

**Ordinance No.**

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING CHAPTER 17.24, SUBDIVISIONS, AND SECTION 18.72.100, UNIFIED DEVELOPMENT CODE, OF THE OLYMPIA MUNICIPAL CODE.**

**WHEREAS**, Senate Bill No. 5674 relating to the final approval of subdivisions of land was enacted by the Washington State Legislature in 2017 and codified under RCW 58.17; and

**WHEREAS**, RCW 58.17.100 allows the legislative body of a city to adopt by ordinance the delegation of final plat approval to an established planning agency or administrative personnel; and

**WHEREAS**, to conform with RCW 58.17.100, the City of Olympia Community Planning and Development Department has proposed minor amendments to Title 17, Subdivisions, and Title 18, Unified Development Code, of the Olympia Municipal Code (OMC) (the Proposed Amendments) regarding final city approval of subdivisions; and

**WHEREAS**, the Proposed Amendments are consistent with Chapter 58.17 RCW, Plats, Subdivisions, Dedications; and

**WHEREAS**, the Proposed Amendments are consistent with the Olympia Comprehensive Plan and other chapters of Title 18 OMC; and

**WHEREAS**, Chapters 35A.63 and 36.70A RCW and Article 11, Section 11 of the Washington State Constitution authorize and permit the City to adopt this Ordinance;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 17.24. Olympia Municipal Code Chapter 17.24 is hereby amended to read as follows:**

**Chapter 17.24  
FINAL PLAT**

17.24.000 Chapter Contents

Sections:

- 17.24.010 Submission of application.
- 17.24.020 Format and content of application.
- 17.24.030 Distribution of copies.
- 17.24.040 Time to act.
- 17.24.050 Review criteria.
- 17.24.060 ~~City-Council action~~ final approval.
- 17.24.070 Filing for record--Copies.
- 17.24.080 Filing for record--Time limit.

### **17.24.010 Submission of application**

The subdivider shall submit twelve (12) dark line prints and one stable base polyester film or other approved material (hereinafter referred to as Mylar) to the department.

### **17.24.020 Format and content of application**

A. Survey of Subdivision and Preparation of Plat. The survey of the proposed subdivision and preparation of the plat shall be made by or under the supervision of a registered land surveyor who shall certify on the plat that it is a true and correct representation of the lands actually surveyed.

B. Drafting Standards. All final plats shall be drawn in accordance with the following:

1. The final plat shall be clearly and legibly drawn in permanent black ink upon a stable base polyester film.
2. The scale of the plat shall be not less than 1" = 200'. Lettering shall be at least 3/32 of an inch high. The perimeter of the plat or subdivision being recorded shall be depicted with heavier lines wider than the remaining portion of the plat or subdivision.
3. The size of each sheet shall be 18" by 24".
4. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of three inches on the left, and one-half inch on each side of the other three sides.
5. If more than two sheets are used, an index of the entire subdivision showing the arrangement of all sheets shall be included. Each shall be appropriately numbered.
6. The plat title, date, scale and north arrow shall be shown on each appropriate sheet of the final plat.
7. All signatures placed on the final plat shall be original signatures written in permanent black India ink.

C. Street Monuments. The surveyor preparing the plat shall submit a street monumentation plat to the Public Works Department for approval prior to setting any permanent street monuments. The Public Works Department shall determine the number and location of permanent control monuments in streets within and leading into the plat, if any. All street monuments shall conform to the standard specifications of the American Public Works Association or as amended by city standard plans.

D. Content.

1. The following information is required on the final plat map:

- a. The date, scale, north arrow, legend, controlling topography and existing features such as highways and railroads;
- b. Legal description of the plat boundaries;
- c. Reference points and lines of existing surveys identified, related to the plat as follows:
  - i. Adjoining corners of adjoining subdivisions,
  - ii. City or county boundary lines when crossing or adjacent to the subdivision,
  - iii. Section and donation land claim lines within and adjacent to the plat,
  - iv. Whenever the county or a city has established the centerline of a street adjacent to or within the proposed subdivision, the location of this line and monuments found or reset,
  - v. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title,
  - vi. The basis of bearing shall be shown and shall be the Olympia coordinate system;
- d. The exact location and width of streets and easements intersecting the boundary of the tract;
- e. Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings or deflection angles, radii, arcs, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest 0.01 foot;
- f. The width of the portion of streets being dedicated, the width of any existing rights-of-way and the width of each side of the centerline. For streets on curvature, curve data shall be based on the street centerline. In addition to the centerline dimensions, the radius and central angle shall be indicated;
- g. Easements denoted by fine dashed lines or described by narrative, clearly identified and, if already of record, their recorded reference. The width of the easement, its length and bearings, and sufficient ties to locate the easement with respect to the subdivision must be shown. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate of dedication;

