

No proposed Amendments to this Chapter

Chapter 20.12 LAND DIVISION

Sections:

[20.12.010 PURPOSE.](#)

[20.12.020 APPLICABILITY.](#)

[20.12.030 EXEMPTIONS.](#)

[20.12.040 DEFINITIONS.](#)

[20.12.050 ADMINISTRATION.](#)

[20.12.060 GENERAL PROVISIONS.](#)

[20.12.070 SURVEY REQUIREMENTS.](#)

[20.12.080 SUBDIVISION CATEGORIES.](#)

[20.12.090 REVIEW PROCEDURES AND APPROVALS.](#)

[20.12.100 APPROVAL CRITERIA - PRELIMINARY SUBDIVISION.](#)

[20.12.110 SUBMITTAL REQUIREMENTS - PRELIMINARY SUBDIVISION.](#)

[20.12.120 APPROVAL CRITERIA - FINAL SUBDIVISION.](#)

[20.12.130 SUBMITTAL REQUIREMENTS - FINAL SUBDIVISION.](#)

[20.12.140 MODIFICATIONS TO PRELIMINARY SUBDIVISION APPROVAL.](#)

[20.12.150 RECORDING FINAL SUBDIVISIONS.](#)

[20.12.160 EXPIRATION OF FINAL SUBDIVISION APPROVALS.](#)

[20.12.170 SUBDIVISION VESTING.](#)

[20.12.180 VIOLATION - PENALTY.](#)

20.12.010 PURPOSE.

These regulations are for the purpose of regulating the subdivision of land and support the rights of property owners to develop their property while protecting the public health, safety and general welfare of the community, to establish procedures for the subdivision and resubdivision of land in order to further the orderly layout and use of land, to guide the future growth and development of the community in accordance with the goals, objectives and policies of the City's Comprehensive Plan, and to ensure compliance with the City's development and engineering requirements.

20.12.020 APPLICABILITY.

- (a) This chapter shall apply to all divisions of lands including short subdivisions, formal subdivisions, and binding site plans hereafter established within the incorporated areas of the City of Bremerton.
- (b) This chapter is applied in conjunction with Chapter [2.13](#) BMC, Administrative Hearing Examiner; Chapter [20.02](#) BMC, Project Permits; Chapter [20.04](#) BMC, State Environmental Policy Act; BMC Title [20](#), Division III, Zoning; the Bremerton Shoreline Master Program; Chapter [20.14](#) BMC, Critical Areas; and other applicable codes referencing this chapter.

20.12.030 EXEMPTIONS.

The provisions of this chapter do not apply to the exemptions specified in the State law, including but not limited to:

- (a) Cemeteries and other burial plots while used for that purpose.
- (b) Divisions of land made by testamentary provisions, or the laws of descent.
- (c) A division of land for the purpose of lease when no residential structure, other than mobile homes or travel trailers, are to be placed upon the land.
- (d) Division of land due to condemnation or sale under threat thereof by an agency or division of government vested with the power of condemnation.

- (e) A division of land into lots or tracts of less than three (3) acres that is recorded in accordance with Chapter [58.09](#) RCW (Survey Recording Act) and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities. The exemption only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility's existing and new customers. "New customers" are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this section are planned and constructed.
- (f) A division of land for the purpose of leasing land for facilities providing personal wireless services while used for that purpose.
- (g) A division of land for the purpose of dedicating to the public such tracts of lands for open spaces, drainage ways, roads, alleys, easements, parks, playgrounds, sites for schools, school grounds, water supplies, sanitary wastes and other general purposes that may be required to protect the public health, safety and welfare.
- (h) Condominiums, pursuant to RCW [58.17.040](#).

20.12.040 DEFINITIONS.

The following definitions apply to this chapter and they should be used in conjunction with other definitions found in BMC Title [20](#). However, these definitions are not intended to replace or alter similar definitions found elsewhere within the Bremerton Municipal Code except when specifically applied to the provisions of this chapter.

"Auditor, County" means the person defined in Chapter [36.22](#) RCW or the office of the person assigned such duties under the Kitsap County Charter.

