

APPENDIX C

DRAFT DEVELOPMENT REGULATIONS

TITLE 16 – LAND DIVISION AND DEVELOPMENT

KITSAP COUNTY

December 2024

Please note the following:

- Changes are shown in underline/~~strikeout~~ text .
- Only those sections that include any amendments are shown in this appendix. If a chapter or section is not shown in the text, it is to remain in code as it exists today.
- Chapter 16.10 Definitions is new



Chapter 16.04 GENERAL PROVISIONS

Sections:

- [16.04.010 Title.](#)
- [16.04.020 Purpose.](#)
- [16.04.030 Authority.](#)
- ~~[16.04.035 Definitions.](#)~~
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- [16.04.050 Applicability and exemptions.](#)
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[...]

16.04.020 Purpose.

This title governs the division and redivision of land into lots, tracts, parcels, sites or other divisions for the purpose of sale, lease or other transfer by utilizing one of the following processes: subdivision, short subdivision, large lot subdivision, binding site plan and condominium. The purpose of this title is to regulate the segregation of land and to promote the public health, safety and general welfare in accordance with standards established by the state and county to prevent the overcrowding of land; to lessen congestion in the streets and highways; to promote effective use of land; to promote safe and convenient travel by the public on streets and highways; to provide for adequate light and air; to promote the protection of the environment; to facilitate adequate provision for water, sewerage, parks and recreation areas, open space areas, sidewalks, nonmotorized trails, sites for schools and school grounds and other public facilities and services; to provide for proper ingress and egress; to provide for the expeditious review and approval of proposed land segregations which conform to zoning standards and local plans and policies; to adequately provide for the housing and commercial needs of the citizens of the county; and to require uniform monumenting of land segregations

and conveyancing by accurate legal description. The intent of this title is to carry out the goals and policies of the Kitsap County Comprehensive Plan, the Countywide Planning Policies and the laws of the state of Washington relating to land division.

(Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

16.04.035 Definitions.

~~Words and phrases appearing in this title shall be given the meaning attributed to them by Chapter [21.02](#). When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word "shall" is always mandatory, and the word "may" indicates a use of discretion in making a decision. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context in which they are used and the most current version of Merriam-Webster's Collegiate Dictionary shall be considered as providing ordinary accepted meanings.~~

~~(Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)~~

[...]

16.04.050 Applicability and exemptions.

The provisions of Chapters [16.40](#), Subdivisions; 16.48, Short Subdivisions; and 16.52, Large Lot Subdivisions, shall apply to all divisions and redivisions of land for the purposes of sale, lease or other transfer of ownership except:

- A. A division of land for cemeteries and other burial plots while used for that purpose;
- B. A division of land into lots or tracts, as follows: one-thirty-second of a section or larger, or twenty acres or larger if the land is not capable of description as an aliquot part of a section. Lots within a rural zoning designation may include, for the purposes of area calculation, the portion of county right-of-way fronting the lot; said portion of county right-of-way shall be bounded by the right-of-way centerline, the front property line and the side lot lines of the lot running perpendicular to such centerline;
- C. A division of land made by testamentary provision, or the laws of descent. Development of such divisions of land is subject to the zoning regulations set forth at Title [17](#);
- D. A division of land into lots, or tracts classified for industrial or commercial use when the county has approved a binding site plan for the use of the land in accordance with this title;

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E. A division for the purpose of lease when no residential structure other than mobile homes or travel trailers is permitted to be placed upon the land when the county has approved a binding site plan for the use of the land in accordance with local regulations;

F. A division of land into lots or tracts if: (1) Such division is the result of subjecting a portion of a parcel or tract of land to either Chapter [64.32](#) or [64.34](#) RCW 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 to be included in one or more condominiums or owned by an association or other legal entity in which the owners of units therein or their owners' associations have a membership or other legal or beneficial interest; (3) the county has approved the binding site plan for all such land; (4) such approved binding site plan is recorded with the county auditor; and (5) the binding site plan contains thereon 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 the county having jurisdiction over the development of such land, and in accordance with such other governmental 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 or more condominiums or owned by an association or other legal entity in which the owners of the units therein or their owners' associations have a membership or other legal or beneficial interest. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.

The binding site plan may depict or describe the boundaries of the lots or tracts resulting from subjecting a portion of the land to either Chapter [64.32](#) or [64.34](#) RCW. A binding site plan shall be deemed to have been approved if the binding site plan was approved by the county pursuant to Chapter [16.56](#);

G. A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, that does not create any additional lot, tract, parcel, site or division, nor result in any lot, tract, parcel, site or division that contains insufficient area and dimension to meet minimum requirements for width and area for a building site;

H. A division for the purpose of leasing land for facilities providing personal wireless services while used for that purpose. For the purposes of this subsection "personal wireless services" means any federally licensed personal wireless service; and "facilities" means unstaffed facilities that are used for the transmission or reception, or both, of wireless communication services including, but not necessarily limited to, antenna arrays, transmission cables, equipment shelters, and support structures; and

I. A division of land into lots of less than three acres that is recorded in accordance with Chapter [58.09](#) RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owner or investor-owned electric utility facilities. For

purposes of this subsection, “electric utility facilities” means unstaffed facilities, except for the presence of security personnel, that are used for or in connection with or to facilitate the transmission, distribution, sale, or furnishing of electricity including, but not limited to, electric power substations. This subsection does not exempt a division of land from the zoning and permitting laws and other regulations set forth in the Kitsap County Code. Furthermore, this subsection only applies to electric utility facilities that will be placed into service to meet the electrical needs of a utility’s existing and new customers. New customers are defined as electric service locations not already in existence as of the date that electric utility facilities subject to the provisions of this subsection are planned and constructed.

J. A division of land made for the purpose of transferring land to a governmental entity and/or nonprofit land trust to accomplish any public purpose. The public purpose must confer a significant benefit to the general public.

(Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

[...]

16.04.080 General requirements.

For all types of land segregations, appropriate provisions shall be made for the public health, safety and general welfare, including but not limited to: open spaces, drainage ways, streets or roads, alleys, other public ways, nonmotorized access, road and pedestrian connectivity, parking, transit stops, fire protection facilities, potable water supplies, sanitary sewage wastes, solid wastes, landscaping, parks and recreation, playgrounds, sites for schools and school grounds, sidewalks or other planning features that assure safe walking conditions for students who only walk to and from school. The public use and interest will be served by the proposed land segregation. The following general requirements shall be met for all land segregations proposed under this title. In addition, all specific requirements relevant to each individual type of land segregation are found in their respective chapters of this title.

A. The proposed land segregation shall comply with the applicable provisions of the Kitsap County Comprehensive Plan and Kitsap County Code.

