

**GRANDVIEW PLANNING COMMISSION
REGULAR MEETING AGENDA
WEDNESDAY, AUGUST 26, 2026**



**This meeting will be held in person
and will also be available via teleconference.**

PLEASE NOTE: The maximum occupancy of the Council Chambers is 49 individuals at one time. Access to exits must be kept clear to ensure everyone in the Chambers can safely exit in the event of an emergency.

REGULAR MEETING – 6:00 PM

PAGE

- 1. CALL TO ORDER & ROLL CALL**
- 2. MINUTE APPROVAL**
 - A. Minutes of the July 29, 2026 Planning Commission Meeting 1-3
- 3. ACTIVE AGENDA**
 - A. Comprehensive Plan Update – Title 14 Administration of Development Regulations 4-38
 - B. Comprehensive Plan Update – Title 16 Subdivisions 39-96
 - C. Comprehensive Plan Update – Title 17 Zoning 97-255
- 4. ADJOURNMENT**

The Planning Commission meeting scheduled for Wednesday, August 26, 2026 at 6:00 pm will be held in person and will also be available via teleconference.

Please join the meeting from your computer, tablet or smartphone.

Join Zoom Meeting

<https://us06web.zoom.us/j/85221443071?pwd=OBbCGcTdo8v2eNnBZiPy3mzkMorGko.1>

To join via phone: +1 253 215 8782

Meeting ID: 852 2144 3071

Passcode: 484221

**GRANDVIEW PLANNING COMMISSION
MEETING MINUTES
JULY 29, 2026**

1. CALL TO ORDER

Commissioner Don Olmstead Jr. called the meeting to order at 6:00 p.m., in the Council Chambers at City Hall.

Planning Commissioners present were: Don Olmstead Jr., Brenda Saldana and Randy Tucker

Planning Commissioners present via teleconference were: Gracie Sexton

Staff present were: Land Use Planner Keelan Naasz with the Yakima Valley Conference of Governments, City Administrator Shane Fisher and City Clerk/Secretary Anita Palacios

2. MINUTE APPROVAL

On motion by Commissioner Tucker, second by Commissioner Saldana, the Commission approved the minutes of the April 29, 2026 and May 27, 2026 Planning Commission meetings.

3. ACTIVE AGENDA

A. Comprehensive Plan Amendment Application – Elite Development

Nicole Stickney from AHBL presented a request on behalf of Elite Development to modify the City's Comprehensive Plan and R-3 multi-family zoning district to allow higher density development on a property near Grandridge Road. The proposal involves adding 30 additional units to an existing 16-unit apartment complex that was fully rented at market rates, with the developers arguing this would help address housing needs in the community.

The Commission expressed support for the proposal, noting the success of similar developments in nearby cities and the current housing shortage in Grandview.

B. Guidance for Adopting County Critical Areas Regulations by Reference

Staff summarized the 2025 guidance for Washington cities (population <25,000) considering adoption of their county's critical areas regulations by reference, as permitted under the Growth Management Act (GMA) and recent legislative changes.

For background purposes, staff explained that the Growth Management Act requires all Washington counties and cities to designate and protect critical areas (wetlands, aquifer recharge areas, fish and wildlife habitat, flood-prone, and geologically hazardous areas). As of 2023, cities under 25,000 population may adopt their county's critical areas regulations by reference (RCW 36.70A.060(4)), streamlining compliance and reducing the need for separate city updates.

The key requirements were as follows:

- Eligibility: City population must be under 25,000 (per OFM estimates). County regulations must not be under outstanding administrative or judicial appeal. City

adoption must incorporate all future county amendments. County would be entitled to a portion of the City's periodic update grant funding after adoption.

- Process: Conduct SEPA environmental review. Draft staff report and supporting documentation. Issue public notices and make SEPA determination. Submit notice to Commerce for 60-day review. Take legislative action (adopt ordinance). Submit notice of adoption to Commerce and publish updates.

Staff recommended that the City of Grandview adopt Yakima County's critical areas regulations in full to make updates easier and reduce burden on the City. An interlocal agreement would be prepared that would clearly define roles, responsibilities, funding, and procedures for appeals and updates. If the City were to later rescind adoption, the City would be required to adopt new, GMA-compliant regulations. With respect to appeals, adoption by reference was appealable and future county amendments would automatically apply to the City.

On motion by Commissioner Tucker, second by Commissioner Saldana, the Commission unanimously recommended that the Council adopt a resolution expressing the City's intent and agreement to adopt the Yakima County Critical Areas Ordinance by reference at a future date, authorizing staff to proceed with required review, public process and coordination, and providing for an effective date.

C. Comprehensive Plan Update – Housing Element

Staff presented updates to the Housing Element of the Comprehensive Plan, including new requirements to accommodate housing for all income levels and updates to demographic data, housing conditions, and income statistics for Grandview.

The Commission reviewed housing allocation data for Grandview, including income bands and housing types based on the Housing Action Planning Tool. It was noted that that current allocations showed 46% in the 50-80% AMI range, 25% in the 30-50% range, and 10% for very low income, while future allocations for 2046 would need to shift to 34% for under 30% AMI and 23% for 30-50% AMI. The discussion also covered displacement risk, with one census tract identified as having a medium risk of displacement, highlighting the need to prevent displacement and address potential redevelopment concerns.

The Commission also discussed housing affordability challenges, with rising construction costs and capital costs driving up housing prices.

Staff presented changes to the Housing Element's goals and policies, including deleting outdated strategies and adding new objectives from the Housing Action Plan to support diverse housing options like cottage housing and accessory buildings.

D. Comprehensive Plan Update – Land Use Element

Staff presented updates to the Land Use Element of the Comprehensive Plan, including maps and documentation for land use planning, with participants discussing historical projects dating 2017 to current. Discussion included reviewing current land use data, including agricultural and residential uses. Staff highlighted new requirements including consideration of environmental justice and wildfire risk mitigation. The conversation concluded with a review of urban growth area boundaries and recent annexations.

E. Comprehensive Plan Update – Climate Element

The Commission reviewed the new Climate Resilience Element that establishes a long-range framework for integrating resilience into community planning and decision-making. It identified climate-related hazards, established goals and policies, and provided practical implementation strategies that support the continued functioning of the community before, during, and after climate-related events.

The Climate Resilience Element addresses climate-related hazards such as drought, flooding, extreme temperatures, wildfire smoke, severe winter storms, public health emergencies and agricultural disease. This element would provide an approach for the potential effect many of these aspects would have on community life. These hazards may disrupt public infrastructure, utilities, transportation systems, natural resources, local businesses, emergency services, and the daily lives of residents. Resilience planning recognized that these hazards were interconnected and that investments made today could reduce future risks while providing additional benefits to the community. Many resilience strategies also improve public health, transportation, environmental quality, economic vitality, recreation, and neighborhood livability. Rather than focusing solely on responding to individual hazards, this element emphasized maintaining the community functions that residents depend upon every day and improving Grandview's ability to prepare for, withstand, respond to, recover from, and adapt to changing conditions.

4. ADJOURNMENT

The Planning Commission meeting adjourned at 7:40 p.m.

Commissioner Don Olmstead Jr.

Anita Palacios, City Clerk

Title 14

ADMINISTRATION OF DEVELOPMENT REGULATIONS

Chapter 14.01 INTRODUCTION

- § 14.01.010. Intent.
- § 14.01.020. Applicability.
- § 14.01.030. Rules of interpretation.
- § 14.01.040. Definitions.

Chapter 14.03 ADMINISTRATION

- § 14.03.010. Roles and responsibilities.
- § 14.03.020. Responsible official/administrator.
- § 14.03.030. City council.
- § 14.03.035. Hearing examiner.
- § 14.03.040. Planning commission.
- § 14.03.050. Board of adjustment.
- § 14.03.060. Building code board of appeals.

Chapter 14.05 APPLICATION PROCESS

- § 14.05.010. Application.
- § 14.05.020. Preapplication meetings.
- § 14.05.030. Contents of applications.
- § 14.05.040. Technical review.
- § 14.05.050. SEPA review.
- § 14.05.060. Letter of completeness.

Chapter 14.07 PUBLIC NOTICE REQUIREMENTS

- § 14.07.010. Notice of development application.
- § 14.07.020. Notice of administrative approvals.
- § 14.07.030. Notice of public hearing.
- § 14.07.040. Notice of appeal hearing.
- § 14.07.050. Notice of decision.

Chapter 14.09 REVIEW AND APPROVAL PROCESS

- § 14.09.010. Administrative approvals without notice.
- § 14.09.020. Administrative approvals subject to notice.
- § 14.09.030. Planning commission proceedings.
- § 14.09.040. City council proceedings.
- § 14.09.050. Procedure for public hearings.
- § 14.09.060. Procedures for closed record appeals.
- § 14.09.070. Remand.
- § 14.09.080. Final decision.

Chapter 14.10 TRANSPORTATION CONCURRENCY MANAGEMENT

Article I General Provisions

- § 14.10.010. Title and scope.
- § 14.10.020. Purpose.
- § 14.10.030. Administration.
- § 14.10.040. Amendments.
- § 14.10.050. Exemptions.
- § 14.10.060. Severability.
- § 14.10.070. Definitions.
- § 14.10.080. Conflict of terms.

Article II Concurrency Review

- § 14.10.090. Level of service standards.
- § 14.10.100. Project review.

GRANDVIEW CODE

Article III		§ 14.11.020.	Appeal to the city council.
Mitigation		§ 14.11.030.	Judicial appeal.
§ 14.10.110.	Mitigation methods—	Chapter 14.13	
	Options.	ENFORCEMENT	
§ 14.10.120.	Mitigation criteria—		
	Acceptable mitigation.	§ 14.13.010.	Enforcing official—
			Authority.
Article IV		§ 14.13.020.	General penalty.
Monitoring/effective Date		§ 14.13.030.	Application.
§ 14.10.130.	Annual report.	§ 14.13.040.	Civil regulatory order.
		§ 14.13.050.	Civil fines.
Chapter 14.11		§ 14.13.060.	Review of approved permits.
APPEALS		§ 14.13.070.	Revocation or modification
§ 14.11.010.	Appeal of administrative		of permits and approvals.
	interpretations and		
	approvals.		

**CHAPTER 14.01
INTRODUCTION****§ 14.01.010. Intent.**

The purpose of this title is to combine and consolidate the application, review and approval processes for land development in the city of Grandview in a manner that is clear, concise, and understandable. It is further intended to comply with state guidelines for combining and expediting development review and integrating environmental review and land use development plans.

(Ord. 1450 § 1, 1996)

§ 14.01.020. Applicability.

- A. These rules apply to land use permits under GMC Titles 15 through 18 and to any related regulation implementing these provisions or any other ordinance or law.
- B. Pursuant to RCW 36.70B.140(2) the following permits or approvals are, however, specifically excluded from the procedures set forth in this title:
 1. Landmark designations;
 2. Street vacations; or
 3. Other approvals relating to the use of areas or facilities.
- C. Pursuant to RCW 36.70B.140(2), building permits, boundary line adjustments, other construction permits, or similar administrative approvals which are categorically exempt from environmental review under SEPA (Chapter 43.21C RCW) and GMC Title 18, or permits/approvals for which environmental review has been completed in connection with other project permits, are excluded from the following procedures:
 1. Determination of completeness;
 2. Notice of application;
 3. Except as provided in RCW 36.70B.140, optional consolidated project permit review processing;
 4. Joint public hearings;
 5. Single report stating all the decisions and recommendations made as of the date of the report that do not require an open record hearing;
 6. Notice of decision;
 7. Completion of project review within any applicable time periods (including the 120-day permit processing time).

(Ord. 1450 § 1, 1996)

§ 14.01.030. Rules of interpretation.

- A. For the purposes of the development code, all words used in the code shall have their normal and customary meanings, unless specifically defined otherwise in this code.

- B. Words used in the present tense include the future.
 - C. The plural includes the singular and vice-versa.
 - D. The words "will" and "shall" are mandatory.
 - E. The words "may" and "should" indicates that discretion is allowed.
 - F. The word "used" includes designed, intended, or arranged to be used.
 - G. The masculine gender includes the feminine and vice-versa.
 - H. Distances shall be measured horizontally unless otherwise specified.
 - I. The word "building" includes a portion of a building or a portion of the lot on which it stands.
- (Ord. 1450 § 1, 1996)

§ 14.01.040. Definitions.

The following definitions shall apply to GMC Titles 14 through 18; other and additional definitions may be found in individual titles.

- A. "Closed record appeal" means an appeal to the city council, planning commission or other hearing authority based on the existing record generated following an open record hearing with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.
- B. "Open record hearing" means a public hearing, at which evidence and information is presented and testimony is taken that creates a record. An open record hearing held prior to the city's decision on a project permit is known as an "open record predecision hearing." An open record hearing held on an appeal is known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.
- C. "Project permit" or "project permit application" means any land use or environmental permit required from the city of Grandview for a project action, including but not limited to subdivisions, planned unit developments, conditional uses, shoreline substantial development permits, rezones authorized by the comprehensive plan, but excluding the adoption or amendment of a comprehensive plan, or development regulations except as otherwise specifically included.
- D. "Comprehensive plan" means the city of Grandview comprehensive plan adopted June 19, 1995, and amendments.
- E. "Comprehensive plan amendment" means an amendment or change to the text or maps of the comprehensive plan.
- F. "Conditional use" means a use allowed in one or more zones as defined by the zoning code, but which, because of characteristics peculiar to such use, the size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special permit in order to provide a particular degree of control to make such uses consistent and compatible with other existing or permissible uses in the same zone and mitigate adverse impacts of the use.

- G. "Developer" means any person who proposes an action or seeks a permit regulated by GMC Titles 14 through 18.
- H. "Development" means any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits, or variances.
- I. "Development code" means city of Grandview Municipal Code (GMC) Titles 14 through 18.
- J. "Public meeting" means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the city's project permit application file.
- K. "Consistency" includes all terms used in GMC Titles 14 through 18 to refer to performance in accordance with Chapters 36.70A and 36.70B RCW including but not limited to compliance, conformity, and consistency.
- L. "Hearing examiner" means a qualified, independent individual who contracts with the city to hear certain land use appeals as designated by the city council.
(Ord. 1450 § 1, 1996; Ord. 1703 § 1, 2005)

**CHAPTER 14.03
ADMINISTRATION**

§ 14.03.010. Roles and responsibilities.

- A. The regulation of land development is a cooperative activity including different elected and appointed boards, city staff and/or independent hearing examiners contracted with by the city. The specific responsibilities of these bodies are set forth in the following sections.
- B. A developer is expected to read and understand Grandview's development code and be prepared to fulfill those requirements and obligations so stated in the code.
(Ord. 1450 § 1, 1996; Ord. 1703 § 2, 2005)

§ 14.03.020. Responsible official/administrator.

- A. Authority. The public works director or his designee is responsible for the administration of GMC Titles 14, 15, 16, and 17. The city administrator or his designee is responsible for the administration of GMC Title 18.
- B. Administrative Interpretation. Upon request or as determined necessary, the city administrator or his designee shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation within 30 days. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation. (RCW 36.70B.110(11))
- C. Administrative Approvals. Administrative approvals are as set forth in GMC § 14.09.010 and 14.09.020.
(Ord. 1450 § 1, 1996; Ord. 1580 § 1, 2000)

§ 14.03.030. City council.

- A. Legislative Decisions. The following decisions are legislative, and are not subject to the procedures in this chapter, unless otherwise specified:
 - 1. Zoning code text and zoning district amendments;
 - 2. Adoption of development regulations and amendments;
 - 3. Area-wide rezones to implement new city policies;
 - 4. Adoption of the comprehensive plan and any plan amendments;
 - 5. Annexations.
 - B. Other Review and Action. In addition to the council's legislative responsibility, they shall review and act on the following subjects:
 - 1. Recommendations of the planning commission;
 - 2. Appeal of administrative interpretations;
 - 3. Appeal of administrative approvals as set forth in GMC § 14.09.010 and 14.09.020.
- (Ord. 1450 § 1, 1996; Ord. 1703 § 3, 2005)

§ 14.03.035. Hearing examiner.

The city council may contract with a qualified, independent hearing examiner to review appeals of a determination of significance (DS) or determination of nonsignificance (DNS) or mitigated determination of nonsignificance (MDNS) under GMC Title 18. Other land use decisions, appeals and variances may be heard by a hearing examiner as determined by the city council at the request of the planning commission or the city administrator.
(Ord. 1703 § 4, 2005)

§ 14.03.040. Planning commission.

A. Review and Recommend. Planning commission shall review and make recommendations on the following applications and subjects:

1. Amendments to the comprehensive plan;
2. Amendments to the building code, GMC Title 15;
3. Amendments to the subdivision code, GMC Title 16;
4. Amendments to the zoning code, GMC Title 17, or the official map;
5. Amendments to the environment code, GMC Title 18;
6. Applications for preliminary plats;
7. Other actions requested or remanded by the city council.

The review criteria for certain of the actions are contained within the specific title.

B. Review and Act. The planning commission shall review and act on:

1. Appeals of decisions on home occupation regulations;
2. Applications for conditional use permits;
3. Variances from the standards and dimensional regulations of the zoning code, GMC Title 17, based on specific criteria from RCW 35A.63.110(2).

(Ord. 1450 § 1, 1996; Ord. 1703 § 5, 2005)

§ 14.03.050. Board of adjustment.

Repealed by Ord. 1703.

(Ord. 1450 § 1, 1996)

§ 14.03.060. Building code board of appeals.

A. Review and Act. The board of appeals shall review and act on the following subjects:

1. Appeals of decisions of the code enforcement official on the interpretation or application of the building or fire code;
2. Disapproval of a permit for failure to meet the Uniform Building or Fire Codes.

The review criteria for the building code board of appeals are contained in the

City of Grandview, WA

§ 14.03.060

GRANDVIEW CODE

§ 14.03.060

procedures for conduct of hearing appeals in the current chapters of the various
building and fire codes as adopted in the GMC.
(Ord. 1450 § 1, 1996)

Draft

**CHAPTER 14.05
APPLICATION PROCESS**

§ 14.05.010. Application.

- A. The city shall consolidate development application and review in order to integrate the development permit and environmental review process, while avoiding duplication of the review processes.
- B. All applications for development permits, design review approvals, variances and other city approvals under the development code shall be submitted on forms provided by the city clerk. All applications shall be signed by or acknowledged by the property owner.
- C. Exclusions from the requirements of project permit application processing are contained in GMC § 14.01.020. (RCW 36.70B.120)
(Ord. 1450 § 1, 1996)

§ 14.05.020. Preapplication meetings.

- A. Informal. Applicants for development are encouraged to participate in an informal meeting prior to the formal preapplication meeting. The purpose of the meeting is to discuss, in general terms, the proposed development, required permits, required hearings and approval process.
- B. Formal. May be initiated by either staff or at the request of an applicant and would be used to identify the procedure, requirements, and the environmental information needed to process the application. The city would invite all affected jurisdictions, agencies and/or special districts as well as affected city departments to the preapplication meeting.
(Ord. 1450 § 1, 1996)

§ 14.05.030. Contents of applications.

- A. All applications for approval under GMC Titles 15 through 18 shall include the information specified in the applicable title and on the application checklist. The administrator may require such additional information as reasonably necessary to fully and properly evaluate the proposal.
- B. The applicant shall apply for all permits identified in the preapplication meeting or requested as a result of the technical review of the application.
- C. All applications shall be given a cursory review to see that the checklist items are included, information lines have been completed, and the application has been signed prior to receipting it in. If all of the information appears to be complete the application is date stamped and receipted in by the city clerk or designee.
(Ord. 1450 § 1, 1996)

§ 14.05.040. Technical review.

- A. Within five days of receipt of an application, the administrator shall transmit a copy of the application, or appropriate parts of the application, to the technical review committee (TRC) which may be composed of representatives of each affected city department, utility districts, fire district and any other entities or agencies with jurisdiction, including those

responsible for determining compliance with state and federal requirements. The affected agencies and city departments shall have 15 days to comment. The administrator may schedule a meeting of the technical review committee (TRC) within the 15 days set for response. If no comments are received, or there is no attendance at any meeting so scheduled within the specified time period, the administrator will presume there are no comments from the agency or city department.

- B. The TRC shall review the development application for compliance with city plans and regulations, coordinate necessary permit reviews, and identify the development's environmental impacts. They will also identify exclusions from the requirements of the development permit application processing pursuant to RCW 36.70B.140, such as building permits, short plat adjustments, other construction permits, or similar administrative approvals which are categorically exempt from environmental review under SEPA (Chapter 43.21C RCW) and the GMC Title 18, or permits/approvals for which environmental review has been completed in connection with other project permits.

(Ord. 1450 § 1, 1996)

§ 14.05.050. SEPA review.

- A. Developments and planned actions subject to the provisions of the State Environmental Policy Act (SEPA) (Chapter 43.21C RCW) shall be reviewed in accordance with the policies and procedures contained in GMC Title 18.
- B. SEPA review shall be conducted concurrently with development project review. The following are exempt from concurrent review:
1. Projects categorically exempt from SEPA (Chapter 43.21C RCW) and GMC Title 18.
 2. Components of previously completed planned actions, to the extent permitted by law and consistent with the EIS for the planned action.

(Ord. 1450 § 1, 1996)

§ 14.05.060. Letter of completeness.

- A. Within 28 days of receiving a date stamped application, and following the TRC the administrator shall provide the applicants with a written determination that the application is complete or incomplete.
- B. A project application shall be determined complete only when it contains all of the following:
1. A fully completed, signed, and acknowledged development application and all applicable review fees;
 2. A fully completed, signed, and acknowledged environmental checklist for projects subject to review under the State Environmental Policy Act;
 3. The information specified for the desired project in the appropriate chapters of the Grandview Municipal Code;
 4. Any supplemental information or special studies identified by the TRC or the administrator.

This determination of completeness shall be made when the application is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The city's determination of completeness shall not preclude the city from requesting additional information or studies either at the time of the notice of completeness or at some later time, if new information is required or where there are substantial changes in the proposed action. (RCW 36.70B.090(1))

- C. For applications determined to be incomplete, the city shall identify, in writing, the specific requirements or information necessary to constitute a complete application and provide a time limit of 30 days or more at the administrator's discretion, for receipt of the information. Upon submittal of the additional information, the city shall, within 14 days, issue a letter of completeness or identify what additional information is required again with a time limit imposed. If the additional information is not forthcoming within the time stated, the application shall lapse. If the application is not consistent with the applicable codes the application shall lapse with no additional staff review. The applicant may choose to file an amendment to the plan or code and await the necessary legislative action that would allow the proposed project. The application would be returned to the applicant and all or a portion of the filing fee would be refunded as determined by the administrator.

(Ord. 1450 § 1, 1996)

§14.05.065 Application Review and Approval Period

In accordance with RCW 36.70B.080, the City shall issue a final decision for project permits under the following terms:

A. For project permits that do not require public notice, the City shall issue a final decision within 65 days of determination of completeness.

B. For project permits that require public notice, the City shall issue a final decision within 100 days of determination of completeness.

C. For project permits that require public notice and a public hearing, the City shall issue a final decision within 170 days of the determination of completeness.

If the Town is unable to issue its final decision on a proposed permit application within the time limits provided, the City shall issue a 10% or 20% refund if the final decision is issued after the deadline, but before exceeding 20% of the original time period.

10% refund if the City issues a final decision is:

A. Within 13 days after the 65 day deadline

B. Within 20 days after the 100 day deadline

C. Within 34 days after the 170 day deadline

The Town shall issue a 20% refund if the final decision is made after the above timelines or 20% of the original time period have exceeded.

Commented [KN1]: RCW 36.70A.040

CHAPTER 14.07
PUBLIC NOTICE REQUIREMENTS

§ 14.07.010. Notice of development application.

- A. A notice of application shall not be required for project permits that are categorically exempt under SEPA (Chapter 43.21C RCW), unless a public comment period or an open record predecision hearing is required such as but not limited to:
1. Application for building permits;
 2. Application for lot line adjustments (short plat exemptions);
 3. Application for administrative approvals.
- B. Within 14 days of issuing a letter of completeness under Chapter 14.05 GMC, the city shall issue a notice of development application. The notice shall include but not be limited to the following:
1. Name of the applicant;
 2. Date of application;
 3. The date of the letter of completeness;
 4. The location of the project;
 5. A project description;
 6. The requested approvals, actions, and/or required studies;
 7. A public comment period not less than 14 nor more than 30 days;
 8. Identification of existing environmental documents;
 9. A city staff contact and telephone number;
 10. The date, time, and place of a public hearing if one is scheduled;
 11. A statement that the decision on the application will be made within 120 days of the date of the letter of completeness.
- C. The notice of development application shall be posted on the subject property and published once in a newspaper of general circulation. This notice may be issued prior to or together with other required notices when possible, but is not a substitute for the other notices.
- D. Except for a determination of significance, the city may not issue its threshold determination or issue a decision or recommendation on a project permit until the expiration of the public comment period on the notice of development application. (RCW 36.70B.110)
- E. Notice actions are, but are not limited to those, as shown on Table 14.07.010.

