

2158
2-7-75

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2158

AN ORDINANCE relating to the procedures for considering plats which are integral parts of planned unit developments or planned residential unit developments, amending Ordinance 1329, Section 1, 19.02.080 and 19.02.085, Ordinance 2018, Section 1, and Sections 19.02.080 and 19.02.085 of the Bellevue City Code; amending Ordinance 1514, Sections 1, §18.41.120, Ordinance 2131, Section 1, §18.42.070 and repealing Section 7, Ordinance 2131 and Bellevue Zoning Code Section 18.42.113.

WHEREAS, plats which are integral parts of planned unit developments and planned residential unit developments can be more efficiently considered with the planned developments than under separate plat approval procedures.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 19.02.080 of Section 1, Ordinance 1329, Ordinance 1698, Section 1 and Bellevue City Code Section 19.02.080 is hereby amended to read as follows:

19.02.080 Procedures--Preliminary Plat. Ten prints of the proposed plat, drawn to a scale of one inch equal one hundred feet and including a small scale vicinity map, shall be submitted to the office of the Director of Public Works on or before the tenth day of the month. At least one of the prints shall be forwarded to the planning department. Where the plat is an integral part of a planned unit development (PUD) or planned residential unit development (PRUD), the preliminary plat shall be considered by a Hearing Examiner with the proposed final development plan, following the procedures of Chapter 18.42. In all other cases, upon receipt of the proposed preliminary plat, the Planning Director shall set a date and time for a public hearing to be held by the Planning Commission to consider the proposed preliminary plat. Notice of such hearing shall be given by publication of at least one notice not less than ten days prior to the hearing in a newspaper of general circulation within the City and by posting of a notice in each of the City's official public posting places.

The preliminary plat drawings shall contain the following information:

1. Proposed name of the plat;
2. Location by section, township, range, and/or by other legal description;

3. Name, address and phone number of developer;
4. Name, address and phone number of registered civil engineer;
5. Scale of plat, date and north point;
6. Existing topography of the land;
7. Proposed revisions to the topography, contours at five foot intervals or less, showing extent of cuts and fills;
8. Source of water supply. If water mains are to be installed, the location of mains and point of connection to the supply shall be shown;
9. Method of sewage disposal. If sanitary sewers are to be installed, the location of mains and point of connections to the sanitary system shall be shown;
10. Land use zoning classification on the proposed plat and adjoining properties;
11. The land or lot divisions of adjoining properties for a distance of one hundred feet;
12. The location of trees to be removed, retained and planted;
13. Location, widths and names of existing or prior platted streets, railroad or utility right-of-way, or easements, parks or other public spaces, existing permanent structures, within and adjacent to the proposed plat. In a replat the original lots, blocks, streets, easements, etc., shall be shown in dotted lines in scale with the proposed plat;
14. Existing and proposed utilities on, under or over the land showing size, grades and location (water, gas, sewer, power, telephone);
15. Layout of proposed streets, pedestrian walkways, walks, easements, and their names and widths;
16. Layout, number and dimensions of lots;
17. Parcels of land intended to be dedicated for public use, or reserved for use of owners of the property in the subdivision;
18. Building setback lines, showing dimensions;
19. Radius of corners at street intersections;

20. The location and sites of all ditches, culverts, catch basins and other parts of the design for the control of surface water drainage.

Accompanying the preliminary plat at the public hearing before the Hearing Body (Planning Commission or Hearing Examiner) shall be a letter from the Director of Public Works approving the plat as drawn or with changes as marked on a copy of the proposed plat; a letter from the King County Health and Sanitation Department approving the proposed private sewage and water systems. Where the sewage disposal system proposed is a septic tank system, the approval of the Health and Sanitation Department shall reserve the right to approve or reject the specific septic system proposed for each lot at the time of application for a building permit. A letter from the water district having jurisdiction acknowledging their ability to supply water to the plat; a letter from the sewer district having jurisdiction acknowledging their ability to provide service to the plat; a letter from the school district having jurisdiction regarding school sites; a letter from the Bellevue Park Board regarding park sites.

The Hearing Body can revise the general design or layout of the proposed plat as is deemed necessary in the interest of the community.