h. Lot numbers beginning with number "1" and numbered consecutively without omission or duplication throughout the plat. The numbers shall be solid, of sufficient size and thickness to stand out and so placed as not to obliterate any figure. Lot numbers in an addition to a subdivision of the same name shall be a continuation of the numbering of the original subdivision;

i. Accurate outlines and designations of any areas to be dedicated or reserved for public use or to be committed for the common use of all property owners with the purpose of dedication, reservation and commitment to be clearly set forth on the plat document together with accurate references to appropriate recorded documents;

j. All required dedications, endorsements, covenants, affidavits and certificates shall show on the face of the final plat;

k. The final plat shall show the subdivision of the section or sections involved and show the township(s) and range(s); provided, that if the land being platted is not described by section subdivision, the final plat map shall show a vicinity map showing monuments and land corners sufficient to properly orient the new subdivision;

l. Specific wording as may be required by the preliminary plat approval;

m. A plat or subdivision contiguous to, or representing a portion of or all of the frontage of a body of water, river or stream shall indicate the location of monuments, which shall be located at such distance above high-water mark as to reasonably insure against damage and destruction by flooding or erosion;

n. Lots containing one acre or more shall show net acreage to nearest hundredth, whenever possible;

o. Designation of lots to be used for other than single-family residential purposes;

p. If the plat constitutes a replat of all or portions of an existing subdivision, this shall be clearly indicated just below the subdivision name. All original plat lines shall be shown in half-tone around the perimeter of the new plat.

q. A summary of the terms and conditions, including building permit restrictions, of any agreement and security to construct improvements in the future on the plat.

2. Acknowledgments and Certificates. Acknowledgments and certificates required by this title shall be in language substantially indicated in the following subsections:

a. Dedications. The intention of the owner shall be evidenced by the owner's presentation for filing of a final plat clearly showing the dedication thereof and bearing the following certificate signed by all real parties of interest:

"Know all persons by these presents that \_\_\_\_\_, the undersigned owner, in fee simple of the land hereby platted, \_\_\_\_\_, and \_\_\_\_\_, the mortgagee thereof, hereby declare this plat and dedicate to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the plat and the use for public purposes. Also, the right to make all necessary slopes for cuts and fills upon lots, blocks, tracts, etc. shown on this plat in the reasonable original grading of all the streets, avenues, places, etc. shown hereon. Also the right to drain all streets over and across any lot or lots where water might take a natural course after the street or streets are graded. Also, all claims for damage against any governmental authority are waived which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said roads.

IN WITNESS WHEREOF we set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, [year].

In the event that a waiver of right of direct access is included, then the certificate shall contain substantially the following additional language:

"Access to \_\_\_\_\_ street from lots numbered \_\_\_\_\_ is hereby waived, and dedication to the public shall in no way be construed to permit a right of direct access to \_\_\_\_\_ street from lots numbered \_\_\_\_\_, nor shall the City of Olympia or any other local governmental agency within which the property is or may become located ever be required to grant a permit to build or construct an access of approach to said street from said lots."

b. Acknowledgment.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

This is to certify that on this \_\_\_\_\_ day of \_\_\_\_\_, [year], before me, the undersigned, a notary public, personally appeared to me known to be the person(s) who executed the foregoing dedication and acknowledged to me that \_\_\_\_\_ signed the same as \_\_\_\_\_ free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above-written.

(Seal)

\_\_\_\_\_  
NOTARY PUBLIC in and for the  
State of Washington, residing at  
\_\_\_\_\_

- c. Restrictions. The following restrictions shall show on the face of the final plat:
  - i. The following shall be required when the plat contains a private street: "The cost of construction and maintaining all streets not herein dedicated as public streets shall be the obligation of all of the owners and the obligation to maintain shall be concurrently the obligation of any corporation in which title of the streets may be held."
  - ii. "All landscaped areas in public rights-of-way shall be maintained by the owner and the owner's successor(s) and may be reduced or eliminated if deemed necessary for or detrimental to City road purposes."
  - iii. The following shall be required when the plat contains commonly owned tracts: "Community tracts shall be owned and maintained in common for the benefit of all lot owners. All lots have an undivided interest in the ownership and maintenance of community areas. The ownership interest in each community tract shall be stated in the deed to each lot"
  - iv. The following shall be required when the installation of required improvements has not been completed prior to recording: "Pursuant to City Ordinance, the City of Olympia may deny the issuance of building or occupancy permits for any structure within this plat until street, sidewalk, or other required plat improvements have been installed."
  - v. Any additional conditions as approved by the ~~council~~ or hearing examiner.
- d. Certificate From Land Surveyor. The completed plat must show a certificate from the land surveyor who platted the property, in substantially the following form:

"I hereby certify that the Plat of \_\_\_\_\_ is based upon an actual survey and subdivision of a portion of Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, W.M.; that the distances and courses shown thereon are correct; that the monuments have been set and lot and block corners staked on the ground."

