



CO00023131

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

AMENDED ORDINANCE NO. 95-062

ADDING A NEW TITLE 19A  
TO THE SNOHOMISH COUNTY CODE  
RELATING TO  
BINDING SITE PLANS

BE IT ORDAINED:

Section 1. A new title 19A is added to the Snohomish County Code to read:

Title 19A  
BINDING SITE PLAN

Chapters:

- 19A.10 General Provisions.
- 19A.20 Definitions.
- 19A.30 Binding Site Plan Approval Procedures.
- 19A.40 Fees.
- 19A.50 Binding Site Plan Application.

Chapter 19A.10  
GENERAL PROVISIONS

Sections:

- 19A.10.010 Title.
- 19A.10.020 Purpose.
- 19A.10.030 Applicability.
- 19A.10.040 Binding site plan and record of survey approvals required.
- 19A.10.050 Violations and enforcement.
- 19A.10.060 Recording with auditor.
- 19A.10.070 Severability.

19A.10.010 Title.

This title shall be known as the Snohomish County binding site plan code.

**19A.10.020 Purpose.**

The purpose of this title is to provide a voluntary, alternative method for the division of land as authorized by RCW 58.17.035 and 58.17.040(4), (5), and (7). A binding site plan ensures through covenants, conditions, restrictions, easements, and other requirements binding upon all lot owners that the collective lots continue to function as one site concerning but not limited to roads, improvements, open spaces, drainage, and other elements specified by this title.

**19A.10.030 Applicability.**

(1) The provisions of this title shall apply to:

(a) the division of commercial or industrial zoned land for sale or lease when used for commercial or industrial purposes, or the division of land for lease when used as a mobile home park, recreational vehicle park, or travel trailer court; and

(b) the division of land resulting from subjecting a portion of a parcel or tract to the horizontal property regimes act, chapter 64.32 RCW, or the condominium act, chapter 64.34 RCW.

(2) The provisions of this title do not apply to:

(a) divisions of commercially or industrially zoned property for lease during exhibitions or other special events of a temporary, short-term nature, not to exceed six months duration;

(b) boundary line adjustments;

(c) housing cooperatives; and

(d) divisions of commercially or industrially zoned land when such lands are being used only for single family or multifamily residential purposes, or proposed for such residential purposes, except when the division is proposed pursuant to SCC

19A.10.030(1)(b).

**19A.10.040 Binding site plan and record of survey approvals required.**

All persons who choose to divide land as described in this title must first receive approvals of a binding site plan and record of survey pursuant to the procedures set out in chapter 19A.30 SCC.

**19A.10.050 Violations and enforcement.**

(1) Whenever the director determines that a site condition exists in violation of this title or RCW 58.17.035, or that any condition or requirement of a binding site plan approval has been violated, the director shall take enforcement action under Title 28 SCC.

(2) The sale, transfer, or lease of any lot created pursuant to this title, that does not conform to the requirements of the binding site plan, shall be considered a violation of chapter 58.17 RCW and this title, and the director shall take enforcement action under Title 28 SCC.

19A.10.060 Recording with auditor.

(1) The applicant shall file for record the approved original binding site plan and original record of survey as one document with the auditor in accordance with SCC 19A.30.010. The auditor shall distribute copies of the recorded document to the department, the department of public works, and the county assessor. All distributed copies shall bear the auditor's recording data.

(2) The auditor shall refuse to accept any binding site plan and record of survey for filing and recording until the director has approved and signed each document.

(3) A binding site plan and record of survey shall take effect upon recording, which must occur within one hundred twenty days after both are approved by the director, subject to the conditions contained therein.

19A.10.070 Severability.

If any provision of this title or its application to any person or circumstance is held invalid, the remainder of this title or the application of the provision to other persons or circumstances is not affected.

