Subdivision, Type III Review

What is the difference between a short plat and a subdivision?

A **short plat** is the division of land into nine or less urban or four or less rural lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership.

A **subdivision** is a division or re-division of land into ten or more urban or five or more rural lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of ownership. Please note that if a parcel of land has been approved for a short plat, any subsequent divisions within five years must be processed as a subdivision.

What is a Type III Review Process?

Proposed subdivisions are subject to a Type III review process, which requires a public hearing before a Hearing Examiner. In making the decision, the Hearing Examiner must determine if the proposed subdivision meets the requirements of the applicable sections of the Clark County Code. This decision is made after reviewing the proposal, and after considering staff's recommendation and testimony from the public. The Hearing Examiner will approve, approve with conditions, or deny the application. This decision may be appealed.

Is a pre-application conference required?

A pre-application conference is required before submitting a Type III application. The requirement for a conference may be waived if the Planning Director determines that the proposal is relatively simple. A waiver requires the applicant to submit a completed Pre-Application Review Waiver Request Form and fee.

What is the application process?

The first step is to complete a State Environmental Policy Act (SEPA) environmental checklist, if applicable. The Permit Center staff located at the Public Service Center, 1300 Franklin Street, first floor, Vancouver, Washington, will assist the applicant in determining if a SEPA checklist is required with the application. The SEPA Review Application Form and Environmental Checklist are available at the Permit Center.

The next step is to submit a completed Type III Subdivision Application Form, fees and a copy of the submittal requirements to the Permit Center.

Do I need to contact Public Health before I apply?

A Clark County Public Health Project Review Evaluation Letter must be submitted with your preliminary land division application if the proposed development is planning to use wells and/or septic systems. This evaluation is conducted to identify any on-site water wells or septic systems, and confirm that the use of wells and/or septic systems is feasible.

Note: A Public Health Evaluation Letter must be submitted with the Final Construction Plan Review Application if it has not been previously submitted with the Preliminary Plan Review Application.

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/community-development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

What if I didn't submit all of the required information?

The county conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting your application, the Permit Center staff will conduct a **Counter Complete** review of your submittal package. This initial review ensures that all main listed within the subdivision submittal requirements have been submitted before accepting your application (see attached submittal list).

Once your application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the **Fully Complete** review. This more detailed review ensures that all items under the numbered headings of the attached Type III Subdivision Submittal Requirements have been submitted. As an example, does the Proposed Land Division Plan show topography at two-foot contour intervals, water courses, streams, rivers, etc., center of stream surveyed for all on-site water courses, FEMA designated 100 year floodplain, etc.

If required items are missing from your original submittal, you will receive a letter of **Not Fully Complete** with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

If **all** of the submittal requirements have been met, the applicant will be directed to submit five additional copies that contain the revisions and additional information that may have been required to be Fully Complete. Once all Fully Complete copies have been received, you will receive a **Fully Complete** determination letter and be vested on the date you submitted the Fully Complete application.

What is Vesting?

Upon a determination of Fully Complete, your application is vested with the development regulations that are in place at the time the fully complete application was submitted.

Examples:

1. An application is submitted on June 1 and determined to be Fully Complete on June 25. The application is vested as of June 1.
2. An application is submitted on June 1 and subsequently determined to be **Not** Fully Complete on June 25. In response, the applicant submits additional information on July 8. The revised application is subsequently determined to be Fully Complete on July 18.

   Note: The completeness decision will be made within 14 calendar days of new submittals. The application is vested as of July 8, the day the fully complete application was submitted.

To be contingently vested on the date a pre-application is filed the following conditions must be met:

1. All the required pre-application conference information was submitted on the pre-application submittal date Note: the Pre-Application Conference Report will indicate whether the application is contingently vested.
2. A fully complete application for substantially the same proposal was filed within 180 calendar days of the date the county issued the Pre-Application Conference Report.