Table 14.07.010 – Proposed Notices

Action	Determination of Completeness	Determination of Consistency	Determination of Threshold	Categorical Exemption	Notice of Application	Exempt From Project Review Process
Building permit (See WAC 197-11-800)	no	no	no/yes	yes/no	no/yes	yes
Short Plat Exemption/ Lot Line Adjustment	no	no	no	yes	no	yes
Home Occupation	no	no	no	yes	no	yes
Conditional Use Permit	yes	yes	yes	no	yes	no
Short Plat	yes	yes	yes	no	yes	no
Pre-Plat	yes	yes	yes	no	yes	no
Final Plat	no	no	no	yes	no	yes
Shoreline Permit	yes	yes	yes	no	yes	no
Variance	yes	yes	no	yes	yes	no
Comprehensive Plan Amendment	yes	yes	yes	no	yes	no
Title 17/18 Amendment	yes	yes	yes	no	yes	no
Change of Zone	yes	yes	yes	no	yes	no
Change of Future Zone	yes	yes	yes	no	yes	no
Annexations/Zoning	no	no	no	yes	yes	yes
Planned Development	yes	yes	yes	no	yes	no
Development Agreement/ Design Standards	yes	yes	yes	no	yes	no
Improvements (Street Signs)	yes	yes	yes	no	yes	no

* Legislative; not subject to 120-day limit.

(Ord. 1450 § 1, 1996)

§ 14.07.020. Notice of administrative approvals.

Notice of administrative approvals subject to notice under GMC § 14.09.020 shall be made as follows:

- A. Notification of Preliminary Approval. The administrator shall notify the adjacent property owners of his intent to grant approval. Notification shall be made by mail only. The notice shall include:
 1. A description of the preliminary approval granted, including any conditions of approval;
 2. A place where further information may be obtained;

3. A statement that final approval will be granted unless an appeal requesting a public hearing is filed with the city clerk within 14 days of the date of the notice.
(Ord. 1450 § 1, 1996)

§ 14.07.030. Notice of public hearing.

Notice of a public hearing for all development applications and all open record appeals shall be provided for as follows:

A. Content of Notice. The public notice shall include:

1. The name and address of the applicant or the applicant's representative;
2. The description of the affected property, which may be in the form of either a vicinity location or written description, other than a legal description;
3. The date, time and place of the hearing;
4. A description of the subject property reasonably sufficient to inform the public of its location, including but not limited to the use of a map or postal address;
5. The nature of the proposed use or development;
6. A statement that all interested persons may appear and provide testimony;
7. The sections of the code that are pertinent to the hearing procedure;
8. When and where written comments may be received;
9. When and where the application, staff report, or other information may be examined and will be provided at the city's cost;
10. The name and telephone number of the city representative.

B. Time of Notices. Except as otherwise required, public notification of meetings, hearings, and pending actions under GMC Titles 14 through 18 shall be made by:

1. Publication at least 10 days before the date of a public meeting, hearing, or pending action in the official newspaper if one has been designated or a newspaper of general circulation in the city; and
2. Mailing at least 10 days before the date of a public meeting, hearing, or pending action to all property owners as shown on the records of the county assessor of properties within at least 300 feet, not including street rights-of-way, of the boundaries of the property which is the subject of the meeting or pending action; and
3. Posting at least 10 days prior to the meeting, hearing, or pending action at City Hall and at least one notice on the subject property.

C. Joint Hearings.

1. **Administrator Determination.** The administrator may combine any public hearing on a project permit application with any hearing that may be held by another local, state, regional, federal, or other agency, on a proposed action, as long as: (a) the hearing is held within the city limits; and (b) the requirements of subsection C of this section are

met. (36.70B.110(7))

2. **Applicant Request.** The applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in this title. The applicant may agree to a particular schedule if the additional time is needed in order to complete the hearings. (RCW 36.70B.110(7))
3. **Prerequisites to Joint Public Hearing.** A joint public hearing may be held with another local, state, regional, federal, or other agency and the city, as long as:
 - a. The other agency is not expressly prohibited by statute from doing so; (RCW 36.70B.110(8))
 - b. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance, or rule;
 - c. The agency has received the necessary information about the proposed project from the applicant in enough time to hold its hearing at the same time as the local government hearing; and
 - d. The hearing is held within the geographic boundary of the local government.
- D. **Continuations.** If for any reason, a meeting or hearing on a pending action cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required.
(Ord. 1450 § 1, 1996)

§ 14.07.040. Notice of appeal hearing.

In addition to the posting and publication requirements of GMC § 14.07.030, notice of appeal hearings shall be as follows:

- A. For administrative approvals, notice shall be mailed to adjacent property owners.
(Ord. 1450 § 1, 1996)

§ 14.07.050. Notice of decision.

A written notice for all final decisions shall be sent to the applicant and all parties of record. For development applications requiring planning commission review and city council approval, the notice shall be the signed ordinance or resolution.
(Ord. 1450 § 1, 1996)

**CHAPTER 14.09
REVIEW AND APPROVAL PROCESS**

§ 14.09.010. Administrative approvals without notice.

The administrator shall approve, approve with conditions, or deny the following without notice:

- A. Lot line adjustments (short plat exemptions);
- B. Extension of time for approval;
- C. Minor amendments or modifications to approved developments or permits. Minor amendments are those which may affect the precise dimensions or location of buildings, accessory structures and driveways, but do not affect: (1) the overall project character, (2) increase the number of lots, dwelling units, or density, or (3) decrease the quality or amount of open space;
- D. Home occupations.
(Ord. 1450 § 1, 1996)

§ 14.09.020. Administrative approvals subject to notice.

The administrator shall either approve, approve with conditions, or deny the following actions subject to the notice and appeal requirements of this chapter:

- A. Short subdivisions (short plats).
(Ord. 1450 § 1, 1996)

§ 14.09.030. Planning commission proceedings.

- A. Actions. Upon receiving a staff report and recommendation from the staff or notice of any other matter requiring the planning commission's attention, the commission shall perform the following actions as appropriate:
 - 1. Make a decision on a staff recommendation.
 - 2. Hold hearings and make decisions on conditional use permits.
 - 3. Review and provide recommendations based on the appropriate chapters of the Grandview Municipal Code.
 - a. Staff Report. A staff report will be prepared on the proposed development or action summarizing the comments and recommendations of the city departments, affected agencies and special districts, evaluating the development's consistency with the city's development code, adopted plans and regulations. The staff report shall include findings, conclusions and a proposed recommendation(s) for disposition of the development application.
 - b. Hearing. The planning commission or hearing examiner (if determined under this chapter) shall conduct an open record public hearing on the development proposal or proposal(s) for the purpose of taking testimony, hearing evidence, considering the facts pertinent to the proposal, and evaluating the proposal for consistency with the city's development code, adopted plans and regulations.

Notice of the hearing shall be in accordance with GMC § 14.07.030.

- c. Required Findings. The planning commission or hearing examiner shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:
 - i. The development is consistent with the comprehensive plan and meets the requirements and intent of the Grandview Municipal Code.
 - ii. The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply, and sanitary wastes.
 - iii. The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.
 - iv. The development is beneficial to the public health, safety and welfare and is in the public interest.
 - v. The development does not lower the level of service of transportation below the minimum standards as shown within the comprehensive plan. If the development results in a level of service lower than those shown in the comprehensive plan, the development may be approved if improvement or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.
 - vi. The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.
4. Recommendation. Following the open record hearing, the planning commission or hearing examiner shall prepare a report setting forth its findings, conclusions and recommendations and shall transmit this report to the city council within 14 days following the open record hearing.
- B. Decisions. The planning commission or hearing examiner shall make its decision by motion, and provide written findings and conclusions.
 1. A planning commission or hearing examiner decision on a conditional use permit following a public hearing shall include one of the following actions:
 - a. Approve as recommended;
 - b. Approve with conditions;
 - c. Modify; provided, that the modifications do not:
 - i. Enlarge the area or scope of the project;

- ii. Increase the density or proposed building size;
 - iii. Significantly increase adverse environmental impacts as determined by the responsible official;
 - d. Deny (reapplication or resubmittal is permitted);
 - e. Deny with prejudice (reapplication or resubmittal is not allowed for one year);
 - f. Remand for further proceedings and/or evidentiary hearing in accordance with GMC § 14.09.070.
 - 2. A planning commission or hearing examiner decision following an open record appeal hearing shall include one of the following actions:
 - a. Grant the appeal in whole or in part;
 - b. Deny the appeal in whole or in part;
 - c. Remand for further proceedings.
- (Ord. 1450 § 1, 1996; Ord. 1703 § 7, 2005)

§ 14.09.040. City council proceedings.

- A. Actions. Upon receiving a recommendation from the planning commission, hearing examiner or notice of any other matter requiring the council's attention, the council shall perform the following actions as appropriate:
 - 1. Make a decision on a planning commission or hearing examiner recommendation.
 - 2. Hold hearings and make decisions based on the appropriate chapters of the Grandview Municipal Code on the following:
 - a. Appeal of administrative interpretations;
 - b. Appeal of administrative decisions;
 - c. Other matters not prohibited by law.
- B. Decisions. The city council shall make its decision by motion, resolution, or ordinance as appropriate.
 - 1. A council decision on a planning commission or hearing examiner recommendation or following a public hearing shall include one of the following actions:
 - a. Approve as recommended;
 - b. Approve with conditions;
 - c. Modify; provided, that the modifications do not:
 - i. Enlarge the area or scope of the project;
 - ii. Increase the density or proposed building size;
 - iii. Significantly increase adverse environmental impacts as determined by the

responsible official;

- d. Deny (reapplication or resubmittal is permitted);
 - e. Deny with prejudice (reapplication or resubmittal is not allowed for one year);
 - f. Remand for further proceedings and/or evidentiary hearing in accordance with GMC § 14.09.070.
2. A council decision following a closed record appeal hearing shall include one of the following actions:
 - a. Grant the appeal in whole or in part;
 - b. Deny the appeal in whole or in part;
 - c. Remand for further proceedings.
 3. The following decisions are legislative, and are not subject to the procedures in this chapter, unless otherwise specified:
 - a. Zoning code text and zoning district amendments;
 - b. Adoption of development regulations and amendments;
 - c. Area-wide rezones to implement new city policies;
 - d. Adoption of the comprehensive plan and any plan amendments; and
 - e. Annexations.
- C. Council Enactments Not Restricted. Nothing in this chapter or the permit processing procedures shall limit the authority of the city council to make changes to the city's comprehensive plan, as part of an annual revision process, or to make changes to the city's development regulations (RCW 36.70B.020(4)).
(Ord. 1450 § 1, 1996; Ord. 1703 § 8, 2005)

§ 14.09.050. Procedure for public hearings.

- A. Ex Parte Communications. No member of a hearing body may communicate, directly or indirectly, regarding any issue in a proceeding before him or her, other than to participate in communications necessary to procedural aspects of maintaining an orderly process, unless he or she provides notice and opportunity for all parties to participate; except as provided in this section:
1. The hearing body may receive advice from legal counsel;
 2. The hearing body may communicate with staff members (except where the proceeding relates to a code enforcement investigation or prosecution).

If, before serving as the hearing body in a quasi-judicial proceeding, any member of the hearing body receives an ex parte communication of a type that could not properly be received while serving, the member of the hearing body, promptly after starting to serve, shall disclose the communication as described as follows:

1. All written communications received;

2. All written responses to the communications;
3. The substance of all oral communications received, and all responses made;
4. Identify each person from whom the member received any ex parte communication.

The hearing body shall advise all parties that these matters have been placed on the record. Upon request made within 10 days after notice of the ex parte communication, any party desiring to rebut the communication shall be allowed to place a rebuttal statement on the record.

B. Disqualification.

1. A member of the hearing body who is disqualified shall be counted for purposes of forming a quorum. Any member who is disqualified may do so only by making full disclosure to the audience, abstaining from voting on the proposal, vacating the seat on the hearing body and physically leaving the hearing.
2. If all members of the hearing body are disqualified, all members present after stating their reasons for disqualification shall be requalified and shall proceed to resolve the issues.
3. Except for council legislative decisions as shown in GMC § 14.03.030(A), a member absent during the presentation of evidence in a hearing may not participate in the deliberations or decision unless the member has reviewed the evidence received.

C. Public Hearings Procedure. Public hearings shall be conducted in accordance with the hearing body's rules of procedure and shall serve to create or supplement an evidentiary record upon which the body will base its decision. Following are the procedures for open record public hearings and closed record public hearings.

1. Open Record Public Hearing Procedure. The following procedure is used by the Grandview planning commission/city council to meet appearance of fairness requirements and to create or supplement the hearing record:

TONIGHT THE PUBLIC HEARING WILL INCLUDE THE FOLLOWING ACTION(S) *(List the Action(s) and Location of Proposal)*

PLANNING COMMISSION CHAIR/MAYOR

1. These hearings must be fair in form and substance as well as appearance, therefore:

a. Is there anyone in the audience who objects to my participation as Mayor, or any Commissioner's/Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)

b. Do any of the Commissioners/Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?

c. Has any member of the Commission/Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.

d. Thank you, the hearing will continue.

(or)

At this point, Commissioner/Councilmember ***** will be excusing himself from the meeting. [Ask Commissioner/Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Commission/Council to hear and consider the pertinent facts relating to this application.

3. Everyone present will be given an opportunity to be heard.

THE PUBLIC HEARING FOR THE _____ IS NOW OPEN.

1. Before hearing from the public, the _____ will present the staff report. (_____ gives report.)

2. Comments will be received from the APPLICANT.

3. Comments received by mail will now be entered in the record. The Clerk reads any received.

4. As this public hearing must proceed in an orderly fashion, I am asking your cooperation in the following procedure:

a. When you address the Commission/Council, begin by stating your name and address for the record.

b. Speak slowly and clearly.

c. You will be allowed five minutes for your comments.

d. If additional time is needed, it will be provided after everyone has had an opportunity to comment.

e. The Commissioners/Councilmembers will hold their questions until everyone has had an opportunity to comment.

Public comments will now be received.

5. City Staff, do you have additional comments?

6. Does the APPLICANT have additional comments?

7. Are there additional comments from the public?

8. Commissioners/Councilmembers, do you have any questions of the public or staff?

9. The public testimony portion of this hearing is now closed. No further comments will be received.

10. Now that we have heard the public comments and you have reviewed the documents (staff report, prior hearings, letters) concerning this application, this subject is open for discussion of findings of fact and conclusions by the Commissioners/Councilmembers. If you are in agreement with the staff report, you may adopt (or adopt with modifications) its findings and conclusions as a basis for your action or you may state your own findings and conclusions.

2. Closed Record Public Hearing Procedure. The following procedure is used by the Grandview city council to meet appearance of fairness requirements and to create or supplement the hearing record:

TONIGHT THE CLOSED RECORD PUBLIC HEARING WILL INCLUDE THE FOLLOWING ACTION(S) *(List the Action(s) and Location of Proposal)*

MAYOR

1. These hearings must be fair in form and substance as well as appearance, therefore:

a. Is there anyone in the audience who objects to my participation as Mayor, or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)

b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?

c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.

d. Thank you, the hearing will continue.

(or)

At this point, Councilmember ***** will be excusing himself from the meeting. [Ask Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Council to review the record and consider the pertinent facts relating to this application.

3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.

THE CLOSED RECORD PUBLIC HEARING FOR THE
WILL NOW BEGIN.

1. The record generated will be provided by staff. _____ will provide a review of the record. (_____ gives report.)

2. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

3. If clarification of the record is authorized:

Mayor:

- a. When you address the Commission/Council, begin by stating your name and address for the record.
 - b. Speak slowly and clearly.
 - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
4. Now that we have reviewed the record concerning this application, this subject is open for decision. Council may:
- a. Approve as recommended.
 - b. Approve with conditions.
 - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
 - i. Enlarge the area or scope of the project.
 - ii. Increase the density or proposed building size.
 - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
 - iv. Deny (reapplication or resubmittal is permitted).
 - v. Deny with prejudice (reapplication or resubmittal is not allowed for one year).
 - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

(Ord. 1450 § 1, 1996)

§ 14.09.060. Procedures for closed record appeals.

Closed record appeals shall be conducted in accordance with the hearing body's rules of procedure and shall serve to provide argument and guidance for the body's decision. Closed record appeals shall be conducted generally as provided for closed record public hearings. Except as provided in GMC § 14.09.070, no new evidence or testimony shall be given or received. The parties to the appeal may submit timely written statements or arguments.

(Ord. 1450 § 1, 1996)

§ 14.09.070. Remand.

In the event the city council determines that the public hearing record or record on appeal is insufficient or otherwise flawed, the council may remand the matter back to the hearing body to correct the deficiencies. The council shall specify the

items or issues to be considered and the time frame for completing the additional work. The council may hold a public hearing on a closed record appeal only for the limited purposes

identified as follows: The council may receive evidence in addition to that contained in the agency record for judicial review, only if it relates to the validity of the agency action at the time it was taken and is needed to decide disputed issues regarding: (a) improper constitution as a decision-making body or grounds for disqualification of those taking the agency action; (b) unlawfulness of procedure or of decision-making process; or (c) material facts in rule making, brief adjudications, or other proceedings not required to be determined on the agency record. (RCW 34.05.562(1)) (Ord. 1450 § 1, 1996)

§ 14.09.080. Final decision.

A. Time. The final decision on a development proposal shall be made within 120 days from the date of the letter of completeness. Exceptions to this include:

1. Amendments to the comprehensive plan or development code;
2. Any time required to correct plans, perform studies or provide additional information; provided, that within 14 days of receiving the requested additional information, the administrator shall determine whether the information is adequate to resume the project review;
3. Substantial project revisions made or requested by an applicant, in which case the 120 days will be calculated from the time that the city determines the revised application to be complete;
4. All time required for the preparation and review of an environmental impact statement;
5. Projects involving the siting of an essential public facility;
6. An extension of time mutually agreed upon by the city and the applicant;
7. All time required to obtain a variance;
8. Any remand to the hearing body;
9. All time required for the administrative appeal of a determination of significance.

Procedural flows for decisions are as shown, but not limited to those, on Table 14.09.080, "Procedures".

B. Effective Date. The final decision of the council or hearing body shall be effective on the date stated in the decision, motion, resolution, or ordinance; provided, that the date from which appeal periods shall be calculated shall be the date the council or hearing body takes action on the motion, resolution, or ordinance.

Table 14.09.080 – Procedures						
ACTION	Public Comment Period	Open Record Predecision Meeting	Open Record Hearing	Decision	Open Record Appeal	Closed Record Appeal
Building permit	No/15 days	No	No	Staff/BO	AB	SC
Short Plat Exemption/ Lot Line Adjustment	No	No	No	Staff/PWD	CC	SC
Home Occupation	No	No	No	Staff/PWD	PC	CC
Conditional Use Permit	15 days	No	PC	PC	No	SC
Short Plat (30/90 days)	No	No	No	Staff/PWD	CC	SC
Preliminary Plat (30/90 days)	15 days	No	PC	CC	No	SC
Final Plat (30/90 days)	No	No	No	CC	No	SC
Shoreline Permit	15 days	PC	CC	CC	No	SHB
Variance	15 days	No	BADJ	BADJ	No	SC
Comprehensive Plan Amendment	3 to 6 months	PC	CC	CC	EWGMHB	SC
Title 17/18 Amendment	15 days	No	PC	CC	No	SC
Change of Zone	15 days	No	PC	CC	No	SC
Change of Future Zone	15 days	No	PC	CC	No	No
Annexations/Zoning	No	CC	PC	CC/BRB	No	No
Planned Development/Bind Site	15 days	no	PC	CC	No	SC
Development Agreement/ Design Standards	No	No	PC	CC	No	SC
Improvements (Street Signs)	No	No	PC	CC	No	SC

Legislative, not subject to 120-day limit.

BO – Building Official

AB – Appeals Board

SHB – Shoreline Hearings Board

PWD – Public Works Director

PC – Planning Commission

BADJ – Board of Adjustment

CC – City Council

SC – Superior Court

BRB – Boundary Review Board

EWGMHB – Eastern Washington Growth Management Hearings Board

(Ord. 1450 § 1, 1996; Ord. 1580 § 2, 2000)

CHAPTER 14.10
TRANSPORTATION CONCURRENCY MANAGEMENT

Article 1
General Provisions

§ 14.10.010. Title and scope.

This chapter shall be hereafter known as the "concurrency management ordinance" and in the context herein may be referred to as "this chapter."

(1 § 1, 2001; Ord. 1610 Ch)

§ 14.10.020. Purpose.

The purpose of this chapter is to provide provisions for determining that development within the city of Grandview does not cause the level of service for a transportation facility to decline below adopted city level of service standards and to ensure that adequate public facilities meeting acceptable levels of service are provided to support development impacts.

(1 § 2, 2001; Ord. 1610 Ch)

§ 14.10.030. Administration.

- A. Administrative Official. The city of Grandview mayor, or a person designated by the mayor, shall be the administrative official of this chapter and shall have the authority to administer, interpret, and enforce all provisions herein.
- B. Fees. A review and processing fee of \$250.00 shall be required for any concurrency review required for any development permit application and must be paid in full to the city prior to the commencement of the review. Concurrency exempt applications shall not be subject to the additional concurrency review fee.

(1 § 3, 2001; Ord. 1610 Ch)

§ 14.10.040. Amendments.

The Grandview city council shall have the sole authority to amend or repeal any or all parts of this chapter.

(1 § 4, 2001; Ord. 1610 Ch)

§ 14.10.050. Exemptions.

The following shall be exempt from the provisions of this chapter:

- A. Development permits issued prior to the effective date of the ordinance codified in this chapter provided the permit or permits have not expired;
- B. Construction of public transportation facilities;
- C. De minimis development pursuant to GMC § 14.10.070(E);
- D. Public parks and recreational facilities;
- E. Public libraries;

F. Publicly funded educational facilities.
(I § 5, 2001; Ord. 1610 Ch)

§ 14.10.060. Severability.

If any part of this chapter is held invalid by a court of jurisdiction, such invalidation shall not affect the validity of the remainder of this chapter.
(I § 6, 2001; Ord. 1610 Ch)

§ 14.10.070. Definitions.

For the purpose of this chapter, the following definitions shall apply:

- A. "Certificate of concurrency" means the certificate issued by the city of Grandview upon finding that an application for a development permit will not result in the reduction of the level of service standards set forth within the city of Grandview comprehensive plan.
- B. "Comprehensive plan" means the city of Grandview comprehensive plan update.
- C. "Concurrency" means when adequate public facilities meeting the level of service standards are in place at the time a development permit is issued; or a permit is issued subject to the determination that necessary facilities will be in place when the impacts of the development occur; or that improvements or strategies are in place at the time of development; or that a financial commitment is in place to complete the improvements or strategies within six years of the time of the development.
- D. "Concurrency management system" means the determination by the city that development approvals, when issued, will not result in the reduction of the level of service standards established within the comprehensive plan.
- E. "De minimis development" means a proposed development of such low intensity as to have a minimal effect, if any, upon the level of service standards set forth in the city comprehensive plan. Single-family dwellings and any development generating less than 50 vehicular trips per day shall be deemed de minimis for the purpose of this chapter.
- F. "Development" means, for the purposes of this chapter, any activity which requires a subdivision or short subdivision approval, a building permit, or a binding site plan approval.
(I § 7, 2001; Ord. 1610 Ch)

§ 14.10.080. Conflict of terms.

In the event a conflict of terms exists between any part of this chapter and any part of any other city ordinance or code, the more restrictive terms shall apply.
(I § 8, 2001; Ord. 1610 Ch)

Article II
Concurrency Review

§ 14.10.090. Level of service standards.

For the purpose of this chapter, level of services (LOS) for transportation facilities shall be those standards set forth within the transportation element of the city of Grandview comprehensive plan and are hereby adopted by reference.

(2 § 1, 2001; Ord. 1610 Ch)

§ 14.10.100. Project review.

A. Certificate of Concurrency.

1. A concurrency evaluation shall be completed by the administrative official at the time a development permit is applied for or during the course of permit review. The administrative official shall conclude the review by either determining the proposed project does not meet LOS standards, or is exempt from concurrency review, or meets LOS standards whereby a certificate of concurrency shall be issued and attached to the development permit application. A proposed project that does not meet LOS standards shall be prohibited unless mitigation methods, as described in GMC § 14.10.110, are implemented to meet LOS standards.
2. The permit applicant shall provide the city with all information and applicable fees required by the administrative official to complete a concurrency evaluation on the proposed development. It shall be the responsibility of the applicant to provide studies, surveys, traffic counts, engineering reviews or any other items of information determined to be necessary for an accurate concurrency evaluation.
3. A certificate of concurrency shall be accorded the same terms and conditions as those for the underlying development permit. If a development permit time line is extended, the certificate shall also be extended for the same time duration. A certificate of concurrency shall be valid only for the development permits approved for the same parcel and is transferable to any new owners of the parcel in which it was issued.
4. A certificate of concurrency shall expire simultaneously with the expiration or city revocation of the development permit for which it applies. In the absence of a development permit expiration date, the certificate of concurrency shall expire one year from the time the development permit was issued.
5. An applicant may request a preliminary permit application meeting with the administrative official to discuss potential concurrency requirements prior to formally applying for a development permit or permits.

