

**07-0222 Briar Glen FINAL Plat
STAFF Planning Analysis**

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REGULATORY REQUIREMENTS	STAFF RESPONSE
Title 17 SUBDIVISIONS	
17.04.030 General scope Subdivisions, resubdivisions, short subdivisions, and large lot subdivisions as defined in this title shall be reviewed in accordance with the provisions of this title.	
17.04 General Provisions 17.04.040 Specific exemptions. The Briar Glen Final Plat application does not meet the criteria for an exemption pursuant to this Code section, or RCW 58.17.040.	
17.04.050 Approval required prior to recordation. Any map, plat, replat or plan hereafter made of a proposed subdivision, short subdivision, large lot subdivision or binding site plan, or any part thereof, shall be presented for approval and be recorded as prescribed by this title. No such map, plat, replat or plans shall be recorded or have any validity unless or until it shall have the approval of the city council and/or such other approval as required by this title.	
17.04.070 Administrative duty. The city planning director and his staff, hereafter referred to as the "planner" or the "planning department," are vested with the duty of administering this title and may prepare and require the use of such additional forms which are necessary to effectuate the provisions thereof.	
17.04.090 Regulations supplementary to state law. The regulations prescribed by this title shall be considered as supplementary to RCW Chapter 58.17 . No map, plat, replat or plan of a proposed subdivision, short subdivision or large lot subdivision shall be recorded or have any validity unless it conforms to the requirements of RCW Chapter 58.17 .	The requirement is met.
RCW Chapter 58.17 RCW PLATS – SUBDIVISIONS – DEDICATIONS RCW 58.17.240 Permanent control monuments.	The requirement is met.

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Except for subdivisions excluded under the provisions of RCW 58.17.040 , as now or hereafter amended, permanent control monuments shall be established at each and every controlling corner on the boundaries of the parcel of land being subdivided. The local authority shall determine the number and location of permanent control monuments within the plat, if any.	
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.	The requirement is met.
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.	The requirement is met.
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.	The requirement is met.
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.	The requirement is met.
3. The size of each sheet shall be 18" by 24".	The requirement is met.
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.	The requirement is met.
5. If more than two sheets are used, an index of the entire subdivision showing the arrangement of	Does not apply.

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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.	The requirement is met.
7. All signatures placed on the final plat shall be original signatures written in permanent black India ink.	The requirement is met.
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.	The requirement is met.
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;	The requirement is met.
b. Legal description of the plat boundaries;	The requirement is met.
c. Reference points and lines of existing surveys identified, related to the plat as follows:	
i. Adjoining corners of adjoining subdivisions,	The requirement is met.
ii. City or county boundary lines when crossing or adjacent to the subdivision,	Does not apply.

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iii. Section and donation land claim lines within and adjacent to the plat,	The requirement is met.
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,	The requirement is met.
v. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title,	The requirement is met.
vi. The basis of bearing shall be shown and shall be the Olympia coordinate system;	The requirement is met.
d. The exact location and width of streets and easements intersecting the boundary of the tract;	The requirement is met.
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;	The requirement is met.
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;	The requirement is met.
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;	The requirement is met.
h. Lot numbers beginning with number "1" and numbered consecutively without omission or	The requirement is met.

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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;	
j. All required dedications, endorsements, covenants, affidavits and certificates shall show on the face of the final plat;	The requirement is met.
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;	The requirement is met.
l. Specific wording as may be required by the preliminary plat approval;	The requirement is met.
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;	Does not apply.
n. Lots containing one acre or more shall show net acreage to nearest hundredth, whenever possible;	The requirement is met.
o. Designation of lots to be used for other than single-family residential purposes;	The requirement is met.
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.	Does not apply.
q. A summary of the terms and conditions, including building permit restrictions, of any agreement	The requirement is met.

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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:	
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.	<i>An Agreement to Extend Applicant Review Timelines</i> is on file with the Department (CPD).
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.	The requirement is met.
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 drain field permits for any lots therein;	The requirement is met.

