

ORDINANCE NO. 33XX

AN ORDINANCE OF THE CITY OF PUYALLUP, WASHINGTON, amending various chapters of Title 19 (plats and subdivisions), including the establishment of new chapters, relating to land subdivisions, and amending Puyallup Municipal Code chapters 20.11 and 20.15, updating code provisions regarding permit processing timelines/procedures (to comply with state law) and locally adopted public noticing standards.

WHEREAS, in 2025 the Washington State Legislature enacted key housing laws—Senate Bill 5559 (unit lot subdivisions) and House Bill 1096 (administrative lot splitting)—designed to increase housing affordability, streamline residential land divisions, and further infill development in urban areas; and

WHEREAS, these laws require local agencies to develop standards for unit lot subdivisions (ULS) and residential lot splits (RLS), including clear and objective review procedures and timelines; and

WHEREAS, the City Council finds it necessary to amend Title 19 of the Puyallup Municipal Code to update subdivision and land division standards, implement recent state legislative mandates, streamline procedures, and improve clarity and readability; the proposed Title 19 amendments include significant changes such as:

- Establishment of Unit Lot Subdivisions (ULS) and Residential Lot Splits (RLS), consistent with state law requirements;
- Modification of final review procedures for final major plats, allowing administrative approval in place of Council review;
- Increasing the maximum number of lots allowed in short plats from four (4) to nine (9);
- Establishment of a preliminary short plat procedure, requiring a minimum level of improvements prior to recording a final short plat;
- Updates throughout Title 19 to streamline, reduce redundancies, and improve clarity and readability; and
- Updating public noticing procedures and comment periods to align with current legislatively mandated standards and local procedures.

WHEREAS, the Washington State Legislature adopted Engrossed Second Substitute Senate Bill (E2SSB) 5290 to improve permit review efficiency, reduce processing delays, and establish standardized permit decision timelines for local governments; and

WHEREAS, SB 5290 requires cities and counties to meet new statutory timelines for reviewing and issuing decisions on project permit applications, including the establishment of procedures for completeness determinations, corrections cycles, and reporting requirements; and

WHEREAS, the City of Puyallup desires to align its municipal code and permit review procedures with the mandates of SB 5290 to ensure timely, transparent, and predictable permit processing for applicants; and

WHEREAS, updating local regulations to conform to state law will improve administrative efficiency, enhance customer service, and support the City's goals of streamlining development review and facilitating needed housing and economic development; and

WHEREAS, the proposed municipal code text amendments are found to be consistent with the goals and policies of the City's Comprehensive Plan.

WHEREAS, the City of Puyallup transmitted the proposed ordinance to the Washington State Department of Commerce at least 60 days before adoption in accordance with RCW 36.70A.106; and

WHEREAS, the City issued a SEPA Determination of Non-Significance (DNS) [date] for this non-project legislative proposal; and

WHEREAS, during the course of developing the proposed ordinance, various means of public outreach were used including, but not limited to, project webpage, outreach and engagement meetings with the development community, and local print media notices; and

WHEREAS, the city/town planning commission held work sessions on March 12, 2025, July 23, 2025 and November 12, 2025 to study and review matters related to the amendment package; and

WHEREAS, on December 10, 2025 the Planning Commission held a duly noticed public hearing on the proposed ordinance, accepted testimony and made a recommendation to the Puyallup city council; and

WHEREAS, on _____, the City Council held a meeting to consider the Planning Commission recommendation; and

WHEREAS, adoption of this ordinance aligns Puyallup with its Comprehensive Plan (2025), state law and advances the public interest by facilitating housing variety and public health and safety; and

NOW, THEREFORE, the City Council of the City of Puyallup, Washington, ordains as follows:

Section 1. *Recitals.* The recitals set forth in the preamble of this ordinance are hereby adopted as findings of fact supporting the action taken herein.

Section 2. *Puyallup Municipal Code.* Title 19 is amended as follows.

Title 19 PLATS AND SUBDIVISIONS

Chapters:

19.02 General Provisions

19.04 Definitions

19.05 Boundary Line Adjustment

19.06 Lot Combinations

19.07 Short Plat Subdivision

19.08 Major Plat Subdivision

19.09 Alteration and Vacations

19.10 Binding Site Plan

19.11 Unit Lot Subdivisions and Residential Lot Splits

19.12 Design Principles, Standards and Specifications

19.13 Final Plats

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**Chapter 19.02
GENERAL PROVISIONS**

Sections:

- 19.02.010 Short title.**
- 19.02.020 Intent.**
- 19.02.030 Scope and purpose.**
- 19.02.040 Statutory provision.**
- 19.02.050 Provisions inapplicable.**
- 19.02.060 Administrative responsibilities.**
- 19.02.070 Interpretation.**
- 19.02.080 Modifications or variations.**
- 19.02.090 Amendments.**
- 19.02.100 Application requirements.**
- 19.02.110 Filing fees.**
- 19.02.120 Public ~~meetings and hearings~~ noticing.**
- 19.02.130 Development permit prohibition.**
- 19.02.140 Injunctive remedy.**
- 19.02.150 Enforcement.**
- 19.02.160 Severability.**

(...)

19.02.060 Administrative responsibilities.

The responsibilities for amendment, administration and enforcement of the provision contained in this title, pursuant to the laws of the state of Washington, are assigned as follow:

Type	Description	Approval authority
Boundary line adjustments, lot combinations	Minor adjustments to property boundary lines of two (2) or more contiguous parcels.	Director
Unit lot subdivision (ULS)	Subdivision of a parent parcel into individual unit lots for applicable dwelling units and associated land area. There is no limit or minimum number of lots in a unit lot subdivision.	Director
Residential lot splits (RLS)	Subdivision of a parent parcel into a maximum of two (2) lots to create new middle or single-family housing.	Director
Short plat	A subdivision of nine (9) or fewer lots.	Director
Major plat	A subdivision of 10 or more lots.	Hearing Examiner (preliminary); Director (final)
Binding site plan	A land division for commercial, industrial or multi-family developments. There is no limit or minimum number of lots in a binding site plan proposal.	Director

(1) The hearing examiner is designated as the official agency of the city for the conduct of public hearings and other matters as specified in PMC 2.54.070;

(2) The community development director shall be responsible for the general administration, coordination and enforcement of this title. The director may adopt

~~administrative policies and procedures addressing interpretation or implementation of the provisions contained in this title;~~

~~(3) The binding site plan committee shall be responsible for conducting public meetings and approval of binding site plans as specified in Chapter 19.12 PMC;~~

~~(4) The planning commission, as established by Chapter 2.28 PMC, shall be responsible for hearing and making recommendations to the city council for amendments to this title; and~~

~~(5) The city council shall be responsible for hearing and adopting amendments to this title; and any other matter under this title requiring final action by the council.~~

19.02.070 Interpretation.

Except as provided for in this title, the ~~community development director~~ director or designee ~~(s)~~ shall have the authority for interpreting the meaning, words, phrases and sentences set forth in this title and the determination of how specific situations are regulated by this title. Whenever, in the course of administration and enforcement of this title, it is necessary or desirable to make any administrative decision, then, unless other standards are in this title provided, the decision shall be made so that the result will not be contrary to the spirit and purpose of this title, or injurious to the surrounding neighborhood. Whenever regulations imposed by this title are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule or regulation, the regulations, which are more restrictive shall apply. Regardless of any other provision of this title, no land shall be divided in violation of any city, state or federal law or regulation. Appeals of an administrative interpretation shall be processed in accordance with the provisions of Chapter 20.87 PMC.

(...)

19.02.100 Application requirements.

A complete application shall be submitted for any platting, subdivision of land, dedication, modification, and vacation of plats or portions thereof regulated under this title. The complete application shall contain the minimum submittal requirements noted in Table 19.02.100 for the corresponding type of application as clarified below, and any supportive material deemed necessary for a full and fair review by the responsible reviewing bodies:

(1) Completed Application Form. Application shall be made on forms provided by the development services department, and completed by the applicant or authorized agent;

(2) Complete Survey of the Plat. A complete survey is required to be compiled ~~on an 18-inch by 24-inch mylar sheet~~ containing the following information:

- (a) The names and addresses of the owners of said tract;
- (b) The legal description of the original tract proposed for subdivision;
- (c) County assessor parcel numbers for all affected tracts;
- (d) North arrow, scale and date of the drawing. The scale shall be one inch equals 50 feet for sites two acres in size or less, and one inch equals 100 feet for sites greater than two acres in size;
- (e) Vicinity map, containing the outline of the affected tract(s), the nearest public streets to the north, south, east and west, and the quarter/quarter section in which the site is located;
- (f) Boundary lines of the tract(s) to be subdivided, and corresponding bearings and dimensions;
- (g) Existing and proposed lot lines. The existing lot lines shall be shown using a heavy dashed line, and the proposed lot lines shown using a heavy solid line;
- (h) Square footage of all proposed lots and tracts;
- (i) Location, material and size of all monuments. Monuments shall meet the specifications of the public works director or designee;
- (j) Registered land surveyor certification that the drawing is a true and correct representation of the land surveyed, and that all monumentation location, size and materials are correctly shown;
- (k) Lot size and numbering. The square feet in each lot shall be shown, and all lots shall be numbered consecutively from one to the total number of lots. All tracts shall be assigned a consecutive letter designation beginning with the letter A;
- (l) Accurate location and dimensions of all existing structures, septic systems and utility services, and the distance between structures, improvements and utilities to the adjoining proposed lot lines;
- (m) Topography showing existing and proposed contours at five-foot contour intervals except for any portion of the site containing slopes of 15 percent or greater which shall be

shown at two-foot contour intervals. The contour intervals shall extend at least 100 feet beyond the boundaries of the site;

(n) The layout, names, location, purpose, width and other dimensions of proposed streets, alleys, easements, parks and other open space, property reservations, lot lines, yard requirements and utilities;

(o) Boundaries and associated buffers, development envelopes, or other information for any critical areas as defined or required by Chapter 21.06 PMC;

(p) Notarized acknowledgments and signatures of the property owner(s);

(3) Plat Certificate. A plat certificate confirming ownership and any easements or other encumbrances of record affecting the subject parcel. The plat certificate shall have been prepared within two weeks of the date of application;

(4) SEPA Checklist. A completed SEPA checklist shall be prepared on forms provided by the ~~community development~~ department when determined to be required by the ~~community development~~ director or designee pursuant to state or local statutes;

(5) Other Information. Additional information may be determined to be needed due to site conditions, setting or the proposed improvements, in order for the city to review and approve the proposed development. Other required information may include but not be limited to critical area assessments, flood hazard assessments, traffic impact assessments, preliminary engineering designs, etc.

Table 19.02.100 Minimum submittal requirements

	Application Type							
Submittal Requirements	Boundary Line Adjustment Boundary Line Revision	Lot Consolidation Combintion	Major Plat – Preliminary & Final	Major-Short Plat – Preliminary & Final	Binding Site Plan – Preliminary	Binding Site Plan – Final	Unit Lot Subdivision	Residential Lot Split
Completed Application Form – PMC 19.02.100(1)	X	X	X	X	X	X	X	X
-								
Complete Survey of the Plat (18" by 24"), showing the following:	X		X	X	X	X	X	X
Name and address of owners – PMC 19.02.100(2)(a)	X	X	X	X	X	X	X	X
Legal description – existing and proposed – PMC 19.02.100(2)(b)	X	X						
Assessor’s parcel numbers for all affected lots – PMC 19.02.100(2)(c)	X	X	X	X	X	X	X	X
North arrow, scale and date – PMC 19.02.100(2)(d)	X	X	X	X	X	X	X	X
Boundary lines of tracts to be subdivided and their dimensions,	X	X	X	X	X	X	X	X

	Application Type							
Submittal Requirements	Boundary Line Adjustment Boundary Line Revision	Lot Consolidation Combintion	Major Plat – Preliminary & Final	Major Short Plat – Preliminary & Final	Binding Site Plan – Preliminary	Binding Site Plan – Final	Unit Lot Subdivision	Residential Lot Split
bearings and square footage – PMC 19.02.100(2)(f), (g), (h)								
Layout, names and width of proposed streets, alleys and easements – PMC 19.02.100(2)(o)			X	X	X	X	X	X
Accurate location of existing structures, wells and septic systems – PMC 19.02.100(2)(l)	X		X	X	X	X	X	X
Topography, slopes in excess of 15 percent – 2 contours – PMC 19.02.100(2)(m)	X		X	X	X	X	X	X
Accurate location, material and size of all monuments – PMC 19.02.100(2)(i)	X		X	X	X	X	X	X
Certificate of a registered land surveyor – PMC 19.02.100(2)(j)	X		X	X	X	X	X	X
Vicinity map – PMC 19.02.100(2)(e)			X	X	X	X	X	X
-								
Plat Certificate, within two weeks – PMC 19.02.100(3)	X		X	X	X	X	X	X

	Application Type							
Submittal Requirements	Boundary Line Adjustment Boundary Line Revision	Lot Consolidation Combintion	Major Plat – Preliminary & Final	Major-Short Plat – Preliminary & Final	Binding Site Plan – Preliminary	Binding Site Plan – Final	Unit Lot Subdivision	Residential Lot Split
SEPA Checklist, when required – PMC 19.02.100(4)			X	X	X		X	
-								
Other Information, as required – PMC 19.02.100(5)	X	X	X	X	X	X	X	
-								
Filing Fees – PMC 19.02.110	X	X	X	X	X	X	X	X

(...)

19.02.120 Public ~~meetings and hearings~~ noticing.

When required by this title, public meetings and hearings shall be noticed and conducted in accordance with the following provisions:

(1) The ~~community development director~~ director or designee shall be responsible for setting public meeting and hearing dates, and providing the public with notice thereof as specified in PMC 20.12.005, and providing notice of complete application consistent with PMC 20.11 and department procedures.*

(a) Notice of complete application (NOA) shall be provided for the following application types:

- i. Preliminary short plats,
- ii. Preliminary major plats,
- iii. Binding site plans,
- iv. Unit lot subdivisions
- v. Residential lot splits.

All property owners within 300 feet shall be mailed a notice of complete application; other department noticing methods and procedures shall also apply, consistent with PMC 20.11 and department procedures.

~~(2) Notice of all public meetings and hearings is required, and shall be issued in accordance with the provisions set forth in PMC 20.12.010. All public meetings and hearings require notice, which shall be issued consistent with the provisions of PMC 20.12.010. Required minimum public noticing distances shall be as follows:~~

~~(a) Binding site plans: 300 feet;~~

~~(b) Major plats: 300 feet;~~

~~(c) Major revisions to binding site plans and major plats: 300 feet;~~

(3) In addition to notifying owners of all property within the distance specified ~~above~~, notice of complete application, public meeting(s) and/or hearing (where necessary) shall also be issued to:

(a) Other cities and towns within one mile of the project boundaries, as well as Pierce County Planning and Public Works;

(b) Washington Department of Transportation, for ~~binding site plans and plats~~ all proposed subdivisions located adjacent to right-of-way for state highways or within two miles of a state or municipal airport;

(c) Puyallup Indian Tribe for properties located within or adjacent to the “1873 Survey Area” for the Puyallup Indian Reservation; ~~and~~

(d) Washington Department of Ecology for any property located within a flood control zone as provided in Chapter 86.16 RCW;

(e) Public utility providers where the proposed subdivision would utilize their services; and,

(f) Other governmental agencies, tribal governments, and interested parties, via email, from a formal distribution list maintained by the department.

(4) All public meeting and public hearings required to be performed by the hearing examiner shall be conducted in accordance with the provisions of Chapter 20.12 PMC;

~~(5) All public meetings required to be performed by the binding site plan committee shall be conducted in accordance with the provisions of Chapter 19.12 PMC.~~

(...)

Chapter 19.04 DEFINITIONS

Sections:

19.04.000 Definitions.

19.04.010 ~~Attorney~~ “A”.

19.04.020 ~~Binding site plan~~ “B”.

19.04.030 ~~Repeated~~ “C”.

19.04.040 ~~Block~~ “D”.

19.04.050 ~~Code~~ “E”.

19.04.060 ~~Contiguous properties~~ “F”.

19.04.070 ~~Comprehensive plan~~ “G”.

19.04.080 ~~Council.~~"H".

19.04.090 ~~County auditor.~~"I".

19.04.100 ~~Cul-de-sac.~~"J".

19.04.110 ~~Declaration of short subdivision.~~"K".

19.04.120 ~~Director.~~"L".

19.04.130 ~~Dedication.~~"M".

19.04.140 ~~Easement.~~"N".

19.04.150 ~~Hearing examiner.~~"O".

19.04.160 ~~Improvements.~~"P".

19.04.170 ~~Lot.~~"Q".

19.04.180 ~~Lot, corner.~~"R".

19.04.190 ~~Lot, panhandle.~~"S".

19.04.200 ~~Lot, through.~~"T".

19.04.210 ~~Lot area or parcel area.~~"U".

19.04.220 ~~Lot depth.~~"V".

19.04.230 ~~Lot width.~~"W".