B. Adequacy of Access. Each lot within a land segregation shall have approved access to a street conforming to county road or access standards, unless an alternative standard has been approved by the director. To assure safe and adequate access, the director:

1. Shall require a developer to dedicate, establish, or deed right-of-way to the county for road purposes as a condition of approval of a land segregation, when to do so is

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reasonably necessary as a direct result of a proposed land segregation, for improvement, use or maintenance of the road system serving the development;

2. Shall determine if road connectivity between the land segregation and adjacent properties is required. In cases where the dedication, establishment, or deeding of additional right-of-way cannot be reasonably required as a direct result of the proposed development but such right-of-way is necessary for future expansion of the public road system, the director shall require reservation of the area needed for right-of-way for future conveyance to the county. Building setbacks and all other zoning code requirements will be established with respect to the reservation line rather than the deeded, established, or dedicated right-of-way line. The area reserved for right-of-way may be donated to the county or will be purchased by the county through a county road project;

3. Shall be satisfied that the applicant has demonstrated sufficient access rights for the entire access route, where access to the segregation is gained via private easements;

4. Shall require that newly established easements for access purposes not be contiguous to an existing access easement, unless there is no other feasible access point as determined by the director;

5. Shall require that off-site improvements be made to public or private streets, if needed to provide adequate access from the land segregation to a road acceptable to the director;

6. May approve private streets, and may require that adequate provision is made for access to the private street to accommodate future segregations, where the county finds the following:

- a. Vacant or underutilized land abuts the proposed land segregation or development; and
- b. The location of said access easement is reasonable based upon the design needs for future streets; and
- c. The establishment of said easement will further the extension of the street system within the urban growth area; and
- d. The extension of the street system is reasonably foreseeable; and
- e. The establishment of said easement furthers the goals and policies of the Comprehensive Plan;

7. May limit direct access to certain streets and require on-site public or private streets in lieu of individual driveways, in accordance with the county road standards.

C. Safe Walking Conditions.

The applicant shall be required to provide information regarding pedestrian needs generated by the proposed land segregation. Where deemed necessary by the department, safe walkways shall be required.

1. School Children. In cases where a school is located within one mile of a land segregation and/or where it is likely the children will walk to school, safe walkways shall be required along roads interior to the land segregation and along existing roads fronting the site.

2. Pedestrian Safety. Any land segregation within a UGA shall provide sidewalks along existing public roads fronting the subject property(ies). Residential segregations creating more than four lots in UGAs shall provide sidewalks internal to the segregation.

3. When sidewalks are required, they shall be constructed to comply with all applicable standards, including but not limited to county road standards and shall apply the federal American with Disabilities Act (ADA) standards for sidewalk ramps at all intersections, pedestrian crossings and transit stops.

4. When reasonably necessary for public convenience, pedestrian ways may be required to connect to cul-de-sacs or to pass through unusually long or oddly shaped blocks.

D. Lot Configuration. The side lines of lots, as far as practicable, should run at right angles to the street upon which the lots face.

E. Homeowners' Associations. Land segregations of five or more lots within a UGA that propose roads and/or storm water facilities to be privately maintained shall form a homeowners' association, registered with the state of Washington. Conditions, covenants and restrictions (CCR) document shall address, at a minimum, ownership of and maintenance responsibilities for any private roads and any private storm water facilities. In rural zones where private roads and/or storm water facilities are proposed, road and storm facility maintenance agreements may suffice.

(Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

16.04.090 Appeals.

The approval or denial of a preliminary decision may be appealed pursuant to the process outlined in Title [21](#). Such appeal shall automatically stay any deadlines required by this title.

(Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

16.04.100 Expiration of preliminary approval.

A. Short Subdivisions and Large Lot Subdivisions. Unless otherwise provided by state statute, preliminary approval shall automatically expire five years from the date of the notice of decision, unless a complete final short subdivision or large lot subdivision application is submitted to the department prior to that date.

B. Subdivisions. Unless otherwise provided by state statute, preliminary approval shall automatically expire five years from the date of the notice of decision, unless a complete final subdivision application is submitted to the department prior to that date.

C. An extension to preliminary approval may be granted, as set forth in Section [21.04.270\(B\)](#).

D. It is the responsibility of the applicant to remain aware of expiration dates. Failure to file within the stated time, and any approved extension, will void the preliminary approval and a new application will be required.

(Ord. 617 (2022) § 6, 2022; Ord. 587 (2020) § 9(1) (Att. 1) (part), 2020: Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

16.04.110 Recording requirements.

A. In order to effect the segregation of land, the final plat or binding site plan shall be recorded with the county auditor within one year of the date of final approval. Any associated documents, including but not limited to covenants, conditions and restrictions (CCRs), road maintenance agreements (RMAs) and easement documents, shall be recorded concurrently with and be cross-referenced on the face of the final plat or binding site plan. Recordings shall be at the expense of the applicant. A paper copy of the final plat or binding site plan shall be provided by the department to the county assessor.

B. Any final plat or binding site plan presented for recording shall contain on its face the approvals required, as set forth in their respective chapters within this title.

(Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

16.04.120 Phased development.

A. Phased development may be proposed in conjunction with a preliminary subdivision application or with a site development activity permit (SDAP) associated with said preliminary subdivision application. When phased development is proposed, a phasing plan shall be submitted with the preliminary subdivision application or the SDAP application that clearly sets forth the density proposed for each phase, and identifies each amenity, including infrastructure, traffic mitigation, parks, open space, etc., proposed for each phase.

B. Review of the phasing plan shall occur as follows:

1. When phasing is proposed with the preliminary subdivision application, conditions regarding the phasing schedule, installation of required amenities and bonding requirements shall be included in the staff report to the hearing examiner.
2. When phasing is proposed with the SDAP, conditions regarding the phasing schedule, installation of required amenities and bonding requirements shall be included in the SDAP administrative decision.
3. If phasing is proposed after the administrative decision on the SDAP, the applicant is required to meet with department staff to ensure that both the applicant and department staff have a clear understanding of the details of the proposed phasing. Fees shall be assessed at the hourly rates set forth at Title [21](#). A phasing plan shall be submitted as an addendum to the SDAP and department staff shall provide to the applicant written documentation regarding the phasing schedule, installation of required amenities and bonding requirements.

C. The first phase submitted for final plat approval must be submitted prior to the expiration of the preliminary plat, and each subsequent phase shall be submitted within three years of the date of final approval of the previous phase. No subsequent phase may be submitted until the preceding phase is finally approved or bonding is increased to two hundred percent of the cost to complete the preceding phase.

(Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

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Note (not to be published in code): Many of these definitions have been moved from KCC 21.02 as they are relevant to land division. Some definitions have been modified or improved for clarity.

