

Title 17 - SUBDIVISIONS

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Chapter 17.05
GENERAL PROVISIONS

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[17.05.050 Short title.](#)

[The ordinance codified in Chapters 17.05 through 17.60 Twisp Municipal shall be known and may be cited as the subdivision ordinance of the Town of Twisp, Washington, and shall supplement and implement the state regulations of plats, subdivisions and dedications found in Chapter 58.17 RCW.](#)

[17.05.010 Regulations compliance required.](#)

[\(1\) No division of land or parcel consolidation shall hereafter be made within the incorporated territory of the Town of Twisp, Washington, except in full compliance with the provisions of this title and Chapter 58.17 RCW as it now exists or is hereafter amended. \(Ord. 465 § 1\(A\), 1998\)](#)

[\(2\) A proposed division of land, as defined in RCW 58.17.020, shall be considered under this title and TMC Title 18 or other land use control ordinances or plans, in effect on the land at the time a fully completed application for preliminary plat approval of the subdivision, or short plat approval of the short subdivision, has been submitted to the Town.](#)

[\(a\) The requirements for a fully completed application are defined in Chapter 14.05 TMC](#)

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(b) The limitations imposed by this section shall not restrict conditions imposed under SEPA (Chapter 43.21C RCW)

17.05.015 Reference to regulations, codes and standards.

References to specific statutes, codes and standards in this title shall include amendments to such statutes, codes and standards as they may hereafter occur.

17.05.020 Purpose.

The provisions of this title are adopted to:

- (1) Comply with the requirements of Chapter [58.17](#) RCW;
- (2) Promote the public health, safety and general welfare in accordance with standards established by the state of Washington to prevent the overcrowding of land;
- (3) Provide uniform standards and regulations for the division of land;
- (4) Lessen congestion in the streets and highways;
- (5) Promote effective use of land consistent with environmentally sensitive development practices;
- (6) Promote safe and convenient travel by the public on streets and highways;
- (7) Provide for adequate light and air;
- (8) Facilitate adequate provision for water, storm drainage, sewerage, parks and recreation areas, sites for schools and school grounds, and other public requirements;
- (9) Provide for proper ingress and egress;
- (10) Provide for the expeditious review and approval of proposed subdivisions which conform to zoning standards and local plans and policies;
- (11) Adequately provide for the housing and commercial needs of the citizens of the Town of Twisp;
- (12) Be consistent with and to implement the intent and spirit of the comprehensive plan and State Environmental Policy Act guidelines including the necessity for preparation of an environmental impact statement in event of a declaration of significance; and
- (13) Require uniform monumenting of land subdivisions and conveyancing by accurate legal description. (Ord. 465 § 1(B), 1998)

17.05.030 Scope.

In their interpretation and application, the provisions of this title shall be held to be standard requirements, adopted for the promotion of the public health, safety or general welfare. Wherever the requirements of this title are at variance with the requirements of any other lawfully adopted rules, regulations, and ordinances, including the Town of Twisp zoning ordinance, as it now exists or is hereafter amended, the State Environmental Policy Act and Shoreline Management Act, the most restrictive, or those imposing the higher standards shall govern. (Ord. 465 § 1(C), 1998)

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17.05.040 Severability.

If any provision of this title is for any reason held or adjudged to be invalid, the remainder of this title shall not be affected. If any provisions of this title have inadvertently quoted the incorrect ordinance or RCW reference, they may be corrected by the administrator, Town of Twisp [Town Council](#), or Town attorney without the necessity of resubmission and the hearing process, as long as the alteration in no way affects the meaning or intent. (Ord. 465 § 1(D), 1998)

17.05.050 Exemptions.

Pursuant to RCW [58.17.040](#), the provisions of this title shall not apply to:

- (1) Cemeteries and other burial plots, while used for that purpose;
- (2) Divisions of land, in accordance with the applicable zoning density or lot size requirements, into lots or tracts each of which is one thirty-second of a section of land or larger, or 20 acres or larger if the land is not capable of description as a fraction of a section of land, unless the Town adopts a subdivision ordinance requiring plat approval of such divisions; 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 center line of the road or street and the side lot lines of the lot running perpendicular to such center line;
- (3) Any division made by testamentary provisions or the laws of descent. Lots formed in this fashion must meet the requirements of all other ordinances and may or may not be buildable lots;
- (4) A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted 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 lot area and dimensions to meet minimum requirements for width and lot area for a building site as contained in the Town zoning [code ordinance](#), as it now exists or is hereafter amended. For procedure on performing boundary line adjustments see TMC [17.05.080](#);
- (5) Divisions of land into lots or tracts classified for industrial or commercial use when the Town has approved a binding site plan for the use of the land in accordance with local regulations;
- (6) A division for the purpose of lease when no residential structure other than manufactured homes or recreational vehicles are permitted to be placed upon the land when the Town has approved a binding site plan for the use of the land in accordance with [zoning and any other Town regulations applicable to the approved binding site plan](#); ~~local regulations~~;
- (7) Divisions of land into lots or tracts if:
 - (a) Such division is the result of subjecting a portion of a parcel or tract of land to either Chapter [64.32](#) or [64.34](#) RCW subsequent to the recording of a binding site plan for all such land;
 - (b) The improvements constructed or to be constructed thereon are required by the provisions of the binding site plan to be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners; associations have a membership or other legal or beneficial interest;
 - (c) The Town has approved the binding site plan for all such land;

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(d) Such approved binding site plan is recorded in the Okanogan County Assessor's office;

(e) The binding site plan contains thereon the following statement:

All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the Town, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one or more condominiums or owned by an association or other legal entity in which the owners of units thereon or their owners' associations have a membership or other legal interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein. The binding site plan may, but need not, depict or describe the boundaries of the lots or tracts resulting from subjecting a portion of the land to either Chapter [64.32](#) or [64.34](#) RCW.

A site plan shall be deemed to have been approved if the site plan was approved by the Town:

(i) In connection with the final approval of a long plat or planned unit development with respect to all of such land; or

(ii) In connection with the issuance of building permits or final certificates of occupancy with respect to all of such land; or

(iii) If not approved pursuant to subsections (7)(e)(i) or (7)(e)(ii) of this section, then pursuant to such other procedures as the Town may have established for the approval of a binding site plan;

(8) A division for municipal purposes when approved by the Town Council. (Ord. 465 § 1(E), 1998)

(9) 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

(10) 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 the Town. 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.

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17.05.060 Qualified exemptions.

The administrator may exempt the following actions from the requirements of this title as not constituting divisions of land for the purpose of sale or lease, when satisfied that the conditions set forth in this section have been met.

(1) A division provided for by law not for the purpose of sale or lease including, in the absence of the administrator finding circumstances to the contrary, the following:

(a) Financial segregations which do not involve a division of land through transfer of fee simple ordinance. This exemption is limited to mortgages or deeds of trust executed solely for the purpose of securing financial obligations that are conducted in all respects in compliance with the laws governing same.

(b) A division by court order limited to the following and not including voluntary transfers of land in lieu of compliance with the applicable judicial procedures governing them: mortgage or deed of trust foreclosures, and property distributions between spouses pursuant to separation or dissolution proceedings.

(2) A prior division of land as defined in TMC [17.10.160](#). (Ord. 465 § 1(F), 1998)

17.05.070 Qualified exemption applications.

(1) Applications for qualified exemptions shall be submitted to the Town on forms provided by the administrator and shall be accompanied by a nonrefundable application fee as set forth in the adopted Town Fee ~~Schedule~~~~resolution~~. The administrator may require submittal of pertinent instruments, court orders, affidavits and the like sufficient to determine whether specific actions may be exempt.

(2) Exemption may be granted by the administrator for only those actions which do not contravene the spirit and intent of this title and the applicable state statutes. (Ord. 465 § 1(G), 1998)

17.05.080 Boundary line adjustment – Procedure.

~~An a~~Applications for a boundary line adjustment ~~is a Type I action~~, which shall ~~processed in compliance with Chapter 14.05 TMC, and~~ be accompanied by an application fee as specified in the Town's adopted ~~F~~fee ~~resolution~~~~Schedule~~, shall adhere to the following procedure:

(1) Boundary line adjustments may be performed between owners of contiguous lots which are legally separate, as allowed by TMC [17.05.050](#)(4), provided:

(a) The administrator certifies the following:

(i) No new lots are created. If you start with two parcels you must end up with two parcels;

(ii) The character of the parcels ~~are-is~~ not substantially altered. If a lot has access to a body of water, a boundary line adjustment may not be performed if the lot loses its access to the water;

(iii) The new parcel configurations contain sufficient area and dimension to meet requirements for width, area and zoning for a building site. A boundary line adjustment between existing nonconforming lots shall not result in lots of greater nonconformity with the exception of lot

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area. Lot reduction shall be the minimum necessary to accomplish the objective of the boundary line adjustment;

(iv) The new parcel configuration does not result in the loss of access to any public or private road. Access may be provided by easement noted on parcel deeds.

(b) All boundary line adjustments will be reviewed on a case-by-case basis ~~following submittal of a completed application form~~. Approval of boundary line adjustments may be conditioned and such conditions can vary greatly. An application form available from the administrator shall be completed including the following information:

(i) A legal description of the parcels involved in the boundary line adjustment;

(ii) A legal description and appropriate drawing of sufficient accuracy and legibility to be recorded in the office of the Okanogan County Auditor. Said drawing must indicate the proposed new parcel boundaries;

(iii) A signature of all fee owners or authorized agents having authority to sign for properties involved in the boundary line adjustment;

(iv) The signature and stamp of a professional land surveyor, unless alternative method is approved by the administrator. The requirement may be waived if TMC [17.15.040\(2\)](#) applies;

(v) Conveying document.

(c) The boundary line adjustment will not take effect until recorded in the office of the Okanogan County Auditor.

(2) A reconfiguration of the boundaries of property may be performed provided the administrator certifies the following for each procedure:

(a) A parcel consolidation of contiguous lots of the same ownership may be joined for tax purposes only; provided the owner files a written request to be acknowledged by the administrator and filed with and approved by the Okanogan County Assessor's office.

(b) A parcel consolidation of contiguous lots of the same ownership may be joined and be considered one piece of property for development purposes; provided the owner files a written request to be acknowledged by the administrator and filed with and approved by the Okanogan County Assessor's office. Said consolidation parcels shall remain joined so long as the development exists.

(c) Previously platted property that has been consolidated for tax purposes and/or planning purposes may have property lines recognized along said plat lines; provided the development on each lot or groups of lots can be supported by the existing zoning, building, fire, and access codes at the time of reconfiguration. Said pieces of property may be considered as separate developable units.

(d) Open acreage parcels that have been joined under one tax parcel number may be separated and considered separate distinct parcels provided the owner can demonstrate:

(i) The property was joined for tax purposes only;

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(ii) Separate legal descriptions have been recorded for each parcel that is less than minimum acreage platting exemption in existence of the time of the reconfiguration;

(iii) The development on each proposed parcel can be supported by the existing zoning, building, fire, and access codes at the time of reconfiguration. Said pieces of property may be considered as separate developable units.

(3) Recognition. The Town may not recognize the property line adjustments for permitting purposes until such time as the owner furnishes a copy of the recorded action. (Ord. 465 § 1(H), 1998)

17.05.85 Parcel Consolidation—Procedure.

(1) An application for a parcel consolidation is a Type I action, which shall be processed in compliance with Chapter 14.05 TMC and accompanied by an application fee as specified in the Town's adopted fee schedule. Parcel consolidations may be performed between an owner of contiguous lots which are legally separate, provided:

(2) The administrator certifies the following:

(a) The character of the parcels is not substantially altered (e.g., if a lot has access to a body of water, a parcel consolidation may not be performed if the lot loses its access to the water);

(b) The new parcel configuration contains sufficient area and dimension to meet minimum requirements for width, area and zoning for a building site.

(c) A parcel consolidation between existing nonconforming lots shall reduce nonconformity with existing zoning; and

(d) The new parcel configuration does not result in the loss of access to any public or private road. Access may be provided by easement noted on parcel deeds.

(3) All parcel consolidations will be reviewed on a case by case. Approval may be conditioned and such conditions can vary greatly. An application form available from the administrator shall be completed including the following information:

(a) A legal description of the parcels involved in the consolidation;

(b) A legal description and appropriate drawing of sufficient accuracy and legibility to be recorded in the office of the Okanogan County Auditor. The drawing must indicate the proposed new parcel boundaries;

(c) A signature of all fee owners or authorized agents having authority to sign for properties involved in the consolidation;

(d) The signature and stamp of a professional land surveyor, unless alternative method is approved by the administrator (may waive requirement if Section 17.15.040 applies); and,

(e) Conveying document.

(4) The consolidation will not take effect until recorded in the office of the Okanogan County Auditor and a copy, as recorded, is provided to the Town.

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17.05.090 Floodplain land.

In accordance with RCW [58.17.120](#), no plat shall be approved by the Town covering any land situated in a flood control zone as provided in Chapter [86.16](#) RCW without the prior written approval of the Washington State Department of Ecology. (Ord. 465 § 1(I), 1998). All subdivisions within areas designated as 100-year floodplain on the current Flood Insurance Rate Map produced by the Federal Emergency Management Agency shall be required to comply with the regulations contained in Chapters 16.10, 16.15 and 18.60 TMC.

17.05.095 Large lot segregations.

(1) Applicability. When three or more parcels of land, the smallest of which is at least 20 acres in size (or one thirty-second of a section if the land is capable of description as a fraction of a section of land), are proposed to be created from a parent parcel, the provisions of this chapter shall apply. The large lot segregation needs to be approved prior to the sale of individual parcels. Boundary line adjustments shall not be used in conjunction with large lot segregations in order to adjust lots less than 20 acres in area or one thirty-second of a section of land, without the filing of a short plat, long plat or planned development.

(2). Application and contents.

Application for a large lot segregation is a Type I action and shall be processed in compliance with TMC Chapter 14.05 TMC and be accompanied an application fee as specified in the Town's adopted fee schedule. The following information is required in addition to the requirements of Chapter 14.05 TMC:

- (a) A legal description and accompanying map drawn to reflect the legal description of both the existing parcel(s) and the proposed segregations;
- (b) Proof of compliance with access and utility requirements per TMC Chapters 17.35 and 17.40;
- (c) Proof of the availability of and access to water and sewer.
- (d) 911 addresses as assigned by the Town for each parcel created;
- (a)(e) Proposed names of newly created access roads (both public and private).

17.05.100 Amendment of ordinance.

Any provision of this title may be amended by following the applicable procedures found in the Town of Twisp zoning code ordinance, as it exists or is hereafter amended; provided, that the provisions of TMC ~~18.50.099~~[18.50.100](#)(3)(a) shall not apply. (Ord. 465 § 1(J), 1998)

17.05.110 Authority.

This title is adopted pursuant to the authority of Chapter [58.17](#) RCW. (Ord. 465 § 1(K), 1998)

17.05.120 Other ordinances or regulations.

Whenever an ordinance of the Town is referenced in this title it shall mean as it now exists or is hereinafter amended. (Ord. 465 § 1(L), 1998)

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DEFINITIONS

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17.10.005 Generally.

Whenever the words and phrases set forth in this chapter appear in this title, they shall be given the meaning attributed to them in this chapter. Words and phrases not defined in this chapter may be defined in the Twisp zoning ordinance as it now exists or is hereafter amended. In such cases, the definitions of the zoning ordinance shall apply. When not inconsistent with the context, words used in the present tense include the future; the singular includes the plural, and the plural the singular; "shall" is always mandatory and "may" indicates a use of discretion in making a decision. (Ord. 465 § 2(A), 1998)

17.10.010 "A" definitions.

"Access corridor" means a private easement providing primary access from a public right-of-way to a lot, parcel or tract of land. Such corridors shall meet applicable requirements of Chapter [17.40 TMC](#) regarding access corridors.

"Administrator" means the town of Twisp Town Clerk or other person designated by the Twisp Mayor and approved by the Town Council.

"Alley" means a narrow street, dedicated to public use, used primarily for vehicular access or utility installation to the rear or side of properties otherwise abutting on another street.

"Amendment" means a change in the wording, content or substance of this title.

"Appeal" means a request for review of a decision, determination, order or interpretation, by the administrator or Town Council of any provision of this title.

"Applicant" means a person submitting an application for any permit or approval required by this title and who is the owner of the subject property or the authorized agent of the owner.

"Application, complete" means the application form, together with all the accompanying documents and exhibits required by this title or the responsible official, and all appropriate fees having been reviewed and accepted as complete by the appropriate responsible official or his/her designee including State Environmental Policy Act documentation and fee therefor as required. (Ord. 465 § 2(A), 1998)

17.10.020 "B" definitions.

"Block" means a group of lots within a plat.

"Buildable lot" means a lot upon which the Town of Twisp will issue a building permit in accordance with zoning and other applicable regulations. (Ord. 465 § 2(A), 1998)

17.10.030 "C" definitions.

"Comprehensive plan" means the Town of Twisp Comprehensive Plan and any amendments, addendum or supplemental plans that are duly adopted by the Town.

"Condition(s) of approval" means restrictions or requirements imposed by a reviewing official or body pursuant to authority granted by this title.

"Consulting engineer" means the engineering firm selected by the Town and appointed by the mayor as the Town's official engineer.

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"County auditor" means the Okanogan County Auditor authorized pursuant to Chapter [36.22](#) RCW as it now exists or is hereafter amended.

"County treasurer" means the Okanogan County Treasurer authorized pursuant to Chapter [36.29](#) RCW as it now exists or is hereafter amended.

"Cul-de-sac" means a short street having one end open to traffic and being permanently terminated by a vehicle turn-around. A temporary cul-de-sac may be similar in appearance but have a tract of land through which the roadway may eventually be extended. (Ord. 465 § 2(A), 1998)

17.10.040 "D" definitions.

"Dedication" means to convey ownership of property or a specific property right, via a written instrument, to a public agency/entity for a specific use or purpose, such as roads, parks or trails; or to set aside, designate or reserve an area for a specific use or purpose.

"Development agreement" means a binding contract between a landowner/developer/non-profit that defines responsibilities and timing for the design, construction and acceptance of improvements required as a condition of approval for a short or long plat, planned development or binding site plan.

"Development guidelines and standards" means those design and construction standards set forth in the Town of Twisp "Development Standards Manual" as it exists or hereinafter amended, outlined in this subdivision ordinance, the Ttown of Twisp zoning ordinance code and any other applicable ordinances of the Ttown of Twisp.

"Divide" means any transaction or action, not otherwise exempt or provided for under the provisions of this title, which alters or affects the shape, size or legal description of any part of an owner's land as defined in this section. Sale of a condominium apartment and rental or lease of a building, facility or structure which does not alter or affect the legal description of an owner's land shall not constitute a division of land.