The approval of a preliminary plat by the hearing body is approval of the general acceptability of the layout and its relation to adjoining properties. Engineering detail is subject to the approval of the Director of Public Works.

Approval of the preliminary plat shall be effective for one year. If the final plat has not been recorded within this time, the preliminary must be again submitted to the Hearing Body for review and approval as a new proposal. (Ord. 1698, Section 1, 1971; Ord. 1329, Section 1, 1969).

Section 2. Section 1, § 19.02.085 of Ordinance 1329, as amended by Ordinance 2018, and Section 19.02.085 of the Bellevue City Code are each hereby amended to read as follows:

19.02.085 Final Plat. Where the plat is an integral part of a planned unit development (PUD) or planned residential unit development (PRUD), upon approval of the preliminary plat and final development plan per Chapter 18.42, the final plat incorporating the required revisions shall be presented to the Hearing Examiner for preliminary approval and forwarding to the City Council for final approval. In all other cases, upon approval of the preliminary plat, the final plat incorporating required revisions shall be presented to the Hearing Body for approval and forwarding to the City Council for final approval. No construction permit shall be issued until approval of the final plat.

Prior to presenting the final plat to the Hearing Body, a reproducible tracing of the final plat and a print of the designing engineer's calculation work sheet shall be furnished to the Director of Public Works.

The Director of Public Works shall evaluate and check the calculations and detail of the final plat and determine that it is accurate and correct. The developer of the plat shall pay a fee to the Public Works Department for the evaluation and checking of his plat. The Director of Public Works shall determine the fee in relation to the time and expense required to evaluate and check the plat. The Director of Public Works has the discretion to charge more than the minimum fee if he determines that the time required to evaluate the plat is greater than what the minimum plat fee would cover. The minimum evaluation fee shall be \$250. The maximum evaluation fee the Director of Public Works may charge shall be \$500.

A letter from the Director of Public Works to the Hearing Body stating that the final plat has been evaluated and checked and that all evaluation and checking fees have been paid, shall accompany the final plat when it is presented to the Hearing Body.

In all cases, the final plat shall be accompanied by all other letters and data pertinent to the plat, together with a bond and cash deposit in amounts fixed by the Director of Public Works, guaranteeing the construction and completion of the roads, the setting of monuments, the construction and completion of the sidewalks, street lights and street name signs, installation of drainage facilities and utilities, and all other work proposed by the platator, and guaranteeing the payment of certain additional charges as hereinafter described:

1. Any and all services performed by City employees in field inspection of construction of plat improvements, clearings and grading processes, shall be invoiced to the developer at one hundred per cent (100%) of direct salary cost, plus thirty-five per cent (35%) of such cost for overhead and fringe benefits. These services shall include a physical survey of plat control monuments to insure conformation to the City-wide survey control network.
2. Any outside consultants retained by the City to evaluate any phase of plat construction shall be invoiced at actual cost plus fifteen per cent (15%). Billings tendered to the developer shall be payable within thirty (30) days.

To insure payment of these additional charges, the developer shall post a cash deposit with the Public Works Department, equal to five per cent (5%) of the amount of the plat bond. The minimum cash deposit shall be \$500.00. The Plat Bond will not be released until all billings for such additional charges are paid in full.

The final plat drawing shall contain the following information:

- (1) Name of plat.
- (2) Location by Section, Township, Range and/or by other legal description.
- (3) The name and seal of the registered Land Surveyor responsible for the plat.
- (4) The scale, shown numerically and graphically, the date and north point. The scale of the final plat shall be 1"-100' so that all distances, bearings and other data can be clearly shown. Unduly cramped or illegible plats will not be approved.
- (5) The plat shall be drawn on a sheet of tracing cloth 18" x 22" in India ink with a 1/2" ruled margin or border.
- (6) The boundary line of the plat, based on an accurate traverse, with angular and linear dimensions.
- (7) Exact location, width, number or name of all streets, alleys, walks within and adjoining the plat.
- (8) True courses and distances to the nearest established street lines or official monuments which shall accurately locate the plat.
- (9) Municipal, Township, County or Section lines accurately tied to the lines of the plat by distances and courses.
- (10) Radii, internal angles, points of curvature, tangent bearings and lengths of all arcs.
- (11) All easements for rights-of-way provided for public services or utilities.

