

Docket No.	Project Name	Brief Description of Suggested Amendment	Who Suggested Amendment	Staff Lead	Staff Recommendation
11-13	KCC 16.05: Binding Site Plan	Revise sections of Title 16 to fix inconsistencies in current process. Amendments to include line edits based on Prosecutor's Office direction	Prosecutor's Office	Dan	Docket

Kittitas County Community Development Services prepared proposed amendments to Title 16, Subdivisions, for consistency in processing of binding site plans. These amendments were docketed with CDS prior to the June 30th docketing deadline.

The current code requires that the binding site plat must be approved and signed in the same manner as a final plat. The Prosecutor's Office has recommended that this must be changed to read that the binding site plat must be approved and signed in the same manner as a final short plat since the binding site plan review process is an administrative process requiring approval by the director and is not a quasi judicial process requiring approval by the Board of County Commissioners.

DRAFT—August 5, 2011

Kittitas County Code 16.05.020, Requirements, is amended to as follows:

16.05.020 Requirements.

- A. Whenever a binding site plan for an eligible project is proposed on a parcel of land for which neither a planned unit development or a building permit has been approved for the entire parcel, the following must be satisfied prior to recording:
 - 1. A conceptual site plan shall be prepared in a form prescribed by the director which includes the following information (if appropriate to the project type):
 - a. Maximum number of dwelling units permitted.
 - b. Approximate size and location of all proposed buildings.
 - c. Approximate layout of an internal vehicular circulation system, including proposed ingress and egress.
 - d. Approximate location of proposed open space, including required landscaped areas, if any.
 - e. Approximate location of parking areas.
 - f. Location and size of utility trunk lines serving the site.
 - g. Topography detailed to five-foot intervals.
 - 2. Upon application, the director shall distribute copies to public agencies having pertinent expertise or jurisdiction and all persons owning real property within 300 feet from and parallel to the boundaries of the proposed activities and such contiguous area under the legal control of the applicant for review and comment.
- B. The director shall consider, and base his decision to approve with or without conditions, deny or return the application on the following:
 - 1. Conformance of the proposed site plan with any approved building permit or planned unit development and any conditions on a portion of the site, and with any applicable codes and ordinances, of the State of Washington and Kittitas County. The director shall identify, to the extent feasible, conditions likely to be imposed on building permits

related to dedication of right-of-way or open space, and tracts, easements or limitations which may be proposed or required for utilities, access, drainage controls, sanitation, potable water supply, protection of sensitive areas or other unique conditions or features which may warrant protection of the public health, safety and welfare. Such preliminary conditions shall not be binding at the time of building permit approval.

2. The recommendations and comments of agencies having pertinent expertise or jurisdiction.
 3. Proof that all lots or tracts created by binding site plan are approved for irrigation delivery by the appropriate irrigation entity or entities.
 4. The director may require dedication of additional road right-of-way pursuant to criteria contained in Kittitas County Code.
- C. Additional documents shall be submitted as necessary for review and approval and may include a plat certificate, boundary survey, agreements, easements, covenants.
- D. The plan must be approved and signed in the same manner as a ~~final plat~~ **short plat**. Prior to recording, the director shall verify the final plan and any attachments to determine whether the binding site plan is accurate and complete and complies with any conditions or approval. Approval of a binding site plan does not give the applicant a vested right to build without regard to subsequent changes in zoning or building codes or other applicable land use regulations prior to application for a building permit on the subject property.