

Jefferson County Department of Community Development
Site Development Review (SDR) & Legal Lot of Record (LLOR) Determination

– Frequently Asked Questions –

The Site Development Review (SDR) process took effect on 10/4/2022 as a prerequisite to development application submittal. The Department of Community Development (DCD) has created this FAQ page to help answer customer questions about SDR and Legal Lot of Record (LLOR) Determination. If you have a question that is not addressed in the FAQ below, please email planning@co.jefferson.wa.us or call 360-379-4450 for further assistance.

Note: Please contact DCD about SDR or LLOR. The offices of the Auditor, Assessor, and Treasurer are not able to assist individual applicants with parcel history research.

1. What is Site Development Review (SDR)?

The purpose of SDR is to provide owners or developers of land a means to obtain an assessment of site requirements for development of a parcel before applying for a septic permit, building permit, or other development permit. The SDR process implements Chapter 18.40 Jefferson County Code (JCC) and Chapter 18.12 JCC. SDR includes identification of environmentally critical areas that may constrain development of the site.

2. What is Legal Lot of Record (LLOR) Determination and how is it integrated into SDR?

LLOR Determination is a way to assure that a lot is lawfully created under the state subdivision law ([chapter 58.17 RCW](#)), able to be conveyed, and eligible for development. LLOR Determination is made during the SDR process. If your lot was lawfully platted on or after August 11, 1969, it is presumed to be a legal lot of record, in which case your SDR will be simplified with respect to LLOR Determination.

3. What is the cost of SDR and LLOR Determination?

The base fee for SDR is \$408, including \$102 for LLOR Determination. Please note that if additional information and/or a site visit is required, additional fees will be invoiced at the rate of \$102 per hour.

4. How long does SDR take?

DCD's goal is to complete SDR reviews for "simple" lots within a week. By "simple," we mean a lot that is large enough to accommodate development without infringing upon critical areas or their buffers, and one that does not present other complications related to LLOR Determination or other issues. Each case is different; lots that present challenges will take more time for analysis and associated approvals (e.g., shoreline permit or critical areas buffer variance). Additionally, at the initiation of the SDR process (effective 10/4/2022), a significant permit backlog for development review staff limits how quickly we are able to process each permit in the queue. We hope we are able to reduce that backlog over the coming months in order to meet our permit timeline goals.

5. What is the "product" of SDR?

The result of the SDR process is a "buildability" analysis of the site, determination whether the lot is eligible to receive development permit applications (i.e., a Legal Lot of Record), and instructions for next steps in the permitting process for development of the site. A map indicating a "development envelope" is included in the product, which serves as a useful tool for septic designers and homebuilders in creating site plans for development permit applications.

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6. What do applicants submit with the SDR application?

Customers are responsible for providing DCD with up-to-date information about the history of the lot(s) and the intended use of the lot(s) as a part of their SDR application. In addition to the [application](#) itself, submittals should include one or both of the following: a recent title report (or title commitment); the Volume & Page or Auditor File Number (AFN) for the recorded plat. If those documents or information are not available, DCD may need to request additional information, such as an approved, unrecorded subdivision; a deed prior to August 11, 1969; deed/parcel history for the property; and/or evidence of prior recognition of legal lot status by the county.

7. Why do applicants need to submit property history documentation?

Property history documents establish whether a lot was legally created and whether any changes to lots have occurred since initial creation of the property (e.g., divisions, property boundary alterations). Under state subdivision requirements, DCD must review the legal status of lots prior to issuing development permits for the property. In order to meet this state requirement, DCD needs to review property history documents to identify any changes to a property since its initial creation. The preferred property history document is the title report, which may be obtained from a title company.

8. How do applicants know which property history document should be submitted?

The preferred property history document is the title report, which provides DCD with a narrative of the property's history as prepared by a title company. Submittal of an updated title report may significantly reduce the amount of research required by DCD to evaluate property history. We encourage all applicants to consider the benefit of a title report when submitting their SDR application. A property's location also determines which of the other documents are applicable. For example, lots within subdivisions could provide the Volume & Page (or AFN) for the recorded plat. Lots that are not in subdivisions would have no corresponding plat; owners of these parcels will need to rely on other documents, such as: deed/parcel history, a deed to the property prior to August 11, 1969, or documentation of county approval for residential use of the property. Obtaining these documents is explained under the following section, "How do applicants obtain documentation of property history?"

9. How do applicants obtain documentation of property history?

Title Report: Generally, title reports are generated at the time of transfer of ownership. This will often be the easiest documentation to submit for SDR, as many applicants will already be in possession of their title report. Property owners who have owned their lot for many years or were bequeathed their property may not have a title report in hand to provide. If a title report is not available to submit, and applicants want to avoid the expense of producing a new title report, then applicants may compile deed/parcel history, a deed to the property prior to August 11, 1969, or documentation of any approval(s) by the county for residential use of the property for submission with their SDR application.

