



# City of Longview

1525 Broadway  
Longview, WA 98632  
www.ci.longview.wa.us

## Agenda

### Planning Commission

Wednesday, April 2, 2025

7:00 PM

City Hall

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1. **ROLL CALL**
2. **APPROVAL OF MINUTES**  
25-00322 PC Minutes of March 5, 2025
3. **AUDIENCE PARTICIPATION OR CORRESPONDENCE**
4. **PUBLIC HEARINGS**  
25-00323 LMC Chapter 19.25 Multi-Unit Overlay Zone  
25-00324 LMC Chapter 19.67 Short Subdivision and LMC Chapter 19.80 Subdivision Ordinance Updates
5. **NON-PUBLIC HEARING ITEMS**  
25-00325 4511 Ocean Beach Hwy annexation comprehensive plan amendment
6. **PLANNER'S REPORT**
7. **OTHER BUSINESS**
8. **ADJOURNMENT**



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## Minutes

### Agenda

### Planning Commission

Wednesday, March 5, 2025

7:00 PM

City Hall

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1. **ROLL CALL**

*Chairman Collins called the meeting to order at 7:00 p.m.*

**Present:** Member Craig Collins, Member Trey Davis, Member Jeff Rauth, Member Ramona Leber, Member Jerry Stinger, Member Randy Knox

**Excused:** Member Alison Moss

**Staff Present:** Nick Little, Community Development Director; Irene Rutikanga, Planner; Sam Barham, City Engineer; Lisa Vertrees, Administrative Assistant

*One agenda change to note: The Legislative Agenda update moved to just after the public hearing.*

2. **APPROVAL OF MINUTES**

**25-00173 PC Minutes of January 8, 2025**

*A correction to the January 8, 2025 minutes was noted by Member Alison Moss.*

*A motion was made by Member Randy Knox, seconded by Member Ramona Leber, to approve the minutes as amended. The motion carried unanimously.*

3. **AUDIENCE PARTICIPATION OR CORRESPONDENCE**

*Comments from Member Alison Moss were submitted to the record.*

4. **DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARANCE OF FAIRNESS**

*Read into record.*

5. **PUBLIC HEARINGS**

**25-00203 PC 2025-1 3009 Columbia Heights rezone**

*Mr. Rutikanga gave the staff report.*

*A rezone as requested from Neighborhood Commercial to R-1 will enable future development of single family housing and will result in consistency with adjacent properties and neighborhood.*

*Chairman Collins opened the public hearing.*

*The following citizens spoke:*

*Darren Crookshanks - applicant*

*Hearing no further speakers, Chairman Collins closed the public hearing.*

*A motion was made by Member Trey Davis, seconded by Member Jerry Stinger, to approve the Comprehensive Plan and Zoning amendment, PC 2025-1, based on the findings and conclusions in the staff report. The motion passed unanimously.*

*Planning Commission questioned why other lots in the area were not addressed. No applications were received on other lots, or they were not large enough.*

**25-00206 Legislative Agenda - Updates from Council**

*Presentation from Mr. Little.*

*He discussed goals such as Housekeeping (minor updates), Major updates and Ongoing Activities for the Community Development Department.*

*Member Ramona Leber asked about updating the comprehensive plan before 2026. Mr. Little explained the current update is much more limited and involves a grant with benchmarks.*

*Member Ramona Leber also questioned the process of City Council holding their own public hearings instead of voting on the Planning Commission recommendations. She is concerned with the time taken.*

**6. NON-PUBLIC HEARING ITEMS**

**25-00204 Highlands Interim Regulation Workshop  
Multi-unit Overlay Zone**

*Presentation by Mr. Little.*

*Steps:*

- *Review the proposed zone*
- *Elicit comments*
- *Update proposed code language*
- *Public Hearing*

*The multi-unit overlay zone (MUZO) has an underlying zone of R-1. Base standards will following the R-1 zoning.*

*This allows single-family dwellings and duplexes. Tri- and Four-plexes fall under special land use review. Multi-family, apartments, boarding houses, etc. are not allowed. Parking, impervious surface, CPTED design and partial alley upgrades were discussed.*

*LMC 19.25 is the proposed code language.*

*A motion was made by Member Randy Knox, seconded by Member Ramona Leber, to set a public hearing on this matter for the April 2, 2025 regular Planning Commission meeting. The motion passed unanimously.*

**25-00205 Short Subdivision Update (Workshop)**

*Presentation by Mr. Little.*

**Goals**

- Streamline smaller projects
- Address gap projects of 5-9 lots
- Infill
- Shovel-ready

*Expand scope  
Clarify Requirements  
Consistency across the LMC*

*A motion was made by Member Ramona Leber, seconded by Member Trey Davis, to set a public hearing on this matter for the April 2, 2025 regular Planning Commission meeting. The motion passed unanimously.*

**7. OTHER BUSINESS**

*Member Ramona Leber wanted to bring House Bill 5206 to the attention of the Planning Commission. It involves cannabis advertising/signage. We may want to look at our sign code if the bill passes.*

**8. PLANNER'S REPORT**

*Application - 18 lot subdivision Sires Lane  
Application - PUD subdivision Mt. Solo Rd  
Pre-app - 32 unit cottage housing Ocean Beach Hwy  
Pre-app - Short plats  
Pre-app - 48 unit apartments Ocean Beach Hwy*

**9. ADJOURNMENT**

*The next regular Planning Commission meeting is scheduled for April 2, 2025. With no further business to discuss, Chairman Collings adjourned the meeting at 8:21 p.m.*

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*Lisa Vertrees, Recorder*

## Chapter 19.25 Multi-Unit Overlay Zone (MUZO)

### Sections:

19.25.010	Purpose
19.25.020	Applicability
19.25.030	Areas subject to multi-unit overlay zone
19.25.040	Permitted Uses
19.25.050	Special Land Uses
19.25.060	Development Standards

### **19.25.10 Purpose**

The purpose of the multi-unit overlay zone (“MUZO”) is to facilitate flexible, diverse, and sustainable residential development by permitting duplex, triplex, and fourplex housing options within designated areas. This overlay zone aims to promote affordable housing opportunities, preserve neighborhood livability, and respond to evolving housing needs by encouraging multi-unit development in identified areas of the City.

### **19.25.020 Applicability**

The provisions of this chapter shall apply to all lands, structures, and land uses within the multi-unit overlay zone.

### **19.25.030 Areas subject to multi-unit overlay zone**

The Multi-unit overlay zone (MUZO) shall be applied to certain designated R-1 zoned areas as identified on the City’s official zoning map. Expansion or reduction of the area subject to the MUZO shall be subject to the zoning amendment provisions and process described in LMC 19.81.

### **19.25.040 Permitted Uses**

The following uses are considered permitted use on those areas subject to the multi-unit overlay zone:

1. Any use normally permitted in the R-1 zoning designation as identified in Table 19.20.020-1;
2. Duplex (two-family) residential development.

### **19.25.050 Special Land Uses**

The following uses require a Special Land Use Permit review pursuant to LMC 19.12.050:

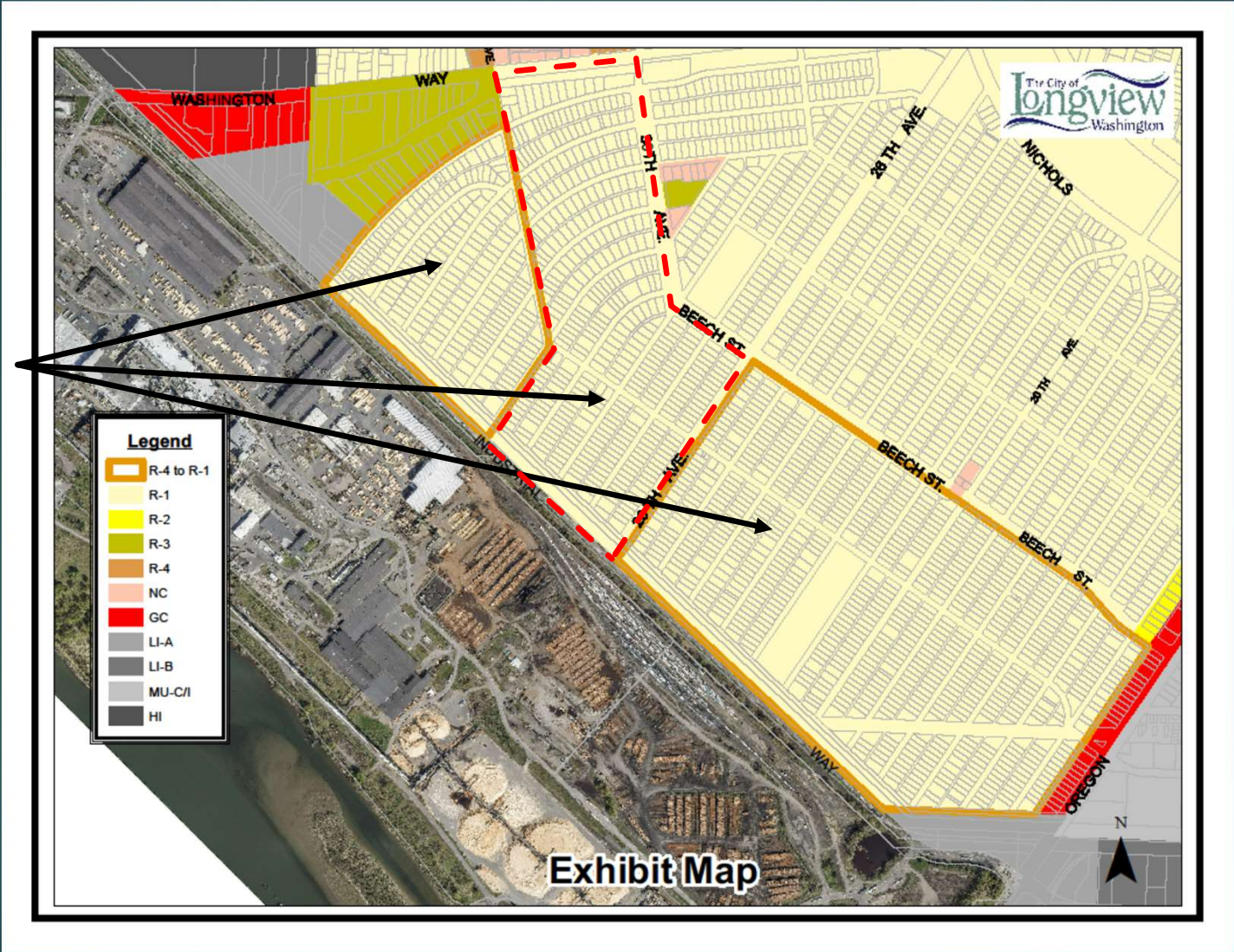
1. New or converted triplex (three-family dwellings) residential development;
2. New or converted fourplex (four-family dwellings) residential development.

### **19.25.060 Development Standards**

The density, dimensional, development, and supplemental standards of the base R-1 zoning designation shall apply, except as modified by this section:

1. Maximum Impervious Surface. Maximum impervious surface for areas subject to the MUZO shall be 75%.
2. Off-Street Parking. Off-Street parking requirements and development standards of LMC 19.78 shall apply to development within the MUZO, provided multi-unit development shall be subject to following modifications the standards of LMC 19.78:
  - a. Duplex/triplex: four (4) spaces required;
  - b. Fourplex: six (6) spaces required;
  - c. On-street parking may be used to satisfy up to 50% of the off-street parking requirements for triplex and fourplex development, subject to special land use review. The applicant shall be required to provide a parking study or similar report that demonstrates adequate on-street parking is available on a regular basis in order to utilize this provision.
3. CPTED Requirement. Duplex, triplex, and fourplex development in the MUZO shall be subject to the crime prevention through environmental design (CPTED) provisions described in LMC 19.20.060(6).
4. Alley Maintenance. When vehicle access to a new or converted triplex or fourplex is provided via an existing alley, maintenance or upgrades to the alley may be required to ensure a safe path of travel for emergency vehicles and residents. Alley maintenance may include grading, re-rocking, resurfacing, or other repairs necessary to ensure safe access. If required, alley maintenance or upgrades shall extend from the proposed parking spaces to the nearest public right-of-way, as determined by the City Engineer. The need for alley maintenance shall be a component of the special land use review for triplexes and fourplexes, and recommendations from the City Engineer and Fire Marshal shall be transmitted to the Appeal Board of Adjustment for their consideration. Maintenance, upgrades, and/or improvement to a public alley necessitated by a new development shall require a public improvement permit prior to commencing work.