What kind of public notice is provided?

Within 14 days of the fully-complete date, a notice of the application, with the date, time and place for the public hearing will be mailed to:

- Applicant
- Neighborhood Association, if any

- Property owners within a 300' radius (if within an urban growth boundary), and a 500' radius (if outside an urban growth boundary) of the project site
- SEPA notice to newspaper and listed SEPA agencies

The notice will invite written comments to be submitted within 14 calendar days of the date of the notice. Copies of any written comments received in a timely manner will be sent to the applicant. The applicant may submit a written response within 14 days from the date the comments are mailed.

Applicant public hearing notice requirements

At least 30 calendar days prior to the public hearing, the **applicant** must post a public notice sign.

Our *Applicant Posting Requirements* handout contains the basic posting requirements plus sign specifications needed by the sign company and a sample *Affidavit of Posting*.

County public hearing notice requirements

At least 15 calendar days prior to the public hearing date, the county will post public notices including the date, time and place of the hearing and describing the proposal as follows:

- Posted at the site
- Published in the newspaper
- Mailed to property owners within a 300' radius (if within an urban growth boundary), and a 500' radius (if outside an urban growth boundary) of the project site
- Mailed to the Neighborhood Association
- Mailed to the applicant

The notice will invite interested parties to present testimony at the hearing either orally or in writing.

What is a SEPA determination?

The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts of the proposed subdivision be conducted. County staff and interested agencies will review the subdivision application to determine its compliance with applicable federal, state and county code. Through this process a determination will be made as to whether the impacts will be considered non-significance (DNS), mitigated non-significance (MDNS), or significance (DS).

For a DNS or MDNS determination, an analysis will be incorporated within the Staff Report referenced below. If a DS determination is made, the applicant is required to prepare an Environmental Impact Statement (EIS) prior to the county considering the proposed subdivision. The SEPA determination is published in *The Columbian n*ewspaper.

What is a Staff Report?

Staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Code. In this report, staff will make a recommendation to approve, approve with conditions or deny the application. This written report will be mailed to the applicant at least 14 calendar days prior to the scheduled public hearing on this matter.

When will the public hearing be held?

Within 78 days of a Fully Complete determination, a public hearing will be held before the county's Hearing Examiner to consider the application.

What happens at the public hearing and when do I get to speak?

First, the applicant or their representative will be asked to present an overview of the proposed project to the audience, including those viewing the hearing over CVTV cable access television. The applicant will next give a detailed description of the project

and design considerations, showing the site plan and other drawings by either utilizing the overhead projector or making pre-meeting arrangements to use the Power Point projector.
Once the overview is completed, the applicant may next raise issues regarding the staff report and recommendations. This is also the time for the applicant to address issues that they believe may be brought up during the public testimony portion of the hearing, and/or issues they believe the Hearings Examiner may raise.

Once the applicant has completed their presentation, county staff will present an overview of their analysis, findings and recommendation as to whether the application meets or exceeds the approval criteria.

Following the staff presentation, the hearing will be open to the general public for their testimony.

Once all the public testimony has been presented, the applicant will have the opportunity to provide rebuttal testimony.

The Hearing Examiner will then close the public hearing.

When will I receive a decision on my application?

Within 14 calendar days after the date the record closes, the Hearing Examiner will issue a written decision regarding the application. Within 7 calendar days of its issuance, the decision will be mailed to the applicant, other parties of record and the neighborhood associations.

Can the decision be appealed?

A decision by the Hearing Examiner is final unless a motion is filed for reconsideration or an appeal is filed with Superior Court.

See our *Appeals* handout for more information and fees.

After the Preliminary Subdivision Plan is approved, what is next?

After receiving approval of the preliminary subdivision plan, the applicant may take one of two courses of actions:

1. Bond all public improvements and apply for a final plat approval
2. Complete all the subdivision improvements and apply for a final plat approval

Application for final plat approval by the applicant consists of demonstrating compliance with all conditions of approval of the preliminary subdivision and requirements of the final subdivision requirements under CCC, Section 40.540.040.

