

Chapter 18.35

LAND DIVISIONS

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Article I. General Provisions

- 18.35.010 General authority.

This chapter of the Jefferson County Unified Development Code is adopted under the authority of Chapter 58.17 RCW. [Ord. 11-00 § 7.1(1)]

- 18.35.020 Purpose.

The purpose of this chapter is to regulate the division of land lying within Jefferson County, and to promote the public health, safety, and general welfare in accordance with the standards established by the state of Washington and Jefferson County, and to:

- (1) Prevent the overcrowding of land;

- (2) Lessen congestion and promote safe and convenient travel by the public on sidewalks, pathways, streets and highways;
- (3) Promote the efficient use of land;
- (4) Facilitate adequate provision for water supply, sewage disposal, drainage, streets, schools, parks, recreational areas, fire protection and other capital requirements;
- (5) Require uniform monumentation and conveyancing of lots, tracts and parcels by accurate legal description;
- (6) Facilitate the expeditious processing of development applications through the adoption of clear, predictable and uniformly applied land division regulations; and
- (7) Implement the goals, policies and substantive requirements of the Washington State Growth Management Act (Chapter 36.70A RCW) and the Jefferson County Comprehensive Plan. [Ord. 11-00 § 7.1(2)]

18.35.030 Applicability.

- (1) This chapter applies to the division of land into four parcels for short subdivisions and of five or more parcels for long subdivisions. This chapter further applies to boundary line adjustments and binding site plan review and regulation.
- (2) Property boundary lines separating two or more lots of record may be adjusted only under the specific provisions set forth in this chapter.
- (3) The process for resubdivision, alteration and vacation of any existing subdivision is identical to the process for initial subdivision. All such subdivision applications shall conform with the applicable sections in this chapter governing the subdivision of property into lots, tracts or parcels. All proposed plat vacations shall comply with the requirements and criteria set forth in RCW 58.17.212, as now adopted or hereafter amended.
- (4) Where this chapter imposes greater restrictions or higher standards upon the development of land than other provisions of this code, laws, ordinances or restrictive covenants, the provisions of this chapter shall prevail. [Ord. 11-00 § 7.1(3)]

18.35.040 Exemptions.

This chapter does not apply to the following:

- (1) Divisions of land into lots, tracts or parcels each one of which is one-sixteenth of a section of land or larger, or 40 acres or larger if the land is not capable of description as a fraction of a section of land; provided, that for purposes of computing the size of a lot that borders on a street or road, the lot size shall be expanded to include that area that would be bounded by the center line of the street or road and the side lot lines of the lot running perpendicular to such center line; and provided further, that within the commercial forest district (i.e., CF-80), each lot, tract or parcel shall be at least 80 acres in size;
- (2) Cemeteries and burial plots while used for that purpose;
- (3) Divisions of land made by testamentary provisions or the laws of descent; provided, that this exemption shall not be construed to permit inter vivos transfers, and provided further, that any structure or use on the property must comply with all other applicable county regulations; and
- (4) Divisions of land relating to the acquisition of a fee simple interest in land by public agencies, including, but not limited to, divisions made for road or public right-of-way conveyance or widening purposes. This exemption shall not be construed to include acquisitions of easements. [Ord. 11-00 § 7.1(4)]

18.35.050 Violations – Penalties.

(1) Criminal Penalties and Liability. Any person, firm, corporation, or association or any agent of any person, firm, corporation or association who sells, offers for sale, leases, or transfers any lot, tract, or parcel of land prior to compliance with this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$1,000 or by imprisonment in jail for a term not exceeding 90 days, or by both such fine and imprisonment. Each violation or each sale, offer for sale, lease, or transfer of each separate lot, tract, or parcel of land in violation of any provision of this chapter is deemed a separate and distinct offense. If performance of an offer of agreement to sell, lease or otherwise transfer a lot, tract or parcel of land following preliminary approval of a short plat or long plat, but prior to final plat approval, is expressly conditioned on the recording of the final plat containing the lot, tract or parcel under this chapter, the offer or agreement does not violate any provision of this chapter. All payments on account of an offer or agreement conditioned as provided in this chapter shall be deposited in an escrow account and no disbursements to sellers are permitted until the final plat is recorded. This prohibition of property transfers prior to compliance with this chapter shall apply equally to transfers prior to completion of short subdivisions, long subdivisions and binding site plans.

(2) Chapter 18.50 JCC Applicable. In addition to the penalties provided in this section, all violations of any provision of this chapter or any incorporated standards, or conditions of any permit issued hereunder, are subject to the provisions of Chapter 18.50 JCC. The administrator is authorized to enforce the provisions of this chapter in accordance with Chapter 18.50 JCC.

(3) Other Enforcement Action. In the event an applicant for a short subdivision, long subdivision, or binding site plan fails and refuses to install required improvements in the time required by any preliminary or final approval, the county may withhold further building or other development permits, make demand against any bonds, collect monies deposited in escrow to secure installation of improvements, initiate a local improvement district, or take such other action as may be necessary to cause the improvements to be made. [Ord. 11-00 § 7.1(5)]

Article II. Boundary Line Adjustments

18.35.060 Purpose, scope and limitations.

(1) Purpose and Scope. The purpose of this article is to provide procedures and criteria for the review and approval of adjustments to boundary lines between platted or unplatted lots, tracts or parcels, or both in order to:

- (a) Allow the enlargement or merging of lots, tracts or parcels to improve or qualify as a buildable lot or for any other lawful purpose;
- (b) Rectify defects in legal descriptions;
- (c) Achieve increased setbacks from property lines or environmentally sensitive areas;
- (d) Correct situations wherein an established use is located across a lot line; or
- (e) For other similar purposes.

This article is also intended to ensure compliance with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC.

(2) Prohibited Boundary Changes. This article shall not apply to boundary changes that would:

- (a) Result in the creation of an additional lot, tract, parcel, site within a binding site plan or division, ~~or the enlargement of existing lots, tracts or sites to create more than one additional buildable lot~~, as defined in Chapter 18.10 JCC;
- (b) Result in a lot, tract or parcel or site within a binding site plan that does not qualify as a buildable lot as defined in Chapter 18.10 JCC;
- (c) Create a nonconforming lot, tract, or parcel or increase any of the nonconforming aspects of a lot or parcel as defined in Chapter 18.10 JCC;
- ~~(d)~~ Relocate an entire lot, tract or parcel from one parent parcel into another parent parcel;
- (e) An adjustment that crosses zoning district boundaries where the administrator reasonably believes that the adjustment is intended to serve as a rationale for a future rezone application. Adjustments may be allowed across different Rural Residential densities;
- ~~(f)~~ Be inconsistent with any restrictions or conditions of approval for a recorded short plat or long plat; or circumvent the short subdivision or long subdivision procedures set forth in this chapter. ~~Factors that indicate that the boundary line adjustment process is being used in a manner inconsistent with the intent of this article include:~~
- ~~(i) Numerous and frequent adjustments to the boundary of an existing lot, tract or parcel boundary;~~
- ~~(ii) A proposal to move a lot to a different location;~~
- ~~(iii) A large number of lots being proposed for a boundary line adjustment; and~~
- ~~(iv) An adjustment that crosses zoning district boundaries where the administrator reasonably believes that the adjustment is intended to serve as a rationale for a future rezone application.~~
- (3) Elimination of Boundary Lines Lot Consolidation. The ~~elimination of lines between~~ consolidation of two or more lots, tracts or parcels for the purpose of creating a single lot, tract or parcel that meets the requirements for a buildable lot shall in all cases be considered a minor adjustment of boundary lines and shall not be subject to the short subdivision or long subdivision provisions of this chapter. Lot consolidations shall not require a survey or soil evaluation.
- (4) Adjustments to Binding Site Plans. Recognized lots in an approved binding site plan shall be considered a single site and no lot lines on the site may be altered by a boundary line adjustment to separate lots to another property not included in the original site plan of the subject development.
- (5) Time Limitations. If more than two Lots ~~lots~~, tracts or parcels ~~that~~ have been subject to a boundary line adjustment process ~~that resulted in the qualification of an additional building site~~ those lots shall not be permitted to use the boundary line adjustment process again for five years with the exception of lot consolidations, testamentary divisions, civil cases, court orders, rectifying legal defects, or the adjustment of one line between two or more property owners for the purpose of settling a dispute. ~~to create an additional buildable lot.~~ [Ord. 11-00 § 7.2(1)]

18.35.070 Application submittal and contents.

To be considered complete, applications for boundary line adjustments shall include the following:

- (1) Applications for boundary line adjustments shall be made on forms provided by the Jefferson County department of community development and shall be submitted to

the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance;

(2) A completed land use permit application form, including all materials required pursuant to Chapter 18.40 JCC;

(3) Three copies of a clean and legible drawing suitable for recording showing the following:

(a) The proposed lines for all affected lots, tracts or parcels, indicated by bold solid lines;

(b) The existing lot, tract or parcel lines proposed to be changed, indicated by light broken lines;

~~(c) The intended future use of the adjusted lots, tracts or parcels;~~

~~(d) —~~The location and dimensions of all structures/improvements existing upon the affected lots, tracts or parcels and the distance between each such structure/improvement and the proposed boundary lines, with structures proposed to be removed from the site depicted with broken lines and structures to remain on the site depicted with solid lines;

~~(e) The original legal description of the entire property together with new separate legal descriptions for each lot, tract or parcel, labeling them each as existing parcel A, existing parcel B, revised parcel A, revised parcel B, etc.;~~