Proposed MUZO Boundaries





## Memorandum

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**TO:** Longview Planning Commission

**FROM:** Nick Little, CED Director

**MEETING DATE:** April 2<sup>nd</sup>, 2025

**SUBJECT: LMC 19.67 Short Subdivision / LMC 19.80 Longview Subdivision Ordinance Updates Hearing**

The proposed updates cover sections of both LMC 19.67 (Short Subdivisions) and LMC 19.80 (Longview Subdivision Code) and are intended to clarify requirements, expand the scope of short subdivisions, ensure consistency between the two ordinances, and streamline completion of subdivisions. Strikeout/underline versions of the proposed code changes have been provided, along with the following bullet points that reference specific code changes.

### **LMC 19.67 Short Subdivisions**

- Expand short subdivisions from a maximum of four (4) lots to nine (9) lots.
- Add reference to LMC 19.77, Shared Driveways as criteria for preliminary and final short plat approval. Includes timing and responsibility for the required improvements.
- Add signature block for Community Development Director.
- Updates final acceptance items for engineering department by replacing “computer disc” with “digital file.”
- Included clarification that required improvements are at the expense of the owner or developer.

### **LMC 19.80 Longview Subdivision Code**

- Update “Applicability” language to reflect changes in Short Subdivision code.
- Update application requirements to reduce unneeded documentation.
- Allow paper final plats in addition to Mylar for review and recording.

The most significant of the proposed changes is the expansion of short subdivision to include up to nine (9) lots, which is an increase over the current limit of four (4) lots. This is flexibility that is available to cities in RCW 58.17, and is used by a large number of jurisdictions throughout Washington, both fully and partially planning under RCW 36.70A.

The second significant change is clarification on the required improvements and timing of said improvements for short subdivisions. With the advent of LMC 19.77 (Shared Driveways) we have seen a marked increase in proposed short subdivisions utilizing shared driveways. However, additional language was not provided in the short subdivision ordinance indicating when and if said improvements would be required. This proposed language would put the cost of completing the driveway upgrades on the developer rather than the future homeowners and creates a direct link between LMC 19.67 and LMC 19.77.

The remaining changes are largely administrative in nature and serve to streamline review and/or submittal requirements for both types of subdivisions.

The proposed ordinance changes are part of CED's legislative work plan presented to City Council in January 2025. Because the proposed changes to these ordinances go beyond administrative updates, they require review through the Planning Commission and subsequent SEPA review as well. The workshop with the Planning Commission was held in March, and comments received during that workshop were incorporated into the draft. Also, the drafts were updated to reflect the recent code changes from the Council's adoption of the master fee schedule updates.

Preliminary legal review of the proposed changes has been completed, with a final legal review to be conducted prior to adoption.

## Chapter 19.67

### SHORT SUBDIVISIONS

Sections:

- 19.67.010 Purpose.
- 19.67.020 Scope.
- 19.67.030 Preliminary short plat approval.
- 19.67.040 Final short plat approval.
- 19.67.050 Expiration.
- 19.67.060 Issuance of building permit.
- 19.67.070 Limitations on further subdivision.
- 19.67.080 Contiguous short plats.
- 19.67.090 Final acceptance.
- 19.67.100 Severability.

**19.67.010 Purpose.**

The purpose of this chapter is to:

- (1) Regulate the subdivision of land into **four nine** or fewer lots in such a way as to promote the protection of the public's health, safety and general welfare;
- (2) Ensure the orderly development of the city consistent with the comprehensive plan, zoning ordinances, and state planning statutes;
- (3) Establish procedures which promote the timely review of short subdivisions in the city; and
- (4) Enable the conveyance of land, by accurate land description, by reference to an approved short subdivision. (Ord. 3089 § 1, 2009).

**19.67.020 Scope.**

- (1) Except as provided in LMC 19.80.060 or a binding site plan under Chapter 19.90 LMC, any land being divided into **four nine** or fewer, lots, sites or parcels for the purpose of conveyance shall meet the requirements of this chapter.
- (2) Creation of tracts may be in addition to the lot count; provided, that the tract is reserved as forested lands, part of the open space network, serving as stormwater detention or set aside as an unbuildable area due to critical lands. (Ord. 3089 § 1, 2009).

**19.67.030 Preliminary short plat approval.**

- (1) Preapplication Conference. A preapplication conference is not required but is strongly encouraged. A preapplication conference is nonbinding and advisory in intent and effect.
- (2) Application/Fees. The following items are required, in quantities specified by the city of Longview, for a complete short plat application for preliminary approval. Items may be waived if, in the judgment of the community development director, they are not applicable to the proposal:
  - (a) Completed preliminary short plat application form as prescribed by the community development director with the applicable application fee as identified in the Community and Economic Development Department Maser Fee Schedule;
  - (b) A completed application checklist;
  - (c) A complete, signed SEPA checklist application, if required;

(d) Complete applications for other required land use approvals, (i.e., special use, shoreline permit, critical area permit) applicable to the proposal;

(e) Vicinity map showing location of the site; and

(f) Site and development plans which provide the following information, drawn to an engineering scale on a standard sheet of paper and including the name of the plat, graphic scale and north arrow:

(i) The names of owners of adjacent land and the names of any adjacent subdivisions;

(ii) Lines marking the boundaries of the existing lot(s) (any existing lot to be eliminated should be a dashed line and so noted);

(iii) Locations of existing and proposed public street rights-of-way and easements and private access easements;

(iv) Footprint and setbacks of all existing structures on the site;

(v) Lot area; lot line dimensions and average widths for each lot;

(vi) Location of proposed new property lines and numbering of each lot;

(vii) Location, dimensions and purpose of existing and proposed easements. Provide recorded documents that identify the nature and extent of existing easements;

(viii) Location of any proposed dedications;

(ix) Existing and proposed topography at two-foot contour intervals, extending to five feet beyond the project boundaries;

(x) Location of any critical areas, critical area buffers, and existing trees as required under LMC Title 17;

(xi) Description, location and size of existing and proposed storm drainage facilities; and

(xii) Locations of all fire hydrants within 500 feet of the proposal.

### (3) Review Procedures.

(a) Referral to Other Departments. Upon receipt of an application for a short subdivision, the community development department shall transmit 12 copies of the application to the public works department and one copy to any other department or agency deemed necessary to review the proposal.

(b) Additional Submittals. The review process will determine if additional studies or submittals are required with regard to SEPA, critical areas, archaeological or historical significance. Also during the review process, the city engineer will determine if additional studies are needed such as, but not limited to, the following:

(i) Stormwater Report, Traffic Impact Analysis and Erosion Control Plan. If further material is required, the review process cannot be completed until the required information is submitted to the planning department by the applicant.

(c) Proposed short subdivisions located adjacent to the right-of-way of state highways shall be submitted to the Washington Department of Transportation (WSDOT) for review, consideration and recommendation. This condition may be satisfied as part of the SEPA process. However if a SEPA checklist is not required, the community development department shall notify WSDOT of the proposal. Recommendations from Washington Department of Transportation, if received in a timely manner, shall be included in the conditions of approval for the short subdivision.

(d) Community Development Director. The community development director may approve, approve with modifications, or deny the application for a preliminary short plat. No formal meeting is required so long as the community development director obtains the recommendations and consent of the other members of applicable departments or agencies before issuing a decision.

(4) Criteria for Preliminary Short Plat Approval. The community development director shall base his decision on an application on the following criteria:

(a) The proposed short plat is in conformance with the Longview comprehensive plan and any other city adopted plans;

(b) Public improvements may be required of any short subdivision and shall be installed at the expense of the owner. Unless otherwise noted, all designs shall be consistent with the ~~Kelso~~ Longview standard plans and specifications; provided, that if a conflict exists between two different standards, the required design shall be determined by the city engineer. The standards within LMC 19.80.130 shall be followed in the development of all subdivisions and shall be considered minimum standards;

(c) Shared driveway improvements in accordance with LMC 19.77 may be required of any short subdivision utilizing a new shared driveway or existing shared driveway and shall be installed at the expense of the owner or developer prior to final short plat approval.

(ed) Provisions have been made for dedications, easements and reservations;

(de) Appropriate provisions are made to address all impacts identified by the transportation impact analysis, if one was required;

(ef) The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended;

(fg) Provisions are made for the maintenance of commonly owned private facilities;

(gh) The short plat complies with the relevant requirements of the Longview short subdivision code;

(hi) The short plat complies with the requirements of the Longview zoning code and other relevant local regulations; and

(ij) That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval. (Ord. 3089 § 1, 2009).

#### **19.67.040 Final short plat approval.**

(1) Application. The following items are required, in quantities specified by the community development director, for a complete application for final plat approval. Items may be waived if in the judgment of the community development director the items are not applicable to the particular proposal:

(a) Completed short plat final approval form and applicable fees as identified in the Community and Economic Development Department Maser Fee Schedule;

(b) Completed application checklist;

(c) A plat certificate from title insurance company documenting the ownership and title of all interested parties in the plat, subdivision or dedication, and listing all encumbrances. The certificate must be dated within 45 calendar days prior to the date of filing the application for final plat approval;

(d) Documentation of the square footage of each lot and mathematical boundary closure of the subdivision and of each lot and/or tract showing the error of closure, if any;

(e) Three copies of the final plat survey in conformance with the standards set forth in LMC 19.80.170, as applicable;

(f) Required improvements shall be installed at the expense of the owner or developer. Private improvements, such as shared driveway construction or stormwater facilities, if required, must be completed prior to final short plat approval. Public improvements must either be complete or secured prior to final short plat approval. If secured, the developer/owner must submit a subdivision improvement bond or other financial security in a form acceptable to the city attorney in the amount of 150 percent of improvement cost of deferred improvement per LMC 19.80.210(3);

(g) City installation of water services and/or sewer laterals shall be in accordance with ~~Kelso~~/Longview standard plans and specifications;

(h) Any documentation necessary to demonstrate conditions of preliminary plat approval have been met; and

(i) Private covenants intended to be recorded with the plat.

(2) Final Approval Review Procedures.

(a) Referral to Other Departments and Agencies. The planning division shall distribute the final plat to all departments and agencies that commented on the preliminary plat, and to any other departments, special purpose districts and other governmental agencies deemed necessary to review the approval.

(b) Departmental Approval. The public works department and other interested departments and agencies shall review the final plat and submit to the planning division written comments with respect to the final plat decision criteria.

(3) Criteria for Final Plat Approval. The community development director may approve the final plat provided:

(a) That the proposed final plat bears the required certificates and statements of approval;

(b) That the facilities and improvements required to be provided by the subdivider have been completed or, alternatively, that the subdivider has submitted with the proposed final plat a subdivision improvement bond or other security in conformance with LMC 19.80.210;

(c) That the land surveyor certifies the plat as accurate;

(d) That the plat is in substantial conformance with the approved preliminary plat; and

(e) That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval.

(4) Signing the Plat. Once approved, two copies will be submitted for signature and shall include:

(a) Signatures on the following certificates on the face of the plat from the surveyor that prepared the plat.

(b) Signatures of the property owner(s) on the face of the plat.

(c) Signature and date lines for the city engineer, Community Development Director, the Cowlitz County treasurer and the Cowlitz County auditor.

(5) Filing the Plat. The applicant shall file the final plat with the Cowlitz County auditor's office. The plat will be considered complete when the signed and recorded copy of the plat is returned to the community development department. (Ord. 3480 § 1, 2023; Ord. 3089 § 1, 2009).

**19.67.050 Expiration.**

If the short plat is not recorded within five years of the date of preliminary short plat approval, the short plat shall become null and void. Upon written request by the subdivider prior to the expiration date, the community development director may grant one extension of not more than one year. (Ord. 3089 § 1, 2009).

**19.67.060 Issuance of building permit.**

No building permit shall be issued prior to final plat approval and until completion of essential site improvements including but not limited to water distribution system including fire protection, sanitary sewer system, storm drain system, stormwater management, final street surfacing, traffic-control devices and street lighting, and other infrastructure as deemed adequate by the city engineer. No occupancy permit shall be issued prior to satisfactory completion of required improvements unless otherwise bonded for and approved by the city. (Ord. 3089 § 1, 2009).

**19.67.070 Limitations on further subdivision.**

Any land short platted shall not be further divided for a period of five years without following the provisions for subdivision. This provision applies to any lots, tracts or parcels recorded as part of the plat. (Ord. 3089 § 1, 2009).

**19.67.080 Contiguous short plats.**

No application for a short plat shall be approved if the land being divided is held in common ownership with a contiguous parcel that has been divided in a short plat within the preceding five years. (Ord. 3089 § 1, 2009).

**19.67.090 Final acceptance.**

(1) Administrative land use approvals are exempt from final acceptance by city council. The city community development director upon receipt and approval of the following will grant the final acceptance:

(a) Acceptance by the engineering department for completion of all punch list items including but not limited to:

- (i) ~~Computer disc~~ Digital file containing final plat and as-built drawings;
- (ii) Street signs; and
- (iii) Landscaping requirements.