Lots within subdivisions: Plats are typically recorded with the Auditor's Office, and property owners should be able to access their documents by searching their parcel number in the county's [GIS system](#) and selecting the 'Plat & Survey' link under the property information. Once in the 'Plat & Survey'

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document list, open the document corresponding to the plat for your subdivision. You may print these documents out directly or, preferably, provide the Volume & Page or the Auditor File Number (AFN) for the recorded document. The AFN is a six-digit number clearly identified on the document, usually in the form of a stamp. Applicants without internet access may work with DCD directly for assistance in identifying the applicable plat and its corresponding Volume & Page. Note that plat information will only be available for properties within subdivisions, and that not all plats were recorded with the county. Applicants who own lot(s) in an approved but unrecorded plat will not be able to provide recorded document information and must submit a copy of the approved plat.

Deed/Parcel History: Applicants should review any paperwork they have for their property to check whether they have a deed dated prior August 11, 1969 in their possession. If so, applicants may submit that deed for review by the county. Alternatively, an applicant may provide deed history by reviewing any deeds recorded for the lot in [county records](#). Parcel history can be made available for review by working with DCD on compiling parcel history documents stored with the county. Be advised that compiling parcel history documentation from the county directly may be a time intensive process, as certain records may not be available digitally, and the offices of the Auditor, Assessor, and Treasurer are not able to assist individual applicants with parcel history research. Parcel history research may increase the cost and time of processing an SDR.

10. Is the LLOR Determination public information and/or recorded with the Auditor’s Office as a Notice to Title?

LLOR Determination is public information. Interested parties will be able to find that information through the county website. If the determination is that the subject lot is a Legal Lot of Record, property owners may *choose* to record that determination with the Auditor’s Office as a notice to title (NTT) on the property. This action is at the option (and expense) of the proponent. If the determination is that the lot is not an LLOR, DCD will record that determination as an NTT and invoice the property owner for the recording expense. This is to prevent future misunderstanding whether that lot is eligible for development or not.

11. Can applicants submit additional information along with the site development review application?

At the time of application, the initial SDR process does not require any additional information to be submitted beyond the following items: the (basic, standard) permit application; the supplemental application for SDR; and applicable property history documentation. However, this does not limit applicants from providing DCD with conceptual plans for the site, which can be reviewed during the SDR process. Applicants that have had special reports (such as a wetland assessment or geotechnical analysis) prepared for their site prior to applying can submit these reports for review, which would enable DCD to record reports findings into analysis of the site.

12. Do I need to apply for SDR before I apply for a building permit?

Yes. JCC 18.40.450 states that, “(1) Site development review shall be required prior to land disturbing activity or any development activity; submittal of any permit application, on-site sewage system permit

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application pursuant to chapter 8.15 JCC, land use permit application, or land division permit application, or prior to any process to adjust property boundaries, including condiminimization. (2) Any landowner or their representative who wishes to make application for development shall use the site development review process to determine whether their site is a legal lot of record and buildable. No development application may vest until the site development review is completed.”

13. Do I need apply for SDR before I apply for a septic system permit from Environmental Public Health (EPH) or a road approach permit from the Department of Public Works (DPW)?

Yes. See question 12, above.

14. Do I need LLOR Determination for a lot platted on or after August 11, 1969?

If your lot was lawfully platted on or after August 11, 1969, it is presumed to be a legal lot of record, in which case your SDR will be simplified with respect to LLOR Determination. That said, staff will double-check to make sure the lot was platted lawfully. Furthermore, subsequent activity would affect that status potentially, such as further property division following initial subdivision.

15. Do I need LLOR Determination for an unplatted lot (i.e., “acreage parcels” or “Section-Township-Range” property)?

Yes. Property documentation is required, as outlined above, in order to ensure that lots were created lawfully and that any further activity was consistent with state subdivision law.

16. Do I need SDR for a shed?

This is a case- and site-specific question. Buildings that smaller than 400 sq. ft. may not require a building permit. However, if the shed is proposed to be sited within a critical area or its buffer or within shoreline jurisdiction under the state Shoreline Management Act, SDR would be required.

17. Do I need SDR for a barn?

This is a case- and site-specific question. Some barns on designated Agricultural Lands may not require a building permit. However, if the barn is proposed to be sited within a critical area or its buffer or within shoreline jurisdiction under the state Shoreline Management Act, SDR would be required.

18. Do I need SDR for a deck?

This is a case- and site-specific question. It depends on where the deck is located and whether there is an expanded footprint or increased impervious surface on the site.

19. Do I need SDR or LLOR Determination for converting a garage or shop into a residence?

Yes. The reason is because of the addition of residential development on the site. If there is no expansion of the building footprint and no associated land-disturbing activity, it is possible that SDR would be limited to LLOR Determination.