~~(f)~~ A north arrow indication and scale;

~~(g)~~ All assessor's tax parcel numbers for the affected lots, tracts or parcels;

~~(h)~~ The location of the property as to quarter/quarter section;

~~(i)~~ The location and dimensions of any easements within or adjacent to any affected lots, tracts or parcels;

~~(j)~~ The location, right-of-way widths, pavement widths and names of all existing or platted streets or roads, whether public or private, and other public ways within or adjacent to the affected lots, tracts or parcels;

~~(k)~~ The area and dimensions of each lot prior to and following the proposed adjustment;

~~(l)~~ The existing onsite sewage system components and reserve areas and the proposed location for onsite sewage systems and soil test pits for all affected lots that are not currently served by an onsite sewage system or other approved wastewater treatment system~~The existing, and if applicable, proposed future method of sewage disposal for each affected lot, tract or parcel, including the location and dimensions of any proposed septic drainfield;~~

~~(m)~~ The location of all existing and proposed water and storm drainage facilities; and

~~(n)~~ The approximate location and extent of any environmentally sensitive areas designated under Article VI-D of Chapter 18.15 JCC, including any flood hazard areas lying within the existing or revised parcel boundaries. The following notice will be recorded on the drawing when the parcels that are part of the Boundary Line Adjustment include, or are adjacent to, Environmentally Sensitive Areas (ESA): Notice to Public: Current Jefferson County geographic information systems (GIS) maps identify the presence of an Environmentally Sensitive Area (ESA) such as stream, wetland, flood, landslide hazard, erosion, aquifer recharge area, fish and wildlife habitat, shoreline, etc., lying within and/or adjacent to the revised parcels encompassed by this Boundary Line Adjustment. Prior to any land disturbing activity or construction activity, applicant/owner shall contact the Jefferson County department of community

development regarding compliance for such ESA's. Approval of this Boundary Line Adjustment does not guarantee a buildable site within said parcel(s). Such determination is dependent on approvals of water, septic, bulk and dimensional setbacks, and ESA requirements;

(4) The original legal description of the entire property together with new separate legal descriptions for each lot, tract or parcel, labeling them each as existing parcel A, existing parcel B, revised parcel A, revised parcel B, etc. The drawing shall be attached to or include on the face a formal legal declaration of the boundary line adjustment, signed and notarized by all legal owners of the subject properties. In cases where the property has not been surveyed, the following disclaimer shall be recorded on the drawing: DISCLAIMER LANGUAGE FOR BLA STATEMENT OF INTENT: Your request for a Boundary Line Adjustment (BLA) has been approved. Since no survey was submitted as part of your BLA application, the County accepts no liability for what facts a survey might have revealed. A survey might have revealed that a structure or improvement believed to be on the applicant's property is, in fact located wholly or partially upon someone else's property or upon property that is not the subject of this BLA. But in the absence of a survey, the applicant bears sole responsibility if such a problem arises;

(5) A copy of any covenants, conditions and restrictions (CC&Rs), deed restrictions, or planned rural residential development (PRRD) agreements pertaining to or affecting the property; and

(6) If an individual septic system is proposed (i.e., as opposed to connection to either a community drainfield or municipal sewer system), the applicant shall provide written verification from the Jefferson County department of environmental health that the lots, tracts, parcels or sites, as each would exist after the boundary line adjustment, are adequate to accommodate an on-site sewage disposal system. The location of soil logs must be shown on the drawing to show land area sufficient to meet environmental health requirements for each resultant lot, tract, or parcel that does not contain a dwelling. This requirement may be waived in cases where lots are being consolidated. An applicant may choose to apply for a Site Plan Approval Advance Determination (SPAAD) to fulfill this requirement. In cases where the requirement to provide written verification that the resultant lots can accommodate on-site sewage system from the Jefferson County department of environmental health has been waived, the following notice shall be recorded on the drawing: Notice to Public: Approval of this Boundary Line Adjustment does not guarantee a buildable site within said parcel(s). Such determination is dependent on approvals of water, septic, bulk and dimensional setbacks, and ESA requirements. [Ord. 11-00 § 7.2(2)]

(7) The application shall be accompanied by a current (i.e., within 30 days) title company certification of the following:

(a) The legal description of the total parcels sought to be adjusted;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deeds or trust or mortgages) or any other encumbrances affecting the title of said parcels. Such individuals or corporations shall sign and approve the final survey prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the properties to be adjusted with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) policy may be required by the director of the department of public works.

18.35.080 Review process and criteria.

(1) Prior to approval, a proposed boundary line adjustment shall be reviewed by the Jefferson County assessor.

(2) Based on any comments solicited and received from the department of public works, the department of environmental health or other applicable departments and agencies, the administrator shall approve the proposed boundary line adjustment only upon finding that the adjustment would not:

(a) Create any additional lot, tract, parcel, site within a binding site plan or division or relocate any lot, tract, parcel, or site within a binding site plan or division to another parent parcel;

(b) Result in a lot, tract, parcel, site within a binding site plan or division that contains increased density or insufficient area or dimension to meet the minimum requirements for area and dimension as set forth in Chapter 18.15 JCC and state and local health codes and regulations; ~~provided, that this provision shall not be construed to require correction or remedy of pre-existing nonconformities or substandard conditions;~~

(c) Diminish or impair drainage, water supply, existing sewage disposal, and access or easement for vehicles or pedestrians, utilities, and fire protection for any lot, tract, parcel, site (i.e., within an approved binding site plan), or division;

(d) Diminish or impair any public or private utility easement or deprive any parcel of access or utilities;

(e) Diminish or impair the functions and values of environmentally sensitive areas designated under Article VI-D of Chapter 18.15 JCC, or create an unsafe or hazardous environmental condition;

(f) Create unreasonably restrictive or hazardous access to the property;

(g) Create a nonconforming lot, tract, or parcel or ~~I~~increase the nonconforming aspects of an existing lot, tract or parcel relative to Chapter 18.15 JCC; or

(h) Replat or vacate a short plat or long plat, or revise, ~~or~~ amend, or violate any of the conditions of approval for any short or long subdivision.

(i) Create a lot, tract, or parcel that crosses zoning district boundaries, with the exception an adjustment across rural residential densities;

(3) Following approval by the administrator, a final record of survey document shall be prepared by a licensed land surveyor in accordance with Chapter 58.09 RCW and Chapter 332-130 WAC. The document shall contain a land surveyor's certificate and a recording certificate. The final page of the record of survey document shall contain the following signature blocks:

(a) The Jefferson County assessor's office, to be signed by the Jefferson County assessor or his/her designee; and

(b) The department of community development, to be signed by the administrator.

(4) Applications for boundary line adjustments shall be processed according to the procedures for Type I land use decisions established in Chapter 18.40 JCC. [Ord. 11-00 § 7.2(3)]

Article III. Short Subdivisions

18.35.090 Scope.

Any land being divided into four or fewer lots, tracts or parcels that has not been divided through a short subdivision within the previous five years shall meet the requirements of this article. Land within an approved short subdivision may not be further divided in any manner within a period of five years without the filing of a long plat. However, when a short plat contains fewer than four parcels, the owner of the short plat may file an alteration within the five-year period to create up to four lots within the boundaries of the original short plat; provided, that the parcel is not held in common ownership with a contiguous parcel which has been subdivided within the preceding five years. [Ord. 11-00 § 7.3(1)]

18.35.100 Application submittal and contents.

To be considered complete, applications for short subdivisions shall include the following information:

(1) Applications for short subdivisions shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance;

(2) A completed land use permit application form, including all materials required pursuant to Chapter 18.40 JCC;

(3) A sworn certification by the applicant verifying whether the applicant has any interest in any land adjacent to any portion of the subject property; such interest in land may be by reason of ownership, contract for purchase by an agreement or option by any person, family member, firm or corporation in any manner connected with the applicant or the development;

(4) The dimensions and area of each proposed lot, tract or parcel to accurately show that each lot, tract or parcel contains sufficient area to satisfy the minimum requirements of Chapter 18.15 JCC; provided, that the area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations;

(5) Five paper copies of a preliminary short plat meeting the standards of JCC 18.35.110 and 18.35.120;

(6) Where applicable, any special reports or studies required under Chapter 18.15 JCC, prepared in accordance with the requirements of Article VI-K of Chapter 18.15 JCC;

(7) A preliminary drainage plan prepared in a manner consistent with the requirements of Chapter 18.30 JCC, including any soil test information that may be deemed necessary by the director of the department of public works;

(8) The estimated quantities of any fill to be expected from the site and imported to the site; and

(9) Documentation of water availability and adequacy for each parcel affected sufficient to meet the requirements of JCC 18.30.030. [Ord. 11-00 § 7.3(2)]

18.35.110 Preliminary short plat preparation.

The preliminary short plat shall be prepared in accordance with the following requirements:

- (1) The preliminary short plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the short plat that it is a true and correct representation of the land actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying the property, the surveyor shall place temporary stakes on the property to enable the county to locate and assess features of the short plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is Washington State Plane North Zone; and the horizontal datum is NAD 83.
- (2) All geographic information portrayed by the preliminary short plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical roadway cross-sections may be drawn to any other appropriate scale.
- (3) A preliminary short plat shall be 18 by 24 inches in size, allowing one-half inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with road and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above specified size.
- (4) The area of each proposed lot, tract or parcel on the short plat map shall accurately show that each lot, tract or parcel contains sufficient area to satisfy minimum zoning requirements. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations. [Ord. 11-00 § 7.3(3)]

18.35.120 Preliminary short plat contents.

- (1) A preliminary short plat shall be submitted on one or more sheets and shall provide the information described below. All specifications for required improvements shall conform to the development standards contained in Chapter 18.30 JCC.
 - (a) The name of the proposed subdivisions together with the words "Preliminary Short Plat";
 - (b) The name and address of the applicant;
 - (c) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;
 - (d) Numeric scale (50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;
 - (e) Identification of all land intended to be cleared, and the location of the proposed access to the site for clearing and grading during site development or construction; and
 - (f) A form for the endorsement of the administrator, as follows:
APPROVED BY JEFFERSON COUNTY

Development Administrator

(2) The preliminary plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads, and other major constructed and natural features.

