

ORDINANCE NO. 2409

AN ORDINANCE amending Title 17 of the Camas Municipal Code by adopting minor clarification amendments to the City Land Division Code.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

Sections 17.09.090, 17.11.030, and 17.23.010 are amended as set forth in Exhibit "B" attached hereto and by this reference incorporated herein.

Section II

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED by the Council and APPROVED by the Mayor this 13<sup>th</sup> day of June, 2005.

.SIGNED:



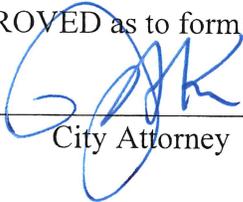
Mayor

ATTEST:



Clerk

APPROVED as to form:



City Attorney

**17.09.090 Final acceptance.**

A. Within sixty days of the substantially complete approval, the short plat shall be submitted to the Planning Manager for final acceptance of the development improvements and commencement of two-year warranty bond.

B. The Planning Manager shall accept all improvements within subdivisions and planned developments provided:

1. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval;
2. Approved plat and "as-constructed" engineering drawings have been submitted to the city in an electronic format approved by public works;
3. Copies of any dedicated tracts, easements, or lots as set forth in CMC Section 17.03.050; and
4. Upon approval of the engineering department that the improvements are complete, a warranty bond equal to ten percent of the cost of the improvement for a period not to exceed two years shall be submitted to the city to warranty all public improvements in accordance with CMC Section 17.21.050(B)(2). Upon conferring with the engineering department, the planning division may grant an exception to this bonding requirement for certain outstanding items;

C. Binding maintenance agreements have been recorded to provide for the maintenance of commonly owned private facilities.

D. A short plat may receive final acceptance, exclusive of wetlands where three-year, five-year and ten-year monitoring plans require replacement vegetation and maintenance as part of the SEPA or wetland mitigation. However, a wetland bond may be required in the amount of the monitoring and maintenance.

E. The planning division will notify the building department to stop accepting permit applications and no permits shall be issued for any development that does not request final acceptance within sixty days of the substantially complete approval and the city shall enforce the subdivision improvement bond for completion of the subdivision.

F. Prior to expiration of the two-year period following acceptance of the improvements by the Planning Manager, the engineering department shall re-inspect the required improvements. If there are no faults, the warranty bond will lapse at the end of the warranty period and the city accepts the improvements.

**17.11.030 Preliminary subdivision plat approval.**

B. Application. The following items are required, in quantities specified by planning division, for a complete application for preliminary short plat approval. Items may be waived if in the judgment of the planning manager the items are not applicable to the particular proposal:

1. Completed preliminary plat application form and fee;
2. Completed application checklist;
3. A complete and signed SEPA checklist application. The SEPA submittal should also include:
  - a. Legal description (lot, block, quarter section, metes and bounds legal description not necessary for SEPA review);
  - b. Vicinity map (no larger than eight and one-half inches by eleven inches);
  - c. Proposed preliminary plat map no larger than eleven inches by seventeen inches (eight and one-half inches by eleven inches preferred if legible);
  - d. A set of address labels for property owners within three hundred feet of the property (required as part of a consolidated review).
4. Complete applications for other required land use approvals;
5. A vicinity map showing location of the site;
6. A survey of existing significant trees as required under Title 18 of this code;
7. All existing conditions shall be delineated. Site and development plans shall provide the following information:
  - a. A plat map meeting the standards identified in CMC 17.01.050;
  - b. Owners of adjacent land and the names of any adjacent subdivisions;
  - c. Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted);
  - d. Names, locations, widths and dimensions of existing and proposed public street rights-of-way and easements and private access easements, parks and other open spaces, reservations and utilities;
  - e. Location of sidewalks, street lighting and street trees;
  - f. Location, footprint and setbacks of all existing structures on the site;
  - g. Lot area, dimensions and average widths for each lot;
  - h. Location of proposed new property lines and numbering of each lot;
  - i. Location of the proposed building envelopes and sewer tanks;
  - j. Location, dimension and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements;
  - k. Location of any proposed dedications;
  - l. Existing topography, field measured at two-foot contour intervals extending to five feet beyond project boundaries;
  - m. Location of any critical areas and critical area buffers indicate compliance with all applicable provisions of the critical areas legislation;
  - n. Description, location and size of existing and proposed utilities, storm drainage facilities and roads to serve the lots;
  - o. Finished floor elevations for lots located in flood plain;
  - p. Location of all existing fire hydrants within five hundred feet of the proposal.
8. Clark County assessor's maps which show the location of each property within three hundred feet of the subdivision;
  - a. Applicant shall furnish one set mailing labels for all property owners and tenants (residents or businesses). The list shall be generated and certified from Clark County assessment and GIS or approved Clarkview Program.

b. It is the intent of this requirement to notify neighbors of the proposed land use division. Therefore the list should include adjoining and adjacent property owners even though they may be outside of the three hundred feet area.

9. A copy of the conditions, covenants and restrictions intended to be recorded with the plat. This may be a draft, but should address ownership and maintenance of open spaces, storm water facilities, public trails and critical areas. It should also contain any proposed building conditions or restrictions;

10. Complete and submit a transportation impact study to determine the adequacy of the transportation system to serve a proposed development and to mitigate impacts of the proposal on the surrounding transportation system; and

11. A narrative addressing the applicable approval criteria and standards of the Camas Municipal Code.

**17.23.010 Exceptions.**

**A. Exception Criteria.**

1. Land Division. Except as provided in subsection (2) or (3) of this section, exceptions from the requirements of Title 17 may be granted when undue hardship may be created as a result of strict compliance with the provisions of this code. Any authorization for exception may prescribe conditions deemed necessary or desirable for the public interest. An exception shall not be granted unless:

- a. There are special physical circumstances or conditions affecting the property, such that the strict application of the provisions of this code would deprive the applicant of the reasonable use or development of his land;
- b. The exception is necessary to insure such property rights and privileges as are enjoyed by other properties in the vicinity and under similar circumstances; and
- c. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.