***NEW* Chapter 16.10 DEFINITIONS**

16.10.xx Generally

When not inconsistent with the context, words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; the word “shall” is always mandatory, and the word “may” indicates a use of discretion in making a decision. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine. Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context in which they are used and the most current version of Merriam-Webster’s Collegiate Dictionary shall be considered as providing ordinary accepted meanings. It is recommended that the reader also consult definitions in KCC Sections 15.08 Flood Hazard Areas; Definitions, 17.110 Zoning; Definitions, 18.04.030 State Environmental Policy Act; Additional Definitions, 18.16,030 Timber Harvest; Definitions, 19.150 Critical Areas Ordinance; Definitions, and 22.150 Shoreline Mater Program; Definitions.

16.10.xx Aliquot part.

“Aliquot part” means a quarter division of a section of land in the public domain.

16.10.xx Alteration of a land segregation.

“Alteration of a land segregation” means a revision to any type of segregation, requested after the recording of the final plat of said segregation.

16.10.xx Amendment of a land segregation.

“Amendment of a land segregation” means a revision to any type of segregation, requested following preliminary approval, but prior to recording the final plat of said segregation.

(Ord. 490 (2012) § 3 (Att. 1), 2012)

16.10.xx Binding site plan.

“Binding site plan” means an alternative method of land division, drawn to scale, that:

- A. Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and other matters specified by county code;
- B. Contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the director; and
- C. Includes provisions that bring the development into conformity with the site plan.

16.10.xx Block

“Block” means a group of lots, tracts and/or parcels within well-defined and fixed boundaries.

16.10.xx Building Site

“Building site” means an area of land, lying within one or more lots (or portions of lots when aggregated), that is legally developed or capable of being developed under current federal, state and local laws and that, exclusive of required setbacks, contains or is capable of containing a primary structure and, if required, associated septic system components.

16.10.xx Boundary line adjustment.

“Boundary line adjustment” means an adjustment of boundary lines between two or more abutting platted or unplatted properties or both which does not create any additional lot, tract, parcel, site or division, nor create any lot, tract, parcel, site or division that does not meet minimum requirements for width and area.

16.10.xx 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 as defined in Chapters [64.32](#) and [64.34](#) RCW. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners and unless a declaration, survey map and plans have been recorded pursuant to Chapter [64.32](#) or [64.34](#) RCW.

16.10.xx Cul-de-sac.

“Cul-de-sac” means a way of travel that dead-ends with provisions for turning around vehicles, including large emergency apparatus and utility vehicles.

16.10.xx Dedication.

“Dedication” means the deliberate appropriation of land by an owner for any general and public uses, reserving to himself no rights other than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by Kitsap County, except that where the dedication is for roadways or improvements for which a surety is obtained, there shall be no acceptance of the dedication unless and until said improvement is completed and approved by Kitsap County.

16.10.xx Easement.

“Easement” means a right granted by a property owner of burdened property (grantor) to specific benefitting properties or to the public for the use of certain land for a specific purpose or purposes, including but not limited to road access, pedestrian or bicycle pathways, minerals, utilities, drainage and open spaces.

16.10.xx Engineer.

“Engineer” means the county road engineer designated by Section [2.32.030](#).

16.10.xx Final plat.

“Final plat” means the final drawing of a land segregation and/or dedication prepared for filing for record with the county auditor and containing all elements and requirements of Title [16](#), Land Division and Development.

16.10.xx Hiatus.

“Hiatus” means an area between two parcels, resulting from a mistake in land descriptions and/or surveys of record, which by record are meant to have one or more common boundary line(s).

16.10.xx Kitsap public health district.

“Kitsap public health district” means the local health district organized pursuant to Chapters [70.05](#) and [70.46](#) RCW.

16.10.xx Kitsap public health officer.

“Kitsap public health officer” means the health officer of the Kitsap County public health district or his/her designees.

16.10.xx Land segregation.

“Land segregation” means a division or redivision of land into lots, tracts, parcels, sites or divisions for the purpose of development, sale, lease or transfer of ownership when accomplished through any of the following processes. Land segregations include, but are not limited to, subdivisions, large lot subdivisions, short subdivisions, binding site plans, and divisions of land through condominiums.

16.10.xx Large lot subdivision.

“Large lot subdivision” means the division or redivision of land occurring outside urban growth area (UGA) boundaries into two or more lots, tracts, parcels, sites or divisions for the purpose of development, sale, lease or transfer of ownership where each lot is five acres or 1/128th of a section or larger; provided, this shall not include divisions or redivisions of land where all lots are equal to or greater than twenty acres or 1/32nd of a section.

16.10.xx Legal lot of record.

“Legal lot of record” means a parcel that is in compliance with the land use laws in effect at the time it was created.

16.10.xx Lot.

“Lot” means a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width, depth, and area. Where the context so indicates, lots may refer to subdivided lands not conforming to, or in violation of, zoning or subdivision regulations.

16.10.xx Lot area.

“Lot area” means the horizontal area within the boundary lines of a lot excluding public and private streets (but including private access easements), tidelands, lakes, streams, and lands covered regularly or continuously by water (ordinary high water mark), except as otherwise provided in code, as well as the panhandle of a flag lot if the panhandle is less than thirty feet in width. Lots within a rural zoning designation shall be considered five acres if the lot is one one-hundred-twenty-eighth of a section, ten acres if the lot is one sixty-fourth of a section, and twenty acres if the lot is one thirty-second of a section. Lots within a rural zoning designation may include, for the purposes of area calculation, the portion of county right-of-way fronting the lot; said portion of county right-of-way shall be bounded by the right-of-way centerline, the front property line and the side lot lines running perpendicular to said centerline.

16.10.xx Open space.

“Open space” means land used for outdoor active and passive recreational purposes or for critical area or resource land protection, including structures incidental to these open space uses, including associated critical area buffers, but excluding land occupied by dwellings or impervious surfaces not related to the open space uses and yards required by Title [17](#) for such dwellings or impervious surfaces. “Open space” is further divided into the following categories:

- A. “Common open space” means space that may be used by all occupants of a development complex or, if publicly dedicated, by the general public;
- B. “Active recreational open space” means space that is intended to create opportunities for recreational activity. Active recreational open space may be occupied by recreational facilities such as ball fields, playground equipment, trails (pedestrian, bicycle, equestrian or multi-modal), swimming pools, and game courts or sculptures, fountains, pools, benches or other outdoor furnishings;
- C. “Passive open space” means all common open space not meeting the definition of active recreational open space, including, but not limited to, critical areas and their associated buffers;

D. “Permanent open space” means an area that is permanently reserved as open space and remains in native vegetation unless approved for forestry, passive recreational or access uses; and

E. “Recreational open space” means an area that shall be improved and maintained for its intended use. Exterior as well as interior areas can constitute recreational open space. Examples of usable recreational space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas.

16.10.xx Owner.