- e. Certificates of City Officers. The plat shall also show the following certificates:

- i. Certificate--City Engineer.

"Examined and approved this \_\_\_\_ day of \_\_\_\_\_ [year].

\_\_\_\_\_  
Olympia City Engineer"

- ii. Certificate--Health Officer.

"Examined and approved this \_\_\_\_ day of \_\_\_\_\_ [year].

\_\_\_\_\_  
Health Officer"

iii. Certificate--Assessor.

"Examined and approved this \_\_\_\_ day of \_\_\_\_\_ [year].

\_\_\_\_\_  
Thurston County Assessor"

iv. Certificate-Treasurer.

"I hereby certify that all taxes on the land described hereon have been fully paid to and including the year \_\_\_\_.

\_\_\_\_\_  
Thurston County Treasurer"

v. Certificate--Planning Director.

"Examined and approved this \_\_\_\_ day of \_\_\_\_\_ [year].

\_\_\_\_\_  
Planning Director"

vi. ~~Certificate--City Council.~~

~~"Examined and approved this \_\_\_\_ day of \_\_\_\_\_ [year].~~

~~\_\_\_\_\_  
Mayor, City of Olympia"~~

ATTEST:

\_\_\_\_\_  
City Clerk"

vii. Certificate--City Clerk-Treasurer.

"I hereby certify that all Local Improvement District Assessments on the land described hereon have been fully paid to and including the year \_\_\_\_

\_\_\_\_\_  
Clerk-Treasurer, City of Olympia"

viii. Certificate--County Auditor.

"Filed for record at the request of \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, [year], at \_\_\_\_\_ minutes past \_\_\_\_\_.m., and recorded in Volume \_\_\_\_\_ of Plats, on page \_\_\_\_\_, records of Thurston County, Washington.

\_\_\_\_\_  
Thurston County Auditor

\_\_\_\_\_  
Deputy Auditor"

3. Supplemental information as required by the Application Content Lists must be submitted with the final plat map. See OMC 18.77.010.

**17.24.030 Distribution of copies**

The Public Works Department shall forward a dark line print to the Planning Department, county assessor, county health department, county treasurer, fire department, and any other agency responsible for the provision of services or insuring compliance with conditions of preliminary plat approval. Said agencies shall examine the plat for compliance with the provisions of this title.

**17.24.040 Time to act**

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

**17.24.050 Review criteria**

A. The Public Works Department shall examine the map as to sufficiency of affidavits and acknowledgments, correctness of surveying data, mathematical data and computations, and such other matters as require checking to insure compliance with the provisions of state laws pertaining to subdivisions, with this title and with the conditions of approval. Traverse sheets (computation of coordinates) and work sheets showing the closure of the exterior boundaries and of each irregular lot and block and the calculation of each lot size shall be furnished. If the final plat is found to be in correct form and the matters shown thereof are sufficient, the Public Works Department shall certify the mylar of the plat to the Planning Department.

B. In addition to a statement of approval from the Public Works Department, the following approvals must be submitted in writing to the Planning Department prior to its certification of the final plat:

1. Health Approval. The county health department shall indicate compliance with the health requirements of the preliminary plat and shall indicate the adequacy of the method of sewage disposal. Approval by the Health Department of the final plat shall not vary or negate any requirements for obtaining septic tank and drainfield permits for any lots therein;



2. Department of Ecology approval. In those cases where the subdivision is located in a flood control zone as established by RCW Chapter 86.16 the Department of Ecology shall indicate approval of the plat and shall state any special conditions or restrictions deemed by it to be necessary for effective flood protection;
3. Fire department's approval;
4. Water purveyor's approval;
5. Sewer purveyor's approval;
6. County treasurer's approval;
7. County assessor's approval;
8. Other approvals as may be required in the conditions of preliminary plat approval.

D. If each department determines that the final plat conforms fully with all applicable regulations and standards, they shall then affix their signatures to the final plat.