- (12) All lot and block numbers and lines, with accurate dimensions in feet and hundredths. Blocks in numbered additions to subdivisions bearing the same name may be numbered or lettered consecutively through the several additions.
- (13) Accurate location of all monuments. Monuments shall be as required by the Street Ordinance. One such monument shall be located at each street intersection and at locations to complete a continuous line of sight, and at such other locations as required by the City Engineer.
- (14) All plat meander lines or reference lines along bodies of water shall be established above, but not farther than 20' from the high waterline of such water.
- (15) Accurate outlines and legal description of any areas to be dedicated or reserved for public use, with the purposes indicated thereon and in the dedication; and/or any area to be reserved by deed covenant for common uses of all property owners.
- (16) Building setback lines from street frontage accurately shown with dimensions.
- (17) A description of the property platted which shall be the same as that recorded in the preceding transfer of said property or that portion of said transfer covered by the plat.

Should this description be cumbersome and not technically correct, a true and exact description shall be shown on the plat together with the original description. The correct description shall follow: "The intent of the above description is to embrace all of the following described property."

- (18) Dedication with a notarized acknowledgement, by owner or owners, of the adoption of the plan and the dedication of streets and other public areas. In case of a corporation, proper acknowledgement of the corporation and its officers shall be used.
- (19) Restrictions on the properties in the plat.

- (20) Certification by a registered land Surveyor to the effect that the plat represents a survey made by him and that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct.
- (21) Proper forms for the approval of the Chairman and Secretary of the Planning Commission, the Mayor, the City Manager, the City Clerk, the City Treasurer, City Engineer/Director of Public Works, and the County Treasurer, with space for signatures.
- (22) A proper form for the approval by signature of the King County Auditor, as to filing for records.

A typewritten copy of any protective deed covenants shall accompany the final plat.

Section 3. Section 18.42.070 of Ordinance 1514 as amended by Ordinance 2131, and Section 18.42.070 of the Bellevue Zoning Code are each amended to read as follows:

18.42.070 The Initiation of Project--Application. An application for approval of a proposed planned residential unit development (PRUD) shall be made to the Planning Department upon forms furnished by the City, and all such applications, together with all required attachments, shall be submitted in duplicate. Application shall be made by the owner or owners of the parcel or parcels intended to be developed as a unit, or his or their duly authorized agent or agents. The ownership of all parcels to be included must join in or be represented in the application.

In addition, the applicant shall be informed by the City administrative staff of the statutory power of Community Municipal Corporations organized in accordance with Chapter 73, Laws of 1967 (RCW, Chapter 35.14) to review and approve or disapprove projects in areas within their jurisdiction.

The procedure to be followed for approval of a Planned Residential Unit Development shall be composed of five steps:

1. Concept Design Review of the entire project proposal by the City Council;
2. Review of the preliminary development plan by the Hearing Body; and
3. Review of the final development plan and preliminary plat, if applicable, by the Hearing Body.

4. Review of the final development plan by the City Council.
5. Review of the final plat, if applicable, by the Hearing Body and City Council.

For the purpose of this section:

Hearing Body shall mean the Planning Commission and/or Hearing Examiner, and

Development Plan shall mean all plans, sketches, drawings, etc. of the PRUD and applicable plat.

Discrete divisions of projects may be phased, in which case each complete phase may be processed separately through both preliminary development plan review and final development plan review.

In addition, in all cases, the preliminary development plan and the final development plan may be combined and together processed through review as a final development plan.

18.42.080 Concept Design Review. The applicant shall submit as part of his application, sufficient data to permit a concept design review by the City Council. The primary purpose of the concept design review is to establish identification and qualification of all features of the project which would differ from those permitted by a conventional lot-by-lot development for the same underlying zoning use. Data to be considered may be comprised of maps, drawings or sketches, and/or a written statement generally describing and explaining the project with specific identification of those features which classify it as a Planned Residential Unit Development, and also at the discretion of the Planning Department should include such basic information as the following:

1. A sketch or drawing of the proposed land use arrangement showing the approximate building location areas.
2. A sketch, drawing, and/or statement indicating proposed areas to meet specific compliance with requirements for traffic circulation, parking, pedestrian walks, and landscaping.
3. An identification and/or statement specifying those areas to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public facilities.