19.04.240 ~~Lot line, front.~~"X".

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~~19.04.270 Lot of record.~~

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~~19.04.330 Plat, preliminary.~~

~~19.04.340 Plat, final.~~

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~~19.04.410 Subdivision, major.~~

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~~19.04.440 Yard.~~

~~19.04.450 Yard, required.~~

~~19.04.460 Yard, front.~~

~~19.04.470 Yard, rear.~~

~~19.04.480 Yard, side.~~

19.04.000 Definitions.

For the purpose of this title, the following words and phrases are defined and shall be construed as set forth in this chapter, unless otherwise expressly stated or the context clearly indicates a different intention. The words “shall” and “will” are mandatory; the word “may” is permissive.

The definition of words and phrases used in this title and not specifically defined in this chapter shall be their common meaning as may be determined by the ~~community development~~ director or designee.

19.04.010 "A"lley.

"Alley" means a public right-of-way or city-approved private way which affords only a secondary means of access to abutting property, unless specifically allowed by this title to serve as a primary means of access subject to specific conditions.

19.04.020 "B"inding site plan.

"Binding site plan" means a drawing of a lot or lots of record showing the location of all existing and proposed major utilities, streets, private roads, easements, and open space, as well as other information set forth in PMC 19.12.040. The plan shall set forth all conditions of approval and shall contain on its face the statements set forth in PMC 19.12.040. The plan shall govern the development of all the land on the lot or lots of record on which the development is proposed.

~~19.04.030 Binding site plan committee.~~

~~Repeated by Ord. 3119.~~

19.04.040 Block.

"Block" means all property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a railroad right-of-way, waterway, terminus or dead-end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street, which it intercepts. Private alleys and streets shall not be considered for determining blocks.

19.04.~~050~~030 "C"ode.

"Code" means the Puyallup Municipal Code.

~~19.04.060 Contiguous properties.~~

~~"Contiguous properties" means two or more lots or parcels of land sharing a common lot line.~~

19.04.070 Comprehensive plan.

"Comprehensive plan" means a long-range plan or group of plans adopted by the city council, which is intended to guide the growth and development of the city, and contains community goals, objectives and policies regarding the environment, land use, housing, community character, parks and recreation, transportation, utilities, capital facilities, and shoreline management.

"Contiguous properties" means two or more lots or parcels of land sharing a common lot line.

~~19.04.080 Council:~~

"Council" means the city council of the city of Puyallup.

~~19.04.090 County auditor:~~

"County auditor" means as defined in Chapter 36.22 RCW, or the office or person assigned such duties under a county charter.

~~19.04.100 Cul-de-sac:~~

"Cul-de-sac" means a short street having one end open to traffic and being permanently terminated by a vehicle turnaround, also known as a court or dead-end street.

~~19.04.110~~ ~~19.04.110~~ "Declaration of short subdivision."

"Declaration of short subdivision" means a document signed by all persons having any pecuniary interest in the land being subdivided and acknowledged before a notary that they signed the same as their voluntary act and deed. The declaration shall, at a minimum, contain the elements of:

- (1) A legal description of the tract being divided and all parcels contained therein;
and
- (2) An illustrative map; and
- (3) If applicable, the restrictive covenants.

~~19.04.120 Director:~~

~~"Director" means the development and permitting services director for the city of Puyallup or designated representative.~~

~~19.04.130 Dedication:~~

"Dedication" means the deliberate transfer of property by the owner to another party for any common or public use, reserving to himself no rights other than those which are compatible with the full exercise and enjoyment of the common or public use to which the property has been devoted.

"Department" means the development and permitting services (DPS) department.

"Director" means the development and permitting services director for the city of Puyallup or designated representative.

"Double frontage lot" means a lot having frontage on two generally parallel streets but not including a corner lot.

19.04.14050 "E" easement.

"Easement" means a grant of one or more of the property rights by the property owner to and for the use by the public, a corporation, or another persons or entity for specific purposes.

19.04.060 "F".

Reserved.

19.04.070 "G".

Reserved.

19.04.150-080 "H" hearing examiner.

"Hearing examiner" means the hearing examiner of the city of Puyallup.

19.04.160-090 "I" improvements.

"Improvements" mean any permanent structure or landscape feature that becomes part of, placed upon, or is affixed to real property including streets, with or without curb or gutter, sidewalks, crosswalk ways, water mains, sanitary and storm sewers, street trees and other appropriate items.

19.04.100 "J".

Reserved.

19.04.110 "K".

Reserved.

19.04.120 "L".

"Lands Covered by Water" means lands underlying the water areas of the state below the ordinary high water mark, including salt waters, tidal waters, estuarine waters, natural water courses, lakes, ponds, artificially impounded waters, and wetlands. "Lands covered by water" does not include adjacent lands and designated buffers above the ordinary high water mark.

~~19.04.170 Lot:~~

"Lot" means a fractional part of subdivided lands having fixed boundaries, being of sufficient area and dimension to accommodate development allowed by zoning. The term shall not include tracts and parcels created or any common or public use including divisions or descriptions created solely for road access purposes.

~~19.04.180 Lot, corner:~~

"Lot, corner" means a lot situated at the intersection of two or more streets, which streets have an angle of intersection measured within said lot of not more than 135 degrees.

~~19.04.190 Lot, panhandle:~~

See PMC 20-15-005, "Lot, panhandle:" means a lot whose largest area is located to the rear of another lot or lots and which lot has its only access by means of a narrow, contiguous strip of land connecting such lot to a street; the same as a flag lot.

"Lot, parent" means a lot which is subdivided into unit lots through the unit lot subdivision or residential lot split process.

~~19.04.200 Lot, through:~~

"Lot, through" means an interior lot having frontage on two non-intersecting streets, and also known as a double frontage lot.

"Lot, unit" means a lot created from a parent lot and approved through the unit lot subdivision process.

~~19.04.210 Lot area or parcel area:~~

"Lot area" or "parcel area" means the total horizontal area within the boundary lines of a lot or parcel, excluding any street rights-of-way and the area in any panhandle access.

~~19.04.220 Lot depth:~~

"Lot depth" means the horizontal length of a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line. If the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be determined to be a line not less than 10 feet in length lying parallel to the front lot line, and located entirely within the lot and farthest from the front lot line. On panhandle lots, the access strip portion shall be excluded when calculating lot depth.

~~19-04.230 Lot width:~~

~~"Lot width" means the horizontal distance between the side lot lines measured at right angles to the line used to determine the depth of the lot at a point midway between the front and rear lot lines.~~

~~19-04.240 Lot line, front:~~

~~See PMC 20-15.005, "Lot line, front:" means:~~

~~(1) In the case of an interior lot, a lot line separating a lot from the street right-of-way line;~~

~~(2) In the case of a corner lot, a lot line separating the narrower street frontage from the street right-of-way line. Alternatively, at the applicant's request, the director shall have the authority to determine, for purposes of determining setbacks, that either street frontage may be deemed the front lot line, with the other frontage becoming the street side yard lot line. This is contingent upon finding that the resulting lot line determination is consistent with existing or proposed site improvements, that site access meets applicable city engineering standards, and that overall site development would not result in a situation injurious to or incompatible with the surrounding vicinity;~~

~~(3) In the case of either an interior or corner lot which extends from one street to another, the lot lines separating the lot from the street right-of-way lines on both frontages; except where the right of vehicular access has been waived to one of the streets as required by governmental agency, the lot line separating the lot from the street right-of-way line upon which access has been waived becomes the rear lot line;~~

~~(4) In the case of a panhandle or flag lot, a lot line which is most nearly perpendicular to the access strip and whose prolongation would divide the access strip from the main body of the lot;~~

~~(5) In the case of a lot which has no street frontage, a lot line which is most nearly parallel and closest to the street right-of-way line from which the property gains access.~~

~~19.04.250 Lot line, rear:~~

~~See PMC 20.15.005, "Lot line, rear:" means the property line which is opposite and most distant from the front lot line. If the rear lot line is less than 10 feet in length or if the lot comes to a point at the rear, the rear lot line shall be determined to be a line not less than 10 feet in length lying parallel to the front lot line, and located entirely within the lot and farthest from the front lot line.~~

~~19.04.260 Lot line, side:~~

~~See PMC 20.15.005, "Lot line, side:" means any lot line that is not a front or rear lot line.~~

~~19.04.265 Lot line, street side:~~

"Lot line, street side" means a yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that abuts a public way and parallel setback line having a perpendicular distance from said street side lot line equal to the prescribed street side yard setback in the property development standards for the prescribed zone classification in which the lot is located.

~~19.04.270 Lot of record:~~

"Lot of record" means a lot as shown on an officially recorded plat, subdivision or binding site plan, or a parcel of land the deed of which is officially recorded, considered as a unit of property, and described by metes and bounds.

~~19.04.280 Lot of record, nonconforming:~~

"Lot of record, nonconforming" means a validly recorded lot which, at the time it was recorded, fully complied with the applicable laws and ordinances, but which does not fully comply with the lot requirements (e.g., area, width or depth) of this title.

"Lot width" means the horizontal distance between the side lot lines measured at right angles to the line used to determine the depth of the lot at a point midway between the front and rear lot lines.

~~19.04.282 Low impact development:~~

"Low impact development" means a storm water management strategy that emphasizes conservation and use of existing natural site features integrated with distributed, small-scale storm water controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings. LID implements engineered small-scale hydrologic

controls to replicate the predevelopment hydrologic regime of watersheds through infiltrating, filtering, storing, evaporating and detaining runoff close to its source. Examples of LID include: permeable paving, bio-infiltration facilities (e.g., "rain garden"), bio-filtration facilities, green roofs, rainwater collection, tree retention, soil amendments, clustered site design, native landscaping/minimization of turf lawn, minimal excavation foundation systems, retention of natural site contours, impervious surface minimization, and other similar methods.

19.04.130 "M".

Reserved.

19.04.140 "N".

Reserved.

19.04.150-285 "O" riginal tract.

"Original tract" means a unit of land which the applicant or applicants (subdividers) holds under single or unified ownership and the configuration of which may be determined by the fact that all land abutting said tract is separately owned by others, not including the applicant or applicants; provided, that where a ~~husband and wife~~ the applicant or applicants (subdividers) own contiguous lots in separate or community ownership, said contiguous lots shall constitute the original tract.

19.04.290-160 "P" anhandle access.

"Panhandle access" means a strip of land having a width narrower than that of the lot, tract, or parcel to be served thereby, and designed for the purpose of providing access to one lot, tract, or parcel.

19.04.300 Parcel.

"Parcel" means a contiguous quantity of land in the possession of, owned by, controlled by, or recorded as the property of the same owner or joint owners.

19.04.310 Pedestrian access.

"Pedestrian access" means a right-of-way, dedicated to public use, 10 feet or more in width, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

19.04.320 Plat.

"Plat" means a map or representation of a subdivision showing the division of a tract or parcel of land into blocks, streets, or other divisions and dedications.

19.04.330 Plat, preliminary:

"Plat, preliminary" means a neat and accurate drawing of a proposed subdivision showing the layout of streets, alleys, lots, blocks, and restrictive covenants to be applied to the subdivision, and the other elements of a plat or subdivision which is furnished as a basis for the general approval or disapproval of the subdivision.

19.04.340 Plat, final:

"Plat, final" means the final drawing of the subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title. After the county auditor has recorded the final plat, it is known as an authorized plat, subdivision or dedication.

19.04.350 Plat approval:

"Plat approval" means an official action taken by the city regarding a plat.

"Plat certificate" means a notarized document filed with a final plat in Washington State that certifies the property owner's consent to subdivide land, provides the legal description of the property, dedicates any public areas such as streets or utilities, includes any required waivers of claim, and is recorded as part of the subdivision approval.

19.04.360 Public right-of-way:

"Public right-of-way" means any defined area dedicated to public use for vehicular, pedestrian and/or utility use.

19.04.370 Private roadway:

"Private roadway" means an easement, tract or parcel created to provide the access from a city street to platted lots, the maintenance of which is the responsibility of a homeowners association or similar private party or parties, who shall be noted as such on the face of the plat.

"Public right-of-way" means any defined area dedicated to public use for vehicular, pedestrian and/or utility use.

19.04.170 "Q".

Reserved.

19.04.180 “R”.

“Residential lot split” means the administrative process of dividing an existing lot into two lots for the purpose of sale, lease, or transfer of ownership pursuant to this section.

“Reverse frontage lot” means a double frontage lot that is oriented so that its rear lot line abuts an arterial or collector street and its primary access is from a local street, in order to restrict direct access to the higher-volume street.

19.04.38190 “S”treet.

"Street" means a public right-of-way which affords primary means of vehicular access to abutting property, including boulevard, avenue, place, drive, court, lane or other thoroughfare dedicated to such public travel.

19.04.390 Subdivider.

"Subdivider" means any person, firm or corporation proposing to make, or have made, a subdivision.

19.04.400 Subdivision.

"Subdivision" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale or lease.

19.04.410 Subdivision, major.

“Subdivision, major” means subdivision, plats or dedications containing ~~five-ten (10)~~ or more lots or two or more blocks except properties segregated as a binding site plan.

19.04.420 Subdivision, short.

“Subdivision, short” means any subdivision, plats or dedications containing ~~four-nine (9)~~ lots or less, except properties segregated as a binding site plan.

19.04.200 “T”.

“Tract” means land reserved for special uses including, but not limited to, open space, critical areas, surface water retention, utilities, or access.

19.04.430-210 “U”tilities easement.

"Unit lot subdivision" means the division of a parent lot into two or more unit lots within a development and approved through a unit lot subdivision process.

"Utilities easement" means rights-of-way which may be used by public and/or private utilities, including, but not limited to, electricity, water, natural gas, sewer, storm water, telephone and television cable, for the construction, operation, maintenance, alteration and repair of their respective facilities.

19.04.220 "V".

Reserved.

19.04.230 "W".

Reserved.

19.04.240 "X".

Reserved.

19.04.44250 "Y"ard.

~~"Yard" means an open space that lies between the primary structure or structures and the nearest lot line, and is unoccupied from the ground upwards unless specifically authorized otherwise, and located on the same lot with the structure or use which it serves.~~ on a lot, unoccupied by any structure, except as otherwise provided in this title, and located on the same lot with the building or use which it serves.

19.04.450 Yard, required.

~~"Yard, required" means an open space on a lot or block unoccupied by structures from the ground upward, unless specifically authorized otherwise. The required yard depth as specified in PMC Title 20, Zoning, is measured perpendicularly from a lot line.~~

419.04.460 Yard, front.

~~"Yard, front" means the space extending the full width of the lot between the primary structure and the front lot line and measured perpendicular from the front lot line to the point of the structure closest to the front lot line.~~ a yard extending between the side lot lines across the full width of the lot and lying between the front lot line and a parallel setback line having a perpendicular distance from said front lot line equal to the prescribed front yard setback in the property development standards for the zone classification in which the lot is located. When a lot lies partially within a planned street indicated on a

precise plan for such a street, the depth of the front yard shall be measured from the contiguous edge of such planned street right-of-way in the manner prescribed by this title.

19.04.470 Yard, rear:

“Yard, interior side” means a yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that does not abut a public way and a parallel setback line having a perpendicular distance from said interior side lot line equal to the prescribed interior side yard setback in the property development standards for the prescribed zone classification in which the lot is located.

“Yard, rear” means ~~the space extending the full width of the lot between the primary structure and the rear lot line and measured perpendicular from the rear lot line to the point of the structure closest to the rear lot line.~~ a yard extending between the side lot lines across the full width of the lot and lying between the rear lot line and a parallel setback line having a perpendicular distance from said rear lot line equal to the prescribed rear yard setback in the property development standards for the zone classification in which the lot is located.

“Yard, required” means an open space on a lot or block unoccupied by structures from the ground upward, unless specifically authorized otherwise. The required yard depth as specified in PMC Title 20, Zoning, is measured perpendicularly from a lot line.

19.04.480 Yard, side:

“Yard, ~~street~~ side” means a yard extending between the front and rear lot lines along the full length of the lot and lying between the side lot line that abuts a public way, excluding alleys, and parallel setback line having a perpendicular distance from said street side lot line equal to the prescribed street side yard setback in the property development standards for the prescribed zone classification in which the lot is located.~~the space extending from the front yard to the rear yard between the primary structure and the side lot line and measured perpendicular from the side lot line to the closest point of the structure:~~

19.04.260 “Z”.

Reserved.

**Chapter 19.05
BOUNDARY LINE ADJUSTMENT**

Sections:

19.05.010 Purpose.

19.05.020 Scope.

19.05.030 Approval criteria.

19.05.040 Survey and preparation of boundary line adjustment.

19.05.050 Application.

19.05.060 Review procedures.

19.05.070 Recording.

19.05.080 Expiration.

(...)