(b) A warranty bond for up to two years for public improvements equal to 10 percent of the cost of the improvements has been posted.

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

(2) Upon final acceptance, buildings may be granted final occupancy at the discretion of the building division. (Ord. 3089 § 1, 2009).

**19.67.100 Severability.**

(1) These regulations shall not be construed as affecting the liability of any person or as waiving the right of the city under any provisions existing at the time of adoption of these regulations, or as annulling any right obtained by any person by lawful action of the city under provisions existing at the time of adoption of these regulations.

(2) If any part of these regulations or applications thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not impair the validity of the remainder of these regulations. (Ord. 3089 § 1, 2009).

## Chapter 19.80

### LONGVIEW SUBDIVISION CODE

Sections:

- 19.80.010 Citation of chapter.
- 19.80.020 Purpose.
- 19.80.030 Authority.
- 19.80.040 Administration of chapter.
- 19.80.050 Applicability.
- 19.80.060 Exemptions.
- 19.80.070 Penalties and enforcement.
- 19.80.080 Severability.
- 19.80.090 Fees.
- 19.80.100 Review process.
- 19.80.110 Application requirements.
- 19.80.120 Approval criteria.
- 19.80.130 Minimum standards.
- 19.80.140 Master plan – Phasing.
- 19.80.150 Submission of construction plans.
- 19.80.160 Final plat procedure.
- 19.80.170 Final plat drawing and recording.
- 19.80.180 Modification to adopted standards.
- 19.80.190 Modifications to approved preliminary plats.
- 19.80.200 Alteration or vacation of approved subdivisions.
- 19.80.210 Assurance for completion and maintenance of improvements.
- 19.80.220 Latecomer reimbursement.
- 19.80.230 Appeals.

**19.80.010 Citation of chapter.**

This chapter shall be known and may hereafter be cited as the “Longview subdivision code.” (Ord. 3090 § 2, 2009).

**19.80.020 Purpose.**

The purposes of this chapter are to:

- (1) Protect the public health, safety and general welfare;
- (2) Guide the future growth and development of Longview in accordance with the comprehensive plan;
- (3) Provide for adequate space, light and air and ensure protection of the environment;
- (4) Protect and conserve the value of land throughout the city and the value of buildings and improvements;
- (5) Provide adequate water, sewerage, drainage, transportation and access, fire protection, schools, parks, playgrounds, recreation and other public utilities and facilities;
- (6) Provide appropriate ingress and egress;
- (7) Establish standards of design and procedures to further the orderly layout and use of land; and
- (8) Provide a method for the easy and accurate description of real property for the purpose of conveyance, taxation and assessment. (Ord. 3090 § 2, 2009).

**19.80.030 Authority.**

The authority for this chapter is derived from RCW 35A.63.100, Chapter 58.17 RCW, and other laws of the state of Washington. (Ord. 3090 § 2, 2009).

**19.80.040 Administration of chapter.**

The community development director, referred to hereafter as the “director,” is authorized and directed to administer the provisions of this chapter, and he/she shall be and is granted the authority to summarily approve or disapprove of activity proposed in accordance with this chapter. (Ord. 3090 § 2, 2009).

**19.80.050 Applicability.**

All divisions of land except those listed in LMC 19.80.060 shall be subject to the requirements of this chapter.

(1) Subdivisions (“Long” Plats). A subdivision is the division of any lot, parcel or tract of land into ~~five~~ **ten** or more lots or tracts, or other divisions of land for the purpose of sale or lease, whether immediate or future, including resubdivision or replatting of land or lots, to include land within short subdivisions that is further divided within five years of the effective date of the short subdivision in accordance with RCW 58.17.060. (Ord. 3090 § 2, 2009).

**19.80.060 Exemptions.**

The provisions of this chapter shall not apply to:

- (1) Cemeteries and other burial plots while used for that purpose;
- (2) Divisions of land into lots or tracts each of which is one-one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land except when a dedication to the public is necessary; provided, that for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the centerline of the road or street and the side lot lines of the lot running perpendicular to such centerline;
- (3) Divisions made by testamentary provisions, or the laws of descent;
- (4) Divisions of land into lots or tracts classified for industrial or commercial use, when the approval authority has approved a binding site plan for use of the land in accordance with Chapter 19.90 LMC;
- (5) A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land when the city, town, or county has approved a binding site plan for the use of the land in accordance with local regulations;
- (6) A division made for the purpose of alteration by adjusting boundary lines in accordance with Chapter 19.68 LMC, between platted or non-platted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site;
- (7) Divisions of land made by subjecting a portion of a parcel or tract of land to Chapter 64.34 RCW (Condominiums) if the approval authority has approved a binding site plan in accordance with Chapter 19.90 LMC;
- (8) A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. “Personal wireless services” means any federally licensed personal wireless service. “Facilities” means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and
- (9) A division of land into lots or tracts of less than three acres that is recorded in accordance with Chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. For purposes of this subsection, “electric utility facilities” means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and regulations of cities, towns, counties, and municipal corporations. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility’s existing and new customers. New customers are defined as electric service locations not already in existence as of the date that

electric utility facilities subject to the provisions of this subsection are planned and constructed. (Ord. 3090 § 2, 2009).

**19.80.070 Penalties and enforcement.**

Any person who shall subdivide property, except as herein provided, for the development, sale or lease thereof shall be guilty of a misdemeanor. It is unlawful to sell, offer to sell, lease, transfer or otherwise dispose of any real property which is subject to the provisions of this chapter except where specifically exempted. Any person or any agent of any person who violates any provision of this chapter shall be guilty of a gross misdemeanor. Each sale, offer for sale, lease or transfer of each separate lot in violation of any provision of this chapter and subsequent application of penalty shall not relieve the violator from compliance with this chapter. (Ord. 3090 § 2, 2009).

**19.80.080 Severability.**

If any subsection of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, subsection or portion shall be deemed a separate provision of this chapter and such holdings shall not affect the validity of the remaining portions of this chapter. These regulations shall not be construed as affecting the liability of any person or as waiving the right of the city under any provisions existing at the time of adoption of these regulations, or as annulling any right obtained by any person by lawful action of the city under provisions existing at the time of adoption of these regulations. (Ord. 3090 § 2, 2009).

**19.80.090 Fees.**

Fees for applications and permit review associated with actions authorized by this are as established in the Community and Economic Development Department Master Fee Schedule and shall be paid to the city with the filing of each application. Such payment shall be made to the department of community development. (Ord. 3090 § 2, 2009).

**19.80.100 Review process.**

Subdivisions shall be reviewed in accordance with the process set forth below and shall also be consistent with the provision set forth in Chapter 58.17 RCW.

(1) Subdivisions. Subdivisions are approved or disapproved by the Longview city council upon receipt of the recommendation, findings and public hearing record transmitted by the Longview planning commission. Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within 90 days from date of filing a complete application thereof unless the applicant consents to an extension of such time period; provided, that if an environmental impact statement is required as provided in RCW 43.21C.030, the 90-day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency. The approval authority shall base its decision on the review criteria set forth in LMC 19.80.120.

(2) Public Hearing – Subdivisions. The preliminary plat shall be filed not less than 21 days prior to any planning commission meeting. The planning commission shall set the hearing date and the director shall cause notice to be prepared. Only one open-record public hearing is allowed. Public notice of complete subdivision applications shall adhere to the following standards:

(a) Publication of Notice of Public Hearing. The city shall publish at least one public notice of the public hearing of the application before the planning commission in the city's official newspaper, which notice shall be published at least 10 days prior to the hearing date. A combined SEPA/public hearing notice requires publication at least 14 days prior to the hearing date. Notice of such hearing shall also be mailed to the applicant and to all adjacent landowners. Adjacent landowners are the owners of real property, as shown by the records of the county assessor, to be located within 300 feet of any portion of the boundary of the proposed subdivision. If the owner of the real property proposed to be subdivided owns another parcel or parcels of real property which lie adjacent to the real property proposed to be subdivided, notice under this subsection shall be given to owners of real property located within 300 feet of any portion of the boundaries of such adjacently located parcels of real property owned by the owner of the real property proposed to be subdivided. The records of the Cowlitz County assessor shall be used in notifying owners of adjacent property. Persons requesting notice of the city's action on an application shall also be notified.

(b) Integrated Notice of SEPA Decision and Public Hearing. The city shall provide notice of the threshold determination as set forth in Chapter 17.20 LMC, and attempt to integrate such notice in the notice for the planning commission's public hearing on the application. The public hearing shall be held after expiration of any SEPA comment period, but in general, should not be held more than 45 days after the city's SEPA determination.

(c) Contents of Public Hearing Notice. Public notices shall contain the following:

- (i) A description of the location of the proposed subdivision in two forms: a legal description and a location description in general terms;
- (ii) An announcement of the date, time and place of the public hearing;
- (iii) A listing of all elements of the total proposal for which approval is sought, including not only application for preliminary plat approval, but also any applications or requests for variances, zoning map amendments, comprehensive plan map amendments or other matters;
- (iv) A statement that interested persons are invited to attend the public hearing to express their position or to make written comments in order that they can be made a part of the public hearing process; and
- (v) For those notices that are mailed to adjacent landowners, the city may include a copy of the preliminary plat map and other information deemed useful or appropriate.

(d) Planning Commission Hearing. The planning commission shall conduct an open-record public hearing on the preliminary plat application, and shall review all materials, take public testimony and deliberate and vote. The commission shall make no recommendation without considering the consolidated staff report and any other reports, recommendations and comments of city officials and public agencies. The planning commission's recommendation shall be based on the criteria set forth in LMC 19.80.120, and shall include written findings of fact and conclusions. The planning commission's written recommendation shall be forwarded to the city council within 14 days after the planning commission's vote to either recommend approval, denial or approval with conditions of the preliminary plat. A tape recording shall be kept of the public hearing by the city.

(e) City Council Review of Recommendation – Subdivisions. Upon receipt of the recommendation on any preliminary plat, the legislative body shall at its next public meeting set the date for the public meeting where it shall consider the recommendations of the planning commission and may adopt or reject the recommendations of such hearing body based on the record established at the public hearing. If, after considering the matter at a public meeting, the council deems a change in the planning commission's or planning agency's recommendation approving or disapproving any preliminary plat is necessary, the legislative body shall adopt its own recommendations and approve or disapprove the preliminary plat. Every decision or recommendation made under this section shall be in writing and shall include written findings to support the decision or recommendation. A record of all public meetings and public hearings shall be kept by the appropriate city, town or county authority and shall be open to public inspection. The applicant shall be notified of the outcome and provided with a list of conditions, as approved. (Ord. 3090 § 2, 2009).

#### **19.80.110 Application requirements.**

(1) Preapplication Conference. A preapplication conference is required for all subdivision applications. The preapplication conference is a means of screening subdivision proposals in their earliest stages of design before proponents are committed to a particular design. It is also a means for staff and other public officials to convey information, identify problems and information, to determine a proposal's feasibility, to acquaint the prospective applicant with the procedural steps for plat approval. Participation in a preapplication conference and agreement by a prospective applicant to conclusions reached at such conference shall in no way guarantee project approval, prohibit changes of opinion by public agency participants, or prohibit identification and discussion of such additional problems or issues as may arise in the review process. A preapplication conference is nonbinding and advisory in intent and effect.

(2) Application Contents. The applicant shall submit the following materials for subdivision applications:

- (a) Completed preliminary plat application on form supplied by the city;
- (b) Payment of all required fees;
- (c) Completed SEPA environmental checklist;
- (d) If critical areas exist on the subject site, the permit and report requirements of Chapters 17.10 and 17.12 LMC shall be adhered to and submitted with the preliminary plat application; provided, that the city engineer may require a geotechnical report in cases where project development may be impacted by underlying soils, even if such area is not officially classed as a critical area;
- (e) Preliminary drawings showing sanitary sewer, water and stormwater cross-sections and grade profiles of the existing ground and proposed streets;
- (f) ~~Twenty-five~~ Two copies of the preliminary plat, conforming to the specifications of this chapter, including ~~11-inch by 17-inch~~ digital copies in .pdf format of all large plans so that copies can be made;
- (g) If the property is to be developed in phases, each phase shall be clearly labeled and demarcated on the preliminary plat and the master plan requirements of LMC 19.80.140 shall be met;
- (h) Copy of a recent title report for the property issued within the last 60 days, including a legal description according to the official records in the office of the county auditor;
- (i) A verified statement with original signatures that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the affected property;
- (j) Traffic impact analysis report as required by the city pursuant to Chapter 12.50 LMC;
- (k) If it has been determined that a zoning map amendment or variance is required for approval of the preliminary plat, completed applications for the same if not previously submitted and reviewed;
- (l) A tree survey and preservation plan, report or drawing that complies with LMC 19.80.130 LMC;
- (m) Preliminary stormwater site plan that complies with Chapter 17.80 LMC; and
- (n) Project Narrative. A preliminary subdivision application shall include a narrative that addresses the following topics:
  - (i) Description of the uses proposed for the site;
  - (ii) Phasing plan, if applicable;
  - (iii) Construction schedule;
  - (iv) Any deviations or variances proposed pursuant to LMC 19.80.180;
  - (v) Existing covenants or restrictions and easements, if applicable;
  - (vi) History of any previous subdivisions and short subdivisions of the property; and
  - (vii) Other items required pursuant to applicable portions of LMC.