Chapter 19A.20  
DEFINITIONS

Sections:

19A.20.010	General.
19A.20.020	Binding site plan.
19A.20.030	Bond or performance security.
19A.20.040	Condominium.
19A.20.050	Condominium, declaration of.
19A.20.060	Condominium survey map and plans.
19A.20.070	Currently developed site.
19A.20.080	Dedication.
19A.20.090	Department.
19A.20.100	Director.
19A.20.110	Division.
19A.20.120	Establishment.
19A.20.130	Housing cooperative.
19A.20.140	Improvements.
19A.20.150	Lease.
19A.20.160	Lot.
19A.20.170	Master development plan.
19A.20.180	Phasing plan.
19A.20.190	Planned residential development (PRD).
19A.20.200	Previously approved site plan.
19A.20.210	Record of survey.
19A.20.220	Revision.
19A.20.230	Right-of-way.

- 19A.20.240 Road.
- 19A.20.250 Site.
- 19A.20.260 Zoning code.

19A.20.010 General.

Unless the context clearly requires otherwise, the definitions in this chapter will apply throughout this title.

19A.20.020 Binding site plan.

"Binding site plan" means an accurate drawing to scale which meets the requirements of title 19A SCC, and which:

- (1) identifies and shows the proposed and existing location of all roads, improvements, open spaces, and any other elements specified by this title;
- (2) contains inscriptions or attachments setting forth limitations and conditions for the use of the land as specified in the approval; and
- (3) contains provisions requiring site development to be in conformity with the approved binding site plan.

19A.20.030 Bond or performance security.

"Bond" or "performance security" means a surety, assignment of funds, escrow, agreement, irrevocable letter of credit or other finance security device acceptable to the director which is required to assure that work is completed in accordance with all applicable requirements of title 19A SCC.

19A.20.040 Condominium.

"Condominium" means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners. A condominium is not effected until a declaration of condominium, and a survey map and plans respectively, have been recorded pursuant to chapters 64.32 and/or 64.34 RCW.

19A.20.050 Condominium, declaration of.

"Condominium, declaration of" means the document that creates a condominium by setting forth the information required by chapters 64.32 and/or 64.34 RCW as applicable, and is recorded in conjunction with a condominium survey map and plans.

19A.20.060 Condominium survey map and plans.

"Condominium survey map and plans" means the survey map and plans that create a condominium by setting forth the information required by chapters 64.32 and/or 64.34 RCW as applicable, and are recorded in conjunction with a declaration of condominium.

19A.20.070 Currently developed site.

"Currently developed site" means a site which, at the time a binding site plan application is filed under SCC Title 19A, is developed with improvements in accordance with approved plans.

19A.20.080 Dedication.

"Dedication" means the deliberate conveyance of land by an owner for right-of-way or other specified public or private uses, reserving to such owners no rights other than those that are compatible with the specified public use.

19A.20.090 Department.

"Department" means the Snohomish county department of planning and development services.

19A.20.100 Director.

"Director" means the director of the department of planning and development services or her/his representative.

19A.20.110 Division.

"Division" means the division or redivision of land into lots, parcels, tracts, or sites for the purpose of sale, lease, or transfer of ownership.

19A.20.120 Establishment.

"Establishment" means the creation of public roads or right-of-way by the procedures contained in chapter 13.90 SCC.

19A.20.130 Housing cooperative.

"Housing cooperative" means a form of ownership in which owners purchase shares in a corporation holding title to a building. In return for the shares, owners must receive a proprietary lease entitling them to occupy a specific area (unit) of the building.

19A.20.140 Improvements.

"Improvements" means public and private development features including but not limited to buildings, roads, public utility and pedestrian facilities, landscape features, bridge structures, drainage facilities, and traffic-control devices.

19A.20.150 Lease.

"Lease" means an agreement between a holder of a possessory estate in land and another person which grants that person occupation, use or possession of property during a certain period of time or at will in exchange for a specified rent.

19A.20.160 Lot.

"Lot" means a platted or unplatted parcel or tract of land having fixed boundaries, being sufficient in area and dimension to meet minimum zoning requirements.

19A.20.170 Master development plan.

"Master development plan" means a plan used to define land uses on county-owned property that has been adopted by the county council after a public review process. A master development plan must define exterior property ownership boundaries and areas for existing and proposed development by land use categories. Examples of a master development plan include the "Paine Field Master Development Plan" and "A Master Plan Update-Evergreen State Fair".