19.05.030 Approval criteria.

A boundary line adjustment shall not:

- (1) Create any additional lot, tract, parcel, site or division;
- (2) Result in a lot, tract, parcel, site or division which contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in the land use and building codes and regulations. This provision shall not be construed to require [critical areas review](#), correction or remedy of pre-existing nonconformities or substandard conditions;
- (3) Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or division;
- (4) Create or diminish any easement or deprive any parcel of access or utilities;
- (5) Increase the nonconforming aspects of any existing nonconforming lot relative to the zoning and land use regulations;
- (6) Replat, amend, or vacate a plat or short subdivision; or
- (7) Amend the conditions of approval for previously platted property.

19.05.040 Survey and preparation of boundary line adjustment.

Applications for boundary line adjustments shall be submitted on forms provided by the ~~city of Puyallup community development~~ department, and shall include the information specified in PMC 19.02.100 and any other information as may be required by the Pierce County auditor as a condition of recording.

19.05.050 Application.

- (1) Applications for boundary line adjustments shall be made on forms provided by and submitted to the ~~community development~~ department.
- (2) Four blue-line copies of the original mylar shall be submitted with the complete application form.

19.05.060 Review procedures.

- (1) A complete application for a boundary line adjustment shall be reviewed per the time frame specified in PMC 20.11.006. The department shall not be considered to be in receipt of a complete application unless and until such time as the applicant meets the requirements of PMC 19.05.040.
- (2) Prior to approval, a proposed boundary line adjustment shall be reviewed by the public works director and the ~~director community development director~~ or their designees.
- (3) The ~~community development director~~ ~~director~~ or designee shall approve a proposed boundary line adjustment only upon finding that the standards of this chapter have been satisfied.
- (4) The approval of a boundary line adjustment shall not be a guarantee that future permits will be granted for any structure or development within a lot affected by the boundary line adjustment.

19.05.070 Recording.

All approved boundary line adjustments shall be recorded with the Pierce County auditor upon approval by the Pierce County assessor-treasurer office and the ~~city's community development director~~ ~~director~~ or designee.

(...)

**Chapter 19.06
LOT COMBINATION**

Sections:

19.06.010 Purpose.

19.06.020 Scope.

19.06.030 Approval criteria.

19.06.040 Application.

19.06.050 Review procedures.

19.06.055 Lot segregations.

19.06.060 Requirement for recording.

19.06.070 Expiration.

(...)

19.06.030 Approval criteria.

Lot combinations shall not be approved, if approval would result in one or more of the following:

- (1) Create any additional lot, tract, parcel, site or division;
- (2) Result in a lot, tract, parcel, site or division which contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in the land use and health codes and regulations, except as permitted in accordance with the nonconforming lots of record provisions set forth in PMC 19.12.080;
- (3) Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or division;
- (4) Diminish any easement or deprive any parcel of access or utilities, unless alternate easements, access or utilities can be satisfactorily provided;
- (5) Replat or vacate a plat or short subdivision;
- (6) Amend the conditions of approval for previously platted property;
- (7) Includes property currently not annexed to the city; or

(8) Extend or increase the use of city utilities previously granted under an approved pre-annexation utility extension agreement.

19.06.040 Application.

Applications for lot combinations shall be submitted on forms provided by the ~~city of Puyallup community development~~ department. The completed application shall be submitted to the ~~community development~~ department, and shall include the information specified in PMC 19.02.100 and any other information as may be required by the Pierce County auditor as a condition of recording.

19.06.050 Review procedures.

The ~~community development department director~~ shall not be considered to be in receipt of a complete application unless and until such time as the applicant meets the requirements of PMC 19.07.040, and shall be subject to the following:

- (1) Prior to approval, a proposed lot combination or consolidation shall be reviewed by the public works director and ~~community development director director~~ or their designees;
- (2) The ~~community development director director~~ or designees, with the concurrence of the public works director or designee, shall approve the proposed lot combination or consolidation only upon finding that the standards of this chapter have been satisfied; and
- (3) The approval of the lot combination or consolidation shall not be a guarantee that future permits will be granted for any structure or development within a lot affected by the combination or consolidation.

19.06.055 Lot segregations.

Lots which were combined previously shall not be re-segregated or otherwise re-subdivided without filing a new plat application under the provisions of PMC Title 19: ~~E~~ except that lots which are combined “for tax purposes only” through the Pierce County assessor-treasurer’s office may be re-segregated through process and forms available through the assessor’s office only. The applicant/owner carries the burden of proof in demonstrating the lot was combined “for tax purposes only” and is required to submit title documents and/or other verifiable recorded documents for city review.

19.06.060 Requirement for recording.

All approved lot combinations ~~or consolidations~~ shall be recorded with the Pierce County auditor following approval by the city and compliance with Pierce County requirements.

(...)

Chapter 19.07

SHORT PLAT SUBDIVISION

Sections:

19.07.020 Purpose.

19.07.040 Preliminary consideration of application.

19.07.050 Survey of subdivision and preparation of plat.

19.07.065 On-site identification posting.

19.07.070 Application of environmental analysis and impact statement.

19.07.080 Departmental review.

19.07.090 Approval criteria.

19.07.100 Summary approval.

19.07.105 Effect of final approval.

19.07.110 ~~Modifications or variations~~ Short plat variances.

19.07.020 Purpose.

The purpose of this chapter is to regulate the division of land into ~~four~~ nine (9) or less lots; ~~tracts, parcels, sites or subdivisions~~; establish regulations and procedures for the administrative summary approval of short plats and short subdivisions or revisions thereof; and require filing of a short plat for record in the office of the county auditor.

(...)

19.07.050 Survey of subdivision and preparation of plat.

Applications for short plat shall be submitted on forms provided by the ~~department of community development~~ department. The completed application shall be submitted to the department ~~department of community development~~, and shall include the information specified in PMC 19.02.100 and any other information as may be required by the Pierce

County auditor as a condition of recording. The entire original tract (except adjacent platted or short platted land) shall be included within one short plat application; provided, that a pre-existing, unplatted adjacent parcel may also be excluded if it is five acres or greater in size.

(...)

19.07.070 Application of environmental analysis and impact statement.

All actions by the city in approving a short plat ~~(only where the number of units to be created is exempt under PMC 21.04.240)~~ shall be exempt from any environmental analysis or environmental impact statement, unless the responsible SEPA official determines that said short plat is located wholly or partially ~~within "critical areas" on "Lands Covered by Water"~~ authorized by WAC ~~197-11-800 197-11-900~~. ~~"Critical areas" is defined by PMC 21.06.210(24) as any area which:~~

- ~~(1) Contains wetlands, fish and wildlife habitat areas, critical aquifer recharge areas, geologically hazardous areas, and frequently flooded areas as defined by PMC 21.06.210;~~
- ~~or~~
- ~~(2) Contains elements having significant aesthetic, recreational or historical value; or~~
- ~~(3) Is within "shorelines of the state" as defined in the Shoreline Management Act of 1971.~~

19.07.080 Departmental review.

- (1) The city public works department shall review a short plat for adequacy of access, storm drainage facilities, water supply, sewer system, survey accuracy, feasibility for building sites and consistency with city engineering standards and department policies, standards and procedures.
- (2) The ~~development services~~ department shall review the proposed short plat for conformance with zoning laws, the comprehensive plan ~~and~~, environmental regulations and department policies/procedures.
- (3) The health department shall review the proposed short plat for adequacy of septic tank conditions.
- (4) The fire code official shall review the proposed short plat for adequacy of emergency vehicle access and fire protection water system.

19.07.090 Approval criteria.

Short plats shall comply with the design principles, standards and specifications set forth in Chapter 19.12 PMC, and shall not:

- (1) Result in a lot, tract, parcel, site or division which contains insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in the land use [\(Title 20\), SEPA \(PMC 21.04\)](#) and ~~health codes and regulation critical areas (PMC 21.06 codes;~~
- (2) Diminish or impair drainage, water supply, existing sanitary sewage disposal, and access or easement for vehicles, utilities, and fire protection for any lot, tract, parcel, site or division;
- (3) Diminish historical use of any easement or deprive any parcel of access or utilities; or
- (4) Increase the nonconforming aspects of any existing nonconforming lot relative to the city's zoning and land use regulations.

19.07.100 Summary approval.

(1) City Review and Approval. Each city department shall complete its review and either approve, approve with conditions, or disapprove a proposed short plat [consistent with the time frame specified in PMC 20.11.006](#) ~~within 30 days after the short plat is filed.~~

[\(a\) Expiration.](#) Initial approval of a [preliminary](#) short plat by city departments shall be valid for ~~one year~~ [five years](#) from the date that formal [approval](#) notification is ~~mailed~~ [provided](#) to the applicant. Within said ~~one~~ [five](#) year time frame, the applicant [shall install a minimum level of improvements required to facilitate the development of the final short plat, as determined by the director and/or designee\(s\), and only after those improvements are installed \(or financial guarantee provided, as allowed\) shall the applicant](#) ~~shall refile~~ a final short plat with the city. [See PMC 19.13 – Final plats – for further details.](#) Department directors must sign the final short plat and, only after the recording of the final short plat with the county auditor, the short plat shall be deemed approved.

(2) Notice of Return to Applicant for Cause. If a short plat is not in proper order or cannot be approved in its present form, a letter shall be sent to the applicant ~~within 20 days~~ [\(consistent with department procedures and time frames specified in PMC 20.11\)](#) to notify the applicant why approval cannot be given in its present form.

(3) Effect of Approval. The approval of a short plat shall not be a guarantee that future permits will be granted for any structures or development within said area and a notation to this effect shall be stated on the face of the short plat.

(4) ~~Certificates. The following declarations and certificates must be obtained prior to final approval of a short plat subdivision:~~

~~(a) A declaration of short subdivision;~~

~~(b) Certification of approval by the community development director or designee and public works director or designee when they find, within their municipal function, that the short plat serves the intent of this title and complies with all adopted recommendations for approval;~~

~~(c) The community development director or designee shall require any other certificates, that may be deemed appropriate, as required or specified for a major final plat.~~

(5) Appeal, if Aggrieved. Any person aggrieved by the decision (i.e., denial, approval, or any conditions of said approval) of the ~~director~~ community development director or the public works director may file an appeal of that decision to the hearing examiner. Such appeals for hearing examiner review of short plat decisions must be filed within 10 business days from the date the administrative written decision was made and shall include the following: be processed in accordance with the provisions of Chapter 20.87 PMC.

(a) The appeal shall be filed in writing on forms provided by the ~~department~~ community development director.

(b) The appeal shall clearly state the decision being appealed, setting forth the specific reasons, rationale, and/or basis for the appeal.

(c) Fees associated with such appeals shall be paid to the city upon filing of the appeal in accordance with a fee schedule established by resolution. If the appeal has been timely filed and complies with the requirements of this section, the hearing examiner shall conduct an open record public hearing into the merits of the appeal at which the examiner shall hear and receive testimony, documentary evidence, and arguments from the appellant(s) solely on the issues raised or identified by the appeal.

(d) The person(s) filing the appeal shall have the burden of going forward with the evidence and the ultimate burden of persuasion.

(e) Notice of any public hearing held pursuant to this section shall be provided as specified in PMC 2.54.100.

(f) The examiner may continue the hearing from time to time without further mailed or delivered notice.

(g) Appeal hearings held by the examiner pursuant to this section shall be de novo.

(h) The examiner's decision shall become final 10 business days from the date of issuance.

The examiner's decision on the appeal shall take the form of an appeal approval, approval with further conditions, disapproval, or remand of the decision to staff for reconsideration per direction of the examiner.

19.07.105 Effect of final approval.

~~All lots in a short plat subdivision that have been granted under the provisions of this chapter shall be filed with the Pierce County auditor and shall not be deemed "approved" until so filed; such land in a~~ A short plat subdivision shall not be further divided in any manner within a period of five years without the filing of a ~~final~~ plat under the provisions of a major ~~plat~~ subdivision as set forth in this title, all as provided in Chapter 58.17 RCW.

19.07.110 ~~Modifications or variations~~ Short plat variances.

Any subdivider may make application to the ~~community development department~~ ~~department~~ for a ~~variation variance~~ or modification from the city's development requirements, standards and specifications. Any request for variation or modification of requirements, standards or specifications established by administrative authority shall be considered in accordance with the process specified in the enabling document. Any request for variation or modification from requirements, standards or specifications set forth in the Puyallup Municipal Code shall be considered by the city's hearing examiner as set forth in PMC 19.02.080, and processed in accordance with the variance provisions set forth in Chapter 20.85 PMC. Such application shall be submitted prior to or accompany the proposed short plat, shall include any and all details as the ~~developer subdivider~~ deems necessary to support ~~his the~~ application properly, and shall outline the provisions from which the modification or variation is sought. ~~This section does not govern those requests for deviation from engineering standards under the alternative methods and materials requests (AMR) process, which are reviewed and approved administratively.~~

Chapter 19.08
MAJOR PLAT SUBDIVISION

Sections:

19.08.010 Purpose.

19.08.020 Preliminary consideration of application.

19.08.030 ~~Qualifications governing approval.~~ Survey of subdivision and preparation of plat.

19.08.040 ~~Review and approval procedural steps.~~ On-site identification posting.

19.08.050 ~~Survey of subdivision and preparation of plat.~~ Departmental review.

19.08.060 ~~On-site identification posting.~~ Approval criteria.

~~19.08.070 Consent to access.~~

~~19.08.080 Preliminary plat – Staff review.~~

~~19.08.090 Preliminary plat – Notice of application.~~

19.08.100 Preliminary plat – ~~Approval period.~~ Processing timeline.

19.08.110 Preliminary plat – Notice of public hearing.

19.08.120 Preliminary plat – Hearing examiner review and approval.

~~19.08.130 Preliminary plat – Modification.~~

19.08.140 Preliminary plat – Expiration.

~~19.08.150 Phased development.~~

~~19.08.160 Minimum improvements.~~

~~19.08.170 Final plat.~~

19.08.010 Purpose.

The purpose of this chapter is to regulate the division of land into ~~five-ten~~ five-ten or more lots, ~~tracts, parcels, sites or subdivisions~~ in accordance with the scope and purpose of this title set forth in PMC 19.02.030; establish regulations and procedures for review and approval

Commented [CB1]: Sections re-organized and modified for two reasons:

- 1) Maintain consistency with the organization of section headers as shown in PMC 19.07 (short plats)
- 2) Moved PMC 19.08.130, 19.08.150, 19.08.160 and 19.08.170 to the new Chapter 19.13, Final Plats. This was done to centralize the final plat process for both preliminary short plat and major plat into one new chapter within Title 19.

of major subdivisions or revision thereof; and require filing of a major plat for record in the office of the county auditors.

(...)

19.08.030 ~~Qualifications governing approval. Survey of subdivision and preparation of plat.~~

Commented [CB2]: Moved below to 19.08.060

~~(1) The hearing examiner, before approval is given, shall inquire into the public use and interest proposed to be served by the establishment of a subdivision and dedication. The examiner shall determine if the design reflects existing site conditions and the city development standards, and if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and shall consider all other relevant facts and determine whether the public interest will be served by approval of the subdivision and corresponding dedications. If the examiner finds that the proposed plat is consistent with the city's comprehensive plan and development standards, and makes appropriate provisions for the public health, safety, and general welfare as described above, and that the public use and interest will be served by the platting of such subdivision, then it shall be approved. If the examiner finds that the proposed plat does not make such appropriate provisions or that the public use and interest will not be served, then the examiner may disapprove the proposed plat. Dedication of land may be required as a condition of subdivision approval and shall be clearly shown on the final plat.~~

~~(2) A proposed subdivision site may be disapproved because of flood, inundation, or marshy conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat.~~

~~(3) No plat shall be approved covering any land situated in a flood control zone, as provided in Chapter 86.16 RCW, without the prior written approval of the Department of Ecology of the state of Washington.~~

Applications for major plats shall be submitted on forms provided by the city of Puyallup community development department. The completed application shall be submitted to the community development department, and shall include the information specified in PMC 19.02.100 and any other information as may be required by the Pierce County auditor as a condition of recording.

Commented [CB3]: Moved from 19.08.050

19.08.040 Review and approval procedural steps On-site identification posting.

~~The procedure for review and approval of major subdivision plats shall consist of three steps:~~

Commented [CB4]: Moved to PMC 19.13, Final Plats.

~~(1) The first step is the preparation and submission to the hearing examiner of a preliminary plat of the proposed subdivision:~~

~~(2) The second step is the installation of improvements pursuant to the approved preliminary plat:~~

~~(3) The third step is the preparation and submission to the city council of a final plat, together with the required certificates. The final plat is the instrument recorded in the office of the Pierce County auditor after being duly signed by the officials as set forth in this title:~~

~~(1) Identification Marker Posting. The subdivider shall, for identification purposes only, cause markers of a type approved by the city to be placed upon each of the road frontage corners of the subject parcel and maintain them thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks of the proposed major plat.~~

Commented [CB5]: Sub sections (1) and (2) moved from 19.08.060.

~~(2) Posting of Other Data and Markers. Where other data or where identification markers are found necessary by any relevant agency to assist in making its determination, such data and markers shall be placed upon the land and maintained thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks by the applicable agencies.~~

~~(3) Consent to Access. The subdivider shall permit free access to the land being subdivided to all agencies considering the major plat for the period of time extending from the time of application to the time of final action.~~

Commented [CB6]: Sub section (3) moved from 19.08.070.