(3) Plat Specifications. Preliminary plats shall be presented on a sheet or sheets having dimensions no larger than 18 inches by 24 inches and shall be drawn at a scale of one inch equals 50 feet or larger. Other scales may be used if approved by the city engineer and director. The following information shall be shown on the preliminary plat in one or more sheets:

- (a) General. The following general items shall be included:

- (i) The proposed name of the subdivision, together with the words “preliminary plat”;
  - (ii) The tract/lot designation(s) of the proposed subdivision as shown in the records of the Cowlitz County assessor, including lot numbers, section, township and range;
  - (iii) Date, north-pointing arrow, and scale of drawing;
  - (iv) Name and address of the owner(s) of the property to be subdivided, of the applicant or subdivision agent; if other than the owner, and of the surveyor and engineer; and
  - (v) A vicinity map sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property and streets.
- (b) Existing Features. The following existing features shall be shown:
- (i) Existing structures and other site improvements (parking, driveways, pedestrian/bicycle paths, etc.) and any proposed structures to remain;
  - (ii) Location, pavement and right-of-way widths, and names of existing public or private streets, roads or alleys within or abutting the tract;
  - (iii) Location and size of existing sewers, water mains and stormwater facilities;
  - (iv) Location of existing lot lines, easements, railroads, monuments, property markers, section lines and city boundary lines within or abutting the tract;
  - (v) Watercourses, ditches, areas of flooding or ponding, rock outcroppings, and trees eight inches or more in diameter measured four feet above the ground;
  - (vi) The names and addresses of adjoining property owners from the latest assessment rolls within 300 feet of all boundaries of the proposed subdivision, shown on the plat in relationship to the property to be subdivided or provided in a separate document;
  - (vii) Contour lines illustrating topography at two-foot intervals for slopes less than 10 percent and at five-foot intervals for slopes over 10 percent. Contour lines shall extend at least 100 feet beyond the boundaries of the proposed subdivision. Contours shall be relative to sea level and based on city approved datum;
  - (viii) All critical areas shall be shown including streams, wetlands, geological hazard areas and all associated buffers;
  - (ix) For subdivisions proposed in the 100-year floodplain, base flood elevation benchmarks.
- (c) Proposed Features. The following proposed features shall be shown on the preliminary plat:
- (i) The boundary of the proposed subdivision drawn in a bold line;
  - (ii) Locations and dimensions of proposed streets, alleys, other public and private ways, easements, lot lines and utilities, with the purpose of easements stated;
  - (iii) Locations, dimensions and area of public and common park and other open space areas;
  - (iv) Proposed number assigned to each lot and block, with lots numbered consecutively in a block; proposed names of all streets;
  - (v) Identification of all areas proposed to be dedicated for public use, with designation of the purpose thereof and any conditions;

(vi) When more than one type of use is proposed, the location, dimensions and area for each type of use (such as single-family, two-family, or multifamily residential uses);

(vii) If the subdivision borders a river or stream, or drainage ditches the approximate mean high and mean low water elevation and the distances and bearings of a meander line established not less than 20 feet back from the ordinary high-water mark of the waterway;

(viii) Determination of complete application. Within 28 days after the applicant submits all of the elements of a complete application, including the necessary application fee(s), the city shall determine whether the application is complete. If the city determines that the application is not complete, the city shall notify the applicant that the application is incomplete in writing. Such notification shall describe what is necessary to make the application complete. If the applicant does not submit the information requested by the city within 90 days after notification by the city that the application is incomplete, the city may determine that the application has lapsed for lack of information. If the city determines that the application has lapsed for lack of information, the applicant may request a partial refund of the application fee. Applications shall not be processed until a determination of completeness is made.

(4) Distribution of Plat Materials. When the director determines that the proposed preliminary plat contains the required information and supplementary data, copies of the plat shall be distributed to applicable city department, other governmental agencies and entities including, but not limited to, the: (a) assistant city manager; (b) director of public works; (c) city engineer; (d) city fire department; (e) city police department; (f) city parks and recreation director; (g) Cowlitz Consolidated Diking Improvement District No. 1; (h) public utility district; (i) Longview School District; (j) applicable special purpose districts; (k) Washington State Department of Transportation; (l) Washington State Department of Ecology; (m) any federal, state and local agency which may have an interest in the subdivision or the properties involved; and (n) the Cowlitz Indian Tribe. The preceding agencies shall forward their comments and recommendations to the department of community development in a timely manner and the planning commission secretary shall forward any comments received from the public, public agencies or utilities to the director. The director shall consolidate the comments and recommendations into a staff report to be considered by the planning commission. (Ord. 3351 § 14, 2017; Ord. 3090 § 2, 2009).

#### **19.80.120 Approval criteria.**

(1) To grant approval of a preliminary subdivision, the applicant must demonstrate compliance with all of the following criteria:

(a) Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, stormwater management, erosion and sediment control and sanitary sewage disposal methods that are consistent with the city's current ordinances, standards and plans;

(b) Appropriate provisions have been made for but not limited to public health, safety and general welfare;

(c) Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the city's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable;

(d) Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations;

(e) The design of the proposed subdivision site has taken into consideration the physical features of the site, including but not limited to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands;

(f) When replatting an existing subdivision, the subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval;

(g) Compliance with the following:

(i) State requirements including those set for in Chapter 58.17 RCW;

- (ii) Longview parks and recreation plan and the Cowlitz regional trails plan;
- (iii) Longview zoning ordinance;
- (iv) Cowlitz County shoreline master program;
- (v) The stormwater management requirements set forth in Chapter 17.80 LMC;
- (vi) The standards of this chapter and this title;
- (vii) The International Fire Code and other adopted code;
- (viii) Plans and specifications adopted by the public works department including those set forth in Chapter 12.50 LMC and the Longview standard plans and specifications; and
- (ix) Other plans and programs as the city has adopted;

(h) A proposed subdivision may be disapproved because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. 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 State Department of Ecology;

(i) Dedication of land to any public body, provision of public improvements to serve the subdivision may be required as a condition of subdivision approval. An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. The city may require such waiver as a condition of approval. Any dedication, donation or grant as shown on the face of the plat shall be considered for all intents and purposes as a quitclaim deed to the said donor(s) grantee(s) for his/her/their use for the purpose intended by the grantor(s) or donor(s). If the plat is subject to a dedication, a certificate or separate written instrument shall contain the dedication of all streets and other areas to the public, any individuals, religious societies or corporation (public or private), as shown on the plat, and a waiver 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 said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat.

(2) Written Findings Required. During the public hearing on the preliminary plat, the city shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and any dedications proposed. The proposed subdivision and/or dedications shall not be approved/ accepted or recommended for approval/acceptance unless the planning commission and/or city council makes written findings that the approval criteria have been met.

(3) Authority to Condition Approval. The commission and council may attach those conditions to an approval or recommendation for approval as deemed necessary to promote the public interest, safety, health and welfare, except as prohibited in this chapter or other law. The commission may recommend and the council may require that conditions of approval be listed on the face of the final plat. In order that the applicant/developer bear a fair share of the cost of repair or improvement of these affected properties, facilities and services, the commission may recommend and the council may require construction, repair, expansion, improvement or other provision of off-site improvements by the applicant. Such requirements may include but shall not be limited to dedication of land for right-of-way, resurfacing a street that provides access to a subdivision, or replacement in inadequately sized off-site utilities whose capacity will be affected by the development. For short plats, the director may establish conditions and require similar improvements as part of a conditionally approved preliminary short plat.

(4) Phasing. For phased projects, the commission shall consider the relationship between the preliminary plat and the master plan. The master plan should be used to establish appropriate modifications to the preliminary plat, conditions of approval, dedications and off-site improvements.

(5) Length of Preliminary Approval. Approval of a preliminary plat shall be effective for five years from the date of city council approval. Upon recommendation of the planning commission, the city council may grant one two-year extension provided the following criteria are met:

- (a) The applicant shall request the extension in writing not less than 90 days prior to the expiration of the preliminary plat;
- (b) In such written request, the applicant shall state the reasons for the request, describe progress made in installing improvements and provide a schedule for completing the final plat;
- (c) The applicant shall demonstrate to the planning commission that it has acted in good faith and made substantial progress in complying with the conditions of the preliminary plat and that it would be inequitable to require the applicant to reapply for a new preliminary plat approval;
- (d) In considering the grant of any extension, the planning commission may recommend the imposition of additional conditions for final approval that are consistent with city-adopted standards and policies existing at the time the extension request is considered; and
- (e) Requests for extension shall be considered first at a public meeting of the planning commission. The planning commission shall then forward its recommendation to the city council. Disapproval of a request for an extension shall result in the expiration of preliminary plat approval. Expired preliminary plats, or expired phases of preliminary plats, must be the subject of new land use applications and shall not be permitted as amendments or revisions of the original expired preliminary plat. (Ord. 3351 § 15, 2017; Ord. 3090 § 2, 2009).

**19.80.130 Minimum standards.**

Public improvements may be required of any subdivision and shall be installed at the expense of the owner. Unless otherwise noted, all designs shall be consistent with the Longview standard plans and specifications; provided, that if a conflict exists between two different standards, the required design shall be determined by the city engineer. The following standards within this section shall be followed in the development of all subdivisions and shall be considered minimum standards:

- (1) Streets, Curbs, Sidewalks, Alleys. The standards set forth in Chapter 12.50 LMC shall be met.
- (2) Stormwater management shall conform to Chapter 17.80 LMC and all other applicable statutes.
  - (a) Stormwater low impact development (LID) best management practices and site designs that minimize impervious surfaces, native vegetation loss, and stormwater runoff shall be implemented to the fullest extent practicable.
- (3) Easements. The following easement standards apply:
  - (a) Utility Easements. Perpetual easement to utility providers for installation and maintenance of utilities shall be provided to serve each and every lot at locations deemed necessary by the utility providers. Such utilities may include sewer, water, stormwater, gas, electricity, communication lines and cables and other similar utilities. Utility easements shall be at least 10 feet in width or five feet on each side of contiguous lot lines unless otherwise approved by the city engineer. When the utility easements are needed at lot corners, the size of the easement shall be at least five feet by five feet. Additional easements for major distribution and transmission lines or unusual electric or communication facilities may be required where necessary. Additional easements for major distribution and transmission lines or unusual electric or communication facilities may be required.
  - (b) Easements for unusual facilities such as high-voltage electric transmission lines, drainage canals and similar areas shall be of such width as is determined to be necessary by the city engineer for the purpose, including any necessary maintenance roads.
  - (c) If a subdivision is traversed by a watercourse, such as a drainageway, channel or stream, there shall be provided a perpetual stormwater easement or drainage right-of-way conforming substantially to the seasonal high-water line of the watercourse and of such further width as will ensure protection of water-carrying

capacity and access to the watercourse for maintenance of capacity. Such recorded easement or right-of-way shall be measured from the centerline of the watercourse and shall give to the appropriate authority access for the purpose of maintenance of water-carrying capacity. Such easement may not be necessary where buffers are required by Chapter 17.10 LMC. In determining the width of such easements, the city engineer shall give consideration to the requirements and recommendations of the applicable diking district in regard to the operation of maintenance equipment and the placement of spoils where appropriate. The size and nature of the district's drainage facility and the elevation and slope of the abutting upland property shall be considered in determining the minimum width required.

(4) Installation of Utilities.

(a) All distribution laterals and primary and secondary lines and wires serving the subdivision, including those providing electric, street lighting, telephone, and cable television service, shall be placed underground. All utilities shall be installed at the lot line of each and every lot prior to acceptance of improvements and shall be constructed in the street right-of-way unless otherwise approved by the city engineer. The applicant shall make necessary arrangements with utility providers or other appropriate persons for underground installations. This requirement does not apply to surface-mounted transformers, switching facilities, connection boxes, meter cabinets, temporary utility facilities used during construction, high capacity transmission lines, electric utility substations, cable television amplifiers, telephone pedestals, cross-connect terminals, repeaters, warning signs or traffic control equipment.