(3) Except as otherwise specified in this chapter, the preliminary short plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:

(a) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;

(b) The names of all adjoining property owners, or names of adjoining developers;

(c) All existing property lines lying within the proposed subdivision, including lot lines for lots of record which are to be vacated, and all existing property lines for any property adjacent to the subject property which is under the same ownership as the property to be subdivided (as described in JCC 18.35.110(3)) shall be shown in broken lines;

(d) The location, right-of-way widths, pavement widths and names of all existing or platted roads, whether public or private, and other public ways within 200 feet of the property to be divided;

(e) The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision;

(f) The location, size and invert elevation of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those that will be connected to the subdivision as part of the proposal (if applicable);

(g) The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision (if applicable);

(h) The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed subdivision (if applicable);

(i) The location of any environmentally sensitive areas as described in Article VI-D of Chapter 18.15 JCC, including all floodplains lying within or adjacent to the proposed subdivision;

(j) The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;

(k) The location of any well existing within the proposed subdivision;

(l) The location of any individual or on-site sewage disposal system existing within the proposed subdivision;

(m) Existing contour lines at intervals of five feet, labeled at intervals not to exceed 20 feet;

(n) The location of any existing structures lying within the proposed subdivision; existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.

(4) The preliminary plat shall show the following proposed geographic features:

- (a) The boundaries in bold solid lines of any proposed lots, tracts or parcels, the area and dimensions of each proposed lot, tract or parcel, and the proposed identifying number or letter to be assigned to each lot, tract or parcel, and block (if applicable);
- (b) The right-of-way location and width, the proposed name of each road, street or other public way to be created and the estimated tentative grades of such roads; where roadways may exceed the maximum allowable grade or alignment, the director of the department of public works may require sufficient data, including centerline profiles and cross-sections, if necessary, to determine the feasibility of said roadway;
- (c) The location, width and purpose of each easement to be created;
- (d) The boundaries, dimensions and area of public and common park and open space areas;
- (e) Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;
- (f) Proposed final contour lines at intervals of five feet; final contour lines shall be indicated by solid lines; contour lines shall be labeled in intervals not to exceed 20 feet;
- (g) The building envelope, as defined in JCC 18.10.020, shall be indicated for each lot;
- (h) Proposed monumentation;
- (i) Proposed location and description of all individual or community wells, or water system improvements, including fire hydrants (if applicable);
- (j) Proposed location and description of all sewage disposal improvements, including (if applicable) profiles and all pump stations and their connections to the existing system;
- (k) Proposed location and description of all stormwater management improvements;
- (l) Proposed road cross-sections, showing bicycle and pedestrian pathways, trails and sidewalks (if applicable);
- (m) Proposed type and location of road lighting (if applicable);
- (n) Proposed type and location of landscaping (if applicable);
- (o) Proposed location and description of transit stops and shelters (if applicable);
- (p) Proposed covenants, conditions and restrictions (CC&Rs) on development (if applicable).

(5) Upon review of an application, the administrator may require additional pertinent information, as deemed necessary, to satisfy any other regulatory requirements. The administrator may also waive specific submittal requirements determined to be unnecessary for review of an application. In such event, the administrator shall document the waiver in the project file or log. [Ord. 11-00 § 7.3(4)]

18.35.130 Short plat approval criteria.

In addition to the review criteria provided in Chapter 18.40 JCC, the following criteria are the minimum measures by which each proposed short subdivision will be considered:

- (1) Short subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the administrator that all of the following have been satisfied:
 - (a) The proposed subdivision conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including, but not limited to the following:
 - (i) The Jefferson County Comprehensive Plan; and

- (ii) The provisions of this code, including any incorporated standards;
 - (b) Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, roads, streets and other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements to assure safe walking conditions for students who walk to and from school;
 - (c) The probable significant adverse environmental impacts of the proposed short subdivision, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within Chapter 18.40 JCC and Chapter 43.21C RCW;
 - (d) Approving the proposed short subdivision will serve the public use and interest and adequate provision has been made for the public health, safety and general welfare.
- (2) Notwithstanding the approval criteria set forth in subsection (1) of this section, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed short subdivision lies within both a flood control zone, as specified by Chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the preliminary short plat unless:
- (a) The applicant has demonstrated to the satisfaction of the administrator that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and
 - (b) It imposes a condition requiring the applicant to comply with Article VI-F of Chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed short subdivision until flood control problems have been resolved. [Ord. 11-00 § 7.3(5)]
- 18.35.140 Short plat review process.
- (1) An application for a short subdivision shall be processed according to the procedures for Type II land use decisions established in Chapter 18.40 JCC.
 - (2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary.
 - (3) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in JCC 18.35.130. A proposed short plat shall only be approved when consistent with all the provisions of JCC 18.35.130.
 - (4) An applicant for a short subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the procedures for variances in Chapter 18.40 JCC, and shall satisfy the criteria contained in Article IV of Chapter 18.40 JCC, Variances. [Ord. 11-00 § 7.3(6)]
- 18.35.150 Modifications to an approved preliminary short plat.

(1) Minor modifications to a previously approved preliminary short plat, may be requested by the applicant and approved by the administrator subject to the provisions for Type I decisions in Chapter 18.40 JCC; provided, that the modification does not involve any of the following:

- (a) The location or relocation of a road or street;
- (b) The creation of an additional lot, tract or parcel;
- (c) The creation of a lot, tract or parcel that does not qualify as a buildable lot pursuant to this code;
- (d) The relocation of an entire lot, tract or parcel from one parent parcel into another parent parcel.

(2) Before approving such an amendment, the administrator shall make written findings and conclusions documenting the following conditions:

- (a) The modification will not be inconsistent or cause the short subdivision to be inconsistent with the decision of the county preliminarily approving the application;
- (b) The modification will not violate the intent of the original conditions of application approval; and
- (c) The modification will not cause the short subdivision to violate any applicable county policy or regulation.

(3) Modifications that involve the circumstances described in subsection (1) of this section, or exceed the criteria set forth in subsection (2) of this section, shall be processed as a new preliminary short plat application. [Ord. 11-00 § 7.3(7)]

~~18.35.160 — Improvement method report.~~

~~———— Following preliminary plat approval and approval of all plans, and prior to submission of a final plat for the administrator's approval, the applicant shall submit to the administrator three copies of a report describing the method by which the applicant proposes to carry out the minimum improvements required and the time period within which such improvements will be completed. The applicant shall submit all design and construction drawings required in conformance with Chapter 18.30 JCC and any incorporated standards. This improvement method report shall be signed by the applicant and be accompanied by any applicable proposed performance guarantees. The administrator shall transmit two copies of the improvement method report with all drawings and other submittals to the director of the department of public works. Improvements may be made or guaranteed by either of the following methods, subject to the discretion and approval of the administrator:~~

~~(1) — By actual installation and approval of all improvements in accordance with the preliminary plat, the development standards contained in Chapter 18.30 JCC and any incorporated standards, and approved construction drawings; or~~

~~(2) — By furnishing to the county a plat or subdivision bond or cash deposit in escrow for the full cost of the improvements, or other security satisfactory to the administrator, in which assurance is given the county that the installation of the minimum improvements will be carried out as provided by plans submitted and approved and in accordance with the development standards contained in Chapter 18.30 JCC and any incorporated standards, and under the supervision of the director of the department of public works. The amount of the performance bond or other security shall be 120 percent of the estimated cost for the county to contract for construction of the improvements as determined by the director of the department of public works. [Ord. 11-00 § 7.3(8)]~~

18.35.170 Director of the department of public works certificate of improvements.

No permit for the construction of improvements within an approved subdivision shall be issued by the county until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with the development standards contained in Chapter 18.30 JCC and any incorporated standards have been received and approved by the director of the department of public works. All construction of improvements shall be inspected and approved in conformance with the development standards contained in Chapter 18.30 JCC and any incorporated standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the director of the department of public works shall submit a certificate in triplicate to the administrator stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary short plat, including the county's decision approving the short plat, and in accordance with the development standards contained in Chapter 18.30 JCC and any incorporated standards. The administrator shall transmit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed short subdivision. The administrator shall retain one copy of the certificate. [Ord. 11-00 § 7.3(9)]

18.35.180 Final short plat requirements.

The applicant must submit a reproducible copy, plus three paper copies of the proposed final short plat to the administrator. The reproducible copy of the approved final short plat will contain the elements as described in JCC 18.35.120 and shall include certifications and other requirements as provided in JCC 18.35.370 for long plats. [Ord. 11-00 § 7.3(10)]

18.35.190 Accompanying documents – Final short plat.

(1) In cases where any restrictive deed covenants or CC&Rs will apply to lots or parcels within a subdivision, a type written copy of such covenants, bearing all necessary signatures, shall be submitted along with the final plat. Where the recordation of specific deed restrictions or CC&R provisions have been required as a condition of preliminary plat approval, the administrator shall approve and sign the deed restriction or CC&Rs prior to final plat approval.