19.08.050 Survey of subdivision and preparation of plat. Departmental review.

~~Applications for major plats shall be submitted on forms provided by the city of Puyallup community development department. The completed application shall be submitted to the community development department, and shall include the information specified in PMC 19.02.100 and any other information as may be required by the Pierce County auditor as a condition of recording.~~

Commented [CB7]: Moved to 19.08.030.

Within 28 calendar days of filing a preliminary plat, the ~~planning and community development director~~ or ~~designees~~ shall determine if the plat application, as filed, is in conformance with the provisions of this title, the city of Puyallup land use (zoning) code, and the city comprehensive general plan and is otherwise acceptable in form and substance for processing. If so, the community development department shall determine that the application is complete and follow the procedures set forth in PMC 20.11.00620.11.006. Copies of the preliminary plat shall be provided to the public works department, building inspection division and fire department division and to other departments and agencies for their review and recommendations.

Commented [CB8]: Moved from 19.08.080.

(1) The ~~community development~~ director, public works director and other department heads or their designees, within the scope of their municipal functions, shall make their respective recommendations regarding the proposed subdivision plat in report form to the community development department.

(2) The ~~community development~~ department shall transmit the application, the plat, and the respective recommendations of the city departments, public comments and other public agencies together with its recommendations and environmental impact statement review (SEPA) document(s) to the hearing examiner for study prior to the hearing.

19.08.060 On-site identification posting Approval criteria.

(1) The hearing examiner, before approval is given, shall inquire into the public use and interest proposed to be served by the establishment of a subdivision and dedication. The examiner shall determine if the design reflects existing site conditions and the city development standards, and if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, stormwater drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and schoolgrounds, and shall consider all other relevant facts and determine whether the public interest will be served by approval of the subdivision and corresponding dedications. If the examiner finds that the proposed plat is consistent with the city's comprehensive plan and development standards, and makes appropriate provisions for the public health, safety, and general welfare as described above, and that the public use and interest will be served by the platting of such subdivision, then it shall be approved, with appropriate conditions. If the examiner finds that the proposed plat does not make such appropriate provisions or that the public use and interest will not be served, then the examiner may disapprove the proposed plat. Dedication of land may be required as a condition of subdivision approval and shall be clearly shown on the final plat.

Commented [CB9]: Moved from 19.08.030

(2) A proposed subdivision site may be disapproved because of flood, inundation, or marshy conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat.

(3) No plat shall be approved covering any land situated in a flood control zone, as provided in Chapter 86.1686.16 RCW, without the prior written approval of the Department of Ecology of the state of Washington.

~~(1) Identification Marker Posting. The subdivider shall, for identification purposes only, cause markers of a type approved by the city to be placed upon each of the road frontage corners of the subject parcel and maintain them thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks of the proposed major plat.~~

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~~(2) Posting of Other Data and Markers. Where other data or where identification markers are found necessary by any relevant agency to assist in making its determination, such data and markers shall be placed upon the land and maintained thereon during the period extending from the time of application to the time of final action for the purpose of permitting field checks by the applicable agencies.~~

19.08.070 Consent to access.

Commented [CB11]: Moved to 19.08.040

~~The subdivider shall permit free access to the land being subdivided to all agencies considering the major plat for the period of time extending from the time of application to the time of final action.~~

19.08.080 Preliminary plat – Staff review.

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~~Within 20 calendar days of filing a preliminary plat, the planning and community development director shall determine if the plat as filed, is in conformance with the provisions of this title, the city of Puyallup land use (zoning) code, and the city comprehensive general plan and is otherwise acceptable in form and substance. If so, the community development department shall determine that the application is complete and follow the procedures set forth in PMC 20.11.006. Copies of the preliminary plat shall be provided to the public works department, building inspection division and fire department and to other departments and agencies for their review and recommendations.~~

~~(1) The community development director, public works director and other department heads or their designees, within the scope of their municipal functions, shall make their~~

respective recommendations regarding the proposed subdivision plat in report form to the community development department.

(2) The community development department shall transmit the application, the plat, and the respective recommendations of the city departments and other public agencies together with its recommendations and environmental impact statement to the hearing examiner for study prior to the hearing.

19.08.090 Preliminary plat – Notice of application.

The community development director or designee shall give notice of the filing of a preliminary plat indicating the legal description, a small map showing location, subdivision acreage, number of homes or building lots, and the hour and location of the first hearing on the preliminary plat to the following:

- (1) The Puyallup school district;
- (2) The Washington State Department of Highways when a proposed subdivision is to be located adjacent to the right-of-way of a state highway;
- (3) The Washington State Department of Ecology when the proposed subdivision lies within a designated flood control zone pursuant to Chapter 86.16 RCW;
- (4) The public utility firms when the proposed subdivision proposes the use of any public utilities (e.g., power and light, natural gas, telephone, etc.).

19.08.100 Preliminary plat – Approval period Processing timeline.

Preliminary major plats shall be approved, disapproved or returned to the subdivider for modification within 90 days from the date the application is determined to be complete consistent with the timelines established under PMC 20.11.006, unless the subdivider consents to an extension of such time period; provided the preliminary plat is in proper form, including a final environmental impact statement, if one is necessary, or a negative declaration is prepared for the hearing examiner's initial review.

19.08.110 Preliminary plat – Notice of public hearing.

After having received the proposed preliminary major plat subdivision plat and after completion of any required staff and environmental (SEPA) review, the community development director or designees shall set a date for an open record public hearing before the hearing examiner and shall give notice consistent with PMC 19.02.120, PMC 20.12 and

Commented [CB13]: Moved to 19.02.120

~~department procedures by arranging publication of at least one notice not less than 10 calendar days prior to the hearing in the newspaper of general circulation in the city. Additional notices shall be mailed to the persons who own or are contract purchasers of land adjacent to and outside the proposed subdivision plat. All hearing notices shall include a legal description of the location of the proposed subdivision and either a vicinity location sketch or a location description in nontegal language. All hearings shall be public pursuant to Chapter 42.32 RCW.~~

19.08.120 Preliminary plat – Hearing examiner review and approval.

The hearing examiner shall review and either approve, approve with conditions, or deny all preliminary ~~major~~ plats for subdivisions and dedications to assure conformance to the provisions of this title, the city comprehensive plan, and other planning standards and specifications as adopted by the city. Approval of a preliminary ~~major~~ plat shall not be construed as approval of a final plat. ~~Reconsideration and appeals of hearing examiner decisions are governed by PMC 2.54.140 and PMC 2.54.150.~~

~~19.08.130 Preliminary plat – Modification.~~

~~Any modifications must be approved by the city prior to implementation or installation of the modified improvement. Approval of requests for modification shall be as follow:~~

~~(1) Major modifications which result in a reduction of open space, increased disturbance of critical areas, an increase in the number of lots, changes in the plat boundaries or alteration of road alignments or connections shall only be allowed after public hearing, review and approval by the hearing examiner;~~

~~(2) Modifications determined to be minor in nature by the community development director or designee may be administratively approved by the city department(s) responsible for administering the corresponding requirements.~~

19.08.140 Preliminary plat – Expiration.

For preliminary major plats approved on or after January 1, 2015, the approval of a preliminary plat shall lapse unless a final plat is submitted within five years from the date of such approval; provided, however, that upon application to the development services department at least 30 days prior to the expiration of the five-year period and upon satisfactory showing that a good faith effort, as evidenced by progress on final engineering and associated technical studies, submittal of civil plan drawings and/or permit issuance allowing the construction of civil improvements, has been made to submit the final plat

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within the five-year period, the development services director or designee shall grant the applicant an additional period of one year in which to submit the final plat for approval. The director may add conditions or requirements upon the granting of a one-year time extension which address public health, safety and welfare:

(1) No extension of time beyond six years from the date of final approval of the preliminary plat shall be granted unless the hearing examiner finds:

(a) There have been no substantial changes in the laws governing the development of the plat, with which lack of compliance would be contrary to the public health, safety and welfare, environmental protections, storm water treatment and control standards, or be substantially inconsistent with the goals, objectives or policies of the comprehensive plan. If the development was permitted under a previously adopted version of the state-mandated Department of Ecology storm water manual, or other city-mandated storm water controls/standards, no time extension will be granted; and

(b) A civil permit has been issued and substantial improvements have been installed, pursuant to completion of approved civil improvements; and

(c) That extraordinary circumstances have prevented the submittal of the final plat.

The hearing examiner may grant one additional year in which to submit the final plat for approval, for a total maximum of seven years, upon a finding of consistency with the above stated criteria. The hearing examiner may add conditions or requirements upon the granting of a one-year time extension which address public health, safety and welfare.

The following shall also apply to preliminary plat approvals under certain limited instances:

(2) Beginning on June 10, 2010, and ending on December 30, 2014, the five-year period specified in this section shall be extended to a period of seven years, consistent with RCW 58.17.140.

No extension of time beyond seven years from the date of final approval of the preliminary plat shall be granted unless the hearing examiner finds:

(a) There have been no substantial changes in the laws governing the development of the plat, with which lack of compliance would be contrary to public health, safety or welfare, environmental protections, storm water treatment and control standards, or be substantially inconsistent with the goals, objectives or policies of the comprehensive plan.

~~If the development was permitted under a previously adopted version of the state-mandated Department of Ecology storm water manual, or other city-mandated storm water controls/standards, no time extension will be granted; and~~

~~(b) A civil permit has been issued and substantial improvements have been installed; pursuant to completion of approved civil improvements; and~~

~~(c) That extraordinary circumstances have prevented the submittal of the final plat.~~

The hearing examiner may grant one additional year in which to submit the final plat for approval, for a total maximum of eight years, upon a finding of consistency with the above stated criteria. The hearing examiner may add conditions or requirements upon the granting of a one-year time extension which address public health, safety and welfare.

~~(3) For preliminary plats approved on or before December 31, 2007, within the incorporated boundaries of the city limits at the time of preliminary plat approval and not subject to the Shoreline Management Act (Chapter 90.50 RCW) and local shoreline master program, the five-year period specified in this section shall be extended to a period of 10 years; consistent with RCW 58.17.140; and that during such time period, no extension of time beyond 10 years from the date of final approval of the preliminary plat shall be granted.~~

(1) Preliminary major plats expire five years from approval unless a final plat is submitted. Within said five year time frame, the applicant install a minimum level of improvements required to facilitate the development of the final major plat, as determined by the director and/or designees and only after those improvements are installed (or financial guarantee provided, as allowed) shall the applicant file a final major plat with the city. See PMC 19.13 – Final plats – for further details regarding the timing of the final plat submittal. Department directors must sign the final major plat prior to recording of the final major plat with the county auditor; once recorded, the major plat shall be deemed approved.

(2) The director may grant a one-year extension if the applicant demonstrates good faith progress (e.g., final engineering, civil plan submittals, or permits for civil improvements) toward submittal of a final plat. Conditions may be added to protect public health, safety, and welfare.

(3) No extension beyond six years from approval may be granted unless the director finds that:

(a) Laws governing plat development have not substantially changed in ways that would conflict with health, safety, welfare, environmental protections, stormwater standards, or

the comprehensive plan. If the plat relies on outdated stormwater manuals or standards, no additional extension is allowed;

(b) A civil permit has been issued and substantial improvements installed; and

(c) Extraordinary circumstances prevented submittal of the final plat.

(4) Upon meeting the above criteria, the director may grant one final one-year extension (maximum seven years). Conditions may be added to address public health, safety, and welfare.

19.08.150 Phased development.

After the preliminary plat approval has been given to a proposed subdivision, the subdivider may desire to develop the subdivision in stages, completing one division of his development before undertaking another. If the subdivider desires to develop the subdivision in stages, he shall submit a divisional preliminary plat for each successive stage as follows:

(1) The subdivider shall submit a request to the community development department, together with the divisional preliminary plat in the format as prescribed for the preliminary plat. The community development director or designee may waive the environmental checklist provided the divisional plat is submitted before the expiration period and there are no changes in environmental conditions, and that the divisional plat conforms to the approved preliminary plat of the total subdivision.

(2) As preliminary divisional plats for each stage are submitted, they will be checked for compliance with the approved preliminary plat for the subdivision, without taking into account any conflicting regulations which might have been enacted in the meantime, unless such regulation has set forth mandatory compliance to include the previously approved preliminary plat.

(3) If, in the opinion of the community development director and the public works director or their designees, the preliminary divisional plat for a given stage is in conformity with the approved plat for the total subdivision, they may approve the same subject to any installation of or extension of utilities, drainage of streets outside of the proposed preliminary divisional plat as they may deem necessary to assure the orderly and complete development of the previously approved preliminary plat or the development of any adjoining property or properties:

19.08.160 Minimum improvements.

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Upon preliminary plat approval, the subdivider may proceed with required improvements with the assurance that the final plat will be approved; provided, that the final plat conforms with the approved preliminary plat; provided further, the public works director or designee has reviewed and approved construction plans for the minimum improvements which have been designed in accordance with current city of Puyallup specifications for all required improvements as set forth in Chapter ~~19.10~~ PMC, and the minimum improvements are installed under the supervision of the public works director or designee. In lieu of the completion of the actual construction of any improvements prior to the approval of a final plat:

(1) The city council may accept an assignment of funds, in an amount and with surety and conditions satisfactory to it, providing for and securing to the city of Puyallup the actual construction and installation of such improvements (plus a 20 percent contingency) within a period of one year and expressed in the assignment; or

(2) The public works director or designee may require that certain minimum improvement be delayed in lieu of the completion of the actual construction (e.g., sidewalk installation; final lift of asphalt pavement on roads, etc.). In such cases, the applicant will be required to submit an assignment of funds to the city in an amount equal to the estimated cost (plus 20 percent contingency) of the delayed improvements, providing for and securing to the city of Puyallup the actual construction and installation of such improvements within a period of up to two years and expressed in the assignment; or

(3) Combination of those methods as stated above.

19.08.170 Final plat.

(1) Preparation of Final Plat. The final plat shall conform to the preliminary plat as approved. A final plat may constitute a portion of an approved preliminary plat, which may be a divisional preliminary plat, reference PMC ~~19.08.070~~(11):

(2) Request for Final Plat Approval. After completion of all the improvements or the guarantee of the improvements as described in PMC ~~19.08.080~~, the subdivider may submit to the public works director or designee a request to review the final plat for final approval. The request shall include the following information:

(a) Final plat map prepared in accordance with PMC ~~19.08.100~~(3);

(b) Construction cost breakdown that will be used to determine surety requirements;

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(3) Requirements for the Final Plat:

(a) The map of the final plat shall be drawn with India ink on the best grade of tracing cloth or mylar 18 inches by 24 inches in size, allowing one-half inch for border. If more than one sheet is required, each sheet including the index sheet shall be of the above-specified size. The index sheet must show the entire subdivision, with street and highway names and block numbers. The north point, scale and date shall be shown;

(b) All documents, maps and survey notes pertinent to the subdivision in which the plat is located shall be submitted to the city engineer and shall contain the name of the subdivision or be clearly referenced to it and the name and address of the subdivider and the surveyor or engineer;

(c) The boundary lines with accurate distances and bearings, location, and width of all existing previously recorded public highways approaching and intersecting the boundaries of the subdivision shall be shown on the map and referenced to the same system used to establish boundary lines and/or acceptable data prescribed by the city engineer;

(d) The necessary acknowledgments, dedications, descriptions, surveyor's certificate and approvals for the mayor, public works director, Pierce County assessor, Pierce County treasurer and Pierce County auditor shall be on the plat. The general format of the final plat shall be approved by the public works director or designee. The final plat shall be certified by a registered land surveyor;

(e) The map shall accurately show the boundary lines of all parks and playgrounds and the rights-of-way of all public highways contained in the plat, subdivision or dedication, and shall contain thereon, suitably inscribed, and described, a statement of dedication of these rights-of-way, playgrounds, parks, and other necessary areas;

(f) The map shall show the length of all arcs and radii;

(g) The map shall show and indicate all turning angles, points of curvature, and length of tangents;

(h) The map shall show the location of all monuments in which their size, shape, and location are indicated;

(i) The error closure of any and all traverses shall not exceed one foot in 10,000 feet;

(j) The computer check of the boundaries, street centerlines, lots, blocks, and lot areas shall be submitted with the final plat as required by the public works director or designee; and

(k) A platting certificate shall be submitted with the final plat.

(4) Staff Review – Final Plat. The city of Puyallup public works department and community development department staff shall review the final plat to determine that the said plat meets all standards established by state law and this chapter. The final plat shall be reviewed for substantial conformance to the approved preliminary plat, including any requirements or conditions imposed by the city council. If it is determined the requirements of this chapter have not been met, the final plat shall be returned to the applicant for modification, correction, or other action as required for approval. Upon determination of compliance, the community development director and public works director shall certify approval on the face of the plat. The final plat shall then be transmitted to the city council.