"Division of land," for purposes of this title, is any transaction or action, not otherwise exempt or provided for under the provisions of this title, which alters or affects the shape, size or legal description of any part of an owner's parent parcel. Sale of a condominium apartment and rental or lease of a building, facility or structure which does not alter or affect the legal description of an owner's land shall not constitute a division of land. (Ord. 465 § 2(A), 1998)

17.10.050 "E" definitions.

"Easement" means the granting of the use of one or more property rights by the property owner to and/or for an individual, entity, corporation, or the public.

"Environmental review" means the procedures and requirements established by the State Environmental Policy Act, Chapter [43.21C](#) RCW, as it now exists or is hereafter amended. (Ord. 465 § 2(A), 1998)

17.10.060 "F" definitions.

"Final approval" means the final official action taken by the Ttown eCouncil on the final plan, long subdivision, or dedication or portion thereof, that has previously received preliminary approval.

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"Final Long Plat" means the final drawing of the subdivision and dedication prepared for filing for record with the Okanogan County Auditor and containing all elements and requirements set forth in this title.

"Finding" means a conclusion of conflict reached by the reviewing official, commission, or Town Council in a review process and based on the evidence available therein.

"Floodplain" means the land area susceptible to being inundated by stream-derived waters with a one-percent chance of being equaled or exceeded in any given year. The limit of this area shall be based upon flood ordinance regulation maps. This area is synonymous with the 100-year floodplain. (Ord. 465 § 2(A), 1998)

17.10.070 "G" definitions.

Reserved.

17.10.080 "H" definitions.

"Homeowners' association" means a community association, other than a condominium association, in which individual owners share ownership or maintenance responsibilities for open space or facilities. (Ord. 465 § 2(A), 1998)

17.10.090 "I" definitions.

Reserved.

17.10.100 "J" definitions.

Reserved.

17.10.110 "K" definitions.

Reserved.

17.10.120 "L" definitions.

"Land" means any lot, parcel or tract of real property, such as ground, soil, earth.

"Local Access" means streets not selected for inclusion in the arterial or collector classes. They allow access to individual homes, shops, and similar traffic destinations. Direct access to abutting land is essential, for all traffic originates from or is destined to abutting land. Through traffic should be discouraged by appropriate geometric design and /or traffic control devices. The remainder of Twisp's streets that are not classified above are designated as local access.

"Local major collector" means routes that provide services from higher classified roads and to other traffic generators, such as schools, shipping points, commercial areas, developed residential areas, parks, important agricultural areas, etc. In addition, these routes should link larger towns and/or cities with routes of higher classification and should serve the more important inter-county travel corridors. Local Major collectors in the Twisp area include, Glover Street, Twisp Avenue, (Glover to SR20), Twisp Airport Road, Second Avenue (Glover to west Town limits).

"Local minor collector" means routes spaced at intervals, consistent with population density, collect traffic from local access roads and bring all developed areas within a reasonable distance of minor collectors and local and major collectors. Local Minor collectors in the Twisp area include, Canyon Street (SR20 to

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Third), Fifth Avenue (Bridge to SR20), Second Avenue (Methow to Glover), Twisp Avenue (Johnson to end), Wagner Street (SR20 to Industrial Park), Burton Street (SR20 to Riverside) and Riverside Avenue (Burton to Wastewater Treatment Plant).

“Lot” means a division of land: (1) having defined boundaries and shown on a final long plat or short plat officially recorded in the Okanogan County Auditor’s office; or (2) which is a legally recognized prior division or parcel under the provisions of the Town of Twisp subdivision [ordinance code](#).

“Lot area” means the total horizontal area, in square footage within the boundary lines of a lot.

“Lot, corner” means a lot abutting two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.

“Lot coverage” means that portion of the lot that is covered by structures and other impervious surfaces, excluding parking areas and roadways.

“Lot depth” means the horizontal length of a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line.

“Lot line, front” means in the case of an interior lot, the property line separating the lot from the road. For the purpose of establishing the front lot line for a corner lot, the front lot line shall be the property line with the narrowest street frontage, except the building official, or his/her designee, shall designate the front lot line for corner lots in residential districts.

“Lot line, rear” means the property line which is opposite and most distant from the front lot line. For the purpose of establishing the rear lot line triangular or trapezoidal lots, the rear line of which is formed by two or more lines, the following shall apply:

- (1) For a triangular or gore-shaped lot, a line, 10 feet in length, within the lot and farthest removed from the front lot line and at right angles to the line comprising the depth of such lot shall be used as the rear lot line.
- (2) In the case of a trapezoidal lot, the rear lot line of which is not parallel to the front lot line, the rear lot line for the purpose of this title, shall be deemed to be a line at right angles to the line comprising the depth of such lot and drawn through a point bisecting the actual rear lot line.
- (3) In the case of a pentagonal lot, the rear boundary of which includes an angle formed by two lines, such angle shall be employed for determining the rear lot line in the same manner as prescribed for a triangular lot.

“Lot line, side” means any lot boundary line that is not a front or rear lot line.

“Lot, through” means an interior lot having frontage on two streets.

“Lot width” means the horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the front and rear lot lines. (Ord. 465 § 2(A), 1998)

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17.10.130 "M" definitions.

"Maintenance Bond" means any security or surety approved by the Town Attorney that may be accepted as a guarantee that improvements required as a part of any application for development will function as required for at least a one-year period of time following acceptance by the Town Council.

"Major collector" means routes that provide service to the county seat if not on an arterial route, to larger towns not directly served by the higher systems, and to other traffic generators of equivalent inter-county importance, such as consolidated schools, shipping points, county parks, important agricultural areas, etc. In addition, these routes should link larger towns and /or cities with routes of higher classification and should serve the more important inter-county corridors. Major collectors in the Twisp area include, Twisp River Road and Twisp-Winthrop Eastside Road.

"Map, contour" means a map that graphically illustrates variations in land elevations.

"Minor arterial" means streets and highways which connect with remaining arterial and collector roads that extend into the urban area. Minor arterial streets and highways serve less concentrated traffic-generating areas such as neighborhood shopping centers and schools. Minor arterial streets serve as boundaries to neighborhoods and collect traffic from collector streets. Although the predominant function of minor arterial streets is the movement of through traffic, they also provide for considerable local traffic that originates or is destined to points along the corridor. Minor Arterials in the Twisp include SR20, and SR 153.

"Minor collector" means routes that are spaced at intervals, consistent with population density, collect traffic from local roads bring all developed areas within a reasonable distance of a collector road. In addition, these routes should provide service to the remaining smaller communities and link the locally important traffic generators with their rural hinterland. Minor collectors in the Twisp area include the Twisp-Carlton Road.

"Modification of use or development" means any change or alteration in the occupancy, arrangement, placement or construction of any existing use, structure or associated site improvement, and any change or alteration of land.

"Monument, lot corner" means a five-eighths-inch by 24-inch minimum rebar with a plastic cap or other legal method of identifying the land surveyor or a one-inch by 24-inch minimum iron pipe with a plastic plug or other legal method of identifying the land surveyor used for identifying the set corner of a lot of a plat.

"Monument, permanent control" means a five-eighths-inch by 24-inch rebar, one-inch iron pipe or a brass or aluminum cap set in a concrete collar with the surveyor's name and professional license number. If brass or aluminum caps are used, a piece of iron scrap shall be embedded in the concrete collar for magnetic detection. (Ord. 465 § 2(A), 1998)

17.10.140 "N" definitions.

Reserved.

17.10.150 "O" definitions.

Reserved.

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17.10.160 "P" definitions.

"Parent parcel" means those lots, parcels or tracts of land that existed at the time of adoption of this title with separate deeds and/or all lawfully established lots, parcels or tracts since that time. It is from said parent parcel that all subsequent lots, parcels or tracts are created.

"Party of record" means the applicant, any person who testified at the open record public hearing on the application, any person who submitted written comments concerning the application at the open record public hearing (excluding persons who have signed petitions or mechanically produced form letters), or any person who registers in writing at the open record public hearing or with the administrator their desire to be notified of any action on an application.

"Pedestrian way" means a path, trail, sidewalk, or other improvement designed for pedestrian and/or bicycle use that may be surfaced with packed gravel, asphalt or concrete.

"Planning commission" means the Town of Twisp Planning Commission.

"Plat or regular plat" means a map or representation of a long or short subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

"Plat, final long" means the final drawing of the long subdivision and dedication prepared for filing for record with the Okanogan County Auditor and containing all elements and requirements set forth in this title and in any other regulations adopted pursuant to the ordinance codified in this title. After the Okanogan County Auditor has filed and recorded the final long plat, it shall thereafter be known as an authorized plat, long subdivision or dedication.

"Plat, long" means the division or resubdivision of land into five or more lots, tracts, parcels, or sites of divisions for the purpose of sale or lease.

"Plat, preliminary" means a neat and approximate drawing of a proposed long subdivision showing the general layout of streets and alleys, lots, blocks, and other elements of a long subdivision consistent with the requirements of this title. The preliminary long plat shall serve as the basis for the approval or disapproval of the general layout of a long subdivision.

"Plat, short" means the drawing of the subdivision into four or fewer parcels prepared for filing for record with the Okanogan County Auditor and containing all elements and requirements set forth in this title and in any other regulations adopted pursuant to the ordinance codified in this title.

"Plat, sketch" means a sketch preparatory to the preparation of a preliminary long plat, or final plat in the case of a short subdivision involving no public dedication, to enable the subdivider to save time and expense in reaching agreement on the plat and any requirements pertaining thereto.

"Preliminary approval" means the official action taken on the preliminary ~~long~~-plat, long subdivision, planned development, binding site plan or dedication by the planning commission, meeting in an official session.

"Prior division of land" means any of the following:

- (1) A division initiated by sale, lease, transfer or option contract executed prior to adoption of the ordinance codified in this title, which presently remains a binding and enforceable commitment as

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between the parties thereto, their successors, or assigns. If the applicable instrument does not specifically designate separated units of property but does describe separate and defined lots, tracts, parcels, sites or divisions of land which are contiguous, they shall constitute prior division of land providing that any division executed prior to the effective date of the ordinance codified in this title was in full and complete compliance with the then applicable subdivision ordinance of the Town of Twisp and laws of the state of Washington;

(2) A taxation parcel of any size which is surrounded by prior divisions of land as defined by subsection (1) of this definition;

(3) A taxation parcel of any size which was created prior to (the date of adoption of the ordinance codified in this title) for the purpose of creating divisions of land which were exempt from platting requirements. Taxation parcels which were administratively created by the assessor's office solely for tax purposes include senior citizen segregations administratively affected by one other than the land owner or agent, and segregations for tax exemption purposes. Such segregations for taxation purposes are not considered to be prior divisions of land for purposes of this title;

(4) A taxation parcel created in the Okanogan County Assessor's office for description purposes because of section lines if it conforms with zoning lot size and width requirements in effect at the time of application for exemption;

(5) A division of land created by a public right-of-way traversing the land.

"Private road" means every way or place in private ownership and used for travel of vehicles by the owner or those persons having express or implied permission by the owner, but not by other persons; such roads are not maintained by the Town of Twisp or any other public/government agency.

"Public Works Director" means the official appointed by the mayor to serve as the director of the Town's Public Works Department. (Ord. 465 § 2(A), 1998)

17.10.170 "Q" definitions.

Reserved.

17.10.180 "R" definitions.

"Recording form" means a short or final ~~long~~-plat as required per provisions of this title for filing with the Okanogan County Auditor.

"Road" means the improved and Town-maintained portion of a public right-of-way which provides vehicular circulation or principal means of access to abutting properties, and the right-of-way may also include provisions for public utilities, pedestrian walkways, public open space and recreation areas, cut and fill slopes, and drainage. (Ord. 465 § 2(A), 1998)

17.10.190 "S" definitions.

"Service drive" means a street abutting and parallel to a primary arterial or a collector street which is designed to provide access to abutting property and not to provide access to the arterial except at intersections.

"Short plat" means the map or representation of a short subdivision.

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“Subdivider” means a person or persons, including a corporation, partnership or other association, who undertakes to create, alter or expand a long or short subdivision.

“Subdivision, long” means the division or redivision of land into five or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease or transfer of ownership including any remaining portions of the parent parcel.

“Subdivision, short” means the division or redivision of land into four or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease or transfer of ownership, including any remaining portions of the parent parcel for any lot created through use of Chapter [17.15](#) TMC. (Ord. 465 § 2(A), 1998)

17.10.200 “T” definitions.

“Town attorney” means the attorney appointed by the Mayor to serve as the Town’s official legal counsel.

“Town council” means the legislative authority of the Town of Twisp as defined in Chapter [35.27](#) RCW as it now exists or is hereafter amended. (Ord. 465 § 2(A), 1998)

“Type I, II, III, IV and V actions” are defined in Chapter 14.05 TMC.

17.10.210 “U” definitions.

Reserved.

17.10.220 “V” definitions.

Reserved.

17.10.230 “W” definitions.

Reserved.

17.10.240 “X” definitions.

Reserved.

17.10.250 “Y” definitions.

Reserved.

17.10.260 “Z” definitions.

“Zoning/zoning ~~ordinance~~code” means the official zoning ~~code~~ordinance of the Town of Twisp. With regard to zoning related matters such as lot size, etc., all regulations of this code must be consistent with the zoning ~~code~~ordinance. (Ord. 465 § 2(A), 1998)

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Chapter 17.15
SHORT PLATS AND SHORT SUBDIVISIONS

Sections:

- 17.15.010 Administration.
- 17.15.015 SEPA review.
- 17.15.020 Processing/application fee.
- 17.15.030 Application and contents.
- 17.15.040 Land survey requirements.
- 17.15.050 Improvement requirements.
- 17.15.060 Review and determination.
- 17.15.070 Notice of action on short plat application.
- 17.15.080 Short plat recording form contents.
- 17.15.090 Approval of short plats.
- 17.15.100 Filing of short plats.
- 17.15.110 Vested use limitation.
- 17.15.120 Short plat – Decision appeals.
- 17.15.130 Short plat amendment.
- 17.15.140 Resubdivisions.
- 17.15.150 Payment of services.

17.15.010 Administration.

(1) An application for a short plat is a Type II action regardless of whether the applicant is requesting a variance or deviation from the requirements of 17.35 and 17.40 TMC. A short plat application without a request for variance or deviation does not require a public hearing. See TMC 14.05 Table 1.

(2) The Administrator is vested with the duty of administering and interpreting the short plat provisions of this title and with the authority to summarily approve, approve with conditions, disapprove, or return for modification proposed short plats. provided, no short plat shall receive final approval without the Public Works Director's approval and signature indicating such on the face of the plat.

(3) The Administrator shall prepare and require the use of such forms as deemed necessary to administer this title.

(4) It shall be within the Administrator's power to grant minor deviations from literal compliance with a requirement of this title insofar as the applicant can establish to the Administrator's satisfaction all conditions enumerated in TMC 17.15.060. (Ord. 465 § 3(A), 1998)

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17.15.015 SEPA review.

If the proposed short subdivision includes lands covered by water, includes critical areas as defined herein, or if it is within a short subdivision previously exempted as such under WAC 197-11-800(6)(a), as now exists or is hereafter amended, SEPA review shall be conducted in accordance with Chapter 16.05 TMC and Chapter 197-11 WAC, as both now exist or are hereafter amended

17.15.020 Processing/application fee.

(1) Pre-Application conference. The applicant shall schedule a pre-application conference as required by TMC 14.05.

(2) An application for short subdivision shall be accompanied by a nonrefundable processing fee as specified in the adopted ~~town of Twisp Fee resolution~~ Schedule. Upon determination by the Administrator that the application is complete, the administrator shall request payment of the application fee; ~~provided, that the amount of the processing fee shall be subtracted from the amount of the application fee.~~ No application shall be deemed vested and formal review initiated ~~processed~~ until the application has been deemed complete and the application fee paid. (Ord. 465 § 3(B), 1998)

17.15.030 ~~Application and contents~~ Preliminary Plat conditions and requirements.

(1) General conditions and requirements

- a. The subdivision shall make adequate provision for roads, streets, curbs, gutters, sidewalks, street lighting circuits, alleys, extensions of municipal utilities (sewer and water), drainage ways, drainage facilities, irrigation water rights-of-way, other public ways or any municipal improvements as deemed necessary in conformance with the Town of Twisp Development Standards Manual and International Fire Code.
- b. The subdivision shall comply with all zoning and health regulations.
- c. The subdivision shall be consistent with the Town of Twisp Comprehensive Plan.
- d. The subdivision shall provide for irrigation water rights-of-way pursuant to RCW 58.17.310 as now enacted or hereafter amended.
- e. A street lighting plan as may be required by the Public Works Director must be provided.
- f. Unless an applicant for a preliminary plat approval requests otherwise, and the plat administrator agrees, a preliminary plat shall be processed simultaneously with the application for rezones, variances, planned unit developments, site plan approvals, and similar quasi-judicial or administrative actions to the extent that procedural requirements applicable to those actions permit simultaneous processing.
- g. Every decision or recommendation made under this chapter by the Town Council or Planning Commission shall be in writing and shall include findings of fact and conclusions to support the decision or recommendation.
- h. After filing with the Administrator, preliminary plats of any proposed short subdivision shall be approved, disapproved or returned to the applicant for modification within the period provided in RCW 58.17.140.

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- i. Additionally, the applicant shall be responsible for all contracted staff review expenses, consultant fees incurred to be able to review the application, publication costs and the costs of any independent inspector employed by the Town to inspect installations of utilities, and roadwaysroadways and pedestrian improvements to be delivered to the Town upon completion as a condition of the platting process. This inspector will be on site as requested by the Town. Written reports documenting the project is constructed per the approved set of plans, specification, and Town's Development Standards Manual shall be submitted to the the public works director. The applicant is responsible for all costs for environmental impact study, traffic studies, soil studies, and other reports required for project evaluation.
- j. A plat certificate from a title company licensed to do business in the state of Washington dated within thirty days of the date of filing of the final plat and application with the plat administrator confirming that the title of the lands as described and shown on the plat is in the name of the owners signing the subdivision plat or instrument of dedication.