(b) Sanitary sewers and water system improvements shall be installed at the developer's expense, to serve all subdivisions, by extension of the existing city sewer and water lines and any other upgrades and improvements necessary to ensure adequate capacity. Such facilities shall be designed and sized to the satisfaction of the city engineer and shall be of sufficient capacity to accommodate the ultimate development density of all intended phases in adjacent areas.

(c) Utility installations shall be in accordance with city design standards.

(d) Street Lighting. Street lighting shall be included in the development of all future platting or subdivisions. Street lights shall be placed at all street intersections and at other locations designated by the city engineer. A complete street lighting system, including conduits, wiring, concrete bases, poles, junction boxes, meter base, service cabinets and luminaries, shall be installed by the developer throughout the subdivision in accordance with city standards. Light conduit shall be placed in a separate ditch unless otherwise approved by the city. The applicant shall submit plans and manufacturer technical information meeting or exceeding city of Longview standards to the city engineer and public utility district for approval of all specifications and materials used in the system.

(e) Landscaping of Planting/Utility Strip. The developer or their successor shall be responsible for ensuring that, prior to issuance of an occupancy permit for a lot, the utility/planting strip abutting the curb adjacent to the lot is planted in grass or other approved landscaping and with street trees. The plantings shall include street trees meeting the following characteristics:

- (i) Shall be at least two-inch DBH at time of planting and be spaced at approximately 30-foot intervals on center;
- (ii) Shall be centered between the curb and sidewalk;
- (iii) Shall be planted at least 20 feet from driveways, at least 20 feet from street light standards and at least eight feet from fire hydrants and sewer laterals;
- (iv) Shall be of a type, species and quantity approved by the superintendent of parks;
- (v) Shall be at least 30 feet from any corner where curb lines intersect; and shall be planted and maintained in an acceptable manner.

(f) Timing and procedure for construction of sidewalks shall be as follows:

- (i) All intersection curb ramps shall be constructed with roadway infrastructure required for the subdivision;
- (ii) Sidewalks shall be constructed with roadway infrastructure required for the subdivision on all open space tracts, nonbuilding lots, and on the major street frontage of double frontage lots; and
- (iii) On building lots, construction of the sidewalk shall be done on a lot-by-lot basis, prior to issuance of a certificate of occupancy for the lot.

(5) Natural Features Preservation and Landscaping.

- (a) Plats shall be designed to preserve and enhance significant natural features and resources, including but not limited to natural contours, watercourses, marshes, scenic points and views, large trees, natural groves, rock formations, and sensitive areas; to be compatible with aesthetic values of the area; and to reflect natural limitations inherent in the property.
- (b) Plats shall be designed to minimize impacts on adjacent properties and on off-site or citywide public facilities and services, such as streets, drainage ways and storm sewers.
- (c) Plats shall be designed to preserve to the extent possible significant trees as defined by Chapter 19.09 LMC and as more specifically set forth in this section. When the preservation of at least 20 percent of significant trees, inclusive of those found in preserved critical area buffers and open space or recreation tracts, is deemed not feasible, the applicant shall mitigate for the loss of tree canopy by incorporating additional landscaping, tree plantings and/or buffer enhancements (if applicable) or through other means as approved by the city. Significant trees that will remain on site shall be protected during construction through the use of fencing, rock wells and other means that provide protection corresponding to the drip line of the tree(s), which is the vertical projection of the foliage at its greatest circumference. Assurances shall be provided to ensure the long-term protection of significant trees, or trees planted as mitigation, via notations on the final plat and within recorded covenants. Exemptions may be included to allow removal of those trees deemed dangerous or hazardous to public health, safety and welfare by a professional arborist.

(d) Screening shall be implemented as follows:

- (i) Fences, hedges or landscaping buffer strips may be required by the city to separate commercial and industrial zoning districts from residential districts or uses in conformance with the zoning ordinance standards;
- (ii) In the case of residential subdivisions abutting major arterials, the applicant shall provide a buffer strip a minimum of 10 feet wide along the lot line abutting the arterial. Hedges or trees shall be planted in the buffer strip of a height that will become a solid, effective sight screen within three years, unless existing vegetation provides substantial screening;
- (iii) Fencing may be required to limit access to areas that may be hazardous to the public, including stormwater detention ponds and facilities. Landscaping shall be required along the perimeter of the fence and may include a mix of trees and shrubs; and
- (iv) Native vegetation and soil should be used to minimize the need for irrigation and pest control.

(6) Pedestrian/Bicycle Ways in and through Residential Subdivisions. In blocks over 800 feet in length, a pedestrian/bicycle way with a minimum width of 15 feet may be required through the middle of the block. The pathway shall be paved using materials accepted by the city engineer. If unusual conditions require blocks longer than 1,200 feet in length, two pedestrian/bicycle ways shall be required. Pedestrian ways may also be required to connect cul-de-sacs or to pass through unusually shaped lots to provide for public convenience (e.g., direct route to school, etc.), safety and circulation.

(7) Subdivision and Street Naming. Subdivision names shall not duplicate or too closely approximate phonetically the name of any other subdivision within the Longview area, except that in the case of successive subdivisions of a phased development, plats may be differentiated in name by sequential numbering or by direction (north, south,

etc.). Streets having the same name except for “Court,” “Lane” or other suffix shall be deemed duplicative and not permitted. Names of new streets running on a line with an existing street but separated by a park or barrier may duplicate the name of the existing street; provided, that a prefix indicating direction from the park or barrier is attached to the new street’s name. The city council shall have the right to rename subdivisions and streets.

(8) Lots or Parcels.

(a) Each lot shall be provided direct access by means of minimum frontage on a dedicated and improved public street.

(b) The minimum size of any lot or parcel of property within a subdivision shall conform to the standards of this title unless otherwise approved pursuant to this title.

(c) Residential lots which have street frontage along two opposite boundaries shall be discouraged, except for reverse-frontage lots which are essential to provide separation to residential development from primary traffic arterials or collectors or to overcome specific disadvantages of topography and orientation. For such lots there shall be an easement or other restriction in favor of the appropriate governmental entity at least 10 feet wide along the lot lines abutting said primary arterial across which there shall be no right of access may be required.

(d) Insofar as practicable, side lot lines shall be at right angles to straight street lines and radial to corner street lines. Placing adjacent lots at right angles to one another shall be avoided where possible.

(e) Residential subdivisions should be designed so that individual lots or parcels do not require direct vehicular access to arterial streets and that direct access to collector streets is minimized.

(f) Where lots are more than double the minimum lot size required for the zone, the city council may require that the subdivision be designed to accommodate future subdivision and the opening of future streets and expansion of existing streets. The city may also require that a subdivision’s street network be designed to accommodate future growth on adjacent properties in support of greater connectivity and a more efficient transportation network.

(g) Lots shall be laid out to provide drainage away from all buildings, and individual lot drainage shall be coordinated with the storm drainage pattern for the area. Drainage shall be designed to avoid concentration of stormwater from one lot to an adjacent lot.

(9) Blocks.

(a) Length. In general, blocks shall be as long as is reasonable and consistent with the topography and the needs for convenient access, circulation, control and safety of street traffic and the type of land use proposed. The block length shall not ordinarily exceed 800 feet or be less than 400 feet; provided, that the city may approve an alternative design.

(b) Width. Except for reverse-frontage parcels or when topographic conditions do not permit, the width of blocks shall ordinarily be sufficient to allow for two tiers of lots of depths consistent with the type of land use proposed. This width shall normally be not less than 200 feet for the sum of two lot depths.

(c) Intersecting streets shall be so laid out that blocks shall not be more than 800 feet in length between rights-of-way for local access street only. In the case of long blocks or oddly shaped blocks and to facilitate pedestrian access to parks, playgrounds, open space or schools, the applicant may be required to construct pedestrian and bicycle easements of not less than five feet in width on a dedicated right-of-way or perpetual unobstructed easement of not less than 15 feet in width, to extend through the block(s) at location(s) deemed necessary. Widths of blocks shall be such as to allow two rows of lots, except that blocks along the perimeters of a plat may have one row of lots.

(d) Blocks intended for commercial and industrial use shall be designed specifically for such purposes, with adequate space provided for off-street parking, loading and delivery.

(10) Park and Recreation Improvements.

(a) The planning commission and city council shall review the need for park and/or trail development when reviewing preliminary subdivision applications and may require the developer to dedicate land for park development as a condition of approval in accordance with this title. For the purposes of this chapter, the term “park” shall also include trails. Applicant-paid park improvements shall be constructed per the plat conditions. As agreed to by the city, a fee-in-lieu of park land dedication proposal may be considered in accordance with RCW 82.02.020 and such fee shall be paid prior to final plat approval, unless otherwise authorized by the city. The location and characteristics of land dedicated for park and recreational purposes shall follow these standards:

- (i) The area proposed for park dedication may be located either within or outside the boundaries of the property described in the subdivision, but must either be adjacent to an existing or proposed city park site or within the same park service area in which the subdivision is located. Park service area is considered to be within one-half mile of the subdivision for which it is required;
- (ii) The area proposed for park dedication shall have characteristics and location which make it suitable for future inclusion into the city parks system, as determined by the director of parks and recreation;
- (iii) With the approval of the director, the area proposed for park dedication or portion thereof may contain valuable or sensitive environmental features, preservation of which is consistent with the city’s comprehensive plan and/or parks and recreation plan;
- (iv) All lots within the subdivision for which park dedication is required shall have legal and convenient access to the area proposed for park dedication, at the time of final plat approval; and
- (v) The topography, soils, hydrography and other physical characteristics of the area proposed for park dedication shall be of such quality as to allow the development of community or neighborhood parks, or to create a flat, dry, obstacle-free space on at least 90 percent of the total required area in a configuration which allows for active recreation, shall have no known safety hazards, and shall have no known physical problems such as the presence of hazardous waste, pipeline of power easements, drainage, erosion, or flooding that the director of parks and recreation determines would cause inordinate demands upon public resources for maintenance and operation of the property to be dedicated to the city. Park sites should also be located so that persons living within the service area will not have to cross a major arterial street to get to the site.

(b) Minimum Size of Land Dedicated for Park Purposes. Applicants who dedicate open space for park land pursuant to this chapter shall dedicate at least seven acres per 1,000 population generated by the proposed subdivision. This requirement is based on the level of service (LOS) standards adopted per the Longview park and recreation plan for needs of a neighborhood park including but not limited to such amenities as play equipment, athletic areas such as baseball/softball diamonds, soccer/football fields, volleyball courts, hard surface areas such as tennis courts, basketball courts, in-line skating rinks, picnic areas, walk/trail systems, restrooms, natural areas, open spaces and buffer zones. The formula for determination of the required minimum park dedication shall be:

- (i) Single-family dwelling use districts and subdivisions of land zoned higher density where up to fourplexes are proposed shall provide .0168 acres of park area per permitted dwelling unit within the plat, based on an average of 2.4 persons per household and desired park land ratio of seven acres per 1,000 people for neighborhood parks per the Longview park and recreation plan;
- (ii) Developments consisting of multifamily dwellings shall provide park areas consistent with the standards set forth in Chapter 19.20 LMC;
- (iii) Linear trails shall be designed as approved by the director of parks and recreation or their designee. Total trail area improved and/or dedicated may be less than the area standards above, as approved by the city.

(c) Final Plat Approval Conditioned upon Park Land Dedication. When approval of the final plat of a subdivision is conditioned upon the dedication and/or improvement of land for park/trail purposes, the final plat

shall not be approved or recorded until the director of parks and recreation has determined in writing that any land to be dedicated is shown on the face of the final plat, or in a deed conveying the land to the city which has been recorded with the Cowlitz County auditor's office or the instrument conveying the land to the city has been transmitted to the city council for acceptance of the dedication by ordinance.