19A.20.180 Phasing plan.

"Phasing plan" means a plan and schedule which provides for incremental installation of public and private improvements for individual lots or portions of a site in lieu of simultaneous installation of all improvements required for entire site development. A phasing plan may consist of a written schedule of such plan, a drawing illustrating such plan, or a combination of written schedule and drawing.

19A.20.190 Planned residential development (PRD).

"Planned residential development (PRD)" means any housing development permitted under chapter 18.51 SCC.

19A.20.200 Previously approved site plan.

"Previously approved site plan" means a site plan which has previously been approved by the department, hearing examiner, or council for the development of the site. A previously approved site plan shall include without limitation a site plan approved in connection with a rezone or PRD, conditional use or special use permit, or the issuance of a building permit or final certificate of occupancy for the site.

19A.20.210 Record of survey.

"Record of survey" means a survey prepared in compliance with provisions of chapter 58.09 RCW, chapter 332-130 WAC, and Title 19A SCC.

19A.20.220 Revision.

"Revision" means a change or modification to previously submitted plans or documents. Minor and major revision types are defined in SCC 18.72.192.

19A.20.230 Right-of-way.

"Right-of-way" means all property in which the county has any form of ownership or title and which is held for public road purposes, regardless of whether or not any road exists thereon or whether or not it is used, improved, or maintained for public travel.

19A.20.240 Road.

"Road" means an open, public or private way for the passage of vehicles that, where appropriate, may include pedestrian, equestrian and bicycle facilities. Limits include the outside edge of sidewalks, or curbs and gutters, paths, walkways, or side ditches, including the appertaining shoulder and all slopes, ditches, channels, waterways, and other features necessary for proper drainage and structural stability within the right-of-way, easement, or lot.

19A.20.250 Site.

"Site" means any lot or contiguous combination thereof on which proposed development is regulated by this title.

19A.20.260 Zoning code.

"Zoning code" means the Snohomish county zoning code, Title 18 SCC.

Chapter 19A.30  
BINDING SITE PLAN APPROVAL PROCEDURES

Sections:

- 19A.30.010 Review and approval of a binding site plan.
- 19A.30.020 Review standards.
- 19A.30.030 Review standards for a previously approved site plan.
- 19A.30.040 Review standards for a binding site plan submitted concurrently with another land development application(s) for the same site.
- 19A.30.050 Access requirements.
- 19A.30.060 Road and right-of-way establishment and right-of-way dedication.
- 19A.30.070 Binding site plan applications to be processed concurrently with other applications.
- 19A.30.080 Application process for county-owned property.
- 19A.30.090 Phased development.
- 19A.30.100 Acceptance of site improvements.
- 19A.30.110 Bond or performance security.
- 19A.30.120 Conversion of rental units to condominiums.
- 19A.30.130 Revisions.
- 19A.30.140 Appeals.
- 19A.30.150 Vacation.

19A.30.010 Review and approval of a binding site plan.

(1) Any person choosing to divide land by this title as permitted under SCC 19A.10.030(1) shall submit a complete binding site plan application as specified in SCC 19A.50.030. All submittals must include one of the following site plan representations:

- (a) A previously approved site plan as defined in SCC 19A.20.200;
- (b) A revision to a previously approved site plan; or
- (c) A new site plan for proposed development.

(2) Upon receipt of a complete application pursuant to SCC 19A.50.030, the director will review the application and approve the application with or without conditions, deny the application, or return the application for revision, based on compliance with SCC 19A.30.020, .030, .040, and .050.

(3) To satisfy the requirements of SCC 19A.30.020, the director is authorized to impose conditions and limitations on the binding site plan. By this authority, and if the director determines that any delay in satisfying requirements will not adversely impact the public, health, safety, or welfare, the director may allow requirements to be satisfied prior to issuing the first building permit for the site, or prior to issuing the first building permit for any phase, or prior to issuing a specific building's certificate of occupancy, or in accordance with an approved phasing plan.

(4) The binding site plan shall contain a provision requiring that any development of the site shall be in conformity with the approved binding site plan.