B. Traffic Impact Calculations.

1. Trip Generation. Traffic calculations shall be based on the trip generation averages described within the latest available edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual for the particular type and extent of the development being proposed.
2. Concurrency Test. The projected number of trips generated by a proposed

development shall be subtracted from available capacity of the impacted transportation facility. If projected demand is less than available capacity, the project is not adverse to level of service standards and shall be issued a certificate of concurrency.

3. Area of Impact. At a minimum, the area of impact used to determine concurrency shall be the following distances beginning at the point of access of the development to the nearest point of the affected transportation facility:

- a. Residential development:

- i. Ten dwelling units or less: one-quarter mile;
- ii. Eleven to 50 dwelling units: one-half mile;
- iii. Over 50 dwelling units: one mile.

- b. Nonresidential development:

- i. Up to 100 vehicular trips: one-quarter mile;
- ii. One hundred to 500 vehicular trips: one-half mile;
- iii. More than 500 vehicular trips: one mile.

(2 § 2, 2001; Ord. 1610 Ch; Ord. 2017-1 § 1)

Article III
Mitigation

§ 14.10.110. Mitigation methods – Options.

If mitigation is determined necessary to maintain level of service standards for an impacted transportation facility, the applicant may choose among the following actions:

- A. Reduce the size of the project until LOS standards are met;
- B. Enter into a legally binding development agreement with the city providing for the completed construction of all required improvements within six years of development approval;
- C. Be subject to a development approval conditioned that the required improvements be completed prior to the issuance of building permits, final plat or site plan approvals associated with the development;
- D. Await the city's completion of mitigating improvements if such improvements are underway or planned as part of the city's capital facilities plan or other schedule of improvements for public facilities;
- E. The applicant may propose transportation demand management strategies to reduce vehicle trips generated by the project development. The administrative official shall determine any corresponding trip volume reduction resulting from demand management strategies and use them for the purposes of determining concurrency compliance pursuant to this chapter and the comprehensive plan.

(3 § 1, 2001; Ord. 1610 Ch)

§ 14.10.120. Mitigation criteria – Acceptable mitigation.

Acceptable impact mitigation requires a finding by the administrative official that:

- A. The mitigation contributes to transportation facility performance and level of service;
- B. The mitigation is consistent with the city of Grandview comprehensive plan;
- C. Any improvements to an intersection or roadway do not shift traffic to a residential area or other intersections where there is no mitigation being proposed;
- D. The mitigation does not interfere with any other city transportation objective pursuant to the comprehensive plan;
- E. Any adverse environmental impacts of the facility improvement may be reasonably minimized or eliminated;
- F. The improvements are consistent with accepted engineering standards.

(3 § 2, 2001; Ord. 1610 Ch)

Article IV
Monitoring/effective Date

§ 14.10.130. Annual report.

- A. An annual report shall be prepared as part of the concurrency management system and shall include the following information:
1. A summary of development activity and type of activity;
 2. A summary of building permits which were issued for the preceding year;
 3. The quantity of development represented by the building permits;
 4. Development permits that were affected by the terms of this chapter;
 5. Development that was completed during the year.
- B. The annual report shall include an evaluation of any development affecting transportation facilities and indicate:
1. The capacity available for each facility prior to the reporting period and the end of the reporting period;
 2. Any portions of the available capacity of a facility held for final development permits for any project;
 3. A comparison of actual existing capacity and levels of service to adopted levels of service pursuant to the comprehensive plan;
 4. A forecast for the capacity of each transportation facility based upon the most recent schedule of capital improvements pursuant to the comprehensive plan capital facilities element.
- (4 § 1, 2001; Ord. 1610 Ch)

**CHAPTER 14.11
APPEALS**

§ 14.11.010. Appeal of administrative interpretations and approvals.

Administrative interpretations and administrative approvals may be appealed, by applicants or parties of record, to the city council.
(Ord. 1450 § 1, 1996)

§ 14.11.020. Appeal to the city council.

- A. Filing. Every appeal to the city council shall be filed with the city clerk within 14 days after the date of the decision of the matter being appealed and must include an appeal fee of \$150.00, except that the local government shall extend the appeal period for an additional seven days if state or local rules adopted pursuant to Chapter 43.21C RCW allow public comment on a determination of nonsignificance issued as part of the appealable project permit decision.
- B. Contents. The notice of appeal shall contain a concise statement identifying:
1. The decision being appealed;
 2. The name and address of the appellant and his interest(s) in the matter;
 3. The specific reasons why the appellant believes the decision to be wrong. The appellant shall bear the burden of proving the decision was wrong;
 4. The desired outcome or changes to the decision.
- (Ord. 1450 § 1, 1996; Ord. 1519 § 1, 1998)

§ 14.11.030. Judicial appeal.

- A. Appeals from the final decision of the city council, planning commission, or board of appeals, hearing examiner, or other city board or body involving GMC Titles 14 through 18 and for which all other appeals specifically authorized have been timely exhausted, shall be made to Yakima County superior court within 21 days of the date the decision or action became final, unless another time period is established by state law or local ordinance.
- B. Notice of the appeal and any other pleadings required to be filed with the court shall be served on the city clerk or mayor within the applicable time period. This requirement is jurisdictional.
- C. The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.
- (Ord. 1450 § 1, 1996; Ord. 1703 § 9, 2005)

**CHAPTER 14.13
ENFORCEMENT****§ 14.13.010. Enforcing official – Authority.**

The administrator(s) shall be responsible for enforcing GMC Titles 14 through 18 and may adopt administrative rules to meet that responsibility. The administrator may delegate enforcement responsibility to other staff as appropriate.

(Ord. 1450 § 1, 1996)

§ 14.13.020. General penalty.

Compliance with the requirements of GMC Titles 14 through 18 shall be mandatory. The general penalties and remedies established in Chapter 1.16 GMC, for such violations shall apply to any violation of those titles. The enforcement actions authorized under this chapter shall be supplemental to those general penalties and remedies.

(Ord. 1450 § 1, 1996)

§ 14.13.030. Application.

- A. Actions under this chapter may be taken in any order deemed necessary or desirable by the administrator to achieve the purpose of this chapter or of the development code.
- B. Proof of a violation of a development permit or approval shall constitute prima facie evidence that the violation is that of the applicant and/or owner of the property upon which the violation exists. An enforcement action under this chapter shall not relieve or prevent enforcement against any other responsible person.

(Ord. 1450 § 1, 1996)

§ 14.13.040. Civil regulatory order.

- A. Authority. A civil regulatory order may be issued and served upon a person if any activity by or at the direction of that person is, has been, or may be taken in violation of the development code.
- B. Notice. A civil regulatory order shall be deemed served and shall be effective when posted at the location of the violation and/or delivered to any suitable person at the location and/or delivered by mail or otherwise to the owner or other person having responsibility for the location.
- C. Content. A civil regulatory order shall set forth:
 - 1. The name and address of the person to whom it is directed;
 - 2. The location and specific description of the violation;
 - 3. A notice that the order is effective immediately upon posting at the site and/or receipt by the person to whom it is directed;
 - 4. An order that the violation immediately cease, or that the potential violation be avoided;
 - 5. An order that the person stop work until correction and/or remediation of the violation

as specified in the order;

6. A specific description of the actions required to correct, remedy, or avoid the violation, including a time limit to complete such actions;
 7. A notice that failure to comply with the regulatory order may result in further enforcement actions, including civil fines and criminal penalties.
- D. Remedial Action. The administrator may require any action reasonably calculated to correct or avoid the violation, including but not limited to replacement, repair, supplementation, revegetation, or restoration.
- E. Appeal. A civil regulatory order may be appealed in accordance with GMC § 14.11.010. (Ord. 1450 § 1, 1996)

§ 14.13.050. Civil fines.

- A. Authority. A person who violates any provision of the development code, or who fails to obtain any necessary permit, or who fails to comply with a civil regulatory order shall be subject to a civil fine.
- B. Amount. The civil fine assessed shall not exceed \$1,000 for each violation. Each separate day, event, action or occurrence shall constitute a separate violation.
- C. Notice. A civil fine shall be imposed by a written notice, and shall be effective when served or posted as set forth in GMC § 14.13.040(B). The notice shall describe the date, nature, location and act(s) comprising the violation, the amount of the fine, and the authority under which the fine has been issued.
- D. Collection. Civil fines shall be immediately due and payable upon issuance and receipt of the notice. The administrator may issue a regulatory order stopping work until such fine is paid. If remission or appeal of the fine is sought, the fine shall be due and payable upon issuance of a final decision. If a fine remains unpaid 30 days after it becomes due and payable, the administrator may take actions necessary to recover the fine. Civil fines shall be paid into the city's general fund.
- E. Application for Remission. Any person incurring a civil fine may, within 10 days of receipt of the notice, apply in writing to the administrator for remission of the fine. The administrator shall issue a decision on the application within 10 days. A fine may be remitted only upon a demonstration of extraordinary circumstances.
- F. Appeal. A civil fine may be appealed to the city council as set forth in GMC § 14.11.010. (Ord. 1450 § 1, 1996)

§ 14.13.060. Review of approved permits.

- A. Review. Any approval or permit issued under the authority of the development code may be reviewed for compliance with the requirements of the development code, or to determine if the action is creating a nuisance or hazard, has been abandoned, or the approval or permit was obtained by fraud or deception.
- B. Initiation of Review. The review of an approval or permit may be initiated by stating the initiators belief, in writing, as to the noncompliance, nuisance or hazard of the permitted

activity.

C. **Administrator's Investigation.** Upon receipt of information indicating the need for, or upon receiving a request for, review of permit or approval, the administrator shall investigate the matter and take one or more of the following actions:

1. Notify the property owner or permit holder of the investigation; and/or
2. Issue a civil regulatory order and/or civil fine and/or recommend revocation or modification of the permit or approval; and/or
3. Refer the matter to the city attorney; and/or
4. Notify the initiator of action or findings.

(Ord. 1450 § 1, 1996)

§ 14.13.070. Revocation or modification of permits and approvals.

A. **Reapplication.** If a permit or approval is revoked for fraud or deception, no similar application shall be accepted for a period of one year from the date of final action and appeal, if any. If a permit or approval is revoked for any other reason, another application may be submitted subject to all of the requirements of the development code.

(Ord. 1450 § 1, 1996)

Title 16

SUBDIVISIONS

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- § 16.04.010. Short title.
- § 16.04.020. Scope.
- § 16.04.030. Limitations.
- § 16.04.040. Exemptions.
- § 16.04.050. Definitions.

Chapter 16.08 ADMINISTRATION AND ENFORCEMENT

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- § 16.12.030. Development contract.
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- § 16.12.060. Plat contents and specifications.
- § 16.12.070. Public hearing - Notice.
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- § 16.12.090. Review by planning commission or hearing examiner.
- § 16.12.100. Review by city council.
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Chapter 16.16 FINAL PLAT

- § 16.16.010. Generally.
- § 16.16.020. Contents.
- § 16.16.030. Approval.
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Chapter 16.20 SHORT PLATS

- § 16.20.010. Generally.
- § 16.20.020. Application and fees.
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Chapter 16.24 DESIGN STANDARDS

- § 16.24.010. General requirements.
- § 16.24.020. Lots.
- § 16.24.030. Blocks.
- § 16.24.040. Streets.
- § 16.24.045. Street trees.
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- § 16.28.010. Streets.
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GRANDVIEW CODE

§ 16.28.030.	Water.	§ 16.30.020.	Authority.
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§ 16.28.090.	Irrigation facilities.	§ 16.30.080.	Administrative approval of individual lots.
Chapter 16.30 BINDING SITE PLANS		§ 16.30.090.	Vacation or alteration of a binding site plan.
§ 16.30.010.	Purpose.	§ 16.30.100.	Appeals.

**CHAPTER 16.04
GENERAL PROVISIONS**

§ 16.04.010. Short title.

The ordinance codified in this title shall be known as the "Grandview Subdivision Ordinance."
(Ord. 1105 § 1(A), 1984)

§ 16.04.020. Scope.

The provisions of this title shall apply to all division of land within the corporate limits of the city. Hereafter, all division, subdivision and resubdivision of land into lots, tracts, parcels, sites or divisions for any purpose shall be in full compliance with the provisions and specifications of this title unless the provisions of Chapter 16.30 GMC, Binding site plans, apply in which case the provisions of Chapter 16.30 GMC shall control said division of such lands.
(Ord. 1105 § 1(B), 1984; Ord. 1426 § 1, 1995)

§ 16.04.030. Limitations.

The following limitations shall apply to this subdivision ordinance:

- A. The city council shall not approve a short plat or final plat or binding site plan for any subdivision, short subdivision, lot, tract, parcel or site which lies in whole or in part in an irrigation district organized pursuant to Chapter 87.03 RCW unless there has been provided an irrigation water right-of-way for each parcel of land in such district and such rights-of-way shall be evidenced by the respective plats submitted for final approval.
- B. The sale of land is prohibited unless it is a duly platted parcel of land, or is a lot of record at the time of passage of the ordinance codified in this title.
(Ord. 1105 § 1(C), 1984; Ord. 1426 § 2, 1995)

§ 16.04.040. Exemptions.

The provisions of this title shall not apply to:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions made by testamentary provisions, or the laws of descent;
- C. A division made for the purpose of adjusting boundary lines which does not create any additional lots, tract, parcel, site or division which contains sufficient area and dimension to meet minimum requirements for width and area for a building site;
- D. Any division of land not containing a dedication in which the smallest lot created by the division exceeds five acres in area;
- E. Divisions of land due to condemnation or sale under threat thereof, by an agency or division of government vested with the power of condemnation;
- F. Divisions of land for lease which has received approval as a manufactured home park;
- G. Divisions of land in commercial or industrial zones, which comply with binding site plan requirements pursuant to RCW 58.17.040.

E. Administrative residential lot split

Commented [KN1]: RCW 58.17.060

(Ord. 1105 § 1(D), 1984; Ord. 1627 § 6, 2002)

§ 16.04.050. Definitions.

The words or phrases defined in this section shall have the indicated meanings:

A. **"Administrator"** means the city public works director or his designated representative.

A-B. **"Administrative residential lot split"** means a residential lot divided once to accommodate another residence.

B-C. **"Alley"** means a public right-of-way used as a secondary means of access to abutting property.

D. **"As-built drawings or plans"** means revised construction plans in accordance with all approved field changes reflecting the improvements on the site as they actually exist.

E. **"Binding site plan"** means a drawing to scale specified by local ordinance which:

- Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open space, and any other matter specified by local regulations;
- 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
- Contains provisions making any development be in conformity with the site plan.

G-F. **"Block"** means a group of lots, tracts or parcels within well-defined and fixed boundaries.

D-G. **"Building setback line"** means a line parallel to the front property line in front of which no structure shall be erected. The location of such line shall comply with the regulations of the zoning ordinance for the city as it now exists or is hereafter amended.

H-H. **"Comprehensive plan"** means that plan adopted by the planning commission and the city council, indicating the general locations recommended for major arterials, parks, streets, public buildings, other public improvements, and zoning districts.

F-I. **"Controlling corner"** means all angle points of the perimeter of a subdivision or separate division of a subdivision.

G-I. **"Dedication"** means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted.

T. **"Easement"** means a grant by the property owner for use by the public, a corporation or person(s) of a parcel of land or portion thereof for specific purposes.

J. **"Environmental impact statement"** means a written statement prepared in accordance with state regulations (Chapter 43.21C RCW, Chapter 197-10 WAC), which contains a determination of environmental significance of the proposed subdivision.

K. **"Improvements"** means street grading or graveling, permanent street and corner monuments, street pavement, curbs and sidewalks, pedestrian ways, water mains, storm and sanitary sewers, and irrigation water services.

L. **"Lot"** means a fractional part of divided lands having fixed boundaries, being of sufficient

area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels, and may be further defined:

1. "Corner lot" means a lot which abuts on two or more intersecting streets.
 2. "Interior lot" means a lot which has frontage on one street only.
 3. "Through lot" means an interior lot having frontage on two streets.
 4. "Irregular lot" means a lot generally with differing dimensions for the frontage, rear or mid widths oftentimes with the narrow width on the frontage and the wider width to the rear of the lot, such as lots located within the arc or a curve on a cul-de-sac.
 5. "Parent lot" means a residential lot that is subdivided into unit lots through the unit lot subdivision process.
- M. "Metes and bounds" means a description of real property which starts at a known point and describes the bearings and distances of the line forming the boundaries of the property and completed when the description returns to the point of beginning.
- N. "Open space" means a parcel of land, excluding building sites, parking area access routes, which is designated and maintained as an area for leisure, recreation and other activities normally carried on outdoors, including greenbelt and recreation areas.
- O. "Pavement width" means the actual paved surface measured between faces of curbs or from edge to edge of road surfaces.
- P. "Plat" means a map or representation of a subdivision showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other division and dedication, and may be further defined:
1. "Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots and blocks, which shall furnish a basis for the approval or disapproval of the general layout of a subdivision. A preliminary plat shall be prepared by or under the supervision of a registered professional engineer.
 2. "Final plat" means the final drawing of the subdivision and dedications prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title.
 3. "Short plat" means the map of representation of a short subdivision.
- Q. "Plat certificate" means a title report by a title insurance company certifying the ownership, deed restrictions, covenants, etc., of the land being subdivided.
- R. "Right-of-way" means a strip of land dedicated to and/or maintained by the city for street and utility purposes and on a portion of which a street is built.
- S. "Short subdivision" means the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.
- T. "Subdivider" means any person, firm or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.
- U. "Subdivision" means the division or redivision of land into ~~ten~~ five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, except as provided for short subdivisions.

V. "Street" means a public right-of-way improved and maintained for vehicular use. Streets are classified as follows:

1. "Arterial street" means a street designated as an arterial by the city street plan.
2. "Local street" means a street designated as a local street by the city street plan.
3. "Cul-de-sac" means a street intersecting another street at one end and permanently terminated by a vehicular turnaround at the other end.

W. "Unit lot" means a subdivided lot within a residential development as created from a parent lot and approved through the unit lot subdivision process.

Commented [KN2]: RCW58.17.060(3)

X. "Unit lot subdivision" means a subdivision or short subdivision proposed as part of a residential development project that meets the development standards applicable to the parent lot at the time the application is vested, but which may result in development on one or more individual unit lots becoming nonconforming as to specified land use and development standards based on the analysis of the individual unit lot. By June 30, 2026, all unit lot subdivisions shall require notification to purchasers of their legal status as further described in RCW 58.17.060.

Y. "Utility" means an agency that provides necessary services to the public and includes those agencies which distribute services such as telephone, gas, electric power, television cable, water and sewer, and irrigation water

W.Z. "Zero Lot Line Development" is a development consisting of buildings constructed so that at least one of the exterior walls sit directly on the boundary line of the property, leaving no yard space on that side.

(Ord. 1105 § 1(F), 1984; Ord. 1406 § 1, 1995; Ord. 1426 § 3, 1995; Ord. 1453 § 1, 1996; Ord. 1580 § 4, 2000)

CHAPTER 16.08
ADMINISTRATION AND ENFORCEMENT

§ 16.08.010. Compliance with provisions required.

No lot, parcel or subdivision subject to provisions of this title shall be placed on the assessment rolls until an approved short plat or long plat has been filed with the county auditor.
(Ord. 1105 § 4(A), 1984)

§ 16.08.020. Variances.

The planning commission or hearing examiner may permit variances, after a public hearing, from the provisions or requirements of this title only in such cases where it appears that strict compliance with the provisions or requirements is not reasonably possible. A fee of \$250.00 payable to the city at the time of filing the variance application shall be charged. Any cost to the city of any required engineer review or study shall be paid prior to final determination on the application. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. No such variance shall be authorized unless the planning commission or hearing examiner finds that all of the following facts or conditions exist:

- A. That the variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located;
- B. That such variance is necessary because of special circumstances, relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

(Ord. 1105 § 4(B), 1984; Ord. 1453 § 2, 1996; Ord. 1563 § 1, 1999; Ord. 1584, 2000; Ord. 1704 § 1, 2005)

§ 16.08.030. Enforcement.

Enforcement of this title shall be in accordance with Chapter 14.13 GMC.
(Ord. 1105 § 4(C), 1984; Ord. 1453 § 3, 1996)

Commented [KN3]: Define class review

CHAPTER 16.12
PRELIMINARY PLATS

§ 16.12.010. Compliance required.

The division of land or the resubdivision of short subdivisions into 10 or more lots shall comply with regulations governing subdivisions and must follow preliminary and final platting procedures unless the provisions of Chapter 16.30 GMC apply.
(Ord. 1105 § 3(A), 1984; Ord. 1426 § 4, 1995; Ord. 1453 § 4, 1996)

§ 16.12.020. Processing of applications.

Unless an applicant for preliminary plat approval requests otherwise, a preliminary plat shall be processed simultaneously with applications for rezones, variances, planned unit developments, site plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing.
(Ord. 1105 § 3(B), 1984)

§ 16.12.030. Development contract.

Prior to approval ~~of a by the city council of any~~ preliminary plat, ~~the city may require the~~ applicant ~~to shall~~ enter into a development contract with the city. Said contract shall be written to cover one of the following alternatives available to the applicant:

Commented [KN4]: 4/29/26PC PC Meeting

- A. The applicant may elect to complete all required improvements prior to final approval of the project. If this is done, an agreement setting forth the construction and inspection requirements of the city shall be entered into prior to installation of improvements. Upon satisfactory completion of the applicant's obligation under the contract, the city shall approve the final plat in accordance with applicable statutes and standards.
- B. The applicant may elect to complete required improvements after approval of the final plat. In this event, the agreement shall set forth the construction and inspection requirements of the city, and that the developer shall provide a surety bond or other secure method, acceptable to the city, providing for and securing to the city the actual construction of required improvements within a specified period of time. Any bond or other method shall specify the improvements covered and the schedule for completion.

(Ord. 1105 § 3(B)(1), 1984)

§ 16.12.040. Conditional sales prior to recording.

An agreement to sell or lease a lot, tract or parcel of land shall not be in violation of RCW 58.17.200 or 58.18.300, which provide for injunctive relief against such sales as long as:

- A. Preliminary plat approval has been obtained; and
- B. If such sale, lease or transfer is expressly conditional upon the recording of the final plat; and
- C. All payments on account of such an offer or agreement are deposited in an escrow or other regulated trust account and no disbursements are permitted until the final plat is recorded.

(Ord. 1105 § 3(B)(2), 1984)

§ 16.12.050. Application and fees.

Each application for a subdivision shall include the following:

- A. An application form completed and signed by the subdivider on a form supplied by the city;
- B. A fee of \$500.00 plus \$25.00 per lot payable to the city at the time of filing the application shall be charged. Any cost to the city of any required preliminary engineering review or study shall be paid to the city prior to preliminary plat approval by the city. Any cost to the city for final review and inspection fees incurred by the public works department shall be paid to the city prior to recording the final plat. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council;
- C. Ten copies of the preliminary plat;
- D. A complete environmental checklist pursuant to the provisions of the State Environmental Policy Act (Chapter 197-10 WAC, Chapter 43.21C RCW).
(Ord. 1105 § 3(C), 1984; Ord. 1415 § 1, 1995; Ord. 1453 § 5, 1996; Ord. 1563 § 2, 1999; Ord. 1584, 2000; Ord. 1636 § 1, 2002)

Commented [KN5]: 10 copies still required?

§ 16.12.060. Plat contents and specifications.

The following shall be required of the plat map:

- A. The preliminary plat shall be drawn on high-grade paper, sheet size not less than ~~24~~³⁶ inches by ~~36~~²⁴ inches, to a scale not to exceed one inch equals 100 feet, unless a larger scale has been specifically approved by the administrator;
- B. Name of the plat;
- C. Name, address and phone number of the subdivider and the engineer;
- D. Date, north arrow, and scale;
- E. An accurate and complete legal description of the area being platted;
- F. The entire lot or parcel constituting the applicant's land and showing the proposed plat in relation to adjacent property;
- G. Zoning on and adjacent to the proposed subdivision;
- H. Boundary lines of the proposed plat and of adjacent tracts of unsubdivided and subdivided land shall be indicated for a distance of 300 feet;
- I. Lot lines, lot numbers, and block numbers;
- J. Location, size and physical description of improvements to existing roads, streets, rights-of-way, utilities and easements adjacent to, or across, the land;
- K. Size, location and purpose of any streets, rights-of-way, utilities or easements proposed to serve the lots within the subdivision; elevation of surfacing, culverts, and gutters with approximate grade and gradients, and street names;
- L. Size and location of water, sewer, drainage, irrigation and utility easements, including all private utilities, and the grade and elevation of the sewer main proposed to serve the lots

created by the subdivision, and profile drawings for street, water, sewer and storm drainage;

- M. Subsurface conditions if required by the administrator.
 - N. Parcels of land intended or required to serve the lots within the proposed subdivision for streets or other public purposes and the conditions attached thereto shall be indicated;
 - O. Ground elevations with contour lines at maximum of five-foot intervals. Elevation datum shall be U.S. Coast and Geodetic.
- (Ord. 1105 § 3(D), 1984)

§ 16.12.070. Public hearing - Notice.