4. An indication and/or statement of the proposed project sequence phasing for buildings, landscaped areas, open spaces, recreation space, utilities, and other improvements.
5. The above data may be prepared and submitted without undue elaboration but should provide sufficient detail to give the City Council and City staff enough information to understand and evaluate the project proposal and determine its qualification as a prospective planned residential unit development according to the policies, principles, considerations, and standards referred to in this chapter. The data submitted with the application will be available for public examination and copies may be furnished to the public or interested parties at a reasonable fee.

18.42.117 Reconsideration. If the Hearing Examiner approves the plan, any aggrieved person feeling that the decision of the Examiner is based on errors of procedure or fact may make a written request for review by the Examiner within ten (10) working days of the conclusion of the hearing. This request shall set forth the alleged errors and the Examiner may, after a review of the record, take such further action as he deems proper and may render a revised decision.

Section 4. Ordinance 1514, Section 1, § 18.42.120 and Bellevue Zoning Code Section 18.42.120 is hereby amended to read as follows:

18.42.120 Final Development Plan. Within six months following the approval of the preliminary development plan and when it is found by the Planning Department that an application meets the filing requirements for final development plans, the application shall be accepted and assigned for public hearing, before the Hearing Body. The Hearing Body shall review the final development plan for conformity with the approved preliminary development plan, shall approve, deny, or approve with conditions the final development plan, and shall forward the final development plan to the City Council for final approval. The applicant shall file with the Planning Department two copies of a final development plan conforming to the approved preliminary development plan. In addition to the information required under Section 18.42.111 for the preliminary development plan, the final development plan shall include the following:

- A. A survey of the property, showing existing features, including contours, buildings, structures, trees over four inches in trunk diameter measured at the base, streets, utility easements, rights-of-way, and existing land use;

- B. Elevation and perspective drawings of project structures and improvements;
- C. Agreements, covenants, or other provisions which will govern the use, maintenance, and assure continued protection of, the planned residential unit development and all of its open areas and recreational facilities;
- D. A proposed preliminary plat of the area, if subdivision of the planned residential unit development is intended or required;
- E. The following plans and diagrams:
 - 1. An off-street parking plan;
 - 2. A circulation diagram indicating the proposed movement of vehicles and pedestrians within the planned residential unit development, and to and from existing and programmed thoroughfares. Any special engineering features and traffic regulating devices needed to facilitate or insure the safety of this circulation pattern must be shown;
 - 3. Landscaping and tree planting plan, including site grading; and
 - 4. A topographic map or model of the site and surrounding vicinity.

For good cause shown, the City Council, in its discretion, may grant one extension, for a period of up to six additional months, for the filing of the final development plan and the required accompanying papers. If the final development plan or the required attendant papers are not filed within six months following the approval of the preliminary plan, or within such extended period granted by the City Council, the approval of the preliminary development plan shall lapse, and thereafter be null and void, without force or effect.

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Section 5. Section 7, Ordinance 2131 and Bellevue Zoning Code Section 18.42.113 are each hereby repealed.

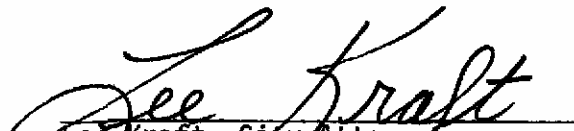
Section 6. This ordinance shall take effect and be in force 5 days after its passage, approval and legal publication.

PASSED by the City Council this 10 day of February, 1975, and signed in authentication of its passage this 10 day of February, 1975.

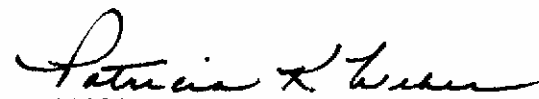
(SEAL)


Richard M. Foreman, Mayor

Approved as to form:


Lee Kraft, City Attorney

Attest:


Patricia K. Weber, City Clerk

Published February 20, 1975