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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;	Does not apply.
3. Fire department's approval;	The requirement is met.
4. Water purveyor's approval;	The requirement is met.
5. Sewer purveyor's approval;	The requirement is met.
6. County treasurer's approval;	The requirement is met.
7. County assessor's approval;	The requirement is met.
8. Other approvals as may be required in the conditions of preliminary plat approval:	
HEARING EXAMINER DECISION 07-0222, B.(i)-(vii), Jan. 16, 2009:	
(i) That portion of Old Morse Road between Shelburne Way and 30th Avenue shall be constructed in compliance with the standards of OMC 16.32.050. These standards require, among other elements, a 20-foot wide paved surface capable of supporting the imposed loads of fire apparatus, keeping that surface free of obstructions, including parked vehicles, and posting and maintaining NO PARKING/FIRE LANE signs and/or other appropriate notice prohibiting obstructions. The Applicant's duty to keep the surface free of obstructions is limited to posting and maintaining noted signage.	The requirement is met.
(ii) The same portion of Old Morse Road between Shelburne Way and 30th Avenue shall contain	The requirement is met.

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the 100-foot no parking zone required by EDDS 4C.070 and discussed in the Conclusions, above, unless the Department determines that compliance with the no parking requirements of OMC 16.32.050, discussed in Condition (i), above, are sufficient to meet this requirement.	
(iii) Approved fire protection systems shall be installed in the residence on Lot 11 as required and approved by the Fire Chief, if any portion of its exterior wall is more than 150 feet from Shelburne Way.	The requirement is met.
(iv) Safe walking conditions, including sidewalks, shall be provided from the proposed subdivision to the school bus stops serving pupils attending Pioneer Elementary or Olympia High schools.	The requirement is met.
(v) The Department shall review the recommendation of the Stormwater Site Plan that a segment of 8-inch piping in 30th Avenue be increased to a 12-inch diameter. If the Department agrees with this recommendation, the Applicant shall implement it.	The requirement is met.
(vi) The City is requested to make reasonable efforts, consistently with its budgetary limitations, to keep the storm drain on the southeast corner of Old Morse Road and 30th Avenue flowing freely.	As part of Comprehensive Plan policy requirements, the lines are televised every three years. The requirement is met.
(vii) With the exception of Conditions 14 and 18, the Conditions listed on pp. 7- 10 of the Staff Report at Ex. 1 are incorporated by reference. Conditions 14 and 18 are not incorporated. As Mr. Chalem testified at the hearing, the word "should" in the first line of Condition 20 is changed to "shall".	Attachment 4: <u>RECOMMENDED CONDITIONS</u> Hearing Examiner Decision, Jan. 16, 2009 Review Comments by Chuck Dower, Engineering Plans Examiner, May, 2015
SUPPLEMENTAL DECISION 07-0222, A.1-3., Feb. 17, 2009:	

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<p>1. The Applicant shall carry out or engage a review to determine whether this subdivision will cause the LOS on any intersection to decline below the adopted minimum. A full TIA need not be prepared, but at least a review at the level of that in Exhibit 19 must be carried out. The Applicant shall provide this review to the Department and all parties.</p> <p>2. The Department shall review the Applicant's analysis. If the Department determines that this subdivision will not cause the LOS on any intersection to decline below the adopted minimum, it shall send a letter to that effect to the Applicant and all other parties, and preliminary approval will be deemed granted on the date of that letter. If the Department determines that this subdivision will cause the LOS on any intersection to decline below the adopted minimum, it shall send a letter to that effect to the Applicant and all other parties requiring mitigation by the Applicant to preserve the minimum LOS, and that mitigation shall be deemed a condition of preliminary subdivision approval.</p> <p>3. The above analyses and determinations need not be submitted to the Hearing Examiner for further review or decision.</p>	<p>The City of Olympia monitors all streets and intersections annually to ensure acceptable level of services (LOS) are met to comply with growth managements act of concurrency. There are no LOS issues at the intersections of Old Morse Road SE and 30th Avenue SE, or at the intersection of Boulevard Road SE at 30th Avenue SE. Additional trips of this project will not create a significant impact on City street system.</p> <p>The requirement is met.</p>
<p>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.</p>	<p>The requirement is met.</p>
<p>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.</p>	<p>The requirement is met.</p>
<p>17.24.060 City council action. After being approved as required in Section 17.24.050, the final plat shall be presented to the city council. 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</p>	<p>June 9, 2015.</p>