(5) The director may authorize sharing of open space, parking, access, and other improvements among properties subject to the binding site plan. Conditions and restrictions on development, use, maintenance, shared open space, parking, access and other improvements shall be identified on the binding site plan and enforced by covenants, conditions, restrictions, easements or other legal mechanisms.

(6) All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the owner, purchaser, and any other person acquiring a possessory, ownership, security, or other interest in any property subject to the binding site plan.

(7) After approval of a binding site plan for land zoned and used for commercial or industrial purposes, or for land zoned and used for mobile home parks, recreational vehicle parks, or travel trailer courts, the applicant shall record the approved binding site plan with a record of survey (except for the provision of RCW 58.09.090(1)(d)(iv)) as one recording document complying with the requirements of chapter 19A.50 SCC labeled as "Binding Site Plan".

(8) After approval of a binding site plan for land, all or a portion of which will be subjected to the provisions of chapter 64.32 or 64.34 RCW, the applicant shall record the approved binding site plan with a record of survey (except for the provision of RCW 58.09.090(1)(d)(iv)) as one recording document complying with the requirements of chapter 19A.50 SCC labeled as "Binding Site Plan". Following recordation of the binding site plan with record of survey, the applicant shall independently complete improvements shown on the approved binding site plan with record of survey and file a declaration of condominium, and survey map and plans as required by chapter 64.32 or 64.34 RCW.

(9) Under item (7) or (8) above, when a record of survey is not required pursuant to RCW 58.09.090(1)(d)(iv), the applicable record of survey data, consistent with the submittal requirements as adopted by the Director, shall be shown on the binding site plan to be recorded.



19A.30.020 Review standards.

(1) A binding site plan application and record of survey shall be reviewed based on the submittal/completeness requirements of SCC 19A.50.030 and 19A.50.040.

(2) In order to approve a binding site plan, the director must find that the newly created lots function and operate as one site, and that the binding site plan and record of survey comply and are consistent with the following provisions as well as any other applicable regulations as determined by the director:

- (a) The requirements of this title;
- (b) Chapter 7.20 SCC, mobile homes and mobile home parks-review for compliance with site design and layout, water supply, sewage disposal, and refuse disposal requirements;
- (c) Chapter 7.44 SCC, sewage disposal systems-review for compliance with sewage disposal requirements;
- (d) Chapter 7.52 SCC, water supply-review for compliance with water line size and connection requirements;
- (e) Chapter 10.01 SCC, noise control-review for compliance with noise standards;
- (f) Title 13 SCC, roads and bridges-review for compliance with engineering design standards and specifications, right-of-way permit requirements, access requirements, and right-of-way establishment;
- (g) Title 16 SCC, fire Code-review for compliance with fire lane, emergency access, fire rated construction, and hydrants and fire flow requirements;
- (h) Title 17 SCC, buildings-review for compliance with applicable code requirements;
- (i) Title 18 SCC, zoning-review for compliance with applicable code requirements;
- (j) Title 21 SCC, shoreline management-review for compliance with applicable code requirements;
- (k) Title 23 SCC, environmental policy-review for compliance with environmental policies and procedures;
- (l) Title 24 SCC, drainage-review for compliance with applicable measures to respect and preserve existing watercourses, minimize water quality degradation, protect the public from stormwater runoff originating on developing land, maintain valuable groundwater resources, minimize adverse effects of groundwater quantity alteration, and decrease drainage-related damage to public and private property;
- (m) Title 26A SCC, park and recreation facility impact mitigation-review for determination of appropriate mitigation measures;
- (n) Title 26B SCC, developer contributions for road purposes-review for determination of appropriate mitigation measures;
- (o) Title 26C SCC, school impact mitigation-review for determination of appropriate mitigation measures;
- (p) Title 27 SCC, special flood hazard areas-review for compliance with applicable code requirements;

(q) Title 32 SCC, growth management-review for compliance with applicable code requirements, including, but not limited to interim groundwater protection, interim forest land conservation, interim agricultural land, right to farm, right to practice forestry, and critical areas;

(r) Applicable comprehensive plan provisions adopted pursuant to chapter 36.70A RCW.