“Owner” means any person or persons having a legal or equitable property right or interest in land, including a fee owner, contract purchaser or seller, mortgagor or mortgagee, optioner or optionee, and beneficiary or grantor of a trust and deed of trust.

16.10.xx Parcel.

“Parcel” means platted or unplatted portions of land carrying an assessor’s tax account number. “Parcels” may be, but are not necessarily, legal lots of record.

16.10.xx Plat.

“Plat” means a map or representation of a land segregation, showing thereon the division of property into lots, blocks, tracts, parcels, roads and alleys or other divisions and dedications.

16.10.xx Plat certificate.

“Plat certificate” means a certificate from a title company showing, for particularly described proposed land segregation, the record owners and all encumbrances.

16.10.xx Preliminary plat.

“Preliminary plat” means a neat and approximate drawing of a proposed land segregation showing the general layout of lots, blocks, tracts, parcels, roads and alleys, and other elements that shall furnish a basis for the approval or disapproval of the general layout of segregation.

16.10.xx Road.

“Road” means:

- A. For addressing purposes, a “road” means a way of travel that has been designated as a road or is an extension of an existing road.
- B. For all other purposes, a “road” is a public right-of-way or an approved private roadway that provides vehicular circulation or principal means of access to abutting properties, and that may also include provisions for public utilities, pedestrian walkways, cut and fill slopes, and drainage.

16.10.xx Road maintenance agreement.

“Road maintenance agreement” means a covenant attached to all lots within the land segregation that addresses the responsibility of road maintenance.

16.10.xx Segregation.

“Segregation” is synonymous with “land segregation.”

16.10.xx Short subdivision.

“Short subdivision” means:

- A. For property located inside urban growth area (UGA) boundaries, a division or redivision of land into nine or fewer lots, tracts, parcels, sites or divisions for the purpose of development, sale, lease or transfer of ownership;
- B. For property located outside urban growth area boundaries, a division or redivision of land into four or fewer lots, tracts, parcels, sites or divisions for the purpose of development, sale, lease or transfer of ownership.

16.10.xx Subdivider.

“Subdivider” means a person, as defined herein, who undertakes to create a land segregation.

21.02.340 Subdivision.

“Subdivision,” inside the UGA boundaries, means the division or redivision of land into ten or more lots, tracts, parcels, sites or divisions for the purpose of development, sale, lease or transfer of ownership; outside UGA boundaries, means a division or redivision of land into five or more lots for the purpose of development, sale, lease or transfer of ownership.

16.10.xx Tract.

“Tract” means land reserved for specified uses, including, but not limited to, reserve tracts, access tracts, recreation, open space, common areas, critical areas, stormwater facilities, or utilities. Tracts are not considered lots or building sites for purposes of residential dwelling or commercial building construction.

16.10.xx Vacation of a land segregation or plat vacation.

“Vacation of a land segregation” means the extinguishment of all or portions of a recorded segregation, resulting in the property, or the portion thereof subject to vacation, being returned to its original configuration.

16.10.xx Way of travel.

“Way of travel” means a roadway of any definition, including, but not limited to, avenues, boulevards, circles, courts, drives, loops, places, lanes, roads, streets, and ways, which is capable of carrying vehicular traffic.

Chapter 16.24 LAND SEGREGATION STANDARDS

Sections:

[16.24.010 Purpose.](#)

[16.24.020 Applicability.](#)

[16.24.030 \(Reserved\)](#)

[16.24.040 Urban standards.](#)

[16.24.050 Rural standards.](#)

[16.24.060 \(Repealed\)](#)

[16.24.070 Land segregations within the shoreline jurisdiction.](#)

[16.24.080 Land segregations containing or bordering critical areas.](#)

[...]

[...]

[...]

16.24.040 Urban standards.

A. Access.

1. General.

a. When accessing paved county right-of-way, the project approach shall be paved, per Chapter 4 of the Kitsap County Road Standards, as now or hereafter amended. When adjacent to or accessing Washington State Department of Transportation (WSDOT) right-of-way, WSDOT shall be provided the opportunity to review and comment on the proposed land segregation with respect to access.

b. Appropriate drainage facilities to mitigate construction of roads shall be provided and constructed in accordance with Title [12](#), Storm Water Drainage, as now or hereafter amended.

c. When accessing WSDOT right-of-way, the project approach shall meet WSDOT standards and WSDOT storm water requirements shall apply.

2. Private Roads. All private roads within single-family developments proposing more than four lots shall be in the form of separate access tracts and shall be constructed in compliance with the requirements of the fire marshal's office regarding emergency vehicle access. Private roads shall be cleared, grubbed, graded and paved, using

permeable pavement where feasible in accordance with the Kitsap County Stormwater Design Manual.

3. Public Rights-of-Way. For land segregations proposing more than four lots, dedication of right-of-way shall be required when a proposed road meets the criteria for classification as an arterial, collector or sub-collector in the KCRS. All road(s) shall be constructed in compliance with adopted Kitsap County Road Standards, as now or hereafter amended.

4. Shared Driveways. For the purposes of limiting access to county roads or reducing impervious surfaces, a shared driveway may be permitted for accessing up to two lots, where approved by the director. Each owner of the shared driveway shall have an appropriate easement to the use of the driveway. Maintenance responsibilities shall be specified within the recorded easement documents or on the face of the final plat. The maximum width for a shared driveway shall be twenty-four feet.

B. Public Transit Provisions. Land segregations shall provide for transit stops, shelters and/or space for said stops or shelters, as deemed necessary.

C. Nonmotorized Facilities.

1. Pedestrian Sidewalk Requirements.

a. Sidewalks shall be required on both sides of all public or private streets that meet the criteria for classification as a principal or minor arterial, collector, local sub-collector or local minor road as determined under the Kitsap County Road Standards.

b. Sidewalks shall be required on a minimum of one side of all public or private streets that meet the criteria for classification as local road, cul-de-sac or very low volume local road as determined under the Kitsap County Road Standards. Sidewalks may be required on both sides based upon site-specific conditions.

c. Sidewalk design shall be consistent with all applicable standards, including but not limited to Kitsap County Road Standards, shall apply the Americans with Disabilities Act (ADA) standards for sidewalk ramps at all intersections, pedestrian crossings and transit stops and shall be a minimum of five feet wide.

d. Where clustered mailboxes are proposed or required at the entrance and/or within the development, sidewalks shall be widened to meet required horizontal and vertical clear zones.

e. Rolled curbs and thickened edge asphalt are prohibited, except where the sidewalk is separated from the street by at least five feet by a bioswale or other water quality treatment facility, or landscaping berm.