(11) Model Homes. Upon the filing of a final plat of a residential subdivision containing 20 or more single-family lots, in accordance with LMC 19.80.150, in districts that are designated as R-1 or in the portions of planned unit developments that are designated as R-1, a subdivider (as such term is defined in LMC 19.09.630), who retains the ownership of not less than 85 percent of all of the lots therein, and whose business includes the construction of single-family dwellings for sale to others, may erect, maintain and operate a model home or model homes within said plat for the purpose of displaying said model home or model homes and for the sales of lots and contracting for the construction of homes for purchasers within said plats, subject to the following conditions:

- (a) All model homes shall meet all district requirements for lot and yard dimensions;
- (b) Model homes shall not be occupied for residential purposes, and any certificate of occupancy shall be temporary in nature and shall state that said model homes may be used only for a period of not to exceed 24 months following the date of issuance of a building permit, and may not be occupied as a residence until the issuance of a permanent certificate of occupancy by the building official;
- (c) Use of such model homes for the purposes permitted by this section shall be discontinued within 24 months after the issuance of a building permit for construction thereof;
- (d) Such model homes shall not be used as a means to sell lots, or dwelling houses located outside the plat;
- (e) Such model homes shall not be used for any business activity between 9:30 p.m. and 9:00 a.m.;
- (f) No banners, balloons or advertising signs on awnings shall be permitted. No more than two identifying signs shall be allowed at each model home and shall not interfere with right-of-way or public safety. All model homes shall be constructed, painted and decorated so as to blend in with surrounding properties, and no signs at the location of any model home shall be permitted advertising any business other than the subdivider and/or the sales agency representing the subdivider. Such model home signs shall be limited to one at each model home, not exceeding 12 square feet in area and not exceeding 42 inches above the level of the sidewalk. Such signs shall be removed prior to occupancy of the model home or when 75 percent of the lots within the subdivision have been sold, whichever occurs first. Such sign may not be illuminated;
- (g) No more than one model home may be maintained for each 20 lots that are owned and offered for sale by the subdivider; provided, however, that the subdivider may reduce his, her or its ownership of the lots within the plat to less than 20 lots and to less than 85 percent of the lots within the plat by sales of lots therein without loss of the privilege of maintaining a model home;
- (h) The privilege to maintain a model home may be granted to a subdivider or developer other than the original subdivider if such successor subdivider or developer is the owner of 20 or more adjoining vacant lots within the plat;
- (i) Such model home may be used for displays and sales, and may be temporarily constructed in such a manner as to be incomplete as a dwelling house suitable for habitation and not in conformance with the requirements of the building code as a dwelling house, and driveways and sidewalks may be omitted therefrom; provided, however, that prior to the issuance of a permanent certificate of occupancy, said model home shall be altered or modified to comply with said building code in all respects and all required driveways and sidewalks shall be constructed;
- (j) Sales and displays in such model homes may be conducted and presented by agents and/or employees of the subdivider or developer, or by others not employed by the subdivider or developer; provided, however, that no business activities conducted within or at the site of any such model home shall include products, commodities, or materials not delivered to and installed as a part of a dwelling house within the plat or of land situated outside the plat;

(k) A new subdivision or residential development of 20 lots or more shall be allowed one temporary sign not to exceed 32 square feet in area and 10 feet in height to be located only on a vacant lot owned by the developer of the subdivision at or near the primary entrance to the subdivision or development. Such sign shall only advertise or market the subdivision in which it is placed. Such sign shall be removed when 75 percent of the lots are developed, or no later than 24 months from final plat approval, whichever occurs first. Such sign shall not be illuminated nor located within 50 feet of any property line of an existing residence. One temporary sign identifying an engineer, architect, contractor, bank, or other professional service engaged in or used in the construction of a home or a utility within the subdivision may be erected on a lot within the subdivision when construction commences on that lot, provided such sign does not exceed eight square feet in area and 36 inches in height. Such sign shall be removed prior to occupancy of the structure or when construction of that lot is substantially complete. Such sign shall not be illuminated, nor located within 50 feet of any property line of an existing residence.

(12) Subdivisions – Less Than 20 Lots. A new subdivision or residential development of less than 20 lots and of ~~four~~ **ten** lots or more shall be allowed one temporary sign not to exceed 32 square feet in area and 10 feet in height to be located only on a vacant lot owned by the developer of the subdivision at or near the primary entrance to the subdivision or development. Such sign shall only advertise or market the subdivision in which it is placed. Such sign shall be removed when 75 percent of the lots are developed, or no later than 24 months from final plat approval, whichever occurs first. Such sign shall not be illuminated nor located within 50 feet of any property line of an existing residence. One temporary sign identifying an engineer, architect, contractor, bank, or other professional service engaged in or used in the construction of a home or a utility within the subdivision may be erected on a lot within the subdivision when construction commences on that lot, provided such sign does not exceed eight square feet in area and 36 inches in height. Such sign shall be removed prior to occupancy of the structure or when construction of that lot is substantially complete. Such sign shall not be illuminated, nor located within 50 feet of any property line of an existing residence. (Ord. 3351 § 16, 2017; Ord. 3090 § 2, 2009).

#### **19.80.140 Master plan – Phasing.**

(1) A master plan shall be submitted with the preliminary plat when a tract is to be developed in successive phases. The master plan shall be on an individual sheet or sheets not larger than 22 inches by 34 inches separate from the preliminary plat and drawn to a convenient scale. The purpose of the master plan shall be to indicate how the design and particularly the circulation pattern of the proposed preliminary plat relate to and would be coordinated with possible development plans on adjoining property and what the effects of the total development may be. The master plan shall be used as a nonbinding guide when later phases are proposed. A preliminary plat approved by the city which was not submitted for phased development shall not be broken into phases at the time final approval is sought unless the approved preliminary plat is modified in accordance with this title. The following information shall be shown on the master plan:

- (a) Name. The name of the entire development together with the words “Master Plan”;
- (b) Description. Location of property by lot numbers, section, township, range, donation land claim, graphic scale, north pointing arrow;
- (c) Phase identification. Each phase, including the phase for which immediate subdivision approval is sought, shall be clearly identified by numbering or other means that indicates the probable order in which the phases will be developed;
- (d) Owners and other persons. Name and address of the legal owner(s) of the property of the applicant or subdivision agent in other than the owner, and of the persons responsible for design, surveying and engineering of the immediate phase;
- (e) Immediate phase detail. The phase for which immediate subdivision approval shall be shown in detail;
- (f) Future phase detail. Detail for future subdivision phases shall be as follows:
  - (i) Location of existing lot lines easements railroad and utility rights-of-way, watercourses, and wooded areas;

- (ii) Location and names of all existing or platted streets and other public ways within or immediately adjacent to the future phases;
- (iii) Approximate lot sizes and uses of property adjoining the master plan site;
- (iv) Location and sizes of existing sewers, water mains, and culverts within and immediately adjacent to the future phases;
- (v) Location of existing buildings within and immediately adjacent to the future phases;
- (vi) Approximate topography, with arrows showing direction of incline or rough contour lines;
- (vii) Approximate location of proposed streets, trails and crosswalks through blocks;
- (viii) Approximate lot lines or an indication of the number and general locations of proposed lots; and
- (ix) Approximate location, dimension, area and proposed use of parcels to be set aside for public or common parks and other open space. (Ord. 3090 § 2, 2009).

**19.80.150 Submission of construction plans.**

After approval of a preliminary subdivision application and prior to the beginning of construction and installation of improvements or performance bonding or other assurance in lieu thereof, the applicant shall submit to the city engineered construction plans for all required improvements. Upon approval of the construction plans and prior to submission of the final plat, the applicant shall proceed to construct and install required improvements to completion, unless assurances as set forth in LMC 19.80.210 are accepted. Construction plans shall be drawn at a scale of no more than 40 feet to one inch with the following information shown:

- (1) Vicinity map.
- (2) Streets.
  - (a) Profiles showing original ground elevation and proposed elevations along centerlines of all streets;
  - (b) Radii of curves, lengths of tangents, angles, bearings on street centerlines, right-of-way, pavement widths, monuments; and
  - (c) Structural section of streets, curbs and sidewalks and ADA ramp design.
- (3) Stormwater management.
  - (a) Overall project and individual lot grading plans including approximate quantities of fill and excavation;
  - (b) Construction erosion and sediment control plans;
  - (c) Location of drainage and other utilities easements;
  - (d) Plan and profile view of stormwater drainage infrastructure including size, type, location, depth and connections;
  - (e) Plan and profile view of stormwater management best management practices and facilities including size, location, drainage area, and inlet and outlet details; and
  - (f) Conservation, open space, and/or landscaped areas being utilized as low impact development (LID) stormwater best management practices.
- (4) Water mains. Plan and profile view of the location, size, type, depth and connections for lines, valves and fire hydrants.

- (5) Sanitary sewers. Plan and profile view of the locations, grades, connection elevations, pipe sizes and types, depths, lateral locations and manhole locations.
- (6) Illumination, striping and signing plan.
- (7) Landscaping and open space management plan.
- (8) Plan of other utilities: power, garbage.
- (9) All other information required by the city or required by plat conditions such as retaining walls.
  - (a) Applicable city of Longview standard details and notes.
  - (b) North arrow. (Ord. 3351 § 17, 2017; Ord. 3090 § 2, 2009).

**19.80.160 Final plat procedure.**

(1) Preparation. After approval of the preliminary plat and the detailed construction plans and within the time limits set forth in this chapter, the applicant shall cause to be prepared a final plat and the supplementary materials required by this section. The final plat shall:

- (a) Be drawn to the specifications and contain the information required by LMC 19.80.170;
- (b) Conform to the preliminary plat approved by the city council and to any conditions that may have been part of the approval. Slight deviation from the approved preliminary plat may be allowed if the director or city engineer determines such deviations are necessary because of unforeseen technical problems or to protect the public interest;
- (c) Include, in the manner specified by this section, all formal, irrevocable offers of dedication to the public and space for the acknowledgments, endorsements, and certifications; and
- (d) Phasing. The developer may develop the subdivision in phases. Any phasing proposal shall be submitted with the application materials for preliminary approval and be approved by the review authority.

(2) Supplementary Materials. The original hard copy drawing of the final plat shall be accompanied by:

- (a) At least two copies of the final plat; ~~on Mylar material;~~
- (b) A minimum of ~~10~~ **two** additional paper copies of the final plat, on 11-inch by 17-inch copy, **or a single digital copy of the final plat in .pdf format;**
- (c) A copy of any deed restrictions and restrictive covenants proposed by the applicant;
- (d) A title report issued by a title insurance company issued within the last 60 days, showing all parties whose consent is necessary and their interest in the premises and listing all encumbrances;
- (e) “As-built” plans of such required improvements as have been completed, unless other arrangements are made to guarantee that “as-built” plans will be submitted;
- (f) A lot closure report;
- (g) If required improvements have not been completed, plat performance bond or other security conforming to LMC 19.80.210;
- (h) If a local improvement district is proposed, a petition for creation of the district, unless the city council in approving the preliminary plat indicated it would create a district by resolution;
- (i) Payment of any inspection and final application fees as required by this chapter and as established in the Community and Economic Development Department Master Fee Schedule;

- (j) Bill of sale for all infrastructure as applicable;
- (k) Quit claim deed for all public real property and dedication deeds as required;
- (l) Affidavit of no liens;
- (m) Maintenance bond and warranty deeds; and
- (n) Three copies of operations and maintenance manuals for all mechanical components installed.

(3) Monuments and Proper Markers.

- (a) Monuments shall be placed at all subdivision boundary angle points, points of curvature in streets, and such intermediate points required by the city engineer. The monuments shall be of the type and design as approved by the city engineer and shall be constructed in accordance with city specifications.
- (b) The boundary points of all blocks within the subdivision shall be marked by a galvanized iron pipe or rebar not less than one and one-half inches in diameter and 36 inches in length and firmly driven into the ground.
- (c) All corners of all lots shall be marked by a reinforcement bar or iron pin not less than five-eighths inch in diameter and 36 inches in length, firmly driven into the ground.
- (d) The department of public works shall be furnished with a set of as-built plans showing the location of all lot lines as extended to the lot line and the location of all sewer and water laterals to each lot.

(4) Review by City Engineer. The owner shall submit the original drawing of the proposed final plat and supplementary information stipulated in this section to the department of community development for review. The city engineer shall:

- (a) Inspect the detail and computations of the final plat for conformance with the specifications and standards of this chapter;
- (b) Inspect the final plat for conformance with the preliminary plat approved by the city council and conditions made a part of such approval;
- (c) Determine either that all required improvements have been installed or that certain improvements may properly be deterred under LMC 19.80.210; and
- (d) When the city engineer is satisfied with the detail and computations of the plat, determines that the plat conforms to the preliminary plat and conditions and approves the subdivision, he/she shall signify their approval by signing the original and Mylar copies copy of the final plat. If the city engineer is not satisfied with the detail and computations of the final plat, and finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he/she shall withhold their signature until the matter is corrected or resolved by the applicant to the satisfaction of the engineer. Prior to approval of the final plat by the city engineer, all engineering review fees shall be paid in accordance with Chapter 12.08 and Chapter 12.10 LMC.

(5) Review by the Community Development Director. When the director is satisfied with the details of the plat, determines that the plat conforms to the approved preliminary plat and conditions set thereon, and determines that improvements either are complete or may properly be deferred, he/she shall forward the plat to the planning commission for review. If the director is not satisfied with the detail of the final plat, finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he/she shall return the plat to applicant until the matter is corrected or resolved by the applicant to the satisfaction of the director.

(6) Review by the Planning Commission – Subdivisions. After the inspection by the community development director, the planning commission shall review the proposed final subdivision for conformance with the preliminary plat and conditions approved by the council. Such review shall take place at a regular public meeting.

