

- 9.8515** **Subdivision, Tentative Plan Approval Criteria - General.** The planning director shall approve, approve with conditions, or deny a proposed subdivision. Approval, or approval with conditions shall be based on compliance with the following criteria:
- (1)** The proposed subdivision complies with the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:
 - (a) EC 9.2000 through 9.4170 regarding lot dimensions and density requirements for the subject zone and overlay zone. Within the /WR Water Resources Conservation Overlay Zone or /WQ Water Quality Overlay Zone, no new lot may be created if more than 33% of the lot, as created, would be occupied by either:
 1. The combined area of the /WR conservation setback and any portion of the Goal 5 Water Resource Site that extends landward beyond the conservation setback; or
 2. The /WQ Management Area;
 - (b) EC 9.6800 through EC 9.6875 Standards for Streets, Alleys, and Other Public Ways; and
 - (c) EC 9.6500 through EC 9.6505 Public Improvement Standards.
 - (2)** Approval does not impede the future best use of the remainder of the property under the same ownership or adversely affect the development of the remainder or any adjoining land or access thereto, based on the provisions of this land use code. For subdivisions involving phasing, it shall be demonstrated that each sequential phase will maintain consistency with the provisions of EC 9.8515 Tentative Subdivision Approval Criteria - General.
 - (3)** Any existing improvements on the proposed lots are consistent with the provisions of this land use code.
 - (4)** The proposed subdivision will be consistent with the property's designation in the comprehensive plan and applicable adopted plan policies as reflected in the sections beginning at EC 9.9500.
 - (5)** The proposed subdivision will:
 - (a) Not result in unreasonable risk of fire, flood, geological hazards, or other public health and safety concerns;
 - (b) Provide adequate transportation systems, water supply, sewage disposal, drainage, and other public utilities;
 - (c) Not hamper the adequate provision of publicly owned open space for recreation needs.
 - (6)** The proposed subdivision provides safe, convenient, and direct bicycle and pedestrian access to nearby and adjacent residential areas, transit stops, neighborhood activity centers, commercial areas, and employment and industrial areas, and provides safe, convenient, and direct transit circulation, provided the city makes findings to demonstrate consistency with constitutional requirements. "Nearby" means uses within 1/4 mile that can reasonably be expected to be used by pedestrians, and uses within 2 miles that can reasonably be expected to be used by bicyclists.
 - (7)** The proposed subdivision is designed and sited such that roads, infrastructure, utilities, and future development of proposed lots will minimize impacts to the natural environment by addressing the following:
 - (a) Protection of Natural Features.

1. For areas not included on the city's acknowledged Goal 5 inventory, the preservation of significant natural features to the greatest degree attainable or feasible, including:
 - a. Significant on-site vegetation, including rare plants (those that are proposed for listing or are listed under state or federal law), and native plant communities.
 - b. All documented habitat for all rare animal species (those that are proposed for listing or are listed under State or Federal law).
 - c. Prominent topographic features, such as ridgelines and rock outcrops.
 - d. Wetlands, intermittent and perennial stream corridors, and riparian areas.
 - e. Natural resource areas designated in the comprehensive plan diagram as "Natural Resource" and areas identified in any city-adopted natural resource inventory.
 2. For areas included on the city's acknowledged Goal 5 inventory, the preservation of natural features shall be consistent with the acknowledged level of preservation provided for the area.
- (b) Tree Preservation. The proposed project shall be designed and sited to preserve significant trees to the greatest degree attainable or feasible, with trees having the following characteristics given the highest priority for preservation:
1. Healthy trees that have a reasonable chance of survival considering the base zone or special area zone designation and other applicable approval criteria;
 2. Trees located within vegetated corridors and stands rather than individual isolated trees subject to windthrow;
 3. Trees that fulfill a screening function, provide relief from glare, or shade expansive areas of pavement;
 4. Trees that provide a buffer between potentially incompatible land uses;
 5. Trees located along the perimeter of the lot(s) and within building setback areas;
 6. Trees and stands of trees located along ridgelines and within view corridors;
 7. Trees with significant habitat value;
 8. Trees adjacent to public parks, open space and streets.
 9. Trees along water features.
 10. Heritage trees.
- (c) Restoration or Replacement.
1. For areas not included on the city's acknowledged Goal 5 inventory, the proposal mitigates, to the greatest degree attainable or feasible, the loss of significant natural features described in criteria (a) and (b) above, through the restoration or replacement of natural features such as:
 - a. Planting of replacement trees within common areas; or
 - b. Re-vegetation of slopes, ridgelines, and stream corridors; or
 - c. Restoration of fish and wildlife habitat, native plant habitat, wetland areas, and riparian vegetation.

