



# 2017 Land Division Ordinance Update

City Council Public Hearing | December 6, 2017

# Review Process

- October 2: Initial Release of Land Division Ordinance Update
- October 6: Issue Notice of Application with Optional DNS
- October 10 & 17: Planning Commission Workshops
- October 20: Issue Notice of Public Hearing
- October 25: Economic Development Committee
- November 7: Planning Commission Public Hearing
- November 15: City Council Workshop
- November 17: Issue Notice of Public Hearing
- November 29: Economic Development Committee
- **December 6: City Council Public Hearing**

# Introduction

- The subdivision of land into lots is governed in Washington State by Chapter 58.17 RCW and by local ordinances adopted under that chapter's authority.
- The City's Subdivision Ordinance is found in Poulsbo Municipal Code Title 17 and was last substantially updated in 1995, with a few amendments since then.
- The 2017 Land Division Ordinance Update is initiated to primarily reformat the ordinance to be consistent with the recent updates of other City land development ordinances. It is a new ordinance and does not include underline/strikeout format.

# Types of Land Division

- **Subdivision:** division or redivision of land into five or more lots.
- **Short Subdivision:** division or redivision of land into four or fewer lots.
- **Binding Site Plan:** an alternative method division of land for commercial or industrially zoned property, for mobile home parks or condominiums.
- **Final Plats:** the final drawing of a subdivision which is prepared for filing to be recorded. This is the mechanism where buildable lots are created.
- **Boundary Line Adjustment:** the process for adjusting property lines between legally created lots. Process cannot create a lot or reduce the size of a lot so that it contains insufficient area and dimension to meet minimum zoning requirements.



# Significant New or Revised Provisions

## **Boundary Line Adjustment (17.30):**

- Clarify the minimum and maximum density requirements (17.30.040.B)
- Set forth the City as the responsible party for recording of the BLA (17.30.050.C).

# Significant New or Revised Provisions

## Short Subdivision (Short Plat) (17.40):

- Define what may constitute a tract, and requirements of identifying and managing tracts (17.40.020.C);
- Establish some limitations on contiguous short plats (17.40.020.D);
- Establishes a new “Final Review Requirements” (17.40.060);
- Eliminates the requirement that short plats be reviewed by the PC prior to approval, except for Infill Short Subdivisions;
- Establishes expiration and ability to extend expiration (17.40.080);
- Establishes new provisions for short plat modifications prior to recording (17.40.090).

# Significant New or Revised Provisions

## Preliminary Subdivision (17.50):

- Define what may constitute a tract, and requirements of identifying and managing tracts (17.50.020.C);
- Sets forth how development in phases or divisions shall occur (17.50.040.C);
- Moves provisions regarding utilities to other section of the ordinance;
- Establishes new provisions for preliminary plat modifications prior to recording (17.50.070);
- Provides additional clarifications for the construction of model homes (17.50.080).

# Significant New or Revised Provisions

## Binding Site Plan (17.60):

- Permit type has changed from Type III to Type II in previous code update, therefore deletion of outdated sections (i.e. removal of Planning Commission review);
- Provides new “Final Review Requirements” section (17.60.070);
- Set forth the City as the responsible party for recording of BSP (17.60.080);
- Establishes expiration and ability to extend expiration (17.60.090);
- Establishes new provisions for binding site plan modifications prior to recording (17.60.100).



# Significant New or Revised Provisions

## Final Plat (17.70):

- Moves instructions for surveys, certification and improvement requirements to other sections of the ordinance;
- Consolidates sections regarding the review process by the City.

# Significant New or Revised Provisions

## Land Division Standards (17.80):

- New section that establishes standards that apply to each of the methods of land division. In general, the provisions were found in the land division type chapter, and are now consolidated into this section. These include survey instructions, utilities, easements, improvements, bonding and maintenance requirements.
- Clarify when and how utilities are to be underground (17.0.040);
- New section setting forth street standards, including frontage improvements and required routes for ingress and egress and emergency access requirements (17.80.050);
- New section setting forth requirements for street connectivity (17.80.060).

# Significant New or Revised Provisions

## Plat Alterations and Vacation (17.90):

- New section establishes procedures for changes to recorded subdivisions, short subdivisions and binding site plans. Primarily set forth by requirements of 58.17 RCW.

# EDC Recommendations (Staff Report Pg 4)

- **Title Report:** Recommends “within 90 days of submission, or as set forth on the application form.”
- **Mode Homes (17.60.080):** Recommends keeping maximum of 4 per division.
- **Maintenance Bonds (17.80.100 E):** Recommends keeping timeframe at 2 years.
- **Signatures:** Recommends keeping draft language.
- **Review Authority:** Recommends a change to 17.100.040.
- **Enforcement Authorization (17.110.010):** Recommends keeping draft language.

# Changes Since Receiving Current Draft

- See Gary Nystul Email



# Proposed Motion

**MOVE** to (approve) (approve with modifications) the City Council Modified November 2017 Land Division Ordinance Update as identified as Exhibit A and include edits identified by Councilmember Nystul; and direct the Planning and Economic Development Director to prepare an adopting ordinance in support of this decision.