Once all the requirements have been met, the signed subdivision mylar plan and all necessary documents must be recorded at the Clark County Auditor's Office. Please note that other development permits, such as building permits, cannot be issued or sales closed until after the subdivision has been recorded.

How long do I have before I must complete the Final Plat?

Preliminary subdivisions shall be valid for a period of 5 years after approval, or approved extension by BOCC, during which time a fully complete application for final plat approval must be submitted. This time limit may be extended where there is an approved phased development or separate development agreements have been approved. See Clark County Code, Section 40.500.010B for more details.

Please see *Final Plat and Recording Application Packet* for further information about the final plat review process. It is available at www.clark.wa.gov/publicworks.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code Chapter 40.540 Boundary Line Adjustments and Land Divisions.

Submittal Requirements

The following checklist identifies information to be included with the application.

All items with an underlined space (i.e., ___) must be submitted before the application will be considered **Counter Complete**.

All items with a check box must be submitted before the application will be determined **Fully Complete**. All bulleted items must be submitted, as applicable, but are not a Fully Complete requirement. The Pre-Application Conference Report will indicate any additional/exempted submittal requirements.

At the time of application, only one copy of the main submittal with original signatures, shall be submitted and bound by a jumbo clip or rubber band. One copy of any special studies, such as wetland, floodplain, etc., shall also be submitted but bound separately.

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

1. __ Cover sheet and table of contents
Each submittal packet shall contain a cover sheet that contains the project name and applicant's name, address, email address, and phone number. A table of contents, tabs and/or dividers to provide assistance in locating the various requirements shall follow the cover sheet.

2. __ Application form
The application form shall be completed and original signed in ink by the applicant.

3. __ Application fee
The required fee shall accompany the application. The check is to be made payable to Clark County Community Development.

4. __ Pre-Application Conference Report
A copy of the Pre-Application Conference Report must be submitted.

5. __ Developer's GIS packet
A copy of the Developer's GIS Packet shall be submitted with the application. Applicants have the option of requesting their GIS Developer's Packet in PDF format on a CD or posted to one of our FTP sites. To order Developer's Packets, please contact GIS at (360) 397-2391 ext. 4082 or themapstore@clark.wa.gov.

The packet includes the following:
- General Location Map
- Property Information Fact Sheet
- Arterial Roadway, C-Tran Bus Routes, Parks and Trails Map
- Elevation Contours Map
- Photography Map
- Photography Map with Contours
- Zoning Map

- Comprehensive Plan Map
- Water, Sewer and Storm Systems Map
- Soil Type Map
- Environmental Constraints Map
- Quarter Section Map

6. __ Narrative

A written narrative shall be submitted that addresses the following:

❒ How the application meets or exceeds each of the applicable approval criteria and standards.
❒ How the proposed plan meets the minimum area and dimensions of the base zone.
❒ How the issues identified in the pre-application conference have been addressed and generally, how services will be provided to the site.

7. __ Legal Lot Determination Information

The preliminary plat shall encompass the entire area of the legal lot(s) involved in the plat and designate the proposed use, such as lots, tracts, easements, dedications, for all land contained within the plat and any boundary line adjustments to be completed prior to final plat. In order to demonstrate that the subject lot(s) has been created legally, the following must be submitted:

❒ Current owner's deed if a lot determination is not required, as specified in the Pre-Application Conference Report. Otherwise one of the following is required:
  - Prior county short plat, subdivision, lot determination or other written approvals, if any, in which the parcel was formally created or determined to be a legal lot.
  - Sales or transfer deed history dating back to 1969, to include copies of recorded deeds and/or contracts verifying the date of creation of the parcel in chronological order with each deed identified with the Assessor's lot number.