Upon receiving an application, the planning commission at their next regular meeting shall set a date for a public hearing on the application before the planning commission. Notice of the hearing shall be given in the following manner:

- A. Notice shall be published not less than 10 days prior to the hearing in a newspaper of general circulation within the county and a newspaper of general circulation in the area where the real property which is proposed to be subdivided is located.
 - B. Notice of the hearing shall be given to adjacent landowners by mail or any other reasonable method deemed necessary. Adjacent landowners are the owners of real property, as shown by the records of the county assessor, located within 300 feet of any portion of the boundary of the proposed subdivision. If the owner of the proposed subdivision owns other adjacent real property, notice shall be given to owners of real property located within 300 feet of real property owned by the owner of the proposed subdivision.
 - C. All hearings shall be public.
 - D. All hearing notices shall include a description of the location of the subdivision. The description may be in the form of either a vicinity location sketch or a written description other than a legal description.
- (Ord. 1105 § 3(E)(1), 1984)

§ 16.12.080. Application process.

Upon receipt of a preliminary plat application, the application process in Chapter 14.05 GMC will be followed.

(Ord. 1105 § 3(E)(2), 1984; Ord. 1453 § 6, 1996)

§ 16.12.090. Review by planning commission or hearing examiner.

- A. The planning commission or hearing examiner shall review the proposed subdivision during a public hearing to determine conformance with the following standards:
 1. The provisions of the zoning ordinance for the city;
 2. The general purposes of the comprehensive plan;
 3. The provisions of this title;

Commented [KN6]: Check if this contains timelines and refund policies or should I add it here

4. The comprehensive water and sewer plans;
5. The ordinances governing streets, rights-of-way and curbs and gutters;
6. Any other standards necessary to serve the public good.

B. No later than 14 days following the public hearing, the planning commission or hearing examiner shall submit a written report and recommendations to the city council. Every decision or recommendation made by the planning commission or hearing examiner shall be in writing and shall include findings of fact and conclusions to support their decision or recommendation.

Commented [KN7]: Should I add 170 day deadline?

(Ord. 1105 § 3(E)(3), 1984; Ord. 1453 § 7, 1996; Ord. 1704 § 2, 2005)

§ 16.12.100. Review by city council.

Upon receipt of the recommendation on any preliminary plat, the city council shall at its next public meeting set the date for the public meeting where it shall consider the recommendations of the planning commission or hearing examiner and may adopt or reject the recommendations of the planning commission or hearing examiner based on the record established at the public hearing. If, after considering the matter at a public meeting, the city council deems a change in the planning commission's or hearing examiner's recommendation approving or disapproving any preliminary plat is necessary, the city council shall adopt its own recommendations and approve or disapprove the preliminary plat.

(Ord. 1105 § 3(E)(4), 1984; Ord. 1453 § 8, 1996; Ord. 1704 § 3, 2005)

§ 16.12.110. Approval or disapproval by city council.

If the city council finds that the proposed plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare and for such open spaces, drainage ways (storm water retention and detention), streets, 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 who only walk to and from school, and the public use and interest will be served by the platting of such subdivision and dedication, then it shall be approved. The proposed plat may be disapproved because of flood, inundation or swamp conditions. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners. Every decision or recommendation made by the city council shall include findings of fact and conclusions to support their decision or recommendation and shall be incorporated within the council minutes.

(Ord. 1105 § 3(E)(5), 1984; Ord. 1453 § 9, 1996; Ord. 2017-1 § 2)

§ 16.12.120. Time limitation.

Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved or returned to the applicant for modification or correction within 90 days from date of filing thereof unless the applicant consents to an extension of such time period; provided, that if an

environmental impact statement is required as provided in RCW 32.21.303.C, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement by the city.

(Ord. 1105 § 3(E)(6), 1984)

§ 16.12.130. Effect of approval.

- A. Approval of the preliminary plat by the city council shall constitute authorization for the subdivider to proceed with developing the subdivision facilities in accordance with the standards and procedures established herein, and including any conditions imposed by the city council. ~~If~~ the subdivider intends to develop only a portion of the subdivision covered within the preliminary plat, he shall notify the council within 10 days of approval of the preliminary plat.
- B. The subdivider shall have 18 months or a period of time specified in the development contract from the date of approval by the city council to complete all improvements within the area of the preliminary plat or such smaller portion as provided for in GMC § 16.12.030.

(Ord. 1105 § 3 (E)(7), 1984)

§ 16.12.140. Reconsideration of decision by city council.

Any person feeling that the decision of the city council is based on errors of law or fact may make a written request for review by the Yakima County superior court in accordance with GMC § 14.11.030 and Chapter 36.70C RCW.

(Ord. 1105 § 3(E)(8), 1984; Ord. 1453 § 10, 1996)

CHAPTER 16.16
FINAL PLAT

§ 16.16.010. Generally.

- A. A final plat meeting all design standards and improvements required by this title shall be submitted to the city council for approval, based on the timeline below:
1. Seven years if the date of preliminary plat approval is on or before December 31, 2014.
 2. Five years if the preliminary plat is issued on or after January 1, 2015.
 3. Ten years if the project is located within city limits, not subject to the Shoreline Management Act and the preliminary plat is approved on or before December 31, 2007.
- B. An applicant who files a written request with the city council at least 30 days before the expiration of the time periods listed above may be granted one one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within the time period. The final plat shall conform to the preliminary plat design, including recommendations made by the city council.

(Ord. 1105 § 3(F), 1984; Ord. 1453 § 11, 1996; Ord. 2017-1 § 3)

§ 16.16.020. Contents.

In addition to conforming with the preliminary plat, the final plat shall contain the following information:

- A. Boundaries for each lot and dedicated easement and right-of-way;
- B. Construction of protective improvements such as buffer zones, fences, dikes and levies shall be noted;
- C. A complete and accurate legal description shall be shown on the face of the plat;
- D. Certificate or a separate written instrument containing the dedication of all lands to be conveyed to the public, and shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and shall be recorded as part of the final plat;
- E. Certification that the applicant is the landowner;
- F. The signature and a statement of approval of the city engineer or other licensed engineer on behalf of the city;
- G. The signature of the mayor, witnessed by the city clerk, which shall evidence the approval of the final plat by the city council;
- H. Signature of the ~~Mayor planning commission chairman~~;
- T. Certification by a land surveyor certifying the accuracy of the survey and plat;
- J. Signature of the city treasurer indicating payment of all taxes and assessments;

Commented [KN8]: Planning Commission no longer reviews plats.

- K. Signature of the ~~Public Works director~~~~irrigation district~~ indicating payment of all irrigation assessments;
- L. Surveyor's certificate and location and description of monuments.
(Ord. 1105 § 3(F)(1), 1984)

§ 16.16.030. Approval.

When the city council finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the requirements herein, other applicable state laws and any other ordinances for the city and that all engineering fees necessitated by the final plat incurred by the city have been paid, it shall authorize the mayor to sign the final plat. Final plats shall be approved, disapproved, or returned to the applicant within 30 days from the date of filing thereof. No final plat shall be approved until the required improvements are installed or a bond for completion is posted.

(Ord. 1105 § 3(F)(2), 1984; Ord. 1453 § 12, 1996; Ord. 1712 § 1, 2005)

§ 16.16.040. Recording.

Copies of the final plat shall be filed as follows:

- A. The original of the final plat shall be filed for record with the county auditor by the ~~city clerk-subdivider~~. The subdivider shall pay the required statutory filing fees.
- B. One reproducible copy shall be furnished to the administrator.
- C. One copy shall be furnished to the office of the city clerk.
- D. One paper copy shall be filed with the county assessor.
(Ord. 1105 § 3(F)(3), 1984)

§ 16.16.050. Terms of approval.

- A. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations in effect at the time of approval under RCW 58.17.150(1) and (3) for a period of seven years after final plat approval unless the city council finds that a change in conditions creates a serious threat to the public health and safety in the subdivision.
- B. Any lots in a final plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing.
(Ord. 1105 § 3(F)(4), 1984; Ord. 2010-5 § 1)

**CHAPTER 16.20
SHORT PLATS**

§ 16.20.010. Generally.

Every division of land for the purpose of gift, sale or development into two or more but less than 10 lots, parcels or tracts within the city shall proceed in compliance with this section unless said division is pursuant to a binding site plan under Chapter 16.30 GMC. Land in short subdivisions may not be further subdivided in any manner within a period of five years without the filing of a final plat.

(Ord. 1105 § 2(B), 1984; Ord. 1426 § 5, 1995; Ord. 1453 § 13, 1996)

§ 16.20.020. Application and fees.

A. Each application for a short subdivision shall include the following:

1. An application form completed and signed by the subdivider. The form shall be supplied by the city;
2. Two copies of a short plat map prepared in accordance with the provisions of this section;
3. A current title certificate or other evidence of title showing the names of anyone with an interest in the land being subdivided.

B. At the time of filing of a preliminary short subdivision, the applicant shall pay a fee of **\$500.00 plus \$25.00 per lot**. Any cost to the city of any required preliminary engineering review or study shall be paid to the city prior to preliminary plat approval by the city. Any cost to the city for final review, engineering fees, and inspection fees incurred by the public works department shall be paid to the city prior to recording the final plat. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. At the time of final approval of the short plat map, the city shall file the completed map in the office of the county auditor, and the applicant shall pay to the city the auditor's statutory filing fees.

(Ord. 1105 § 2(C), 1984; Ord. 1415 § 2, 1995; Ord. 1563 §§ 3, 4, 1999; Ord. 1584, 2000; Ord. 1636 § 2, 2002; Ord. 1713 § 1, 2005)

§ 16.20.030. Contents - Specifications.

The following shall be required of the plat map:

- A. A plat map submitted for short subdivision shall be drawn in black ink on reproducible high-grade paper, sheet size 18 inches by 24 inches, and suitable for recording with the county auditor, to a scale not to exceed one inch equals 100 feet, unless a larger scale has been specifically approved by the administrator.
- B. The plat map shall be a sketch of the entire contiguous tract owned by the applicant showing the following information:
 1. Name of property owners or outlines of existing subdivision lots for property adjacent to proposed short subdivision;
 2. Boundaries for each lot and of the total subdivision together with a description of the

monuments set;

3. Legal description of the entire short subdivision;
 4. Location of existing and proposed roads, rights-of-way or easements for the short plat;
 5. Notarized signatures of all parties having an interest in the land agreeing to the division of property and the dedication of any rights-of-way or easements involved;
 6. A space for the approval of the administrator;
 7. A space for the city treasurer to certify that city taxes and assessments have been paid;
 8. A space for the **Public Works Director** ~~irrigation district~~, or city, to certify that assessments have been paid;
 9. A surveyor's certificate and location and description of monuments.
- (Ord. 1105 § 2(D), 1984; Ord. 1453 § 14, 1996)

§ 16.20.040. Review of application.

Upon receipt of a complete application, the application process in Chapter 14.05 GMC will be followed to determine whether the following conditions have been met:

- A. The proposed lots conform to the comprehensive plan and zoning requirements;
 - B. The proposed lots are served with adequate means of drainage, water supply, sewage disposal, or other necessary services;
 - C. The proposed lots have adequate means of ingress and egress of a minimum width being 15 feet;
 - D. The public use and interest will be served by permitting the proposed division of property.
- (Ord. 1105 § 2(E)(1), 1984; Ord. 1453 § 15, 1996)

§ 16.20.045. Design requirements.

- A. All short subdivisions shall comply with the design standards for subdivisions contained in Chapter 16.24 GMC with the following exception:

Upon application by the subdivider, the administrator may waive the requirements of GMC § 16.24.020(A) and permit one lot within a short subdivision to gain access to a public street by means of an access easement at least 20 feet in width.

(Ord. 1343 § 1, 1992)

Commented [KN9]: Note from staff regarding flag lot
Proposed wording?

§ 16.20.048. Improvement requirements.

- A. Street, utility, lighting and sidewalk improvements in accordance with Chapter 16.28 GMC are required for each short subdivision and shall be consistent with the size, nature and availability of existing improvements which shall serve adjacent lots and lots in the immediate vicinity of the proposed short subdivision.
- B. Improvement requirements for each short subdivision shall be established by the administrator, following technical review, in conformance with subsection A of this

section. Appeal to the administrator's determination of required improvements may be had in the same manner as provided for by Chapter 14.11 GMC.

- C. In the event the required improvements for a short subdivision are of a lesser size, quality or availability than those improvements which would be required of a full subdivision pursuant to Chapter 16.28 GMC, then each lot in the short subdivision shall be committed on the face of the short plat, as an obligation or covenant running with the land, to participate in future local improvement districts for the construction of improvements, in compliance with Chapters 16.24 and 16.28 GMC as they exist at the time the local improvement district is formed.

(Ord. 1343 § 2, 1992; Ord. 1453 § 16, 1996)

§ 16.20.050. Approval or denial.

The administrator shall notify the applicant of approval or denial of the application within 30 days after filing of application for approval, unless an environmental impact statement is required. If the application is denied, the applicant shall be notified in writing of the denial and the findings of fact for denial.

(Ord. 1105 § 2(E)(2), 1984)

§ 16.20.060. Recordation.

If the application is either approved or conditionally approved, the applicant may satisfy the necessary conditions, then submit a copy of the original of the map to the city clerk. The original shall be recorded with the county auditor. A conditionally approved plat becomes void after ~~two~~ seven years. (Ord. 1105 § 2(E)(3), 1984)

§ 16.20.070. Appeal.

Any person aggrieved by the decision of the administrator to approve or disapprove a proposed plat may appeal the decision in accordance with Chapter 14.11 GMC, together with the applicable fee of \$150.00 which at the discretion of the council may be refunded in the event of a successful appeal.

(Ord. 1105 § 2(E)(4), 1984; Ord. 1420 § 1, 1995; Ord. 1453 § 17, 1996)

**CHAPTER 16.24
DESIGN STANDARDS**

§ 16.24.010. General requirements.

- A. Land which the city council or planning commission has found to be unsuitable due to flooding, bad drainage, or swamp conditions likely to be harmful to the safety, welfare and general health of future residents shall not be subdivided unless adequate means of control have been formulated by the subdivider and approved by the city engineer or other licensed engineer acting on behalf of the city.
- B. In the event the land to be subdivided has a slope or slopes of more than 20 percent and/or has rock or unstable soil conditions, the subdivider shall furnish soils data to the city. If conditions warrant control measures to correct slides, erosion, or other similar problems, the subdivider shall be responsible for the design, installation and expense of any device or corrective measure subject to approval of the city council.
- C. Except for subdivisions exempted under the provisions in GMC § 16.04.040, permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided and on each lot within the subdivision.
- D. All subdivisions shall be required to be connected to an accepted city street or streets. (Ord. 1105 § 3 (G)(1), 1984; Ord. 2015-5 § 1)

§ 16.24.020. Lots.

- A. Each lot shall have direct access to and frontage upon dedicated public streets. Minimum frontage shall be 50 feet except for lots located within the arc of a curve or where unusual topography exists, a minimum frontage of 35 feet is allowed.
- B. Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Side and rear lot lines shall be straight or composed of straight lines.
- C. Lots having frontage on two streets shall be avoided whenever possible. However, double frontage lots are permitted only where determined by the city to be essential to provide separation of residential lots from principal and minor arterial streets, high-intensity land uses, or to overcome specific disadvantages of topography or parcel configuration.
(Ord. 1105 § 3(G)(2), 1984; Ord. 1406 § 2, 1995; Ord. 2015-5 § 1)

Commented [KN10]: Staff circled - what would be preferred frontage?

§ 16.24.030. Blocks.

- A. The lengths, widths, and shapes of blocks shall be determined with due consideration of:
 - 1. The provisions of adequate building sites suitable to the special needs of the proposed subdivision;
 - 2. The need for convenient and safe access, circulation and control of street traffic;
 - 3. The limitations and opportunities of the topography.
- B. The maximum length of a block shall be 1,000 feet.
(Ord. 1105 § 3(G)(3), 1984; Ord. 2015-5 § 1)

§ 16.24.040. Streets.

All new street design and construction shall conform to the city's design and construction standards and specifications for public works improvements.

A. Right-of-Way. Right-of-way shall be dedicated for new or existing streets to or within a subdivision to accommodate the following right-of-way widths:

1. Arterial streets: 70 feet minimum;
2. Collector streets: 60 feet minimum; and
3. Local streets: 50 feet minimum.

B. Construction Guidelines.

1. Arterial streets: 44-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required;
2. Collector streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required; and
3. Local access streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk one side, illumination, and storm drainage required.

C. Curbs and Gutters. Cement concrete barrier curb and gutter shall be installed along all new streets. Curb and gutter shall be poured as a single unit in accordance with the city's design and construction standards and specifications for public works improvements.

D. Surfacing Between Curbs. The street area between the curbs shall be constructed with the following minimum compacted depth of surfacing materials:

- Two-inch hot mix asphalt for local streets
- Three-inch hot mix asphalt class one-half inch PG 64-28;
- Three-inch crushed surfacing - top course (five-eighths-inch to zero);
- Six-inch crushed surfacing - base course (one and one-quarter inch to zero).

All materials installed and work performed pursuant to the requirements of the above paragraph shall be done in accordance with the city's design and construction standards and specifications for public works improvements.

- E. Grades.** All grades of streets and curbs shall be approved by the city engineer or other licensed engineer acting on behalf of the city before any improvement is commenced.
- F. Cul-de-Sacs.** Maximum length shall be 600 feet and right-of-way radius shall be 60 feet.
- G. Offset Intersections.** Offset intersections shall have a minimum of 100 feet between street centerlines.
- H. Curves.** The minimum centerline radius for horizontal curves shall be 100 feet and the minimum length for vertical curves shall be 50 feet.

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- T. Alleys. Alleys are not required but may be included in the subdivision at the developer's option. Alleys shall have a minimum right-of-way width of 20 feet. Utility easements may be provided in lieu of alleys.
- J. Dead-End Roads. All dead-end roadways shall include cul-de-sacs. The city may allow use of an "L" or "hammerhead" turnaround upon approval by the public works director.
(Ord. 1105 § 3(G)(4), 1984; Ord. 1343 § 3, 1992; Ord. 1400 § 1, 1995; Ord. 1453 § 19, 1996; Ord. 2015-5 § 1)

§ 16.24.041. Unit Lot Subdivisions.

Unit Lot Subdivisions

The purpose of these provisions is to allow for the more flexible creation of lots of varying sizes and types, including for single-family detached, attached housing, cottage housing, and ADUs with more than one dwelling unit on a parent lot, while applying only those site development standards applicable to the parent lot as a whole, rather than to individual lots resulting from the subdivision.

Unit lot subdivisions shall follow the application, review, and approval procedures set forth by the City of Grandview

Development as a whole on the parent lot, rather than individual unit lots, shall comply with all the design and improvement requirements for short plat and plats set forth in Grandview municipal code, unless otherwise specified in this section.

A lot may be divided into separately owned unit lots and common areas, provided the following standards are met:

1. The lot is located in the following zones:
 - a. R-1, R-2
2. Each unit lot shall have a dwelling unit;
3. Only one unit is located per unit lot, and no dwelling units are stacked;
4. The density of the parent lot does not exceed the maximum net density of the zone, up to 9 units;
5. All buildings meet applicable provisions of the building and fire code.

§ 16.24.045. Street trees.

Planting in city rights-of-way shall be in conformity with Chapter 12.14 GMC. (Ord. 1189 § 1, 1987; Ord. 2015-5 § 1)

§ 16.24.050. Utility easements.

- A. Utility easements shall be continuous and aligned from block to block within a subdivision and with adjoining subdivisions.
- B. A 10-foot utility easement for underground power, telephone, irrigation water and cable television shall be provided across the front of each lot within a subdivision and short subdivision. Side lot line easements shall be required where deemed necessary to adequately provide lots with utility services or to provide for continuous easements.
- C. Easements for new and/or future utility lines shall be a minimum of 16 feet wide, provided the width

Commented [KN11]: RCW 58.17.060 (3) All cities and towns located in a county planning under RCW 36.70A.040 shall adopt or enact procedures for unit lot subdivisions. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

of the easements for buried utilities will be at least twice the depth of the planned excavation.

- D. Drainage easements shall be provided where a subdivision is traversed by a watercourse, drainageway, or stream channel.
 - E. Easements for unusual facilities such as high voltage electric lines, irrigation canals, and high-capacity gas transmission lines shall be approved by the public works director.
- (Ord. 1105 § 3(G)(5), 1984; Ord. 2015-5 § 1)

§ 16.24.060. Design and engineering plans required.

The developer shall submit to the public works director plan and profile drawings of the proposed streets, grading and water, sewer, storm drainage, planting in public rights-of-way, and irrigation water systems for construction purposes prepared in accordance with the city's design and construction standards and specifications for public works improvements. Following initial review by the city and any required corrections by the developer for compliance with the city's design and construction standards and specifications for public works improvements, the developer shall submit to the city the original plan tracings and specifications for final approval. The city's responsible officials shall approve such drawings and specifications before any groundwork is done. Construction shall be in accordance with drawings and specifications approved by the city.

(Ord. 1105 § 3(G)(6), 1984; Ord. 1189 § 2, 1987; Ord. 2015-5 § 1)

§ 16.24.070. Submission of as-built drawings.

The developer's consulting engineer shall prepare and maintain a neatly marked, full-sized print set of record drawings showing the final location and layout of all new construction of the public facilities. Prior to final acceptance by the city of Grandview, one set of reproducible electronic record drawings and two sets of prints prepared by the developer's engineer and clearly marked "Record Drawings" shall be delivered to the public works director for review and acceptance.

(Ord. 1105 § 3(G)(7), 1984; Ord. 2015-5 § 1)

**CHAPTER 16.28
IMPROVEMENTS****§ 16.28.010. Streets.**

Existing or proposed streets within or adjacent to a proposed subdivision shall be improved at the expense of the developer by the construction of curbs, gutters, sidewalks, illumination, storm drainage and pavement surface in conformance with the city's design and construction standards and specifications for public works improvements. Improvement of adjacent streets to the proposed subdivision may be postponed by the city council until such time as other portions of this adjacent street are improved by the city or others. If such postponement of street improvements is permitted by the city council, an obligation or covenant running with the land shall be placed on the face of the subdivision plat which requires said lots in that subdivision to such adjacent street to participate in a future local improvement district for street improvements in compliance with Chapters 16.24 and 16.28 GMC as they exist at the time the local improvement district is formed. Postponement does not relieve the developer from his obligation to make the improvements at such time as is determined by the city council. The city council may require the developer to deposit all or a portion of the estimated development costs in escrow to cover the cost of the improvements postponed.

(Ord. 1343 § 4, 1992; Ord. 1574 § 1, 2000; Ord. 2015-6 § 1)

§ 16.28.020. Utilities.

- A. All underground utilities (non-city-owned) in all new residential areas shall be installed and maintained at a depth of not less than three feet below the graded surface of said way or street, provided existing installations may be maintained at the present level until replaced.
- B. All new or existing utilities within or adjacent to a proposed subdivision shall be installed underground, except for the following:
 - 1. Electric, pad-mounted transformers;
 - 2. Electric transmission systems of a voltage of 15 KV or more;
 - 3. Service meters at structures;
 - 4. TV cable amplifiers, distribution taps;
 - 5. Telephone pedestals and cross-connection terminals;
 - 6. Temporary services necessary for construction.
- C. No buildings or structures, except fences, shall be permitted to be constructed on any utility easements, or over any utility facilities. Masonry fences will be considered as structures, rather than fences.

(Ord. 1343 § 4, 1992; Ord. 1724 § 1, 2005; Ord. 2015-6 § 1)

§ 16.28.030. Water.

- A. A complete domestic water distribution and fire protection system shall be installed at the expense of the developer in conformance with the city's approved water system plan. All water lines and services shall be installed prior to street improvements.

- B. The water distribution system shall be designed and constructed in accordance with the State Department of Health regulations, the city's design and construction standards and specifications for public works improvements, and with the standard practices of the city. Fire hydrants shall be installed, at the expense of the developer, at locations determined necessary by the fire chief. Water mains shall be extended to the far edge of subdivisions for future extension by others.
- C. The city, at its discretion, may direct that water main diameters in excess of that needed for service and fire protection for the subdivision be installed. If the city directs such oversizing, the city will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.
- (Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.040. Sanitary sewer.