(2) The final plat shall be accompanied by a current (i.e., within 30 days) title company certification of the following:

(a) The legal description of the total parcel sought to be subdivided;

(b) Those individuals or corporations holding an ownership interest and any security interest (such as deeds or trust or mortgages) or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;

(c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;

(d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and

(e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) policy may be required by the director of the department of public works.

(3) All maintenance, performance and guarantee bonds or other guarantees as may be required by the director of the department of public works and the approved improvement method report to guarantee the acceptability and/or performance of all required improvements. [Ord. 11-00 § 7.3(11)]

18.35.200 Final short plat approval.

The final short plat shall be approved by the administrator upon satisfaction of all conditions of approval and all requirements as provided in this article and Article VI of this chapter. Final approval of short plats by the Jefferson County board of county commissioners shall not be required. All final short plats shall be approved, disapproved or returned to the applicant within 30 days of their filing, unless the applicant consents to an extension of time in writing. [Ord. 11-00 § 7.3(12)]

18.35.210 Time limitation on final short plat submittal.

Approval of a preliminary short plat shall expire unless the applicant submits a proposed final plat in proper form for final approval within three years after preliminary approval. The department of community development shall not be responsible for notifying the applicant of an impending expiration. [Ord. 11-00 § 7.3(13)]

18.35.220 Effect of an approved final short plat – Valid land use.

Any lots, tracts or parcels in a final short plat filed for record shall be a valid land use notwithstanding any change in zoning for a period of five years from the date of filing. A short subdivision shall be governed by the terms of approval of the final short plat, and the statutes, ordinances and regulations in effect on the date of preliminary plat approval for a period of five years after final short plat approval unless the Jefferson County board of commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the short subdivision. [Ord. 11-00 § 7.3(14)]

18.35.230 Distribution of copies and filing of final short plat.

The administrator shall distribute the original and copies of the approved final short plat as follows:

- (1) The original shall be returned to the applicant to be forwarded to the county auditor for filing;
- (2) Prior to the issuance of any building permits, one recorded reproducible copy shall be transmitted to the director of the department of public works;
- (3) One recorded paper copy shall be retained in the files of the department of community development; and
- (4) One recorded paper copy shall be provided to the building official for assignment of addresses. [Ord. 11-00 § 7.3(15)]

18.35.240 Transfer of ownership following short plat approval.

Whenever any parcel of land lying within the county is divided under the provisions of this article relating to short subdivisions, no person, firm, or corporation shall sell or transfer any such lot, tract or parcel without having first received final approval of the short plat and having recorded the final short plat with the Jefferson County auditor. It is the responsibility of the applicant to ensure that a final short plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land. [Ord. 11-00 § 7.3(16)]

18.35.250 Building and occupancy permits – Issuance after final short plat approval.

(1) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved short subdivision prior to a determination by the relevant fire district chief or designee that adequate fire protection and access for construction needs exists.

(2) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved short subdivision until the applicant complies with the improvement method report, all requirements of the department of public works certificate of improvements, and all requirements of the final plat approval.

(3) No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the director of the department of public works and county building official. [Ord. 11-00 § 7.3(17)]

18.35.260 Accumulative short plats.

Accumulative short plats are not permitted. The short subdivision process may not be used to apply for a series of short plats within two years from any application, thereby circumventing the long subdivision procedures. [Ord. 11-00 § 7.3(18)]

Article IV. Long Subdivisions

18.35.270 Scope.

Long subdivisions, as processed under this article shall include all divisions of land into five or more lots, and shall require improvements so that any development will be in compliance with this code and any other codes or ordinances which may apply.

[Ord. 11-00 § 7.4(1)]

18.35.280 Application submittal and contents.

To be considered complete, the application for a long subdivision shall include the following information:

(1) The application for approval of a long subdivision shall be submitted to the department of community development on forms to be provided by the department along with the appropriate fees established by the Jefferson County fee ordinance;

(2) A completed land use permit application form, including all materials required pursuant to Chapter 18.40 JCC;

(3) The area and dimensions of each proposed lot, tract or parcel to accurately show that each lot, tract or parcel contains sufficient area to satisfy the minimum requirements of Chapter 18.15 JCC. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the area computations;

(4) Five paper copies of a preliminary plat meeting the standards and requirements of JCC 18.35.290 and 18.35.300;

(5) Where applicable, any special reports or studies required under Chapter 18.15 JCC, prepared in accordance with the requirements of Article VI-K of Chapter 18.15 JCC;

(6) A preliminary drainage plan prepared in a manner consistent with the requirements of Chapter 18.30 JCC, including any soil test information as may be deemed necessary by the director of the department of public works;

(7) The estimated quantities of any fill to be exported from the site and imported to the site; and

(8) Documentation of water availability and adequacy for each parcel affected sufficient to meet the requirements of JCC 18.30.030. [Ord. 11-00 § 7.4(2)]

18.35.290 Preliminary plat – Preparation.

The preliminary plat shall be prepared in accordance with the following requirements:

(1) The preliminary plat shall be prepared by a Washington State licensed engineer or land surveyor registered or licensed by the state of Washington. The preparer shall certify on the plat that it is a true and correct representation of the lands actually surveyed. The preparation of the plat shall comply with the Survey Recording Act, Chapter 58.09 RCW and Chapter 332-130 WAC as now adopted or hereafter amended. Upon surveying the property, the surveyor shall place temporary stakes on the property to enable the county to locate and assess features of the long plat in the field. The datum to be used for all surveying and mapping shall be as follows: The projection name is the state plane; the projection spheroid is GRS 1980; the coordinate system is the Washington State Plane North Zone; and the horizontal datum is NAD 83.

(2) All geographic information portrayed by the preliminary plat shall be accurate, legible and drawn to a horizontal scale of 50 feet or fewer to the inch, except that the location sketch and typical roadway cross-sections may be drawn to any other appropriate scale.

(3) A preliminary plat shall be 18 inches by 24 inches in size, allowing one-half-inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with road and highway names and block number (if any) shall be provided. Each sheet, including the index sheet, shall be of the above-specified size.

(4) The area of each proposed lot or parcel depicted on the long plat map shall accurately show that each lot, tract or parcel contains sufficient area to satisfy minimum zoning requirements. The area of land contained in access easements, access panhandles or pipestem configurations shall not be included in the lot size computations. [Ord. 11-00 § 7.4(3)]

18.35.300 Preliminary plat – Contents.

(1) A preliminary plat shall be submitted on one or more sheets and shall provide the following information. All specifications for public improvements shall conform to the standards contained in Chapter 18.30 JCC, including any standards incorporated therein:

(a) The name of the proposed subdivision together with the words “Preliminary Plat”;

(b) The name and address of the applicant;

(c) The name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat;

(d) Numeric scale 50 feet or fewer to the inch), graphic scale, true north point, and date of preparation;

(e) Identification of all land intended to be cleared, and the location of the proposed access to the site for clearing and grading during site development and construction; and

(f) A form for the endorsement of the administrator of the department of community development, as follows:

APPROVED BY JEFFERSON COUNTY

Department of Community Date

Development Administrator

(2) The preliminary plat shall contain a vicinity sketch sufficient to define the location and boundaries of the proposed subdivision with respect to surrounding property, roads, and other major constructed and natural features.

(3) Except as otherwise specified in this chapter, the preliminary plat shall contain the following existing geographic features, drawn lightly in relation to proposed geographic features:

(a) The boundaries of the property to be subdivided, and the boundaries of any adjacent property under the same ownership as the land to be subdivided, to be indicated by bold lines;

(b) The names of all adjoining property owners, or names of adjoining developers;

(c) All existing property lines lying within the proposed subdivision, including lot lines for lot of record which are to be vacated, and all existing property lines for any property lying adjacent to the subject property which is under the same ownership as the property to be subdivided (as described in JCC 18.35.290(3)) shall be shown in broken lines;

(d) The location, right-of-way widths, pavement widths and names of all existing or platted roads, whether public or private, and other public ways within 200 feet of the property to be subdivided;

(e) The location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision;

(f) The location, size and invert elevation of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those that will be connected to as part of the proposed subdivision (if applicable);

(g) The location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision (if applicable);

(h) The location, size and description of any other underground and overhead facilities lying within or adjacent to the proposed subdivision (if applicable);

(i) The location of any environmentally sensitive areas as described in Article VI-D of Chapter 18.15 JCC, including all floodplains, lying within or adjacent to the proposed subdivision;

(j) The location of existing sections and municipal corporation boundary lines lying within or adjacent to the proposed subdivision;

(k) The location of any well existing within the proposed subdivision;

(l) The location of any individual or on-site sewage disposal system existing within the proposed subdivision;

(m) Existing contour lines at intervals of five feet labeled at intervals not to exceed 20 feet;