(2) Specific Conditions and Requirements

- a. Application for a short subdivision shall be submitted to the administrator ~~on an application form provided by the administrator~~ in accordance with Chapter 14.05 TMC and including a legibly drawn representation with dimensions of the parcel to be divided and the lot lines to be created in carrying out the short plat. The application shall be accompanied by a digital and 7 paper copies of the full application. At the discretion of the Administrator, the requirement that 7 paper copies of the application be submitted may be waived. Said application form shall contain, but not be limited to, the following information: name, address and phone number of land owner(s) and surveyor; comprehensive plan and zoning for the subject property; shoreline environmental designation, if appropriate, source of water and method of sewage disposal.
- b. A copy of any existing or proposed covenants for the property shall also be included with the application information. If necessary to clearly show the necessary information, a larger drawing may be attached and referenced in the application form. ~~The submitted drawing shall include:~~
- c. Drawing scale shall not exceed one inch = one hundred feet.
- d. The preliminary plat shall contain the following:
 - i. Name of proposed subdivision;
 - ii. Boundaries of proposed subdivision established by the preliminary survey;
 - iii. Location and dimensions of all existing and proposed irrigation water easements or rights-of-way on and adjacent to the proposed subdivision;
 - iv. Legal description of land within the proposed subdivision;
 - v. Any proposed land dedications;
 - vi. Name, address and seal of the registered land surveyor who made the preliminary survey;
 - vii. The date of the preliminary survey;
 - viii. Monuments found and established during the preliminary survey;

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IX. Date map is prepared, scale and north point of the map. Approximate proposed lot lines with their dimensions, including lot numbers and block numbers;

X. If any of the parcels can be further divided or if only a portion of a tract is being divided, location of future streets, alleys and lot lines shall be shown by dotted lines;

XI. A vicinity map at a scale of not more than four hundred feet to the inch, except that the consulting engineer, subject to a request prior to plat submittal, may approve an alternative vicinity map scale exceeding four hundred feet to the inch. The vicinity map shall show all adjacent parcels. It shall show how the streets and alleys in the proposed subdivision may connect with existing and proposed streets and alleys in neighboring subdivisions or unplatted property to produce an advantageous development of the entire neighborhood;

XII. Provide recommended street names for approval;

XIII. A site plan on a separate sheet showing the following information:

(i) Location and sizing of existing and proposed utilities including water, sewer, storm drains, electricity, gas, street lighting, curbs and sidewalks, telephone and cablevision lines. Minimum size and scale shall be the same as the preliminary plat map.

(ii) Existing and proposed structures and natural features and all proposed improvements within and adjoining the proposed subdivision.

(iii) Topography of the area with a maximum of two-foot intervals of contours as required by the consultant engineer.

(iv) Present zoning classification on and adjacent to property.

(vi) Any deed restrictions or covenants existing or proposed shall be drawn on the site plan and preliminary plat map.

(vii) A location where an ordinance, a long-range road program, or the comprehensive plan, indicates the need for a future road or street;

e. Certification by a professional land surveyor licensed to practice in the state of Washington;

f. Existing and proposed utilities serving the short subdivision including water and sewer. (Ord. 465 § 3(C), 1998)

g. SEPA checklist, if required.

(1) The entire lot, tract, parcel, site, or division constituting the parent parcel and its legal descriptions;

(2) The parcel number or numbers as assigned to applicants' land by the Okanogan County assessor, together with their legal descriptions and the names or recording numbers of any contiguous long or short subdivisions;

(3) Lines marking the division of the property into the proposed four or less lots, tracts, parcels, sites, or divisions along with the name of the subdivision, dimensions of each lot, designation of each lot by numbers or letters, proposed street addresses for each lot and an arrow pointing north;

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~~(4) Location of existing roads or streets, or existing deeds or easements with their auditor's file numbers, together with designation of "public" or "private" regarding the road and the beneficiary of the easement;~~

~~(5) Location of any roads, rights-of-way or easements proposed to serve the short plat with a clear designation of their purpose and nature, including whether they will be private or dedicated public roads, rights-of-way or easements:~~

~~(a) Right-of-way for public roads of a width to be determined by Chapter 17.40 TMC and the public works superintendent, but not to exceed that required for long plats, shall be dedicated if the short subdivision contains two or more lots which are contiguous to:~~

~~(i) An existing subdivision where a partial street right-of-way has been dedicated;~~

~~(ii) An existing partial right-of-way deeded for public road purposes;~~

~~(iii) A location where an ordinance, a long-range road program, or the comprehensive plan, indicates the need for a future road or street;~~

~~(b) Right-of-way for all private roads, whether existing or proposed serving residences, business or other primary usage of lots, shall be of a width specified in Chapter 17.40 TMC;~~

~~(8) Existing and proposed utilities serving the short subdivision including water and sewer. (Ord. 465 § 3(C), 1998)~~

17.15.040 Land survey requirements.

(1) A proposed short plat of land not previously platted or short platted shall be prepared by or under the supervision of a registered land surveyor of the state of Washington as a result of a land survey.

(2) A land survey need not be performed for proposed short plats of land previously platted or short platted; provided the land surveyor of record can demonstrate and the administrator concurs that all property lines and boundaries can clearly be established in accordance with applicable state laws. All proposed plat maps shall be prepared by or under the direct supervision of a registered land surveyor of the state of Washington.

(3) A short plat involving a dedication, public easement or right-of-way shall ~~be prepared as a result of require~~ a land survey.

(4) All proposed short plats requiring a land survey shall be referenced from two monumented section or quarter section corners or to two other suitable permanent control monuments set in concrete and verified.

(5) All lot corners determined as a result of a land survey shall be established by the placement of permanent survey monuments set in concrete and verified. (Ord. 465 § 3(D), 1998)

17.15.050 Improvement requirements.

(1) Street, utility, lighting, and pedestrian way improvements in accordance with Chapter 17.35 TMC are required for each short subdivision and shall be consistent with the Twisp Comprehensive Plan, Twisp Development Standards Manual, International Fire Code and the size, nature and availability of existing improvements which serve adjacent lots and lots in the immediate vicinity of the proposed short subdivision.

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(2) ~~Improvement requirements for each short subdivision shall be established by the administrator in conformance with subsection (1) of this section.~~ The Administrator, in consultation with the Public Works Director, Consulting Engineer, Fire Chief and Town Planner, shall provide a written determination of improvements which will be required pursuant to the provisions of this section. Appeal of the Administrator's determination of required improvements may be had in the same manner as provided for by TMC [17.15.120](#).

(3) In the event the required improvements for a short subdivision are of a lesser size, quality or availability than those improvements which would be required of a long subdivision pursuant to Chapter [17.35](#) TMC, then each lot in the short subdivision shall be committed on the face of the short plat, as an obligation or covenant running with the land, to participate in future local improvement districts for the construction of improvements, in compliance with Chapters 17.35 and 17.40 TMC, as they exist at the time the local improvement district is formed. (Ord. 465 § 3(E), 1998)

17.15.060 Review and determination.

The Administrator shall review and determine if the application is complete or incomplete in compliance and follow the requirements herein and of Chapter 14.05 in processing the applications.~~after deeming the application is complete, send a copy of the application and related information to the following officials: town department heads, Okanogan County assessor and any affected irrigation or other utility district or company. The administrator, shall as appropriate, send a copy of the application and related information to any state or federal agencies having an interest in the proposed short subdivision.~~The administrator shall determine within 30 days of receipt of a submittal deemed complete, whether the short plat should be approved, approved with conditions, disapproved, or returned to the applicant for changes in light of the following criteria and requirements:

- (1) The proposed short subdivision is in conformity with the comprehensive plan and any applicable zoning requirements or other land use controls which may exist;
- (2) The proposed short subdivision provides access in accordance with the standards set forth in the Town's Development Standards Manual, Chapter [17.40](#) TMC and the International Fire Code or has received a deviation made by the Planning Commission;
- (3) The proposed short subdivision meets the requirements of this title and all lots have been determined to be buildable or have been designated as nonbuildable lots;
- (4) The public use and interest will be served by permitting the proposed division of land;
- (5) The proposed short subdivision has access to adequate urban services;
- (6) Bonding or other surety for required improvements as set forth in Chapter [17.35](#) TMC;
- (7) Comments from commenting agencies can be adequately addressed. (Ord. 465 § 3(F), 1998)

17.15.070 Notice of action on short plat application.

The Administrator shall prepare a letter to the applicant indicating:

- (1) Alternatively:

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(a) That the short plat is approvable as submitted. Such a letter must contain written findings of fact which document the facts used by the Administrator to approve the short plat. Said findings must include a finding that adequate urban services are available;

(b) That the short plat is approvable subject to certain specified conditions which must be met;

(c) That the short plat cannot be approved for specified reasons. Must also include findings of fact;

(2) That in the case of subsection (1)(a) or (1)(b) of this section, a short plat recording form completed properly together with appropriate fees and evidence of compliance with all required conditions may be submitted by the applicant within one year of the date of the notice without further review.

(3) The specific certification(s), such as required for any affected utility such as irrigation, electrical, telephone utilities, that must be completed within 30 days and included as part of the short plat filing form submittal.

(4) That the applicant or an affected party may file an appeal of the decisions and/or conditions of the Administrator in accordance with TMC ~~17.15.12014.05.070~~ ~~(Ord. 465 § 3(G), 1998)~~

(5) The Administrator shall prepare and publish a notice of decision/action as required in Chapter 14.05 TMC

17.15.080 Short plat recording form contents.

(1) The short plat recording form shall be completed by or under the supervision of a professional land surveyor of the state of Washington and shall be based on a survey of the property. Said survey shall be in compliance with the requirements of the Survey Recording Act, Chapter 58.09 RCW, as it now exists or is hereafter amended, including the establishment of monuments such that short plats must show all existing or established section corners and quarter section corners pertaining to the location of all lot corners of the short plat.

(2) The short plat submitted for filing shall be in accordance with the conditions specified in TMC 17.15.070 at the conclusion of the administrator's review of the short plat submittal.

(3) In the event private accesses roads and/or utilities are used to serve the proposed short plat, whether exterior or interior, the following statement shall appear on the face of the short plat: "The Town of Twisp has no responsibility to build, improve, maintain, or otherwise serve any private road or utilities for this short plat." ~~Also Access and maintenance easements must be provided to the Town of Twisp inat the water meter location of each water meter lot or fire hydrant service line and hydrant if required. Standard forms will be provided by the Town and shall be recorded and referenced on the face of the plat.~~

(4) Private Utility easements shall serve each interior lot. Private Utility easements may be included within the access easement and may serve as a joint use easement with the access easement.

(5) An ordinance certificate consisting of a report showing all parties having any interest in the land subdivided.

(6) The short plat recording form shall consist of a legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or equivalent and shall be 18 by 24 inches in size. Certification signature blocks need to be included on the face of the plat for (a) the Okanogan

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County Treasurer and (b) Town of Twisp Administrator and Public Works Director for the certification of compliance with applicable Town of Twisp ordinance numbers.

(7) The short plat filing form shall be signed by all parties having ownership interest in the land being short platted and their signatures shall be notarized.

(8) Any easements previously filed shall have their auditor's file numbers. (Ord. 465 § 3(H), 1998)

17.15.090 Approval of short plats.

(1) A completed short plat meeting all of the requirements of this section shall be approved or approved with conditions by the administrator.

(2) As part of the approval, the administrator will complete a written, findings of fact that the proposed short subdivision has access to adequate urban services and is in conformity with all applicable zoning and land use controls of the Town of Twisp and ~~has access to adequate urban services.~~

(3) Prior to signing the face of the plat and thus granting approval, the administrator must be sure that the Okanogan County Treasurer and any owners with interest in the property being subdivided have signed the plat and that any other documents pertaining to the plat (e.g. covenants, conditions and restrictions, easements, quit claim deeds, etc...) have been reviewed and filed with the Okanogan County Auditor.

(Ord. 465 § 3(I), 1998)

17.15.100 Filing of short plats.

(1) Filing of short plats shall be done with the Okanogan County Auditor following certification by the Okanogan County Treasurer that applicable property taxes have been paid. The filing of the short plat, including payment of the filing fees, is the responsibility of the applicant. A short plat is not considered final until it has been filed with the auditor.

(2) Said signed plat shall be filed and recorded with the Okanogan County Auditor and a copy of such recordation provided to the Town within one year of authorized signature or such approval will be null and void. (Ord. 465 § 3(J), 1998)

17.15.110 Vested use limitation.

Any lots in a short plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of two years from the date of filing. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations in effect at the time of approval for a period of two years after final plat approval unless the Town Council finds that a change in conditions creates a serious threat to the public health and safety in the subdivision. (Ord. 465 § 3(K), 1998)

17.15.120 Short plat – Decision appeals.

When a person feels aggrieved by a ruling or interpretation by the Administrator of this title they shall have the right to appeal said ruling in accordance with TMC 14.05.070. (Ord. 465 § 3(L), 1998)

17.15.130 Short plat amendment.

Once a short plat has been recorded with the Okanogan County Auditor, it can be amended or vacated in whole or part in a manner not involving a resubdivision into more than four lots from the original short plat. All proposed alterations or vacations, whether a public dedication is involved or not, shall be processed in

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accordance with Chapter [58.17](#) RCW. The provisions of Chapter [58.17](#) RCW as they relate to plat vacations and alterations are hereby adopted by reference. If the proposed alteration or vacation does not involve a public dedication, the altered short plat shall be processed in accordance with the following provisions:

(1) The amended short plat must comply with the procedures and requirements of this section for original short plat approval. A new survey shall not be required except for new lines created by the amended short plat.

(2) The ordinance of the altered short plat shall be:

Short Plat No.

Amending Short Plat No.

(3) The amended short plat shall show all of the land shown on the original short plat and shall bear the acknowledged signatures of all parties having ownership interest in the affected lots, tracts, parcels, sites, or divisions within the original short plat as shown by a current ordinance certificate.

(4) Minor errors not involving a change in lines may be corrected by the survey or upon approval of the administrator by recording an affidavit with the Okanogan County Auditor specifically referencing the short plat by number and the correction.

(5) If the proposed alteration or vacation involves a public dedication, the altered short plat shall be processed in accordance with TMC [17.25.060](#) and [17.25.070](#). (Ord. 465 § 3(M), 1998)

17.15.140 Resubdivisions.

(1) Once property is subdivided into four lots in accordance with this chapter, no further division creating in any manner a greater number of lots, tracts, parcels, sites, or divisions than contained in the short plat shall be made for a period of five years from the date of recording of the short plat, unless a long subdivision (final plat, a Type IV action) has been approved and filed for record pursuant to Chapter [17.25](#) TMC except that when the short plat contains fewer than four parcels, nothing in this section shall prevent the owner who filed the short plat from filing an alteration within the five-year period to create up to a total of four lots within the original short plat boundaries.

(2) In the case of a proposed redivision of land within a short or long plat, either the short subdivision or long subdivision provisions of this title and Chapter [58.17](#) RCW shall be complied with dependent upon the number of divisions proposed within the property and/or the period of time that has elapsed since the recording of a prior short plat. (Ord. 465 § 3(N), 1998)

17.15.150 Payment of services.

When deemed necessary, the Town may retain outside consultants to evaluate any phase of plat review and construction. The cost of such services shall be borne by the developer who shall be billed for the actual cost to the Town. Billings shall be tendered and payable within 30 days. If the developer (subdivider) believes the costs to be unreasonable, an appeal may be made to the Town Council for their review and determination. (Ord. 465 § 3(O), 1998)

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17.15.160 Public purpose subdivision.

(1) A short subdivision may be made for the purpose of creating a portion of property to be deeded or dedicated to the town, any county, taxing district, governmental body, utility company or nonprofit community organization or foundation (whose articles or bylaws allow it to hold land for public use and benefit) for a designated use providing the remaining portion of property has sufficient lot area, dimensions, and meets all other criteria to comply with the applicable Town regulations, for the intended purpose of the subdivision.

(2) Public purpose subdivisions may include deeded or dedicated streets, paths, trails and rights-of-way for public access purposes. If such subdivision's deeded path, trail or right-of-way traverses a parcel, such path shall not be considered a division of the underlying parcel nor subtract from the parcel size for density purpose.

(3) The Administrator may approve a public purpose subdivision under the following circumstances:

(a) An application form made available by the Administrator shall be completed including the following information:

(i). A legal description of the entire property;

(ii) A legal description of the property to be separated and deeded; and

(iii) A statement of the specific public purpose;

(iv) Signature(s) of all owner(s) or their agent(s) having authority to deed the property involved in the application and the body or agency to receive the property; and

(v) Sufficient information to determine whether the public purpose parcel and the remainder meets the standards of TMC 17.10.020, Buildable lot.

(b) The subdivision shall include in the instrument of transfer that, "The subject property was created for (purpose) under the public purpose provision of the Twisp subdivision code." Additionally, if the parcel subdivided does not meet the criteria for a "buildable lot" the following additional language shall be included on the instrument of transfer: "As long as the property is a public purpose parcel, building permits may be obtained consistent with the public purpose use for which the segregation was made; provided, that no structures for human habitation shall be erected. In the event that the parcel is no longer used for public purposes or is transferred out of ownership of the public entity, all zoning, subdivision, density requirements and other land use requirements must be met before any building permit can be obtained."

(4) A public purpose subdivision shall be recorded in the same general manner as described in TMC 17.15.090 through 17.15.100.

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Chapter 17.20

LONG PLATS AND LONG SUBDIVISIONS PREAPPLICATION PROCEDURES

Sections:

17.20.010 Preapplication conference.

17.20.010 Preapplication conference.

(1) When a person contemplates the subdivision of a parcel of land, a Type IV Action, the person shall schedule a preapplication conference in accordance with TMC 14.05.030(1).

~~In accordance with TMC 14.05.030(1), when a person contemplates the subdivision of a parcel of land, said person may prepare a preapplication sketch plat indicating his concept for subdivision which should include the proposed layout of streets, general size and orientation of lots, and other features in relation to existing conditions. With this sketch plan, the subdivider or his agent, shall schedule a preapplication conference with the administrator. The administrator, when requested by the applicant, will schedule a preapplication conference with all affected town department heads and any affected irrigation or utility district, and all appropriate county, state and federal agencies regarding procedures and general information which would have an influence on proposed development. The inability of the administrator to schedule a meeting with all affected agencies shall not interfere with the time frames set forth in this title. The purpose of the preapplication conference is to review application requirements including, but not limited to, need for topographic information, need and timing for land survey, utility and street design and standards, time frames, and other information deemed appropriate. (Ord. 465 § 4(A), 1998)~~

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Chapter 17.25

PRELIMINARY LONG PLATS

Sections:

17.25.010 Administration.

17.25.020 Requirements.

17.25.030 Procedures – Generally.

[17.25.035 Time limitations on approval, disapproval of plats – extensions \(RCW 58.17.140\)](#)

17.25.040 Application/processing fee.

17.25.050 Review requirements.

17.25.060 Staff report.

17.25.070 Public hearing.

17.25.080 Planning commission recommendation – Factors to be considered.

17.25.090 Planning commission recommendation – Town council decision.

17.25.100 Approval – Conditions.

17.25.110 Abandoned orchard removal prerequisite.

17.25.120 Relationship of approved preliminary long plat to final long plat.

17.25.130 Agreements to transfer land conditioned on final long plat approval.

17.25.140 Payment of services.

17.25.010 Administration.

(1) The Administrator is vested with the duty of administering and interpreting the subdivision provisions of this title.

(2) The Administrator may prepare and/or require the use of such forms or surveys as deemed necessary to administer this title.

(3) It shall be within the Administrator's power to grant minor deviations from literal compliance with a requirement of this chapter insofar as the applicant can establish to the Administrator's satisfaction all conditions enumerated in TMC [17.25.020](#).