"Binding site plan" means a drawing to a scale specified by this chapter which: (a) identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

"Block" means a group of lots, tracts, or parcels within well-defined and fixed boundaries.

"Bond" means a satisfactory security to insure performance and/or warranty.

"Buildable lot" means a tract or parcel of land, legally created, which is intended for use for the placement of structures separate from other parcels.

"City" means the City of Bremerton.

"Comprehensive Plan" means the City of Bremerton Comprehensive Plan as adopted and amended.

"Concurrency" means the requirement that development applications demonstrate that adequate public facilities be available at prescribed levels of service concurrent with the impact or occupancy of development as defined in the City's Comprehensive Plan.

"Day(s)" means calendar days and includes Monday through Sunday and all holidays.

"Dedication" means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself or herself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

"Department" means the City of Bremerton Community Development Department.

"Director" means the City of Bremerton Director of Community Development and/or his/her designee.

"Division of land" means any segregation of land that creates lots, tracts, parcels, or sites not otherwise exempted by this title that alters or affects the shape, size or legal description of any part of the owner's land.

"Electric utility facilities" means unstaffed facilities except for the presence of security personnel that are used for or in connection with, or to facilitate the transmission, distribution, sale, or furnishing of, electricity including, but not limited to, electric power substations.

"Hearing Examiner" means the person appointed by the Mayor, with the powers and duties prescribed in Chapter [2.13](#) BMC.

"Lot" means a fractional part of divided lands having fixed boundaries being of sufficient area and dimension to meet the minimum and maximum underlying zoning district requirements for width, area and street frontage. The term shall include tracts or parcels.

"Personal wireless services" means any federally licensed personal wireless service. "Facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures.

"Plat" means a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys, or other divisions and dedications.

"Plat certificate" means a title report or subdivision guarantee that is prepared by a title company for the property contained in a proposed short subdivision, subdivision or binding site plan, to include, as a minimum, all owners of record, easements and encumbrances affecting said property.

"Plat, final" means the final drawing of the subdivision and dedication prepared for filing for record with the County Auditor and containing all elements and requirements set forth in this chapter and Chapter [58.17](#) RCW.

"Plat, formal" means the map or representation of a formal subdivision.

"Plat, preliminary" means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, and other elements consistent with the requirements of this chapter. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision or short subdivision.

"Plat, short" means the map or representation of a short subdivision.

"State Environmental Policy Act (SEPA)" means environmental review procedures required under Chapter [43.21C](#) RCW, Chapter [197-11](#) WAC and Chapter [20.04](#) BMC.

"Subdivision" means the division or redivision of land through short subdivision, formal subdivision, or binding site plan.

"Subdivision, formal" means the division or redivision of land into ten (10) or more lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

"Subdivision, short" means the division or redivision of land into nine (9) or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

"Title notice" means a written notice attached to the title of a parcel of land by the property owner at the request of the City of Bremerton with a recording of said notice at the Kitsap County Auditor's Office per a legal description of said parcel for the purpose of notifying the property owner or future property owner of particular circumstances related to said parcel such as warning statement(s), limitation(s), restriction(s) or other.

"Title report" means the written analysis of the status of title to real property, including a property description, names of titleholders and how title is held (joint tenancy, etc.), encumbrances (mortgages, liens, deeds of trusts, recorded judgments), and real property taxes due.

"Tract" means land reserved for special uses such as open space, surface water retention, utilities, or access. Tracts are not counted as lots nor considered as building sites.

20.12.050 ADMINISTRATION.

The Director is vested with the duty of administering and implementing the provisions of this chapter.

20.12.060 GENERAL PROVISIONS.

- (a) Submittal. All applications made pursuant to this chapter shall be to the Department.
- (b) Minimum Requirements. The provisions set forth in this chapter shall constitute the minimum requirements necessary to promote the public health, safety, and general welfare.

(c) Preliminary Consultation. Any person who desires to subdivide land within the boundaries of the City should consult with the Department at an early date to become familiar with the requirements of this chapter and for assistance in understanding the engineering requirements and the construction standards of the City.