(5) Maintenance Bonds. The city shall require a bond or equivalent instrument of assurance to guarantee that the developer shall correct any defect in a subdivision caused by faulty design or construction. The bond shall be for a minimum of one year and a minimum of 10 percent of the construction cost of the subdivision or as determined by the public works director or designee. The public works director shall not sign the final plat document unless the required bond has been accepted by the city.

(6) Approval of Final Plat. Approval of the final plat shall be indicated by the signatures of the public works director, the community development director, the city treasurer, the city attorney, and the mayor and city clerk on the original tracing of the final plat. The approval of the final plat by the city council shall be deemed to constitute an acceptance by the public of the dedication of any street or other proposed public way or space, only after such final plat has been recorded by the county auditor of Pierce County. Approval of the final plat by the city council shall be null and void if the plat is not recorded within 90 days after the date of approval, unless application for an extension of time is made in writing during said 90-day period to the city council and granted. =

Chapter 19.09

ALTERATIONS AND VACATIONS

Sections:

19.09.005 Alteration of recorded plats -- Purpose and applicability.

19.09.020 Application – Alterations.

19.09.030 Noticing.

19.09.040 Review Criteria – Alterations.

19.09.050 Appeal.

19.09.060 Vacation of recorded subdivisions – Applicability.

19.09.070 Application – Vacations.

19.09.080 Noticing.

19.09.090 Review Criteria - Vacations.

19.09.100 Appeal.

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19.09.005 -Alteration of recorded plats – Purpose and applicability.

A plat alteration provides a process to alter or modify a previously recorded final major plat, final short plat, binding site plan (BSP), or any portion thereof. The plat alteration results in changes to conditions of approval, restrictions, or dedications that are shown on the recorded plat. Any person seeking to alter a recorded final plat or any portion thereof shall comply with the requirements set forth in Chapter 58.17 RCW and the regulations in effect at the time the application is submitted to the city.

This section shall not apply to the:

(1) Alteration or replatting of any plat of State-granted tide- or shorelands as provided in RCW 58.17.215.

(2) Adjustment of boundary lines as provided in RCW 58.17.040(6).

(3) Any change to a recorded final short or major plat or BSP where an additional lot(s) is proposed shall not be considered an alteration and shall be processed as a new formal major subdivision or short subdivision depending on the number of lots being created. Except, if a condition or restriction on the original plat would prohibit such a change, then

the plat alteration process must first be completed before a new subdivision may be sought.

19.09.020 Application – Alterations.

(1) A request to alter a recorded plat or BSP shall be submitted on official forms prescribed and provided by the department along with the applicable fees. The application shall contain the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivision or portion to be altered.

(2) If the subdivision is subject to restrictive covenants which were recorded at the time of the approval of the subdivision, and the application for alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the subdivision or portion thereof.

(3) If the application seeks to extinguish or alter an easement established by a dedication, the application must contain an agreement for the release or alteration of the easement by all of the owners of the easement.

19.09.030 Noticing.

After the city has determined the application is complete, the city shall issue a notice of the complete application consistent with department noticing procedures. This notice shall:

(1) Be provided by regular U.S. mail to all owners of property within the boundaries of the subdivision, as provided in PMC 19.02.120 and PMC 20.11.012; other department noticing procedures shall apply.

(2) A public hearing is required for the alteration of a recorded major plat subdivision. Notice of public hearing shall be provided as set forth in PMC 19.02.120 and PMC 20.12.010, consistent with department procedures.

(i) A hearing may be requested by a person notified of or interested in an alteration application related to a final short plat or binding site plan, if such request is made within fourteen days of the date of the issued notice. Notice of the public hearing shall be provided as set forth in PMC 19.02.120 and PMC 20.12.010, consistent with department procedures.

19.09.040 Review Criteria – Alterations.

(1) Applications for a final short plat or binding site plan alteration shall be administratively reviewed by the Director or designee, unless a duly received request for a public hearing is received. An open record public hearing, if necessary, before the hearing examiner shall be held and the hearing examiner shall issue a decision.

(2) Applications for a final major plat alteration shall be reviewed by the hearing examiner. An open record public hearing before the hearing examiner shall be held and the hearing examiner shall issue a decision.

(3) The decision-making authority shall review the submittal materials and may approve or deny after a written determination is made whether the public use and interest will be served by the alteration, that the alteration does not violate previous conditions or SEPA mitigation measures applying to the original plat approval and whether the alteration satisfies the review criteria in subsections (a) and (b) below. In any written determination approving an alteration, the decision maker shall also find:

(a) If any land within the alteration is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels, or tracts, or be levied equitably on the lots resulting from the alteration.

(b) If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

(4) The director's decision on a short plat alteration is final unless appealed to the Hearing Examiner.

(5) The hearing examiner's decision on a final major plat alteration is final and may be appealed to superior court pursuant to Chapter 36.70C RCW, Land Use Petition Act.

(6) No later than 30 calendar days after approval of the alteration, the applicant shall produce a revised drawing or text of the approved alteration to the plat, conforming to the recording requirements of Chapter 58.17 RCW and processed for signature in the same manner as set forth for final plats in this chapter. No later than 60 calendar days after the city has signed the altered plat, the applicant shall file, at their sole cost and expense, the altered plat with the county auditor to become the lawful plat of the property.

19.09.050 -Appeal.

(1) The director's decision on a plat alteration where no public hearing was held may be appealed to the hearing examiner as provided in PMC 2.54.

(2) The hearing examiner's decision on a plat alteration shall be final but may be appealed to superior court pursuant to Chapter 36.70C RCW, Land Use Petition Act.

19.09.060 -Vacation of recorded subdivisions – Applicability.

A subdivision vacation provides a process to vacate a previously recorded major plat subdivision, short subdivision, binding site plan, or any portion thereof, or any area designated or dedicated for public use. The subdivision vacation results in the nullification of the recorded subdivision or portion thereof.

Any person seeking a subdivision vacation shall comply with the applicable requirements set forth in Chapter 58.17.212 RCW and this section in effect at the time a complete application is submitted to the City. If the application is for the vacation of a subdivision together with the public rights-of-way, the procedures of this section shall apply except as prohibited by RCW 35.79.035 and RCW 36.87.130, as amended, or other applicable law.

This section shall not apply to the:

(1) Vacation of any plat of State-granted tide- or shorelands.

(2) Vacation specifically of public rights-of-way.

19.09.070 -Application – Vacations

(1) A request to vacate a recorded subdivision shall be submitted on official forms prescribed and provided by the department, along with the applicable fees.

(2) The application shall set forth the reasons for vacation and shall contain the signatures of all persons having an ownership interest in the subject subdivision or portion to be vacated.

(3) If the subdivision is subject to restrictive covenants which were recorded at the time of the approval of the subdivision, and the application for vacation would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation of the subdivision or portion thereof.

19.09.080 -Noticing.

The city will provide notice of the application for subdivision vacation and public hearing as providing notice of complete application consistent with PMC 19.02.120 and PMC 20.11.012.

19.09.090 -Review Criteria - Vacations.

(1) The hearing examiner shall hold a public hearing, review the submittal materials, and may approve or deny after a determination is made whether the public use and interest will be served by the vacation. Such determination shall be in writing and supported by findings of fact.

(2) If any portion of the land contained in the subdivision to be vacated was dedicated to the public for public use or benefit, such land, if not deeded to the City, shall be deeded to the city unless the decision-making authority sets forth findings that the public use would not be served in retaining title to those lands.

(3) Title to the vacated property shall vest with the rightful owner as shown in the county records. If the vacated land is land that was dedicated to the public, for public use other than a road or street, and the legislative authority has found that retaining title to the land is not in the public interest, title thereto shall vest with the person or persons owning the property on each side thereof, as determined by the legislative authority.

(4) When the road or street that is to be vacated is contained wholly within the subdivision and is part of the boundary of the subdivision, title to the vacated road or street shall vest with the owner or owners of property contained within the vacated subdivision.

(5) No later than 30 calendar days after approval of the subdivision vacation, the applicant shall file, at their sole cost and expense, the approval of the vacated subdivision with the county auditor.

19.09.100 -Appeal.

(1) The decision of the hearing examiner on the subdivision vacation shall be the final decision of the city; no administrative appeal is provided. Appeals of the final decision may be appealed to superior court pursuant to Chapter 36.70C RCW, Land Use Petition Act.

**Chapter 19.10
BINDING SITE PLAN**

Sections:

19.10.010 Purpose.

19.10.040 Application and plan requirements.

19.10.045 Preliminary staff review.

~~19.10.050 Hearing examiner review.~~

19.10.060 Final approval of plan.

19.10.070 Certification of segregation.

19.10.080 Revision of plan.

19.10.090 Expiration period.

19.10.100 Appeal.

19.10.110 Enforcement.

19.10.010 Purpose.

The purpose of this chapter is to regulate the division of ~~nonresidential zoned land (and upon which no future residential structure will be placed except as an accessory use) land into lots or tracts classified for industrial or commercial use~~ for the purpose of sale, lease, or other transfer of ownership in accordance with the scope and purpose of this title set forth in PMC 19.02.030; establish regulations and procedures for review and approval of binding site plans or revision thereof; and require filing of a binding site plan for record in the office of the county auditor. For the purposes of this section, commercially zoned property includes property that is zoned to permit or conditionally permit any multifamily residential uses.

19.10.040 Application and plan requirements.

(1) Application for a binding site plan shall be made with the ~~planning and community development~~ department on forms prescribed by that office. The plan shall be a neat and accurate drawing by a licensed land surveyor or engineer ~~on reproducible material~~ at a scale of not less than one inch equals 100 feet, unless otherwise approved by the ~~community development~~ department. The application shall be accompanied by a current title report, ~~10 copies of the plan, one reproducible photographic reduction measuring 18 inches by 24 inches, unless otherwise approved by the community and any other required~~

documents specified on forms supplied by the development department, consistent with PMC 19.02.100.

(2) The plan shall identify the following:

(a) The location and dimensions of all major existing streets, roads, buildings, utilities and related natural features (streams, creeks, drainage ditches, railroad tracts, etc.);

(b) Future major streets, roads, utilities, open space, building dimensions, distance between buildings, and location of parking areas, to the extent known;

(c) The following code data, to the extent known:

(i) Zoning district;

(ii) Total lot area (square feet);

(iii) Total building area (square feet) and height (in feet and stories);

(iv) Percent of building and impermeable site coverage;

(v) Number of units proposed;

(vi) Total number of parking stalls (including handicapped);

(vii) Total parking and maneuvering area (square feet);

(viii) Required landscaping (square feet);

(ix) Percent of lot in open space;

(x) Type of construction;

(xi) Sprinkled/nonsprinkled;

(xii) Occupancy classification; and

(xiii) Description of proposed uses; and

(d) Recorded survey or monumentation of all exterior tract corners.

(3) The name of the proposed development and the title "Binding Site Plan" shall be at the top of the plan, in large print, together with the following statement, prominently displayed on the face of the site plan map:

(a) The use and development of this property must be in accordance with the plan as represented herein or as hereafter amended, according to the provisions of the binding site plan regulations of the city of Puyallup; and

(b) The roads and utilities shown on this plan need not have been constructed and/or installed at the time that the property subject to this plan is divided. No permit required to build permanent structures upon any portion of this property, other than for site preparation (including grading and infrastructure installations), shall be issued until the roads and utilities necessary to serve that portion of this property have been constructed and installed or until arrangements acceptable to the city of Puyallup have been made to ensure that the construction and installation of such roads and utilities will be accomplished.

(4) Environmental information shall be prepared and submitted in accordance with the rules established under the State Environmental Policy Act of 1971, as amended, and Chapter 21.04 PMC, as it may be amended hereafter. The information is a part of and must accompany the binding site plan application, however, additional environmental documentation under SEPA is not required if SEPA review has been done for a proposed project. The existing environmental documents shall be adopted or incorporated by reference.

(5) The application shall be accompanied by a fee as established by resolution.

19.10.045 Preliminary staff review.

(1) Within 28 calendar days of submittal, the ~~community development~~ director or designees shall determine if the application is complete and follow the procedures set forth in PMC 20.11.006.

(2) Once determined to be complete, the ~~case planner department~~ shall ~~route the binding site plan application to other appropriate city departments, provide notice of complete application consistent with PMC 19.02.120, PMC 20.11 and department procedures as well as any interested outside agencies, and department staff shall review the submittal~~ to determine the project's conformance with city policies, codes and development standards. ~~The objective of this review is to identify specific conditions of approval to ensure the project conforms with applicable city standards and requirements, and to formulate a staff recommendation to the binding site plan committee.~~ If a companion SEPA checklist has been filed for the same project, the city's SEPA review shall generally occur concurrently with staff review of the binding site plan, unless circumstances warrant other

procedures. Upon completion of the city's review, a condition letter shall be sent to the applicant detailing the results of preliminary staff review and conditions of approval to be recommended to the hearing examiner. Review of any companion SEPA checklist and issuance of the resulting determination shall be completed prior to scheduling for review by the hearing examiner. Any appeal of the SEPA determination shall be processed in accordance with the provisions of Chapter 21.04 PMC.

19.10.050 Hearing examiner review:

(1) The hearing examiner shall review and either approve, approve with conditions, or deny all binding site plan applications to assure conformance to the provisions of this title, the city comprehensive plan, and other planning standards and specifications as adopted by the city:

(2) As a condition of approval of the plan, the hearing examiner shall have the right and authority to require the deeding of rights-of-way for street, utility and/or other purposes, when determined to be in the best interests of the city. Any such deeding shall occur prior to or concurrently with the recording of the plan.

19.10.060 Final approval of plan.

(1) Prior to the plan being approved, it shall be revised to accurately reflect all required improvements and shall include all applicable inscriptions deemed necessary by the hearing examiner director, setting forth appropriate limitations and conditions for improvements necessary for the use of the land consistent with the binding site plan approval.

(2) Upon approval of the hearing examiner director, binding site plans shall be filed by the applicant with the county auditor and a copy of the recorded instrument document shall be returned to the community development department prior to issuance of any building or civil permits for construction within the site. The applicant shall pay all costs associated with this filing.

(3) The face of the approved plan to be recorded must be signed by all owners of the property.

19.10.070 Certification of segregation.

(1) If a building permit is requested for construction within any approved binding site plan, the community development department shall, prior to or concurrently with the issuance

of the building permit, issue a document entitled "Certificate of Segregation" stating that the segregation or construction substantially complies with the approved plan. The portion of the plan for which the building permit is requested shall be legally described in the certificate.

(2) Prior to the issuance of a building permit for construction under any binding site plan, all required improvements required to adequately service that portion of the plan for which the building permit will be issued shall be installed or ~~an assignment of funds~~ a financial guarantee provided in accordance with city requirements.

19.10.080 Revision of plan.

(1) Alteration of an approved and recorded binding site plan shall be accompanied by application as set forth in PMC 19.10.040 and shall be subject to all procedures and requirements established in this chapter.

(2) The director shall have the authority to set forth guidelines for approval of minor modifications of the approved plan. Such modifications shall be noted on the copy of the recorded plan on file ~~at with the community development~~ department under PMC 19.10.060(2). ~~The revised plan shall not be required to be filed or recorded with the county auditor.~~

19.10.090 Expiration period.

If the plan is not recorded with the county auditor within six months of the date of approval, the plan shall become null and void. Upon written request of the applicant, the ~~community development department director~~ may grant one extension of not more than six months. Such a request must be received by the ~~community development~~ department prior to the six-month expiration date.

19.10.100 Appeal.

Appeals of binding site plan approvals shall be made in the manner provided for in PMC 2.54.150. The decision of the ~~committee director~~ shall be final, unless an appeal by an aggrieved party is made to the hearing examiner within 14 calendar days after the ~~committee's director's~~ decision. The appeal shall be in writing to the hearing examiner and filed with the ~~community development director or designee department~~, who shall transmit the appeal to the examiner in a timely manner. The hearing examiner shall act on the appeal within 30 calendar days unless an extension thereto is agreed to, in writing, by the applicant.

(...)

Chapter 19.11

UNIT LOT SUBDIVISIONS AND RESIDENTIAL LOT SPLITS

Sections:

19.11.010 Purpose.

19.11.020 Applicability.

19.11.030 Application process.

19.11.040 Review criteria.

19.11.050 Recording requirements.

19.11.010 Purpose.

(1) **Unit lot subdivisions.** The purpose of this chapter is to provide for the flexible creation of lots of varying sizes and types for individual ownership, including attached and detached housing, such as accessory dwellings and cottage housing, and similar developments with multiple dwelling units on a “parent parcel,” while applying only those site development standards applicable to the parent parcel, rather than to the individual unit lots resulting from the subdivision.

(2) **Residential lot splits.** Residential lot splits are an administrative process for splitting an existing residential lot into no more than two lots to facilitate the creation of middle housing or single-family housing. Residential lot splits may be combined with concurrent review of a residential building permit to create new middle housing or single family housing, where allowed by zoning.