(4) The Town of Twisp Planning Commission is vested with the duty of conducting the required public hearing on each long subdivision and making a recommendation to the Twisp Town Council to approve, approve with conditions or deny any long subdivision proposed within the Town of Twisp. (Ord. 465 § 5(A), 1998)

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17.25.020 Requirements.

(1) Any person desiring to subdivide land shall cause to be prepared a preliminary plat of the proposed long subdivision. Prior to the preparation, the applicant shall discuss with the administrator the procedure for adoption of a long plat and the requirements of this title as to general layout of streets, dedications of land, street improvements, provision for drainage, sewage, fire protection, other similar improvements, and the availability of existing services and utilities. To this end, the applicant is required to request a preapplication conference as set forth in TMC ~~17.20.010~~14.05.

(2) The applicant shall prepare an application on a form provided by the Town. An electronic and seven paper copies of the application form, preliminary plat and other information required herein shall be submitted along with the application fee set forth in the Town's current Fee Schedule.

(3) The preliminary plat of the proposed long subdivision shall be at a scale of at least one inch equals 200 feet, unless the Administrator requests or authorizes a different scale (i.e. Administrator may allow a smaller or require a larger scale if needed to better fit the proposal), and which shall include the following information which shall be shown on the plat, if practicable, but if not, by separate accompanying statements as determined by the Administrator:

(a) General information:

(i) Proposed name of the long subdivision. This name shall not duplicate any name used on a recorded plat or long subdivision in the Town of Twisp;

(ii) Location of the long subdivision by section, township and range;

(iii) Names and addresses of the owners, subdivider, designer of the long subdivision, and the licensed surveyor and engineer, if appropriate;

(iv) Scale, north arrow and date;

(v) A full and correct legal description of the entire lot, tract, parcel, site, or division constituting the applicants' property, as recorded in the Okanogan County auditor's office;

(vi) A vicinity sketch at a scale between 400 and 800 feet to the inch shall accompany the preliminary long plat. The vicinity sketch shall show all adjacent subdivisions, streets, and tract lines of adjacent parcels, with the names of owners of record of such parcels when described by metes and bounds. It shall show how the streets and alleys in the proposed long subdivision may connect with existing and proposed streets and alleys in all adjacent territory so that an advantageous development of the entire area can be achieved.

(vii) The applicant shall be responsible for all contracted staff review expenses, consultant fees incurred for review of the application and related materials, publication costs and the costs of any independent inspector employed by the Town to inspect installations of utilities to be delivered to the Town upon completion as a condition of the platting process. This inspector will be on site as requested by the Town. Written reports documenting the project is constructed per the approved set of plans, specifications, and accepted standards shall be submitted to the Town as requested by the Public Works Director. The developer is

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responsible for all costs for environmental impact study, traffic studies, soil studies, and other reports required for project evaluation.

(b) Existing conditions:

- (i) Boundary lines of the proposed long subdivision including monuments and markers, approximate distance and area enclosed;
- (ii) Existing restrictive covenants;
- (iii) Elevations shall be shown by contour lines at a minimum of five-foot intervals, if determined by the administrator to be needed in the preliminary review;
- (iv) The location, name, designation as to public or private, present improvements and right-of-way width, and type of surfacing of all streets, alleys and rights-of-way on and adjacent to the tract; location of any existing walks, curbs, gutters; the location, pipe size and grades of all existing sewers, water mains, culverts, buried electrical or telephone conduits, and surface and subsurface drains, railroad lines or other private improvements, and utilities including storm drains;
- (v) Approximate width, location and purpose of all existing easements;
- (vi) The approximate location of all designated floodways and 100-year floodplain areas covered by water and the location, width, name, and direction of flow of all watercourses;
- (vii) Existing uses of the property, including the location and use of all existing structures and those structures which will remain on the property after platting;
- (viii) The approximate location of all areas designated in the Town of Twisp Shoreline Master Program;
- (ix) The approximate location of all designated critical areas;
- (x) The subdivision shall provide for irrigation water rights-of-way pursuant to RCW 58.17.310 as now enacted or hereafter amended.

(c) Proposed long plat:

- (i) The location, name, intention to make public or private right-of-way or easement width, approximate radii of curves and grades and gradients of all proposed streets, alleys or roads in compliance with the Town of Twisp Development Standards Manual and International Fire code within or on the boundary of the proposed long subdivision;
- (ii) Location, width and purpose of all easements other than for roadway purposes;
- (iii) Proposed uses of the property;
- (iv) Approximate dimensions of all lots with proposed lot and block numbers. Lot sizes shall be in compliance with the applicable zoning laws;
- (v) The location, size and existing use of an existing and contemplated public areas within the proposed long subdivision. Areas designated for public use as recommended by the planning

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commission shall be dedicated for such use by easement to the Town of Twisp, if approved by the Town Council, and indicated on the final long plat before recording;

(vi) A brief statement and preliminary layout of proposed facilities regarding the contemplated sewage disposal, water supply and drainage improvements for the proposed long subdivision. The Administrator, after consulting with the Public Works superintendent/Director, may must require the installation of water, sewer, and storm drainage lines in public streets within the long subdivision, or easements or rights-of-way therefore in accordance with Chapter 17.40 TMC, the Twisp Development Standards Manual and with the recommendations of the Town's consulting engineer, unless an alternative provides a better option or long term operation and maintenance;

(vii) If the proposed long subdivision would affect any irrigation district, an explanation of how it provides for the necessary irrigation provisions as prescribed by RCW 58.17.310 and all irrigation infrastructure and easements shown on the face of the plat;

(viii) Minimum building setback lines according to applicable zoning laws. A typical lot may show setbacks for all regular-shaped interior lots. All setback lines must be shown on irregularly shaped lots and corner lots;

(ix) If the subdivider desires to develop the plat in phases, the phases shall be shown on the preliminary long plat.

(d) A copy, in concept, of all proposed restrictive covenants shall be provided.

(e) An ordinance certificate consisting of a report showing all parties having any full or partial interest(s) in the property to be subdivided.

(f) Environmental checklist prepared in accordance with Chapter 43.21C RCW, State Environmental Policy Act and the town's SEPA ordinance as they now exist or are hereafter amended.

(g) Names and addresses of all landowners within 300 feet of the exterior boundaries of the property proposed for platting. (Ord. 465 § 5(B), 1998)

(h) The applicant shall submit in writing any requests of the Town and/or adjacent land owners as it concerns potential reimbursement or latecomer's contracts, or Town involvement in the cost sharing of any improvements.

17.25.030 Procedures – Generally.

All applications for long plats shall be processed in accordance with Chapter 14.05 TMC. In addition, the procedures and requirements set forth in TMC 17.25.020 through 17.25.140 shall be followed. It is intended that, to the extent possible, review of preliminary long plats will be processed simultaneously with any applications for rezones, planned developments, conditional use permits, and similar quasi-judicial or administrative actions that may be required. If requested by the applicant, the Town may process an annexation concurrently with a long subdivision application. (Ord. 465 § 5(C), 1998)

17.25.035 Time limitations on preliminary approval, disapproval of plats – Extensions (RCW 58.17.140).

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(1) Preliminary plats of any proposed subdivision and dedication shall be approved, disapproved, or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time period or the ninety day limitation is extended to include up to twenty-one days as specified under RCW 58.17.095(3): PROVIDED, That if an environmental impact statement is required as provided in RCW 43.21C.030, the ninety day period shall not include the time spent preparing and circulating the environmental impact statement by the local government agency.

17.25.040 Application/processing fee.

The submittal of an application for a preliminary long plat shall be accompanied by a nonrefundable processing fee as specified in the adopted Town of Twisp fee ~~resolutions~~schedule. Upon determination by the Administrator that the application is complete in accordance with TMC 14.05, the Administrator shall request payment of the application fee; provided, that the amount of the processing fee shall be subtracted from the amount of the application fee. No application shall be deemed vested and the formal review process initiated ~~processed~~ until the application has been deemed complete and the application fee paid. (Ord. 465 § 5(D), 1998)

17.25.045 Submission.

(1) The subdivider, following a preapplication conference as required in Chapter 14.05 TMC, shall submit an application for preliminary plat approval along with the processing fee to the Administrator.

(2) The Administrator then reviews the application and related materials for completeness in accordance with Section 14.05.030(3) TMC.

17.25.047 Public and agency notice.

When an application for a preliminary plat has been accepted as complete the Administrator shall establish the date and time and provide notice for a public hearing in accordance with Section 14.05.040 TMC.

17.25.050 Review requirements.

(1) Copies of the preliminary long plat, supplementary material and environmental documents shall be forwarded by the Administrator to the following agencies, as deemed appropriate, at least 15 days prior to the hearing date for their respective recommendations, if any:

- (a) Town department heads;
- (b) Town consulting engineer;
- (c) Okanogan County Assessor, Okanogan County Planning and/or Public Works;
- (d) Any affected irrigation district and/or public or private utilities, such as electrical, telephone, cable, water;
- (e) ~~Soil conservation service~~ Natural Resources Conservation Service;
- (f) Any school district or fire district encompassing any of the area included in the preliminary long plat;

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(g) Any governmental agencies concerned including Okanogan County, Colville and Yakama Tribes, OCOG (RTPO) nearby cities and appropriate state and federal agencies. State agencies may include Departments of Fisheries, & Wildlife, Ecology, Health and, Transportation depending on location and scope of project. Federal agencies may include the Environmental Protection Agency, Corps of Engineers, Fish and Wildlife Service, Bureau of Reclamation, Bureau of Indian Affairs, depending on location and scope of project;

(h) Town of Twisp Planning Commission;

(i) Okanogan Pest and Disease Control Board, if the plat contains agricultural uses.

~~(2) The Okanogan County Health District may require the applicant to provide information necessary to determine the feasibility of the contemplated sewage disposal and water supply for the proposed subdivision if is not required to connect to Town water and sewer.~~

~~(23) The above agencies shall also be sent a notice of public hearing. The recommendations of the aforesaid public agencies, if any, shall be submitted to the Town of Twisp a minimum of seven days prior to the hearing provided for in TMC 17.25.100. (Ord. 465 § 5(E), 1998)~~

~~(4) The Administrator shall review the application and related materials for consistency between development regulations and SEPA in accordance with Section 14.05.050 TMC~~

17.25.060 Staff report.

The Administrator shall prepare a staff report, including findings of fact, to present to the Planning Commission in accordance with TMC 14.05.040(4)(a)(xi). The staff report shall include a review of the proposed plat and any comments received from commenting agencies, departments and interested citizens. The report shall also review the proposed plats conformance with subdivision standards, other land use regulations and the Town of Twisp Comprehensive Plan. (Ord. 465 § 5(F), 1998)

17.25.070 Public hearing.

~~(1) An open record public hearing shall be held before the Planning Commission in accordance with Section 14.05.060 TMC. The planning commission shall hold an open record public hearing to provide the public and other interested parties the opportunity to comment on the proposed preliminary long plat. The hearing shall include the opportunity for the applicant to present the proposed preliminary long plat, an opportunity for the public to submit written and verbal comments and to allow affected departments, agencies and others to submit their written or verbal comments.~~

~~(2) A record of the public hearing with minutes and a tape recording shall be kept by the town clerk and shall be open to public inspection. (Ord. 465 § 5(G), 1998)~~

17.25.080 Planning commission recommendation – Factors to be considered.

(1) The Planning Commission shall consider the following when preparing its recommendation to the Town Council:

- (a) Staff report, agency, department or other reports and comments;
- (b) Public testimony and all other relevant facts;

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(c) The State Environmental Policy Act compliance documentation and determination submitted with the proposal shall be incorporated as a condition for approval of the proposal unless modified by the planning commission and approved by the administrator and/or the Town Council.

(2) The Planning Commission must consider whether the proposed long subdivision makes appropriate provisions for, but not limited to, public health, safety and general welfare and for such open spaces, drainage-ways, irrigation provisions pursuant to RCW [58.17.310](#), streets, alleys, other public ways, fish and wildlife and their habitat, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and shall consider other relevant facts, including sidewalks, [other shared use paths](#) and other planning features that assure safe walking conditions for students who walk to and from school, and including the Comprehensive Plan, zoning [ordinance code](#) and other land use controls, and whether the public use and interest will be served by the platting of such subdivision.

(3) If the Planning Commission finds that the proposed long subdivision does make such appropriate provisions and that the public use and interest will be served, then the Planning Commission shall recommend approval of the preliminary long plat to the Town Council, providing requirements for preliminary long plat approval are completed prior to submittal to the Town Council.

(4) If the Planning Commission finds that the proposed long subdivision does not make such appropriate provisions, or that the public use and interest will not be served, the Planning Commission shall recommend disapproval of the preliminary long plat or shall recommend appropriate changes or conditions be attached to the preliminary long plat to ensure that the public use and interest will be served. Pursuant to RCW [58.17.120](#), as it now exists or is hereafter amended, the Planning Commission shall consider the physical characteristics of a proposed long subdivision site and may recommend disapproval of the proposed plat because of landslide/erosion hazards and/or flood, inundation or swamp conditions. Construction of protective improvements may be included as a recommended condition of approval. No plat shall be approved covering any land situated in a flood control zone as provided in Chapter [86.15](#) RCW without the prior written approval of the Washington State Department of Ecology. (Ord. 465 § 5(H), 1998)

17.25.090 Planning commission recommendation – Town Council decision.

The Planning Commission and the Town Council shall follow the procedures in Chapter [17.30](#) TMC or Chapter [14.05](#) TMC. (Ord. 465 § 5(I), 1998)

17.25.100 Approval – Conditions.

(1) Pursuant to RCW [58.17.110](#), as it now exists or is hereafter amended, the Town Council shall inquire into the public use and interest proposed to be served by the establishment of the long subdivision and dedication.

(2) The Town Council shall determine if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and shall consider all other relevant facts and determine whether the public use and interest will be served by the long subdivision and dedication.

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(3) The Town Council shall also consider any recommendation from the Planning Commission regarding any physical constraints, SEPA mitigation measures, or other conditions to protect the health, safety and welfare affecting the proposed plat, and may require protective improvements as a condition of the approval. Any such requirement shall be noted on the face of the plat. If the Town Council finds that the proposed plat makes appropriate provisions for public health, safety and general welfare and for such open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and that the public use and interest will be served by the platting of such subdivision, then it shall be approved.

(4) If the Town Council finds that the proposed plat does not make such appropriate provisions, or that the public use and interest will not be served, the Town Council may disapprove the proposed plat. Dedication of land to any public body, or fees paid in lieu thereof, may be required as a condition of long subdivision approval and shall be clearly shown on the final long plat. (Ord. 465 § 5(J), 1998)

17.25.110 Abandoned orchard removal prerequisite.

Before final approval is given any plat, removal of an abandoned fruit orchard within the plat may be recommended by the Okanogan County Pest and Disease Control Board as a condition of approval in order to protect existing orchards from pest and disease associated with abandoned orchards; provided, that the recommendation may allow designated trees to remain standing on individual lots for the use and enjoyment of homeowners; provided further, that an effective program of pest and disease control is carried out by the property owners on the remaining trees pursuant to Chapter [15.08](#) RCW, as it now exists or is hereafter amended. (Ord. 465 § 5(K), 1998)

17.25.120 Relationship of approved preliminary long plat to final long plat.

(1) The approved preliminary long plat together with its conditions of approval shall constitute a guide to the applicant for the preparation of the final long plat and to the Town for conditions under which the final long plat is to be approved. A final long plat meeting all the requirements of this title and Chapter [58.17](#) RCW and other local regulations shall be submitted to the Town for approval ~~within three years from the date of preliminary long plat approval by the Town in accordance with 17.30.030.~~

~~(2) An applicant who files a written request with the Town at least 30 days before the expiration of this three-year period shall be granted a one-year extension upon the showing that the applicant has attempted in good faith to submit the final long plat within the three-year period. (Ord. 465 § 5(L), 1998)~~

17.25.130 Agreements to transfer land conditioned on final long plat approval.

If the performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract, or parcel of land following preliminary long plat approval is expressly conditioned on the recording of the final long plat containing the lot, tract, or parcel under this chapter, the offer or agreement is not subject to RCW [58.17.200](#) or [58.17.300](#) and does not violate any provisions of the chapter or ordinance. All payments on account of an offer or agreement conditioned as provided in this section shall be deposited in an escrow or other regulated trust account and no disbursement to sellers shall be permitted until the final long plat is recorded. (Ord. 465 § 5(M), 1998)

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17.25.140 Payment of services.