(d) Compliance. Whenever any parcel of land is divided into two (2) or more lots, no person, firm, corporation or agents of them shall sell, transfer or advertise for sale or transfer any such lot without having a subdivision recorded unless preliminary subdivision approval expressly conditions a performance of an offer or agreement to sell, lease, or otherwise transfer a lot, tract, or parcel of land on the recording of the final plat pursuant to RCW [58.17.205](#).

(e) Critical Areas Environmental Consideration. Lands designated as critical areas such as wetlands, aquifers, streams, flood hazards, geological hazards and wildlife habitats shall not be subdivided or have lot lines adjusted unless adequate safeguards are provided as prescribed in Chapter [20.14](#) BMC, Critical Areas.

(f) Critical Areas Notice on Title. When a critical area is verified on a property by an assessment or delineation, a notice of its presence shall be recorded by the applicant at the office of the Kitsap County Auditor. The notice may be on the face of a subdivision, or it may be on a form specified by the Department. The notice shall be notarized and proof must be submitted that the notice was legally recorded before final approval for development is issued. The notice shall run with the land and failure to record such notice shall be in violation of this chapter.

(g) Fees. The applicant shall pay a fee according to the fee schedule set forth in Chapter [3.01](#) BMC, which shall accompany the application.

(h) Bonding of Improvements. In lieu of the completion of the actual construction of any required improvements prior to the approval of a final subdivision, the City may accept a bond providing for and securing the actual construction and installation of such improvements within a period specified by the City. In addition, the City may provide for methods of security, including the posting of a bond securing the successful operation of improvements for up to two (2) years after final approval.

(i) Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

(j) Phasing. Phased development may be permitted with a preliminary formal subdivision application, provided all of the following criteria are met:

(1) Phasing Timelines. The first phase submitted for final subdivision approval must be completed prior to the expiration of the preliminary plat (five (5) years or as otherwise defined by RCW [58.17.140](#)). For each subsequent phase, required infrastructure shall be completed and a final subdivision application shall be submitted within two (2) years of the date of the previous phase's final subdivision approval. No project shall include more than a maximum of four (4) phases. Provided no extensions are granted, this allows for a total of eleven (11) years for project completion.

(2) Phasing Plan. A phasing plan must be submitted and approved with the preliminary subdivision application and must include a minimum of the following materials:

- (i) The proposed time limits for each phase shall be clearly indicated; and
- (ii) The plan shall identify the number, density of lots, open space areas, parks, roads, and stormwater facilities to be located and developed in accordance within each phase. Said feature location and size shall be clearly identified on the plans; and
- (iii) The plan shall include an analysis and supplemental plans as necessary that identify how each phase or as established in RCW [58.17.140](#) will adequately provide for services such as roadway design, utility, and public service systems, safe walking routes, stormwater, etc.

(k) Expiration and Extension of Preliminary Formal Subdivisions. The approval given to a preliminary formal subdivision shall expire within five (5) years following approval (or as outlined in RCW [58.17.140](#)), unless a complete final subdivision application, meeting the conditions of approval, is submitted to the City prior to expiration. Should extenuating circumstance arise, the applicant may apply for a one (1) year extension provided all of the following criteria are met:

- (1) The application for an extension is filed at least thirty (30) days prior to the preliminary subdivision expiration; and
- (2) No project may receive more than two (2) extensions for the life of the project. This applies to standard and phased projects. Each extension shall not be granted for more than a single, one (1) year extension; and
- (3) The applicant can demonstrate tangible progress and reasonable diligence being made toward infrastructure completion such that it is clear that project completion will occur within the timeline of the extension requested (no more than one (1) year); and
- (4) The applicant demonstrates that the extension requested is the minimum necessary to finalize the necessary infrastructure/improvements required for final subdivision approval; and
- (5) The director finds there are no substantial changes in conditions that would render approval of the extension contrary to public health, safety or general welfare.

20.12.070 SURVEY REQUIREMENTS.

- (a) A Washington State licensed land surveyor registered pursuant to Chapter [18.43](#) RCW shall prepare, stamp, and seal all proposed subdivisions.
- (b) A survey is required for all final approvals of subdivisions and shall meet the survey standards of Chapter [58.09](#) RCW and Chapter [332-130](#) WAC.
- (c) The surveyor shall certify on the final document to be recorded that it is a true and correct representation of the lands actually surveyed.
- (d) Whenever a survey reveals a discrepancy, the discrepancy shall be noted on the face of the subdivision. "Discrepancy" means: (1) a boundary hiatus; (2) an overlapping boundary; or (3) a physical appurtenance, which indicates encroachment, lines of possession, or conflict of title.