(3) A binding site plan must also comply with any federal, state, or local statute, ordinance or regulation applicable to the subject property or to the development activity. The director may require an applicant to demonstrate compliance with such requirements in the course of processing the application or as a condition of approval. Subsequent site development permits for the land will still be subject to compliance with the zoning, building, and other applicable land use codes and regulations existing at the time of development permit review, unless addressed as part of the binding site plan review and expressly depicted on the binding site plan.

19A.30.030 Review standards for a previously approved site plan.

If a previously approved site plan is submitted for binding site plan approval, the conditions and limitations imposed by the director may where appropriate include any conditions and limitations contained in the previously approved site plan. Subsequent site development permits for the land will still be subject to compliance with the zoning, building, and other applicable land use codes and regulations existing at the time of development permit review, unless addressed as part of the binding site plan review and expressly depicted on the binding site plan.

19A.30.040 Review standards for a binding site plan submitted concurrently with another land development application(s) for the same site.

When a binding site plan is being considered concurrently with another land development application, the director will incorporate all conditions and limitations imposed on the concurrent application into the binding site plan. Subsequent site development permits for the land will still be subject to compliance with the zoning, building, and other applicable land use codes and regulations existing at the time of development permit review, unless addressed as part of the binding site plan review and expressly depicted on the binding site plan.

19A.30.050 Access requirements.

Access requirements and road standards to and within lots of the binding site plan shall be provided in accordance with SCC 18.41.010 and the engineering design and development standards adopted under SCC 13.05.010. New public road(s) shall be provided for lot access where determined by the director of public works to be reasonably necessary as a result of the proposed development or to make appropriate provisions for public roads. Establishment of public road(s) may also be proposed by the applicant. Procedures for road and right-of-way establishment and right-of-way dedication are described in SCC 19A.30.060.

19A.30.060 Road and right-of-way establishment and right-of-way dedication.

(1) Where road and/or right-of-way establishment is required by the department for a binding site plan application or proposed by the applicant, establishment shall be in accordance with chapter 13.90 SCC and shall occur prior to recording the binding site plan with record of survey. The establishment shall be effective upon recording of the binding site plan with record of survey.

(2) Where dedication of new right-of-way is required for binding site plan approval, the dedication shall be made in accordance with chapter 26B.55 SCC and pursuant to chapter 13.90 SCC, prior to or at the time of recording the binding site plan with record of survey. The dedication shall be effective upon recording of the binding site plan with record of survey.

(3) Road and right-of-way establishment and right-of-way dedications stated as approval conditions for a previously approved site plan requiring implementation prior to issuance of any subsequent building or development permit, shall be implemented at the time of binding site plan with record of survey recording.

(4) Where right-of-way is established by recording a binding site plan with record of survey but not required or built upon at the time of site development, a revised binding site plan with record of survey may be prepared, approved, and recorded showing the elimination of said right-of-way.

(5) This section shall not apply where the establishment or dedication has already been approved or is being considered for approval with another concurrent land development application which includes a site plan approval.

19A.30.070 Binding site plan application processed concurrently with other applications for the same site.

The county will process a binding site plan application concurrently with any other application(s) for development of the same site, unless an applicant requests otherwise.

19A.30.080 Application process for county-owned property.

A binding site plan application for county-owned property will be processed in the same manner as any other binding site plan application, except that when a master development plan exists for county-owned property, the master development plan will serve as the approved binding site plan. To effect the proposed land division, the binding site plan must be recorded with a record of survey in accordance with chapter 19A.50 SCC.

19A.30.090 Phased development.

An applicant who chooses to develop a site in phases or divisions shall submit to the department a phasing plan as defined in SCC 19A.20.180 for concurrent review with the application for a binding site plan. Site improvements designed to relate to, benefit, or be used by the entire development (such as a stormwater detention pond or tennis courts in a residential development) shall be noted on the phasing plan. The phasing plan shall relate completion of such improvements to completion of one or more phases or stages of the entire development. Once a phasing plan has been approved, the information

contained therein shall be shown on, or the phasing plan attached to and made a part of, the binding site plan. Approval of a phasing plan does not constitute approval of the binding site plan. No land may be used, no buildings may be occupied, and no lots may be sold except in accordance with the approved binding site plan.

