

Plat Alterations

What is Plat Alteration?

Plat Alteration applications are required if the property owner wants to make any change to a recorded short plat or subdivision. There are some exemptions to this requirement such as cemeteries and burial plots and land divisions created by government actions or court actions. See Clark County Code Section 40.540.020B1 for a complete list of exemptions.

What are the approval criteria for a plat alteration?

The approval criteria for a plat alteration include:

- If a restrictive covenant exists, the plat alteration must be in public interest
- The approval criteria under CCC Section 40.540.040D Approval criteria for a preliminary plat application, as applicable to the proposed plat alteration, is met
- The approval will not result in the violation of any requirements of the original approval, unless conditions necessitating such requirements have changed since the original plat was recorded

Are there any limitations the applicant should be aware of?

Yes. These are:

- Applicant must obtain the signatures of all parties included in the restrictive covenant, if any, agreeing to alter or revoke the covenants specified in the application.
- 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; and

- Blanket utility easements existing along the lot lines, but not specifically required as a condition of development approval, may be moved during a boundary line adjustment; provided, there is compliance with Revised Code of Washington (RCW) 64.04.175 and the easement is not occupied by a utility.

What is the review process?

A plat alteration will be processed as a Type II or Type III review. Plat alterations are considered a Type II unless a public hearing is requested by any person within 21 days from the date the public comment period began, or if the department determines that the public hearing is within the public interest. Property owners within 300' (Urban) or 500' (Rural) are notified by mail for the public hearing.

If a public hearing is not requested for a proposed alteration, the Planning Director is delegated the authority to review and approve, approve with conditions or deny the application for preliminary approval. The final revised drawing or other alteration, if approved, must be signed by the legislative body without a public hearing.

What is a Type II Review Process?

A Type II review process, which requires a ministerial decision by the Planning Director. In making the decision, the Director must determine if the proposed development meets the requirements of the

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Community Development
1300 Franklin Street, Vancouver, Washington
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www.clark.wa.gov/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

applicable sections of the Clark County Code. This decision is made after reviewing the proposal and considering written comments received from the public. The Planning Director will approve, approve with conditions, or deny the application. This decision may be appealed to the county Hearing Examiner.

What is a Type III Review Process?

The Type III review process 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 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 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 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), and a 500' radius (if outside an urban growth boundary) of the project site and to the 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.

If a public hearing is requested or the applicant chooses the Type III process additional notification requirements will apply.

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 plat alteration 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.

What is a Staff Report and when will the Decision be made?

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 Responsible Official's decision may be appealed to the county Hearings 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 Plat Alteration is approved, what is next?

Within seven years of the date of preliminary approval, the applicant may submit an application for final plat approval and engineering review. This may consist of three copies of the proposed final plat map and mathematical closures. The engineer will forward a copy to the planning director for action and to the county engineer. The county engineer will review the application for approval and transmit it to the Board of Clark County Councilors. Upon approval the plat is recorded with the county auditor.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code Section 40.540.120 Alteration and Vacation of Final Plats.

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 and a majority of persons having an ownership interest in the subdivision or portion to be altered.

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 describes the nature, purpose, and desired effect of the proposed alteration. The narrative will also include an explanation of how the proposed alteration meets or exceeds the applicable approval criteria and standards and any issues raised during the pre-application process.

7. ___ Approved plats

A copy of the recorded plat including 11" x 17" reductions of oversized materials and current recorded deeds or real estate contracts for each lot to be altered.

8. ___ Covenants and restrictions documentation

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

Documentation from any person, utility, company or other entity having a vested interest in any easement proposed to be altered that they agree to the alteration.

9. ___ Proposed revised plat map

The proposed plan shall be drawn to a minimum engineer's scale of 1" = 200' on a sheet no larger than 24" x 36". One reduced copy (maximum size 11"X17") shall be submitted.

10. ___ Documentation of other interests

Documentation from any person, utility, company or other entity having a vested interest in any easement proposed to be altered or vacated that they agree to the alteration or vacation.

11. 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.

Planning	\$3,331
Issuance	\$94
Hearing requested, additional	\$1,882
Engineering deposit	\$200
Issuance	\$53
Engineering will bill at an hourly rate which must be fully paid before application is approved or finalized.	

Development Application

Project name:		
Type(s) of application (see reverse side):		
Description of proposal:		
Applicant name:		Address:
E-mail address:	Phone and fax:	
Property owner name (list multiple owners on a separate sheet):		Address:
E-mail address:	Phone and fax:	
Contact person name (list if not same as applicant):		Address:
E-mail address:	Phone and fax:	
Project site information:		Comp plan designation:
Site address:		
Cross street:	Zoning:	Parcel numbers:
Overlay zones:	Legal:	Acreage of original parcels:
Township:	Range:	¼ of section:

Authorization

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request. This application gives consent to the county to enter the properties listed above.

Applicant's signature

Date

Property owner or authorized
representative's signature

Date

For staff use only

Case number: _____

Work order number: _____

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E-mail: ADA@clark.wa.gov

Application types

If you have any questions regarding the type of application being requested, our Permit Technicians will be happy to assist you.

- Annual Review
- Appeal
- Boundary Line Adjustment and Lot Reconfiguration
- Conditional Use

Environmental/Critical Areas

- Critical Aquifer Recharge Area (CARA)
- Columbia River Gorge
- Forestry + (Moratorium Waiver, Moratorium Removal, Class I, Class IVG or COHP)
- Floodplain
- Geological
- Habitat
- Habitat Monitoring
- Historic
- SEPA
- Shoreline
- Wetland
- Wetland Monitoring

Land Division

- Binding Site Plan
- Final Plat
- Plat Alteration
- Short Plat (___ Infill)
- Subdivision (___ Infill)

Miscellaneous

- Addressing
- Accessory Dwelling
- Covenant Release
- Home Business
- Legal Lot Determination and Innocent Purchasers Determination
- Non-Conforming Use Determination
- Sewer Waiver
- Shooting Range
- Sign

Planning Director Review

- Post Decision
- Pre-Application Conference
- Pre-Application Waiver
- Public Interest Exception
- Similar Use
- Temporary Use
- Planned Unit Develop/Master Plan
- Road Modification
- Site Plan
- Variance
- Zone Change