- (n) The location of any existing structures lying within the proposed subdivision; existing structures to be removed shall be indicated by broken lines, and existing structures not to be removed shall be indicated by solid lines.
- (4) The preliminary plat shall show the following proposed geographic features:
 - (a) The boundaries in bold solid lines of all proposed lots, the area and dimensions of each proposed lot, and the proposed identifying number or letter to be assigned to each lot and/or block;
 - (b) The right-of-way location and width, the proposed name of each road, street, alley, or other public way to be created and the estimated tentative grades of such streets; where roadways may exceed the maximum allowable grade or alignment, the director of the department of public works may require sufficient data, including centerline profiles and cross-sections if necessary, to determine the feasibility of said roadway;
 - (c) The location, width and purpose of each easement created;
 - (d) The boundaries, dimensions and area of public and common park and open space areas;
 - (e) Identification of all areas proposed to be dedicated for public use, together with the purpose and any condition of dedication;
 - (f) Proposed final contour lines at intervals of five feet; final contour lines shall be indicated by solid lines; contour lines shall be labeled in intervals not to exceed 20 feet;
 - (g) The building envelopes, as defined in JCC 18.10.020 shall be indicated for each lot;
 - (h) Proposed monumentation;
 - (i) Proposed location and description of all individual or community wells, or water system improvements, including all proposed fire hydrants (if applicable);
 - (j) Proposed location and description of all sewage disposal improvements, including (if applicable) profiles, and, if needed, all pump stations and their connections to the existing system;
 - (k) Proposed location and description of all stormwater management system improvements;
 - (l) Proposed road cross-sections, showing proposed bicycle and pedestrian pathways, trails and sidewalks (if applicable);
 - (m) Proposed type and location of road lighting (if applicable);
 - (n) Proposed type and location of landscaping (if applicable);
 - (o) Proposed location and description of transit stops and shelters (if applicable);
 - (p) Proposed covenants, conditions and restrictions (CC&Rs) on development (if applicable).
- (5) Upon review of an application, the administrator may require additional pertinent information as needed to satisfy any other regulatory requirements. The administrator may also waive specific submittal requirements determined to be unnecessary for review of an application. In such event, the administrator shall document the waiver in the project file or log. [Ord. 11-00 § 7.4(4)]

18.35.310 Approval criteria.

In addition to the review criteria provided Chapter 18.40 JCC, the following criteria are the minimum measures by which each proposed subdivision will be considered:

(1) Long subdivisions shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the county that all of the following have been satisfied:

- (a) The proposed subdivision conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including but not limited to the following:
 - (i) The Jefferson County Comprehensive Plan; and
 - (ii) The provisions of this code, including any incorporated standards;
- (b) Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, roads, streets, other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school;
- (c) The probable significant adverse environmental impacts of the proposed subdivision, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within Chapter 18.40 JCC and Chapter 43.21C RCW;
- (d) Approving the proposed subdivision will serve the public use and interest and adequate provision has been made for the public health, safety, and general welfare.

(2) Notwithstanding approval criteria set forth in subsection (1) of this section, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by Chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the preliminary plat unless:

- (a) The applicant has demonstrated to the satisfaction of the hearing examiner that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and
- (b) It imposes a condition requiring the applicant to comply with Article VI-F of Chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed short subdivision until flood control problems have been resolved. [Ord. 11-00 § 7.4(5)]

18.35.320 Preliminary long plat review process.

- (1) An application for a full subdivision shall be processed according to the procedures for Type III land use decisions established in Chapter 18.40 JCC.
- (2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is located within one mile of a city or other jurisdiction, Washington State Department of Transportation, if the proposal is adjacent to a state highway, and any other state, local or federal officials as may be necessary.
- (3) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained

in JCC 18.35.310. A proposed long subdivision shall only be approved when consistent with all the provisions of JCC 18.35.310.

(4) An applicant for a long subdivision may request that certain requirements established or referenced by this chapter be modified. Such requests shall be processed according to the procedures for variances in Chapter 18.40 JCC, and shall satisfy the criteria contained in Article IV of Chapter 18.40 JCC, Variances. [Ord. 11-00 § 7.4(6)]
18.35.330 Preliminary plat approval – Phased development.

Where subdivision development is proposed in distinct phases, preliminary plat approval must be granted for the entire subdivision. The plat map must delineate the separate divisions or phases that are to be developed in increments. The preliminary approval is conditional upon completion of the proposed phases in a particular sequence and may specify a completion date for each phase. Final plat approval is granted for each separate phase of the preliminary plat. Any changes in the development after preliminary approval will require approval in accordance with JCC 18.35.320. [Ord. 11-00 § 7.4(7)]

18.35.340 Modifications to an approved preliminary plat.

(1) Minor modifications to a previously approved preliminary long plat, may be requested by the applicant and approved by the administrator subject to the provisions for Type I decisions in Chapter 18.40 JCC; provided, that the modification does not involve any of the following:

- (a) The location or relocation of a road or street;
- (b) The creation of an additional lot, tract or parcel;
- (c) The creation of a lot, tract or parcel that does not qualify as a buildable lot pursuant to this code;
- (d) The relocation of an entire lot, tract or parcel from one parent parcel into another parent parcel.

(2) Before approving such an amendment, the administrator shall make written findings and conclusions documenting the following conditions:

- (a) The modification will not be inconsistent or cause the long subdivision to be inconsistent with the decision of the county preliminarily approving the application;
- (b) The modification will not violate the intent of the original conditions of application approval; and
- (c) The modification will not cause the long subdivision to violate any applicable county policy or regulation.

(3) Modifications that involve the circumstances described in subsection (1) of this section, or exceed the criteria set forth in subsection (2) of this section, shall be processed as a new preliminary long plat application. [Ord. 11-00 § 7.4(8)]

~~18.35.350 — Improvement method report.~~

~~———— Following preliminary plat approval and approval of all plans prior to submission of a final plat for the administrator’s approval, the applicant shall submit to the administrator, three copies of a report describing the method by which the applicant proposed to carry out the minimum improvements required and the time period within which such improvements will be completed. The applicant shall submit all design and construction drawings required in conformance with Chapter 18.30 JCC and any incorporated standards. This improvement method report shall be signed by the applicant and be accompanied by any applicable proposed performance guarantees. The administrator shall transmit two copies of the improvement method report with all~~

~~drawings and other submittals to the director of the department of public works. Improvements may be made or guaranteed by either of the following methods, subject to the discretion and approval of the administrator:~~

- ~~(1) — By actual installation and approval of all improvements in accordance with the preliminary plat, the development standards contained in Chapter 18.30 JCC and any incorporated standards, and approved construction drawings;~~
- ~~(2) — By the formation of a local government district consistent with the provisions of applicable requirements of the county and state and by requiring the imposition of covenants as a condition of final plat approval requiring that purchasers of any lots waive any protest to the formation and implementation of a local improvement district;~~
- ~~(3) — By actually installing the minimum improvements as provided by the local improvement district laws of the state and the county, and in accordance with county standards and specifications and under the supervision of the director of the department of public works;~~
- ~~(4) — By furnishing to the county a plat or subdivision bond or cash deposit in escrow for the full cost of the improvements, or other security satisfactory to the administrator, in which assurance is given the county that the installation of the minimum improvements will be carried out as provided by plans submitted and approved and in accordance with the development standards contained in Chapter 18.30 JCC and any incorporated standards, and under the supervision of the director of the department of public works. The amount of the performance bond or other security shall be 120 percent of the estimated cost for the county to contract for construction of the improvements as determined by the director of the department of public works. If the phased installation of improvements is proposed, the improvement method report shall describe the proposed phasing, the timing for construction, and proposed methods of guaranteeing and assuring the county that adequate installation of improvements will occur in conformance with the phasing schedule; or~~
- ~~(5) — By a combination of these methods. [Ord. 11-00 § 7.4(9)]~~

18.35.360 Director of public works certificate of improvements.

No permit for the construction of improvements within an approved subdivision shall be issued by the county until the improvement method report, all construction drawings, proposed performance guarantees, and other submittals in conformance with Chapter 18.30 JCC and any incorporated standards have been received and approved by the director of the department of public works. All construction of improvements shall be inspected and approved in conformance with development standards contained in Chapter 18.30 JCC and any incorporated standards. After completion of all required improvements or the guarantee of the construction of all required improvements, the director of the department of public works shall submit a certificate in triplicate to the administrator stating the required improvements or guarantees are in accordance with the provisions of this chapter, the preliminary plat, including the county's decision approving the plat, and in accordance with the development standards contained in Chapter 18.30 JCC and any incorporated standards. The administrator shall submit one copy of the certification to the subdivider, together with a notice advising the subdivider to prepare a final plat for the proposed subdivision. One copy of the certificate shall be retained by the administrator. [Ord. 11-00 § 7.4(10)]

18.35.370 Preparation of a final long plat.

The final long plat shall be prepared in accordance with the following requirements:

