

**Ordinance No. 688  
Exhibit B**

**Title 21 Subdivision Regulations Amendments**

**Chapter 21.55 Improvements**

**21.55.020 Improvements required.**

Any land division may be subject to the following improvement requirements to accomplish the purpose of this chapter and the requirements of Chapter 58.17 RCW: All improvements including but not limited to streets, bridges, drains, culverts and related structures, and facilities shall be designed and constructed in accordance with City standards.

A. Parks and Open Space. In new residential land divisions of 10 or more lots, a minimum of seven percent of the property shall be set aside as an open space or park area. This area shall be improved, landscaped, and include recreational equipment such as but not limited to a big toy, sport court, picnic area, and/or provide trail connections. The open space or park area shall be in a relatively flat area suitable for recreational activity and outside any critical areas such as steep slopes and wetlands. The location of the open space or park area shall be convenient to residents in the development.

B. Potable Water. Each building lot approved subject to this chapter shall be served by an approved water system. The water system shall be adequate to serve the domestic water needs of future residents of the land division.

C. Fire Protection. The developer shall provide water sources and/or facilities as required by law. Land divisions shall provide fire hydrants (or other adequate means) with adequate capacity and spacing to provide for fire protection as required by the City.

D. Stormwater. The City shall, as a condition of approval of any land division, require the developer to construct storm drainage facilities in conformance with the City's public works code.

E. Sanitary Sewers.

1. All new subdivisions creating 5 or more lots shall hook up to sanitary sewers.
2. Short plats, binding site plans and plat amendments creating 4 or fewer lots ~~All other land divisions~~ shall hook up to sanitary sewers if sewer lines are located within 300 feet of the development. In those cases where sewer lines are not located within 300 feet of the development, the City may permit such development to use interim septic on-site systems and dry sewer facilities.
3. A sanitary sewer system shall be considered available when the boundary of the land division is within the specified distance from the sewer line by way of a public right-of-way or private utility easement between the boundary of the land division and the existing sewer line.
4. If the sanitary sewer system is not available or if an exception has been granted, the Director ~~may~~ **shall** approve an interim on-site septic system subject to the following conditions:

a. A note shall be placed on the ~~plat~~, short plat, or binding site plan indicating that connection shall be required at such time as the system becomes available.

b. A title notification shall be recorded stating:

At such time as sanitary sewer becomes available as defined in the University Place Municipal Code, the property owner shall be required to hook up to the sewer line in accordance with the provisions of the University Place Municipal Code.

c. A no protest to the formation of any future ULID for extension of a sewer system that would serve the property shall be recorded on the property.

d. The developer shall install dry sewer facilities.

e. The use of interim on-site septic systems does not apply to subdivisions of 5 or more lots.

F. Streets and Access. All land divisions shall be served by a public or private street or driveway. Such streets and driveways shall be provided and constructed in compliance with UPMC Title 13, Public Works Code. All new residential lots shall access off internal plat, short plat, or binding site plan roads, except as authorized by the Director.

G. Street Frontage Improvements. All plats, short plats, and binding site plans shall install street frontage improvements at the time of construction as required by the City's public works code (UPMC Title 13). Frontage improvements along exterior streets shall be constructed and approved prior to issuance of building permits. Such improvements shall include curb and gutter, sidewalk, bus stops, street storm drainage, street lighting system, traffic signal modification, relocation or installation, utility relocation, landscaping and irrigation, and street widening all per the code. Plans shall be prepared and signed by a licensed civil engineer registered in the state of Washington. All frontage improvements shall be made across full frontage of property from the centerline of the constructed street facility to the outside limit of the improvements. Additional right-of-way may be required for frontage improvements.

H. Access to Shorelines. Short subdivisions, subdivisions, and binding site plans containing land adjacent to publicly owned or controlled bodies of water shall include a dedication of at least one public access to, around, or beside such bodies of water unless the Examiner or Director determines the public use and interest will not be served thereby. Such dedications shall be of a size and nature as determined by the Examiner or Director and shall be established when the plat, short plat, or binding site plan is approved.

I. Trails. Short subdivisions, subdivisions, and binding site plans located along or adjacent to a trail corridor identified in the comprehensive plan or parks, recreation, and open space plan shall provide a public pedestrian easement to extend the trail along its planned alignment and provide a trail from an internal or abutting roadway to the trail.

J. Common Areas and Facilities. Common areas and facilities shall conform to the following:

1. 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;

2. Common areas/facilities that primarily benefit the residents/property owners within the development such as entrance signage, landscape treatment, open space, fences, 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;

3. All private common areas shall be of a size sufficient to accommodate associated facilities;

4. 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

5. Common areas/facilities that 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 may be dedicated to the public for future ownership and maintenance at the City's discretion.

K. Undergrounding of Utilities. All new or replacement of existing overhead utilities such as telephone, 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, 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.

L. Fences and Walls. Fences and walls shall conform to the following:

1. Fences and walls 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;

2. Fences and walls shall comply with all clear vision area requirements at street and driveway intersections;

3. Required perimeter landscaping shall be retained or installed between the public right-of-way and any fence or wall to reduce the appearance of a long continuous wall and reduce "hard" surfaces that may attract graffiti;

4. 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;

5. Materials. Fences shall be constructed of wood, wrought iron, brick, stone or split face concrete block (CMU). When using CMU the split face side must be visible to the public. Other materials which have the general appearance and visual quality of approved fence materials may be approved by the Director. However, the use of plywood or composition sheeting as a fence material is not permitted. Fences shall not be made of chain link except to enclose a storm water or utility facility in which case only black, dark brown or other dark-toned, vinyl-coated chain link is permitted;

6. Barbed, razor wire fences and electrified fences are prohibited.