To the extent applicable, restoration or replacement shall be in compliance with the planting and replacement standards of EC 6.320.
 2. For areas included on the city's acknowledged Goal 5 inventory, any loss of natural features shall be consistent with the acknowledged level of protection provided for the resource.
- (d) Street Trees. If the proposal includes removal of any street tree(s), removal of those street tree(s) has been approved, or approved with conditions according to the process at EC 6.305 of this code.
- (8)** On R-1 zoned property, if the subdivision results in a lot greater than 13,500 square feet in size based on EC 9.2761(5)(b), the application shall indicate the location of lot lines and other details of layout

that show future division of the lot may be made without violating the requirements of this land use code and without interfering with the orderly extension of adjacent streets, bicycle paths, and accessways. If the planning director deems it necessary for the purpose of future land division, any restriction of buildings within future street, bicycle path, and accessway locations shall be made a matter of record in the tentative plan approval.

- (9) As far as is practicable, lot side lines shall run at right angles to the street upon which the lots face, except that on curved streets they shall be radial to the curve.
- (10) The proposed subdivision complies with all of the following:
 - (a) EC 9.6706 Development in Flood Plains through EC 9.6709 Special Flood Hazard Areas - Standards.
 - (b) EC 9.6710 Geological and Geotechnical Analysis.
 - (c) EC 9.6730 Pedestrian Circulation On-Site.
 - (d) EC 9.6735 Public Access Required.
 - (e) EC 9.6750 Special Setback Standards.
 - (f) EC 9.6775 Underground Utilities.
 - (g) EC 9.6780 Vision Clearance Area.
 - (h) EC 9.6791 through 9.6797 regarding stormwater flood control, quality, flow control for headwaters area, oil control, source control, easements, and operation and maintenance.
 - (i) The proposed subdivision complies with other applicable development standards for features explicitly included in the application.

An approved adjustment to a standard pursuant to the provisions beginning at EC 9.8015 of this land use code constitutes compliance with the standard.

- (11) The proposal complies with the Traffic Impact Analysis Review provisions of EC 9.8650 through 9.8680 where applicable.
- (12) For applications intended to implement an approved tentative or final planned unit development for the site:
 - (a) The proposed subdivision is consistent with the approved planned unit development plan;
 - (b) If full compliance with a tentative subdivision criterion in this section would cause an inconsistency between the tentative subdivision plan and an approved tentative or final planned unit development for the site, the city shall require compliance with that subdivision criterion only to the extent that it can do so without creating the inconsistency.

(Section 9.8515, see chart at front of Chapter 9 for legislative history from 2/26/01 through 6/1/02; amended by Ordinance No. 20285, enacted March 10, 2003, effective April 9, 2003; Ordinance No. 20351, enacted November 14, 2005, effective January 1, 2006; Ordinance No. 20353, enacted November 28, 2005, effective January 1, 2006; Ordinance No. 20369, enacted June 14, 2006, effective July 14, 2006; Ordinance 20430, enacted March 9, 2009, effective June 10, 2009; Ordinance No. 20513, enacted July 8, 2013, effective August 9, 2013; Ordinance No. 20521, enacted January 13, 2014, effective March 1, 2014; and Ordinance No. 20528, enacted May 14, 2014, effective June 23, 2014; amended by Ordinance 20584, effective August 24, 2017)