

1 **18.34.060 Application.**

- 2 A. Procedure. Any person seeking to divide land in the unincorporated area of Cowlitz  
3 County pursuant to this chapter, shall submit an application for preliminary short  
4 subdivision approval to the ~~Administrator~~ Director together with all required fees. Fees  
5 and charges for processing applications, revisions, appeals, variances, plat approvals,  
6 checking plans and specifications, recording documents, and other administrative  
7 actions under this chapter, shall be as from time to time established by resolution by the  
8 Board or at the discretion of the Director.
- 9 B. Preliminary Application. The preliminary application shall be on a form provided by the  
10 ~~Administrator~~ Director and shall contain the following information:
- 11 1. The name, address and telephone number of the owner;
  - 12 2. The name, address and telephone number of the developer if different from owner;
  - 13 3. A certification by the owner ~~showing~~ identifying all the entire contiguous parcels  
14 under common ownership of land in which there is an interest by reason of  
15 ownership, contract of purchase, earnest money agreement or option by any person,  
16 firm or corporation in any manner connected with the development, and the names  
17 and addresses and telephone numbers of all such persons, firms or corporations;
  - 18 4. The existing zoning classifications, or Comprehensive Plan classification if applicable  
19 ~~area is unzoned~~;
  - 20 5. The proposed method of providing a potable water supply, and, if a public system is  
21 used, the name of the supplier;
  - 22 6. The proposed method of sewage disposal, and if sanitary sewer is used, the name of  
23 the district or purveyor having management over the system;
  - 24 7. Signature of owner(s) and developer(s);
  - 25 8. A copy of the most recent deed
  - 26 9. Map(s) showing the boundary line of the original tract and of common parcels (for  
27 example, an Assessor's map).
  - 28 10. Copies of restrictions, if any, proposed to be imposed upon the use of the land. Such  
29 restrictions, if required by the county, must be recorded either prior to or  
30 simultaneously with the moment the short plat becomes effective.
  - 31 11. A copy of the short subdivision environmental checklist.
  - 32 12. If there are any critical areas identified on the site, as defined in CCC 19.15, the  
33 applicant shall consult with the Department.
  - 34 13. Identification of Critical areas on or within 200 feet of the property to be subdivided.  
35 The applicant shall demonstrate that all reasonable efforts have been examined with  
36 the intent to avoid and minimize impacts to critical areas. Where avoidance of critical  
37 areas is not possible, new lots with building envelopes, access roads, and utilities  
38 may be permitted within Critical Areas, provided an assessment by a qualified  
39 professional demonstrates that the proposal will not adversely impact the Critical  
40 Area or adjacent properties. Development within Critical Areas may be required to  
41 comply with mitigation requirements in CC 19.15.170.
    - 42 a. Any special reports, if required, will be submitted to the Department prior to the  
43 application being deemed complete. Special reports shall meet be prepared by a  
44 qualified expert and meet the criteria for the applicable report type as identified in  
45 CCC 19.15. ~~XXX~~ and 19.15. ~~YYY~~.
    - 46 b. Any required reports shall be submitted within 90 calendar days following the  
47 original subdivision application.
  - 48 14. A preliminary map shall accompany the application prepared on a sheet of paper  
49 having dimensions of eight and one-half inches by 14 inches and containing the  
50 following information:
    - 51 a. The date, scale and north arrow; the scale to be one inch equals 100 feet or one  
52 inch equals 200 feet or other scale as approved,
    - 53 b. The distances of the boundary lines, to scale, of the tract to be subdivided and  
54 each lot contained therein,
    - 55 c. The number assigned to each lot,

Formatted: Bullets and Numbering

- 56 d. The location, names, widths and Auditor's file number of any existing easements,  
57 existing and proposed roads, existing and proposed rights-of-way for public  
58 services or utilities within the area contained within the short subdivision, and  
59 within 100 feet thereof, and location of the nearest county road, if there is not a  
60 county road within 100 feet,  
61 e. The boundaries of all lands reserved in the deeds for the common uses of the  
62 property owners of the short subdivision,  
63 f. The location of permanent and topographic features, which will have an impact  
64 upon the short subdivision, such as all existing or platted streets adjacent to the  
65 short subdivision, critical areas, shorelines, watercourses, site topography,  
66 railroad rights-of-way, all utility rights-of-way, township lines and section lines;

67 ~~15. Preliminary Supporting Documents. The following documentation shall accompany~~ Formatted: Bullets and Numbering  
68 each application for approval of a short plat:

- 69 a. ~~Legal description of the parcel(s) being divided together with the legal description~~  
70 ~~of private roads and easements therein;~~  
71 b. ~~A vicinity sketch clearly identifying the location of the property being short~~  
72 ~~subdivided;~~  
73 c. ~~Map(s) showing the boundary line of the original tract and of contiguous common~~  
74 ~~parcels (for example, an Assessor's map);~~  
75 d. ~~Copies of restrictions, if any, proposed to be imposed upon the use of the land.~~  
76 ~~Such restrictions, if required by the county, must be recorded either prior to or~~  
77 ~~simultaneously with the moment the short plat becomes effective.~~

78 C. ~~Final Short Plat. The final plat shall be in black on a sheet of mylar having dimensions of~~  
79 ~~18 inches by 24 inches. Forms for this shall be available through the Department. The~~  
80 ~~plat shall contain, but not be limited to the following:~~