19.11.020 Applicability.

(1) **Unit lot subdivisions.** Unit lot subdivisions are a type of subdivision applicable in all zoning districts in the city where the review criteria of this chapter are satisfied. This chapter applies to a lot to be developed with middle housing, including duplexes, triplexes, fourplexes, townhomes, cottage housing, manufactured home parks and accessory dwelling units, or multiple detached single-family residences, in which no dwelling units

are stacked on another dwelling unit or other use. These units may be subdivided into individual unit lots as provided herein and where the dwelling units are allowed by underlying zoning.

(a) There shall be no limit to the number of unit lots created in a unit lot subdivision. A unit lot subdivision proposal will not require a public hearing and shall be recorded administratively. Unit lot subdivisions are not subject to the 5 year restrictions of PMC 19.07.105.

(b) A unit lot subdivision application shall be processed consistent with short plat procedures (PMC 19.07), unless otherwise modified herein.

(c) Applications for unit lot subdivision shall be made on the appropriate forms for the applicable short subdivision in conformance with the provisions of this title, filing fees, required improvements, and all other requirements, except those specifically modified by this chapter. Furthermore, the following shall apply:

(i) No public pre-decision meeting or hearing, nor any design review other than administrative design review, except for those required to comply with state law, including chapter 90.58 RCW, the Shoreline Management Act, when applicable, may be required.

(ii) All property owners within 300' of the unit lot subdivision shall be provided mailed notice of a unit lot subdivision proposal. The site shall be posted with a notice board along the frontage of the site indicating the details of the proposal and how to provide written comments.

(iii) The review and approval of a unit lot subdivision shall be logically integrated with the application, review and approval procedures for the underlying housing development project, to the greatest extent possible.

(iv) Review of a unit lot subdivision shall be subject to the maximum time period for local government actions as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

(d) For unit lot subdivision of vacant land, the application should include a site plan of the approximate development envelopes of the proposed development at full buildout, to the extent known. This plan shall document compliance with the applicable regulations and dimensional standards of the parent parcel. Final adjustments to the site plan, consistent

with the zone district applicable to the underlying land, may be made at the time of building permit and does not require an adjustment to the unit lot subdivision.

(2) **Residential lot splits.** Residential lots splits are applicable to any zone where new middle housing or single family housing is allowed and further where such housing is not required by the underlying zoning designation of the land to require a pre-decision public hearing, nor any design review other than administrative design review.

(a) There shall be no more than two lots in a residential lot split. A residential lot split proposal will not require a public hearing and shall be reviewed administratively.

(b) A residential lot split application shall be processed consistent with short plat procedures (PMC 19.07), unless otherwise modified herein.

(c) Applications for residential lot split shall be made on the appropriate forms for the applicable short subdivision in conformance with the provisions of this title, filing fees, required improvements, and all other requirements, except those specifically modified by this chapter. Furthermore, the following shall apply:

(i) No public pre-decision meeting, hearing, or design review other than administrative review shall be required, except as necessary to ensure compliance with applicable state laws, including Chapter 90.58 RCW, Shoreline Management Act.

(ii) All property owners within 300' of the residential lot split shall be provided mailed notice of a residential lot split proposal. The site shall be posted with a notice board along the frontage of the site indicating the details of the proposal and how to provide written comments.

(iii) The review and approval of a residential lot split shall be logically integrated with the application, review and approval procedures for the underlying housing development project, to the greatest extent possible.

(iv) Review of a residential lot split shall be subject to the maximum time period as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

(v) A new buildable residential lot and residential building permit or permits must be administratively approved and are not subject to administrative appeal if they comply with applicable development standards and this section.

19.11.030 Review criteria.

(1) Unit lot subdivisions. A unit lot subdivision creates a relationship between the parent parcel and each lot created, referred to as a “unit” lot. Unit lot subdivisions shall meet all of the following standards:

(a) Parent Parcel. In order to be eligible for the unit lot subdivision process, the parent parcel shall meet all PMC Title 20 standards of the applicable zoning district, in which it is located.

(b) A unit lot subdivision cannot be used to permit land uses or densities that are not otherwise allowed in the zone in which the unit lot subdivision is proposed.

(c) Unit lots shall be subject to all the applicable requirements of PMC Titles 10, 11, 14, 16, 17 and 21, except as otherwise modified by this chapter.

(d) Unit lot(s) are not subject to PMC Title 20 dimensional standards of the applicable zoning district but shall meet the applicable building fire separation standards, fire access, adequacy of emergency vehicle access and fire protection water system standards.

(e) Access. The parent parcel and each unit lot shall make adequate provisions for ingress and egress and parking, where required, which may or may not include use of common areas or easements.

(i) Private driveway(s) providing vehicle access to unit lots shall not serve more than four unit lots, unless approved by the city engineer.

(ii) Off-street parking shall be designed in accordance with PMC 20.55, where required, and may be permitted in common areas and/or designated easements within the parent parcel.

(iii) Conditions of approval may require dedication of right-of-way but shall not require frontage improvements, unless the development of the unit lot(s) would be required under applicable codes, regulations, and design standards to make frontage improvements.

(f) Common Areas. Portions of the parent parcel not subdivided for unit lots shall be identified as tracts or easements and owned in common by the owners of the unit lots or by a homeowners' association comprised of the owners of the individual unit lots. Common areas shall be addressed within deed restrictions.

(g) Utilities. The engineering services division shall review a proposed development of the unit lot(s) for adequacy of access, storm drainage facilities, water supply, sewer system, and survey accuracy. The city engineer may require separate connections or private metering for each unit lot, based on applicable code. Utilities shall not cross other unit lot(s) without approval from the city engineer.

(h) Building Maintenance. When required to allow for appropriate building or utility-related maintenance, an easement shall be provided on adjoining unit lots or the parent parcel.

(i) Nothing prohibits the city from applying public health, safety, building code, and environmental permitting requirements to a development project that is subject to or integrated with a unit lot subdivision process. Further, nothing requires a city or town to authorize a development project or a unit lot subdivision in a location where development is restricted under other laws, rules or ordinances, such as in locations where development is limited as a result of physical proximity to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

(2) Residential lot splits. A process through which an applicant can seek review and approval of an administrative lot split, which may be combined with concurrent review of a residential building permit to create new middle housing, as defined in RCW 36.70A.030, or single-family housing. A new buildable residential lot and residential building permit or permits must be administratively approved and are not subject to administrative appeal if they comply with applicable development standards and all of the following conditions are met:

(a) If a residential lot split results in any lot(s) of a size that would allow for further land division, the property is not eligible for a residential lot split but may be divided under other applicable land subdivision processes (e.g. short plat).

(b) If the parent lot was created through the splitting of a residential lot authorized by this section, it is not eligible for a further residential lot split but may be divided under other applicable land subdivision processes (e.g. short plat).

(c) No more than one new lot is allowed to be created through the residential lot split.

(d) A residential lot split may either be submitted with a residential building permit(s) for the created lot(s) or may be a stand-alone application to lot split the land under these provisions.

(e) Both the parent lot and the newly created lot meet the minimum lot size and dimensions request by the applicable development regulations for the zone district where the lot is located.

(f) The parent lot is located in a residential zone where middle housing or single family is allowed and is not located in an exclusively nonresidential zone including, but not limited to, zones that are exclusively commercial, retail, agricultural, or industrial.

(g) If the lot split would require demolition or alteration of any existing housing that would displace a renter, the applicant must provide a written plan detailing a displacement mitigation strategy that may include, but is not limited to, relocation assistance, and demonstrate compliance with all applicable tenant-landlord laws regarding displacement and evictions.

(h) The applicable water purveyors have issued certificates of availability confirming service to the newly created lot and dwelling units, and provisions for sewer service have been determined feasible – or, where applicable, septic service is assured through an approved (TPCHD) septic system design.

(i) Access and utility rights are granted or conveyed, as necessary, on or before recording of the lot split survey to provide access for the maximum number of dwelling units that could be developed on the newly created lot(s), provided such access rights may be reduced consistent with a city's adopted codes, regulations, or design standards as applicable through review of a subsequent application for a building permit(s).

(j) The director or designee determines that the application follows all applicable development regulations.

(k) The residential lot split survey has been approved by the director or designee and includes a condition on the face of the survey that further lot splits of the parent lot and newly created lot are not authorized by this section.

(2) A proposed lot split may be conditioned to dedicate right-of-way to the extent such dedication is already required under applicable codes, regulations, and design standards for the development of the parent lot, absent a residential lot split.

(3) Development of dwelling units on the newly created lot may be required to construct frontage improvements to a right-of-way adjacent to either the parent lot or the newly created lot to the extent already required under applicable codes, regulations, and design

standards. The city shall not place conditions requiring any off-site frontage improvements as a condition of review and approval of any residential lot split.

(4) Any construction on the newly created lot is subject to all existing state and local laws including those specified in this section. Nothing in this section modifies the requirements for approval of residential building permits in chapter 19.27 RCW.

(5) A city may not impose a limit on the total number of dwelling units allowed on the parent lot or newly created lot that is less than the number of dwelling units allowed by the underlying zoning of the parent lot prior to the administrative lot split.

(6) Except as otherwise provided in this section, lots that are not buildable under locally adopted development regulations—including but not limited to critical areas, shorelines, stormwater, setback, impervious surface area, and building coverage standards—are not eligible for a lot split under this section.

(7) The newly created lot must meet any locally adopted minimum density requirements.

(8) Parent lots and newly created lots approved under this section must have a lot split survey recorded with the county auditor with a notation that future lot splits are not allowed on the lot.

(9) An application process or a residential lot to be split under this section is subject to the maximum time period for local government actions as set forth in RCW 36.70B.080, unless extended pursuant to project-specific mutual agreement as permitted by RCW 36.70B.080.

19.11.040 Recording requirements.

(1) **Unit lot subdivisions.** All unit lot subdivisions may be recorded following city approval without conditions specifying minimum improvements prior to recording the subdivision. The unit lot subdivision recorded subdivision document shall include the following with the recorded document(s):

(a) Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners' association shall be executed for use and maintenance of common garage, parking, and vehicle access areas; bike parking; solid waste collection areas; underground utilities; common open space; shared interior walls; exterior building facades and roofs; and other similar features shall be recorded with the pierce county auditor. Maintenance

responsibilities should include provisions for the orderly upkeep of common areas to prevent nuisance conditions.

(b) A note that approval of the unit lot subdivision was granted by the review of the site as a whole, and all development of unit lots shall comply with the underlying zoning and any site development plan on file with the city (citing the file number), where available.

(c) The title of the plat shall include the phrase “Unit Lot Subdivision”.

(d) A note that subsequent platting actions, additions or modifications to the structures may not create or increase any nonconformity of the parent parcel as a whole, and shall conform to the approved plat.

(e) A note that unit lots are not separate buildable lots independent of the overall development, and additional development of individual unit lots may be limited as a result of the application of development standards to the parent lot.

(f) Each unit lot is uniquely labeled on the plat (such as Unit Lot A, Unit Lot B, etc.). This numbering may be reflective of the local Postmaster and emergency responder preference.

(g) A parent parcel with an accessory dwelling unit (ADU) may be subdivided under this section with plat notes specifying that the unit lot is associated with the accessory dwelling unit is subject to the ADU regulations under PMC Title 20.

(h) Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the department. All development shall be subject to any conditions imposed by the city on the preliminary approval.

(2) **Residential lot splits.** All residential lot splits may be recorded following city approval without conditions specifying minimum improvements prior to recording the subdivision. All residential lot splits shall include the following with the recorded document(s):

(a) The title of the plat shall include the phrase “Residential Lot Split”; further, notes shall be added to the recorded drawing that indicates the lots may not be further subdivided under the city’s residential lot split allowances.

(b) Preliminary approval constitutes authorization for the applicant to develop the required facilities and improvements, upon review and approval of construction drawings by the

department. All development shall be subject to any conditions imposed by the city on the preliminary approval.

(3) All unit lot subdivisions and residential lot splits shall be recorded within six months of the date of approval.

19.11.050 Revisions and expiration.

(1) Unit lot subdivisions and residential lot splits shall follow the revision, alteration and expiration procedures for a short plat subdivision.

Chapter 19.12

**DESIGN PRINCIPLES, STANDARDS
AND SPECIFICATIONS**

Sections:

19.12.010 Purpose.

19.12.020 General requirements.

19.12.030 Critical and sensitive areas.

19.12.040 Utilities.

19.12.050 Transportation facilities.

19.12.060 Block and lot layout.

19.12.070 Common areas and unique site features.

19.12.080 Nonconforming lots of record.

(...)

19.12.040 Utilities.

In order to ensure the provision of adequate utilities as determined by the public works director or designee in a timely manner consistent with the city's comprehensive plan, and protect the health, safety and welfare of the city and its residents, all activities regulated under this title shall comply with the following requirements:

(1) Drainage Facilities. In order to protect public safety and the natural environment, all storm water management facilities shall be designed and constructed to reflect the general principles and design criteria set forth in this section, including appropriately managing

increased storm water runoff resulting from subdivision and subsequent development of a tract in such a manner as to minimize storm water runoff, minimize vegetation loss, minimize erosion, reduce potential for on-site and off-site flooding, minimize impervious surfaces and control public costs for the provision of storm water management facilities.

General principles of storm water management design to be reflected in any subdivision layout include: a project design that mimics pre-disturbance hydrologic processes using a site layout to minimize impervious surfaces and loss of vegetation with management of storm water through low impact development wherever feasible; incorporation and use of any natural drainage features; and provision of storm water detention/retention facilities to control peak flows and protect water quality;

The proposed storm water management system shall conform to the general design criteria set forth ~~below and specific development standards referenced in PMC 19.12.020 in PMC Chapter 21.10, Storm Water Management,~~ and in the current version of the Stormwater Management Manual for Western Washington as most recently adopted by the city ~~for city use, including provisions for the use of a low impact development design.:~~

~~(a) No subdivision shall be approved which does not make adequate provision for storm or flood water runoff, and for low impact development principles;~~

~~(b) All storm water systems shall be separate and independent from sanitary sewer systems;~~

~~(c) Storm water systems may consist of a combination of low impact development, natural drainage systems, curb and gutters, underground piping, water quality treatment facilities, and detention/retention facilities. Preference is given to low impact development, retention and use of natural drainage systems whenever possible;~~

~~(d) Storm water systems shall be designed to maintain historical flows necessary for the preservation of wetlands, ponds, streams, or other critical areas. Separate infrastructure may be approved for use in collecting and discharging roof runoff and spring/seep water to critical areas to assist in maintaining historical flows. In no instance shall road or yard runoff be permitted to be discharged to critical areas without appropriate pretreatment. Storm water systems shall be sited and designed to avoid potential adverse impacts to steep slopes, aquifer recharge areas, wetlands, or other identified critical areas;~~

~~(e) Adequate biofiltration facilities shall be provided to reduce siltation and water quality impacts;~~

~~(f)~~ All storm water facilities shall be located either in a public road right-of-way, or in a separate dedicated tract of appropriate width and improved to the standards set forth in the most recent ~~city engineering standards and specifications manual~~ “City Standards for Public Works Engineering and Construction” manual;

~~(g) Low impact development, retention, and use of natural drainage systems is required wherever feasible. Drainage ways shall be established and delineated by easement of adequate width which conforms substantially to the lines of the watercourse, and shall be maintained in an open vegetated channel; and~~

~~(h-b)~~ Subdivision of any portion of any tract located within an area subject to flooding as delineated on the most recent edition of the Federal Emergency Management Agency’s Flood Insurance Rate Maps shall comply with associated floodproof development standards contained in PMC 21.07. All floodplain areas shall be shown on the face of all plat documents.

(2) Domestic Water Facilities. In order to assure the establishment of a water supply system capable of providing a safe and adequate supply of water for domestic use and fire protection at all times, a public water system shall be extended, sized, designed and constructed in such a manner as to provide adequate domestic water service to every lot and provide minimum required fire flows.

General principles of domestic water system design to be reflected in any subdivision layout include: establishment of a system which provides adequate pressure and flow to meet domestic water, fire flow and irrigation demand; and design and construction of a system which ensures a safe and sanitary source of domestic water~~;~~.

~~(a)~~ The proposed domestic water system shall conform to the general design criteria set forth ~~below and specific development standards referenced in PMC 19.12.020 in PMC Chapter 17.42, PMC Title 14 and the most recent “City Standards for Public Works Engineering and Construction” manual.~~

~~(a) The water mains shall be designed and constructed in a “looped” system wherever possible in order to reduce potential for stagnation and stabilized system pressure;~~

~~(b) Fire hydrants shall be located, sized and installed in accordance with the standards and specifications set forth in Chapter 16.08 PMC and approved by the fire chief or designee; and~~

~~(c) Water mains and fire hydrants shall be located within public street right-of-way, or within a perpetual easement of appropriate width and improved to the standards set forth in the most recent city engineering standards and specifications manual. Placement within public street right-of-way is preferred.~~

(3) Sanitary Sewer Facilities. In order to assure protection of the local groundwater aquifer, sources of supply for the city's domestic water system, and surface water systems, and reduce the potential for sewage-related health hazards, a sanitary sewer system shall be extended, sized, designed and constructed in such a manner so as to provide sanitary sewer service to every lot in the development.