When deemed necessary, the Town may retain outside consultants to evaluate any phase of plat review and construction. The cost of such services shall be borne by the developer who shall be billed for the actual cost to the Town. Billings shall be tendered and payable within 30 days. If the developer believes the costs to be unreasonable, an appeal may be made to the Town Council for their review and determination. (Ord. 465 § 5(N), 1998)

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Chapter 17.30

FINAL LONG PLATS

Sections:

17.30.010 Requirements.

17.30.020 Supplementary information.

17.30.030 Time limit for submission.

17.30.040 Drawings.

17.30.050 Review and approval.

17.30.060 Time limit for recording.

17.30.070 Vested use limitation.

17.30.080 Final long plat alteration.

17.30.090 Final long plat vacation.

17.30.010 Requirements.

The final long plat shall conform substantially to the preliminary long plat and shall incorporate any conditions or recommendations imposed by the Planning Commission and approved by the Town Council. Any required signatures shall be in permanent black ink on the original document to be filed. In addition, the final long plat shall show clearly the following information:

- (1) A complete survey of the section or sections necessary to establish the corner(s) of the quarter section in which the plat is located or as much thereof as may be necessary to properly orient the plat within such section or sections. The survey shall be submitted with copies or complete field notes and computations showing original or re-established corners, with descriptions of and reference ties to all corners and copies of field notes of traverse showing error of closure and method of balancing, with sketch showing all distances, bearings and calculations required to determine corners and traverse distance of the plat. The allowable error of closure shall not exceed one foot in 10,000 feet;
- (2) Tract boundary lines, property lines of lots, open space, other sites, and other rights-of-way, with accurate dimensions, bearing or deflection angles, and radii, arcs and central angles of all curves. If the plat constitutes a replat, the lots, blocks, streets, and all other improvements of the original plat shall be shown by dotted lines in their proper positions in relation to the new arrangement of the plat, the new plat being so clearly shown in solid lines as to avoid any ambiguity;
- (3) Name and right-of-way width of each street, easement or other right-of-way;
- (4) Location, dimensions, beneficiary, and purpose of any easements;
- (5) Number to identify each lot or site and block;
- (6) Purpose for which sites, other than residential lots, are dedicated or reserved;

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(7) Location and description of monuments existing or set, permanent control monuments shall be established at each and every controlling corner of the boundaries of the parcel of land being subdivided. The Public Works Director shall determine the number and location of permanent control monuments within the plat;

(8) Reference to recorded subdivision plats of adjoining platted land by record name, date and number and the lines and names of all existing or platted streets or other public ways, parks, playgrounds, other public lands, and easements adjacent to the final long plat, subdivision or dedication, including municipal boundaries, township lines and section lines;

(9) A certification by a professional land surveyor in a form acceptable to the town that the plat is a true representation of the lands actually surveyed;

(10) Appropriate certificate indicating consent by all those persons having ownership rights in the property in a format acceptable to the Town;

~~_(11) A certificate in a format acceptable to the town regarding participation in any irrigation district;~~

(12) A certificate acceptable to the Town relating to any flood hazard areas and/or any Town of Twisp shoreline management areas;

(13) Certification regarding any streets, utilities, rights-of-way, easements for private, ~~semi-private~~ or public use. Ownership of utilities and easements shall be stated on the face of the plat and described on the utilities section of the plan set;

(14) Certificate from the Okanogan County Treasurer that all taxes and delinquent assessments for which the property may be liable as of the date of certification by the Treasurer have been fully paid, satisfied or discharged;

(15) Certification of approval by the Public Works ~~superintendent~~Director acting on behalf of the Town, as to the survey data, layout of streets, alleys, and other rights-of-way, design of bridges, sewage and water systems, and other structures;

~~(16) Written certification of approval from the Methow Valley Irrigation District if plat is within its service area;~~

(16) Certification of approval by the Twisp Mayor;

(17) Acknowledgment from the Public Works ~~superintendent~~Director as to the adequacy of the proposed means of sewage disposal, ~~and~~ water supply, storm drainage and access;

(18) Ordinance, scale, north arrow, and date;

(19) A certification shall be submitted together with the plat certifying that the subdivider has either:

(a) Completed improvements in accordance with these regulations and with the action of the Town Council giving approval of the preliminary long plat; or

(b) Provided acceptable surety such as a bond, certified check, nonrescindable letter of credit from a reputable financial institution, property, or other secure methods for such improvements as provided in TMC 17.35.200;

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(20) Such other certificates, affidavits or endorsements as may be required by Town Council in the enforcement of these regulations. (Ord. 465 § 6(A), 1998)

17.30.020 Supplementary information.

In addition to the requirements of TMC 17.30.010 the following information shall be submitted with the final long plat as appropriate:

- (1) A copy of any proposed covenants, conditions and restrictions to be recorded with the proposed long subdivision;
- (2) A list of the conditions required as part of the approval of the preliminary long plat by the Town Council together with annotation of how they have been and/or will be complied with. (Ord. 465 § 6(B), 1998)

17.30.030 Time limit for submission.

- (1) The original tracing and four copies of the final plat and other exhibits required for approval as specified in Section 17.25.020 TMC shall be submitted to the Administrator and shall be accompanied by a written request for approval of the final plat, and shall be accompanied by the final plat processing fees as specified in the adopted fee schedule.
- (2) The final plat shall be submitted to the Town Council within seven years of the date of preliminary plat approval if the date of preliminary plat approval is on or before December 31, 2016, and within five years of the date of preliminary plat approval if the date of preliminary plat approval is on or after January 1, 2017.
- (3) A final plat meeting all requirements of this chapter shall be submitted to the Town Council for approval within ten years of the date of preliminary plat approval if the project is not subject to requirements adopted under chapter 90.58 RCW and the date of preliminary plat approval is on or before December 31, 2007.
- (4) An applicant who files a written request with the Administrator at least thirty days before the expiration of this period shall be granted one, one-year extension upon a showing that the applicant has attempted in good faith to submit the final plat within the appropriate period.

The original tracing and four copies of the final long plat and other exhibits required for approval as specified in TMC ~~17.30.010~~ shall be submitted to the administrator and shall be accompanied by a written request for approval of the final long plat, and shall be accompanied by the final long plat processing fees as specified in the adopted fee resolution. The final long plat shall be submitted to the town council within three years of the date of preliminary long plat approval. An applicant who files a written request with the administrator at least 30 days before the expiration of this three-year period shall be granted a one-year extension upon showing that the applicant has attempted in good faith to submit the final long plat within the three-year period. (Ord. 465 § 6(C), 1998)

17.30.040 Drawings.

The final long plat shall be drawn on stable base mylar or equivalent material at such a scale as to make a map a minimum of 18 inches by 24 inches and shall be at a scale of at least one inch equals 100 feet unless the administrator requests or authorizes a different scale. Where necessary, the plat may be on

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several sheets, including match lines, accompanied by an index sheet showing the entire long subdivision. (Ord. 465 § 6(D), 1998)

17.30.050 Review and approval.

(1) ~~Review and approval of the final plat is a Type III action and subject to the requirements of Chapter 14.05 TMC.~~

(2) The Administrator shall review the final long plat for conformance to conditions imposed on the approved preliminary long plat. If the proposed final long plat is in conformance with all conditions of preliminary approval, then the Administrator shall submit the final long plat and required information for approval, approval with conditions or denial to the Town Council.

(3) If the final long plat contains substantial modifications from the preliminary long plat recommended for approval by the Planning Commission, the Administrator shall process it in accordance with Chapter 14.05 TMC.

(4) When the Town Council finds that the final long plat conforms to all terms of the preliminary long plat approval and that said subdivision meets the requirements of this title, and Chapter 58.17 RCW, as both these regulations were in effect at the time of preliminary long plat approval, the Town Council shall authorize the mayor to sign the final long plat after which mayor shall suitably inscribe and execute their written approval on the face of the plat. The long subdivision shall be governed by the terms of final long plat unless the Town Council finds that a change in conditions creates a serious threat to the public health or safety in the long subdivision at which time the Town Council may take any action needed for correction.

(5) ~~That any newly installed fire hydrant be equipped with a five-inch Storz fitting (approved by Fire Chief) with a tethered cap installed on the large diameter discharge pot.~~

~~.(4) If, in the opinion of the administrator, the plat has been substantially altered, it is to be returned to the planning commission and the time requirements start over.~~

~~(5) Town council action on final long plats shall be at the next regularly scheduled council meeting following the date of filing for a request of final approval.~~

(6) Approval shall be indicated by the signature of the Administrator or his/her designee on the original tracing. (Ord. 465 § 6(E), 1998)

17.30.060 Time limit for recording.

The final long plat shall be recorded within 60 days following the date of approval of the final long plat by the Town Council. If the subdivider fails to file the final long plat prior to the expiration of the above time period, he/she shall resubmit the plat in accordance with Chapter 17.25 TMC. (Ord. 465 § 6(F), 1998)

17.30.070 Vested use limitation.

Any lots in a long plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of two years from the date of filing. A subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances and regulations in effect at the time of approval for a period

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of two years after final plat approval unless the Town Council finds that a change in conditions creates a serious threat to the public health and safety in the subdivision. (Ord. 465 § 6(G), 1998)

17.30.080 Final long plat alteration.

(1) Application. When any person is interested in the alteration of any long subdivision or the altering of any portion thereof, except as provided under TMC [17.05.050](#)(4), that person shall submit an application to request the alteration to the Administrator on an application form available from the Administrator, including a legibly drawn representation of the plat as it presently exists and of the proposed alteration, both to scale. The submitted application shall be processed in accordance with Chapter [14.05](#) TMC and be accompanied by the following:

- (a) The signatures of a majority of those persons having ownership interest of lots, tracts, parcels, sites, or divisions in the subject long subdivision or portion to be altered;
- (b) If the long subdivision is subject to restrictive covenants which were filed in conjunction with the long subdivision, and the application for alteration would result in a violation of a covenant, the application shall contain an agreement signed by all parties, subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the long subdivision or portion thereof.

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

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

(4) Drawings and Filing. After approval of the alteration, the Town Council shall order the applicant to produce the revised drawing on stable base mylar or equivalent material, stamped by a licensed surveyor which, after signatures of the authorities whose approval appeared on the original plat, shall be filed with the Okanogan County Auditor to become the lawful plat of the property. (Ord. 465 § 6(H), 1998)

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

17.30.090 Final long plat vacation.

(1) Application. Whenever any person is interested in the vacation of any long subdivision or portion thereof, or any area designated or dedicated for public use, that person shall submit an application for vacation to the Administrator. The Administrator shall process said application in accordance with Chapter [14.05](#) TMC.

The application shall set forth the reasons for vacation and shall be accompanied by the following:

- (a) The signatures of all parties having an ownership interest in that portion of the long subdivision subject to vacation;

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

(2) Procedure Relating to Roads.

(a) When the vacation application is specifically for a Town street or alley right-of-way, the procedures for street vacation in Chapter [35.79](#) RCW shall be utilized for the road vacation.

(b) When the application is for the vacation of the plat together with the roads, the procedure for vacation in this section shall be used, but vacations of roads may not be made that are prohibited under RCW [36.79.035](#).

(3) Title to Vacated Land. If any portion of the land contained in the long subdivision was dedicated to the public for public use or benefit, such land, if not deeded to the Town or Okanogan County, shall be deeded to the Town or County, unless the Town Council shall set forth findings that the public use would not be served in retaining ordinance to those lands.

Title to the vacated property shall vest with the rightful owner as shown in the Okanogan County records. If the vacated land is land that was dedicated to the public for public use other than a road or street, and the Town Council has found that retaining title to the land is not in the public interest, title thereto shall vest with the person or persons owning the property on each side thereof, as determined by Town Council. When the road or street that is to be vacated was contained wholly within the long subdivision and is part of the boundary of the long subdivision, title to the vacated road or sheet shall vest with the owner or owners of property contained within the vacated long subdivision. (Ord. 465 § 6(l), 1998)

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Chapter 17.35
IMPROVEMENTS

Sections:

- 17.35.010 Generally.
- 17.35.020 Standards given to subdivider.
- 17.35.030 Supervision by town.
- 17.35.040 Plans approved by town.
- 17.35.050 Underground utilities.
- 17.35.060 Utility capacities planned.
- 17.35.070 Clearing.
- 17.35.080 Grubbing.
- 17.35.090 Grading, ballasting, and surfacing.
- 17.35.100 Storm drainage.
- 17.35.110 Water mains.
- 17.35.120 Sewer lines.
- 17.35.130 Culverts or trestles.
- 17.35.140 Street plans and specifications.
- 17.35.150 Pedestrian ways.
- 17.35.160 Conformance to general design.
- 17.35.170 Monuments.
- 17.35.180 Plan of completed improvements.
- 17.35.190 Maintenance corporation.
- 17.35.195 Maintenance bond.**
- 17.35.200 Surety.

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17.35.010 Generally.

(1) The items set forth in this chapter and the Town of Twisp Development Standards Manual shall be minimum required improvements of all short and long plats, binding site plans and planned developments.

(2) Unless otherwise agreed to by the Town and applicant, all costs for improvements shall be the responsibility of the applicant.

(3) While design standards are set forth in the Town of Twisp Development Standards Manual, Chapter 17.40 TMC, and Chapter 5 and Appendices B, C and D of the International Fire Code, higher development standards may be imposed for the promotion of public health, safety and general welfare, including environmental quality considerations. (Ord. 465 § 7(A), 1998)

17.35.020 Standards given to subdivider.

The Town shall furnish design, construction, and materials standards which are appropriate to the locality, topography, soil conditions, and geology of the area in which the proposed short or long plat, binding site plan, planned development, long subdivision or dedication is to be developed and improved. The standards shall be made available to the subdivider/developer, or his/her engineer, no later than 20 days after receipt of the proposed short or long plat, long subdivision, binding site plan, planned development or dedication by the Town. Such standards must generally conform to those set forth in Chapter 17.40 TMC. (Ord. 465 § 7(B), 1998)

17.35.030 Supervision by town.

All improvements shall be designed and constructed to the standards of the Town of Twisp and installed under the supervision of the town. (Ord. 465 § 7(C), 1998)

17.35.040 Plans approved by town.

(1) Improvement work shall not be commenced until plans have been checked for adequacy and approved in writing by the Public Works Director, a preconstruction meeting has completed with the Town, and until the Town has been notified 48 hours in advance. If work has been discontinued for any reason, it shall not be resumed until the Town has been notified.

(2) All plans for public works improvements such as streets, water, sewer, drainage, and bridges must be prepared by a licensed civil engineer registered in the state of Washington. These plans shall be prepared and provided in an electronic form and 3 sets of 24"x36" print copies -the subdivider to the Town at the developersubdivider's expense. All calculations for utility uses, including stormwater management shall be stated as notes on the plans. These plans must be submitted to the Public Works superintendentDirector for review and approval prior to the start of construction of the subdivision required improvements. It may also be necessary to submit these plans to the Town's engineer and appropriate state and county agencies for their review and approval at the developer's expense. (Ord. 465 § 7(D), 1998)

17.35.050 Underground utilities.

All underground utilities such as electrical, telephone, fiber, cable, irrigation, and sewer, and water and storm water lines installed in streets or alleys shall be constructed prior to the surfacing of streets or

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alleys. All underground utilities shall be placed in accordance with applicable health and safety requirements. Stubs for service connections for all underground utilities and sewer and water lines shall be placed to the property line of each lot or parcel. (Ord. 465 § 7(E), 1998)

17.35.060 Utility capacities planned.

The capacities and dimensions of water, sewerage, storm drainage, and street facilities shall be prepared in accordance with the standards provided in the Town of Twisp Development Standards Manual and Chapter 17.40 TMC and shall be adequate to provide for the future needs of other undeveloped properties in the general vicinity and the Town may share in the cost of these improvements to the extent of the difference in cost between the capacities needed to serve the long subdivision development and the capacities required to serve the vicinity. (Ord. 465 § 7(F), 1998)

17.35.070 Clearing.

All proposed streets and/or rights-of-way shall have all trees and brush removed from the right-of-way, and all stumps cleared and removed within the confines of the street. If construction of the streets or development within the right-of-way will not take place within one year, the cleared area shall be revegetated with appropriate grasses and/or ground covers to minimize erosion and dust. (Ord. 465 § 7(G), 1998)

17.35.080 Grubbing.

(1) All streets shall be grubbed by the removal of all large rocks, roots, snags, logs, brush, and debris upon the surface of the ground and refilling all excavations and holes left by the removal within the confines of said street.

(1)(2) If construction of the street will not take place within one year, the grubbed area shall be revegetated with appropriate grasses and/or ground covers to minimize erosion and dust. (Ord. 465 § 7(H), 1998)

17.35.090 Grading, ballasting, and surfacing.

All proposed streets shall be graded according to the Town approved profiles established within their entire confines, and in accordance with the requirements of the Town of Twisp Development Standards Manual and Chapter 17.40 TMC. (Ord. 465 § 7(I), 1998)

17.35.100 Storm drainage.

Storm drainage facilities shall be provided in accordance with the design standards set forth in the most current edition of the Eastern Washington Stormwater Management Manual, prepared by the Washington State Department of Ecology, the Town of Twisp Development Standards Manual and Chapter 17.40 TMC. (Ord. 465 § 7(J), 1998)

17.35.110 Water mains.

All water mains must be installed according to specifications of the Town of Twisp Development Standards Manual of Twisp and shall include fire hydrants, valves and appurtenances as set out in specifications provided by the Town for the area to be served. All water mains must be engineered and installed at the expense of the subdivider/developer. (Ord. 465 § 7(K), 1998)

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17.35.120 Sewer lines.

All sewer lines must be engineered and installed at the expense of the subdivider-developer according to the specifications of the Town of Twisp Development Standards Manual ~~of Twisp~~. (Ord. 465 § 7(L), 1998)

~~17.35.130 Culverts or trestles.~~

~~All culverts or trestles over waterways, draws or gulches, when over four feet in height, shall conform to the specifications of the town set forth in Chapter 17.40 TMC. (Ord. 465 § 7(M), 1998)~~

17.35.140 Street plans and specifications.

Detailed plans and specifications for street improvements shall be submitted to and approved by the Public Works Director ~~Town Council~~ according to specifications set forth in the Town of Twisp Development Standards Manual and Chapter 17.40 TMC prior to construction. (Ord. 465 § 7(N), 1998)

17.35.150 Pedestrian ways.

Provisions for pedestrian ways and related types of improvements are required in all applications for subdivision, binding site plan or planned development approval. The intent is to provide pedestrian improvements consistent with the comprehensive plan and appropriate to the size, type and location of the subdivision, binding site plan or planned development. In general, pedestrian improvements are required, consistent with the Transportation Element of the Town of Twisp Comprehensive Plan and/or Town of Twisp Trails Plan (as amended), on both sides of arterial streets and a minimum of one side on collector and access streets unless suitable provisions exist for pedestrians. (Ord. 465 § 7(O), 1998)

17.35.160 Conformance to general design.

When the subdivider-developer installs pavement, curbs, sidewalks, storm drains, water supply lines, sewer collection lines, electrical, and other utilities, and other improvements, all such improvements shall be carried out according to the general design and installation standards approved by the Public Works superintendent Director and/or consulting engineers and in conformance to the Town of Twisp Design Standards Manual. (Ord. 465 § 7(P), 1998)

17.35.170 Monuments.

Monuments shall be placed at all street intersections, boundary angle points, at any intersection of a tangent with a curve in streets, and at such intermediate points as required by the Public Works superintendent Director. The monuments shall be of stone or concrete-filled pipe or tile, weighing at least 50 pounds, capped with brass caps furnished by the subdivider-developer. Street monuments shall be set between six inches and one foot below the official furnished street grades and in paved streets shall be enclosed in a standard monument case. (Ord. 465 § 7(Q), 1998)

17.35.180 Plan of completed improvements.

(1) Plan and profile drawings, on material, scale, and size acceptable to the Town showing all improvements as built shall be filed with the Town upon completion of the improvements. The street plan and profile drawings shall show property line profiles, curb grades of each street, monument locations, utility locations, right-of-way lines, and any easements.

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(2) These as-built record drawings shall be prepared by the ~~subdivider's-developer's~~ engineer and/or surveyor and shall be submitted in electronic form and a format of one set of reproducible mylars and two sets of prints labeled "as builts". (Ord. 465 § 7(R), 1998)

(3) GIS Datum shall be collected and provided to the Town on all water, sewer and drainage structures, including but not limited to valves, meters, hydrants, manholes and drywells. Specifications of the Datum will conform to the Town of Twisp Development Standards Manual. Such Datum will be provided at the developer's expense.

17.35.190 Maintenance corporation.

The Town Council, under appropriate circumstances, may require the formation of a maintenance corporation charged with the responsibility of construction and maintenance of the roads ~~and or~~ other common facilities in the proposed ~~long subdivplat, binding site plan or planned development~~ division. (Ord. 465 § 7(S), 1998)

17.35.195 Maintenance bond.

(1) General Requirements.

(a) All required street and utility improvements must be constructed by the applicant and must be accepted by the Town or other approved security shall be submitted in an amount sufficient to cover one hundred fifty percent of the estimated cost of completing all required utility extensions and street improvements as determined by the Public Works Director. Upon completion of the required improvements and prior to acceptance by the Town Council, the applicant must submit a maintenance bond or alternative security approved by the Town Attorney in an amount determined by the consultant engineer and approved by the Public Works Director. The maintenance bond amount shall be one hundred percent of the actual cost of construction. An alternative security shall be in an amount not less than ten percent nor more than one hundred percent of the actual cost of construction. The amount shall be determined on a case-by-case basis based upon the consultant engineer's estimated cost of repair or maintenance should repair or maintenance be required. The applicant shall submit documentation of the cost of construction to the public works director for their review and approval and use in determining the required bond or alternative security amount. Said bond shall be in effect for one year from the date of acceptance.