2. Nonmotorized Trail Requirements. All development must be consistent with the Kitsap County Greenways, Bicycle Lane and Mosquito Fleet Trail Plan (Mosquito Fleet Trail Plan), as adopted. Where required by the Mosquito Fleet Trail Plan, a nonmotorized trail shall be provided. The trail shall be designed and built to the Mosquito Fleet Trail Plan standards for the required trail classification. Based upon topographic features, safety or other factors, provision of a trail may reduce the requirement for sidewalks.

3. Multipurpose Facilities. Where required by the Mosquito Fleet Trail Plan, multipurpose facilities, including but not limited to bicycle lanes shall be provided. All bicycle lanes shall be constructed to WSDOT standards at locations required by the Mosquito Fleet Trail Plan.

D. Public Street and Street Connectivity Requirements. Dedicating or deeding property for right-of-way or a portion thereof to the county for public streets within, or along the boundaries of all single-family subdivisions, shall be required as a condition of application approval where the county demonstrates all of the following:

1. Facts support that such dedication is reasonably necessary as a result of the impact created by the proposed development;

2. Such dedication will result in mitigation of the impact in the reasonably foreseeable future;

3. Connectivity to existing public right-of-way is feasible; and

4. One or more of the following circumstances are met:

a. A county transportation plan indicates the necessity of a new or additional right-of-way or portion thereof for street purposes;

b. The dedication is necessary to provide additions of right-of-way to existing county right-of-way to meet county road standards;

c. The dedication is necessary to extend or to complete the existing or future neighborhood street pattern;

d. The dedication is necessary to comply with county road standards and Kitsap County transportation plans;

e. The dedication is necessary to provide a public transportation system that supports future development of abutting property consistent with the Kitsap County Comprehensive Plan or Kitsap County zoning code.

~~DE~~. Off-Street Parking.

1. Projects shall provide off-street parking consistent with the requirements of Chapter [17.490](#). Kitsap County encourages the use of low impact development (LID) techniques that conserve natural areas and minimize development impacts. Deviations from the off-street parking requirements set forth herein may be supported when LID techniques are employed without risk to the traveling public, critical infrastructure or maintenance operations.
2. When calculating the required number of parking spaces, fractional parking space requirements shall be rounded up to the nearest whole number.
3. If the development includes set-aside parking areas, each area shall be limited to no more than ten spaces and shall be distributed throughout the development.

~~EE~~. Fire Protection. Fire protection including fire hydrants, water supplies for firefighting and emergency vehicle access shall be provided in accordance with Title [14](#), the Kitsap County Building and Fire Code, and other applicable ordinances.

~~FG~~. Landscaping Requirements.

1. Landscaping shall be provided at all entrances to the project development consistent with the landscaping standards of Chapter [17.500](#).
2. Street trees, landscaping and storm water consistent with Titles [12](#) and [17](#) shall be provided along all public and private streets that meet the criteria for classification as a principal or minor arterial, collector or local sub-collector and local access roads as determined by the Kitsap County Road Standards. Street trees shall be located in the road right-of-way or access tract, or the front yards of individual lots or units. Where adequate ROW is available, street trees shall be located between roadway and sidewalk. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits. There shall be at least one tree per every twenty-five feet of road frontage. Trees shall be spaced no further apart than thirty-five feet. Street tree species shall be consistent with the Kitsap County Road Standards (KCRS) and shall be large canopy trees unless otherwise approved by the director for special mitigating circumstances. Maintenance of street trees and landscaping within county right-of-way is the responsibility of the fronting property owner(s).

~~GH~~. Utilities.

1. Water Supply and Sanitary Sewer System. Where an approved public water supply and/or an approved public sewer system is available to the land segregation project, connection thereto may be required upon the recommendation of the health officer or other Kitsap County requirements.

2. Utility Easements. A ten-foot utility easement shall be located along those lot frontages within the land segregation project that abut private and public roads. This easement shall accommodate what is commonly referred to as broadband access.

3. Utility Connectivity Requirements. Easements for future public utility extensions to abutting properties shall be required as a condition of application approval in cases where the county finds the following:

- a. Vacant or underutilized land abuts the proposed land segregation or development; and
- b. The location of said utility easement is reasonable based upon the design needs for future utility infrastructure; and
- c. The establishment of said easement will further the extension of utility infrastructure within the urban growth area; and
- d. The extension of utilities using the easement is foreseeable; and
- e. The establishment of said easement furthers the goals and policies of the Comprehensive Plan.

H. Recreation Requirements.

1. All land segregations (except those segregations proposed as a performance based development of more than four lots within residential zoning designations or that include residential units and that result in lots of less than eight thousand square feet in size shall provide recreational open space at the following ratios:

- a. Where developed at a density of nine units or less per acre, three hundred ninety square feet per unit;
- b. Where developed at a density of greater than nine units per acre, one hundred seventy square feet per unit;
- c. If calculations result in a fraction, the fraction shall be rounded up to the nearest whole number;

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- d. A project applicant may propose a different standard for meeting these recreational requirements so long as the proposed facilities meet the minimum level of service for recreational facilities as set forth in the Kitsap County Comprehensive Plan.
2. Recreation facilities shall be placed in a designated recreational open space tract and shall be dedicated to a homeowners' association or other acceptable organization, to provide continued maintenance of the recreational open space tract.
3. Recreational open space tracts shall:
 - a. Be of a grade and surface suitable for recreation improvements and generally have a maximum grade of five percent, unless a steeper grade is acceptable for the activities associated with the amenity;
 - b. Be located on the site of the proposed land segregation;
 - c. Be conveniently located common to all residents within the interior of the land segregation in a manner that and affords good visibility of the tract from roads, sidewalks and dwellings;
 - d. Have no dimensions less than thirty feet, except the width of trail segments;
 - e. Be at least five hundred square feet in size;
 - f. Be located in one designated area, unless it is determined that recreational opportunities would be better served by multiple areas developed with recreation or play facilities; and
 - g. Be accessible and convenient for year-round use to all residents within the land segregation.
4. Play equipment, paved sports courts, exercise fitness trails, community gardens with water service, age-appropriate facilities or similar amenities shall be provided within the recreational open space tract. Construction of amenities shall meet the latest industry safety standards.
5. A recreational open space plan shall be submitted to the department and reviewed and approved with the site development activity permit (SDAP). Said plan shall show dimensions, finished grade, equipment, landscaping and improvements to demonstrate that the requirements of this subsection are met.

(Ord. 540 (2016) § 6, 2016: Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

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[...]

16.24.080 Land segregations containing or bordering critical areas.

Where a land segregation contains or borders a critical area or its associated buffer, development shall occur in accordance with the appropriate standards as required by Title [19](#), including specified native vegetation buffers and construction setbacks where applicable.

(Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

Chapter 16.40 SUBDIVISIONS

Sections:

[16.40.010 Purpose.](#)

[16.40.020 \(Reserved\)](#)

[16.40.030 Preliminary subdivisions.](#)

[16.40.040 Amendments to approved preliminary subdivisions.](#)

[16.40.050 Final subdivisions.](#)

[16.40.060 Recording requirements.](#)

[...]