~~(a)~~ The proposed sanitary sewer system shall conform to the general design criteria set forth ~~below and specific development standards referenced in PMC 19.12.020 in PMC Chapter 17.42, PMC Title 14 and the most recent "City Standards for Public Works Engineering and Construction" manual.:~~

~~(a-b)~~ The system shall be designed to be a gravity flow system whenever possible, to reduce on-going operation and maintenance associated with a mechanically pumped system. If pumped sanitary sewer systems are approved by the Public Works Director to serve the mutual needs of the subdivision, the pumping facilities shall be located outside of the public street right-of-way and within a tract dedicated to the city;

~~(b) Sanitary sewer facilities shall be located within public street right-of-way, or within a perpetual easement of appropriate width and improved to the standards set forth in the most recent city engineering standards and specification manual. Placement of sewer mains within street right-of-way is preferred, with any associated pumping facilities to be located outside of public street right-of-way and within a tract dedicated to the city; and~~

(c) When sanitary sewer service is not available and the city public works director or designee has authorized the use of on-site septic system, the on-site septic system shall be reviewed and approved by the Tacoma-Pierce County health department.

(4) Undergrounding of Utilities. All new or replacement of existing overhead utilities such as telephone, single-phase power, cable TV, etc., designed to serve the subdivision and located within the boundaries of the tract shall be installed underground. Undergrounding of existing telephone, single-phase power distribution and cable TV lines may be exempt from this requirement if the cost of undergrounding the existing line is more than twice the cost of undergrounding service and distribution lines needed to serve the subdivision.

(5) Utility Installation. Utility improvements associated with plats shall be installed in accordance with PMC 19.13, Final Plats.

19.12.050 Transportation facilities.

In order to ensure the provision of adequate transportation facilities for all modes of transportation in a timely manner, which are consistent with the city's comprehensive plan, and protect the health, safety and welfare of the city and its residents, all activities regulated under this title shall comply with the following requirements:

(1) **Street Location and Arrangement.** In order to provide for streets of suitable location, width, and improvement to accommodate expected traffic and afford satisfactory access to police, firefighting, snow removal, sanitation, and road maintenance equipment, and to coordinate street development so as to compose a convenient circulation system, avoid undue hardships to adjoining properties and assure compatibility with the city's comprehensive plan, all streets shall be designed and constructed in accordance with the regulations and standards set forth or referenced in this title and "City Standards for Public Works Engineering and Construction."

General principles of circulation design to be reflected in any subdivision layout include: safety for both vehicular and pedestrian traffic; efficiency of service for all users; quality of life features or amenities as affected by traffic element in the circulation system; compatibility with existing site features or characteristics; consistency with low impact development principles; and economy of both construction and use of land.

Arterial and collector streets proposed in the comprehensive plan, located within or adjacent to a proposed subdivision, shall be provided in accordance with the plan, shall be improved to city specifications, and shall be dedicated to the public in all instances. All other streets including minor collectors and local access streets shall be improved to city specifications and dedicated to the public.

The proposed street layout shall conform to the general design criteria set forth below and specific development standards referenced in PMC 19.12.020:

(a) All streets shall be arranged in proper relation to topography and other site characteristics in a manner which results in usable lots, safe streets and acceptable gradients without unnecessary destruction of drainage courses, trees and other natural site features;

(b) The arrangement of streets in new development should be such that said streets extend to the boundary lines of the tract to make provision for future extension to adjacent tracts, except when determined to be impractical by the public works director or designee due to critical areas, site constraints, or existing street alignments. Where streams or similar drainage features are present, crossings such as bridges or culverts shall be used, where feasible and consistent with PMC 21.06, Critical Areas, to ensure connectivity;

(c) The street layout shall ~~reflect the use of~~ establish an interconnected street grid that uses local streets to provide access to abutting properties, and the use of collector streets to channel traffic ~~through the development to abutting collectors and arterials to adjoining collectors and arterials, while discouraging significant through traffic on local streets. Traffic calming measures and street designs intended to slow the travel speed of vehicles may be required to be implemented pre-emptively when new street connections occur. The plat street layout should discourage the use of local streets by through traffic shall also provide logical right-of-way stubs/connections to adjacent undeveloped parcels to support a continuous and connected street grid network as surrounding areas develop;~~

(d) When lot(s) within a residential development are proposed adjacent to an arterial street, primary access to said lots shall be provided from a local street or collector street and a "no access" ~~easement restriction shall be~~ established on the final plat documents along the lot boundary bordering the arterial;

(e) All street intersections shall be perpendicular, unless a modified intersection is approved by the city's public works director or designee;

(f) Frontage improvements shall be required except when existing street improvements are determined to meet minimum city standards and specifications by the public works director or designee, or where assurance for dedication and improvement of the remaining part of the street is provided to the satisfaction of the public works director or designee. Whenever a tract to be subdivided borders on an existing half or partial street, the other part of the street shall be dedicated within such tract;

(g) Whenever a proposed subdivision borders an existing street, reconstruction or widening of such street may be required as a condition of ~~final plat subdivision~~ final plat approval. Additional dedication of right-of-way may also be required;

(h) All streets within a proposed development shall be designed and constructed to city standards and specifications, unless a situation of unusual physical conditions such as critical areas or a controlled design environment is proposed, and it can be demonstrated

that a private street or alternative public street cross-section design is the only feasible solution and will not disrupt the city's existing or proposed transportation circulation system or inhibit future roadway grid connectivity to the satisfaction of the public works director or designee. If authorized by the public works director or designee, private or alternatively designed public streets shall be designed and constructed to city standards and specifications, and covenant provisions for the perpetual ownership, maintenance, improvement, and liability of said private street at no expense to the city is reviewed and approved by the city attorney;

(i) Restriction of public access to publicly-owned and maintained roadways through the establishment of gated communities shall not be permitted. A maximum of four dwelling units may gain access through a gated private road/access, only where a private road is allowed as the main point of ingress/egress. Private gates must meet all traffic engineering and fire/EMS standards (e.g. knox box, appropriate queueing setback from intersection, etc); and

(j) Roadway connections to abutting, stubbed out rights-of-way shall be required as a condition of approval if said connection furthers the city goal of promoting a system of interconnected grid of roadways. New streets shall not be connected or traffic from a proposed development discharged to a substandard roadway without minimum improvement to said roadway as determined to be needed by the city public works director or designee. Improvements to said substandard rights-of-way may be required if they are proportional to the size/scale of the development and the impacts to said roadway, as determined by the city engineer or designee.

(2) Sidewalks and Walkways. In order to provide for safe and convenient pedestrian movement as an alternative to the use of vehicles, increased mobility for persons with limited access to motorized vehicles, and create a community-wide pedestrian circulation system, all sidewalks and walkways shall be designed and constructed in accordance with the regulations and standards set forth or referenced in this title.

General principles of sidewalk and walkway design to be reflected in any development layout include: safety for both pedestrian and vehicular traffic; appropriate interface or separation from potential hazards including vehicular travel lanes or other dangerous site features; compatibility with site features and characteristics; provision of direct and convenient pedestrian connections between community activity areas, schools, commercial and employment centers, recreation facilities, transit stops, and other

residential neighborhoods; consistency with low impact development principles; and orientation to unique or significant site features including critical areas and view corridors.

The proposed sidewalk and walkway layout shall conform to the following:

(a) ~~Sidewalks shall be required depending upon road classification and intensity of development in accordance with the requirements set forth in the city's engineering standards;~~

(b) ~~Where sidewalks are optional, or where a request to waive sidewalks as a requirement is being considered,~~ they may be required if close to pedestrian generators, to continue a walk on an existing street, to link areas, or to provide pedestrian access to future development as indicated in applicable master plans;

(c) ~~In conventional developments, sidewalks shall be placed in the right-of-way, unless an exception is permitted by the public works director or designee, to preserve topographical or natural features, or unless the applicant shows an alternative pedestrian system provides safe and convenient circulation;~~

(d) ~~In planned developments, sidewalks may be located away from the road system to link dwelling units with other dwelling units, the street, and on-site activity centers such as parking lots, recreation areas or open space. They may also be required parallel to the street for safety and other reasons;~~

(e) ~~Pedestrian easements walkways (dedicated as public right-of-way only – public pedestrian easements on private property are not allowed)~~ shall be required through the center of blocks more than 600 feet in length to provide circulation and access to schools, parks, open space, shopping or other community facilities;

(f) ~~Sidewalks shall be designed and constructed in accordance with the specifications set forth in the city's engineering standards;~~

(g) ~~Dedication of easements public right-of-way for public access or public right-of-way may be required for sidewalks or walkways considered to be an integral link in the pedestrian circulation system. Easements for pedestrian, recreational or other non-motorized public access points on private property (including home owner association owned tracts) shall not be used or proposed to be provided in lieu of standard sidewalk improvements required to be constructed within public street right-of-way, as determined by the city's public works director or designee; and~~

(hg) Off-site sidewalk and/or walkway connections shall be required as a condition of approval if said off-site sidewalk/walkway furthers implementation of the city's nonmotorized plan and if such off-site sidewalk connections are proportional to the size/scale of the development and would further the goals of the nonmotorized plan, as determined by the city engineer or designee. Special consideration will be made to sidewalk connections that would promote safe and dedicated public walking routes to schools.

(3) Bikeways. In order to provide for safe and convenient bicycle travel as an alternative to the use of motorized vehicles, increased mobility for persons with limited access to motorized vehicles, and create a community-wide bicycle circulation system, all bikeways shall be required, designed and constructed in accordance with the regulations and standards set forth or referenced in this title.

General principles of bikeway design to be reflected in any development layout include: safety for both bicyclists and vehicular traffic; appropriate interface or separation from potential hazards including vehicular traffic or other dangerous site features; compatibility with site features and characteristics; provision of direct and convenient bicycle connections between community activity areas, schools, commercial and employment centers, recreation facilities, transit stops, and other residential neighborhoods; consistency with low impact development principles; and orientation to unique or significant site features including critical areas and view corridors.

The proposed bikeway layout shall conform to the following:

(a) ~~Residential (local access) streets and associated improvements shall include bicycle use as a component of the roadway, unless alternate bicycle paths are provided;~~

~~(b)~~ Signed bicycle routes, as designated in the city's comprehensive plan, shall be designed and constructed in accordance with the city's standards and specifications;

~~(c)~~ Bike paths, as designated in the city's comprehensive plan, shall be designed and constructed in accordance with the city's standards and specifications;

~~(d)~~ Bike paths may be combined with pedestrian sidewalks or walkways when approved by the city's public works director or designee, and shall be designed and constructed in accordance with the city's standards and specifications;

(e) Bike routes and bike paths shall be located, designed and constructed to interconnect with existing or proposed off-site bike routes or paths; and

(fd) Dedication of ~~easements for public access or~~ public right-of-way may be required for bike routes or bike paths designated in the city's comprehensive plan. Such dedication may also be required if considered to be an integral link in the city's bike route or bike path circulation system, or proposed to be provided in-lieu-of standard street improvements required to be constructed within public street right-of-way, as determined by the city's public works director or designee.

(4) Street Lighting. In order to provide for vehicle and pedestrian safety, improved security and an attractive streetscape, street lighting shall be installed at the corner of all intersections, on cul-de-sacs that are 200 feet or longer in length, or as determined to be needed by the public works director or designee. All street lighting shall be installed in accordance with standards and specifications contained in the documents referenced in PMC 19.12.020.

19.12.060 Block and lot layout.

In order to ensure a functional and efficient design, predictability, effective police surveillance, assist in alleviating property line disputes, public nuisances and zoning infractions, reduce conflicts with transportation facilities, and create desirable and uniform lots for development, all activities regulated under this title shall comply with the following requirements:

(1) Block Arrangements. Blocks shall be arranged in accordance with the following requirements:

(a) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted in blocks adjacent to critical areas, major transportation facilities, industrial and commercial areas;

(b) Whenever practical, blocks along arterials and major collector streets shall not be less than 1,000 feet in length. Blocks in other residential areas (~~local roads~~) shall not be more than 1,000 or less than 300 feet in length. ~~New intersections created in a plat shall align with existing roadway intersections/driveways to the maximum extent possible;~~

(c) Easements may be required to be established through blocks exceeding 600 feet in length, to accommodate utilities, ~~or~~ drainage courses/facilities, or pedestrian walkways;

(d) Where blocks are developed along ~~primary~~ arterial streets and/or highways that are proposed to contain alleys, said alleys shall run parallel to said arterial, and not perpendicular or radial so as to create an intersection between the arterial and alley; and

(e) Wherever feasible, blocks shall be arranged consistent with low impact development principles.

(2) Lot Arrangements. Lots shall be oriented and improved in accordance with the following requirements:

(a) The lot arrangements shall be such that there will be no foreseeable difficulties, for reasons of topography or other site conditions, in securing building permits to build on all lots in compliance with the zoning ordinance and other regulations and in providing safe driveway access to buildings on such lots from an approved street. In the case that a proposed lot would establish an irregular building envelope due to critical areas, critical area buffers, easements, landscape buffers, or any other encumbrances or site conditions, it shall be the burden of the applicant to demonstrate that such building envelope is buildable without relief from requirements of this title;

(b) Lot dimensions shall comply with the minimum standards of the zoning ordinance, with corner lots to be platted a minimum of 10 feet wider than the minimum required lot width;

(c) Double frontage and reverse frontage lots for residential development shall be ~~discouraged not be used~~, except where necessary to provide separation of development from arterial streets or to overcome specific disadvantages of topography and orientation. Access for residential development shall be required using the lowest functional classification or volume roadway, as determined by the traffic engineer;

(d) Lots shall not generally derive access exclusively from an arterial or major collector street. Where driveway access from an arterial or major collector street ~~may is~~ be necessary for several adjoining lots, said lots ~~may shall~~ be required to be served by a common and combined driveway in order to limit possible traffic hazards on such streets;

(e) Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area;

(f) Each individually owned lot or unit shall obtain direct access from a dedicated public street by a panhandle access, approved private access road tract or approved alley. All approved accesses must be paved from the right-of-way to the dwelling unit(s) with direct nonmotorized access;

(g) Panhandle access will only be allowed when separated by at least one lot width, and shall serve no more than one lot. Panhandle access shall have a minimum width of 20 feet

and a maximum length of 200 feet. Fire turn around areas may be necessary for any access which exceeds 150 feet in length;

(h) All newly created and/or modified lots shall be uniformly square or rectangular in shape (four-sided polygon) to the fullest extent possible per the administrative authority of the development services director or designee, unless the land use case requires purview of the hearing examiner or binding site plan committee. Side lot lines shall be perpendicular to street lines or radial to curved street lines. Jogging or meandering lot lines shall be avoided unless associated with code-required critical area preservation, significant natural feature(s), established configuration of an abutting legal lot(s) of record, previously recorded easements, or testamentary provisions;

(i) Topsoil shall be placed on each lot to a minimum depth as specified in the city's vegetation management standards manual ("VMS");

(j) No cut trees, timber, organic debris, earth, rocks or stones 12 inches in diameter or greater, contaminated or nonstructural surplus soil, junk, rubbish, or other waste materials of any kind, including construction debris, shall be buried in any land without prior approval of the public works director or designee. No cut trees, timber, organic debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind, excluding landscape materials, shall be left deposited on any lot or street at the time the buildings are ready for occupancy;

(k) Where a subdivision of a residentially zoned property would result in a lot that could be further subdivided in the future, a utility and access easement area, in a width suitable to provide such access and utilities, may be required to serve future subdivision of the property; and

(l) Wherever feasible, lot layout shall be developed consistent with low impact development principles.

19.12.070 Common areas and unique site features.

In order to promote the visual quality of the city, ensure appropriate retention and maintenance of common facilities, and provide for adequate public park, recreation and school facilities, all activities regulated under this title shall comply with the following requirements:

(1) Vegetation Buffers. In order to promote the visual quality of the streetscapes and provide additional buffering from transportation corridors consistent with the city's

comprehensive plan, all activities regulated under this title shall comply with the following requirements:

(a) Vegetation buffers of not less than 25 feet in width shall be required along all boundaries of the development abutting a controlled access highway (e.g., SR512, SR410, SR167); ~~a type II, 15-foot vegetative buffer shall apply to all arterial and collector roadways as designated in the comprehensive plan.~~ Buffers along controlled access highways shall be designed using native vegetation, with substantial use of native conifer species (e.g., Douglas fir, western red cedar, madrone, western hemlock, etc.) and native understory plants. ~~Buffers. Plats along city collector and arterial along city~~ roadways shall include ~~clumps of a row of evergreen and deciduous trees (20'-25' on-center)~~ intermixed with ~~native shrubs (5'-7' on-center)~~ and ~~no more than 25 percent turf grass groundcover plants (2'-4' on-center);~~

(b) When suitable natural vegetation is present, it shall be retained, and if necessary, enhanced with native plant material. Any proposed enhancement shall be set forth in a landscape plan, approved by the ~~development services~~ director or designee, and the landscaping installed prior to final plat approval; and

(c) When suitable natural vegetation is not present, a landscape plan shall be prepared reflecting the use of native plant material, approved by the ~~development services~~ director or designee, and the landscaping installed prior to final plat approval. All native vegetation buffers shall be placed into either a native vegetation protection ~~easement area~~ (NVP ~~A~~ ~~E~~) or dedicated NVP ~~A~~ ~~E~~ tract with appropriate protection language, as approved by the director or designee, shown on the face of the plat.