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<p>the interests of the city are fully protected, the city council 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.</p>	
<p>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</p>	
<p>Title 18 UNIFIED DEVELOPMENT CODE</p>	
<p>18.02.100 Authority and comprehensive plan consistency. This Development Code is a principal tool for implementing the goals and policies of the Olympia Comprehensive Plan, pursuant to the mandated provisions of the Growth Management Act of 1990 RCW 58.17, Subdivision Act, State Environmental Policy Act, and other applicable State and local requirements. All development within the city incorporated boundary - and the urban growth area shall be consistent with Olympia's Comprehensive Plan.</p> <p>The subdivision provisions of this Development Code are intended to supplement and implement RCW 58.17 and the Subdivision Ordinance of the City. If the provisions of this Development Code conflict with any provision of Revised Code of Washington (RCW) 58.17, the RCW shall prevail.</p> <p>No land shall be subdivided or developed for any purpose which is not in conformance with the Comprehensive Plan, any zoning ordinance or other applicable provisions of the Olympia Municipal Code.</p>	
<p>18.02.120 General requirements A. Application. All land or structures shall be used and constructed in accordance with the</p>	

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regulations and requirements of this Development Code including obtaining applicable permits prior to initiation of use.	
<p>18.02.130 Vesting of applications.</p> <p>A. General Vesting Rule. Except as stated below, any project permit application shall be considered under the laws, ordinances, regulations, standards, and fees in effect at the time that the particular complete application is received by the City of Olympia.</p> <p>D. Full Vesting. Only when a complete building permit application for a structure to be used in a manner permitted under the land use regulations in effect on the date of such application is submitted will the applicant be entitled to improve and use land under the ordinances of the City in effect on the date of the complete building application. Where a change in occupancy is proposed, such building permit application shall not be deemed complete unless preceded or accompanied by a complete land use approval application.</p>	
18.04.000 Residential Districts.	
4. Residential 4-8 Units per Acre (R 4-8). To accommodate single-family houses and townhouses at densities ranging from a minimum of four (4) units per acre to a maximum of eight (8) units per acre; to allow sufficient residential density to facilitate effective mass transit service; and to help maintain the character of established neighborhoods.	
<p>18.72.120 Permit review time periods</p> <p>G. Time Limit Exceptions. The time limits set forth above do not include:</p> <p>5. Any extension of time mutually agreed upon by the applicant and the City.</p>	<p><i>An Agreement to Extend Applicant Review Times is on file with the Department (CPD).</i></p>
<p>18.72.140 Expiration of approvals.</p> <p>D. Land Use Approval. Unless exercised by complete application for necessary construction permits, any land use approval shall expire and be null and void two years from the date the final approval was issued. Land use approval shall be extended two additional years if a complete building or other construction permit application for the project is submitted prior to expiration of the land use approval. Even absent such application, upon finding that there has been no substantial change in</p>	

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relevant circumstances and standards, land use approval may be extended up to two (2) additional years by the Site Plan Review Committee pursuant to a written request submitted prior to expiration of land use approval. Upon receiving such request, notice shall be provided pursuant to the comparable notice of application procedures of Table 78-1. Following a comment period of at least 14 days, SPRC may grant, limit or deny the extension and may impose such conditions of extension to ensure compliance with any subsequently revised standards. If such written request for extension is not received by the Department prior to expiration, such extension shall be denied.	