[...]

[...]

16.40.040 Amendments to approved preliminary subdivisions.

This section provides the criteria and limitations for amending an approved preliminary subdivision, including amendments to conditions of approval.

A. Notification. Any requested amendment to an approved preliminary plat shall require a notice of application to all parties who received the notice of application of the original preliminary subdivision, all property owners within the notification radii required in Title 21 and all parties of record, in accordance with Title [21](#).

B. Minor Amendment.

1. General Requirements. Minor amendments are classified as Type II applications under Chapter [21.04](#) and address those changes to an approved preliminary subdivision that fall within the scope of the original approval and/or do not significantly increase impacts to surrounding properties. For these purposes, "significant" shall mean a greater than ten percent increase when the impact is quantifiable.

2. Written Findings. A proposed minor subdivision amendment may be approved if the director makes written findings that all of the following are satisfied. If one or more are not satisfied, the application must proceed as a major amendment.

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- a. The proposal does not result in significant adverse impacts to the subdivision or the surrounding property. Impacts may include, but are not limited to, stormwater, traffic, open space, landscaping, screening, on-street or set-aside parking, or noise;
- b. The proposal satisfies the applicable general requirements of this title;
- c. The proposal does not result in a change of use;
- d. The proposal falls within the scope of the original approval and complies with the intent of the conditions originally imposed;
- e. The proposal does not expand the perimeter boundary of the original plat, or the boundary of any phases within the original plat;
- f. The proposal does not increase residential density by greater than ten percent, provided the density requirements of the zone are maintained;
- g. The proposal does not increase the intensity of housing types; for example, from detached single-family to attached one- and two-family dwellings;
- h. The proposal does not reduce the designated perimeter buffers, recreation or open space areas by more than ten percent;
- i. The proposal does not reduce or increase the number of access points or significantly alter the location of access points;
- j. The proposal does not reduce required setbacks; and
- k. The proposal does not reduce any street frontage improvements (e.g., sidewalks, curb/gutter, and bicycle lanes).

C. Major Amendments.

1. **General Requirements.** Major amendments are classified as Type III applications under Chapter [21.04](#) and address those amendments not otherwise classified as minor. Any amendment that requires a discretionary permit other than those granted in conjunction with the original preliminary subdivision application shall require the approval of such permit before or with the decision on the proposed major subdivision amendment.
2. **Written Findings.** A proposed major amendment shall not be approved unless the hearing examiner makes written findings that the public use and interest are served by the amendment and that the amendment complies with all development regulations in effect at the time of preliminary subdivision approval.

D. Amendments to Site Development Activity Permits for Subdivisions

1. An applicant may propose an amendment(s) to a Site Development Activity Permit (SDAP) for a subdivision that would be considered a Type 1 change, when in the determination of the Director the amendment will not affect the layout or conditions of approval of the preliminary subdivision. Such amendments will be noted during the SDAP review and may be considered staff, applicant, or field amendments.

(Ord. 617 (2022) § 7, 2022; Ord. 550 (2018) § 5, 2018; Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

16.40.050 Final subdivisions.

At any time within the time periods set forth at Section [16.04.100\(B\)](#), the subdivider may submit the final subdivision application that is consistent with the approved preliminary subdivision. Final subdivisions are classified as Type I applications under Chapter [21.04](#). The director shall review the application to ascertain if it conforms to the following requirements. If approved, the director shall sign the approval line on the face of the final plat.

- A. Chapter [16.04](#), General Provisions;
- B. Chapter [16.24](#), Land Segregation Standards;
- C. The final plat shall consist of the following:
 - 1. The original map that is drawn in permanent black ink on mylar, suitable for producing legible prints through scanning, microfilming or other standard copying procedures, and that is in compliance with WAC [332-130-050](#). The map shall be drawn to scale no less than one inch to one hundred feet, which scale shall be shown on the drawing both graphically and textually;
 - 2. The first sheet shall contain the following information:
 - a. Surveyor's certificate, stamped, signed and dated by a registered land surveyor, that reads as follows:

I, _____, registered as a professional land surveyor by the State of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me or under my supervision, during the period of _____, 20__, through _____, 20__; that the distances, courses and angles are shown hereon correctly; and that lot corners have been staked on the ground as depicted hereon.
 - b. Signature and date lines for the county auditor, along with space to insert recording information;

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3. Signature and date lines for approval by the director;
4. Signature and date lines for approval by the county engineer;
5. Signature and date lines for approval by the Kitsap public health officer;
6. Treasurer's certificate that reads as follows:

I hereby certify that real property taxes on the above-described property have been paid, satisfied or discharged up to and including the year 20____.

along with signature and date lines;

7. North point and origin of meridian or basis of bearings;
8. Lots labeled numerically;
9. Lot addresses, as assigned per Section [16.66.015\(G\)](#);
10. The perimeter (which shall be shown by heavier lines) of the proposal, together with all internal lots and blocks;
11. The dimensions of the perimeter and all lots;
- [12. Approved setbacks of all lots;](#)
- [1213.](#) Ties to permanent monuments;
- [1314.](#) Controlling reference points or monuments;
- [1415.](#) The bearing and length of lines;
- [1516.](#) The legal description of the real property to be divided;
- [1617.](#) The names and locations of adjacent segregations;
- [1718.](#) The location of all existing structures;
- [1819.](#) The location of all existing and proposed roads, rights-of-way and access easements within and adjacent to the proposal, labeling each of the foregoing by width;
- [1920.](#) The location of all other existing and proposed easements appurtenant to the property, labeled with dimensions;

~~2021~~. The location of all property to be dedicated. Where the dedication is for roadways or improvements for which a surety is obtained, there shall be no acceptance of the dedication by the county unless and until said improvement is completed and approved by Kitsap County;

~~2122~~. The location of all critical areas identified during the preliminary subdivision process, along with required buffers and construction setbacks;

~~2223~~. The location of existing on-site sewage systems, and wells with their protective well radii within and contiguous to the proposal;

~~2324~~. The location of soil logs, if the subdivision is not required to connect to public sewer;

~~2425~~. A declaration or dedication statement, as applicable, by all persons having interest in the subdivided land, with name(s) printed and signed by said person(s) and acknowledged before a notary public, consenting to the dedication and/or subdivision of land;

~~2526~~. Notes depicting articles of encumbrances as noted in Schedule B of the plat certificate; and

~~2627~~. Conditions relevant to the development of the subdivision, as set forth in the hearing examiner's decision granting preliminary approval;

D. The final subdivision meets all standards established by state and local law;

E. The final subdivision is in compliance with the conditions of preliminary approval for the subdivision;

F. The title insurance report provided by the subdivider confirms the title of the land in the proposed subdivision is vested in the name(s) of the owner(s) whose signatures appear on the plat declaration or dedication statement; and

G. The required road and storm water facilities and improvements, if such are to be privately maintained, have been completed by the subdivider. When required road and storm water facilities and improvements are to be maintained by the county, that they have been completed by the subdivider or, alternatively, that the subdivider has provided a performance surety in accordance with Section [12.12.040](#).

