

3.17 BINDING SITE PLAN APPROVAL

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3.17.010 Purpose and Applicability.

A. The purpose of this Chapter is to provide an alternative method for the division of land as authorized by the State Subdivision Act (RCW 58.17). 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 for the purposes of, but not limited to, access and circulation, provision and maintenance of utilities and other improvements, open spaces, drainage and similar concerns.

B. The provisions of this Chapter shall apply to:

1. The division of commercial or industrial zoned land for sale or lease when used for commercial or industrial purposes,
2. The division of land for lease when used as a mobile home park or recreational vehicle park
3. The division of land resulting from subjecting a portion of a parcel or tract to the Horizontal Property Regimes Act (RCW 64.32) or the Condominium Act (RCW 64.34)

3.17.020 Procedures.

A. A binding site plan shall be processed through the Type 2 process, consistent with the procedures of 3.30.050. Notice shall be provided consistent with the requirements of 3.30 SCC.

3.17.030 Application Requirements.

The following information shall be submitted in conjunction with an application for a binding site plan:

A. A Title Report issued within 30 days of application, showing all persons having an ownership interest, a legal description describing exterior boundaries of the site and listing all encumbrances affecting the property;

B. A map prepared by a registered land surveyor showing the following:

1. Location of all physical and legal encroachments affecting the boundary between the application sites and adjoining properties;
2. Contours of sufficient interval to show topography of the site;
3. A legal description of the site;
4. The proposed layout of lots, tracts, rights-of-way and easements, along with existing utilities and proposed dedications;
5. The purpose of any tracts and lots proposed within the site;
6. All easements listed in the Title Report capable of being plotted on the map;

- 7. Name of proposal;
 - 8. North arrow, scale and date of map and any revisions;
 - 9. Location of adjoining parcels and buildings within one hundred feet of the site shall be shown and delineated by dashed lines;
 - 10. A vicinity map
 - 11. A preliminary drainage plan;
- C. A phasing plan, if the property is to be developed in phases, consisting of a written schedule and a drawing illustrating the timing and sequence of development;
 - D. A completed environmental checklist; and
 - E. Any other information deemed appropriate by the Department.

3.17.040 Conditions of Approval.

- A. The Director is authorized to impose such conditions and limitations on the binding site plan as necessary to further the purposes of this Title.
- B. The binding site plan shall contain a provision requiring that all development of the site shall be in conformance with the approved binding site plan.
- C. 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.
- D. An applicant who desires to develop a site in phases shall submit a phasing plan as part of its application.
 - 1. Site improvements designed to relate to, benefit or be used by the entire development (such as stormwater detention facilities) shall be noted on the phasing plan, and the plan shall relate completion of such improvements to completion of one or more phases of the entire development.
 - 2. Once approved, the phasing plan shall be 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 lots may be sold and no buildings may be occupied except in accordance with the binding site plan.

3.17.050 Site Improvements, Security.

- A. All public and private site improvements must be installed to the satisfaction of the County or be subject to a performance security approved by the Department prior to issuance of the first building permit for site or any phase, or prior to issuance of a certificate of occupancy.
- B. If acceptable to the Director, the applicant may furnish the County with a bond or other security sufficient to secure the estimated cost of construction and installation of all required roads, drainage, and other improvements to the satisfaction of the Department. Performance securities shall generally be in an amount equal to 125 percent of the estimated cost of installing the improvements.

3.17.060 Revision and Vacation.

An approved binding site plan may be amended or modified by filing the same application and following the same procedures required for a new binding site plan application, as set forth in this Chapter. The Director shall determine whether the binding site plan as revised is consistent

with the standards set forth in this Chapter.

3.17.065 Binding Site Plan Application Approval - Timing.

A Binding Site Plan application shall be approved within two years. An extension may be granted by the Director.

3.17.070 Recording.

An approved binding site plan and the record of survey shall be recorded with the Stevens County Auditor. The recorded binding site plan shall include any restrictions and any conditions of approval of the binding site plan. All such restrictions and conditions shall run with the property and be legally enforceable on the owner, purchaser, and any other person acquiring an ownership, security or other interest in any property subject to the binding site plan.

3.18 RESERVED

3.19 RESERVED