20.12.080 SUBDIVISION CATEGORIES.

When reference to "subdivision" is made in this code, it is intended to refer to "short subdivision," "formal subdivision," "and "binding site plan" unless one is specified.

- (a) Short subdivision: a subdivision of nine (9) or fewer lots. Land within a short subdivision may not be further divided in any manner within a period of five (5) years without filing of a final plat, except the original owner may file an alteration within five (5) years to create up to a total of nine (9) lots within the original plat boundaries.
- (b) Formal subdivision: a subdivision of ten (10) or more lots.
- (c) Binding site plan: a land division for commercial and/or industrial developments.

20.12.090 REVIEW PROCEDURES AND APPROVALS.

Each subdivision type is processed as a different action "type" as described in Chapter [20.02](#) BMC, Table 040, Project Permit Processing Procedures, and summarized as follows:

- (a) Subdivision. Approval of all subdivisions requires a four (4) step process: approval of a preliminary subdivision, installation or bonding of required improvements, approval of the final subdivision, and recording of the subdivision with the Kitsap County Auditor.
 - (1) Short Subdivision.
 - (i) A preliminary short subdivision: Type II Director decision.
 - (ii) A final short subdivision: Type I Director decision.

- a. The final short subdivision shall be submitted to the Director within five (5) years of the date that the preliminary approval became final or the short subdivision shall become null and void.
- (2) Formal Subdivision.
 - (i) A preliminary formal subdivision: Type III Hearing Examiner decision.
 - (ii) A final formal subdivision: Type IV City Council decision.
 - a. The final formal subdivision shall be submitted to the Director within five (5) years of the date that the preliminary approval became final or as approved through phasing and/or timeline extensions per BMC [20.12.060](#), General Provisions. Should the project fail to comply with these timelines, the formal subdivision shall become null and void.
 - b. The following signatures on the final plat Mylar are required before the Director can submit the final plat to the City Council:
 - i. Director. Whose signature approves compliance with all terms of the preliminary plat approval of the proposed plat subdivision or dedication.
 - ii. City Engineer. Whose signature approves the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water systems and other structures. Additionally, the City Engineer's signature approves the adequacy of the proposed means of sewage disposal and water supply if City services are provided.
 - iii. Kitsap County Health District. Whose signature approves the adequacy of the proposed means of sewage disposal and water supply if City services are not provided.
 - iv. Kitsap County Treasurer. Whose signature confirms a statement that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged.
 - v. Property Owner. Whose signature confirms a statement that the subdivision has been made with the free consent and in accordance with the desires of the owner(s).
- (3) Binding Site Plan.
 - (i) A preliminary binding site plan - Type II Director decision.
 - (ii) A final binding site plan - Type I Director decision.
 - a. The final binding site plan shall be submitted to the Director within two (2) years of the date that the preliminary approval became final or the binding site plan shall become null and void.
 - b. The following signatures on the binding site plan Mylar are required before the Director can approve the final binding site plan:
 - i. City Engineer. Whose signature approves the layout of streets, alleys and other rights-of-way, design of bridges, sewage and water systems and other structures. Additionally, the City Engineer's signature approves the adequacy of the proposed means of sewage disposal and water supply if City services are provided.
 - ii. Kitsap County Health District. Whose signature approves the adequacy of the proposed means of sewage disposal and water supply if City services are not provided.
 - iii. Kitsap County Treasurer. Whose signature confirms a statement that all taxes and delinquent assessments for which the property may be liable as of the date of certification have been duly paid, satisfied or discharged.
 - iv. Property Owner. Whose signature confirms a statement that the division of land has been made with the free consent and in accordance with the desires of the owner(s).