- (1) The final plat shall be prepared by a land surveyor licensed by the state of Washington or a Washington state licensed engineer.
- (2) Six paper copies of the final long plat shall be submitted, measuring 18 inches by 24 inches in size, allowing one-half inch for border.
- (3) A final long plat shall contain the following information:
 - (a) The name of the subdivision;
 - (b) Legal description of the property being subdivided;
 - (c) Numeric scale, graphic scale, true north point and date of preparation of the final plat;
 - (d) The lot line of the plat, referenced to county (USC&GS) datum and based on an accurate traverse, with angular and linear dimensions and bearings;
 - (e) The exact location, width and name of all roads, streets, alleys and other public ways within and adjacent to the subdivision;
 - (f) The exact location, width and purpose of all easements and dedications for rights-of-way provided for public and private services and utilities;
 - (g) True courses and distances to the nearest established road lines, or sections or quarter section corner monuments which shall accurately locate the subdivision;
 - (h) Section lines accurately tied to the lines of the plat by distances and courses;
 - (i) All lot and block numbers (if applicable) and lines, with accurate dimensions in feet and hundredths of feet;
 - (j) All house address numbers as assigned by the county;
 - (k) Delineation of the building envelope of each lot;
 - (l) The radii, internal angles, points of curvature, tangent bearings and lengths of arc;
 - (m) The accurate location of each permanent control monument;
 - (n) All plat meander lines or reference lines along bodies of water shall be established as above, but not farther than 20 feet from the high water line of such body;
 - (o) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose of such dedication or reservation and any limitations indicated thereon and in dedication;
 - (p) Accurate outlines of any area to be reserved by the deed covenant for common use of owners of property within the subdivision, together with the purposes of such reservation;
 - (q) Any restrictions or conditions on the lots or tracts within the subdivision, as required by the county or at the discretion of the property owner, including but not limited to environmentally sensitive areas buffers;
 - (r) The auditor's file number of all documents and conveyances recorded with the Jefferson County auditor associated with preliminary or final plat approval;
 - (s) The name and seal of the Washington State licensed land surveyor or Washington State licensed engineer responsible preparation of the final plat, and a signed certification on the plat by said surveyor to the effect that it is a true and correct representation of the land actually surveyed by him or her, that the existing monuments shown thereon exist as located and that all dimensional and geodetic details are correct;
 - (t) A signed, notarized certification stating that the subdivision has been made with the free consent and in accordance with the desires of the all persons with ownership

and/or security interests in the property. If the plat includes a dedication, the certificate or a separate written instrument shall contain the dedication of all roads and other areas to the public, any individual or individuals, or to any corporation, public or private, as shown on the plat. Such certificate or instrument shall be signed and acknowledged before a notary public by all parties having any interest in the land subdivided. The owner shall waive all claims against the county, on behalf of the owner and the owner's successors and assigns, which may be occasioned by the establishment and/or construction of any roads, streets, storm drainage improvements or other improvements;

(u) An offer of dedication may include a waiver of right of direct access to any road from any property. Such waiver may be required by the director of the department of public works as a condition of approval. Any dedication, donation or grant as shown on the face of the plat shall be considered as a quit claim deed to the said donee or grantee for use for the purpose intended by the donation or grant;

(v) Signature blocks for the appropriate certification of the county auditor, director of the department of public works, and DCD administrator, as follows:

AUDITOR'S CERTIFICATE

I hereby certify that there are no delinquent special assessments for which the property subject to this subdivision may be liable to the county, and that all special assessments on any property herein contained dedicated as roads, streets, or for any other public use, have been duly paid, satisfied or discharged, this ____ day of _____, 20__.

Jefferson County Auditor

DIRECTOR OF PUBLIC WORKS CERTIFICATE

I hereby certify to the best of my knowledge that this final plat is in compliance with the certificate of improvements issued pursuant to the Jefferson County Unified Development Code and is consistent with all applicable county improvement standards and requirements in force on the date of preliminary plat approval, this ____ day of _____, 20__.

Director, Jefferson County Department
of Public Works

DEPARTMENT OF COMMUNITY DEVELOPMENT ADMINISTRATOR'S CERTIFICATE

I hereby certify that on this ____ day of _____, 20__, that this final plat is in substantial conformance with the preliminary plat and any conditions attached

thereto, which preliminary plat was approved by Jefferson County on the ____ day of _____, 20____.

Administrator, Jefferson County
Community Development Department

(w) A form of the approval of the County assessor, as follows:

ASSESSOR’S APPROVAL

Examined and approved this ____ day of _____, 20____.

Jefferson County Assessor

Attest:

Deputy Jefferson County Assessor

(x) A form for the certificate of the Jefferson County recorder, as follows:

RECORDING CERTIFICATE

Filed for record at the request of Jefferson County this ____ day of _____, 20____, at _____ minutes past __M., and recorded in Volume ____ of Plats, page ____ Records of Jefferson County, Washington.

Jefferson County Recording Number ____.

Manager

Superintendent of Records

(y) Any additional pertinent information as required at the discretion of the director of the department of public works or the DCD administrator.

(4) All signatures or certifications appearing on a final plat shall in be reproducible black ink. [Ord. 11-00 § 7.4(11)]

18.35.380 Accompanying documents – Final long plat.

(1) In cases where any deed covenants or restrictions, including any CC&Rs, will apply to lots or parcels within a subdivision, a typewritten copy of such covenants bearing all necessary signatures shall be submitted along with the final plat.

(2) The final plat shall be accompanied by a complete survey of the section or sections in which the plat or replat is located, or as much thereof as may be necessary to

properly orient the plat within such section or sections. The plat and section survey shall be submitted with complete field and computation notes, showing the original or re-established corners, with the description of the same, and the actual traverse showing error or closure and method of balancing. A sketch showing all distances, angles and calculations required to determine corners and distances of the plat shall accompany this data. The allowable error of closure shall not exceed one foot in 10,000 feet.

- (3) The final plat shall be accompanied by a current (within 30 days) title company certification of:
 - (a) The legal description of the total parcel sought to be subdivided;
 - (b) Those individuals or corporations holding an ownership interest and any security interest (such as deed of trust or mortgages) or any other encumbrances affecting the title of said parcel. Such individuals or corporations shall sign and approve the final plat prior to final approval;
 - (c) Any lands to be dedicated shall be confirmed as being owned in fee title by the owner(s) signing the dedication certificate;
 - (d) Any easements or restrictions affecting the property to be subdivided with a description of purpose and referenced by the auditor's file number and/or recording number; and
 - (e) If lands are to be dedicated or conveyed to the county as part of the subdivision, an American Land Title Association (A.L.T.A.) title policy may be required by the director of the department of public works.
- (4) The applicant shall provide the director of the department of public works with a computer disk containing a complete set of the final plat maps and as-built drawings on CADD(c) or other GIS-compatible software as acceptable to the director of the department of public works.
- (5) All documents submitted under this section shall contain the name of the subdivision and the name and address of the subdivider.
- (6) All maintenance, performance and guarantee bonds or other guarantees as may be required by the director of the department of public works and the improvement method report to guarantee the acceptability and/or performance of all improvements. For all improvements constructed after final plat approval, reproducible as-built drawing and CADD(c) files shall be submitted within 15 days of completion of construction. [Ord. 11-00 § 7.4(12)]

18.35.390 Final long plat application.

- (1) Applications for final long plat approval shall be made on forms provided by the department along with the fee established in the Jefferson County fee ordinance.
- (2) Applications for final plat approval shall be processed according to the procedures for Type IV land use decisions established in Chapter 18.40 JCC, and shall be approved, disapproved, or returned to the applicant within 30 days of their filing, unless the applicant consents to an extension of time in writing.
- (3) Applications for final plat approval shall be submitted within five years of the date of the preliminary plat approval.
- (4) The final plat map shall be prepared in accordance with JCC 18.35.300 and 18.35.320.

(5) Prior to final approval, with the exception of the recording certificate, the applicant shall obtain all signatures and certifications on the face of the plat in accordance with JCC 18.35.370. [Ord. 11-00 § 7.4(13)]

18.35.400 Time limitation on final long plat submittal.

The original and three copies of a final long plat meeting all requirements of Chapter 58.17 RCW shall be transmitted by the administrator to the board of county commissioners within five years of the date of the preliminary long plat approval. No extensions shall be granted. A plat granted preliminary approval but filed for final long plat approval following the applicable time period shall be null and void. The department of community development shall not be responsible for notifying the applicant of an impending preliminary long plat expiration. [Ord. 11-00 § 7.4(14)]

18.35.410 Effect of an approved final long plat – Valid land use.

Any lots in a final long plat filed for record shall be a valid land use notwithstanding any change in zoning laws for a period of five years from the date of filing. A long subdivision shall be governed by the terms of approval of the final long plat, and the statutes, ordinances and regulations in effect on the date of preliminary long plat approval for a period of five years after final long plat approval unless the board of county commissioners finds that a change in conditions creates a serious threat to the public health or safety of residents within or outside the subdivision. [Ord. 11-00 § 7.4(15)]

18.35.420 Distribution of copies and filing of final long plat.

The administrator shall distribute the original and copies of the approved final long plat as follows:

- (1) The original shall be returned to the applicant and forwarded to the county auditor for filing;
- (2) Prior to the issuance of any building permits, one recorded reproducible copy shall be transmitted to the director of the department of public works;
- (3) One recorded paper copy shall be retained in the files of the department of community development; and
- (4) One recorded paper copy shall be provided to the building official for assignment of addresses. [Ord. 11-00 § 7.4(16)]

18.35.430 Transfer of ownership following final long plat approval.

Whenever any parcel of land lying within the county is divided under the provisions of this article relating to long subdivisions, no person, firm, or corporation shall sell or transfer or advertise for sale or transfer, any such lot, tract or parcel without having first received final approval of the long plat and having recorded the final long plat with the Jefferson County auditor. It is the responsibility of the applicant to ensure that a final long plat is fully certified and filed for record with the Jefferson County auditor prior to transferring ownership of any land. [Ord. 11-00 § 7.4(17)]

18.35.440 Building and occupancy permits – Issuance after final long plat approval.

- (1) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved long subdivision prior to a determination by the relevant fire district chief or designee that adequate fire protection and access for construction needs exists.
- (2) No building permit for a structure other than a temporary contractor's office or temporary storage building shall be issued for a lot or parcel within an approved long

subdivision until the applicant complies with the improvement method report, all requirements of the department of public works certificate of improvements, and all requirements of the final plat approval.