19A.30.100 Acceptance of site improvements.

All public and private site improvements must be completed and accepted by the county or subjected to a performance security approved by the director prior to issuing the first building permit for the site, prior to issuing the first building permit for any phase, or prior to issuing a specific building's certificate of occupancy. Alternatively, the director may condition the completion of such improvements pursuant to an approved phasing plan.

19A.30.110 Bond or performance security.

(1) Prior to issuing the first building permit for site development, prior to issuing the first building permit for each phase, or prior to issuing a specific building's certificate of occupancy, the director may require performance security to be provided in a form and amount deemed necessary to assure that all work or actions required by this title are satisfactorily completed in accordance with the approved binding site plan, and to assure that all work or actions not satisfactorily completed will be corrected to comply with the approved binding site plan to eliminate hazardous conditions, to restore environmental damage or degradation, and to protect the health, safety, and general welfare of the public.

(2) The performance security shall be a surety bond obtained from companies registered as surety in the state or certified as acceptable sureties on federal bonds. In lieu of a surety bond, the director may allow alternative performance security in an amount equal to that required for a surety bond and in a form approved by the director. The surety bond or other performance security must be conditioned on the work or requirements being completed in accordance with the approved binding site plan, on the site being left in a safe condition, and on the site and adjacent or surrounding areas being restored in the event of damages or other environmental degradation from development activities conducted pursuant to the binding site plan. The amount of the surety bond or performance security shall be one hundred twenty-five percent of the estimated cost, as approved by the director, of binding site plan implementation, including corrective work and compensation, enhancement, mitigation, and restoration. All performance securities must be submitted in their original form with original signatures or authorization.

(3) If during the term of the performance security, the director determines that conditions exist which do not conform with the binding site plan, the director may issue a stop work order pursuant to Title 28 SCC prohibiting any additional work until the condition is corrected. The director may revoke the performance security, or a portion thereof, in order to correct conditions that are not in conformance with binding site plan requirements. The applicant may not proceed with work until the original amount of the performance security has been re-established. The performance security may be released upon written notification by the director, following final site inspection, or at such time as specified in a mitigation plan, when the director is satisfied that the work or activity complies with and

conforms to the binding site plan, including corrective work, compensation, enhancement, and mitigation or restoration, when required.

(4) In accordance with RCW 36.32.590, state agencies and units of local government, including school districts, shall not be required to secure the performance of permit or approval conditions or requirements with a surety bond or other financial security device as a condition of issuance of a permit for a development activity. State agencies and units of local government, including school districts, are required to comply with all requirements, terms, and conditions of the permit or approval, and the county may enforce compliance by withholding certificates of occupancy or occupancy approval, by administrative enforcement action, or by any other legal means.

19A.30.120 Conversion of rental units to condominiums.

Any applicant seeking to convert rental units to condominiums shall comply with the requirements of chapter RCW 64.34.415 and RCW 64.34.440(1) through (6)c.

19A.30.130 Revisions.

(1) The applicant may revise a binding site plan application and may request that the department revise conditions of binding site plan approval, before or after binding site plan approval. The department will consider revisions upon an applicant's request, payment of any fees specified by chapter 19A.40 SCC, and submittal of materials required by the director.

(2) If a revision to a previously recorded binding site plan or record of survey is approved, the applicant must record the revised binding site plan or record of survey.

(3) Any request for a major revision (as defined in SCC 18.72.192) to a plan previously approved by the hearing examiner or county council shall be processed in the same manner as the previously approved plan.

19A.30.140 Appeals.

(1) Any person aggrieved by an action of the director pursuant to SCC 19A.30.010(2) may appeal the decision to the hearing examiner. Appeals shall be filed and processed pursuant to the provisions of chapter 2.02 SCC.

(2) At an appeal hearing, the appellant shall have the burden of proof, which shall be met by a preponderance of the evidence.