20.12.100 APPROVAL CRITERIA - PRELIMINARY SUBDIVISION.

The following criteria shall be used to review and approve preliminary short subdivisions, formal subdivisions, and binding site plans:

- (a) The subdivision is in conformance with the Comprehensive Plan, Shoreline Master Program, and any other City-adopted plans;
- (b) Provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the subdivision that are consistent with current standards and plans as adopted in City code or ordinance;
- (c) Provisions have been made for roads, utilities, street lighting, street trees and other improvements that are consistent with the zoning code and Engineering Standards;
- (d) Provisions have been made for dedications, easements and reservations;
- (e) The design, shape and orientation of the proposed lots are appropriate to the proposed use. In addition to meeting the minimum lot size density requirement, each residential lot must provide a building envelope. Therefore, corner lots, lots with easements, or lots with environmental constraints may have to be larger than other lots in the subdivision;
- (f) The subdivision complies with the relevant requirements of the zoning code and all other relevant local regulations;
- (g) Appropriate provisions are made to address all impacts identified by any special reports that have been prepared;
- (h) Appropriate provisions for maintenance and monitoring of privately owned common facilities have been made;
- (i) Appropriate provisions, in accordance with RCW [58.17.110](#), are made for:
 - (1) The public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys or other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and
 - (2) The public use and interest will be served by the platting of such subdivision and dedication.

20.12.110 SUBMITTAL REQUIREMENTS - PRELIMINARY SUBDIVISION.

An applicant seeking approval of a short subdivision, formal subdivision, or binding site plan must submit a complete application requesting approval. It is the responsibility of the applicant to provide all of the necessary information before the application is processed. In conjunction with the appropriate fee, a complete application for a preliminary subdivision approval shall contain, but is not limited to, the following:

- (a) Application Form and Project Narrative Description. Application shall be made on the appropriate forms prescribed by the Department and shall be signed and dated by the property owner or authorized agent. When an authorized agent is involved, they shall provide proof they represent the legal interests of the property owner. The application shall contain each of the following:
 - (1) The name, address and telephone number of the applicant and person(s) to be contacted;
 - (2) The Kitsap County Assessor's tax identification number;
 - (3) The name, address and telephone number of the owner(s) of the property;
 - (4) Address or location of the property to be subdivided;
 - (5) Legal description of the property;
 - (6) The name of the school district serving the development;
 - (7) The existing zone classification;
 - (8) The existing shoreline environmental designation if any land is within two hundred (200) feet of the shoreline;

- (9) Approximate project site lot area in acres;
 - (10) The range of lot sizes in square feet.
- (b) Preliminary Plan. Seven (7) copies of the preliminary plat/short plat/binding site plan drawn to scale. The preliminary plan shall contain the following illustrations (multiple sheets may be used in order to provide clarity):
- (1) Location of the site by section, township, range;
 - (2) North arrow, scale and the boundary of the lands being subdivided;
 - (3) Approximate boundaries of all blocks, the designation of lots, lot lines, and dimensions;
 - (4) The name of any adjacent subdivisions;
 - (5) The approximate location, names and width of all existing and proposed streets, roads and access easements within the boundaries of the lands being subdivided and adjacent lots;
 - (6) The location of existing and proposed improvements such as stormwater facilities, sidewalks, utilities, power poles, etc., within the boundaries of the lands being subdivided and adjacent lots;
 - (7) The location of transit stops within one hundred (100) feet of the boundaries of the lands being divided;
 - (8) All existing and/or proposed easements or divisions proposed to be dedicated for any public purpose or for the common use of the property owners of the lands being subdivided;
 - (9) A full and correct description of the lands being subdivided;
 - (10) Approximate location of existing structures, septic tanks, drain fields, wells and other improvements located on the site and whether such structures are proposed to remain on the property;
 - (11) Shorelines, streams, wetlands, wildlife habitats and geologically hazardous areas as defined in Chapter [20.12](#) BMC, Critical Areas, and the Shoreline Master Program;
 - (12) Topographical information showing general slope information when existing slopes are greater than ten (10) percent.
- (c) Reduced Preliminary Plan. An eleven (11) inch by seventeen (17) inch reproducible copy of the preliminary site plan containing the information prescribed in BMC [20.12.110](#)(b).
- (d) Vicinity Map. A copy of the Kitsap County Assessor's map showing the location of the existing parcel number of all abutting properties and the approximate location of the subject property clearly marked.
- (e) Title Report. A title report issued within thirty (30) days of application, showing all persons having an ownership interest, a legal description describing exterior boundary of application site and listing all encumbrances affecting the site.
- (f) Notice. Public notice packet as required by the corresponding application.
- (g) SEPA. Environmental (SEPA) checklist if the division of land is not exempt under WAC [197-11-800](#).
- (h) Water and Sewer Availability. Information on the availability of sewer and water services from the City Public Works Department or Kitsap County Health District.
- (i) Other Information. Any related information and/or studies (including but not limited to stormwater report, traffic study, or geotechnical report) required by other provisions of the Bremerton Municipal Code, identified in the presubmittal conference meeting, or deemed necessary by the Director.