(3) No occupancy permit for a structure other than a temporary contractor's office or other approved temporary building shall be issued for a structure on a lot or parcel within an approved long subdivision prior to final inspection and approval of all required improvements which will serve such lot or parcel to the satisfaction of the director of the department of public works and county building official. [Ord. 11-00 § 7.4(18)]

Article V. Binding Site Plans

18.35.450 Purpose.

The purpose of this article is to clearly delineate the criteria used by the county to review and approve binding site plans. A binding site plan is intended to provide an alternative means of dividing land. The binding site plan process provides a means for certain types of land division applications to be processed administratively based upon the development standards and regulations contained within this code and any other applicable ordinances and regulations. Binding site plans tie a future development to an approved set of conditions and site layout. [Ord. 11-00 § 7.5(1)]

18.35.460 Scope.

This article shall only apply to one or more of the following:

- (1) The use of a binding site plan to divisions of land for sale or lease of mixed use, commercial or industrial zoned property where the applicant proposes a unified scheme of development;
- (2) Divisions of property for residential, commercial or industrial condominium development as provided for in JCC 18.35.470; and
- (3) Planned rural residential developments (PRRDs) proposed under Article VI-M of Chapter 18.15 JCC where full short or long subdivision of the land into separate, legally segregated lots, tracts or parcels is not required. [Ord. 11-00 § 7.5(2)]

18.35.470 Condominiums.

For the purpose of approval of condominium developments, the provisions of this chapter regarding short subdivision and long subdivision shall not apply if:

- (1) A land division is proposed as a condominium and does not result in the subdivision of land into separately owned lots in accordance with the definition for short or long subdivisions, but subjects a portion of a lot, tract or parcel to Chapter 64.34 RCW (the "Condominium Act") subsequent to the recording of a binding site plan for all such land;
- (2) The improvements constructed or to be constructed thereon are required by the provisions of the binding site plan proposed for a condominium project;
- (3) Jefferson County has approved a binding site plan for all such land; and
- (4) The binding site plan contains the following statement:

All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of Jefferson County, and in accordance with such other government permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. Upon completion, the improvements on the land shall be included in one (1) or more condominiums or owned by an association or other legal entity in which the owners' associations have a membership or other legal or beneficial interest. This binding

site plan shall be binding upon all persons, businesses, corporations, partnerships or other entities now or hereafter having any interest in the land described herein.

[Ord. 11-00 § 7.5(3)]

18.35.480 Application submittal and contents.

To be considered complete, applications for binding site plan approval shall include the following information:

(1) Applications for binding site plans shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance;

(2) A completed land use permit application form, including all materials required pursuant to Chapter 18.40 JCC;

(3) Mixed Use, Commercial and Industrial Binding Site Plans. In addition to materials required pursuant to subsections (1) and (2) of this section, a binding site plan application for mixed use, commercial or industrial proposals shall contain the same elements and information as a preliminary long plat, in accordance with JCC 18.35.280, 18.35.290 and 18.35.300;

(4) Binding Site Plan for Residential Condominiums. In addition the materials required pursuant to subsections (1) and (2) of this section, a binding site plan for residential condominiums shall conform to the requirements of Chapter 64.34 RCW, the "Condominium Act." The applicant shall submit a sworn declaration from a registered land surveyor licensed in the state of Washington that all requirements of RCW 64.34.232, as now adopted and hereafter amended, have been satisfied. The county shall not be responsible for verification that the proposal complies with Chapter 64.34 RCW, but may rely upon the representation of the licensed surveyor. The applicant shall submit five copies of the binding site plan map for review. The site plan shall have dimensions of 18 inches by 24 inches and must be prepared by a registered surveyor licensed in the state of Washington. In addition to the requirements of Chapter 64.34 RCW, the binding site plan map must include the following information:

(a) The name of the condominium project;

(b) Legal description of the entire parcel;

(c) The date, scale, and north arrow;

(d) Boundary lines, rights-of-way for roads, streets, easements, and property lines of lots, the location of all open spaces, utilities, and other improvements with accurate bearings, dimensions of angles and arcs, and of all curve data describing the location of all improvements;

(e) Names and right-of-way widths of all roads or streets within the parcel and immediately adjacent to the parcel. Street names shall be consistent with the names of existing adjacent streets;

(f) Number of each lot and each block or division;

(g) Location, dimensions and purpose of any easements, noting if the easements are public or private;

(h) Location and description of monuments, boundary corners set, and all lot corners set and found;

- (i) Datum elevations and primary control points approved by the department of public works. Descriptions and ties to all control points will be shown with dimensions, angles, and bearings;
- (j) A dedicatory statement acknowledging public and private dedications and grants;
- (k) The statement required by JCC 18.35.470(4) must be on the face of the final binding site plan; and
- (l) Other restrictions, conditions, and requirements as deemed necessary by the county, including all applicable development standards contained in Chapter 18.30 JCC and any standards incorporated therein. [Ord. 11-00 § 7.5(4)]

18.35.490 Binding site plan approval criteria.

(1) Binding site plans shall be approved upon showing that all of the following have been satisfied:

(a) The proposed binding site plan conforms to all applicable county, state and federal zoning, land use, environmental and health regulations and plans, including, but not limited to the following:

- (i) The Jefferson County Comprehensive Plan; and
- (ii) The provisions of this code, including any incorporated standards;
- (b) Utilities and other public services necessary to serve the needs of the proposed binding site plan shall be made available, including open spaces, drainage ways, roads, streets and other public ways, potable water, transit facilities, sewage disposal, parks, playgrounds, schools, sidewalks and other improvements to assure safe walking conditions for students who walk to and from school;

(c) The probable significant adverse environmental impacts of the proposed binding site plan, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect upon the quality of the environment, in accordance with the State Environmental Policy Act (SEPA) implementing provisions contained within Chapter 18.40 JCC and Chapter 43.21C RCW;

(d) Approving the proposed binding site plan will serve the public use and interest and adequate provision has been made for the public health, safety and general welfare.

(2) Notwithstanding the approval criteria set forth in subsection (1) of this section, a proposed binding site plan may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed binding site plan lies within both a flood control zone, as specified by Chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall not approve the binding site plan unless:

(a) The applicant has demonstrated to the satisfaction of the administrator that no feasible alternative exists to locating lots and building envelopes within the 100-year floodplain; and

(b) It imposes a condition requiring the applicant to comply with Article VI-F of Chapter 18.15 JCC and any written recommendations of the Washington State Department of Ecology. In such cases, the county shall issue no development permit associated with the proposed binding site plan until flood control problems have been resolved. [Ord. 11-00 § 7.5(5)]

18.35.500 Binding site plan review process.

(1) An application for a binding site plan approval shall be processed according to the procedures for Type III land use decisions established in Chapter 18.40 JCC.

(2) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary.

(3) Based upon comments from county departments and applicable agencies, and other information, the administrator shall review the proposal subject to the criteria of JCC 18.35.490. A proposed binding site plan shall only be approved when consistent with all the provisions of JCC 18.35.490. Binding site plan approval may be based upon certain delineated conditions. The county shall make written finding and conclusions documenting compliance with all approval criteria. A binding site plan shall be granted preliminary approval only, until all improvements are installed or the county has received adequate guarantees or assurances of future installation of improvements.

(4) Upon satisfying all conditions of approval, if any, and satisfying all requirements of Chapter 18.30 JCC and any incorporated standards for the installation of all improvements, the administrator shall administratively approve the final binding site plan for filing with the Jefferson County assessor. The final binding site plan shall conform to the requirements of JCC 18.35.370 and 18.35.380, as applicable.

(5) For all condominium projects, prior to final approval, the applicant shall obtain the written approval from the Jefferson County assessor of the condominium CC&Rs. [Ord. 11-00 § 7.5(6)]

18.35.510 Binding site plan development standards.

Binding site plans shall conform to the development standards contained in Article VI of this chapter. [Ord. 11-00 § 7.5(7)]

18.35.520 Modifications and vacations.

Binding site plans may be modified or vacated subject to the following:

(1) Binding site plans may be modified only if the modification is minor in nature and the original intent of the recorded binding site plan is not changed and if the modification does not adversely impact public health and safety, the environment, or the delivery of services to the site. The proposed modification must be clearly shown and be accompanied by a letter of explanation. Upon administrative approval of such modification, the modifications shall become part of the binding site plan. If the proposed modification constitutes a substantial modification, the proposal shall be processed as a new binding site plan application.

(2) Prior to issuance of any building permit or other site development permits, including but not limited to clearing and grading permits, a binding site plan may be vacated as a whole only. Vacating a binding site plan releases all conditions and obligations on the parcel associated with such plan. A binding site plan may be vacated with the submission to DCD of a letter of intent to vacate the binding site plan. The letter shall become binding upon its acceptance by the administrator. If the binding site plan has been recorded with the Jefferson County auditor, notice of the vacation shall be recorded on forms acceptable to the Jefferson County auditor.