(3) The decision of the hearing examiner shall be final and conclusive with right of reconsideration and may then be reviewable by an action for writ of review filed in Snohomish county superior court as provided in chapter 2.02 SCC; except as may be limited by chapters 43.21C RCW, 197-11 WAC and 23.40 SCC.

19A.30.150 Vacation.

The director is authorized to adopt standards and procedures for vacating a binding site plan upon the request of all owners of the subject property. The standards and procedures shall, if determined appropriate by the director, require that all parties having an interest in property subject to the binding site plan consent to vacation and that all legal instruments effecting the division of property into lots be rescinded.

Chapter 19A.40  
FEES

Sections:

- 19A.40.010 Binding site plan application fees.
- 19A.40.020 Survey information review fees.
- 19A.40.030 Binding site plan revision fees.
- 19A.40.040 Auditor recording fees

19A.40.010 Binding site plan application fee.

(1) Each binding site plan application must be accompanied by a filing fee of one thousand dollars, except as set out in SCC 19A.40.010(2) and (3).

(2) Each binding site plan application that is based on a previously approved site plan pursuant to SCC 19A.30.010(1)(a) must be accompanied by a filing fee of three hundred fifty dollars.

(3) Each binding site plan application which is being processed concurrently with another land development application using a master permit application, commercial building permit application, or other land development application which includes a site plan approval, will not be subject to a separate binding site plan application fee.

19A.40.020 Survey information review fees.

(1) Upon submission of a proposed record of survey, or upon submission of a major revision to a proposed or existing record of survey, the applicant shall pay a survey information review fee of one thousand dollars. This review fee will also include the review of any right-of-way establishment or dedication offered or required. Copies of a recorded plat or a record of survey which show the proposed binding site plan area and are in conformance with RCW 58.09.090(1)(d)(iv) shall not be subject to the survey information review fee, unless a right-of-way establishment or dedication is offered or required.

(2) The applicant shall pay an additional fee of two hundred dollars if the applicant resubmits a record of survey after the department has performed two reviews of the record of survey and (a) the record of survey fails to include corrections required by the department on "markup" plans, drawings, or other documents generated during a prior review; or (b) the applicant makes a minor revision or addition to the record of survey.

19A.40.030 Binding site plan revision fees.

In addition to other fees imposed by this chapter,

(1) An applicant who proposes a revision to a binding site plan being reviewed by the department prior to binding site plan approval, shall pay a fee of three hundred fifty dollars. Revisions to binding site plans being reviewed concurrently with another land development application shall be exempt from this fee.

(2) An applicant who proposes a revision to an approved binding site plan before or after recording shall pay a fee of three hundred fifty dollars.

(3) An applicant who proposes a revision to a recorded binding site plan with record of survey shall pay a fee of three hundred fifty dollars. The survey information resubmittal review fees of SCC 19A.40.020(2) shall also apply.

19A.40.040 Auditor recording fees.

Auditor recording fees for a binding site plan with record of survey are set out in SCC 4.32.065.

Chapter 19A.50  
BINDING SITE PLAN APPLICATION

Sections:

- 19A.50.010 Pre-application conference.
- 19A.50.020 Director authorization for policies and procedures.
- 19A.50.030 Binding site plan application submittal requirements.
- 19A.50.040 Record of survey submittal requirements.
- 19A.50.050 Taxes.

19A.50.010 Pre-application conference.

(1) An applicant is encouraged to request an optional pre-application conference with the department and other relevant department/agency representatives for the purpose of preliminary review and discussion of the proposed binding site plan.

(2) An applicant for a binding site plan must comply with the pre-submittal conference requirements set out in Title 26B SCC.

19A.50.020 Director authorization for policies and procedures.

The director is hereby authorized to adopt administrative policies and procedures in order to administer this title. The policies and procedures shall address the processing of binding site plan applications and shall set forth any necessary procedural requirements for applicants to follow in order for their applications to be processed by the staff in an efficient manner. Authorization is also given to establish and revise submittal requirements for the binding site plan and the record of survey. Decisions of the director relating to administration of the policies and procedures shall be final.

19A.50.030 Binding site plan application submittal requirements.

