, OR Formal Competitive Bid</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>Technology Systems &amp; Services</td>
<td>Under $7,500</td>
<td>No Competitive Process Required</td>
<td>Authorized Staff</td>
<td>Manager</td>
</tr>
<tr>
<td>Technology Systems &amp; Services</td>
<td>$7,500-$15,000</td>
<td>Formal Competitive Bid, Purchase Cooperative, Consultant/Vendor Roster, OR Competitive Negotiation</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td>PROCUREMENT CATEGORY</td>
<td>DOLLAR LIMIT</td>
<td>PROCESS</td>
<td>APPROVAL AUTHORITY</td>
<td>REQUIRED SECONDARY APPROVAL</td>
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<td>------------------------------</td>
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<td>------------------------------------------------------------------------</td>
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<td>-----------------------------</td>
</tr>
<tr>
<td>Technology Systems &amp; Services</td>
<td>$15,000-$50,000</td>
<td>Formal Competitive Bid, Purchase Cooperative, Consultant/Vendor Roster, OR Competitive Negotiation</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>Over $50,000</td>
<td>Formal Competitive Bid, Purchase Cooperative, Consultant/Vendor Roster, OR Competitive Negotiation</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td><strong>Public Works</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Craft</td>
<td>Under $40,000</td>
<td>No Competitive Process Required</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td>Multi Craft</td>
<td>Under $65,000</td>
<td>No Competitive Process Required</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td>All</td>
<td>Under $7,500</td>
<td>No Competitive Process Required</td>
<td>Authorized Staff</td>
<td>Manager</td>
</tr>
<tr>
<td></td>
<td>$7,500-$35,000</td>
<td>Small Works Roster (limited distribution Acceptable)</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td>Single Craft</td>
<td>$35,000-$40,000</td>
<td>Small Works Roster OR Formal Competitive Bid</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td></td>
<td>$40,000-$100,000</td>
<td>Small Works Roster OR Formal Competitive Bid</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td>Multi Craft</td>
<td>$35,000-$65,000</td>
<td>Small Works Roster OR Formal Competitive Bid</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td></td>
<td>$65,000-$100,000</td>
<td>Small Works Roster OR Formal Competitive Bid</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td>All</td>
<td>$100,000-$300,000</td>
<td>Small Works Roster OR Formal Competitive Bid</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>Over $300,000</td>
<td></td>
<td>Formal Competitive Bid</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
</tbody>
</table>

**Amendments & Change Orders**

<table>
<thead>
<tr>
<th>PROCUREMENT CATEGORY</th>
<th>DOLLAR LIMIT</th>
<th>PROCESS</th>
<th>APPROVAL AUTHORITY</th>
<th>REQUIRED SECONDARY APPROVAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Amendments (Services)</td>
<td>No Value Change</td>
<td>No Competitive Process Required</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td></td>
<td>The Lesser of $35,000 or 5% of Accumulated Contract</td>
<td>No Competitive Process Required</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>Over the Lesser of $35,000 or 5% of Accumulated Contract</td>
<td>No Competitive Process Required</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
<tr>
<td>Change Orders³ (Public Works)</td>
<td>The Lesser of $10,000 or 5% of Accumulated Contract</td>
<td>No Competitive Process Required</td>
<td>Manager</td>
<td>Department Director</td>
</tr>
<tr>
<td>PROCUREMENT CATEGORY</td>
<td>DOLLAR LIMIT</td>
<td>PROCESS</td>
<td>APPROVAL AUTHORITY</td>
<td>REQUIRED SECONDARY APPROVAL</td>
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<tr>
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<td>-----------------------------</td>
</tr>
<tr>
<td>Change Orders³ (Public Works)</td>
<td>Accumulated Contract</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Lesser of $35,000 or 10% of Accumulated Contract</td>
<td>No Competitive Process Required</td>
<td>Department Director</td>
<td>Mayor/City Administrator</td>
</tr>
<tr>
<td></td>
<td>Over the Lesser of $35,000 or 10% of Accumulated Contract</td>
<td>No Competitive Process Required</td>
<td>Mayor/City Administrator</td>
<td>City Council</td>
</tr>
</tbody>
</table>

¹While prior approval for materials, supplies, and equipment purchased by authorized staff under $1,000 is not required, retroactive secondary approval by credit card statement or reimbursement request is required.

²Capital Equipment must be part of an official City replacement program to qualify for the increased City Council approval threshold.

³While change orders do not require a competitive process, they must not deviate from the original scope of work such that they constitute a separate project.