(Ord. 557 (2018) § 4, 2018; Ord. 550 (2018) § 8, 2018; Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

Chapter 16.48 SHORT SUBDIVISIONS

Sections:

- [16.48.010 Purpose.](#)
- [16.48.020 Preliminary short subdivisions.](#)
- [16.48.030 Amendment to preliminary short subdivisions.](#)
- [16.48.040 Final short subdivisions.](#)
- [16.48.050 Road disclaimer.](#)
- [16.48.060 Declaration regarding further segregation.](#)
- [16.48.070 Recording requirements.](#)

[...]

16.48.020 Preliminary short subdivisions.

Preliminary short subdivisions are classified as Type II applications under Chapter [21.04](#). The director shall review the application to ascertain if it conforms to the following requirements:

- A. Chapter [16.04](#), General Provisions;
- B. Chapter [16.24](#), Land Segregation Standards;
- C. The preliminary short plat shall consist of the following:
 - 1. Maps drawn on a minimum eighteen-inch-by-twenty-four-inch paper, to scale no less than one inch to one hundred feet, which scale shall be shown on the drawing, both graphically and textually;
 - 2. Map signed and sealed by a surveyor registered in the state of Washington;
 - 3. North point;
 - 4. Lots labeled alphabetically;
 - 5. The location of existing structures;
 - 6. The location of existing road approaches;
 - 7. The location of all existing and proposed roads, rights-of-way, and easements, labeling each of the foregoing by width;

8. The location of all other existing and proposed easements appurtenant to the property, labeled with dimensions;
9. The location of all property to be dedicated;
10. Except in UGAs, a minimum twenty-five-foot-wide native vegetation buffer around the perimeter of the short subdivision. Where a Short Subdivision is inside a Limited Area of More Intense Rural Development (LAMIRD), only that part of a lot or tract that abuts a rural zone outside of the LAMIRD is required to have a twenty-five-foot-wide native vegetation buffer.
11. The location of all water bodies (including but not limited to lakes, ponds, saltwater shorelines, streams, and wetlands), their associated buffers and construction setbacks, and mapped flood hazard areas;
12. The location of geologically hazardous areas and their associated buffers and construction setbacks. Delineate all slopes thirty percent in grade or greater and all slopes from fifteen percent to thirty percent in grade where they are rated as areas of "moderate" or "high" geologic hazard pursuant to Section [19.400.410](#);

13. Approved setbacks of all lots:

~~13~~14. The location of existing on-site sewage systems, and wells with their protective well radii within, contiguous to and adjacent to the proposal; and

~~14~~15. The location of soil log holes, together with data regarding soil type and depth, if the short subdivision is not required to connect to public sewer;

- D. The proposed streets shall align and be coordinated with streets serving adjacent properties;
- E. The proposed streets shall be adequate to accommodate anticipated traffic;
- F. If road or pedestrian connectivity between the short subdivision and adjacent properties is required, all ingress/egress accesses shall be dedicated to the public and developed consistent with Kitsap County Road Standards;
- G. If the required native vegetation buffer, as it exists, is void of native vegetation, plantings of native species will be required to create or recreate the buffer. This requirement may be modified by the director to be compatible with the surrounding area, upon submittal with the preliminary application, of narrative and photographic documentation of existing conditions;
- H. The Kitsap public health district shall recommend approval or denial. Said recommendation shall be in writing and shall address:

1. Conformity with current regulations regarding domestic water supply and sewage disposal;
2. Adequacy of lot area, soil type, topographic and drainage characteristics, if proposing a sewage disposal method other than public sewer.

(Ord. 540 (2016) § 9, 2016: Ord. 489 (2012) § 2 (part), 2012: Ord. 483 (2012) § 2 (Att. 1), 2012)

16.48.030 Amendment to preliminary short subdivisions.

This section provides the criteria and limitations for amending an approved preliminary short subdivision, including amendments to conditions of approval.

A. Notification. Any requested amendment to an approved preliminary short subdivision shall require a notice of application to all parties who received the notice of application of the original preliminary short subdivision, all property owners within the notification radii required in Title [21](#) and all parties of record, in accordance with Title [21](#).

B. Minor Amendment.

1. General Requirements. Minor amendments are classified as Type II applications under Chapter [21.04](#) and address those changes to an approved preliminary short subdivision that fall within the scope of the original approval and do not significantly increase impacts to surrounding properties. For these purposes, “significant” shall mean a greater than ten percent increase when the impact is quantifiable.
2. Written Findings. A proposed minor short subdivision amendment may be approved if the director makes written findings that all of the following are satisfied. If one or more are not satisfied, the application must proceed as a major amendment.
 - a. The proposal does not result in significant adverse impacts to the short subdivision or the surrounding property. Impacts include, but are not limited to, stormwater, traffic, open space, landscaping, on-street or set-aside parking, or noise;
 - b. The proposal satisfies the applicable general requirements of this title;
 - c. The proposal does not result in a change of use;
 - d. The proposal falls within the scope of the original approval and complies with the intent of the conditions originally imposed;
 - e. The proposal does not expand the perimeter boundary of the original short plat;

- f. The proposal does not increase residential density by greater than ten percent, provided the density requirements of the zone are maintained;
- g. The proposal does not increase the intensity of housing types; for example, from single-family to duplex;
- h. The proposal does not reduce the designated perimeter buffers, recreation or open space areas by more than ten percent;
- i. The proposal does not reduce, increase or significantly alter access points;
- j. The proposal does not reduce required setbacks; and
- k. The proposal does not reduce any street frontage improvements (e.g., sidewalks, curb/gutter, and bicycle lanes).

C. Major Amendments.

1. General Requirements. Major amendments address those amendments not otherwise classified as minor.

a. Major amendments to preliminary short plats that were approved after a public hearing are classified as Type III applications under Chapter [21.04](#). Such amendments shall require a hearing and shall satisfy the requirements of Section [16.40.040\(C\)](#).

b. Major amendments to preliminary short plats that were approved administratively are classified as Type II applications. Such amendments shall satisfy the requirements of this section.

c. Any amendment that requires a discretionary permit other than those granted in conjunction with the original preliminary short subdivision application shall require the approval of such permit before or with the decision on the proposed major short subdivision amendment.