8. __ Approved preliminary plats abutting the site

A map shall be submitted that shows all approved preliminary land divisions that are yet to be recorded as listed within the pre-application conference summary, that abut the site including across public and private streets from the site. Also include preliminary approved and unrecorded divisions that are between the site and nearest public or private streets providing vehicular access to the site.

9. __ Preliminary boundary survey

❒ A preliminary boundary survey of the development site shall be submitted with the development application. The survey shall be recorded, signed and dated in one of the following formats:
  - A current recorded Record of Survey that meets all RCW, WAC and Clark County requirements;
  - A previous Record of Survey recorded in the past 10 years that discloses all possible boundary conflicts. When using a previously recorded survey, it must be accompanied by a written statement, stamped and signed by a registered Professional Land Surveyor. It shall state that all matters of encroachment or conflict, as shown, have been field verified by that surveyor and are substantially unchanged
  - Use of an unrecorded survey, commissioned for this purpose, will be accepted if no corner monuments have been set. This survey will meet all other requirements from RCW, WAC and CCC. It will be stamped and signed by the record PLS. A statement of purpose will be included.

10. __ Proposed development plan

❒ The proposed plan shall be drawn to a minimum engineer's scale of 1" = 200' on a sheet no larger than 24 x 36 inches.

The following information shall be clearly depicted on the proposed development plan:

General information

❒ Applicant's name, mailing address and phone number
❒ Owner's name and mailing address
❒ Contact person's name, mailing address, and phone number
❒ North arrow orientated to the top, left or right of page, scale and date
❒ Proposed name of project, such as subdivision or business
❒ Vicinity map covering ¼ mile radius from the development site (not required for rural area plans)
❒ Area of the site in acres or square feet

Existing conditions

Environmental conditions on and within one hundred (100) feet of the site must be shown.

For purposes of being determined fully complete, only those existing conditions that are shown on the GIS map, known by the applicant or are discussed in the pre-application summary must be included on the proposed plan.

❒ Topography at 2 foot contour intervals, or other intervals if not available from a public source, see GIS Packet
❒ Watercourses, streams, rivers, etc., see GIS Packet
❒ Center of stream surveyed for all on-site water- courses with Professional Land Surveyor Stamp and signature
❒ Areas prone to flooding
❒ FEMA designated floodplains, flood fringe, or floodway, see GIS Packet
❒ Designated shoreline areas, see GIS Packet
❒ Water bodies and known wetlands, see GIS Packet
❒ Wetland delineation, see Pre-application Report
❒ Unstable slopes and landslide hazard areas, see GIS Packet
❒ Significant wildlife habitat or vegetation, see GIS Packet
❒ Significant historic sites, see GIS Packet and Pre-Application Report

Land use and transportation

❒ Layout, square footage and dimensions of all parcels
❒ Location(s) of any existing building(s) on the site and use
❒ Location and width of existing easements for access, drainage, utilities, etc.
❒ Name, location and width of existing rights-of-way
❒ Centerline and right-of-way radius of existing roadways that abut the site
❒ Name, location, width and surfacing materials, such as gravel, asphalt or concrete, of roadways and easements, private and public
❒ Location of existing driveways and those driveway across the street to include distance between driveways and roadways edge to edge
❒ Location and width of existing pedestrian and bicycle facilities on and within 100 feet of the site
❒ Transit routes and stops within 600 feet of the development site, see GIS Packet

Water and Sewer
- ❒ Location and direction to nearest fire hydrant, see GIS Packet
- ❒ Location of existing sewage disposal systems and wells on the site
- ❒ Location of existing sewage disposal systems and wells within 100 feet of the site as available from Public Health

Proposed improvements

Environmental
- ❒ Wetland, stream, steep bank buffer areas/protected areas
- ❒ Planned enhancement areas

