

Chapter 17.25
Administrative Subdivision
(4 or fewer lots)

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17.25.010 Applicability.

Every division of land into four or fewer lots, plots, sites, parcels, or tracts within the city of Zillah shall proceed in compliance with this chapter.

17.25.020 Administration.

The administration of this chapter is set forth within the provisions of this chapter and ZMC chapter 17.02. The planning official is vested with the duty of administering and interpreting the provisions of this title and with the authority to summarily approve, approve with conditions, disapprove, or return for modification all proposed short subdivisions. Prior to the submission of a short subdivision application, the applicant should arrange for a pre-application meeting with planning staff.

17.25.030 Application.

An applicant shall submit a complete short subdivision application to the City planning department. A complete application for the purposes of this chapter shall consist of but not be limited to the following:

- A. A fully completed and signed (by those individuals or corporations holding any ownership or security interest) short subdivision application form provided by City Hall that contains the information as required;
- B. Ten copies of a scaled drawing of at least one inch to 100 feet which provides the following information:
 1. A legal description of the area being divided;
 2. The boundaries of the section (or plat, or lots) within which the short plat lies;
 3. The boundary lines, dimensions and area of the short plat and the lots within it;
 4. Proposed short plat name and lot numbers;

5. The location and width of all roads, access easements and driveways;
6. The location and widths of all existing and proposed utility easements;
7. The boundaries, dimensions and area of all tracts or parcels to be dedicated or reserved for public or community uses;
8. The location of all existing and proposed water distribution systems, sewage disposal systems, stormwater systems, and irrigation systems;
9. Fire hydrant locations within or adjacent that will be connected to;
10. The location of the 100-year floodplain and floodway, if applicable;
11. The location of all water courses and the ordinary high water mark and approximate boundaries of all areas subject to inundation, if applicable;
12. The delineation, location, classification, and required analysis or mitigation plans as required for critical areas, including fish and wildlife habitat conservation areas, aquifer recharge areas, geologically hazardous areas, wetlands, and frequently flooded areas, as presently contained in this code, or as amended. At the discretion of the planning staff, final analysis and plans may be required at the time of preliminary approval if adequate review of the proposal can occur;
13. Location of all existing structures, wells, overhead and underground utilities, municipal boundaries, and other important physical features;
14. Zoning and comprehensive plan designations; and
15. North arrow;

C. Three sets of road plans and profiles for all proposed roads and improvement specifications;

D. Contours at two-foot intervals for zero to five percent cross slope; five-foot intervals for five to 30 percent cross slope; 10-foot intervals for over 30 percent cross slope; and spot elevations to determine the general locations of high and low points thereof;

E. SEPA checklist, if required;

F. Any other information deemed necessary by the planning staff for the adequate review of the proposed short subdivision in conformance with the provisions of this title and all other applicable federal, state and local regulations; and

G. Payment of all applicable review fees.

17.25.040 Preliminary short subdivision review.

A. Short subdivisions shall be subject to the procedures established in this chapter and Chapter 17.26 ZMC.

B. Once the determination of a complete application is made, the planning staff shall solicit comments on the proposal from the public works, planning staff, city engineer, fire chief/building official, local utility purveyors, Zillah School District, Washington State Department of Transportation (if the proposal abuts or could potentially adversely affect a state highway), irrigation district (if the proposal is within a district), Washington State Department of Ecology (if proposal involves a wetland or aquifer recharge area), and other appropriate agencies with jurisdiction or expertise. The referral agencies shall have 14 calendar days to return their written comments. Failure of the referral agencies to respond within the prescribed time will be interpreted as their having no comment on the proposal as submitted.

C. Pursuant to the procedures delineated within Chapter 17.06 ZMC, or such other period as the applicant may authorize, the planning staff shall approve, conditionally approve, or disapprove the proposed short subdivision in writing, subject to the review criteria and required findings as outlined in ZMC 17.25.050.

17.25.050 Review criteria and required findings.

A. The proposed preliminary short subdivision shall be reviewed and approved only when the following criteria and findings are satisfied:

1. Compliance with the provisions of this title and all other applicable titles contained in this code;
2. Conformity with all applicable zoning requirements;
3. Conformance with the provisions contained in the comprehensive plan;
4. Consistency with applicable design standards;
5. Compliance with the provisions of any applicable federal, state and local law;
6. Appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant factors, including safe walking conditions for students who only walk to and from school; and
7. The public interest will be served by the short subdivision and dedications.