2. Written Findings. A proposed major amendment shall not be approved unless the director makes written findings that the public use and interest are served by the amendment and that the amendment complies with all development regulations in effect at the time of preliminary short subdivision approval.

[D. Amendments to Site Development Activity Permits for Subdivisions](#)

[1. An applicant may propose an amendment\(s\) to a Site Development Activity Permit \(SDAP\) for a subdivision that would be a Type I change, when in the determination of the](#)

Director the amendment will not affect the layout or conditions of approval of the preliminary subdivision. Such amendments will be noted during the SDAP review and may be considered staff-, applicant-, or field-amendments.

(Ord. 617 (2022) § 8, 2022; Ord. 550 (2018) § 6, 2018; Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

[...]

[...]

[...]

Chapter 16.52 LARGE LOT SUBDIVISIONS

Sections:

- [16.52.010 Purpose.](#)
- [16.52.020 Preliminary large lot subdivisions.](#)
- [16.52.030 Amendment to preliminary large lot subdivisions.](#)
- [16.52.040 Final large lot subdivisions.](#)
- [16.52.050 Road disclaimer.](#)
- [16.52.060 Declaration regarding further segregation.](#)
- [16.52.070 Recording requirements.](#)

[...]

[...]

16.52.030 Amendment to preliminary large lot subdivisions.

This section provides the criteria and limitations for amending an approved preliminary large lot subdivision, including amendments to conditions of approval.

A. Notification. Any requested amendment to an approved preliminary large lot subdivision shall require a notice of application to all parties who received the notice of application of the original preliminary large lot subdivision, all property owners within the notification radii required in Title [21](#) and all parties of record, in accordance with Title [21](#).

B. Minor Amendment.

1. General Requirements. Minor amendments are classified as Type II applications under Chapter [21.04](#) and address those changes to an approved preliminary large lot subdivision that fall within the scope of the original approval and do not significantly increase impacts to surrounding properties. For these purposes, “significant” shall mean a greater than ten percent increase when the impact is quantifiable.

2. Written Findings. A proposed minor large lot subdivision amendment may be approved if the director makes written findings that all of the following are satisfied. If one or more are not satisfied, the application must proceed as a major amendment.

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- a. The proposal does not result in significant adverse impacts to the large lot subdivision or the surrounding property. Impacts may include, but are not limited to, stormwater, traffic, open space, landscaping, on-street or set-aside parking, or noise;
- b. The proposal satisfies the applicable general requirements of this title;
- c. The proposal does not result in a change of use;
- d. The proposal falls within the scope of the original approval and complies with the intent of the conditions originally imposed;
- e. The proposal does not expand the perimeter boundary of the original large lot plat;
- f. The proposal does not increase residential density by greater than ten percent, provided the density requirements of the zone are maintained;
- g. The proposal does not increase the intensity of housing types; for example, from single-family to duplex;
- h. The proposal does not reduce the designated perimeter buffers, recreation or open space areas by more than ten percent;
- i. The proposal does not reduce, increase or significantly alter access points;
- j. The proposal does not reduce required setbacks; and
- k. The proposal does not reduce any street frontage improvements (e.g., sidewalks, curb/gutter, and bicycle lanes).

C. Major Amendments.

1. General Requirements. Major amendments address those amendments not otherwise classified as minor.

- a. Major amendments to preliminary large lot plats that were approved after a public hearing are classified as Type III applications under Chapter [21.04](#). Such amendments shall require a hearing and shall satisfy the requirements of Section [16.40.040\(C\)](#).
- b. Major amendments to preliminary large lot plats that were approved administratively are classified as Type II applications. Such amendments shall satisfy the requirements of this section.

c. Any amendment that requires a discretionary permit other than those granted in conjunction with the original preliminary large lot subdivision application shall require the approval of such permit before or with the decision on the proposed major large lot subdivision amendment.

2. Written Findings. A proposed major amendment shall not be approved unless the director makes written findings that the public use and interest are served by the amendment and that the amendment complies with all development regulations in effect

D. Amendments to Site Development Activity Permits for Subdivisions

1. An applicant may propose an amendment(s) to a Site Development Activity Permit (SDAP) for a subdivision that would be considered a Type 1 change, when in the determination of the Director the amendment will not affect the layout or conditions of approval of the preliminary subdivision. Such amendments will be noted during the SDAP review and may be considered staff, applicant, or field amendments.

(Ord. 617 (2022) § 9, 2022; Ord. 550 (2018) § 7, 2018; Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

[...]

[...]

[...]

Chapter 16.56 BINDING SITE PLANS

Sections:

[16.56.010 Purpose.](#)

[16.56.020 Applicability.](#)

[16.56.030 General requirements.](#)

[16.56.040 Binding site plan contents and approval criteria.](#)

[16.56.050 Recording requirements.](#)

[...]

16.56.020 Applicability.

The provisions of this chapter apply to the following:

A. Binding Site Plan – Commercial and Industrial Land Use. A binding site plan may be utilized for the divisions of land lying within any commercial or industrial zoning designation.

B. Binding Site Plan – ~~Condominium. A binding site plan is required for the division of land through a condominium subject to Chapter 64.32 or 64.34 RCW, pursuant to RCW 58.17.040(7). For the purpose of approval of condominium developments, the provisions of this chapter shall apply when a land division is proposed as a condominium that results in the subdivision of land into separately owned lots, and that will subject the land to Chapter 64.34 RCW (the Condominium Act). Condominiums subject to RCW 64.32 or RCW 64.34. A binding site plan is required for the division of land through a condominium process subject to Chapters 64.32 or 64.43 RCW, and pursuant to RCW 58.17.040(7).~~

(Ord. 489 (2012) § 2 (part), 2012; Ord. 483 (2012) § 2 (Att. 1), 2012)

[...]

[...]

[...]

Chapter 16.60 ALTERATIONS AND VACATIONS

Sections:

[16.60.010 Purpose.](#)

[16.60.015 Applicability.](#)

[16.60.020 Alterations of final plats.](#)

[16.60.030 Alterations of final short plats, large lot plats and binding site plans.](#)

[16.60.040 Vacations of final plats, final short plats, final large lot plats and final binding site plans.](#)

[16.60.050 Recording requirements.](#)

[...]

[16.60.015 Applicability.](#)

[Alteration of a land segregation shall be required for proposals including, but not limited to:](#)

[A. Revisions to easements that were created with the original land segregation, including revising the location of an access, utility, or other easement, extinguishment of an easement or granting or eliminating rights of use of an easement;](#)

[B. Elimination of or revision to any conditions stated on the face of the land segregation plat;
or](#)

[C. Elimination of or revision to buffers, open space, or other commonly-owned tracts or parcels established on the face of the land segregation plat.](#)

[D. In no case shall a proposed plat alteration result in a plat that reduces current development standards.](#)

[...]

[...]

[...]

[...]