Land use and transportation
- ❒ The configuration and dimensions of the project boundaries, proposed lots and tracts, including proposed park, open space, and or drainage tracts or easements
- ❒ Dimensions of all proposed easements
- ❒ Location of any existing buildings to remain on the site to include approximate square footage and dimensions from property lines. For all structures include the number of stories, construction type, such as metal, wood, concrete block, etc., and proposed uses
- ❒ Location and width of all road rights-of-way
- ❒ Pedestrian and transit facilities
  For MX District, site plan shall include layout and architectural drawing of all streetscapes, including landscaping, hardscape, public seating, public artwork and abutting building features
  - o Pedestrian and transit facilities
  - o Location and width of proposed pedestrian and bicycle improvements other than those in standard locations within road rights-of-way
- ❒ Location, width from curb to curb and surface material of all proposed roadways, private and public, provided by drawing or note and typical cross- section from county road standards
- ❒ Location of all road segments in excess of 15 percent grade that are either on the site or within 500 feet of the site which are being proposed for site access
- ❒ Location, width and surface material of off-site roads which will provide access to the site within 500 feet of the site
- ❒ Location and width of proposed driveways for corner lots and driveways where site distance standards cannot be met
- ❒ Site distance triangles where site distance standards can not be met
- ❒ Location and width of proposed easements for access, drainage, utilities, etc. provided by drawing or note
- ❒ For CU, MP, PUD, MX and Site Plan include:
  - o Layout of proposed structures including square feet
  - o Architectural drawings and sketches indicating floor plan, elevations, types of materials and colors, and type of construction per the Uniform Building Code
  - o Location, dimensions and number of off-street parking and loading areas
  - o Location and dimensions of recyclables and solid waste storage areas
- ❒ For MX District, site plan shall include elevations showing transition and scaling with abutting buildings.

Landscape Plan
- ❒ Landscape plan for urban area arterial and collector roadways and on site landscaped areas to include:
  - o Location, number, species, size at planting, and spacing of proposed plant material

- Location, number, species and size of existing landscape material to be removed and/or retained
- Location, type (such as sod, groundcover or shrub mass) and area (in terms of square fee and percentage of site) of all soft landscaped areas and buffers
- Location, height and materials of fences, buffers, berms, walls and other methods of screening
- Surface water management features integrated with landscape, recreation or open space areas
- Location, size and construction type of hard landscaping features such as pedestrian plazas
- Active and passive recreational or open space features

Sign Plan

❒ For CU, MP, PUD and Site Plan, a sign plan shall be submitted that includes size, height, and location of all proposed signs.

Outdoor Lighting Plan

❒ For CU, MP, PUD and Site Plan, an outdoor lighting plan shall be submitted that shows the areas of illumination for each outdoor light.

11. __ Soil analysis report

12. __ Stormwater preliminary technical information report per Chapter 3 of the Clark County Stormwater Manual

13. __ Stormwater preliminary development plan per Chapter 3 of the Clark County Stormwater Manual

14.__ Project engineer statement of completeness and feasibility

The project engineer shall include a statement that all information required by CCC 40.386 Stormwater and Erosion Control Ordinance is included in the preliminary stormwater plan and that the proposed stormwater facilities are feasible.

15. __ Traffic study

Depending on the impacts associated with the proposal, a traffic study may be required to be undertaken by an engineer licensed to practice within the State of Washington, with special training and experience in traffic engineering. If a traffic study is required, the county will provide a scope of the study at the pre-application conference.

❒ Traffic study must be stamped, signed, and dated by a Professional Civil Engineer registered in the State of Washington

16. __ State environmental review

A State Environmental Policy Act Environmental Checklist must be completed, original signed in ink, and submitted. Handout is available at the Permit Center.

17.__ Proof of submitting an archaeological pre-determination to the state (DAHP), if applicable

Predetermination reports and archaeology surveys, if required, must be reviewed by the Washington State Department of Archaeology and Historic Preservation (DAHP). Proof must be provided indicating the predetermination and/or survey have been submitted to DAHP for

review. Proof can be via an email confirmation or other conclusive method of proof that DAHP has received the site-specific document for review.