B. The planning staff may disapprove a proposed short subdivision because of flood, inundation, or wetland conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat.

C. As a condition of approval, the planning staff may require dedication of land to any public body and provisions for public improvements to serve the subdivision. No dedication or provision for public improvements shall constitute an unconstitutional taking of private property.

D. Preliminary short subdivision approval is valid for a period of five years. During that period, the conditions of approval must be fulfilled or bonded for as provided in Chapter 17.26 ZMC and filed for record with the Yakima County auditor. If the conditions attached to the preliminary short subdivision approval are not satisfied or appropriately bonded for, and the short plat is not filed for record within the required period, preliminary approval of the short subdivision shall become null and void.

17.25.060 Final approval and recording.

A. Upon receipt of six copies of the final mylar, prepared by a surveyor in conformance with the provisions contained in this section; a plat certificate issued within the preceding 30 days including confirmation that the title to the lands as described and shown on said plat are vested in the owners whose names appear on the plat certificate or instrument of dedication, and any easements or restrictions affecting the property, with a description of the purpose and referenced by the auditor's recording number; and applicable review fees; the planning staff shall circulate the copies to agencies and individuals whose signatures are required on the final mylar for recording. Said corrected copies (redlines) shall be returned to the applicant's surveyor with notice to the applicant within 21 days of receipt.

B. The final short subdivision submitted for recording shall consist of one or more pages clearly and legibly drawn on a stable mylar or equivalent approved material at a scale of 100 feet to the inch (or a scale approved by the planning staff) under the supervision of a land surveyor registered in the state of Washington who shall certify on the plat that it is a true and correct representation of the lands actually surveyed. All survey work shall conform to the requirements of the Survey Recording Act, Chapter 58.09 RCW, as it now exists or as amended. The final short plat mylar shall contain the following additional information:

1. A certificate bearing the names of all persons having an interest in the land, signed and acknowledged by them before a notary public which:
 - a. States their consent to the division; and
 - b. Grants a waiver by them of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage, and maintenance of public roads;
2. A space for approval of the short subdivision administrator, Mayor, public works, fire chief, irrigation district, acknowledgement of taxes paid by the Yakima County Treasurer, and recording by the Yakima County Auditor;
3. Permanent control monuments shall be established at controlling corners on the boundaries of the subdivision, the intersections of the centerline tangents of roads within the subdivision or points of, the beginning and ends of curves on centerlines, and all block and lot corners. All other surrounding property shall be labeled in dotted lines;

4. Bearings of all lots, tracts, and centerlines of public and private roads within the project boundary;
5. For a short subdivision that contains or is subject to dedications, a certificate shall be placed on the face of the final short plat mylar that contains the dedication of all streets and other areas to the public, and a waiver of claims;
6. Subdivision name and number as assigned by the planning staff;
7. Legal description;
8. North arrow, numeric and graphic scale, and lot numbers;
9. Assigned street addresses;
10. All current and future utility easements;
11. All notes as required by the conditions of approval;
12. Any restrictions or covenants affecting the property, with a description of the purpose and referenced by the auditor's recording number;
13. Location, width, and name of all streets, alleys, and other public or private ways within and adjacent to the land division; and
14. The delineation of the 100-year floodplain and any wetlands, when present.

C. An approved short subdivision shall not be filed for record with the Yakima County Auditor until the applicant has constructed or bonded for all improvements and satisfied all conditions as required by the planning staff in the granting of preliminary approval.

D. A short subdivision shall not be considered final until recorded with the Yakima County Auditor.

E. Any lots in a final short subdivision filed for record shall be a valid land use, notwithstanding any change in zoning laws for a period of five years from the date of filing. A short subdivision shall be governed by the terms of approval of the final plat and the statutes, ordinances, and regulations in effect at the time of approval for a period of five years after final short plat approval unless the city council finds that a change in conditions creates a serious threat to the public health or safety in the subdivision.

17.25.070 Prohibition on re-subdivision.

Land within a short subdivision, the short subdivision of which has been approved within five years immediately preceding, may not be further divided unless a final major subdivision has been approved and filed for record pursuant to Chapter 17.26 ZMC; except, the owner who filed the original application for a short subdivision containing fewer than four lots may apply to further divide within five years, provided the total lots created do not exceed four.