20.12.120 APPROVAL CRITERIA - FINAL SUBDIVISION.

The following criteria shall be used to review and approve final subdivisions:

- (a) Conforms to all terms of the preliminary subdivision approval;
- (b) Meets all zoning and engineering requirements;
- (c) Meets all requirements of this chapter;
- (d) Meets all applicable local and State laws that were in effect at the time of vesting; and
- (e) Improvements have been constructed or bonded at one hundred fifty (150) percent of estimated construction value.

20.12.130 SUBMITTAL REQUIREMENTS - FINAL SUBDIVISION.

An applicant seeking final approval of a short subdivision, formal subdivision, or binding site plan must submit a complete application requesting approval. It is the responsibility of the applicant to provide all of the necessary information before the application is processed. In conjunction with the appropriate fee a complete application for a final subdivision approval shall contain, but is not limited to, the following:

(a) Application Form. Application shall be made on the appropriate forms prescribed by the Department and shall be signed and dated by the property owner or authorized agent. When an authorized agent is involved, they shall provide proof they represent the legal interests of the property owner.

(b) Final Plan. The final plan shall be an original that is legibly drawn in black ink on Mylar and is suitable for producing legible prints through scanning, microfilming or other standard copying procedures. The map shall measure eighteen (18) inches by twenty-four (24) inches and shall include all of the following:

- (1) Drawn to scale at no less than one (1) inch to two hundred (200) feet and the scale shall be shown on the drawing;
- (2) Include the date, title, name and location of the subject property, graphic scale and true north point;
- (3) Complete legal description of the lands being divided;
- (4) The location of all existing fences, structures, and other improvements;
- (5) The location of any lakes, ponds, wetlands, streams, creeks, and slopes (top and toe and percentage of slope) greater than forty (40) percent;
- (6) Show the location of utilities, streets and easements within or abutting the subject property;
- (7) Display the lines of all streets and roads, alley lines, lot lines, lot and blocks numbered in numerical order, reservations, easements, and any areas to be dedicated to public use, with notes stating their purpose and any limitations;
- (8) Contain data sufficient to determine readily and reproduce on the ground the location, bearing, and length of every street, easement line, lot line, boundary line and block line on-site;
- (9) Include dimensions;
- (10) Include section subdivision information. Methods and data used for corner reestablishment or section subdivision shall be stated on plat;
- (11) When applicable, display all interior permanent control monuments located as determined by the City Engineer's office. All monuments and property corners shall be installed prior to the release of any bond;
- (12) If the subdivision includes a dedication, the following statements shall be included:
 - (i) The dedication of all streets and other areas to the public, and individual or individuals, religious society or societies, or to any corporation, public or private, as shown on the plat;
 - (ii) A waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road;
- (13) Said statements shall be signed and acknowledged before a notary public by all parties having any interest in the lands subdivided;
- (14) Addressing of the individual lots;
- (15) Certificate for the approval signatures detailed in BMC [20.12.090](#);
- (16) Treasurer's certificate to ensure payment of taxes; and
- (17) Other information requested during the preliminary approval.

(c) Lot Numbering. Lots shall be consecutively numbered; tracts shall be lettered alphabetically and in consecutive order.

(d) Plat Certificates. Three (3) plat certificates for the real property shall accompany the final plat.

(e) Lot Closures. Perimeter lot closures for all lots, tracts, and the exterior boundary of the subdivision shall accompany the final plat.