17.35.200 Surety.

In lieu of the completion of the actual construction of any required improvements prior to the approval of a ~~final long-plat, binding site plan or planned development~~, the Town Council may accept a bond, in an amount and with surety and conditions satisfactory to the Town Council and Town attorney, or other secure method, providing for and securing to the Town of Twisp the actual construction and installation of such improvements within a time period specified by the Town Council and expressed in the bond(s) or other security. In addition, bonds or other security may be required by the Town Council to ensure the successful maintenance and operation of any or all required improvements for one year after acceptance by the Town Public Works Director of the completed improvement(s). (Ord. 465 § 7(T), 1998)

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Chapter 17.40
DESIGN STANDARDS

Sections:

- 17.40.010 Generally.
- 17.40.020 Provisions of the comprehensive plan.
- 17.40.030 Street, rights-of-way and accesses.
- 17.40.040 Utilities.
- 17.40.050 Storm drainage.
- 17.40.060 Pedestrian ways.
- 17.40.070 Alleys.
- 17.40.080 Easements.
- 17.40.090 Blocks.
- 17.40.100 Lots.
- 17.40.110 Parks and recreational areas.

17.40.010 Generally.

Any streets, alleys, easements, blocks, lots or public sites, open spaces, and environmental avoidance/enhancement or mitigation measures within any proposed short or long plat, binding site plan or planned development shall be designed in accordance with Chapter 35.78 RCW, et seq., as hereafter amended, and the minimum design standards set forth by the Town of Twisp. (Ord. 465 § 8(A), 1998)

17.40.020 Provisions of the comprehensive plan.

(1) Land which the Planning Commission has found to be unsuitable for subdivision development due to flooding, bad drainage, steep slopes, rock formations, other critical areas as defined by the Growth Management Act and designated by the Town, or other features likely to be harmful to the safety and general health of the future residents, and which the Planning Commission considers inappropriate for subdivision, a plat, binding site plan or planned development, shall not be subdivided approved, unless adequate methods approved by the Town Council are planned to overcome these conditions.

(2) Those areas of the Town where topographical slopes are 10 percent or more shall be subdivided developed in conformance with such additional requirements as deemed appropriate. Such additional requirements shall be obtained from the appropriate department heads by the Planning Commission or administrator and presented to the subdivider-developer within 30 days of the request for such information.

(3) The proposed long-subdivision short or long plat, binding site plan or planned development shall provide for such requirements contained in the comprehensive plan.

Commented [KD1]: Andrew – are the standards in the manual consistent with the IFC?

Commented [AD2R1]: The Development Standards will reference and be consistent with the IFC.

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(4) As further described in TMC [17.40.1190](#), the Town shall pursue with the ~~subdivider-developer~~ all available strategies to reserve for public use lands within an area to be ~~subdivided-platted, binding site plan or planned development~~ that are identified in the Town of Twisp Comprehensive Plan ~~(as amended)~~, as suitable for educational and recreational purposes. Such strategies may include, but are not limited to, dedication, compensation at full market value, or other mutually agreed upon financial consideration or incentive. (Ord. 465 § 8(B), 1998)

17.40.030 Street, rights-of-way and accesses.

The following standards for streets, rights-of-way and accesses apply to all proposed ~~long subdivisions short and long plats, binding site plans or planned developments~~ in the Town of Twisp. ~~All streets or accesses with public water, sewer and other Town owned and maintained infrastructure shall be dedicated to the public and designed and constructed to the appropriate standard contained herein and the Town of Twisp Development Standards Manual.:~~

(1) The arrangement, character, extent, width, grade, and location of all streets shall conform to the ~~general-Town of Twisp~~ Comprehensive Plan ~~(as amended)~~, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

(2) Where such is not shown in the Comprehensive Plan, the arrangement of streets ~~in a long subdivision~~ shall, when applicable, either:

- (a) Provide for the continuation or appropriate projection of existing ~~principal~~-streets in surrounding areas; or
- (b) Conform to a plan for the neighborhood approved or adopted by the Town Council to meet a particular situation where, topographical or other conditions make continuance or conformance to existing streets impracticable.

(3) ~~Minor-Local access~~ streets shall be so planned as to discourage their use by nonlocal traffic.

(4) Where a ~~long subdivisiondevelopment~~ abuts or contains an existing or proposed arterial ~~or collector~~ street, the Town Council may require reverse frontage with screen planting and a non-access reservation along designated property lines, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(5) Nothing less than full width streets are acceptable except boundary streets on the tract in which the ~~plat-development~~ is located. In the case of boundary streets with less than full width, there shall be included a conditional dedication clause on the face of the plat which will reserve the outer one foot of the boundary street from public usage until such time as the remainder of the right-of-way necessary to assure a full width street is dedicated from the adjoining property.

(6) Where a ~~long subdivisiondevelopment borders on or contains a railroad right-of-way or limited access highway right-of-way, and there exists a reasonable possibility of a future overpass or intersection is located in an area with a single point of access to a major collector, minor arterial or local major collector,~~ the Town Council may require a reservation for potential future right-of-way. Such reservations for potential future right-of-way shall be laid out with due regard for the requirements of approach grades and future grade separations.

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(7) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed with the Town under conditions approved by the Town Council.

(8) Service drives, where provided in residential areas, shall be a minimum of 20 feet wide in front of residences facing major arterials.

(9) Street jogs with center line offsets of less than 125 feet shall not be allowed.

(10) ~~Right-of-way Easements~~ for private roads, when approved, shall not be less than 30 feet nor more than that required for short or long plats. ~~Right-of-way Easements~~ for access to utilities or service parcels not expected to be in regular use may not be less than 15 feet in width.

~~(11) A tangent at least 50 feet long shall be introduced between reverse curves on arterials and collector streets.~~

~~(12) When connecting street lines deflect from each other at any one point by more than 10 degrees, they shall be connected by a curve for arterials and collector streets, for which the degree of curvature shall be determined by the public works superintendent.~~

~~(13) Streets and/or road intersections shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than 80 degrees and at street intersections, property line corners shall be rounded by an arc, the minimum radius of which shall be 20 feet.~~

(14) Street designs and right-of-way widths for public roads shall be free from any encumbrances ~~shall and~~ be as shown in the comprehensive plan and where not shown therein, shall be not less than as follows:

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Street Type	Minimum Right-of-Way Width*	Minimum Curb-to-Curb Pavement Width	Maximum Street Grade
Community arterial	80 feet	44 feet	6 percent
Collector street	60 feet	40 feet	6 percent
Residential access street — Over 500 feet in length	60 feet	36 feet	8 percent
Residential access street — Less than 500 feet in length which cannot be extended	50 feet	28 feet	8 percent
Circular end of cul-de-sac	50 feet (radius)	50 feet(radius)	8 percent

*Must be of sufficient width to include a pedestrian right-of-way.

A reduction of the right-of-way width may be permitted where topography permits or when the proposed street connects to or is the extension of any existing platted street having a right-of-way width less than the required minimum, when approved in accordance with Chapter 17.45 TMC.

(15) The street area between the curbs shall be constructed with the following minimum compacted ballast and surfacing materials:

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(a) ~~Residential Local Access Streets (public or private).~~

2-inch asphalt concrete pavement

2-inch crushed surfacing—top course (5/8-inch—0)

4-inch ballast (2-1/2-inch—0)

(b) ~~Community Minor Arterial, Major and Minor Collector Streets, and Local Major and Minor Collector Streets Commercial, and Industrial Areas.~~

3-inch asphalt concrete pavement

3-inch crushed surfacing—top course (5/8-inch—0)

6-inch ballast (2-1/2-inch—0)

(16) Half streets shall be prohibited except where essential to the reasonable development of the ~~long subdivision plat, binding site plan or planned development~~ in conformity with the other requirements of this title and where the Town Council finds it will be practicable to require the dedication of the other half when the adjoining property ~~is subdivided~~ is developed. Whenever a half street is adjacent to a tract being ~~subdivided~~ developed, the other half of the street shall be included as a part of the ~~long subdivision development~~.

~~(17) Dead-end streets, also referred to as cul-de-sacs, designed to be so permanently, may serve a maximum potential of 200 vehicles per day and should otherwise be limited to a length of 600 feet. Cul-de-sacs shall be provided at the closed end with a turnaround having an outside right-of-way diameter of at least 100 feet, or a hammerhead turnaround of size to be determined by the public works superintendent.~~

(18) No street names shall be used which will duplicate or be confused with the names of existing town streets. Street names shall be subject to the approval of the Town Council.

(19) Street grades shall not exceed the standards set forth in [the Town of Twisp Development Standards, subsection \(14\) of this section](#), ~~depending upon topographic conditions and whether the street is designated as a community arterial, collector town street or residential access town street.~~

(20) ~~Private access corridors are subject to the approval of the Planning Commission, Public Works Director and Town Council and are reviewed on case by case basis.~~

(20) If private access corridors are permitted, the minimum corridor width to serve one or two lots shall be 20 feet, and to serve three or four lots, shall be 30 feet. Greater width may be required at the discretion of the Public Works ~~superintendent~~ Director in consultation with the Fire Chief and the ~~P~~ Planning ~~C~~ ommission if such greater width is deemed necessary to provide emergency ingress/ egress.

(21) If private access by corridor in the same ownership as the lots served is permitted, the area of such corridor shall ~~not~~ be included in the lot areas in determining conformance with zoning requirements.

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Access easement to the Town of Twisp will be provided and stated on the face of the plat for access to private and or Town owned utilities. "Private" shall be labeled on all sewer, water and drainage facilities on the as-built drawings and plat.

(22) Permitted maximum length of a private access corridor shall be 150 300 feet, except as recommended by the Public Works Director and the Planning Commission and approved by the Town Council. ~~It may be longer; provided, that if a lesser length serves the lots in the long subdivision, such shorter length shall be the maximum permitted.~~ All such accesses are subject to compliance with the International Fire Code.

(23) Private access corridors may have official Town street designations, provided the private nature shall also be indicated.

~~.(24) Curb, gutter, pavement, and storm drainage facilities shall be required to prevent storm water erosion and damage, unless such requirement is waived by the tTown cCouncil.~~

(25) Private property may be dedicated to public use as streets by a deed of dedication acceptable to the Town or by preparing and recording a plat in accordance with this title.

~~.(26) Curbs and gutters shall be installed on all existing or proposed streets. The curbs are to be combination curb and gutter of concrete and shall be poured as a single unit according to plans and specifications supplied by the town's consulting engineer.~~

(27) Street lights shall be provided and installed in conformance with the Town of Twisp Development Standards Manual. ~~the following standards:~~

~~(a) One street light at each street intersection;~~

~~(b) One street light at mid-block if the block is longer than 500 feet;~~

~~(c) Placement of street lights along arterial streets shall conform to the street light design plans for the street;~~

~~(d) Street lights must be shielded or designed to prevent excessive light and glare.~~

(28) Guard rails shall be provided on trestles or bridges and guard fences shall be provided on fills or culverts over four feet in height. Where streets or roads of the long subdivision short or long plat, binding site plan or planned development connect to or intersect existing roadways, there shall be culvert drains installed in accordance with the Town of Twisp Development Standards Manual. ~~of metal or concrete pipe of not less than 12 inches diameter. (Ord. 465 § 8(C), 1998)~~

17.40.040 Utilities.

(1) All underground utilities in all new residential areas development shall be installed and maintained in accordance with the Town of Twisp Development Standards ~~at a depth of not less than three feet below the graded surface of said street, provided existing installations may be maintained at the present level until replaced.~~ All new utilities shall be installed underground except for the following:

(a) Electric, pad-mounted transformers;

(b) Electric transmission systems of a voltage of 15 KV or more;

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- (c) Service meters at structures;
- (d) TV cable amplifiers and distribution taps;
- (e) Telephone pedestals and cross-connection terminals;
- (f) Temporary services necessary for construction.

(g) Wireless telecommunication devices.

(2) No buildings or structures, ~~except fences,~~ shall be permitted to be constructed on any Town right-of-way, utility easements, or over any utility facilities. ~~Masonry fences will be considered as structures, rather than fences. Non-masonry fences may be allowed to be constructed on or over utility easements if approved by the Public Works Director.~~

~~(3)(a)~~-Water. A complete domestic water distribution and fire protection system shall be engineered, installed and inspected at the expense of the developer in conformance with ~~the comprehensive water plan and the Town of Twisp Development Standards. Town design manual standard practices of the town.~~ All water lines and services shall be installed prior to required street improvements. ~~The Town of Twisp Public Works Department developer will supply and install all water connection appurtenances including meters, setters, valves, vaults and cross connection devices as directed by the Public Works Director. from the water main to the discharge side of the meter provided that the developer provide a safe excavation access for such work by the Town Public Works staff. All such work by the Town of Twisp Public Works Department and appurtenances shall be charged to the developer in accordance with TMC and the Town of Twisp Development Standards.~~

The water distribution system shall be designed and constructed in accordance with the Town of Twisp Development Standards. Town's water comprehensive plan, Design Manual. Town ordinances, and the Washington State Department of Health regulations. Public water mains shall be extended to the far edge of ~~long subdivisions short and long plats, binding site plans and planned developments~~ for future extension by others.

The town, at its discretion, may direct that water main diameters in excess of that needed by service and fire protection for the long subdivision be installed in accordance with the town's water comprehensive plan for all pipe sizing. If the town directs such over-sizing the town will pay the difference in pipe, material cost between the pipe diameter required for the long subdivision and the town-directed oversize diameter pipe.

~~(4)(b)~~-Sanitary Sewer. A sanitary sewer system shall be engineered, installed and inspected at the expense of the developer in conformance with the Town of Twisp Development Standards Manual. When a sewer connection is required to an existing sewer mainline, the Town of Twisp Public Works Department will supply and install the service connection to the Town's sewer main, provided that the developer provide a safe excavation access to the sewer main. All such work by the Town of Twisp Public Works Department and appurtenances shall be charged to the developer in accordance with TMC and the Town of Twisp Development Standards. When a sewer connection is required to connect to a new or existing sewer manhole, an approved licensed contractor will be employed by the developer to perform all necessary work in conformance with the Town of Twisp Development Standards. ~~with a separate~~

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connection to the ~~T~~town sewer system for ~~every two each~~ lots and shall be constructed in conformance with the comprehensive sewer plan and ~~Town Design Manual standard practices of the town.~~

The sanitary sewer system shall be designed and constructed in accordance with the Washington State Department of Ecology regulations ~~and the Town of Twisp Development Standards Manual. Design and with the standard practices of the town.~~ Public sSewer mains shall be extended to the far edge of ~~long subdivisions short and long plats, binding site plans and planned developments~~ for future extensions by others.

~~The town, at its discretion, may direct that sewer main diameters in excess of that needed for service for the long subdivision be installed in accordance with the town's wastewater comprehensive plan for all pipe sizing. If the town directs such over sizing, the town will pay the difference in pipe material cost between the pipe diameter required for the long subdivision and the town-directed oversize diameter pipe. (Ord. 465 § 8(D), 1998)~~

17.40.050 Storm drainage.

All ~~plats, binding site plans and planned~~ developments shall make provisions for ~~on-site~~ collection, retention and disposal of storm and other water runoff ~~in compliance with the Eastern Stormwater Management Manual and Town of Twisp Development Standards Manual.~~ The method of storm drainage handling will be dependent on the location of the development. ~~Where access to existing drainage utility is feasible, the developer shall design and install a collection system and with a connection to the existing system according to specifications provided by the town. Where access to the system is not available,~~ The developer must design and install the improvements needed to collect, retain and dispose of runoff on-site. ~~Such method of disposal must meet current local, state and federal standards for runoff collection, retention and disposal.~~

(1) It is the intent of this subsection to adequately provide for suitable drainage provision~~s~~ in all ~~short plats, or long subdivisions~~ ~~binding site plans or planned developments~~. All ~~developments~~ ~~long subdivisions~~ shall provide for drainage such that their development does not conflict with present drainage patterns or create a drainage problem within itself or for its neighbors. ~~Most common short subdivisions are not anticipated to cause such conflicts; therefore, they will be subject to the requirements of this subsection only when review of the short subdivision by the town reveals, in its opinion, that such conflicts exist or potentially exist. When the town makes such determination, the subdivider shall conform to this subsection. Long subdivisions shall comply with this subsection in all cases.~~

(2) A drainage plan, where required, shall be prepared by a licensed engineer registered in the state of Washington and submitted to the Town for review and approval for any proposed land development that will increase the quantity of or in any way alter the drainage runoff occurring prior to development.

(3) Design calculations for peak flow and peak volume storage requirements shall be based on a design storm frequency of 10 years unless it is determined by the Town that the development is located in a drainage problem area, whereby the design storm frequency may be increased accordingly. Drainage plans must identify areas that will accommodate any storm water runoff that is in excess of the designed capacity of the conveyance system. Such runoff must be directed to the location it would have drained to prior to the development. The submitted drainage plan shall incorporate, among other data, a topographical map to clearly define:

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- (a) The proposed development;
- (b) All areas, improved or unimproved, lying upstream and draining to and across the proposed development;
- (c) Drainage course, natural or otherwise, to which the proposed development shall drain.