- A. A sanitary sewer system shall be installed at the expense of the developer with a separate connection to the city sewer system for each lot and shall be constructed in conformance with the Comprehensive Sewer Plan.
- B. Sewer lines should be located within the paved portion of the street right-of-way, and must be a minimum of eight inches in diameter.
- C. The sanitary sewer system shall be designed and constructed in accordance with the State Department of Ecology regulations, the city's design and construction standards and specifications for public works improvements, and with the standard practices of the city. Sewer mains shall be extended to the far edge of subdivisions for future extensions by others.
- D. The city, at its discretion, may direct that sewer main diameters in excess of that needed for service for the subdivision be installed. If the city directs such oversizing, the city will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

- E. A city-approved backflow prevention device shall be installed at the expense of the developer on the side sewer extension for each lot.
- (Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

Commented [KN12]: Required? (Note from staff)

§ 16.28.050. Storm drainage.

Each subdivision shall provide a drainage system for the collection, control, and disposal of surface water runoff. All storm drainage improvements shall be planned, designed, permitted, constructed and maintained in accordance with the requirements of the latest edition of the Washington Department of Ecology (WDOE) Stormwater Management Manual for Eastern Washington (SWMMEW).

- A. It is the intent of this section to adequately provide for suitable drainage provision in all short or long subdivisions. All subdivisions shall provide for drainage such that their development does not conflict with present drainage patterns, or create a drainage problem within itself or for its neighbors.
- B. A drainage plan, where required, shall be designed by a professional engineer licensed in the state of Washington and submitted to the city for review and approval for any proposed

land development that will increase the quantity of or in any way alter the drainage runoff occurring prior to development.

- C. Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of 25 years. At the city's discretion, if the facilities are critical to public health and safety, or significant property damage could occur, or the development is located in a drainage problem area, they shall be designed to successfully pass the 50-year or 100-year storm.
- D. The plan shall provide for the on-site detention and/or retention, and disposal, of the total water intercepted and collected by the development and the areas (improved or unimproved) lying and draining presently to and through the proposed development for the design storm, unless other natural or manmade systems are available for use.
- E. There exist several areas of subsurface drainage systems, known as drainage improvement districts or DTDs. These systems were designed and constructed specifically for the purpose of lowering the ground water tables sufficiently to promote agricultural development. It was never the intent of these systems to convey surface drainage. Over the years, the drainage demand on these systems has steadily increased to the point where almost all of the DTDs are experiencing overloaded conditions. Engineers shall not consider the use of any of these DTDs in their drainage plans.
- F. Detention and/or retention of storm water runoff from any proposed land development shall be accomplished by storm water holding facilities, either open or closed. Storm water shall be introduced into permeable soils via an infiltration system in accordance with the SWMMEW, all remaining on site.
- G. The drainage plan shall incorporate all calculations for the determination of the required size of the system. Said calculations shall be based on required criteria hereinafter stated and upon an analysis of estimated runoff from areas contributing runoff to those facilities. Peak flow analyses and storage volume quantities shall be done using methods presented in the SWMMEW. The assumption for the infiltration rate used will need to be verified by the developer by actual field testing in the case of infiltration systems. Collection systems shall be either gravity pipe systems, open channels, or a combination of the two.
- H. The submitted drainage plan shall incorporate, among other data, a topographical map to clearly define:
 - 1. The proposed development;
 - 2. All areas, improved or unimproved, lying upstream and draining to and across the proposed development; and
 - 3. Drainage course, natural or otherwise, to which the proposed development shall drain.
- T. Said plans shall include a plan-profile of the systems, including cross-sections of all open ditches and channels. Hydraulic and physical data such as grades, bottom elevations of ditches and channels, inverts of pipes at all structures, such as manholes and catch basins, sizes and lengths of all pipes, length of ditches and channels, and top elevations of all catch basin covers shall be called out. This includes the invert elevations of the existing or other proposed storm drainage systems that the subject drainage plan proposes to tie into.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.060. Sidewalks.

Cement concrete sidewalks shall be constructed at the developer's expense along all new and existing streets in conformance with the following minimum standards:

- A. Sidewalks shall be located in the right-of-way and shall be four inches thick in walk areas (behind barrier curb) and six inches thick in drivable areas (behind depressed and rolled curb);
- B. Sidewalks shall be placed along ~~at least both sides~~ ~~one side~~ of all local access streets and shall have a minimum width of five feet;
- C. Sidewalks shall be placed along both sides of all arterial and collector streets and shall have a minimum width of six feet;
- D. Where a proposed subdivision or short subdivision is located adjacent to an existing street, the subdivider is not required to provide a sidewalk on the opposite side of the street;
- E. Curb ramps for physically handicapped shall be constructed pursuant to RCW 35.68.075 and 35.68.076 at all intersections and other appropriate locations.

(Ord. 1343 § 4, 1992; Ord. 1406 § 3, 1995; Ord. 2015-6 § 1)

§ 16.28.070. Street signs and traffic control.

The subdivider shall install, at his expense, street signs and traffic control devices to the satisfaction of the public works director.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.080. Street lighting.

Street lights shall be installed with the capital cost at the developer's expense in conformance with the following standards:

- A. One street light at each intersection;
- B. One street light at midblock if the block is longer than 450 feet; and
- C. Placement of street lights along arterial and collector streets shall conform to the city's design and construction standards and specifications for public works improvements.

Once the development is approved by the city as complete, the city shall assume ownership including financial and maintenance responsibilities for the street lights.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1; Ord. 2022-11 § 1)

§ 16.28.090. Irrigation facilities.

- A. A pressurized irrigation piping system shall be installed at the expense of the developer within the subdivision boundaries with a separate three-fourths-inch minimum pipe diameter service lateral to each lot. The irrigation system shall be designed and constructed with the standard practices of the city.
- B. Irrigation mains shall be four-inch diameter, pressure class 160 psi or greater, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the

graded surface of streets or utility easements.

- C. Individual irrigation service laterals shall be three-fourths-inch diameter, Schedule 40, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the graded surface of streets or utility easements.

- D. Irrigation mains shall be extended to the far edge of subdivisions for future extension by others.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.095. Parks

Pursuant to RCW 58.17.110 and related statutes, the town council may require subdivisions to designate up to five percent of their land area exclusive of streets, as either private or public parks and recreational areas, the nature of which shall be clearly indicated on the plat; provided, not less than a contiguous minimum of ten thousand (10,000) square feet shall be so allocated. The acquisition of land required by the town for public parks or recreational areas, other than streets and alleys, shall be obtained by deed from the developer prior to final approval of the plat. As an alternative to dedication of public parks and recreational areas, the developer may be required to contribute to the town for park purposes to benefit the area up to five percent of the developed value of the lots to be sold in the plat. Payment of cash in lieu of land for park purposes in the area shall be made by the developer to the town before final approval is given. The moneys to be exclusively used for park development purposes, shall be deposited in a special park fund to be dedicated by the town to benefit the area platted.

**CHAPTER 16.30
BINDING SITE PLANS****§ 16.30.010. Purpose.**

The purpose of this chapter is to provide a process for the division of land for the purpose of sale, lease, or transfer of commercial or industrial zoned O office district; C-1 neighborhood business district; C-2 general business district; M-1 light industrial district; and M-2 heavy industrial district.

(Ord. 1425 § 1, 1995; Ord. 2012-1 § 7)

§ 16.30.020. Authority.

RCW 58.17.035 and 58.17.040(4) provide for a binding site plan process as an alternate method of dividing land for commercial or industrial land.

(Ord. 1425 § 1, 1995)

§ 16.30.030. Applicability.

This chapter shall apply solely for the sale, lease, or transfer of lots zoned O, C-1, C-2, M-1 and M-2 under GMC Title 17.

(Ord. 1425 § 1, 1995; Ord. 2012-1 § 8)

§ 16.30.040. Application and fees.

At the time of filing of a preliminary binding site plan with the building department, the applicant shall pay a fee of ~~\$350.00~~ **\$350.00**. Any cost to the city for final review, engineering fees and inspection fees incurred by the city prior to recording the final plat of any required preliminary engineering review or study shall be paid to the city prior to preliminary plan approval by the city. Any cost to the city for final review and inspection fees incurred by the public works department shall be paid to the city prior to recording the final plat. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. The preliminary binding site plan must include the following in order to be considered a completed application:

Commented [KN13]: fees

- A. Five copies of the proposed site plan, prepared by a licensed architect, engineer, or registered land surveyor, that is of a scale of at least one inch equals 200 feet;
- B. All existing and proposed easements and public and/or private roads; all existing structures; elevation shown by contour lines at intervals of five feet or less for ground slopes exceeding three percent; and approximate location of all natural features;
- C. The location, description, and proposed phasing of all facilities proposed to serve the development:
 1. Interior and exterior roadway network,
 2. Water and sewerage facilities,
 3. Storm water drainage facilities,
 4. Sidewalks and streetlights,
 5. Fire protection devices with sufficient water storage and flows,

6. Facilities to address compatibility with adjacent dissimilar land uses,
 7. Any lot(s) to be created as a part of the original binding site plan,
- D. A current title report covering the entire property included in the site plan;
- E. Provisions for long-term maintenance with adequate financing for areas and facilities under common ownership.
- (Ord. 1425 § 1, 1995; Ord. 1563 § 5, 1999; Ord. 1584, 2000; Ord. 1636 § 3, 2002; Ord. 1714 § 1, 2005)

§ 16.30.050. Design review meeting.

To ensure that city requirements are properly addressed, upon receipt of a fully completed binding site plan application, the building department shall schedule a design review meeting and circulate a copy of the plan to all affected city departments and agencies together with the time and date of the meeting. This meeting will be scheduled within 20 days of receipt of said application.

(Ord. 1425 § 1, 1995)

§ 16.30.060. Administrative decision.

The administrator shall review the binding site plan for compliance with the provisions of this chapter and all other land use regulations in effect at the time of submission of a fully completed binding site plan application. If all requirements for approval are met, the administrator shall provide written findings of facts supporting the approval of the preliminary binding site plan and set forth all conditions for final binding site plan approval.

(Ord. 1425 § 1, 1995)

§ 16.30.070. Final plan approval and recording.

When all conditions of preliminary binding site plan approval are met, the developer shall submit the final binding site plan together with the fee set forth in the adopted fee schedule to the building department for processing and recording. The final binding site plan must include the following:

- A. A complete survey of the entire property and the initial lots to be created, if any, including the legal description, north arrow, scale, surveyor's certificate, etc.;
- B. The acknowledged signatures of all parties having an ownership interest in the property;
- C. The signature of the city public works director, the administrator, and the city treasurer;
- D. Auditor's certificate;
- E. Written documentation that all requirements for preliminary binding site plan approval are met including the completion of all required infrastructure/improvements.

Once all the above requirements are met, the ~~applicant/subdivider building department~~ shall file the final binding site plan with the county auditor.

(Ord. 1425 § 1, 1995)

§ 16.30.080. Administrative approval of individual lots.

Once the final binding site plan is recorded, the creation of individual lot(s) other than lots established by the recorded binding site plan may be administratively approved through the exemption process set forth in GMC § 16.04.040. Once a completed binding site plan exemption application is submitted, together with the fee of \$100.00, it will be reviewed by the building department and the public works department and any other agency with jurisdiction for compliance with this chapter. Any cost to the city of any required engineer review or study shall be paid prior to final determination on the application. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. The application must include the following:

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- A. The proposed lot(s) created must be surveyed by a registered land surveyor and the legal description for the lot must be prepared by the surveyor in accordance with the Survey Recording Act (Chapter 58.09 RCW). All parties having an ownership interest in the property shall sign the exemption application and the survey;
- B. The lot(s) to be created meets the requirements set forth in the recorded final binding site plan;
- C. The lot(s) meets the minimum lot size in the zoning district.

When the exemption application is approved, the survey containing the above information must be recorded with the county auditor's office prior to the sale, lease, or transfer of any lot.

(Ord. 1425 § 1, 1995; Ord. 1563 § 6, 1999; Ord. 1584, 2000)

§ 16.30.090. Vacation or alteration of a binding site plan.

Whenever any person is interested in the vacation or alteration of a recorded binding site plan, the procedures set forth in RCW 58.17.212 and 58.17.215 which procedures are hereby adopted by reference shall be followed, except that this section does not apply to the creation of lots under GMC § 16.30.080.

(Ord. 1425 § 1, 1995)

§ 16.30.100. Appeals.

Any decision of the administrator may be appealed in accordance with Chapter 14.11 GMC, together with the applicable fee of \$150.00 which at the discretion of the county may be refunded in the event of a successful appeal. Failure to appeal under this provision shall result in the aggrieved party failing to exhaust their administrative remedies.

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(Ord. 1425 § 1, 1995; Ord. 1453 § 18, 1996)

Title 16

SUBDIVISIONS

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**CHAPTER 16.04
GENERAL PROVISIONS**

§ 16.04.010. Short title.

The ordinance codified in this title shall be known as the "Grandview Subdivision Ordinance."
(Ord. 1105 § 1(A), 1984)

§ 16.04.020. Scope.

The provisions of this title shall apply to all division of land within the corporate limits of the city. Hereafter, all division, subdivision and resubdivision of land into lots, tracts, parcels, sites or divisions for any purpose shall be in full compliance with the provisions and specifications of this title unless the provisions of Chapter 16.30 GMC. Binding site plans, apply in which case the provisions of Chapter 16.30 GMC shall control said division of such lands.
(Ord. 1105 § 1(B), 1984; Ord. 1426 § 1, 1995)

§ 16.04.030. Limitations.

The following limitations shall apply to this subdivision ordinance:

- A. The city council shall not approve a short plat or final plat or binding site plan for any subdivision, short subdivision, lot, tract, parcel or site which lies in whole or in part in an irrigation district organized pursuant to Chapter 87.03 RCW unless there has been provided an irrigation water right-of-way for each parcel of land in such district and such rights-of-way shall be evidenced by the respective plats submitted for final approval.
- B. The sale of land is prohibited unless it is a duly platted parcel of land, or is a lot of record at the time of passage of the ordinance codified in this title.
(Ord. 1105 § 1(C), 1984; Ord. 1426 § 2, 1995)

§ 16.04.040. Exemptions.

The provisions of this title shall not apply to:

- A. Cemeteries and other burial plots while used for that purpose;
- B. Divisions made by testamentary provisions, or the laws of descent;
- C. A division made for the purpose of adjusting boundary lines which does not create any additional lots, tract, parcel, site or division which contains sufficient area and dimension to meet minimum requirements for width and area for a building site;
- D. Any division of land not containing a dedication in which the smallest lot created by the division exceeds five acres in area;
- E. Divisions of land due to condemnation or sale under threat thereof, by an agency or division of government vested with the power of condemnation;
- F. Divisions of land for lease which has received approval as a manufactured home park;
- G. Divisions of land in commercial or industrial zones, which comply with binding site plan requirements pursuant to RCW 58.17.040.

F. Administrative residential lot split

Commented [KN1]: RCW 58.17.060

(Ord. 1105 § 1(D), 1984; Ord. 1627 § 6, 2002)

§ 16.04.050. Definitions.

The words or phrases defined in this section shall have the indicated meanings:

- ~~A.~~ **"Administrator"** means the city public works director or his designated representative.
- ~~A-B.~~ **"Administrative residential lot split"** means a residential lot divided once to accommodate another residence.
- ~~B-C.~~ **"Alley"** means a public right-of-way used as a secondary means of access to abutting property.
- ~~D.~~ **"As-built drawings or plans"** means revised construction plans in accordance with all approved field changes reflecting the improvements on the site as they actually exist.
- ~~E.~~ **"Binding site plan"** means a drawing to scale specified by local ordinance which:
- ~~•Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open space, and any other matter specified by local regulations;~~
 - ~~•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~~
 - ~~•Contains provisions making any development be in conformity with the site plan~~
- ~~E-F.~~ **"Block"** means a group of lots, tracts or parcels within well-defined and fixed boundaries.
- ~~D-G.~~ **"Building setback line"** means a line parallel to the front property line in front of which no structure shall be erected. The location of such line shall comply with the regulations of the zoning ordinance for the city as it now exists or is hereafter amended.
- ~~E-H.~~ **"Comprehensive plan"** means that plan adopted by the planning commission and the city council, indicating the general locations recommended for major arterials, parks, streets, public buildings, other public improvements, and zoning districts.
- ~~F-I.~~ **"Controlling corner"** means all angle points of the perimeter of a subdivision or separate division of a subdivision.
- ~~G-J.~~ **"Dedication"** means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public use to which the property has been devoted.
- ~~T.~~ **"Easement"** means a grant by the property owner for use by the public, a corporation or person(s) of a parcel of land or portion thereof for specific purposes.
- ~~J.~~ **"Environmental impact statement"** means a written statement prepared in accordance with state regulations (Chapter 43.21C RCW, Chapter 197-10 WAC), which contains a determination of environmental significance of the proposed subdivision.
- ~~K.~~ **"Improvements"** means street grading or graveling, permanent street and corner monuments, street pavement, curbs and sidewalks, pedestrian ways, water mains, storm and sanitary sewers, and irrigation water services.
- ~~L.~~ **"Lot"** means a fractional part of divided lands having fixed boundaries, being of sufficient

area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels, and may be further defined:

1. "Corner lot" means a lot which abuts on two or more intersecting streets.
 2. "Interior lot" means a lot which has frontage on one street only.
 3. "Through lot" means an interior lot having frontage on two streets.
 4. "Irregular lot" means a lot generally with differing dimensions for the frontage, rear or mid widths oftentimes with the narrow width on the frontage and the wider width to the rear of the lot, such as lots located within the arc or a curve on a cul-de-sac.
 5. "Parent lot" means a residential lot that is subdivided into unit lots through the unit lot subdivision process.
- M. "Metes and bounds" means a description of real property which starts at a known point and describes the bearings and distances of the line forming the boundaries of the property and completed when the description returns to the point of beginning.
- N. "Open space" means a parcel of land, excluding building sites, parking area access routes, which is designated and maintained as an area for leisure, recreation and other activities normally carried on outdoors, including greenbelt and recreation areas.
- O. "Pavement width" means the actual paved surface measured between faces of curbs or from edge to edge of road surfaces.
- P. "Plat" means a map or representation of a subdivision showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other division and dedication, and may be further defined:
1. "Preliminary plat" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots and blocks, which shall furnish a basis for the approval or disapproval of the general layout of a subdivision. A preliminary plat shall be prepared by or under the supervision of a registered professional engineer.
 2. "Final plat" means the final drawing of the subdivision and dedications prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title.
 3. "Short plat" means the map of representation of a short subdivision.
- Q. "Plat certificate" means a title report by a title insurance company certifying the ownership, deed restrictions, covenants, etc., of the land being subdivided.
- R. "Right-of-way" means a strip of land dedicated to and/or maintained by the city for street and utility purposes and on a portion of which a street is built.
- S. "Short subdivision" means the division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.
- T. "Subdivider" means any person, firm or corporation who subdivides or develops any land deemed to be a subdivision as herein defined.
- U. "Subdivision" means the division or redivision of land into ~~ten~~ five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership, except as provided for short subdivisions.

V. "Street" means a public right-of-way improved and maintained for vehicular use. Streets are classified as follows:

1. "Arterial street" means a street designated as an arterial by the city street plan.
2. "Local street" means a street designated as a local street by the city street plan.
3. "Cul-de-sac" means a street intersecting another street at one end and permanently terminated by a vehicular turnaround at the other end.

W. "Unit lot" means a subdivided lot within a residential development as created from a parent lot and approved through the unit lot subdivision process.

Commented [KN2]: RCW 58.17.060(3)

X. "Unit lot subdivision" means a subdivision or short subdivision proposed as part of a residential development project that meets the development standards applicable to the parent lot at the time the application is vested, but which may result in development on one or more individual unit lots becoming nonconforming as to specified land use and development standards based on the analysis of the individual unit lot. By June 30, 2026, all unit lot subdivisions shall require notification to purchasers of their legal status as further described in RCW 58.17.060.

Y. "Utility" means an agency that provides necessary services to the public and includes those agencies which distribute services such as telephone, gas, electric power, television cable, water and sewer, and irrigation water

~~W.Z.~~ "Zero Lot Line Development" is a development consisting of buildings constructed so that at least one of the exterior walls sit directly on the boundary line of the property, leaving no yard space on that side.

(Ord. 1105 § 1(F), 1984; Ord. 1406 § 1, 1995; Ord. 1426 § 3, 1995; Ord. 1453 § 1, 1996; Ord. 1580 § 4, 2000)

CHAPTER 16.08
ADMINISTRATION AND ENFORCEMENT

§ 16.08.010. Compliance with provisions required.

No lot, parcel or subdivision subject to provisions of this title shall be placed on the assessment rolls until an approved short plat or long plat has been filed with the county auditor.
(Ord. 1105 § 4(A), 1984)

§ 16.08.020. Variances.

The **planning commission or hearing examiner may permit** variances, after a public hearing, from the provisions or requirements of this title only in such cases where it appears that strict compliance with the provisions or requirements is not reasonably possible. A fee of \$250.00 payable to the city at the time of filing the variance application shall be charged. Any cost to the city of any required engineer review or study shall be paid prior to final determination on the application. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. No such variance shall be authorized unless the planning commission or hearing examiner finds that all of the following facts or conditions exist:

Commented [KN3]: Define class review

- A. That the variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located;
- B. That such variance is necessary because of special circumstances, relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located;
- C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

(Ord. 1105 § 4(B), 1984; Ord. 1453 § 2, 1996; Ord. 1563 § 1, 1999; Ord. 1584, 2000; Ord. 1704 § 1, 2005)

§ 16.08.030. Enforcement.

Enforcement of this title shall be in accordance with Chapter 14.13 GMC.
(Ord. 1105 § 4(C), 1984; Ord. 1453 § 3, 1996)

CHAPTER 16.12
PRELIMINARY PLATS

§ 16.12.010. Compliance required.

The division of land or the resubdivision of short subdivisions into 10 or more lots shall comply with regulations governing subdivisions and must follow preliminary and final platting procedures unless the provisions of Chapter 16.30 GMC apply.

(Ord. 1105 § 3(A), 1984; Ord. 1426 § 4, 1995; Ord. 1453 § 4, 1996)

§ 16.12.020. Processing of applications.

Unless an applicant for preliminary plat approval requests otherwise, a preliminary plat shall be processed simultaneously with applications for rezones, variances, planned unit developments, site plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to these actions permit simultaneous processing.

(Ord. 1105 § 3(B), 1984)

§ 16.12.030. Development contract.

Prior to approval ~~of a by the city council of any~~ preliminary plat, the ~~city may require the~~ applicant ~~to shall~~ enter into a development contract with the city. Said contract shall be written to cover one of the following alternatives available to the applicant:

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- A. The applicant may elect to complete all required improvements prior to final approval of the project. If this is done, an agreement setting forth the construction and inspection requirements of the city shall be entered into prior to installation of improvements. Upon satisfactory completion of the applicant's obligation under the contract, the city shall approve the final plat in accordance with applicable statutes and standards.
- B. The applicant may elect to complete required improvements after approval of the final plat. In this event, the agreement shall set forth the construction and inspection requirements of the city, and that the developer shall provide a surety bond or other secure method, acceptable to the city, providing for and securing to the city the actual construction of required improvements within a specified period of time. Any bond or other method shall specify the improvements covered and the schedule for completion.

(Ord. 1105 § 3(B)(1), 1984)

§ 16.12.040. Conditional sales prior to recording.

An agreement to sell or lease a lot, tract or parcel of land shall not be in violation of RCW 58.17.200 or 58.18.300, which provide for injunctive relief against such sales as long as:

- A. Preliminary plat approval has been obtained; and
- B. If such sale, lease or transfer is expressly conditional upon the recording of the final plat; and
- C. All payments on account of such an offer or agreement are deposited in an escrow or other regulated trust account and no disbursements are permitted until the final plat is recorded.

(Ord. 1105 § 3(B)(2), 1984)

§ 16.12.050. Application and fees.

Each application for a subdivision shall include the following:

- A. An application form completed and signed by the subdivider on a form supplied by the city;
- B. A fee of ~~\$500.00~~ plus \$25.00 per lot payable to the city at the time of filing the application shall be charged. Any cost to the city of any required preliminary engineering review or study shall be paid to the city prior to preliminary plat approval by the city. Any cost to the city for final review and inspection fees incurred by the public works department shall be paid to the city prior to recording the final plat. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council;
- C. ~~Ten~~ copies of the preliminary plat;
- D. A complete environmental checklist pursuant to the provisions of the State Environmental Policy Act (Chapter 197-10 WAC, Chapter 43.21C RCW).
(Ord. 1105 § 3(C), 1984; Ord. 1415 § 1, 1995; Ord. 1453 § 5, 1996; Ord. 1563 § 2, 1999; Ord. 1584, 2000; Ord. 1636 § 1, 2002)

Commented [KN5]: 10 copies still required?