- (f) Addressing. Addresses of the individual lots shall be obtained from the Public Works Department.
- (g) Dedications. Dedications of right-of-way are pursuant to Chapter [11.12](#) BMC, Transportation Development Code.

20.12.140 MODIFICATIONS TO PRELIMINARY SUBDIVISION APPROVAL.

(a) Minor Amendments. At any time after preliminary subdivision approval, and before final subdivision approval, the applicant may submit an application that proposes minor amendments to the approved preliminary subdivision. Minor amendments are allowed for short and formal subdivisions and are processed administratively by the Department. To obtain approval the Director must make a written determination finding that all of the following criteria have been met:

- (1) The revision(s) do not substantially change any conditions of approval established in the preliminary subdivision approval; and
- (2) The revision(s) will not cause the subdivision to violate any applicable City policy or regulation nor will they be inconsistent with the findings and conclusions of the preliminary subdivision decision; and
- (3) The revision(s) do not decrease the total number of lots within the subdivision by more than five (5) lots, nor does the reduction violate any density requirements. In no case shall an increase of units be permitted through the amendment process; and
- (4) The revision(s) do not alter the external boundaries of the project, such that the location and external perimeter of the subdivision remains unchanged; and
- (5) The revision(s) do not represent a change of more than ten (10) percent to any individual feature such as but not limited to: the location or amount of open space, design or location of stormwater systems, or roadways; and
- (6) The revision(s) do not result in the relocation of any roadway access point to an exterior street from the subdivision; and
- (7) The revision(s) do not propose phasing of subdivision development not previously approved; and
- (8) The revision(s) do not increase any adverse impacts or undesirable effects of the subdivision on the community or surrounding area.

(b) Minor Amendment Application Process. An application for a minor subdivision amendment may be made at any time until the preliminary subdivision approval has expired pursuant to BMC [20.12.060](#).

Amendment applications shall comply with the following:

- (1) An amended subdivision proposal shall be submitted on the appropriate application required by the Department and shall include all applicable information as identified for a preliminary subdivision as outlined in BMC [20.12.110](#).
- (2) The Director shall have the discretion to determine if a new SEPA checklist application, stormwater, transportation, geotechnical, or other studies need to be revised or updated.
- (3) An approval for a subdivision amendment shall expire at the same time as the original preliminary subdivision approval unless the expiration date is extended pursuant to BMC [20.12.060](#)(k).

(c) Major Amendments. Revisions that do not conform to all the criteria of a minor amendment (outlined above in subsection (a) of this section) constitute a major amendment and shall not be permitted through the minor amendment process set forth in subsection (b) of this section. Major amendments shall be processed as a new preliminary subdivision application and shall vest to the codes in effect at the time the new application is deemed complete. All application materials required for a preliminary subdivision outlined in BMC [20.12.110](#) shall be required and the Director shall have the discretion to determine if application materials, technical reports, and studies from the previous application may be used, or if new or updated reports will be required.

20.12.150 RECORDING FINAL SUBDIVISIONS.

All final subdivisions shall be filed for record with the office of the Kitsap County Auditor. The applicant shall furnish one (1) copy of the recorded document to the Department and one (1) copy shall be filed with the office of the Kitsap County Assessor.

20.12.160 EXPIRATION OF FINAL SUBDIVISION APPROVALS.

Approvals of final subdivisions shall automatically expire if the plans are not recorded within one (1) year of the written approval date.

20.12.170 SUBDIVISION VESTING.

Subdivisions shall be governed by the statutes, ordinances, and regulations in effect at the time of complete application for preliminary subdivision and will continue to be vested for a period of five (5) years after the final subdivision approval.

20.12.180 VIOLATION - PENALTY.

- (a) Any violation of any provision of this chapter constitutes a civil violation under Chapter [1.04](#) BMC for which a monetary penalty may be assessed and abatement may be required as provided therein.
- (b) In addition to, or as an alternative to, any other penalty provided in this chapter or by law, any person who violates any provision of this chapter shall be guilty of a misdemeanor pursuant to BMC [1.12.020\(2\)](#).
- (c) This chapter shall not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any subdivisions in the City for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the City or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized herein.