(3) After issuance of any building or other site development permits, including but not limited to clearing and grading permits, the process for vacation of all or part of a

binding site plan is identical to the process for initial binding site plan approval. [Ord. 11-00 § 7.5(8)]

18.35.530 Distribution of copies and filing.

(1) Upon approval, a binding site plan shall follow the procedures of JCC 18.35.420.

(2) After approval of the general binding site plan for commercial or industrial divisions, the approval for improvements and finalization of specific individual commercial and industrial lots shall be done by administrative approval. [Ord. 11-00 § 7.5(9)]

18.35.540 Time limit.

The applicant or owner of the property subject to a binding site plan shall obtain all permits for the development of a site within five years of its recording under JCC 18.35.530. If the applicant fails to obtain all permits within five years, no site development permits shall be issued until the applicant files a new application and obtains binding site plan approval in accordance with this article. [Ord. 11-00 § 7.5(10)]

18.35.550 Extinguishment of binding site plans with preliminary approval prior to UDC adoption.

The applicant or owner of a property subject to a binding site plan having preliminary approval prior to the initial adoption date of this Unified Development Code (UDC) shall obtain final approval of the binding site plan within two years of the initial adoption of this code. If the applicant fails to obtain final binding site plan approval within two years, no site development permits shall be issued until the applicant files a new application and obtains binding site plan approval in accordance with this article. [Ord. 11-00 § 7.5(11)]

18.35.560 Effect of final binding site plan approval.

(1) All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser of any other person acquiring a lease or other legal or property interest of any lot, tract, or parcel created pursuant to the binding site plan.

(2) Any sale, transfer, or lease of any lot, tract or parcel created pursuant to the binding site plan, that does not conform to the requirements of the binding site plan, or without binding site plan approval, shall be considered a violation of this article. [Ord. 11-00 § 7.5(12)]

Article VI. Subdivision Development Standards

18.35.570 Requirements for improvements.

All improvements shall be designed and constructed in conformance with the development standards contained in this article, as well as Chapter 18.30 JCC and any standards incorporated therein. Prior to construction of any improvements, as approved upon the preliminary plat or binding site plan, the subdivider shall furnish construction plans. These plans must be prepared, signed, dated and stamped by a Washington State licensed civil engineer and shall be in accordance with the standards contained in Chapter 18.30 JCC. The construction plans must be reviewed and approved by the county prior to construction. [Ord. 11-00 § 7.6(1)]

18.35.580 Transportation and drainage standards.

(1) Transportation Standards – Generally. All divisions of land covered by this chapter shall be served by appropriate transportation facilities, including roads and facilities for transit, pedestrians, and bicycles. Transportation facilities shall be adequate both to serve the division of land and to avoid adverse effects to the existing

transportation system. If transportation facilities are inadequate, the applicant shall be required to make provision for all necessary improvements. Transportation facilities shall be deemed adequate if necessary improvements are planned and designated funding is secured in the Six-Year Transportation Improvement Program.

(2) Road and Drainage Design and Construction Standards.

(a) All roads serving two or more lots shall comply with the road design and construction standards specified in JCC 18.30.080;

(b) A drainage analysis shall be performed in conformance with JCC 18.30.070, and drainage systems shall be designed to the standards set forth in JCC 18.30.060(2) and 18.30.070. [Ord. 11-00 § 7.6(2)]

18.35.590 Responsibility for road improvements.

Where reasonably necessary to mitigate the direct impacts of the proposed division of land and/or to meet safety requirements, off-site road improvements may be required as a condition of approval under this chapter. When required, the applicant shall bear the sole responsibility to make such off-site road improvements. [Ord. 11-00 § 7.6(3)]

18.35.600 Health standards.

The following health standards apply to all divisions of land governed by this chapter:

(1) Water. All divisions of land shall comply with the requirements established by the Jefferson County department of health for the provision of water;

(2) Wastewater Disposal. All divisions of land shall comply with the requirements established by the Jefferson County department of health for wastewater disposal; and

(3) Storm Drainage. Stormwater flows from land divisions shall not adversely affect critical aquifer recharge areas. All divisions of land shall meet the regulations for critical aquifer recharge areas contained in Article VI-E of Chapter 18.15 JCC. [Ord. 11-00 § 7.6(4)]

18.35.610 Fire and utility standards.

All divisions of land governed by this chapter shall meet the fire protection and improvement standards adopted by Jefferson County. [Ord. 11-00 § 7.6(5)]

18.35.620 Plan review, inspection and fees.

The department of community development and department of public works are responsible for reviewing all engineering drawings and for the supervision, inspection and acceptance of all subdivision improvements, and shall charge the subdivider the applicable fees as set forth in the Jefferson County fee ordinance. [Ord. 11-00 § 7.6(6)]

18.35.630 Release of improvement guarantee.

If an improvement bond or other guarantee has been submitted, such guarantee shall be released in accordance with the development standards contained in Chapter 18.30 JCC. [Ord. 11-00 § 7.6(7)]

18.35.640 Floods and flood control.

The county may disapprove a proposed subdivision because of flood, inundation or regulated wetlands if the county finds that such condition poses a threat to the public health, safety or general welfare. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by Chapter 86.16 RCW, and either the 100-year floodplain or the regulatory floodway, the county shall impose a condition on the preliminary plat requiring the subdivider to conform to the Federal Emergency

Management Agency (FEMA) flood hazard requirements. In such cases, no development permit associated with the proposed subdivision shall be issued by the county until said FEMA requirements have been met. Where feasible, the county may require that all lots and/or building envelopes be located outside the 100-year floodplain. The county may also require dedication of land to any public body and/or the construction of improvements and may impose other conditions necessary to protect against flooding or inundation. [Ord. 11-00 § 7.6(8)]

18.35.650 Additional requirements.

The standards or requirements established in this chapter and Chapter 18.30 JCC are minimum requirements. These standards may be increased and additional requirements may be imposed for the purpose of mitigating identified probable significant adverse environmental impacts pursuant to the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, as now established or hereafter amended. Such additional requirements may include, but are not limited to, off-site improvements to any public facility, the dedication and/or improvement of parks and open spaces, and contributions to any county fund established to finance the provision of public services required by subdivision. [Ord. 11-00 § 7.6(9)]

18.35.660 Phased subdivision.

Preliminary plat approval must be granted for the entire subdivision and must delineate the separate divisions that are to be developed in phased increments. Where the preliminary plat approval is conditioned upon completion of the proposed phases in a particular sequence, the preliminary plat approval shall specify a completion date for each phase. Final plat approval may be granted for each separate phase of the preliminary plat. Any changes at the preliminary plat stage will require approval in accordance with JCC 18.35.340. [Ord. 11-00 § 7.6(10)]

Article VI. Plat Alteration

18.35.670 Purpose.

(1) To allow modifications to approved short plats, binding site plans, and subdivisions including:

(a) The creation of additional lots within an existing subdivision or short plat containing four (4) or fewer lots within five (5) years of final approval;

(b) Revision of lot lines, notes, notice to purchasers, or easements established in a recorded plat;

(c) Vacation, in whole or in part, of a subdivision, binding site plan, mobile home park, RV park, short subdivision, or large lot subdivision;

(2) This section does not apply to alteration or replatting of any plat of state-granted tide or shore lands.

18.35.680 Application submittal and contents.

To be considered complete, applications for plat alterations shall include the following:

(1) Applications for plat alterations shall be made on forms provided by the Jefferson County department of community development and shall be submitted to the department of community development, along with the appropriate fees established under the Jefferson County fee ordinance;

(2) A completed land use permit application form, including all materials required pursuant to Chapter 18.40 JCC;

- (3) Current title company certification/plat certificate:
- (a) For a plat vacation, signatures of all parties having an ownership interest, including deeds of trust, in that portion of the short plat, long plat, or binding site plan subject to the proposed vacation; or
- (b) For a plat alteration or replat, signatures of a majority of those parties having an ownership interest, including deeds of trust, of the lots, tracts, parcels, sites or divisions in the subject short plat, long plat or binding site plan, or portion to be altered; or
- (c) For a plat alteration affecting open space, easements, or public or private rights-of-way signatures of all parties that make use of the portion being altered;
- (4) A copy of any covenants, conditions, and restrictions (CC&Rs), deed restrictions, easements, planned rural residential development (PRRD) agreements, or other encumbrances restricting the use of the property;
- (5) Five (5) paper copies of the plat map and any surveys of record, with proposed alteration(s) or vacation(s) depicted in red ink;

18.35.690 Review process and criteria

- (1) An application for a plat amendment shall be processed according to the procedures for Type II land use decisions established in Chapter 18.40 JCC and the criteria listed in RCW 58.17.215;
- (2) Notice shall be given to the affected parties, a public hearing may be requested by a person receiving notice within 14 days of receipt of notice. When a public hearing is requested the application shall be processed according to the procedures for Type III decisions established in Chapter 18.40 JCC and the criteria listed in RCW 58.17.215;
- (3) The administrator shall solicit comments from the director of the department of public works, the chief of the fire district in which the proposal is located, local utility providers, sheriff, building official, school district in which the proposal is located, adjacent jurisdictions if the proposal is within one mile of a city or other jurisdiction, Washington State Department of Transportation if the proposal is adjacent to a state highway, and any other local, state or federal officials as may be necessary;
- (4) Based on comments from county departments, applicable agencies and other information, the administrator shall review the proposal subject to the criteria contained in JCC 18.35.690. A proposed plat amendment shall only be approved when consistent with all the provisions of JCC 18.35.690 and RCW 58.17.215.