§ 16.12.060. Plat contents and specifications.

The following shall be required of the plat map:

- A. The preliminary plat shall be drawn on high-grade paper, sheet size not less than ~~24~~³⁶ inches by ~~36~~²⁴ inches, to a scale not to exceed one inch equals 100 feet, unless a larger scale has been specifically approved by the administrator;
- B. Name of the plat;
- C. Name, address and phone number of the subdivider and the engineer;
- D. Date, north arrow, and scale;
- E. An accurate and complete legal description of the area being platted;
- F. The entire lot or parcel constituting the applicant's land and showing the proposed plat in relation to adjacent property;
- G. Zoning on and adjacent to the proposed subdivision;
- H. Boundary lines of the proposed plat and of adjacent tracts of unsubdivided and subdivided land shall be indicated for a distance of 300 feet;
- ~~I.~~ Lot lines, lot numbers, and block numbers;
- J. Location, size and physical description of improvements to existing roads, streets, rights-of-way, utilities and easements adjacent to, or across, the land;
- K. Size, location and purpose of any streets, rights-of-way, utilities or easements proposed to serve the lots within the subdivision; elevation of surfacing, culverts, and gutters with approximate grade and gradients, and street names;
- L. Size and location of water, sewer, drainage, irrigation and utility easements, including all private utilities, and the grade and elevation of the sewer main proposed to serve the lots

created by the subdivision, and profile drawings for street, water, sewer and storm drainage;

- M. Subsurface conditions if required by the administrator;
 - N. Parcels of land intended or required to serve the lots within the proposed subdivision for streets or other public purposes and the conditions attached thereto shall be indicated;
 - O. Ground elevations with contour lines at maximum of five-foot intervals. Elevation datum shall be U.S. Coast and Geodetic.
- (Ord. 1105 § 3(D), 1984)

§ 16.12.070. Public hearing - Notice.

Upon receiving an application, the planning commission at their next regular meeting shall set a date for a public hearing on the application before the planning commission. Notice of the hearing shall be given in the following manner:

- A. Notice shall be published not less than 10 days prior to the hearing in a newspaper of general circulation within the county and a newspaper of general circulation in the area where the real property which is proposed to be subdivided is located.
 - B. Notice of the hearing shall be given to adjacent landowners by mail or any other reasonable method deemed necessary. Adjacent landowners are the owners of real property, as shown by the records of the county assessor, located within 300 feet of any portion of the boundary of the proposed subdivision. If the owner of the proposed subdivision owns other adjacent real property, notice shall be given to owners of real property located within 300 feet of real property owned by the owner of the proposed subdivision.
 - C. All hearings shall be public.
 - D. All hearing notices shall include a description of the location of the subdivision. The description may be in the form of either a vicinity location sketch or a written description other than a legal description.
- (Ord. 1105 § 3(E)(1), 1984)

§ 16.12.080. Application process.

Upon receipt of a preliminary plat application, the application process in Chapter 14.05 GMC will be followed.

(Ord. 1105 § 3(E)(2), 1984; Ord. 1453 § 6, 1996)

§ 16.12.090. Review by planning commission or hearing examiner.

- A. The planning commission or hearing examiner shall review the proposed subdivision during a public hearing to determine conformance with the following standards:
 - 1. The provisions of the zoning ordinance for the city;
 - 2. The general purposes of the comprehensive plan;
 - 3. The provisions of this title;

Commented [KN6]: Check if this contains timelines and refund policies or should I add it here

4. The comprehensive water and sewer plans;
5. The ordinances governing streets, rights-of-way and curbs and gutters;
6. Any other standards necessary to serve the public good.

B. No later than 14 days following the public hearing, the planning commission or hearing examiner shall submit a written report and recommendations to the city council. Every decision or recommendation made by the planning commission or hearing examiner shall be in writing and shall include findings of fact and conclusions to support their decision or recommendation.

Commented [KN7]: Should I add 170 day deadline?

(Ord. 1105 § 3(E)(3), 1984; Ord. 1453 § 7, 1996; Ord. 1704 § 2, 2005)

§ 16.12.100. Review by city council.

Upon receipt of the recommendation on any preliminary plat, the city council shall at its next public meeting set the date for the public meeting where it shall consider the recommendations of the planning commission or hearing examiner and may adopt or reject the recommendations of the planning commission or hearing examiner based on the record established at the public hearing. If, after considering the matter at a public meeting, the city council deems a change in the planning commission's or hearing examiner's recommendation approving or disapproving any preliminary plat is necessary, the city council shall adopt its own recommendations and approve or disapprove the preliminary plat.

(Ord. 1105 § 3(E)(4), 1984; Ord. 1453 § 8, 1996; Ord. 1704 § 3, 2005)

§ 16.12.110. Approval or disapproval by city council.

If the city council finds that the proposed plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare and for such open spaces, drainage ways (storm water retention and detention), streets, 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 who only walk to and from school, and the public use and interest will be served by the platting of such subdivision and dedication, then it shall be approved. The proposed plat may be disapproved because of flood, inundation or swamp conditions. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under RCW 82.02.050 through 82.02.090 may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under RCW 82.02.050 through 82.02.090 shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners. Every decision or recommendation made by the city council shall include findings of fact and conclusions to support their decision or recommendation and shall be incorporated within the council minutes.

(Ord. 1105 § 3(E)(5), 1984; Ord. 1453 § 9, 1996; Ord. 2017-1 § 2)

§ 16.12.120. Time limitation.

Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved or returned to the applicant for modification or correction within 90 days from date of filing thereof unless the applicant consents to an extension of such time period; provided, that if an

environmental impact statement is required as provided in RCW 32.21.303.C, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement by the city.

(Ord. 1105 § 3(E)(6), 1984)

§ 16.12.130. Effect of approval.

A. Approval of the preliminary plat by the city council shall constitute authorization for the subdivider to proceed with developing the subdivision facilities in accordance with the standards and procedures established herein, and including any conditions imposed by the city council. [If the subdivider intends to develop only a portion of the subdivision covered within the preliminary plat, he shall notify the council within 10 days of approval of the preliminary plat.

B. The subdivider shall have 18 months or a period of time specified in the development contract from the date of approval by the city council to complete all improvements within the area of the preliminary plat or such smaller portion as provided for in GMC § 16.12.030.

(Ord. 1105 § 3(E)(7), 1984)

§ 16.12.140. Reconsideration of decision by city council.

Any person feeling that the decision of the city council is based on errors of law or fact may make a written request for review by the Yakima County superior court in accordance with GMC § 14.11.030 and Chapter 36.70C RCW.

(Ord. 1105 § 3(E)(8), 1984; Ord. 1453 § 10, 1996)

CHAPTER 16.16
FINAL PLAT

§ 16.16.010. Generally.

- A. A final plat meeting all design standards and improvements required by this title shall be submitted to the city council for approval, based on the timeline below:
1. Seven years if the date of preliminary plat approval is on or before December 31, 2014.
 2. Five years if the preliminary plat is issued on or after January 1, 2015.
 3. Ten years if the project is located within city limits, not subject to the Shoreline Management Act and the preliminary plat is approved on or before December 31, 2007.
- B. An applicant who files a written request with the city council at least 30 days before the expiration of the time periods listed above may be granted one one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within the time period. The final plat shall conform to the preliminary plat design, including recommendations made by the city council.

(Ord. 1105 § 3(F), 1984; Ord. 1453 § 11, 1996; Ord. 2017-1 § 3)

§ 16.16.020. Contents.

In addition to conforming with the preliminary plat, the final plat shall contain the following information:

- A. Boundaries for each lot and dedicated easement and right-of-way;
- B. Construction of protective improvements such as buffer zones, fences, dikes and levies shall be noted;
- C. A complete and accurate legal description shall be shown on the face of the plat;
- D. Certificate or a separate written instrument containing the dedication of all lands to be conveyed to the public, and shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and shall be recorded as part of the final plat;
- E. Certification that the applicant is the landowner;
- F. The signature and a statement of approval of the city engineer or other licensed engineer on behalf of the city;
- G. The signature of the mayor, witnessed by the city clerk, which shall evidence the approval of the final plat by the city council;
- H. Signature of the ~~Mayor planning commission chairman~~;
- T. Certification by a land surveyor certifying the accuracy of the survey and plat;
- J. Signature of the city treasurer indicating payment of all taxes and assessments;

Commented [KN8]: Planning Commission no longer reviews plats.

K. Signature of the ~~Public Works director~~~~irrigation district~~ indicating payment of all ~~irrigation~~ assessments;

L. Surveyor's certificate and location and description of monuments.
(Ord. 1105 § 3(F)(1), 1984)

§ 16.16.030. Approval.

When the city council finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and the requirements herein, other applicable state laws and any other ordinances for the city and that all engineering fees necessitated by the final plat incurred by the city have been paid, it shall authorize the mayor to sign the final plat. Final plats shall be approved, disapproved, or returned to the applicant within 30 days from the date of filing thereof. No final plat shall be approved until the required improvements are installed or a bond for completion is posted.

(Ord. 1105 § 3(F)(2), 1984; Ord. 1453 § 12, 1996; Ord. 1712 § 1, 2005)

§ 16.16.040. Recording.

Copies of the final plat shall be filed as follows:

- A. The original of the final plat shall be filed for record with the county auditor by the ~~city clerk~~~~subdivider~~. The subdivider shall pay the required statutory filing fees.
- B. One reproducible copy shall be furnished to the administrator.
- C. One copy shall be furnished to the office of the city clerk.
- D. One paper copy shall be filed with the county assessor.

(Ord. 1105 § 3(F)(3), 1984)

§ 16.16.050. Terms of approval.

- A. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations in effect at the time of approval under RCW 58.17.150(1) and (3) for a period of seven years after final plat approval unless the city council finds that a change in conditions creates a serious threat to the public health and safety in the subdivision.
- B. Any lots in a final plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of seven years from the date of filing.

(Ord. 1105 § 3(F)(4), 1984; Ord. 2010-5 § 1)

**CHAPTER 16.20
SHORT PLATS****§ 16.20.010. Generally.**

Every division of land for the purpose of gift, sale or development into two or more but less than 10 lots, parcels or tracts within the city shall proceed in compliance with this section unless said division is pursuant to a binding site plan under Chapter 16.30 GMC. Land in short subdivisions may not be further subdivided in any manner within a period of five years without the filing of a final plat.

(Ord. 1105 § 2(B), 1984; Ord. 1426 § 5, 1995; Ord. 1453 § 13, 1996)

§ 16.20.020. Application and fees.**A. Each application for a short subdivision shall include the following:**

1. An application form completed and signed by the subdivider. The form shall be supplied by the city;
2. Two copies of a short plat map prepared in accordance with the provisions of this section;
3. A current title certificate or other evidence of title showing the names of anyone with an interest in the land being subdivided.

B. At the time of filing of a preliminary short subdivision, the applicant shall pay a fee of \$500.00 plus \$25.00 per lot. Any cost to the city of any required preliminary engineering review or study shall be paid to the city prior to preliminary plat approval by the city. Any cost to the city for final review, engineering fees, and inspection fees incurred by the public works department shall be paid to the city prior to recording the final plat. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. At the time of final approval of the short plat map, the city shall file the completed map in the office of the county auditor, and the applicant shall pay to the city the auditor's statutory filing fees.

(Ord. 1105 § 2(C), 1984; Ord. 1415 § 2, 1995; Ord. 1563 §§ 3, 4, 1999; Ord. 1584, 2000; Ord. 1636 § 2, 2002; Ord. 1713 § 1, 2005)

§ 16.20.030. Contents - Specifications.

The following shall be required of the plat map:

- A. A plat map submitted for short subdivision shall be drawn in black ink on reproducible high-grade paper, sheet size 18 inches by 24 inches, and suitable for recording with the county auditor, to a scale not to exceed one inch equals 100 feet, unless a larger scale has been specifically approved by the administrator.**
- B. The plat map shall be a sketch of the entire contiguous tract owned by the applicant showing the following information:**
 1. Name of property owners or outlines of existing subdivision lots for property adjacent to proposed short subdivision;
 2. Boundaries for each lot and of the total subdivision together with a description of the

monuments set;

3. Legal description of the entire short subdivision;
4. Location of existing and proposed roads, rights-of-way or easements for the short plat;
5. Notarized signatures of all parties having an interest in the land agreeing to the division of property and the dedication of any rights-of-way or easements involved;
6. A space for the approval of the administrator;
7. A space for the city treasurer to certify that city taxes and assessments have been paid;
8. A space for the **Public Works Director** ~~irrigation district~~, or city, to certify that assessments have been paid;
9. A surveyor's certificate and location and description of monuments.

(Ord. 1105 § 2(D), 1984; Ord. 1453 § 14, 1996)

§ 16.20.040. Review of application.

Upon receipt of a complete application, the application process in Chapter 14.05 GMC will be followed to determine whether the following conditions have been met:

- A. The proposed lots conform to the comprehensive plan and zoning requirements;
- B. The proposed lots are served with adequate means of drainage, water supply, sewage disposal, or other necessary services;
- C. The proposed lots have adequate means of ingress and egress of a minimum width being 15 feet;
- D. The public use and interest will be served by permitting the proposed division of property.

(Ord. 1105 § 2(E)(1), 1984; Ord. 1453 § 15, 1996)

§ 16.20.045. Design requirements.

- A. All short subdivisions shall comply with the design standards for subdivisions contained in Chapter 16.24 GMC with the following exception:

Upon application by the subdivider, the administrator may waive the requirements of GMC § 16.24.020(A) and permit one lot within a short subdivision to gain access to a public street by means of an access easement at least 20 feet in width.

(Ord. 1343 § 1, 1992)

Commented [KN9]: Note from staff regarding flag lot.
Proposed wording?

§ 16.20.048. Improvement requirements.

- A. Street, utility, lighting and sidewalk improvements in accordance with Chapter 16.28 GMC are required for each short subdivision and shall be consistent with the size, nature and availability of existing improvements which shall serve adjacent lots and lots in the immediate vicinity of the proposed short subdivision.
- B. Improvement requirements for each short subdivision shall be established by the administrator, following technical review, in conformance with subsection A of this

section. Appeal to the administrator's determination of required improvements may be had in the same manner as provided for by Chapter 14.11 GMC.

- C. In the event the required improvements for a short subdivision are of a lesser size, quality or availability than those improvements which would be required of a full subdivision pursuant to Chapter 16.28 GMC, then each lot in the short subdivision shall be committed on the face of the short plat, as an obligation or covenant running with the land, to participate in future local improvement districts for the construction of improvements, in compliance with Chapters 16.24 and 16.28 GMC as they exist at the time the local improvement district is formed.

(Ord. 1343 § 2, 1992; Ord. 1453 § 16, 1996)

§ 16.20.050. Approval or denial.

The administrator shall notify the applicant of approval or denial of the application within 30 days after filing of application for approval, unless an environmental impact statement is required. If the application is denied, the applicant shall be notified in writing of the denial and the findings of fact for denial.

(Ord. 1105 § 2(E)(2), 1984)

§ 16.20.060. Recordation.

If the application is either approved or conditionally approved, the applicant may satisfy the necessary conditions, then submit a copy of the original of the map to the city clerk. The original shall be recorded with the county auditor. A conditionally approved plat becomes void after ~~two~~ seven years. (Ord. 1105 § 2(E)(3), 1984)

§ 16.20.070. Appeal.

Any person aggrieved by the decision of the administrator to approve or disapprove a proposed plat may appeal the decision in accordance with Chapter 14.11 GMC, together with the applicable fee of \$150.00 which at the discretion of the council may be refunded in the event of a successful appeal.

(Ord. 1105 § 2(E)(4), 1984; Ord. 1420 § 1, 1995; Ord. 1453 § 17, 1996)

**CHAPTER 16.24
DESIGN STANDARDS**

§ 16.24.010. General requirements.

- A. Land which the city council or planning commission has found to be unsuitable due to flooding, bad drainage, or swamp conditions likely to be harmful to the safety, welfare and general health of future residents shall not be subdivided unless adequate means of control have been formulated by the subdivider and approved by the city engineer or other licensed engineer acting on behalf of the city.
- B. In the event the land to be subdivided has a slope or slopes of more than 20 percent and/or has rock or unstable soil conditions, the subdivider shall furnish soils data to the city. If conditions warrant control measures to correct slides, erosion, or other similar problems, the subdivider shall be responsible for the design, installation and expense of any device or corrective measure subject to approval of the city council.
- C. Except for subdivisions exempted under the provisions in GMC § 16.04.040, permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided and on each lot within the subdivision.
- D. All subdivisions shall be required to be connected to an accepted city street or streets. (Ord. 1105 § 3 (G)(1), 1984; Ord. 2015-5 § 1)

§ 16.24.020. Lots.

- A. Each lot shall have direct access to and frontage upon dedicated public streets. Minimum frontage shall be 50 feet except for lots located within the arc of a curve or where unusual topography exists, a minimum frontage of 35 feet is allowed.
 - B. Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Side and rear lot lines shall be straight or composed of straight lines.
 - C. Lots having frontage on two streets shall be avoided whenever possible. However, double frontage lots are permitted only where determined by the city to be essential to provide separation of residential lots from principal and minor arterial streets, high-intensity land uses, or to overcome specific disadvantages of topography or parcel configuration.
- (Ord. 1105 § 3(G)(2), 1984; Ord. 1406 § 2, 1995; Ord. 2015-5 § 1)

Commented [KN10]: Staff circled - what would be preferred frontage?

§ 16.24.030. Blocks.

- A. The lengths, widths, and shapes of blocks shall be determined with due consideration of:
 - 1. The provisions of adequate building sites suitable to the special needs of the proposed subdivision;
 - 2. The need for convenient and safe access, circulation and control of street traffic;
 - 3. The limitations and opportunities of the topography.
 - B. The maximum length of a block shall be 1,000 feet.
- (Ord. 1105 § 3(G)(3), 1984; Ord. 2015-5 § 1)

§ 16.24.040. Streets.

All new street design and construction shall conform to the city's design and construction standards and specifications for public works improvements.

A. Right-of-Way. Right-of-way shall be dedicated for new or existing streets to or within a subdivision to accommodate the following right-of-way widths:

1. Arterial streets: 70 feet minimum;
2. Collector streets: 60 feet minimum; and
3. Local streets: 50 feet minimum.

B. Construction Guidelines.

1. Arterial streets: 44-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required;
2. Collector streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk both sides, illumination, and storm drainages required; and
3. Local access streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk one side, illumination, and storm drainage required.

C. Curbs and Gutters. Cement concrete barrier curb and gutter shall be installed along all new streets. Curb and gutter shall be poured as a single unit in accordance with the city's design and construction standards and specifications for public works improvements.

D. Surfacing Between Curbs. The street area between the curbs shall be constructed with the following minimum compacted depth of surfacing materials:

- Two-inch hot mix asphalt for local streets
- Three-inch hot mix asphalt class one-half inch PG 64-28;
- Three-inch crushed surfacing - top course (five-eighths-inch to zero);
- Six-inch crushed surfacing - base course (one and one-quarter inch to zero).

All materials installed and work performed pursuant to the requirements of the above paragraph shall be done in accordance with the city's design and construction standards and specifications for public works improvements.

- E. Grades.** All grades of streets and curbs shall be approved by the city engineer or other licensed engineer acting on behalf of the city before any improvement is commenced.
- F. Cul-de-Sacs.** Maximum length shall be 600 feet and right-of-way radius shall be 60 feet.
- G. Offset Intersections.** Offset intersections shall have a minimum of 100 feet between street centerlines.
- H. Curves.** The minimum centerline radii for horizontal curves shall be 100 feet and the minimum length for vertical curves shall be 50 feet.

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- T. Alleys. Alleys are not required but may be included in the subdivision at the developer's option. Alleys shall have a minimum right-of-way width of 20 feet. Utility easements may be provided in lieu of alleys.
- J. Dead-End Roads. All dead-end roadways shall include cul-de-sacs. The city may allow use of an "L" or "hammerhead" turnaround upon approval by the public works director.
(Ord. 1105 § 3(G)(4), 1984; Ord. 1343 § 3, 1992; Ord. 1400 § 1, 1995; Ord. 1453 § 19, 1996; Ord. 2015-5 § 1)

§ 16.24.041. Unit Lot Subdivisions.

Unit Lot Subdivisions

The purpose of these provisions is to allow for the more flexible creation of lots of varying sizes and types, including for single-family detached, attached housing, cottage housing, and ADUs with more than one dwelling unit on a parent lot, while applying only those site development standards applicable to the parent lot as a whole, rather than to individual lots resulting from the subdivision.

Unit lot subdivisions shall follow the application, review, and approval procedures set forth by the City of Grandview.

Development as a whole on the parent lot, rather than individual unit lots, shall comply with all the design and improvement requirements for short plat and plats set forth in Grandview municipal code, unless otherwise specified in this section.

A lot may be divided into separately owned unit lots and common areas, provided the following standards are met:

1. The lot is located in the following zones:
 - a. R-1; R-2
2. Each unit lot shall have a dwelling unit;
3. Only one unit is located per unit lot, and no dwelling units are stacked;
4. The density of the parent lot does not exceed the maximum net density of the zone, up to 9 units;
5. All buildings meet applicable provisions of the building and fire code.

§ 16.24.045. Street trees.

Planting in city rights-of-way shall be in conformity with Chapter 12.14 GMC. (Ord. 1189 § 1, 1987; Ord. 2015-5 § 1)

§ 16.24.050. Utility easements.

- A. Utility easements shall be continuous and aligned from block to block within a subdivision and with adjoining subdivisions.
- B. A 10-foot utility easement for underground power, telephone, irrigation water and cable television shall be provided across the front of each lot within a subdivision and short subdivision. Side lot line easements shall be required where deemed necessary to adequately provide lots with utility services or to provide for continuous easements.
- C. Easements for new and/or future utility lines shall be a minimum of 16 feet wide, provided the width

Commented [KN11]: RCW 58.17.060 (3) All cities and towns located in a county planning under RCW 16.70A.040 shall adopt or enact procedures for unit lot subdivisions. Portions of the parent lot not subdivided for individual unit lots shall be owned in common by the owners of the individual unit lots, or by a homeowners' association comprised of the owners of the individual unit lots.

of the easements for buried utilities will be at least twice the depth of the planned excavation.

- D. Drainage easements shall be provided where a subdivision is traversed by a watercourse, drainageway, or stream channel.
 - E. Easements for unusual facilities such as high voltage electric lines, irrigation canals, and high-capacity gas transmission lines shall be approved by the public works director.
- (Ord. 1105 § 3(G)(5), 1984; Ord. 2015-5 § 1)

§ 16.24.060. Design and engineering plans required.

The developer shall submit to the public works director plan and profile drawings of the proposed streets, grading and water, sewer, storm drainage, planting in public rights-of-way, and irrigation water systems for construction purposes prepared in accordance with the city's design and construction standards and specifications for public works improvements. Following initial review by the city and any required corrections by the developer for compliance with the city's design and construction standards and specifications for public works improvements, the developer shall submit to the city the original plan tracings and specifications for final approval. The city's responsible officials shall approve such drawings and specifications before any groundwork is done. Construction shall be in accordance with drawings and specifications approved by the city.

(Ord. 1105 § 3(G)(6), 1984; Ord. 1189 § 2, 1987; Ord. 2015-5 § 1)

§ 16.24.070. Submission of as-built drawings.

The developer's consulting engineer shall prepare and maintain a neatly marked, full-sized print set of record drawings showing the final location and layout of all new construction of the public facilities. Prior to final acceptance by the city of Grandview, one set of reproducible electronic record drawings and two sets of prints prepared by the developer's engineer and clearly marked "Record Drawings" shall be delivered to the public works director for review and acceptance.

(Ord. 1105 § 3(G)(7), 1984; Ord. 2015-5 § 1)

**CHAPTER 16.28
IMPROVEMENTS****§ 16.28.010. Streets.**

Existing or proposed streets within or adjacent to a proposed subdivision shall be improved at the expense of the developer by the construction of curbs, gutters, sidewalks, illumination, storm drainage and pavement surface in conformance with the city's design and construction standards and specifications for public works improvements. Improvement of adjacent streets to the proposed subdivision may be postponed by the city council until such time as other portions of this adjacent street are improved by the city or others. If such postponement of street improvements is permitted by the city council, an obligation or covenant running with the land shall be placed on the face of the subdivision plat which requires said lots in that subdivision to such adjacent street to participate in a future local improvement district for street improvements in compliance with Chapters 16.24 and 16.28 GMC as they exist at the time the local improvement district is formed. Postponement does not relieve the developer from his obligation to make the improvements at such time as is determined by the city council. The city council may require the developer to deposit all or a portion of the estimated development costs in escrow to cover the cost of the improvements postponed.

(Ord. 1343 § 4, 1992; Ord. 1574 § 1, 2000; Ord. 2015-6 § 1)

§ 16.28.020. Utilities.