(a) If the planning commission finds a final plat to be conforming, the commission chairman shall signify the commission's approval by signing the original drawing, and Mylar copies, then shall forward them to the city clerk-treasurer for consideration by the council.

(b) If the commission finds that a final plat contains significant divergences from the approved preliminary plat, it shall withhold its approval, return the plat sheets to the applicant, and provide a statement indicating the reasons for the withholding of approval and the changes necessary. If the applicant does not modify the proposed final plat to the commission's satisfaction, the city's approval of the preliminary plat shall become null and void. To be reactivated, the plat must be resubmitted as a new preliminary plat subject to the provisions of this division, including payment of preliminary plat review fees.

(7) Review by the City Council – Subdivisions. The city council shall review final plats at a public meeting considering the factors set forth below. The council review shall occur after the director and planning commission have completed review. The council shall determine whether:

(a) The final plat substantially conforms to the approved preliminary plat and conditions set thereon;

(b) The public uses and interest will be served by the subdivision and the final plat meets the requirements of Chapter 58.17 RCW and of this chapter;

(c) Improvements have been completed or properly guaranteed to be completed in accordance with LMC 19.80.210;

(d) The required dedications, certifications and acknowledgments and signatures required by this chapter have been duly stated and obtained;

(e) Inspection and street sign fees have been paid;

(f) Proposed covenants are in satisfactory form and ready for recording with the final plat; and

(g) Any other supplementary materials required by this division or by the council have been satisfactorily completed. If the council affirmatively makes the above determinations, the mayor shall inscribe and execute the council's will on the face of the original drawing and Mylar copies of the final plat. If the council withholds approval, it shall return the plat sheets and supplementary material to the applicant and provide a statement of reasons for its decision and of the changes necessary to permit granting approval. (Ord. 3090 § 2, 2009).

**19.80.170 Final plat drawing and recording.**

(1) The final plat shall be drawn in indelible black ink on a sheet of paper or Mylar having dimensions of 18 by 24 inches, or approved substitute, and on a standard recorder's plat sheet 18 inches by 24 inches, with a three-inch-wide hinged binding on the left border. If more than one sheet is required, the sheets shall be numbered and indexed. The scale may range from 50 feet to the inch, to 200 feet to the inch, unless otherwise approved by the director; provided, that when more than one sheet is required, an index sheet of the same size shall be filed showing the entire subdivision on one sheet with block and lot numbers. All signatures on the Mylar and final plat and recorder's plat sheet shall be originals. The final plat shall show the following information:

(a) Name of the subdivision, date, north-pointing arrow and scale;

(b) Boundary lines of the subdivision tract, with courses and distances marked thereon, as determined by field survey made by an engineer or land surveyor registered in the state of Washington, and determined by them to close with an error of not more than one foot in five thousand feet;

- (c) Lines, including centerlines, and names for all street rights-of-way, other ways, easements and areas intended for public use or granted for use of inhabitants of the subdivision;
- (d) The length and bearing of all straight lines, curves, radii, arcs and tangents of curves;
- (e) Exact width and purposes of rights-of-way, street pavement width and easements;
- (f) Dimensions along each line of every lot in feet and decimals of a foot to the nearest hundredth, with the true bearings, and any other data necessary for location of any lot line in the field;
- (g) Primary control points and all permanent monuments found or established in accordance with this chapter, with descriptions and ties to such control points and to which all dimensions, angles, bearings and similar data given on the plat shall be referred;
- (h) Section and donation land claim lines within and adjacent to the subdivision;
- (i) The front yard setback line for every lot in accordance with the zoning ordinance;
- (j) The names of all subdivisions immediately adjacent to the subdivision;
- (k) A metes and bounds legal description of the subdivided tract;
- (l) All dedication of land shown clearly and precisely on the face of the plat;
- (m) All open space, facilities and improvements reserved for use of the subdivision residents and restrictions on their use shown clearly and precisely on the face of the final plat;
- (n) The parcel numbers written along the left border of the Mylar final plat parallel to the left border;
- (o) The street address of each lot and lot numbers as correspond with those on the construction drawing;
- (p) Statement of the covenants restricting use of subdivision property or reference to the volume and page where recorded separately;
- (q) Reference points to base flood elevations with the base flood elevations listed;
- (r) Dedication, Acknowledgment and Endorsement. The following information shall appear on the final plat, Mylar and recorder's plat sheet, lettered and signed in ink:

(i) Legal Description. Metes and bounds description of the subdivided tract.

(ii) DEDICATION

Know all men by these presents that \_\_\_\_\_, the undersigned \_\_\_\_\_ owner(s) in fee simple \_\_\_\_\_ of the land hereby subdivided, hereby declare this subdivision and dedicate to the use of the public forever, all streets and easements or whatever public property; there is shown on the plat and the use thereof for any and all public purposes; also, the right to make all necessary slopes for cuts or fills upon the lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all streets, shown hereon.

(iii) IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Signed and Sealed \_\_\_\_\_

(iv) ACKNOWLEDGMENTS

STATE OF WASHINGTON)

COUNTY OF COWLITZ)

THIS IS TO CERTIFY THAT ON THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me the undersigned, a Notary Public, personally appeared \_\_\_\_\_, to be known to be the individual(s) who executed the foregoing instrument for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have set my hand and seal the day and year in certificate first above written \_\_\_\_\_ Notary Public in and for the State of Washington residing at \_\_\_\_\_

(v) Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

City Engineer

(vi) Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Chairman, Attest, Secretary

Longview Planning Commission

(vii) Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Mayor, City of Longview Attest, City Clerk

(viii) I hereby certify that the taxes of the land described hereon have been paid to and including the year of 20\_\_\_\_.

\_\_\_\_\_

Cowlitz County Treasurer

(ix) SURVEYOR'S CERTIFICATE

STATE OF WASHINGTON

COUNTY OF COWLITZ

I \_\_\_\_\_, do hereby certify that the plat of \_\_\_\_\_ is based on an actual survey, that the distances, courses and angles are shown hereon correctly, that the monuments have been set and lot corners staked correctly on the ground.

\_\_\_\_\_

Licensed Land Surveyor

Subscribed and Sworn before me this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Residing at \_\_\_\_\_

(x) Filed for record at the request of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_ minutes past \_\_\_\_ o'clock \_\_.M., and recorded in Volume \_\_\_\_, of Plats, on page \_\_\_\_, Records of Cowlitz County, Washington.

\_\_\_\_\_  
Cowlitz County Auditor

\_\_\_\_\_  
Deputy Auditor

(xi) PROTECTIVE COVENANTS

1. A list of conditions and/or restrictions imposed either by the city upon the applicant or by the applicant upon purchasers of lots or tracts within the subdivision when the developer proposes to impose restrictions more strict than the requirements of the zoning ordinance in effect, as to the use of the lots, yard requirements, open spaces or building lines, a statement of the provisions and means whereby such restrictions are to be imposed shall be listed on the plat and filed with the plat, unless otherwise approved by the director.

2. Filing. After all signatures have been affixed to the final plat, the applicant or their designee shall record the final plat, along with all associated attachments, with the Cowlitz County Auditor and shall pay the county auditor recording fees for the final plat and associated attachments. One reproduced full copy of mylar of the recorded final plat material shall be furnished to the city engineer. One reproduced full copy of mylar material the recorded final plat shall be furnished to the county engineer's office.

(Ord. 3090 § 2, 2009).

**19.80.180 Modification to adopted standards.**

(1) To provide opportunities for unique development designs and the ability to accommodate site constraints, the city council, upon recommendation from the planning commission, may consider modifications to the adopted standards of this title, including the public works specifications and those standards set forth in Chapter 12.50 LMC, if the applicant demonstrates that four or more of the following criteria are met:

- (a) There are topographical or physical conditions such as steep slopes, wetlands, water area structures, streets, utilities, lot patterns, street patterns or other conditions that justify departure from strict adherence to the standard to be modified;
- (b) That the modification is consistent with sound engineering principles and it will be safe, practical and efficient;
- (c) That the proposed modification is consistent with the intent and purpose of the standard being modified;
- (d) That the proposed modification is consistent with the goals and policies of the comprehensive plan;
- (e) Hardship, as distinguished from mere inconvenience would result from strict compliance with the standards of this chapter;
- (f) The modification complies with the spirit and intent of this chapter and will not be detrimental to the public health, safety, or welfare or injurious to other property in the vicinity; and
- (g) In the case of a modification to sidewalk standards, adequate provision will be made for pedestrian and bicyclist movement and safety.

(2) Requested modifications shall be included in the preliminary plat application and will be reviewed concurrently with the preliminary plat application.

(3) Variances to Zoning Standards. Requested zoning variances that are submitted and processed in conjunction with a preliminary plat shall be reviewed and a decision issued concurrently by the city council utilizing the criteria above and Chapter 19.12 LMC. A single combined public hearing notice and notice of application/SEPA notice should be utilized. Petitioners for variances shall describe fully the variance sought and the grounds for the application. The planning commission shall develop separate recommendations on variance applications and forward such recommendations to the city council along with the recommendation and the council's action may be for a lesser degree of variation from a standard than sought by the applicant, and may include conditions. (Ord. 3090 § 2, 2009).

**19.80.190 Modifications to approved preliminary plats.**

Modifications to an approved preliminary plat prior to final plat approval and recording may be approved consistent with this section. For the purposes of this section, "modification" shall mean any change to an approved preliminary plat and associated conditions required by the community development director.

(1) Modifications that result in an increase in density or a change in design that has the potential to substantially impact abutting properties or result in a substantial departure from the approved preliminary plat, as determined by the community development director, shall be referred to the planning commission for recommendation, with final decision issued by the city council and shall require public notice and hearing in accordance with the preliminary plat process outlined in this chapter. At the community development director's discretion, modification requests that are considered minor in scope will be processed administratively by the city, upon review by city staff;

(2) Any decision granting or denying a modification request shall be in writing and supported by findings of fact and conclusions which address the criteria for modification as follows:

(a) There will be no significant adverse impact to neighboring property or the general public as a result of the modification;

(b) The modification is not contrary to the purpose section of this title or to any policy or provision of the zoning code or applicable sewer, water, storm drainage or transportation plans;

(c) The modification protects the public interest and will result in a preferred design as determined by the community development director; and

(3) Conditions may be required to protect the public interest, achieve compliance with the comprehensive plan, and to mitigate any adverse impacts resulting from approval of the modification. (Ord. 3090 § 2, 2009).

**19.80.200 Alteration or vacation of approved subdivisions.**

Alterations or vacations of approved, recorded subdivisions shall be processed pursuant to RCW 58.17.215 and all applicable portions of this title. (Ord. 3090 § 2, 2009).

**19.80.210 Assurance for completion and maintenance of improvements.**

(1) Responsibility for Construction and Installation of Improvements.

(a) It shall be the responsibility of the applicant to construct and install permanent and interim improvements required by this section or this chapter or as otherwise required by the city council, with the expense of making such improvements to be borne solely by the applicant. However, the city council may form a local improvement district when an improvement will serve a wider area than the subdivision alone. Work performed within current or future public right-of-way shall comply with the bonding requirements of this section, public works department policies and standards, and this chapter.

(b) Construction, repair, expansion, improvements or other provision of off-site improvements required by the city council as part of preliminary plat approval shall be the responsibility of the applicant, unless the city council resolves to share the responsibility and cost with the applicant or to create a local improvement district to bear the entire cost or a portion thereof.

(c) The city council may defer construction or installation of any improvement required as part of a proposed subdivision when in its judgment, future planning considerations, lack of connecting facilities, or other

circumstances make the improvement inappropriate at the time. In such event, the council may require one or more of the following prior to final plat approval:

- (i) That the applicant dedicate land for future construction or installation of the improvement;
- (ii) That the applicant pay to the city their share of the cost, as estimated by the city engineer, of constructing or installing the improvement at a later date; said payment shall be held in an account reserved for future improvement, and any unused portion shall be returned to the applicant; and/or
- (iii) That the applicant post a bond or other security in conformance with this chapter assuring completion of said improvement by the applicant at the demand of the city.

(2) Options for Completion of Permanent and Interim Improvements.