(2) Street Trees. In order to further implementation of the city's street tree program, street trees are required to be installed in all plats ~~over six (6) lots, or as otherwise required by PMC 11.28.030 in accordance with Chapter 11.28 PMC~~, Street Trees. Proposed subdivisions under this title shall ~~place trees in the right of way or~~ dedicate suitable area for street trees in accordance with city standards for the applicable roadway.

(3) Fences and Walls. In order to provide a form of neighborhood identity, ensure consistent treatment, reduce the potential for graffiti, preserve the visual character of native or replanted vegetation buffers, protect against the visual impacts of tall retaining walls on the perimeter of plats and provide physical buffering along major and minor arterials and collectors, fences and walls shall be designed, located, constructed and maintained in accordance with the provisions of this section.

General principles of fence and wall placement and treatment to be reflected in any subdivision include: the perimeter boundary of any subdivision adjacent to a major or minor arterial or collector should be buffered from the arterial or collector by vegetation, fence, wall or a combination thereof; fencing, wall or landscape treatment should be consistent to provide a form of neighborhood identity; the use of landscaping or vegetation enhancement is preferred in lieu of fencing or walls to provide screening and privacy for the rear yards of adjoining lots; landscaping shall be retained or installed along the street side of any fencing or wall to reduce hard surfaces which may attract graffiti; and, the installation of fencing or walls adjacent to critical areas or associated buffers is discouraged to reduce the potential disturbance and dumping of yard waste, and encourage incorporation of the critical area and associated buffers as an element of the adjoining lot.

Proposed fences, walls and landscape buffers shall conform to the following:

- (a) Fences shall not encroach into any street right-of-way, and shall be set back a minimum of one foot from the edges of any sidewalk. The location, setbacks, stepbacks and landscape screening of all retaining walls along all perimeter areas of all plats shall conform to the standards set forth in PMC 20.58.005(2)(a);
- (b) Fences, walls and landscaping shall comply with all clear vision area requirements at street and driveway intersections;
- (c) Landscape treatment shall be retained or installed between the public right-of-way and any solid fence or wall to reduce the appearance of a long continuous wall and reduce “hard” surfaces which may attract graffiti;
- (d) Solid fences and walls shall be located on the side of any common tract or vegetation easement opposite the side adjacent to the street. Non-sight-obscuring fencing such as split-rail or chain link fencing may be located on the street side of any common tract or vegetation easement, provided the fencing is not painted and any chain link fencing shall be black vinyl clad in surface coating;
- (e) Fencing or walls shall not encroach into any critical area or associated buffer, and all fencing and walls within five feet of a critical area or buffer shall be non-sight-obscuring; and
- (f) Standards and specifications regarding the type, placement, treatment, ownership, maintenance and modification, of fencing, walls or landscaping associated with perimeter

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treatment of the project boundaries, common areas, native vegetation easements, critical areas and associated buffer, shall be specified at the time of final plat approval.

(4) Common Areas and Facilities. Common areas and facilities such as but not limited to parks/open space, storm water detention/retention ponds, bioswales and other storm water facilities, subdivision entrances containing signage/landscape treatment, critical areas, etc., typically provide a “common” benefit to more than one property owner. In some instances, provision of common facilities may be a requirement of development plan approval and necessary for the provision of services. In order to enable the transfer of property rights or ownership interest to other parties, and ensure the continued provision and maintenance of the common facility for a specific purpose or use, the property upon which the common facilities exists must be delineated as a separate tract or easement for a specific purpose, and the parties with ownership or use interest specified.

General principles for common facilities to be reflected in the proposed development include: common areas and facilities benefiting more than one party should be designated as a common area/facility and delineated by easement or separate tract, and the ownership/use interest and provisions for maintenance should be specified at the time of platting; ownership and maintenance of common areas/facilities which primarily benefit the residents/property owners within the development should be the responsibility of said residents/property owners; adequate provisions should be included for continued ownership and maintenance of private common facilities; and common facilities which primarily benefit the general public or are considered part of a city facility should be delineated at separate tracts and dedicated to the public.

Proposed common areas and facilities shall conform to the following:

(a) Facilities benefiting more than one property owner shall be considered common area/facilities, designated by easement or separate tract, and corresponding dedication statements included on the face of the final plat specifying the use for which the easement or tract is created, and assigning ownership and use interest;

(b) Common areas/facilities which primarily benefit the residents/property owners within the development such as subdivision entrances containing signage/landscape treatment, and private parks and recreation facilities shall be considered “private” common areas/facilities and the primary ownership and responsibility for maintenance assigned to said residents/property owners;

(c) All private common areas shall be of a size sufficient to accommodate associated facilities;

(d) Adequate provisions for ownership and maintenance in the form of statements of easement; conditions, covenants and restrictions; and/or creation of a homeowner's association shall be specified at the time of platting. The documents shall address continued ownership interest, right of use, responsibility for maintenance, remedies in the event any of the responsible parties fail to perform, and procedures for modification or vacation of easements or tracts and associated facilities not required as a condition of plat approval. The documents shall also include an adequate funding mechanism for those areas/facilities requiring regular maintenance; and

(e) Common areas/facilities which are determined by the city to primarily benefit the general public or are considered part of a city facility such as storm water detention/retention ponds and bioswales shall be delineated as a separate tract and dedicated to the public for future ownership and maintenance.

(5) Park and Recreation Facilities. In order to ensure adequate provision for public parks and recreation facilities, park impact fees shall be assessed to all residential development in accordance with Chapter 21.20 PMC, Impact Fees.

(6) School Facilities. In order to ensure adequate provision for public school facilities, school impact fees shall be assessed to all residential development in accordance with Chapter 21.20 PMC, Impact Fees.

Chapter 19.13 **FINAL PLATS**

Sections:

19.13.005 Purpose and scope

The purpose of this chapter is to establish uniform procedures and standards for the review, modification, phasing, and approval of final plat subdivisions within the city of Puyallup. This chapter sets forth the required steps for the process to submit a final plat for both short plats and major plats, including final plat review procedures, installation or assurance of required improvements, and final plat approval and recording.

19.13.010 Review and approval procedural steps.

Commented [CB18]: New chapter 19.13; most of these provisions are brought over from PMC 19.08 (a result of establishing a preliminary and final plat process for both major and short plats), with some adjustments.

The procedure for review and approval of final plats shall consist of three steps:

(1) The first step is the preparation and submission of a preliminary short or major plat and receiving preliminary plat approval (administrative approval for preliminary short plats; hearing examiner approval for preliminary major plats).

(2) The second step is the installation of improvements pursuant to the approved preliminary short or major plat. This step may also involve the posting of financial guarantees (e.g. bond) providing for and securing to the city the actual construction and installation of such improvements within a period specified.

(3) The third step is the preparation and submission of a final plat, together with any required certificates. The final plat is the instrument recorded in the office of the Pierce County auditor after being duly signed by the officials as set forth in this title.

19.13.020 Preliminary plat – Modification.

Any modifications to a preliminary plat must be approved by the city prior to implementation or installation of the modified improvement. Approval of requests for modification shall be as follow:

(1) Preliminary major plats.

(a) Major modifications to an approved preliminary major plat which result in a significant reduction of open space, increased disturbance of critical areas, an increase in the number of lots, changes in the plat boundaries or alteration of road alignments or connections shall only be allowed after public hearing, review and approval by the hearing examiner;

(b) Modifications to an approved preliminary major plat determined to be minor in nature by the director or designees may be administratively reviewed and approved by the city department(s) responsible for administering the corresponding requirements on the final plat document.

(2) Preliminary short plats.

(a) Any modification of a preliminary short plat shall be administratively reviewed and approved by the city department(s) responsible for administering the corresponding requirements. The director shall determine if the proposed modification requires additional review as a revised preliminary short or major plat application or if the proposed changes may be reflected as a minor modification on the final short plat document.

(3) Major modifications to a previously reviewed and approved preliminary plat where additional staff and/or hearing examiner review and approval is necessary shall be treated as a new application for the purposes of review timelines specified under PMC 20.11.006.

19.13.030 Phased development.

After the preliminary plat approval has been given to a proposed subdivision, the subdivider may desire to develop the subdivision in stages, completing one division of the development before undertaking another. If the subdivider desires to develop the subdivision in stages, the applicant shall submit a divisional preliminary plat for each successive stage as follows:

(1) The subdivider shall submit a request to the department, together with the divisional preliminary plat in the format as prescribed for the preliminary plat. The director may waive the environmental checklist provided the divisional plat is submitted before the expiration period and there are no changes in environmental conditions, and that the divisional plat conforms to the approved preliminary plat of the total subdivision.

(2) As preliminary divisional plats for each stage are submitted, they will be checked for compliance with the approved preliminary plat for the subdivision, without taking into account any conflicting regulations which might have been enacted in the meantime, unless such regulation has set forth mandatory compliance to include the previously approved preliminary plat.

(3) If, in the opinion of the director and the public works director or their designees, the preliminary divisional plat for a given stage is in conformity with the approved plat for the total subdivision, they may approve the same subject to any installation of or extension of utilities, drainage of streets outside of the proposed preliminary divisional plat as they may deem necessary to assure the orderly and complete development of the previously approved preliminary plat or the development of any adjoining property or properties.

19.13.040 Minimum improvements.

(1) Upon approval of a preliminary short plat or major plat, the subdivider may proceed with the installation of required improvements with the assurance that final plat approval will be granted, provided that the final plat conforms to the approved preliminary plat. Further, the public works director or designee must review and approve the construction plans for all required minimum improvements, which shall be designed in accordance with current City

of Puyallup specifications as set forth in PMC 19.10. All required improvements shall be installed under the permitting and inspection processes of the department. Further:

(a) In lieu of the completion of the actual construction of any improvements prior to the approval of a final plat, the city may accept a financial guarantee (bond, or other secure method), in an amount and with surety and conditions satisfactory to it, providing for and securing to the city of Puyallup the actual construction and installation of such improvements (plus a 20 percent contingency) within a period of one year and expressed in the guarantee. The director or public works director may, however, require that a certain minimum improvement(s) be installed in conjunction with the financial guarantee; OR

(b) The public works director or designee, consistent with applicable department(s) policy or procedure, will require that certain minimum improvement(s) be delayed in lieu of the completion of the actual final construction (e.g., sidewalk installation, final lift of asphalt pavement on roads). In such cases, the applicant will be required to submit a financial guarantee (bond, or other secure method) to the city in an amount equal to the estimated cost (plus 20 percent contingency) of the delayed improvements, providing for and securing to the city of Puyallup the actual construction and installation of such improvements within a period of up to two years and expressed in the financial guarantee; ~~OR~~or

(c) Combination of those methods as stated above.

19.13.050 Final plat.

(1) Preparation of Final Plat. The final plat shall generally conform to the preliminary plat as approved. A final plat may constitute a portion of an approved preliminary plat, which may be a divisional or phased preliminary plat.

(2) Request for Final Plat Approval. After approval of the site development plans and completion of a pre-construction meeting for civil construction, the subdivider may submit to the department a request to review the final plat for final approval. The request shall include the following information:

(a) Final plat map prepared in accordance with department policies and procedures;

(b) Construction cost breakdown that will be used to determine surety requirements;

(3) Requirements for the Final Plat.

(a) The map of the final plat shall be drawn with indelible ink on the best grade of bond paper or mylar, 18 inches by 24 inches in size, allowing one-half inch for border. If more than one sheet is required, each sheet including the index sheet shall be of the above-specified size. The index sheet must show the entire subdivision, with street and highway names and block numbers. The north point, scale and date shall be shown;

(b) All documents, maps and survey notes pertinent to the subdivision in which the plat is located shall be submitted to the city engineer and shall contain the name of the subdivision or be clearly referenced to it and the name and address of the subdivider and the surveyor or engineer;

(c) The boundary lines with accurate distances and bearings, location, and width of all existing previously recorded public highways approaching and intersecting the boundaries of the subdivision shall be shown on the map and referenced to the same system used to establish boundary lines and/or acceptable data prescribed by the city engineer;

(d) The necessary acknowledgments, dedications, descriptions, surveyor's certificate and approvals for the mayor, public works director, Pierce County assessor, Pierce County treasurer and Pierce County auditor shall be on the plat. The general format of the final plat shall be approved by the public works director or designee. The final plat shall be certified by a registered land surveyor;

(e) The map shall accurately show the boundary lines of all parks and playgrounds and the rights-of-way of all public highways contained in the plat, subdivision or dedication, and shall contain thereon, suitably inscribed, and described, a statement of dedication of these rights-of-way, playgrounds, parks, and other necessary areas;

(f) The map shall show the length of all arcs and radii;

(g) The map shall show and indicate all turning angles, points of curvature, and length of tangents;

(h) The map shall show the location of all monuments in which their size, shape, and location are indicated;

(i) The error closure of any and all traverses shall not exceed one foot in 10,000 feet;

(j) The computer check of the boundaries, street centerlines, lots, blocks, and lot areas shall be submitted with the final plat as required by the public works director or designee; and

(k) A platting certificate shall be submitted with the final plat.

(4) Staff Review – Final Plat. City staff shall review the final plat to determine that the plat meets all standards established by state law and this chapter. The final plat shall be reviewed for substantial conformance to the approved preliminary plat, including any requirements or conditions imposed under the preliminary approval and any approved modifications. If it is determined the requirements of this chapter have not been met, the final plat shall be returned to the applicant for modification, correction, or other action as required for approval. Upon determination of compliance, the director and public works director shall certify approval on the face of the plat.

(5) Maintenance Bonds. The city shall require a bond or equivalent instrument of assurance to guarantee the successful operation of improvements and that the developer shall correct any defect in a subdivision caused by faulty design and/or construction. The bond shall be for a minimum of one year and a minimum of 10 percent of the construction cost of the subdivision or as determined by the public works director or designee. The public works director shall not sign the final plat document unless the required bond has been accepted by the city.

(6) Approval of Final Plat. Approval of the final plat shall not be issued until after completion of all the specified improvements, or the appropriate financial guarantee of the improvements is provided, where allowed by department(s) policy or procedure(s). Approval of the final plat shall be indicated by the signatures of the public works director, the director, the city treasurer, the city attorney, and city clerk on the original tracing of the final plat. The approval of the final plat shall be deemed to constitute an acceptance by the public of the dedication of any street or other proposed public way or space, only after such final plat has been recorded by the county auditor of Pierce County. Approval of the final plat shall be null and void if the plat is not recorded within 180 days after the date of approval, unless application for an extension of time is made in writing during said 180-day period and is granted.

19.13.060 Model homes

It shall be the purpose and intent of this section to allow the construction up to four detached single-family dwellings or four attached dwellings within a preliminary subdivision, which has been approved in accordance with all existing plans and regulations. The purpose of model home dwellings shall be to demonstrate a variety of

housing designs together with all associated on-site improvements, e.g., landscaping, improved driveway, patios, etc. prior to the plat receiving final approval.

Model homes when proposed shall be established subject to the following criteria:

(1) Model homes are intended to serve as non-occupied structures established on a site to showcase various housing designs for prospective buyers. Upon approval by the director, residential occupancy (allowing the use of the model home by an occupant as a residence) may be granted once all departmental requirements (e.g. fire, building, engineering, planning) for residential certification and occupancy have been satisfied; and,

(2) Only one model home may be occupied as a temporary real estate office; and,

(3) Approval of model homes does not constitute a division of the property; and,

(4) A detached single-family dwelling unit shall be considered one model home in a detached single-family subdivision; and,

(5) A total of eight dwelling units for the entire preliminary plat, to include all phases or divisions are permitted as model homes; and,

(6) An existing dwelling(s) retained within the boundaries of the plat shall be counted toward the number of allowable model homes; and,

(7) The footprint of all existing model homes, including roof overhangs, porches, decks, etc. shall be shown on the final plat to ensure that there are no encroachments into required setbacks.

Section 3. *Puyallup Municipal Code.* Title 20.11 is amended as follows.

Section 4. *Puyallup Municipal Code.* Title 20.12 is amended as follows.

Section 5. Severability. All sections in this ordinance are hereby deemed severable. Any section found invalid or unconstitutional by a court of law with jurisdiction shall not be deemed to invalidate or find unconstitutional other sections in this ordinance.

Section 6. Corrections. The City Clerk and the codifiers of this ordinance are

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authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 7. Effective Date. This ordinance shall become effective five days after publication in the official newspaper of the City of Puyallup.

DATED this ____ day of Month, 2025.

Jim Kastama, Mayor

APPROVED AS TO FORM:

Joseph N. Beck, City Attorney

ATTEST:

Dan Vessels Jr., City Clerk

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PUBLISHED:

DRAFT