- A. All underground utilities (non-city-owned) in all new residential areas shall be installed and maintained at a depth of not less than three feet below the graded surface of said way or street, provided existing installations may be maintained at the present level until replaced.
- B. All new or existing utilities within or adjacent to a proposed subdivision shall be installed underground, except for the following:
 - 1. Electric, pad-mounted transformers;
 - 2. Electric transmission systems of a voltage of 15 KV or more;
 - 3. Service meters at structures;
 - 4. TV cable amplifiers, distribution taps;
 - 5. Telephone pedestals and cross-connection terminals;
 - 6. Temporary services necessary for construction.
- C. No buildings or structures, except fences, shall be permitted to be constructed on any utility easements, or over any utility facilities. Masonry fences will be considered as structures, rather than fences.

(Ord. 1343 § 4, 1992; Ord. 1724 § 1, 2005; Ord. 2015-6 § 1)

§ 16.28.030. Water.

- A. A complete domestic water distribution and fire protection system shall be installed at the expense of the developer in conformance with the city's approved water system plan. All water lines and services shall be installed prior to street improvements.

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- B. The water distribution system shall be designed and constructed in accordance with the State Department of Health regulations, the city's design and construction standards and specifications for public works improvements, and with the standard practices of the city. Fire hydrants shall be installed, at the expense of the developer, at locations determined necessary by the fire chief. Water mains shall be extended to the far edge of subdivisions for future extension by others.
- C. The city, at its discretion, may direct that water main diameters in excess of that needed for service and fire protection for the subdivision be installed. If the city directs such oversizing, the city will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.040. Sanitary sewer.

- A. A sanitary sewer system shall be installed at the expense of the developer with a separate connection to the city sewer system for each lot and shall be constructed in conformance with the Comprehensive Sewer Plan.
- B. Sewer lines should be located within the paved portion of the street right-of-way, and must be a minimum of eight inches in diameter.
- C. The sanitary sewer system shall be designed and constructed in accordance with the State Department of Ecology regulations, the city's design and construction standards and specifications for public works improvements, and with the standard practices of the city. Sewer mains shall be extended to the far edge of subdivisions for future extensions by others.
- D. The city, at its discretion, may direct that sewer main diameters in excess of that needed for service for the subdivision be installed. If the city directs such oversizing, the city will pay the difference in pipe material cost between the pipe diameter required for the subdivision and the city-directed oversize diameter pipe.

- E. A city-approved backflow prevention device shall be installed at the expense of the developer on the side sewer extension for each lot.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

Commented [KN12]: Required? (Note from staff)

§ 16.28.050. Storm drainage.

Each subdivision shall provide a drainage system for the collection, control, and disposal of surface water runoff. All storm drainage improvements shall be planned, designed, permitted, constructed and maintained in accordance with the requirements of the latest edition of the Washington Department of Ecology (WDOE) Stormwater Management Manual for Eastern Washington (SWMMEW).

- A. It is the intent of this section to adequately provide for suitable drainage provision in all short or long subdivisions. All subdivisions shall provide for drainage such that their development does not conflict with present drainage patterns, or create a drainage problem within itself or for its neighbors.
- B. A drainage plan, where required, shall be designed by a professional engineer licensed in the state of Washington and submitted to the city for review and approval for any proposed

land development that will increase the quantity of or in any way alter the drainage runoff occurring prior to development.

- C. Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of 25 years. At the city's discretion, if the facilities are critical to public health and safety, or significant property damage could occur, or the development is located in a drainage problem area, they shall be designed to successfully pass the 50-year or 100-year storm.
- D. The plan shall provide for the on-site detention and/or retention, and disposal, of the total water intercepted and collected by the development and the areas (improved or unimproved) lying and draining presently to and through the proposed development for the design storm, unless other natural or manmade systems are available for use.
- E. There exist several areas of subsurface drainage systems, known as drainage improvement districts or DTDs. These systems were designed and constructed specifically for the purpose of lowering the ground water tables sufficiently to promote agricultural development. It was never the intent of these systems to convey surface drainage. Over the years, the drainage demand on these systems has steadily increased to the point where almost all of the DTDs are experiencing overloaded conditions. Engineers shall not consider the use of any of these DTDs in their drainage plans.
- F. Detention and/or retention of storm water runoff from any proposed land development shall be accomplished by storm water holding facilities, either open or closed. Storm water shall be introduced into permeable soils via an infiltration system in accordance with the SWMMEW, all remaining on site.
- G. The drainage plan shall incorporate all calculations for the determination of the required size of the system. Said calculations shall be based on required criteria hereinafter stated and upon an analysis of estimated runoff from areas contributing runoff to those facilities. Peak flow analyses and storage volume quantities shall be done using methods presented in the SWMMEW. The assumption for the infiltration rate used will need to be verified by the developer by actual field testing in the case of infiltration systems. Collection systems shall be either gravity pipe systems, open channels, or a combination of the two.
- H. The submitted drainage plan shall incorporate, among other data, a topographical map to clearly define:
 - 1. The proposed development;
 - 2. All areas, improved or unimproved, lying upstream and draining to and across the proposed development; and
 - 3. Drainage course, natural or otherwise, to which the proposed development shall drain.
- I. Said plans shall include a plan-profile of the systems, including cross-sections of all open ditches and channels. Hydraulic and physical data such as grades, bottom elevations of ditches and channels, inverts of pipes at all structures, such as manholes and catch basins, sizes and lengths of all pipes, length of ditches and channels, and top elevations of all catch basin covers shall be called out. This includes the invert elevations of the existing or other proposed storm drainage systems that the subject drainage plan proposes to tie into.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.060. Sidewalks.

Cement concrete sidewalks shall be constructed at the developer's expense along all new and existing streets in conformance with the following minimum standards:

- A. Sidewalks shall be located in the right-of-way and shall be four inches thick in walk areas (behind barrier curb) and six inches thick in drivable areas (behind depressed and rolled curb);
- B. Sidewalks shall be placed along ~~at least both sides~~ one side of all local access streets and shall have a minimum width of five feet;
- C. Sidewalks shall be placed along both sides of all arterial and collector streets and shall have a minimum width of six feet;
- D. Where a proposed subdivision or short subdivision is located adjacent to an existing street, the subdivider is not required to provide a sidewalk on the opposite side of the street;
- E. Curb ramps for physically handicapped shall be constructed pursuant to RCW 35.68.075 and 35.68.076 at all intersections and other appropriate locations.
(Ord. 1343 § 4, 1992; Ord. 1406 § 3, 1995; Ord. 2015-6 § 1)

§ 16.28.070. Street signs and traffic control.

The subdivider shall install, at his expense, street signs and traffic control devices to the satisfaction of the public works director.
(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.080. Street lighting.

Street lights shall be installed with the capital cost at the developer's expense in conformance with the following standards:

- A. One street light at each intersection;
- B. One street light at midblock if the block is longer than 450 feet; and
- C. Placement of street lights along arterial and collector streets shall conform to the city's design and construction standards and specifications for public works improvements.

Once the development is approved by the city as complete, the city shall assume ownership including financial and maintenance responsibilities for the street lights.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1; Ord. 2022-11 § 1)

§ 16.28.090. Irrigation facilities.

- A. A pressurized irrigation piping system shall be installed at the expense of the developer within the subdivision boundaries with a separate three-fourths-inch minimum pipe diameter service lateral to each lot. The irrigation system shall be designed and constructed with the standard practices of the city.
- B. Irrigation mains shall be four-inch diameter, pressure class 160 psi or greater, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the

graded surface of streets or utility easements.

- C. Individual irrigation service laterals shall be three-fourths-inch diameter, Schedule 40, polyvinyl chloride (PVC) pipe installed and maintained at a depth of not less than two feet below the graded surface of streets or utility easements.

- D. Irrigation mains shall be extended to the far edge of subdivisions for future extension by others.

(Ord. 1343 § 4, 1992; Ord. 2015-6 § 1)

§ 16.28.095. Parks

Pursuant to RCW 58.17.110 and related statutes, the town council may require subdivisions to designate up to five percent of their land area exclusive of streets, as either private or public parks and recreational areas, the nature of which shall be clearly indicated on the plat; provided, not less than a contiguous minimum of ten thousand (10,000) square feet shall be so allocated. The acquisition of land required by the town for public parks or recreational areas, other than streets and alleys, shall be obtained by deed from the developer prior to final approval of the plat. As an alternative to dedication of public parks and recreational areas, the developer may be required to contribute to the town for park purposes to benefit the area up to five percent of the developed value of the lots to be sold in the plat. Payment of cash in lieu of land for park purposes in the area shall be made by the developer to the town before final approval is given. The moneys to be exclusively used for park development purposes, shall be deposited in a special park fund to be dedicated by the town to benefit the area platted.

**CHAPTER 16.30
BINDING SITE PLANS**

§ 16.30.010. Purpose.

The purpose of this chapter is to provide a process for the division of land for the purpose of sale, lease, or transfer of commercial or industrial zoned O office district; C-1 neighborhood business district; C-2 general business district; M-1 light industrial district; and M-2 heavy industrial district.

(Ord. 1425 § 1, 1995; Ord. 2012-1 § 7)

§ 16.30.020. Authority.

RCW 58.17.035 and 58.17.040(4) provide for a binding site plan process as an alternate method of dividing land for commercial or industrial land.

(Ord. 1425 § 1, 1995)

§ 16.30.030. Applicability.

This chapter shall apply solely for the sale, lease, or transfer of lots zoned O, C-1, C-2, M-1 and M-2 under GMC Title 17.

(Ord. 1425 § 1, 1995; Ord. 2012-1 § 8)

§ 16.30.040. Application and fees.

At the time of filing of a preliminary binding site plan with the building department, the applicant shall pay a fee of **\$350.00**. Any cost to the city for final review, engineering fees and inspection fees incurred by the city prior to recording the final plat of any required preliminary engineering review or study shall be paid to the city prior to preliminary plan approval by the city. Any cost to the city for final review and inspection fees incurred by the public works department shall be paid to the city prior to recording the final plat. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. The preliminary binding site plan must include the following in order to be considered a completed application:

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- A. Five copies of the proposed site plan, prepared by a licensed architect, engineer, or registered land surveyor, that is of a scale of at least one inch equals 200 feet;
- B. All existing and proposed easements and public and/or private roads; all existing structures; elevation shown by contour lines at intervals of five feet or less for ground slopes exceeding three percent; and approximate location of all natural features;
- C. The location, description, and proposed phasing of all facilities proposed to serve the development:
 1. Interior and exterior roadway network,
 2. Water and sewerage facilities,
 3. Storm water drainage facilities,
 4. Sidewalks and streetlights,
 5. Fire protection devices with sufficient water storage and flows,

- 6. Facilities to address compatibility with adjacent dissimilar land uses,
- 7. Any lot(s) to be created as a part of the original binding site plan;
- D. A current title report covering the entire property included in the site plan;
- E. Provisions for long-term maintenance with adequate financing for areas and facilities under common ownership.

(Ord. 1425 § 1, 1995; Ord. 1563 § 5, 1999; Ord. 1584, 2000; Ord. 1636 § 3, 2002; Ord. 1714 § 1, 2005)

§ 16.30.050. Design review meeting.

To ensure that city requirements are properly addressed, upon receipt of a fully completed binding site plan application, the building department shall schedule a design review meeting and circulate a copy of the plan to all affected city departments and agencies together with the time and date of the meeting. This meeting will be scheduled within 20 days of receipt of said application.

(Ord. 1425 § 1, 1995)

§ 16.30.060. Administrative decision.

The administrator shall review the binding site plan for compliance with the provisions of this chapter and all other land use regulations in effect at the time of submission of a fully completed binding site plan application. If all requirements for approval are met, the administrator shall provide written findings of facts supporting the approval of the preliminary binding site plan and set forth all conditions for final binding site plan approval.

(Ord. 1425 § 1, 1995)

§ 16.30.070. Final plan approval and recording.

When all conditions of preliminary binding site plan approval are met, the developer shall submit the final binding site plan together with the fee set forth in the adopted fee schedule to the building department for processing and recording. The final binding site plan must include the following:

- A. A complete survey of the entire property and the initial lots to be created, if any, including the legal description, north arrow, scale, surveyor's certificate, etc.;
- B. The acknowledged signatures of all parties having an ownership interest in the property;
- C. The signature of the city public works director, the administrator, and the city treasurer;
- D. Auditor's certificate;
- E. Written documentation that all requirements for preliminary binding site plan approval are met including the completion of all required infrastructure/improvements.

Once all the above requirements are met, the ~~applicant/subdivider building department~~ shall file the final binding site plan with the county auditor.

(Ord. 1425 § 1, 1995)

§ 16.30.080. Administrative approval of individual lots.

Once the final binding site plan is recorded, the creation of individual lot(s) other than lots established by the recorded binding site plan may be administratively approved through the exemption process set forth in GMC § 16.04.040. Once a completed binding site plan exemption application is submitted, together with the fee of \$100.00, it will be reviewed by the building department and the public works department and any other agency with jurisdiction for compliance with this chapter. Any cost to the city of any required engineer review or study shall be paid prior to final determination on the application. All fees are nonrefundable. The fees set forth herein shall be subject to change by resolution of the city council. The application must include the following:

- A. The proposed lot(s) created must be surveyed by a registered land surveyor and the legal description for the lot must be prepared by the surveyor in accordance with the Survey Recording Act (Chapter 58.09 RCW). All parties having an ownership interest in the property shall sign the exemption application and the survey;
- B. The lot(s) to be created meets the requirements set forth in the recorded final binding site plan;
- C. The lot(s) meets the minimum lot size in the zoning district.

When the exemption application is approved, the survey containing the above information must be recorded with the county auditor's office prior to the sale, lease, or transfer of any lot.

(Ord. 1425 § 1, 1995; Ord. 1563 § 6, 1999; Ord. 1584, 2000)

§ 16.30.090. Vacation or alteration of a binding site plan.

Whenever any person is interested in the vacation or alteration of a recorded binding site plan, the procedures set forth in RCW 58.17.212 and 58.17.215 which procedures are hereby adopted by reference shall be followed, except that this section does not apply to the creation of lots under GMC § 16.30.080.

(Ord. 1425 § 1, 1995)

§ 16.30.100. Appeals.

Any decision of the administrator may be appealed in accordance with Chapter 14.11 GMC, together with the applicable fee of \$150.00 which at the discretion of the county may be refunded in the event of a successful appeal. Failure to appeal under this provision shall result in the aggrieved party failing to exhaust their administrative remedies.

(Ord. 1425 § 1, 1995; Ord. 1453 § 18, 1996)

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Title 17

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§ 17.86.070.	Public hearing required.	§ 17.92.010.	Adopted.
§ 17.86.080.	Findings of fact by the	§ 17.92.020.	Comprehensive plan
	hearing examiner.		amendment.
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§ 17.86.100.	Appeal -- Filing		REASONABLE ACCOMMODATION
	requirements.		PROCESS
§ 17.86.110.	Effective date.	§ 17.94.010.	Purpose.
§ 17.86.120.	Expiration.	§ 17.94.020.	Reasonable
§ 17.86.130.	Extensions.		accommodations.
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			requirements.
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	petition.		ANNEXATION PROCEDURE
§ 17.88.040.	Notice requirements.	§ 17.96.010.	Purpose.
§ 17.88.050.	Amendment in conflict with	§ 17.96.020.	Annexation petition fee.
	comprehensive plan.	§ 17.96.030.	Zoning.
§ 17.88.060.	Hearing examiner --	§ 17.96.040.	Comprehensive plan.
	Findings and		
	recommendations.		

CHAPTER 17.04
TITLE – PURPOSE

§ 17.04.010. Title.

This title shall be known as the "Grandview urban area zoning ordinance."
(Ord. 2011-29 § 5 (Att. B))

§ 17.04.020. Purpose of title.

The purpose of this title is to implement the comprehensive plan for the Grandview urban area. This title is to also further the purpose of promoting the health, safety, convenience, comfort, prosperity and general welfare of the present and future inhabitants of the Grandview urban area, and:

- A. To encourage and facilitate the orderly growth and development of the Grandview urban area.
- B. To provide adequate open space for light and air, ~~to prevent overcrowding of the land, and to lessen congestion on the streets.~~
- C. To secure economy in municipal expenditures, to facilitate adequate provisions for transportation, water, sewer, schools, parks, and other public facilities and services.
- D. To increase the security of home life and preserve and create a more favorable environment for citizens and visitors of the Grandview urban area.
- E. To secure safety from fire, panic and other dangers.
- F. To stabilize and improve property values.
- G. To enhance the economic and cultural well-being of the inhabitants of Grandview.
- H. To promote the development of a more wholesome, serviceable and attractive city resulting from an orderly, planned use of resources.
- I. Provide regulatory and administrative actions that do not result in an unconstitutional taking of private property.

(Ord. 2011-29 § 5 (Att. B); Ord. 2017-1 § 4)

§ 17.04.025. Illegal uses prohibited.

- A. General. No use that is illegal under local, state or federal law shall be allowed in any zone within the city.
- B. Production, Processing and Retailing of Marijuana Prohibited. Until such time that this code is amended to provide specific provisions and land use controls allowing and regulating production, processing, retail sale and retail outlets for the sale of marijuana and marijuana-infused products, all as defined in Initiative Measure No. 502, as codified in the Revised Code of Washington, and implementing regulations in Chapter 314-55 WAC, as now existing or hereafter amended, such uses are each prohibited and not allowed in any zone within the city.

(Ord. 2014-5 § 1; Ord. 2014-8 § 1)

§ 17.04.030. Severability clause.

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If any word, clause, sentence, paragraph, or section of this title or its application to any person or circumstance shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or invalid, the judgment shall not affect, impair or invalidate the remainder of this title or its application to other persons or circumstances, but shall be confined in its operation to the word, clause, sentence, paragraph, persons or circumstances, or part thereof directly involved in the controversy in which the judgment shall have been rendered.
(Ord. 2011-29 § 5 (Att. B))

§ 17.04.040. Jurisdiction.

This title is enacted and administered separately by the city of Grandview and Yakima County for lands and uses within the Grandview urban area.
(Ord. 2011-29 § 5 (Att. B))

**CHAPTER 17.08
INTERPRETATION AND ENFORCEMENT**

§ 17.08.010. Interpretation.

In interpreting and applying the provisions of this title, the provisions and standards contained herein shall be deemed to be the minimum standards or requirements with which compliance is essential to the permitted uses, and shall not be construed as limiting the legislative authority of the city council to further restrict permissive uses or to withhold or revoke permits for uses where, notwithstanding the existence of the minimum standards set forth in this title, the promotion or protection of the public health, morals, safety and welfare bears a substantial relation to such withholding, denial or revocation of permits or uses.
(Ord. 2011-29 § 5 (Att. B))

§ 17.08.020. Conflicting provisions.

Where this title imposes a greater restriction upon land, buildings, or structures than is imposed or required by other rules, regulations, standards, policies, ordinances, contracts, covenants public or private, deeds, or statutes lawfully adopted by the city of Grandview, the provisions of this title shall govern and take precedent. In the case of conflicts between the text, maps and tables of this title, the text shall govern unless otherwise stated.
(Ord. 2011-29 § 5 (Att. B))

§ 17.08.030. Enforcement.

It shall be the duty of the public works director to enforce this title through proper legal channels. No permits shall be issued for the construction, alteration, or repair of any building or part thereof unless such plans and intended use of such buildings or land conforms in all respects with the provisions of this title. Monetary penalties for violations may be assessed in accordance with GMC Title 14.
(Ord. 2011-29 § 5 (Att. B))

§ 17.08.040. Not a licensing regulation.

Nothing contained in this title shall be deemed to be a consent, license, or permit to use any property or to locate, construct, or maintain any structure or facility or to carry on any trade, industry, occupation or activity.
(Ord. 2011-29 § 5 (Att. B))

§ 17.08.050. Complaints regarding violations.

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Whenever a violation of this title occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the public works director. The public works director shall record properly such complaint, immediately investigate, and take action thereon as provided by this title.
(Ord. 2011-29 § 5 (Att. B))

Draft

**CHAPTER 17.12
DEFINITIONS****§ 17.12.005. Purpose.**

This chapter provides definitions for terms and phrases used in this title. Where any of the definitions conflict with the definitions used in other titles of the city code, the definitions in this chapter shall prevail for the purpose of this title.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.010. Interpretation and construction.

A. For the purpose of this title, certain terms or words herein shall be interpreted or defined as follows: except where specifically defined in this chapter all words in this title shall carry the customary meanings.

1. Words used in the present tense shall include the future;
2. Words in the singular number include the plural number, and words in the plural number include the singular, unless the context clearly indicates otherwise;
3. "Person" includes a corporation, a member or members of a partnership or other business organization, a committee, association, board, trustee, receiver, agent, or other representative and all other legal entities;
4. "Shall" is mandatory and not directory;
5. "May" is permissive;
6. "Use," "used," or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed" to be used or occupied;
7. "City" means city of Grandview;
8. "County" means Yakima County;
9. Unless otherwise specified, all distances shall be measured horizontally;
10. Words not defined herein, but defined within the International Building Code, shall have the same meaning as defined within the International Building Code;
11. Chapter and section headings contained in this title shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of this title.

B. For the purposes of this title, certain terms or words shall be interpreted and defined as in the following sections of this chapter.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.013 Accessory Dwelling Unit.

"Accessory dwelling unit means" "Accessory dwelling unit" means a self-contained residential unit that is accessory to a single-family dwelling on a lot and may be added to, created within, or detached from the primary single-family dwelling unit. An accessory dwelling unit has its own bathroom, kitchen facilities, living and sleeping areas, though it can share other features with the single-family dwelling including the yard, parking, or storage.

Commented [KN1]: RCW 36.70A.680 – 681

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§ 17.12.015. Accessory structure.

"Accessory structure" means any building other than the dwelling unit or main structure erected on the site.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.020. Accessory use.

"Accessory use" means a use subordinate to the principal use and located on the same lot with such principal use.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.025. Adult entertainment.

See adult use business definitions in GMC § 5.10.010.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.030. Adult entertainment facility.

See adult use business definitions in GMC § 5.10.010.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.032. Adult family home.

"Adult family home" means a regular family abode in which a person or persons provides personal care, special care, room, and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. Adult family homes shall be considered a residential use of property for zoning and public and private utility rate purposes. Adult family homes shall be a permitted use in all areas zoned for residential or commercial purposes, including areas zoned for single-family dwellings.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.035. Agricultural uses (commercial).

"Agricultural uses (commercial)" means agricultural activities, involving 10 or more acres, carried on as a commercial enterprise with the object of gain, benefit, or advantage, directly or indirectly. Agricultural uses (commercial) do not include feed lots, stockyards, dairies, hog farms or poultry husbandry.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.040. Agricultural use (limited).

"Agricultural use (limited)" means an agricultural operation including the construction of farm buildings and the keeping of farm animals upon the premises, but the agricultural operation shall be for a personal use only and not be carried on as a commercial enterprise where a profit is realized.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.045. Alley.

"Alley" means a dedicated narrow service way, not more than 20 feet wide, providing a secondary means of public access to abutting properties.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.046. All weather surface.

"All weather surface" means any roadway, driveway, alley or parking lot surface paved with crushed stone,

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asphalt, concrete or other pervious or impervious material in a manner that will support the weight of anticipated vehicular traffic in all weather conditions and minimize the potential for ruts, dust, potholes, or pooling of water.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.050. Alterations.

"Alterations" means as applied to a building or structure:

- A. A change or rearrangement of the structural or nonstructural parts in the existing facilities;
or
- B. An enlargement or addition on a building or structure; or
- C. Moving a building or structure from one location or position to another; or
- D. A change of use.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.055. Amusement game device.

See vending and amusement devices definitions in GMC § 5.18.010.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.060. Amusement game center.

"Amusement game center" means any building or portion thereof, which contains more than two amusement game devices.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.065. Animal unit.

See animal definitions in GMC Title 6, Animals.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.070. Antique.

"Antique" means a piece of furniture, glassware, silverware, art work or other items that are at least 60 years old and are distinguished from general secondhand personal property and collectibles by educational value, historic value, artistic value, ornamental character or intrinsic aesthetic merits.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.075. Antique dealer.

"Antique dealer" means an establishment having as its primary stock-in-trade "antiques" as that term is defined in this chapter.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.080. Apartment building.

"Apartment building" means a building ~~with three or more dwelling units, arranged, intended, or designed to be occupied by three or more families living independently of each other.~~
(Ord. 2011-29 § 5 (Att. B))

Commented [KN2]: Removed in compliance with HB 5235; RCW 35A.21.314

§ 17.12.085. Auto body shop.

"Auto body shop" means a building or portion of a building wherein there is engaged the business of improvement and restoration of automobiles and other motor vehicles by sanding, priming, painting, straightening and other like repair and restoration.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.090. Auto detail shop.

"Auto detail shop" means a building or portion of a building wherein there is engaged the business of improvement of the appearance of automobiles or other vehicles by washing, waxing, polishing or other like means not within the definition of an "auto body shop," GMC § 17.12.085.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.092. Batch plant (asphalt or concrete).