(a) Permanent Improvements. No final plat shall be approved by the city council unless one or a combination of the following methods assuring completion and maintenance of permanent improvements required of the applicant is satisfied:

- (i) All improvements of the applicant have been completed to the satisfaction of the city engineer; or
- (ii) The applicant posts a plat performance bond, in an amount and with surety and conditions satisfactory to the city, in a form approved by the city attorney, providing for and securing to the city the actual construction and installation of such improvements within a period specified by the city, and expressed in the bond. All bonds must be consistent with the standards of this chapter and all public works standards; or
- (iii) The applicant submits a letter of credit from a bank, on a form approved by the city attorney, authorizing a draft from the bank for an amount sufficient to assure satisfactory completion of improvements; said letter shall be accompanied by an agreement between the applicant and the city as set forth in this section; or
- (iv) The applicant submits a certified or cashier's check or assignment of funds, on a form approved by the city attorney, securing to the city the satisfactory completion of the incomplete portion(s) of the improvements required of the applicant. Such check or assignment shall be made payable to the city, and shall be accompanied by an agreement between the city and applicant as set forth in this section.

(b) Maintenance Bonds. As assurance against defective workmanship or materials used in constructing or installing permanent improvements dedicated to the public, the applicant shall be responsible for maintenance of and correction of any defects in said improvements for a period of two years following certification of completion by the city engineer. The maintenance bond shall be for 15 percent of the cost of the improvements. If improvements are not maintained or if defects are not corrected as requested by the engineer, the city may cause the work to be done and may recover the full cost thereof from the applicant or may seek another remedy. The developer shall be responsible for maintenance of interim improvements and at the time deemed appropriate by the city engineer, for their removal. The form must be approved by the city attorney.

(c) Warranty bond will be required before final acceptance of the project, to cover the one-year warranty period for specialty items such as pump stations and associate appurtenances, reservoirs and traffic signals and other defects in the workmanship.

(d) Interim Improvements. In any case when an applicant is required to construct an interim improvement, one or a combination of the forms of security set forth in this section shall be required to assure maintenance of the interim improvements until the permanent improvements are constructed, and, at the appropriate time as determined by the city engineer, removal of the interim improvement.

(3) Conditions of Bond or Agreement.

(a) Any plat performance bond or other security posted in conformance with this chapter shall be subject to the conditions of this section. In the event of personal bonds, letters of credit, checks or assignments of funds, there

shall be executed a formal agreement between the city and the applicant prior to final plat approval fulfilling the conditions of this section.

(b) The improvements to be completed and maintained, and in the case of interim improvements, the improvements to be maintained and removed by the developer shall be specified in the bond or agreement.

(c) The amount of any bond or other security posted or submitted shall be at least 150 percent of the cost of completion of improvements as estimated by the city engineer. In the event of interim improvements, the amount shall include the cost of their completion, maintenance and removal as estimated by the city engineer. The developer may provide cost estimates to the city engineer.

(d) The period in which improvements must be completed shall be specified in the plat performance bond or agreement, which period shall not exceed 18 months from date of final plat approval. Requests for extension shall be made to the planning commission for consideration at a public meeting and shall require a recommendation from the city engineer. The commission shall determine whether sufficient progress has been made and good faith indicated to warrant an extension. The commission shall forward a recommendation to the city council, which shall have sole authority to grant extensions.

(e) Any plat performance bond or agreement shall provide that in the event the specified improvements are not completed within the time limit, the city may declare the bond or agreement to be in default, may complete the work to city specifications, and may recover the full cost thereof from the developer, surety company, bank or cosigner of the security. If the amount of the plat performance bond or other security is less than the cost incurred by the city, the developer shall be liable to the city for the difference. If the amount is greater than the cost incurred by the city, the city shall release the remainder. In the case of any suit or action to enforce provisions of this chapter, the applicant shall pay to the city all costs incidental to litigation, including reasonable attorney fees.

(f) Any plat performance bond or agreement posted or secured under this chapter shall be binding upon the applicant, their heirs, successors and assigns.

(g) Inspection, Maintenance and Removal. Any plat performance bond and any agreement accompanying other secure methods shall include inspection costs.

#### (4) Inspection and Maintenance of Improvements.

(a) Improvements shall be inspected by the city engineer or designee at the start, during, and at completion of construction and installation. The person, firm or contractor actually performing the work shall notify the city engineer at least 24 hours in advance of commencing operations or commencing any construction phase.

(b) Inspection Fee. After completion of improvements, the applicant shall reimburse the city for the actual cost of the inspections. Such inspection fee shall be paid to the city in accordance with Chapter 12.10 LMC. Payment of inspection fees for improvements whose completion is deferred by plat bonding or other security shall be made to the city upon completion of the improvements.

(c) After completion of improvements, the applicant shall reimburse the city for the actual cost of the inspections. The city shall have authority to invoke any bond or other security posted by the applicant to recover actual inspection costs from the developer, surety company, bank or cosigner or to seek other remedy.

(d) As assurance against defective workmanship or materials employed in the construction or installation of permanent improvements dedicated to the public, the developer at their expense shall be responsible for maintenance of and correction of any defects in said improvements for a period of two years following certification of completion by the city engineer. If improvements are not maintained or if defects are not corrected as requested by the city engineer, the city may invoke any bond or other security posted by the applicant, may cause the work to be done, and may recover the full cost thereof from the applicant, surety company, bank or cosigner, or may seek other remedy.

(e) The developer shall be responsible for maintenance of interim improvements, and, at the time deemed appropriate by the city engineer, for their removal. If interim improvements are not adequately maintained, and at the appropriate time removed, the city may invoke any bond or other security posted by the applicant, may cause the work to be done, and may recover the full cost thereof from the developer, surety company, bank or cosigner, or may seek other remedy.

(5) Issuance of Building Permits. No building permit shall be issued prior to final plat approval and until completion of essential site improvements including but not limited to water distribution system including fire protection, sanitary sewer system, storm drain system, final street surfacing, traffic-control devices and street lighting, and other infrastructure as deemed adequate by the city engineer. No occupancy permit shall be issued prior to satisfactory completion of required improvements unless otherwise bonded for and approved by the city.

(6) As-Built Plans. After completion of all required improvements but prior to acceptance of completed work by the city engineer, the applicant shall furnish the city engineer with an acceptable set of reproducible plans indicating the as-built condition of the work. Such plans shall show all changes, additions and deletions in alignments, grades and other engineering detail from the original detailed construction plans, all which shall be certified by a civil engineer registered in the state of Washington responsible for the work. The spatial data (e.g., C.A.D. drawings, etc.) shall also be supplied to the city. (Ord. 3090 § 2, 2009).

**19.80.220 Latecomer reimbursement.**

Latecomer agreements are allowed as provided in Chapter 14.18 LMC, Latecomers Agreements. (Ord. 3430 § 2, 2020; Ord. 3090 § 2, 2009).

**19.80.230 Appeals.**

(1) Subdivisions. Any judicial appeals of the city council's final decision on a preliminary subdivision may be filed as set forth in Chapter 36.70C RCW. (Ord. 3090 § 2, 2009).



## **Memorandum**

**TO:** Longview Planning Commission

**FROM:** Irene Rutikanga, Planner

**MEETING DATE:** April 2, 2025

**SUBJECT:** 4511 Ocean Beach Highway annexation comprehensive plan amendment

The property owners of 4511 Ocean Beach Highway have initiated the annexation of eleven parcels from Cowlitz County to the City of Longview. As part of the annexation process, the applicants are requesting a comprehensive plan amendment.

The subject parcels located at 4511 Ocean Beach Highway and 2128 46<sup>th</sup> Ave are currently developed with multifamily residential apartments and hold a comprehensive plan designation of Community Commercial. The applicants are proposing to amend the comprehensive plan designation to "High-Density Residential" as part of the annexation into the City of Longview.

**Attachment:**

*Exhibit A- Memo to Planning Commission*

*Exhibit B- Annexation Area*

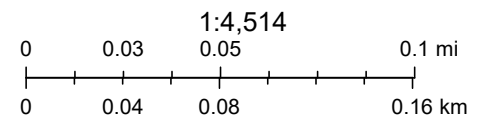
*Exhibit C- Annexation Area Comprehensive Plan Designation*

# City of Longview



3/26/2025, 9:26:55 AM

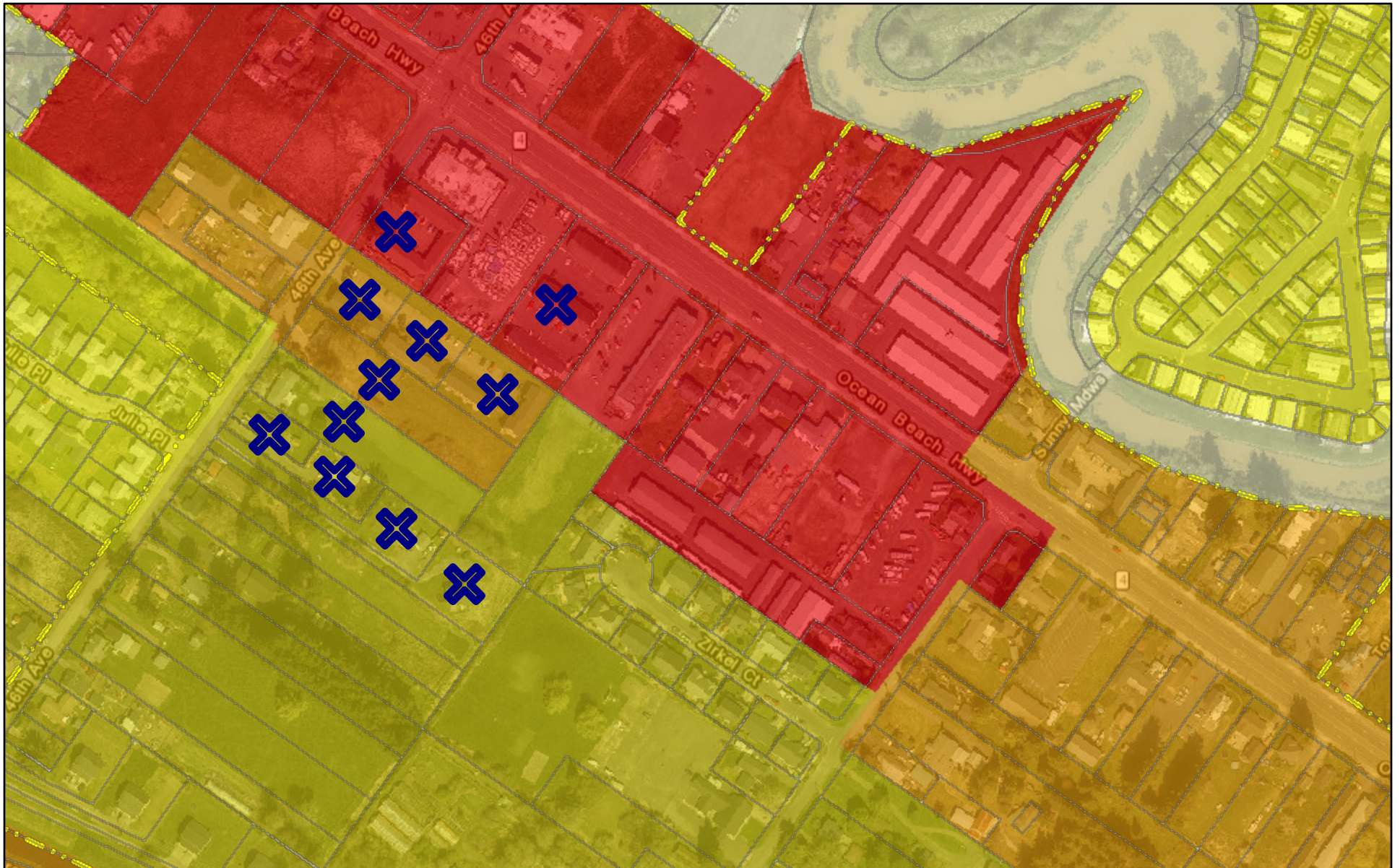
	World_Transportation		Longview City Boundary		R-2		R-3		NC		CBD		
	Override 1		Zoning		R-1		R-2 PUD		R-3 PUD		GC		O/C
	Parcels		R-1 PUD		TNR		R-4		D-C		RC		



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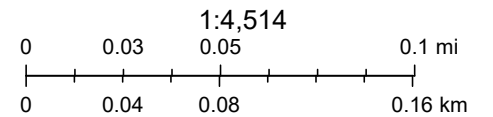
Disclaimer: The City of Longview does not guarantee the accuracy, timeliness, adequacy, completeness or usefulness of any information. The City of Longview provides this information on an "as-is" basis without warranty of any kind.

# City of Longview



3/26/2025, 9:23:48 AM

- |  |                      |  |                               |  |                                  |
|--|----------------------|--|-------------------------------|--|----------------------------------|
|  | World_Transportation |  | Longview City Boundary        |  | Medium Density Residential       |
|  | Override 1           |  | Land Use/Comprehensive Plan   |  | High Density Residential         |
|  | Parcels              |  | Low Density Residential       |  | Mixed Use Residential/Commercial |
|  |                      |  | Traditional Neighborhood Res. |  |                                  |



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