Short Plat, Type II 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.

The review authority may permit and authorize a variance from the requirements of this title only when unusual circumstances cause undue hardship in the application of this title. A variance shall be made only when all of the following conditions and facts exist:

- Unusual circumstances of conditions apply to the property and/or to the intended use that do not apply generally to other property in the same vicinity or district.
- Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.
- The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located.

- That the granting of such variance will not adversely affect the realization of the comprehensive plan.

Is a pre-application conference required?
A pre-application conference is required before submitting a Type II 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 II Short Plat Application Form, fees and a copy of the submittal requirements to the Permit Center.

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). These include:

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 calendar days from the Fully Complete date, a notice describing the proposal will be mailed to property owners within a 300' radius (if within an urban growth boundary), or a 500' radius (if outside an urban growth boundary) of the project site, the newspaper, Neighborhood Association, and applicant.

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.

**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* newspaper.

A SEPA review is not required for a short plat application unless the subject site is located within a critical area or critical area buffer, such as wetland, shoreline, habitat, etc., or other permits trigger the requirement, for example, grading over 500 cubic yards of dirt.

**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 decision to approve, approve with conditions or deny the application. This written report will be mailed to the applicant within 78 calendar days of the Fully Complete determination.

**Can the decision be appealed?**
The Planning Director’s decision may be appealed to the county Hearing Examiner by the applicant or any person or group. An appellant must submit an appeal application and fee within 14 calendar days after the written notice of the decision is mailed.

**After the Preliminary Short Plat is approved, what is next?**
After receiving approval of the preliminary short plat, the applicant may take one of two courses of actions:

- Bond all public improvements and apply for a final plat approval; or,
- Complete all the short plat 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 short plat and requirements of the final short plat requirements under CCC 40.540.040.

Once all the requirements have been met, the signed short plat mylar plan and all necessary documents must be recorded at the Clark County Auditor’s Office.

**Note:** Other development permits, such as, building permits, cannot be issued or sales closed until after the short plat has been recorded.

**How long do I have before I must complete the Final Plat?**
Preliminary short plats shall be valid for a period of five years after approval, or approved extension by the 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.
See *Final Plat Review* for further information about the final plat review process.

These handouts are available at [www.clark.wa.gov/community-development](http://www.clark.wa.gov/community-development).

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**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**
Refer to the *Type II, II-A and III Submittal Requirements* handout.

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

**Application submittal fee**  $632

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

- **Planning**  $4,117
  - Issuance  $94
- **Engineering**  $2,108
  - Issuance  $94
- **SEPA Checklist Review**  $1,222
  - Issuance  $53
- **Fire Marshal Review**  $434

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.