"Batch plant" means a manufacturing facility for the production of paving and/or construction materials, usually temporary in nature, and normally associated with specific construction projects or mineral resource extraction facilities.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.095. Billiard or pool halls.

"Billiard or pool halls" means an establishment wherein the principal use or activity is billiards, pool, or snooker, regardless of the number of billiard, pool or snooker tables.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.100. Boat.

"Boat" means any type of water craft, whether registered or unregistered, licensed or unlicensed. The term "boat" shall include any wheeled trailer or other device on which such boat is or may be kept, stored, or transported, whether registered or unregistered, licensed or unlicensed.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.105. Boardinghouse.

"Boardinghouse" means any dwelling with less than 20 sleeping rooms in which persons whether individually or as families are housed or lodged and are provided meals at the dwelling. A rooming house or furnished rooming house is a boardinghouse.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.110. Building.

"Building" is any structure used or intended for supporting or sheltering any use or occupancy.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.115. Building, accessory.

"Accessory building" means a supplementary building, the use of which is incidental to that of the main or principal building and which is located on the same lot therewith.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.120. Building area.

"Building area" means the three-dimensional space within which a building is permitted to be built on

a lot and which is defined by height regulations, yard setbacks, and building coverage. (Ord. 2011-29 § 5 (Att. B))

§ 17.12.125. Building, detached.

"Detached building" means a building surrounded by open space as required herein.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.130. Building height.

"Building height" means the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

- A. The elevation of the highest adjoining sidewalk or finished ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or finished ground surface is not more than 10 feet above lowest finished grade;
- B. An elevation 10 feet higher than the lowest finished grade when the highest sidewalk or finished ground surface described in subsection A of this section is more than 10 feet above lowest finished grade.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.135. Camp trailer/travel trailer/fifth wheel.

"Camp trailer/travel trailer/fifth wheel" means a structure designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or tow-able by motor vehicle.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.140. Camper (pickup).

"Camper (pickup)" means a structure designed to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for recreational use, camping or vacation use.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.145. Club.

"Club" means an organization catering exclusively to members and their guests in premises and buildings for recreation and athletic purposes.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.146 Co-living

"Co-living" means a residential development with sleeping units that are independently rented or owned and lockable and provide living and sleeping space with residents sharing kitchen facilities with other sleeping units in the building. "Sleeping unit" means an independently rented or owned and lockable unit that provides living and sleeping space.

Commented [KN3]: RCW 36.70A.538

§ 17.12.150. Communication tower.

"Communication tower" means a freestanding or building-mounted structure, including appurtenances and antenna intended for airway communication purposes, such as a television antenna or ham radio tower. This definition does not include wireless communications towers defined in GMC § 17.12.485.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.152. Community building.

"Community building" means a facility used for the common welfare of all persons.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.153. Community kitchen.

"Community kitchen" means a facility that offers or provides meals and food to the homeless and needy as its primary activity.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.155. Community service facilities level one.

"Community service facilities" of the level one category include, but are not limited to, day care centers, nursery schools, hospitals, sanitariums, nonprofit community health clinics, governmental and quasi-governmental activities, and related uses, which provide similar services for citizens; except any such use which limits the activity solely to organizational or administrative office functions, whereby the actual community service is provided elsewhere, shall be excluded from this definition.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.156. Community service facilities level two.

"Community service facilities" of the level two category include, but are not limited to, drug abuse and alcoholic treatment centers, halfway houses, charitable organizations, nonprofit service groups, juvenile care and treatment centers, crisis residential centers, correctional work release facilities, correctional institutions, juvenile delinquency homes and facilities, any and all facilities for incarceration or detainment, temporary shelters, emergency housing facilities, community service housing, missions, community kitchens, food banks, and other similar uses which provide social, health and welfare service for citizens; except any such use which limits the activity solely to organizational or administrative office functions, whereby the actual community service is provided elsewhere, shall be excluded from this definition.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.157 Condominium

"Condominium" means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to RCW 64.34.

§ 17.12.158 Cottage Housing

Cottage housing: Cluster development consisting of small attached or detached dwelling units arranged in a cluster around a common open space with shared parking facilities and a maximum individual square footage of 1,200 sq. ft.

§ 17.12.160. Day care center, nursery school, preschool.

"Day care center, nursery school, preschool" means any type of group day care programs, for children or adults, including nursery schools for children under the minimum age for education in public schools, parent cooperative nursery schools, playgroups for preschool children, covering after school care for school children, and programs which provide organized learning

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and education experiences, provided such establishments are licensed by the state and conducted in accordance with state requirements. For the purpose of this title, the following shall also apply to day care centers, nursery schools or preschools:

- A. "Babysitting care" means a dwelling which provides occasional custodial care to children, for periods of less than 24 hours, who do not reside within the residence of the person providing the care. Babysitting care is not necessarily provided in exchange for compensation.
 - B. "Home-based day care" means a home licensed by the Department of Social and Health Services and in which day care is regularly provided for not more than 12 children or adults for periods of less than 24 hours. Home-based day care is allowed in any home regardless of its zoning classification.
 - C. "Mini-day care center" means a place, other than the home of the provider, which provides regular custodial care for one to 12 children or adults for periods of less than 24 hours.
 - D. "Day care center" means a place which provides regular custodial care for 12 or more children or adults.
 - E. "Preschool/nursery schools" means a place that provides regular custodial care and/or organized learning and educational experiences for children.
- (Ord. 2011-29 § 5 (Att. B))

§ 17.12.163. Discontinuance.

"Discontinuance" means the intentional or inadvertent cessation of a nonconforming use or the same or a more restrictive use of a nonconforming building including, but not limited to, the termination of a nonconforming tenancy and nonoccupancy of the building for the required period or the cessation of a nonconforming business use of a building for the prescribed period.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.165. Dwelling.

"Dwelling" means a building designed exclusively for residential purposes, including one-family, two-family, or multiple-family dwellings, but not including hotels or motel units.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.170. Dwelling, multiple.

"Multiple dwelling" means a building ~~used or designed as a residence for three or more families living independently of each other doing their own cooking therein, containing three or more dwelling units.~~ This includes apartment houses and flats.

(Ord. 2011-29 § 5 (Att. B))

Commented [KN4]: Removed in compliance with HB 5235; RCW 35A.21.314

§ 17.12.175. Dwelling, one-family.

"One-family dwelling" means a detached ~~building containing one dwelling unit, including manufactured and mobile homes, designed for or occupied exclusively by one family.~~

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.180. Dwelling, two-family.

"Two-family dwelling" means a building ~~containing two or more dwelling units, designed for or occupied exclusively by two families living independently of each other, except that common laundry facilities are allowed.~~

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.185. Dwelling unit.

"Dwelling unit" means a building or portion thereof providing complete housekeeping facilities for one family
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.186. Electric vehicle battery charging station.

"Electric vehicle battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter 19.28 RCW (electricians and electrical installations) and consistent with rules adopted under RCW 19.27.540 (electric vehicle infrastructure requirements).
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.187 Emergency housing

"Emergency housing" means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Commented [KN5]: RCW 36.70A.030; RCW 35.21.685

§ 17.12.188 Emergency shelter

"Emergency shelter" means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

Commented [KN6]: RCW 36.70A.030; RCW 35.21.685

§ 17.12.189. Essential public facilities.

"Essential public facilities" means those facilities that are typically difficult to site, such as airports, state education facilities, state and local correctional facilities, state or regional transportation facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, and group homes not falling under the purview of fair housing laws, such as adult correctional work release facilities; and those facilities appearing on the list maintained by the State Office of Financial Management pursuant to RCW 36.70A.200(4).
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.190. Factory-assembled home.

A "factory-assembled home" is defined as either:

- A. A factory-built structure that was constructed in accordance with the U.S. Department of Housing and Urban Development requirements and bearing an appropriate Department of Labor and Industries insignia indicating such compliance; or
- B. A factory-built structure designed for human occupancy, which is entirely or substantially prefabricated or assembled at a place other than a building site and is transported to a building site on streets or highways and there affixed to a permanent foundation. A factory-assembled home must be constructed to International Building Code standards as adopted by the city of Grandview for on-site construction, the Washington State Energy Code and all other uniform codes adopted by the city of Grandview governing the construction of residential structures.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.195. Family.

"Family" means an individual or two or more persons related by blood, marriage, or legal adoption, or a group of not more than five persons unrelated by blood, marriage, or legal adoption, but, subject to International Property Maintenance Code provisions regarding minimum area requirements per number of people in living spaces, living together as a single housekeeping unit and doing their cooking on the premises of the dwelling unit, ~~provided, however, that dormitories, clubs, rooming houses having over two rooms, motels or hotels, and like groups of individuals shall not be considered a family.~~

(Ord. 2011-29 § 5 (Att. B))

Commented [KN7]: Removed in compliance with HB 5235; RCW 35A.21.314

§ 17.12.196. Family day care providers.

"Family day care providers" means a child care provider who regularly provides early childhood education and early learning services for not more than 12 children in the provider's home in the

family living quarters.

(Ord. 2017-1 § 5)

§ 17.12.197. Foster-family home.

"Foster-family home" means an agency which regularly provides care on a 24-hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed. Foster-family home does not include homes for individuals residing in halfway houses, crisis residential centers (as defined in RCW 74.15.020(1)(c)), group homes licensed for juvenile offenders, or other facilities, whether or not licensed by the state, where individuals are incarcerated or otherwise required to reside pursuant to court order under the supervision of paid staff and personnel. Foster-family homes shall be considered a residential use of property for zoning and public and private utility rate purposes. Foster-family homes shall be a permitted use in all areas zoned for residential or commercial purposes, including areas zoned for single-family residential dwellings.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.200. Garage, residential.

"Residential garage" means a structure on the same lot with and accessory to a principally permitted use, used for storage only.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.205. Garage, public.

"Public garage" means any garage other than a private garage, available to the public, operated for gain and which is used for storage, repair, rental, greasing, washing, servicing, adjusting, or equipping of automobiles or other motor vehicles.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.210. Group care facility.

"Group care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a 24-hour basis. Group care facility does not include homes for individuals residing in halfway houses, crisis residential centers (as defined in RCW 74.15.020(1)(c)), group homes licensed for juvenile offenders, or other facilities, whether or not licensed by the state, where individuals are incarcerated or otherwise required to reside pursuant to court order under the supervision of paid staff and personnel. Group care facilities

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shall be a permitted use in all areas zoned for commercial purposes (C-1 and C-2). Group
care facilities are not permitted in the central business overlay district as described in GMC
§ 17.45.020.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.215. Group home.

"Group home" means a residence that is licensed as either a boarding home or an adult family home by the Washington State Department of Social and Health Services under Chapter 388-76 or 388-78A WAC. Group homes provide community residential instruction, supports, and services to two or more clients who are unrelated to the provider. Group home does not include homes for individuals residing in crisis residential centers (as defined in RCW 74.15.020(1)(c)), group homes licensed for juvenile offenders, or other facilities, whether or not licensed by the state, where individuals are incarcerated or otherwise required to reside pursuant to court order under the supervision of paid staff and personnel. Group homes shall be a permitted use in all areas permitting single-family homes (R-1, R-1S, R-2, R-3, R-1P). Group homes are not permitted in the central business overlay district as described in GMC § 17.45.040.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.217. Health officer.

"Health officer" means the Yakima County health district.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.220. Home occupation.

"Home occupation" means a profession, trade, skill or service possessed and utilized, in whole or in part, by a family member(s) for monetary gain within or upon the premises of a permanent dwelling unit in a residential district. A home occupation may involve internet-based wholesale or retail sales of any general or specific line of merchandise, products, goods or wares. A home occupation shall not involve in-person wholesale or retail sales of any general or specific line of merchandise, products, goods or wares upon said premises, unless such articles are produced thereon in the conduct of the profession, trade, skill or service.
(Ord. 2011-29 § 5 (Att. B); Ord. 2021-9 § 1)

§ 17.12.222. Home site.

"Home site" means a reasonably level, adequately drained parcel of definite size clearly indicated by corner markers, for the placing of a site-built home, a factory-assembled home or mobile home.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.223. Improved hard surface.

"Improved hard surface" means any roadway, driveway, alley or parking lot surface paved with asphalt, concrete or brick pavers.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.225. Junk yard.

"Junk yard" means a lot or structure or part thereof used for the collecting and/or storage and/ or sale of waste paper, rags, scrap metal, appliances, old furniture, or discarded material and/or for the collecting, storage, and/or dismantling, and/or salvaging of machinery, equipment, boats and/or vehicles for the sale of parts thereof.
(Ord. 2011-29 § 5 (Att. B))

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§ 17.12.235. **Lot.**

"Lot" means a designated parcel, tract or area of land established by final plat, short plat, binding site plan, or as otherwise permitted by law.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.240. **Lot area.**

"Lot area" means the total horizontal area within the boundary lines of a lot exclusive of street and alley rights-of-way regardless of whether such right-of-way is improved.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.245. **Lot, corner.**

"Corner lot" means a lot at the junction of and abutting two or more intersecting street rights-of-way.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.250. **Lot, corner, depth of.**

"Depth of corner lot" means a horizontal distance between the front and rear lot lines measured in the general direction of its side lot lines.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.255. **Lot coverage.**

"Lot coverage" means that percentage of the lot area covered by all buildings and other impervious surfaces, including accessory buildings and patio covers or sun screens.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.260. **Lot depth.**

"Lot depth" means the horizontal distance between the front and rear property in the mean direction of the side lot lines.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.265. **Lot, flag.**

"Flag lot" means a lot not meeting minimum frontage requirements and where access to the public road is by a narrow private right-of-way or driveway.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.270. **Lot, interior.**

"Interior lot" means a lot other than a corner lot.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.275. **Lot, key.**

"Key lot" means a lot in which the front half of the side lot line forms the rear lot line of an adjoining lot.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.280. **Lot line.**

"Lot line" means any line dividing a lot from a public street or alley right-of-way or dividing one lot from another.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.285. Lot, through.

"Through lot" means an interior lot having frontage on two parallel or approximately parallel streets.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.290. Lot, width of.

"Width of lot" means the average width measured at right angles to the depth.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.292. Manufactured home.

"Manufactured home" means a single-family dwelling built according to the United States Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national preemptive building code. A manufactured home also: (A) includes plumbing, heating, air conditioning, and electrical systems; (B) is built on a permanent chassis; and (C) can be transported in one or more sections with each section at least eight feet wide and 40 feet long when transported, or when installed on the site is 320 square feet or greater.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.294. Manufactured home park.

"Manufactured home park" means a tract of land under single ownership or control upon which two or more manufactured homes occupied as dwellings may be located.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.295. Massage parlor.

"Massage parlor" means a business principally used for the purpose of providing massages in an enclosed building.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.296. Membership club.

"Membership club" means a social, sports or fraternal association or organization that is used exclusively by members and their guests.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.300. Micro-brewery.

"Micro-brewery" means a business engaged in the production of beer and licensed by the Washington State Liquor Board as a B1 Domestic Brewery, producing less than 60,000 barrels annually.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.305. Micro-winery.

"Micro-winery" means a business licensed by the Washington State Liquor Board as a W1 Winery, producing less than 99,999 liters annually.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.310. Mini-storage facility.

"Mini-storage facility" means a building or group of buildings consisting of small, self-contained units for the storage of household or business goods, provided no hazardous substances or

conditions are maintained within the facility.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.312. Mission.

"Mission" means a facility that offers or provides temporary housing, meals, food, clothing and other commodities or any combination thereof to the homeless and needy as its primary activities.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.315. Mobile home.

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the United States Department of Housing and Urban Development Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the United States Department of Housing and Urban Development Manufactured Home Construction and Safety Act.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.317. Modular home.

"Modular home" means a factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities that include plumbing, heating, and electrical systems contained therein; does not contain its own running gear; and must be mounted on a permanent foundation. This definition does not include a mobile home, manufactured home, commercial coach, recreational vehicle or motor home. The same standards shall apply to modular homes as are applied to manufactured homes. See "manufactured home," GMC § 17.12.292.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.320. Motor home.

"Motor home" means a vehicular type of unit or device, whether licensed or unlicensed, primarily designed as a temporary living quarters for recreation, camping, or travel use, which contains its own motive power.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.325. Motor vehicle repair shop.

"Motor vehicle repair shop" means a building or portion of a building arranged, intended or designed to be used for making repairs to motor vehicles.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.330. Nonconforming use.

"Nonconforming use" means a use of land existing at the time of the enactment of this title and which does not conform to the regulations of the district or zone in which it is situated.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.335. Nursery school.

See definition under GMC § 17.12.160.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.340. Nursing or convalescent home.

"Nursing or convalescent home" means any building where persons are housed or lodged

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and furnished with meals and nursing care and which premises are licensed by the state of Washington.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.345. Open spaces.

"Open spaces" means an unoccupied space open to the sky on the same lot with a building.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.350. Outdoor storage.

"Outdoor storage" means all materials, equipment, merchandise or objects kept or placed on the lot or not within an enclosed structure, for preservation or later use or disposal; it is not intended, however, to include the following exceptions:

- A. Those objects customarily stored outside an enclosed structure due to their size and due to their being of such character as to not readily deteriorate when exposed to the elements, such as automobiles, mobile homes, boats and other vehicles, farm machinery, irrigation and heavy construction equipment, and those objects which are themselves enclosures; provided, however, said objects are being kept primarily for immediate sale or rental to others.
- B. Neat and orderly outdoor displays of items or objects for immediate sale when such displays are incidental or accessory to an established commercial principal activity conducted from an enclosed structure; and further provided, that the area consumed by said displays does not exceed an amount equal to 10 percent of the net lot area.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.355. Parcel.

See definition under GMC § 17.12.235.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.360. Pawn shop.

"Pawn shop" means an establishment wherein a person, firm or corporation is engaged, in whole or in part, in the business of loaning money on the security of pledges, deposits, or conditional sales of personal property.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.361 Permanent supportive housing

"Permanent supportive housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services pursuant to RCW 36.70A.030. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

Commented [KN8]: RCW 36.70A.030; RCW 35.21.685

§ 17.12.365. Quarry, sand pit, gravel pit, or topsoil stripping.

"Quarry, sand pit, gravel pit, or topsoil stripping" means a lot or land or part thereof used for the purpose of extracting stone, sand, gravel or topsoil for sale as an industrial operation and exclusive of the process of grading the lot preparatory to the construction of a building for which application for a building permit has been made.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.370. Recreational vehicle.

See definition under GMC § 17.69.020.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.372. Recycling center.

"Recycling center" means a facility where discarded household products such as aluminum and tin cans, glass, paper, and other similar individual consumer products are deposited and stored for future reprocessing.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.373. Residential park.

"Residential park" means a tract of land five acres or larger designed and developed to accommodate two or more site-built homes or factory-assembled homes as individual single-family dwelling units.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.374. Retail sales establishment.

"Retail sales establishment" means an establishment engaged in the retail sale of general or specialized lines of merchandise, and in rendering services incidental to the sale of merchandise, at fixed point-of-sale locations. Retail sales establishment does not include adult entertainment facilities.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.375. Riding academy.

"Riding academy" means any establishment where horses are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar establishment.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.380. Sanitarium or sanatorium. *Suggested updated definition: "long-term treatment or rehabilitation facilities"*

"long-term treatment or rehabilitation facility" "Sanitarium" or "sanatorium" means a private hospitals or treatment facilities, whether or not such facilities are operated for a profit.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.385. Secondhand dealer.

"Secondhand dealer" means an establishment having any portion of its stock-in-trade in "secondhand personal property" as that term is defined in GMC § 17.12.390.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.390. Secondhand personal property.

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"Secondhand personal property" means any item (or part thereof) of secondhand personal property, regardless of condition, age or value, including scrap and melted metals, excepting the following: stamps, coins, books, reconditioned appliances, empty food containers, compact discs, computer software, goods used in trade-ins on the purchase of other merchandise of the same or greater value, used automobiles, unclaimed goods sold to collect mechanics' liens and antiques.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.395. Service building.

"Service building" means a building having either laundry facilities, or maintenance facilities or a combination of such uses.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.400. Snowmobile.

"Snowmobile" means a vehicle with a continuous tread and runner type steering device used primarily for over-snow travel.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.405. Solid fuel yard.

"Solid fuel yard" is an area that stores, processes, or disposes of wood, coal, or any other nongaseous or nonliquid fuels.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.415. Stable, private.

"Private stable" means an accessory building in which horses are kept for private use and not for hire, remuneration, or sale.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.420. Stable, public.

"Public stable" means a building in which horses are kept for remuneration, hire, or sale.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.425. Stock-in-trade.

"Stock-in-trade" means all books, magazines, posters, pictures, periodicals, other printed material, items, products, equipment, prerecorded video tapes, discs or other similar materials readily available for purchase, rental, viewing or use by patrons of the establishment excluding material located in any storeroom or other portion of the premises not regularly open to patrons.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.430. Container storage.

"Container storage" means a unit originally or specifically used or designed to store goods or merchandise during shipping or hauling by a vehicle, including but not limited to rail cars of any kind, truck trailers or multimodal shipping containers.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.435. Street.

"Street" means a public or private way that affords a principal means of access to abutting properties.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.440. Structure.

"Structure" is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.445. Tattoo parlor.

"Tattoo parlor" means an enclosed building used for the business of tattooing a customer's body.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.450. Tavern.

"Tavern" means an establishment licensed by Washington State to dispense beer, wine or other alcoholic beverage for consumption on the premises, the provision of which is not in any way dependent upon food sales to retain said license. Such places may also provide packaged alcoholic products for off-site consumption.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.455. Theater, motion picture.

"Motion picture theater" means a building or part of a building devoted to the showing of moving pictures on a paid admission basis. This does not include adult entertainment facilities.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.456 Transitional Housing

"Transitional housing" means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

Commented [KN9]: Source: RCW 84.36.043 (MRSC guidance)

§ 17.12.457. Community service housing.

"Community service housing" means a facility that principally offers or provides subsidized housing on a daily, weekly or monthly basis and provides one or more of the additional following services at a cost, if any, subsidized by charitable or government agencies, including: (A) meals and food; (B) child or adult day care services; (C) employment, substance abuse or behavior counseling; and (D) medical, dental or mental health services; regardless of whether such community social and health welfare services are provided on premises or off the premises for the benefit of such residents.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.460. Urban area.

"Urban area" means the area within the Grandview city limits and the unincorporated portion of Yakima County within the Grandview urban growth boundary established and adopted by Yakima County.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.465. Utility trailer.

"Utility trailer" means a vehicular structure or device with or without its own mode of power, licensed or unlicensed, designed and/or used for the transportation of goods, equipment, other vehicles or devices, and materials.
(Ord. 2011-29 § 5 (Att. B))

§ 17.12.470. Vehicles.

"Vehicles" means motorized mechanical devices designed for movement by means of wheels,

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skids or runners of any kind, and specifically including all such automobiles, buses, trucks, cars, vans, and motor homes even though they may be at any time immobilized in any way for any period of time for whatever duration; and also including boats and such recreational vehicles as defined herein.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.475. Vehicle, inoperable.

"Inoperable vehicle" means a vehicle which is apparently inoperable and is extensively damaged, including but not limited to: a broken window or windshield; is absent a tire, wheel, engine, transmission, rear end, axle or driveline; or a vehicle or part thereof which is placed upon jacks, blocks or other support.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.480. Winery (commercial).

"Commercial winery" means a facility designed for crushing, pressing, fermenting, bottling and cellaring wine for retail and wholesale purposes. A commercial winery produces less than 50,000 cases of wine a year.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.485. Wireless communication tower.

"Wireless communication tower" means an unstaffed facility for the transmission and reception of radio or microwave signals used for commercial or personal communications. Wireless communication towers are composed of two or more of the following components:

- A. Antenna;
- B. Support structure;
- C. Equipment enclosure;
- D. Security barrier.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.490. Yard, front.

"Front yard" means an open and unoccupied space, except as provided herein, extending the full width of the lot between any building and any street right-of-way adjacent the lot. The front yard shall be determined by measuring perpendicular from the street right-of-way to the closest point of the building.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.495. Yard, rear.

"Rear yard" means an open and unoccupied space, except as provided herein, extending across the full width of the lot between the principal building and the rear lot line and measured perpendicular from the rear lot line to the closest point of the building. For a corner lot the rear yard shall be parallel to the shortest lot line common to an adjacent lot.

(Ord. 2011-29 § 5 (Att. B))

§ 17.12.500. Yard, side.

"Side yard" means an open and unoccupied space, except as provided herein, extending from the front yard to the rear lot line between the principal building and the side lot line. The side yard shall be measured perpendicular from the side lot line to the closest point of the principal building. (Ord. 2011-29 § 5 (Att. B))

§ 17.12.510. Zero Lot Line Adjustment.

"Zero Lot Line Development" is a development consisting of buildings constructed so that one of the exterior walls sit directly on the boundary line of the property, leaving no yard space on that side.

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