~~E. Upon confirmation of compliance with the conditions of approval, and subsequent to affixing its signature to the final plat, the Planning Department will instruct the Public Works Department to schedule final consideration of the plat map before the council.~~

#### **17.24.060 City ~~council action~~ final approval**

After being approved as required in Section 17.24.050, the final plat shall be presented to the ~~city council~~ Community Planning and Development Director. After finding that the final plat has been completed in accordance with the provisions of this title, and that all required improvements have been completed or that arrangements or contracts have been entered into to guarantee that such required improvements will be completed, and that the interests of the city are fully protected, the ~~city council~~ Director or the Director's designee shall sign the final plat accepting such dedications and easements as may be included thereon, and the final plat shall be returned to the applicant for filing for record with the county auditor.

#### **17.24.070 Filing for record –Copies**

The original of said final plat shall be filed for record with the county auditor. One reproducible copy of a stable base material shall be furnished to the Public Works Department. One paper copy shall be filed by the auditor with the assessor, planning department, health department, building department and the fire chief. All required paper copies shall bear the auditor's recording date.

**17.24.080 Filing for record –Time limit**

Approval of the final plat shall be null and void if the plat is not recorded within 30 days after the date the last required signature has been obtained.

**Section 2. Amendment of OMC 18.72.100.** Section 18.72.100 of the Olympia Municipal Code is hereby amended to read as follows:

**18.72.100 Review and appeal authority**

The following table describes development permits and the final decision and appeal authorities. When separate applications are consolidated at the applicant’s request, the final decision shall be rendered by the highest authority designated for any part of the consolidated application

**KEY:**

- Director = Community Planning and Development Director or designee
- SPRC = Site Plan Review Committee
- DRB = Design Review Board
- PC = Planning Commission
- HC = Heritage Commission
- HE = Hearing Examiner
- Council = City Council
- R = Recommendation to Higher Review Authority
- D = Decision
- O = Open Record Appeal Hearing
- C = Closed Record Appeal Hearing

[NOTE: City Council decisions may be appealed to Superior Court except comprehensive plan decisions which may be appealed to the State Growth Management Hearings Board.]

**Director SPRC DRB PC HC HE Council**

**ZONING**

Conditional Use Permit		R				D
Interpretations	D					O
Land Use Review	D <sup>1</sup>	R				O
Small Lot Review	D					O
Townhouse (2 – 4 Units)	D					O

	Director	SPRC	DRB	PC	HC	HE	Council
Townhouse (10 or more units)		R	R			D	
Townhouse Final (2-9)	D					O	
Townhouse Final (10 or more)		R					D
Zoning Variance	R					D	
Zone Map Change, without Plan Amendment	R					R	D
Zone Change, with Plan Amendment or Ordinance Text Amendment	R			R			D
Home Occupation	D					O	
Temporary Use Permit	D					O	
SEPA exempt Building Permit	D					O	
Parking or Fence Variance	D	R				O	
Accessory Dwelling Unit	D					O	
Accessory Building	D					O	
Occupancy Permit	D					O	
Sign Permit	D					O	
Landscape Plan	D					O	
Tree Plan	D					O	
Historic Properties	D	R			R	O	
<b>COMPREHENSIVE PLAN</b>							
Amendments (map, text)	R			R			D
<b>DESIGN REVIEW</b>							
Detailed Review	D		R				
major			O				
Concept Review	D	R	R			O	
Signs (general)	D					O	
Scenic Vistas	D	R	R			O	
<b>ENVIRONMENTAL</b>							
Threshold Determination	D					O	
Impact Statement Adequacy	D					O	
Reasonable Use Exception	R					D	

	Director	SPRC	DRB	PC	HC	HE	Council
SEPA Mitigating Conditions	D					O	
Major Shoreline Substantial Development Permit		R				D	
Shoreline Conditional Use Permit		R				D	
Shoreline Variance		R				D	
Shoreline Permit Revision or Exemption	D					O	
<b>SUBDIVISION</b>							
Boundary Line Adjustment (including lot consolidation)	D					O	
Preliminary Plat, Long	R					D	
Preliminary Short, (2-9 lots)	D <sup>1</sup>					O	
Final Short Plat	D					O	
Final Long Plat	<u>RD</u>					<u>O</u>	<u>D</u>
Master Plan Approval	R		R			R	D
MPD Project Approval		R	R			D	
Preliminary PRD		R				R	D
Final PRD		R					D
Time Extensions	D					O	

<sup>1</sup> Except when the Director refers the project for a public hearing before the Hearing Examiner pursuant to OMC 18.60.080 or 17.32.130(A)(4).

**Section 4. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 5. Severability.** If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

**Section 6. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 7. Effective Date.** This Ordinance shall take effect five (5) days after publication, as provided by law.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**