- 81 1. ~~Date, scale, north arrow, point of beginning and basis of bearing;~~  
82 2. ~~The bearings and distances of the boundary lines drawn to scale, of the tract to be~~  
83 ~~short subdivided, and of each lot contained therein;~~  
84 3. ~~Lot number and area of each lot;~~  
85 4. ~~Location, name, width, and nature of existing and proposed roads, rights of way,~~  
86 ~~easements and the access to a public road; private roads shall be labeled as "private~~  
87 ~~road and utility easements";~~  
88 5. ~~Signature block for the Administrator, Engineer, Treasurer, Health Officer, and~~  
89 ~~Board;~~  
90 6. ~~The face of any short plat containing a private road shall bear the following language:~~

91  
92 ~~WARNING, Cowlitz County has no~~  
93 ~~responsibility to build, improve, maintain, or~~  
94 ~~otherwise service the private roads~~  
95 ~~contained within or providing service to the~~  
96 ~~property described in this short plat.~~

97  
98 7. ~~The face of all short plats shall bear the following statement:~~

99  
100 ~~(1) Land within this short subdivision shall~~  
101 ~~not be further divided for a period of five~~  
102 ~~years unless a final plat is filed pursuant to~~  
103 ~~Cowlitz County Subdivision Code and RCW~~  
104 ~~58.17;~~

105  
106 ~~(2) The approval of this short subdivision~~  
107 ~~does not guarantee the issuance of any~~  
108 ~~other permits.~~

110 8. ~~When surveyed and prepared by a surveyor, the short plat shall be signed and~~  
111 ~~sealed by a registered land surveyor, and shall contain the following:~~

112 SURVEYOR'S CERTIFICATE: ~~This map~~  
113 ~~correctly represents a survey made by me~~  
114 ~~or under my direction in conformance with~~  
115 ~~the requirements of the Survey Recording~~  
116 ~~Act 58.09 RCW at the request of~~  
117 ~~\_\_\_\_\_ in \_\_\_\_\_, 20\_\_\_\_\_.~~  
118 ~~(Signed and sealed) \_\_\_\_\_~~

120 9. Auditor's certificate, as follows:

122 AUDITOR'S CERTIFICATE:  
123 Filed for record this \_\_\_\_\_ day of \_\_\_\_\_,  
124 20\_\_\_\_, at \_\_\_\_\_ M., in book \_\_\_\_\_, of \_\_\_\_\_,  
125 at page \_\_\_\_\_, at the request of  
126 \_\_\_\_\_.

127  
128 Signed \_\_\_\_\_  
129 County Auditor

130  
131 (Signed) \_\_\_\_\_  
132 Deputy

133  
134 10. Signatures, which are certified by a notary public, of all individuals having an interest  
135 in the property.

136 D. ~~Final Supporting Documents. The following documents shall accompany each final short~~  
137 ~~plat submitted:~~

- 138 1. ~~Legal descriptions of the property being short subdivided, of each proposed lot, and~~  
139 ~~of all common areas;~~  
140 2. ~~Legal descriptions of private roads and easements contained within or servicing the~~  
141 ~~short subdivision;~~  
142 3. ~~A current title report prepared by a title company;~~  
143 4. ~~When contiguous common parcels and/or original tract parcels exist, a description(s)~~  
144 ~~of such parcel(s).~~

145 E. ~~Appendix A-1. Declaration of covenant requiring construction maintenance of short plat~~  
146 ~~approved private road, and dedication to the county when required, as provided in CCG~~  
147 ~~18.34.070:~~

148  
149 Declaration of Covenant

150  
151 In consideration of the approval by Cowlitz  
152 County of short plat No. \_\_\_\_\_, which said plat  
153 creates (a lot) (lots) described as follows:

154  
155 (Insert legal description)  
156 the undersigned covenants and agrees that:

157  
158 Any owner or subsequent purchaser of this  
159 lot(s) shall bear the responsibility for (an equal)  
160 (\_\_\_\_) percentage of the financing, construction  
161 and maintenance of such private road  
162 contained within the above referenced short  
163 plat. In the event such private road is improved  
164

165  
166  
167  
168  
169  
170  
171  
172  
173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219

~~to Cowlitz County standards for public streets and the County is willing to accept the dedication of such road, each lot owner shall execute any documents necessary to accomplish such dedication. Owners of lots within the above referenced short plat, who are served by such private road, may sue and recover from any owner of any lot within the short plat which is similarly served who refuses to participate in the road construction, financing and maintenance. Such owners who refuse to share the costs under the percentage set forth above shall be liable for any damages resulting from such refusal, plus costs of suit and reasonable attorneys fees.~~

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary

F. ~~Appendix A-2. Notarized purchasers' acknowledgement of private road construction maintenance responsibilities set forth in subsection C of this section as provided by CCC 18.34.070:~~

~~Purchasers' acknowledgement of private road construction and maintenance responsibility.~~

~~(I) (We) have read the foregoing Declaration of Covenant which appears on the same or preceding page on which this statement appears. (I) (We) understand that this Declaration of Covenant requires me to provide percent of the financing, construction, and maintenance of any private road serving the lot which I am purchasing, and that owners of other lots in this short plat may sue and recover for those costs which this covenant requires me to pay, plus their damages resulting from my refusal to contribute, plus reasonable attorneys fees.~~

~~Further, (I) (We) understand that by acknowledging this road construction and maintenance requirement that I may be denied innocent purchaser rights as provided in RCW 58.17.210 for the purpose of obtaining any building permit, septic tank permit or other development authorization for this property.~~

\_\_\_\_\_  
Purchaser

\_\_\_\_\_  
Purchaser

220 Notary  
221  
222 [~~Ord. 82-022, § 11, 1-25-82; Ord. 80-329, § 9, 9-29-80; Ord. 80-146, § 7, 5-6-80, Appendices A-~~  
223 ~~and A-2.~~]  
224  
225  
226 T:\\_\_PLANNING FILE\Short Subdivision Update 2009\CCC 18.34.060 Application.doc