~~(4) The plan shall provide for the on-site detention and/or retention of the total water intercepted and collected by the development and the improved or unimproved areas lying and draining presently to and through the proposed development, for the design storm, unless other natural or manmade systems are available for use.~~

~~(5) Detention and/or retention of storm water runoff from any proposed land development shall be accomplished by storm water holding facilities either open or closed or by introduction, on-site, of storm water into permeable soils via an infiltration system.~~

(6) The drainage plan shall incorporate all calculations for the determination of the required size of the system. Said calculations shall be based on required criteria herein stated and upon an analysis of estimated runoff from areas contributing runoff to those facilities. Calculations used for the analysis shall be clearly labeled on the drainage plan set. ~~Peak flow analyses shall be done using the rational method. Storage volume quantities shall be computed by the rational stored rate method. The assumption for the outflow rate used in the stored rate method will need to be verified by the developer by actual field testing in the case of filtration systems. Collection systems shall be either gravity pipe systems, open channels, or a combination of the two.~~

(7) Said plans shall include a plan-profile of the systems including cross-sections of all open ditches and channels. Hydraulic and physical data such as grades, bottom elevations of ditches and channels, inverts of pipes at all structures such as manholes and catch basins, sizes and lengths of all pipes, length of ditches and channels, and top elevations of all catch basin covers shall be called out. This includes the invert elevations of the existing or other proposed storm drainage systems that the subject drainage plan proposes to tie into. (Ord. 465 § 8(E), 1998)

17.40.060 Pedestrian ways.

When pedestrian ways are identified in the Town of Twisp Comprehensive Plan and/or Trails Plan and required by TMC 17.35.150, such improvements are to be provided along all new and existing streets in conformance with the Town of Twisp Development Standards Manual, following standards:

~~(1) Pedestrian ways shall be located within the public right-of-way and meet the standards in subsection (2) of this section unless an alternative exists that meets the intent of TMC 17.35.150, and is approved under Chapter 17.45 TMC.~~

~~(2) Where there are existing pedestrian improvements, new improvements shall be constructed to a standard that meets or exceeds the existing improvements.~~

~~(3) Where no provisions for pedestrians exist, pedestrian ways shall be clearly delineated and constructed to the following minimum standards:~~

Type of	Minimum Width	Minimum Construction Type
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Street		
Access streets	4 feet on at least one side of the street	Compact gravel surface—4 inches crushed rock (1/4-inch diameter or less, no sand)
Collector streets	5 feet on both sides	Compact gravel surface—4 inches crushed rock (1/4-inch diameter or less, no sand); grade separated from vehicular traffic
Arterial streets	6 feet on both sides	Concrete or asphalt; grade separated from vehicular traffic
C-1 zone	10 feet on both sides	Concrete

~~(4) Higher standards for pedestrian ways may be required when necessary to protect public health and safety.~~

~~(5) Where a proposed subdivision is located adjacent to an existing street, the applicant is not required to provide a sidewalk on the opposite side of the street.~~

~~(6) When required, curb ramps and/or other accessibility improvements for the physically disabled shall be constructed pursuant to RCW 35.68.075 and 35.68.076 at all intersections and other appropriate locations. (Ord. 465 § 8(F), 1998)~~

17.40.070 Alleys.

(1) Alleys shall be provided in commercial and industrial districts, except that the ~~T~~town ~~e~~Council may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.

(2) The minimum width of an alley shall be 20 feet.

(3) Alley intersections and sharp changes in alignment shall be avoided to permit safe vehicular movement as determined by the Public Works ~~superintendent~~ Director.

(4) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the dead-end, as determined by the Public Works ~~superintendent~~ Director and Fire Chief. (Ord. 465 § 8(G), 1998)

17.40.080 Easements.

(1) Utility easements with a minimum width of 20' shall be granted to the Town of Twisp across lots or centered on rear or side lot lines ~~when applicable shall have a minimum width of 15 feet and shall remain free of obstacles that would prevent access for maintenance and repair of the utility.~~

(2) Where a ~~long subdivisions~~ short or long plat, binding site plan or planned development is traversed by a watercourse, drainage, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially within the ordinary high-water mark of such watercourse, and such

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further width for construction, or maintenance, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith.

(3) If feasible and appropriate on natural streams, creeks and other bodies of water along or within a proposed ~~long subdivisions~~short or long plat, binding site plan or planned development, a minimum six-foot pedestrian easement for public use located parallel to and near the ordinary high-water mark is encouraged. (Ord. 465 § 8(H), 1998)

17.40.090 Blocks.

(1) The lengths, widths and shapes of blocks shall be determined with due regard to:

- (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (b) Needs for convenient access, circulation, control and safety of street traffic;
- (c) Limitations and opportunities of topography.

(2) Block lengths should not exceed ~~1,000~~ 400 feet.

(3) Pedestrian crosswalks shall be required where deemed essential to provide circulation or safe access to schools, playgrounds, trails, shopping centers, transportation, and other community facilities. (Ord. 465 § 8(I), 1998)

17.40.100 Lots.

(1) Each lot resulting from the ~~subdivision-short or long plat, binding site plan or planned development of an area~~ shall conform with zoning regulations. The lot size, width, depth, shape, and orientation shall be in conformance with the applicable Town zoning laws, except the lot size in approved planned developments shall be flexible with the total number of lots determined by allowable density, lot coverage and parking requirements.

(2) Each lot shall adjoin a public street unless otherwise approved by the Public Works ~~superintendent~~Director and recommended for approval by the Planning Commission. Lots may have access to a public street by an access corridor in the same ownership as the lots requiring access, or by recorded easement over an access corridor in other ownership, whichever in the discretion of the approving officials, is the best method of access based on existing adjacent development and potential development. Any such access shall be compliant with the requirements of the International Fire Code Chapter 5, Appendices C and D and the Town of Twisp Development Standards.

(3) Corner lots for residential use shall have extra width to permit appropriate building setback from and orientation to both streets.

(4) Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from ~~community-minor~~ arterial or to overcome specific disadvantages of topography and orientation. No right of access shall be provided along the line of lots abutting such a community arterial or other disadvantageous use.

(5) Applicants that disagree with the decision of the Public Works ~~superintendent~~Director may appeal to the Town Council, as provided in TMC 17.15.120. (Ord. 465 § 8(J), 1998)

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17.40.110 Parks and recreational areas.

Pursuant to RCW [58.17.110](#) and related statutes, the Town Council will require, based on a recommendation from the planning commission, that [long plats, binding site plans or planned developments](#) not already served by parks and recreational areas make adequate provisions for these facilities. The need for park and recreation land and/or facilities shall be based on an identified and quantified impact on recreational resources, as described in the parks and recreation element of the [Town of Twisp Comprehensive Plan](#) and are reasonably necessary as a direct result of the proposed development or required to mitigate the direct impact of the development. The provisions shall be made by either designating a portion of their land as either private or public parks and recreational areas or in the alternative, entering into a voluntary agreement to contribute funds to the Town for park purposes. Lands designated for park and recreational purposes are subject to the following:

- (1) The nature of the park or recreation area shall be clearly indicated on the plat.
- (2) Lands dedicated to the Town for public parks or recreational areas, other than streets and alleys, shall be conveyed by deed from the developer in conjunction with final approval of the plat.
- (3) Parks and recreational areas proposed to remain in private ownership shall be developed as needed to accommodate the development in which the park and recreation area is located.
- (4) As an alternative to dedication of public parks and recreational areas, the developer may voluntarily choose to contribute to the Town, for park purposes, a payment approximately equal to the value of the land which the Town would otherwise have required to be designated for parks and recreational areas. Payment of cash in lieu of land for park purposes shall be made by the developer to the Town before final long plat approval is given. The payment shall be deposited into a reserve account from which funds may be expended for parks and recreational uses agreed upon by ~~the Town Council-the town~~, and the developer to mitigate the identified direct impact. ~~The payment shall be expended within five years of collection, and any payment not so expended shall be refunded with interest at the rate applied at the time of refund; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.~~
- (5) Proposed park and recreational areas shall be developed, depending on intended use, according to the development standards defined in the parks and recreation element of the Town of Twisp Comprehensive Plan. (Ord. 465 § 8(K), 1998)

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Chapter 17.45

VARIANCES

Sections:

17.45.010 Generally.

17.45.010 Generally.

The Planning Commission may authorize upon appeal in specific cases a variance from the terms of this title as will not be contrary to state law, including Chapter [58.17](#) RCW, nor contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the terms of this title will work a special hardship upon the applicant; however, such variance may not be granted by the Planning Commission unless and until:

(1) A written application, accompanied by an application fee as specified by the adopted fee resolution, for an open record public hearing, duly advertised in accordance with Chapter [14.05](#) TMC, is submitted demonstrating all of the following:

- (a) That special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands in the same area;
- (b) That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same area under the terms of this title;
- (c) That the special conditions and circumstances do not result from the actions of the applicant;
- (d) That the special hardship is not self-inflicted;
- (e) That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands in the same area;
- (f) That financial gain is not the ground or grounds for the variance;
- (g) That the variance granted is the minimum required to accommodate the problem;
- (h) That the variance will not nullify the intent and purpose of the comprehensive plan or this title;
- (i) That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other real property in the vicinity.

(2) In granting variances and modifications, the Planning Commission may require such conditions as will, in its judgment, substantially secure the objectives of the standards or requirements so varied or modified.

(3) If the request is part of the application for a subdivision, the request shall be reviewed in conjunction with the subdivision review and the Planning Commission shall specifically recommend approval, approval with modification or disapproval of the variance request as part of their recommendation regarding the subdivision to the Town Council. (Ord. 465 § 9(A), 1998)

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Chapter 17.50
ENFORCEMENT

Sections:

17.50.010 Violation – Penalty.

17.50.010 Violation – Penalty.

(1) No building permit or other development permit shall be issued for any lot, tract, or parcel of land divided in violation of Chapter [58.17](#) RCW or this title as now in effect or hereafter amended.

(2) Violations. Pursuant to RCW [58.17.300](#), any person, firm, corporation, or association, or any agent of any person, firm, corporation or association who violates any provision of this title relating to the sale, offer for sale, lease or transfer of any lot, tract or parcel of land is guilty of a ~~civil infraction~~gross misdemeanor, and shall be subject to the penalties, purchaser's remedies and other legal sanctions authorized in this section and the zoning ordinance. Any sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of this title shall be deemed a separate and distinct offense.

(3) Enforcement. The Town attorney, when authorized by the Mayor and Town Council, shall seek penalties, remedies, injunctions, and other legal sanctions necessary for the enforcement of this title, will be governed by RCW [58.17.200](#), [58.17.210](#), [58.17.230](#) and [58.17.320](#), which are hereby adopted by reference. Injunctive remedies shall also be available for enforcement of all sections in this title.

(4) Cost of Enforcement. In addition to costs and disbursements provided for by statute, the prevailing party in an action for abatement, a foreclosure action, or collection action under this title may, in the court's discretion, be allowed interest and a reasonable attorney's fee. The Town attorney shall seek such costs, interest, and the reasonable attorney's fees on behalf of the Town of Twisp when the Town is the party.

(5) Review of Decision. Court review of any decision approving or disapproving any application authorized by any section of this title for unlawful, arbitrary, capricious, or corrupt action or non-action shall be governed by Chapter [36.70C](#) RCW, et seq., the Land Use Petition Act.

(6) Failure to Act. If in an instance the planning commission fails to act or carry out its responsibilities according to the regulations contained in this title, the Town Council shall assume all the duties of the planning commission as specified in this title relating to the application concerned. (Ord. 465 § 10(A), 1998)

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Chapter 17.55
BINDING SITE PLAN

Sections:

- 17.55.010 Purpose.
- 17.55.020 Procedures.
- 17.55.030 General conditions and requirements.
- 17.55.040 Preapplication conference.
- 17.55.050 Application/processing fee.
- 17.55.060 Submission.
- 17.55.070 Application requirements.
- 17.55.080 Review.
- 17.55.090 Planning Commission public hearing.
- 17.55.100 Notice of public hearing.
- 17.55.110 Staff report.
- 17.55.120 Planning Commission action.
- 17.55.130 Town Council action.
- 17.55.140 Approval—Conditions.
- 17.55.150 Relationship of approved preliminary binding site plan to final binding site plan.
- 17.55.160 Final binding site plan.
- 17.55.170 Final filing fees.
- 17.55.180 Final filing.
- 17.55.140 Certificate of segregation—Building permits.
- 17.55.200 Improvements.
- 17.55.220 Vested rights.
- 17.55.230 Variances.
- 17.55.240 Amendments.
- 17.55.250 Dedications.
- 17.55.260 Vacations.
- 17.55.270 Appeals.
- 17.55.280 Violations.

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17.55.010 Purpose.

The purpose of this chapter is to establish procedures regulating binding site plans to provide an optional alternative procedure for the orderly and efficient division of land into lots, tracts, or parcels as provided in RCW 58.17.040(4), (5), or (7); to promote the general health, safety, and welfare; and to substantially comply with the provisions of RCW 58.17.035 and 58.17.040. The procedures specified herein are an alternative to other methods of subdividing land. Because it is optional, an applicant may, but need not elect to use the binding site plan concept and the procedures stated herein for commercial and industrial development. The binding site plan procedures of this chapter shall have principal application to commercial and industrial parks.

17.55.020 Procedures.

The procedures and requirements set forth in this chapter and Title 14 TMC shall be followed in submission and approval of binding site plans. It is intended that, to the extent possible, binding plan reviews will be processed simultaneously with any applications for rezones, planned developments, conditional use permits, and similar quasi-judicial or administrative actions that may be required for the same development. If requested by the applicant, the Town may process an annexation concurrently with a binding site plan application using the procedures in Title 14 TMC.

17.55.030 General conditions and requirements.

(a) Approved binding site plans shall be filed for the record in the Okanogan County Auditor's office.

(b) When a commercial or industrial binding site plan authorizes a sale or transfer of a lot, parcel, or tract, the binding site plan and all of its requirements shall be legally enforceable on the purchaser or other person acquiring ownership of the lot, parcel, or tract. The sale or transfer of such lot, parcel, or tract in violation of the binding site plan, or without obtaining binding site plan approval, shall be considered a violation of this title, subject to the penalties and enforcement provided in 17.50.010 TMC Chapter 58.17 RCW and shall be restrained by injunctive action and be illegal as provided in Chapter 58.17. The sale or other transfer of ownership of a lot, parcel, or tract of a commercial or industrial binding site plan shall be filed for record in the County Auditor's office.

(c) Alteration of an approved binding site plan shall be processed subject to all the procedures and requirements of this chapter.

(d) The binding site plan shall make provisions for roads, streets, alleys, the extension of municipal utilities (sewer and water), drainage ways, other public ways, or other municipal improvements as specified in Chapters 17.35 and 17.40 of this code and as deemed necessary by the Town at the time of the binding site plan approval. All such provisions shall be designed in conformance with the Town of Twisp Development Standards Manual.

(e) The binding site plan shall have access to an existing dedicated street as specified in Section 17.40.030 of this title. There shall be access to all parcels, lots, or tracts.

(f) The binding site plan shall comply with all zoning, fire, and health regulations.

(g) The binding site plan shall be consistent with the Town's Comprehensive Plan.

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(h) Every decision or recommendation made under this chapter by the Town Council or Planning Commission, including final approval, shall be in compliance with the requirements of Chapter 14.05 TMC.

(i) The binding site plan shall provide for irrigation water rights-of-way as now enacted or hereafter amended and shall be approved by the irrigation district.

(k) The applicant shall be responsible to reimburse the Town for administrative costs incurred by the Town to review, process and approve, modify or disapprove the binding site plan submitted. The applicant shall be responsible for all engineering, legal and other consulting fees and costs incurred by the Town to the extent said fees and costs exceed the application fees, and the applicant shall be advised of those costs by the Town Clerk. The applicant shall pay such fees as billed by the Town Clerk. A failure to pay within thirty days any such fee billed by the Town Clerk shall result in a suspension of the processing of the binding site plan on the basis that such failure to pay evidences an abandonment of the biding site plan application. The applicant shall pay such costs in full before the final plat is recorded.

17.55.040 Preapplication conference.

(a) When a person contemplates an application for a binding site plan for a parcel(s) of land, said person shall schedule a preapplication conference in accordance with Section 14.05.030(1) TMC.

17.55.050 Application/processing fee.

The submittal of an application for a binding site plan shall be accompanied by a nonrefundable processing fee as specified in the current Town of Twisp Fee Schedule; upon determination by the Administrator that the application is complete, the administrator shall request payment of the application fee. No application shall be processed until the application has been deemed complete and the application fee paid.

17.55.060 Submission.

(a) The applicant, following a preapplication conference shall submit an application for binding site plan review and approval.

(b) The administrator then reviews the application and related materials for completeness. Once the administrator determines the application is complete, he/she shall:

(1) Notify applicant in writing that the application is complete;

(2) Request payment of the application fee;

(3) Request the applicant to submit an electronic copy and seven ~~three~~ paper copies submit ~~fifteen copies~~ of the proposed binding site plan and supplementary material as specified in Section 17.55.070; and

(4) Circulate the application and related materials for department heads, Planning Commission and affected agency review as required by Section 17.55.080; and

(5) Schedule and provide notice of the public hearing as specified in Chapter 14.05.

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17.55.070 Application requirements.

(a) The applicant shall submit a conceptual master development plan for the binding site plan.

(b) The binding site plan application and map shall be submitted to the Town on forms prescribed by the Town. Said application shall be accompanied by an electronic copy and seven paper copies of the binding site plan and map. The binding site plan and map (scale = to one inch to one hundred feet) shall include the following:

(1) Proposed name of the binding site plan; this name shall not duplicate any name used on a recorded plat, subdivision or binding site plan in the Town of Twisp;

(2) Location of the binding site plan by section, township and range;

(3) Names and addresses of the owners, applicant, and designer of the binding site plan and the licensed surveyor and engineer if appropriate;

(4) Scale, north arrow, date and the location of all permanent monuments;

(5) A full and correct legal description of the entire lot, tract, parcel, site or division constituting the applicant's property, as recorded in the Okanogan County Auditor's office;

(6) A vicinity sketch at a scale between four hundred and eight hundred feet to the inch. The vicinity sketch shall show all adjacent subdivisions, streets, and tract lines of adjacent parcels, with the names of owners of record of such parcels when described by metes and bounds. It shall show how the streets and alleys in the proposed binding site plan may connect with existing and proposed streets and alleys in all adjacent territory so that an advantageous development of the entire area can be achieved;

(7) Boundary lines of the proposed binding site plan including monuments and markers, approximate distance and area enclosed;

(8) Any deed restrictions or covenants existing or proposed shall be drawn on the binding site plan;

(9) Elevations shown by contour lines at a minimum of five-foot intervals if determined by the administrator to be needed at the preapplication conference;

(10) The location, name, designation as to public or private, present improvements and right-of-way width, and type of surfacing of all existing streets, alleys and rights-of-way on and adjacent to the tract, including the location of any existing walks, curbs, gutters; the location, pipe size and grades of all existing sewers, water mains, culverts, buried electrical or telephone conduits and surface and subsurface drains, railroad lines or other private improvements, and utilities including storm drains and drainage facilities;

(11) Approximate width, location and purpose of all existing easements;

(12) The approximate location of all designated floodways and one hundred-year floodplain areas covered by water and the location, width, name and direction of flow of all watercourses;

(13) The approximate location of all areas designated in the Town of Twisp Shoreline Master Program;

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- (14) The approximate location of all designated critical areas;
- (15) Existing uses of the property, including the location and use of all existing structures and those structures which will remain on the property after filing of the final binding site plan;
- (16) The location, name, intention to make public or private, right-of-way or easement width, approximate radii of curves and gradients, of all proposed streets, alleys or roads within or on the boundary of the proposed subdivision;
- (17) Location, width and purpose of all proposed easements;
- (18) Proposed uses of the property;
- (14) Approximate dimensions of all lots with proposed lot and block numbers (if applicable). Lot sizes shall be in compliance with the applicable zoning laws;
- (20) The locations, size and existing use all existing and contemplated public areas within the proposed binding site plan. Areas designated for public use as recommended by the Planning Commission, shall be dedicated for such use by easement to the Town of Twisp if approved by the Town Council and indicated on the final binding site plan before recording;
- (21) A brief statement and preliminary layout of proposed on-site facilities and improvements for sewage disposal, water supply and drainage. The administrator, after consulting with the Public Works Director, may require the installation of water, sewer, and storm drainage lines in street rights-of-way within the binding site plan, or easements therefore in accordance with Section 17.40.080 and with the recommendations of the Town engineer;
- (22) A list of the names and addresses of all owners of record or real property within three hundred feet of the external boundaries of the proposed binding site plan;
- (23) If the proposed binding site plan would affect any irrigation district, an explanation of how it provides for the necessary irrigation provisions as prescribed by Chapter 58.17.310 RCW;
- (24) Minimum building setback lines according to applicable zoning laws;
- (25) Environmental checklist prepared in accordance with Chapter 43.21C RCW (State Environmental Policy Act (SEPA)) and the Town's SEPA ordChapter 16.05 TMCinance, as they now exist or are hereafter amended;
- (26) A copy in concept of all proposed restrictive covenants;
- (27) If the applicant desires to develop the binding site plan in phases, the phases shall be shown on the preliminary binding site plan along with the proposed time frame for each phase;
- (28) A title certificate consisting of a report showing all parties having any full or partial interest(s) in the property to be subject to the binding site plan;
- (29) Inscriptions or attachments setting forth appropriate limitations and conditions for the use of the land.