18.__ Sewer district utility review letter
A utility review letter must be submitted from the public sewer district, or one copy of a preliminary soil suitability analysis, or equivalent, for on site systems from the Clark County Public Health. For existing septic systems, provide a copy of the original approval.

19.__ Water utility review letter
A utility review letter must be submitted from the public water purveyor, noting the ability to meet water pressure and fire flow requirements of the Fire Marshal as specified within the Pre-Application Conference Summary Report. Or provide current evidence of the availability of suitable ground water where the water purveyor has determined public water or community water systems cannot be provided. Contact the Clark County Public Health.

20.__ Public Health project review evaluation letter, if use of wells or septic systems is proposed
A Clark County Public Health Project Review Evaluation Letter must be submitted if the proposed development is planning to use wells and/or septic systems. This evaluation is conducted to identify any on-site water wells or septic systems, and confirm that the use of wells and/or septic systems is feasible.

Note: A Public Health Evaluation Letter must be submitted with the Final Construction Plan Review Application if it has not been previously submitted with the Preliminary Plan Review Application.

21.__ Covenants or restrictions
All existing covenants or restrictions and/or easements that apply to the property must be submitted, available from a title company.

22.__ Associated applications
Applications associated with the preliminary plat, such as critical aquifer recharge areas (CARA), floodplain, forestry, geo-hazard, habitat, shoreline, wetland, road modification, variances, etc., must be submitted with this application. See Pre-Application Conference Report.

23. Submittal copies
___ One copy of the main submittal, bound by a jumbo clip or rubber band, with original signatures
___ One copy of any special studies (wetland, floodplain, etc.) bound separately

After the application is fully complete, the new copies must contain revisions and any additional information required in the fully complete review. The copies must be bound using jumbo clips, stapled or spiral bound. The applicant must select Option A or B below and proceed as follows:

Option A
Submit a CD in PDF format, with a copy of the fully complete application. Any special studies shall also be included on the CD. The CD application shall be organized as follows:

- The application submittal shall be organized in the same order as the fully complete application table of contents, with a separate PDF document for each separate item.

- The PDF document must be organized into separate files. Each PDF file must be labeled with a number followed by a name (example):

  1. Cover Sheet and Table of Contents
  2. Application Fee
  3. Pre-Application Conference report
  4. etc.

If submitting by CD, you will also need to include three full-size sets of paper plans.

Option B
Submit five additional individually bound paper copies of the fully complete application, except any special studies as identified within the Pre-Application Conference Report.

We are also requesting that an electronic copy of the land division/site plan be submitted by email to: angie.merrill@clark.wa.gov

The applicant will also be required to submit additional individually bound copies of any special studies as identified below.
Copies of any special studies as identified within the Pre-Application Report as following:

❒ One original and three copies - Traffic Study and Road Modification requests
❒ One original and two copies of all other special studies or permits to include: Critical Aquifer Recharge Areas (CARA), floodplain, geo-hazard, habitat, shoreline, stormwater, erosion control plan, and wetland.
❒ Two reduced copies on 11” x 17" for all sheets larger than 11” x 17.”

Staff Notes:
1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

This application was determined to be Counter Complete on: ____/____/____

Permit Technician: _____

Fee schedule

The following fees are required to be paid when the application is submitted.

Application submittal fee	$590

The following fees are required to be paid when the application has been deemed Fully Complete.

Planning	
Base fee up to 30 lots	$7,679
31-100 lots, per lot	$125
100 lots or greater, per lot	$50
Issuance	$94
Engineering	$3,757
Issuance	$94
Fire Marshal Review	$434
SEPA Checklist Review	$1,222
Issuance	$53

A Legal Lot Determination may be required if a previous legal review has not been completed. Please see our *Legal Lot Determination* handout for more information and fees.