(1) The purpose of binding site plan application submittal requirements is to require a detailed drawing that accurately shows how the site will be developed and used, and sufficient information to determine compliance or consistency with SCC 19A.30.020, .030, .040, and .050. The submittal requirements for a complete binding site plan application will be established by the director pursuant to SCC 19A.50.020. A written determination of application completeness will be provided to the applicant within twenty-eight days after receipt of an application.

(2) For previously approved site plans, submittal requirements established by the director must include at least the following:

- (a) Previously approved site plan;
- (b) Title documentation;

- (c) Applicant's name and address;
- (d) Legal description;
- (e) Exterior boundary lines;
- (f) All legal instruments containing covenants, conditions, restrictions, easements, and other similar documents required by this chapter;
- (g) All conditions and requirements of previously approved plans as applicable; and
- (h) Fees pursuant to SCC 19A.40.010.

(3) For a new or revised site plan, submittal requirements established by the director must include at least the following:

- (a) Format details and number of site plan copies;
- (b) Title documentation;
- (c) Applicant's name and address;
- (d) Legal description;
- (e) Zoning information;
- (f) Site characteristics;
- (g) Number of lots;
- (h) Location of existing and proposed site improvements and structures;
- (i) Location of natural drainage courses;
- (j) Location of existing and proposed open space;
- (k) Location and identification of critical areas;
- (l) All legal instruments containing covenants, conditions, restrictions, easements, and other similar documents required by this chapter;
- (m) Traffic study in conformance with title 26B SCC based on results of a pre-submittal conference with the department of public works;
- (n) An environmental checklist; and
- (o) Fees pursuant to SCC 19A.40.010.

For minor revisions to a previously approved site plan, the director may waive specific requirements.

19A.50.040 Record of survey submittal requirements.

(1) The purpose of record of survey submittal requirements is to require that survey data be represented on the record of survey or the binding site plan. The submittal requirements for a complete record of survey will be established by the director pursuant to SCC 19A.50.020. A written determination of record of survey completeness will be provided to the applicant within twenty-eight days after receipt of a record of survey for review.

(2) For any record of survey, submittal requirements established by the director must include at least the following:



- (a) Record of survey drawing(s) prepared by a land surveyor licensed in the state of Washington, conforming to all requirements of chapter 58.09 RCW, chapter 332-130 WAC, and this title;
- (b) Supporting documents, including but not limited to
  - (i) survey computations and data,
  - (ii) certificate of title/title report, and
  - (iii) instruments concerning restrictions and use of properties; and
- (c) Fees pursuant to SCC 19A.40.020.

19A.50.045 Notice of application.

(1) Within five working days of filing an application, the applicant will post at least two signs which will be provided by the county in a conspicuous location along the property's frontage abutting a public right-of-way. If no abutting public right-of-way exists, the signs shall be placed at the point of access to the property from the nearest public right-of-way, and at the nearest boundary of the property. The signs must remain posted until binding site plan approval is granted and all appeal periods have expired.

(2) The applicant must submit a statement verifying the date and location of posting. If verification is not received by the department within fifteen days of application, the department will discontinue application processing until the verification is received.

19A.50.050 Taxes.

(1) Prior to recording a binding site plan with record of survey, all taxes for the current year must be paid, together with taxes for any delinquent years. Proof of payment must be indicated by the seals and signatures of the county treasurer and deputy treasurer on a certificate shown on the face of the binding site plan with record of survey.

(2) If a binding site plan with record of survey is recorded after May 31st in any year and prior to the date of the collection of taxes, the applicant shall deposit with the county treasurer a sum equal to the product of the county assessor's latest valuation on the unimproved property multiplied by the current year's millage rate and increased by twenty-five percent.

Section 2. EFFECTIVE DATE. This title shall take effect on September 29, 1995.

PASSED this 9th day of August, 1995.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

Karen Miller  
Chairperson

ATTEST:

Anthony J. Bratcher  
Clerk of the Council

- (  ) APPROVED
- (  ) VETOED
- (  ) EMERGENCY

DATE: 8/10/95  
[Signature]  
County Executive

ATTEST:

Hinda McPhee