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17.55.080 Review.

(a) Copies of the proposed binding site plan, and all other information required by Section 17.55.070 shall be processed in accordance with Chapter 14.05 TMC and forwarded by the administrator to the following agencies, as deemed appropriate for their respective recommendations, if any:

- (1) Town department heads;
- (2) Okanogan County Health District;
- (3) Town consulting engineer;
- (4) Okanogan County Assessor, Planning and/or Public Works;
- (5) Any affected irrigation district and/or public or private utilities (electrical, telephone, telecommunications, cable, water, etc.);
- (6) Natural Resource Conservation Service;
- (7) Any school district or fire district encompassing any of the area included in the preliminary plat;
- (8) Any affected or concerned governmental agencies including nearby cities, and appropriate state and federal agencies. State agencies may include Departments of Fish and Wildlife, Ecology, Health, etc. depending on location and scope of project. Federal agencies may include the Environmental Protection Agency, Corps of Engineers, Fish and Wildlife Service, Bureau of Reclamation, Bureau of Indian Affairs, etc. depending on location and scope of project;
- (9) Twisp Planning Commission;
- (10) Okanogan County Weed Board; and
- (11) Confederated Tribes of the Colville Indian Reservation;
- (12) Washington State Department of Transportation when a proposed project abuts or impacts S.R. 20.

The above agencies shall all also be sent a notice of public hearing. The comments and/or recommendations of the aforesaid public agencies, if any, shall be submitted to the Town of Twisp a minimum of seven days prior to the hearing provided for in Section 17.55.090.

17.55.090 Planning Commission public hearing.

When the administrator believes that the binding site plan application is complete, the procedures in Chapter 14.05 TMC shall be followed, a date for a public hearing before the Planning Commission shall be set. The Planning Commission shall conduct a hearing on the binding site plan not less than twenty days nor more than sixty days after receipt of the completed binding site plan

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17.55.100 Notice of public hearing.

An open record public hearing will be held before the Planning Commission with notice of the proposed binding site plan provided in compliance with Chapter 14.05 TMC.

17.55.110 Staff report.

The Administrator shall prepare a staff report, including findings of fact, to present to the Planning Commission. The staff report shall include a review of the proposed binding site plan and any comments received from commenting agencies and departments and interested citizens. The report shall also review the proposed binding site plans conformance with required standards, other land use regulations, and the Town of Twisp Comprehensive Plan.

17.55.120 Planning Commission action.

(a) The Planning Commission shall issue its findings and notice of decision in accordance with Section 14.05.060(9) TMC. The Planning Commission shall review the binding site plan, staff report, testimony and exhibits submitted at the hearing and make findings and recommendations thereon to the Town Council in the form of a letter of transmittal to assure conformance of the proposed binding site plan with the comprehensive plan and zoning ordinance. The Planning Commission shall recommend necessary dedications and street, utility and other public improvements and conditions of approval and recommend the Town Council approve, conditionally approve, or disapprove the binding site plan.

(b) A record of the public hearing (minutes and digital recording) shall be kept by the Twisp Town Clerk and shall be open to public inspection.

(c) The administrator shall transmit a copy of the Planning Commission's recommendation in accordance with Section 14.05.060(9) TMC.

17.55.130 Town Council action.

(a) The recommendation of the Planning Commission shall be submitted to the Town Council for final decision in accordance with Section 14.05.060 and 14.05.070 TMC.

17.55.140 Approval—Conditions.

Pursuant to Section 58.17.110 RCW, as it now exists or is hereafter amended, the Town Council shall inquire into the public use and interest proposed to be served by the establishment of the binding site plan and dedication. The Town Council shall determine if appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and shall consider all other relevant facts and determine whether the public use and interest will be served by the binding site plan and dedication. The Town Council shall also consider any recommendation from the Planning Commission regarding any physical constraints, SEPA mitigation measures, or other conditions to protect the health, safety and welfare affecting the proposed binding site plan, and may require protective improvements as a condition of the approval. Any such requirement shall be noted on the face of the plat. If the Town Council finds that the proposed binding site plan makes appropriate provisions for public health, safety and general welfare and for such open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for

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schools and school grounds, and that the public use and interest will be served by the development of such binding site plan, then it shall be approved. If the Town Council finds that the proposed binding site plan does not make such appropriate provisions, or that the public use and interest will not be served, the Town Council may disapprove the proposed binding site plan. Dedication of land to any public body, or fees paid in lieu thereof, may be required as a condition of binding site plan approval and shall be clearly shown on the final binding site plan.

17.55.150 Relationship of approved preliminary binding site plan to final binding site plan.

The approved preliminary binding site plan together with its conditions of approval shall constitute a guide to the applicant for the preparation of the final binding site plan and to the Town for conditions under which the final binding site plan is to be approved. A final binding site plan meeting all the requirements of this chapter and other local regulations shall be submitted to the Town for approval within two years from the date of preliminary binding site plan approval by the Town.

An applicant who files a written request with the Town at least thirty days before the expiration of this two-year period shall be granted a one-year extension, provided if the applicant has attempted in good faith to submit the final binding site plan within the two-year period.

17.55.160 Final binding site plan.

The following items shall be submitted to the Town along with a written request to grant final when the applicant deems the binding site plan is ready for final approval:

(a) The final binding site plan shall conform substantially to the preliminary binding site plan and shall incorporate any conditions or recommendations imposed by the Planning Commission and approved by the Town Council. Any required signatures shall be in permanent black ink on the original document to be filed;

(b) The original tracing and four copies of the binding site plan and map, (electronic file, three prints and one reproducible mylar). Maps shall be produced at a scale of one inch equals one hundred feet; be neat and accurate drawings in black permanent ink; be prepared, stamped, and signed by either a registered professional land surveyor licensed by the state of Washington or the applicant. If it is prepared and signed by the applicant, there must be a perimeter map drawing signed by a licensed land surveyor with an indication of perimeter locating monuments. The trimmed size of the binding site plan and map(s) shall measure eighteen inches by twenty-four inches with a one and one-half inch margin on the top or left margin and a one-half inch border on the remaining three margins. The binding site plan and map shall be drawn on two or more sheets if the scale necessary to accommodate the map on one sheet would unduly congest the drawing. The binding site plan and map shall include the following:

(1) The lines and names of all streets or other public ways, parks, playgrounds, and easements intended to be dedicated for public use, or granted for use of inhabitants of the binding site plan;

(2) The lines and names of all existing or platted streets or other public ways, parks, playgrounds, and easements adjacent to the binding site plan, or dedication, including municipal boundaries, township lines, and section lines;

(3) Block and lot locations, including dimensions and number designations;

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(4) The lengths and bearing of all straight lines, curve radii, arcs, and semitangents of all curves;

(5) All dimensions along the lines of each lot, with the true bearings and any other data necessary for the location of any lot lines in the field;

(6) Suitable primary control points approved by the Town engineer, or descriptions and ties to such control points, to which all dimensions, angles, bearings, and similar data given on the plan shall be referred;

(7) The location of all permanent monuments;

(8) The names of all subdivisions immediately adjacent thereto;

(9) The date, true north point, scale, datum plane, and date of survey;

(10) The boundary of the binding site plan, the course and distances marked thereon, as determined by a field survey made by a registered and qualified land surveyor of the state, and with an allowable error not to exceed one foot in ten thousand feet;

(11) The elevations of all corners on the boundaries of the subdivided tracts;

(12) Statement by the owner dedicating streets, right-of-way, and any sites for public use;

(13) Location and dimensions of all irrigation water rights-of-way;

(14) All linear dimensions shall be given in feet and decimals of a foot to the nearest hundredth; and;

(15) Proposed street names.

(c) A title report from a title company licensed to do business in the state of Washington and dated within thirty days of the date of filing of the binding site plan and application confirming that the title of the lands as described and shown on the binding site plan is in the name of the owners signing the binding site plan or instrument of dedication;

(d) A certificate from the Okanogan County Treasurer indicating that all taxes and assessments on the property included in the binding site plan or dedication have been paid according to the provisions of RCW 58.08.030 as now enacted or hereafter amended;

(e) All covenants proposed to run with the land;

(f) All documents, maps, and survey notes shall clearly show the name of the binding site plan, the name(s) of the applicant(s) and the name of the registered land surveyor responsible to the applicant(s);

(g) If the binding site plan constitutes a redivision, the lots, blocks, streets, etc., of the original plat shall be shown by dotted lines in their proper positions in relation to the new arrangement of the binding site plan, the binding site plan being so clearly shown in solid lines as to avoid ambiguity;

(h) The applicant or his land surveyor shall set all required monuments and shall stake all lot corners as shown on the binding site plan before the binding site plan is submitted for approval;

(i) If any of the parcels can be further divided, or if only a portion of a tract is being divided, location of future streets, alleys and lot lines shall be shown by dotted lines;

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(j) A site plan on a separate sheet showing the following information:

- (1) Location and sizing of existing and proposed utilities, including water, sewer, storm drains, drainage facilities, electricity, telephone and cablevision lines,
- (2) Existing and proposed structures and natural features and all proposed improvements within and adjoining the proposed binding site improvement plan,
- (3) Utility grades based on a datum plane approved by the Town consulting engineer. The Town consulting engineer may require the topography of the site to be shown at a contour interval no greater than two feet,
- (4) Present zoning classification on and adjacent to the property,
- (5) The location of all designated floodways and one hundred-year floodplain areas covered by water and the location, width, name and direction of flow of all watercourses;
- (6) The location of all areas designated in the Town of Twisp Shoreline Master Program;
- (7) The location of all designated critical areas;
- (8) Public dedications for park land, if any,
- (9) Name(s) of owner(s) of the proposed binding site improvement plan,
- (10) Location and dimensions of all existing and proposed irrigation water rights-of-way on and adjacent to the proposed binding site improvement plan;

(k) Any deed restrictions or covenants existing or proposed shall be drawn on the binding site plan;

(l) Submit mathematical calculations necessary to provide information required by this title related to lots, block and boundaries;

(m) The binding site plan shall contain the legal description of the subdivision and the following dedication, acknowledgement, and endorsement statements shall appear in the following sequence in black permanent ink, either by hand or mechanical device:

Legal Description:

Declaration:

The owner(s) of the land here described is/are

The owner does hereby establish a Binding Site Plan pursuant to RCW 58.17.040(4), (5) or (7), and Chapter 17.55 of the Twisp Municipal Code and that the undersigned declares that development of the property herein described shall conform to all inscriptions contained hereon.

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Dedication:

We, the undersigned owners of the land here described, do hereby dedicate to the Town of Twisp forever the _____ and do hereby grant a waiver of all claims for damages against the governmental authority arising from the construction and maintenance of public facilities and public property within the Binding Site Plan.

Signature

Signature

Signature

Signature

STATE OF WASHINGTON)

County of Okanogan)

This is to certify that before me personally appeared _____, to me known to be person(s) who executed the foregoing dedication and acknowledge to me that it was signed as a free and voluntary act and deed for the uses and purposes state.

Signed and Sealed _____, 20_____.

Notary Public in and for the state of Washington residing at _____.

My appointment expires _____.

Inscriptions:

Land Surveyor's Certificate:

I hereby certify that the Binding Site Plan of _____ the heretofore described tract of land, is based upon an actual survey and that all the courses and distances shown thereon are correct, and that I have fully complied with the provisions of the statutes and platting regulations.

Professional Land Surveyor

Certificate No. _____

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Approvals:

Examined and approved by the Twisp Public Works Department on _____,
20_____.

Public Works Director

Examined and approved by the Twisp Planning Commission on _____, 20_____.

Planning Commission Chairperson

Examined and approved by the Twisp Town Council on _____, 20_____.

Mayor

ATTEST:

Town Clerk

This is to certify that all taxes of _____, which includes 20_____ taxes have
been paid.

Okanogan County Treasurer

by Deputy Treasurer

Filed for the record at the request of the Town of Twisp this _____ day of _____,
20_____, in Volume _____ of Plats on page _____, records of Okanogan County,
Washington.

Okanogan County Auditor

by Deputy Auditor

17.55.170 Final filing fees.

Upon Town approval of the final binding site plan and within fifteen days thereafter, the applicant shall
remit the following fees prior to the binding site plan being officially signed and recorded with the
Okanogan County Auditor:

(a) A check payable to the Okanogan County Auditor sufficient to cover the recording fees;

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(b) When applicable, a certificate from the Okanogan County Auditor certifying that covenants to the property title have been recorded and filed shall accompany the binding site plan.

17.55.180 Final filing.

(a) Upon receipt of all required final fees the binding site plan shall be signed by the following officials:

(1) Twisp Public Works Director;

(2) Mayor;

(3) Town Clerk.

(b) The Town Clerk shall transmit the original mylar to the Okanogan County Auditor for final filing. One reproducible copy shall be forwarded with the original and returned to the Town Public Works Director for Department records. One paper copy shall be filed with the county assessor.

17.55.190 Certificate of segregation—Building permits.

(a) Prior to the issuance of any building permit for construction within an approved binding site plan, that portion of the binding site plan for which the building permit is requested must be legally described and receive a recommendation of approval from the Planning Commission and a certificate of segregation from the administrator. Said certificate shall insure the segregated portion of the binding site plan complies with the conditions of the approved binding site plan.

(b) Final approval of the binding site plan shall permit the applicant to develop construction plans and specifications for all street and utility improvements required by the Town Council in granting final approval of the binding site plan.

17.55.200 Improvements.

(a) All costs for improvements shall be the responsibility of the applicant, including inspection and review-related costs described by subsection (e) of this section. Prior to the granting of final binding site plan approval or issuance of a building permit for construction within a binding site plan, all street and utility improvements required by the Town Council in granting final binding site plan approval, including all street and utility improvements required to adequately service that portion of the plan for which a building permit is requested, shall be installed and completed by the applicant and accepted by the Town, unless the applicant posts a performance bond or other security as set forth in Section 17.35.200 TMC.

(b) Prior to construction of required improvements, the subdivider shall submit to the Town Public Works Director an electronic file and seven complete sets of construction plans and specifications prepared by a professional engineer licensed by the state of Washington showing all street and utility improvements as required by the Town Council in granting approval of the preliminary binding site plan. The construction plans and specifications shall be accompanied by a plan check fee in an amount estimated by the Town's Public Works Director. If the actual plan check fee exceeds the estimated amount, the applicant shall promptly remit the balance upon receipt of invoice from the Town. If the estimated amount exceeds the actual amount, a refund shall be made to the applicant. Sheet size shall be twenty-four by thirty-six inches and shall have a border of one inch on the left margin and one-half inch on the remaining three margins. The scale shall be five feet or ten feet vertically and forty feet or fifty feet horizontally, unless an alternative scale is approved by the administrator.

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(c) Within twenty working days of submittal of the plans, the Public Works Director shall approve, conditionally approve, or disapprove the plans. The applicant shall submit an electronic file labeled "Final" and one set of reproducible mylar and three sets of specifications labeled "Final" which have been approved for the Public Works Director's signature, records and use.

(d) After the Public Works Director has approved the construction plans and specifications, the applicant shall complete and install all improvements.

(e) The Public Works Director or a licensed professional engineer or engineering firm hired by the Town shall be responsible for the inspection of all binding site plan improvements to insure conformance with the approved plans and specifications. Any costs associated with the review, testing and inspection of the site improvements will be the responsibility of the developer.

17.55.220 Vested rights.

A binding site plan shall be governed by the terms of approval of the binding site plan, and the statutes, ordinances and regulations in effect at the time of approval.

17.55.230 Variances.

Any applicant may make application to the Planning Commission for a variance of any provision contained in this chapter provided the request is received concurrently with the proposed binding site plan or dedication. Such request for variance shall be in accordance with the variance procedures set forth in Chapter 17.45 of the Twisp Municipal Code.

17.55.240 Amendments.

Once a binding site plan has been recorded with the Okanogan County Auditor, it can be amended or vacated in whole or part using the procedures described in this section. All proposed amendments, whether a public dedication is involved or not, shall be processed in accordance with the following provisions:

(a) The amended binding site plan must comply with the procedures and requirements of this chapter for original binding site plan submittal and approval, provided that a new survey shall not be required unless the amendment results in the creation of new lot lines;

(b) The title of the amended binding site plan shall be:

Binding Site Plan No. _____

Amending Binding Site Plan No. _____

(c) The amended binding site plan shall show all of the land shown on the original binding site plan and shall bear the acknowledged signatures of all parties having ownership interest in the affected lots, tracts, parcels, sites or divisions within the original binding site plan as shown by a current title certificate; and

(d) Minor errors not involving a change in lines may be corrected by the survey or upon approval of the administrator by recording an affidavit with the Okanogan County Auditor specifically referencing the binding site plan by number and the correction.

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17.55.250 Dedications.

Dedication of all streets, rights of way, parks, playgrounds, easements, reservations, irrigation water rights-of-way, and any area to be dedicated to public use, together with any restrictions thereon shall be submitted as a part of the binding site plan, approved by the Town Council, and shall be recorded and filed as part of the binding site plan with the county auditor.

17.55.260 Vacations.

Vacation of all or a portion of an approved binding site plan is a Type IV shall follow the procedures contained in Chapter 14.05 TMC.

17.55.270 Appeals.

Any decision approving or disapproving any binding site plan shall be reviewable as provided by law, pursuant to Chapter 36.70C RCW and Chapter 14.05 TMC.

17.55.280 Violations.

Any person, firm or corporation violating any part of the provisions of this chapter shall be deemed to have committed a civil violation of the laws of the Town and shall be subject to penalties provided in Section 17.50.010 TMC, a civil penalty of up to five hundred dollars for each day or portion thereof during which any violation of this chapter is committed or permitted.