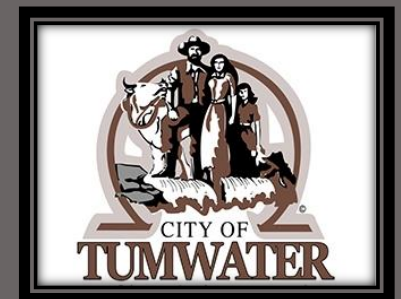


Binding Site Plans

Ordinance No. 02022-004

May 11, 2022

General Government Committee Briefing



Background

- Amendment work approved by City Council as part of the 2022 Long Range Planning Work Program
- A binding site plan provides exact locations and detail for the type of information appropriately addressed as a part of land division, such as infrastructure and other requirements typical of subdivisions

Background

RCW 58.17.035 authorizes binding site plans as an alternative method of land division for:

1. Industrial or commercial uses
2. Manufactured home parks
3. Condominiums

Background

TMC 17.08 *Binding Site Plans*:

1. Section has not been substantially updated since 1996
2. Does not clearly relate to the requirements found elsewhere in Title 17 *Land Division*
3. Does not clearly relate to the requirements for vesting found in Chapter 15.44 *Vesting of Development Rights*

Proposed Amendments

1. Table 14.08.030 (Decision process)

- In response to public comment received at the public hearing on phasing in TMC 17.14.090, added process for phased binding site plan approval to the decision process table
- Approval of binding site plans without phasing would be administrative, but phased binding site plan approval would require Hearing Examiner approval

Proposed Amendments

2. TMC 15.44 *Vesting of Development Rights*:

Added “binding site plan” to sections that specify the type of land division that is vested to clarify how and when binding site plan applications are vested

Proposed Amendments

3. TMC 17.08.010 *Binding site plan*:

- Added language regarding the benefits of binding site plans and their differences from traditional land division processes
- Clarified that binding site plans can be utilized for manufactured home parks
- Also added references to the land division processes addressed in the other portions of TMC Title 17
Land Division

Proposed Amendments

4. TMC 17.14.040 *Review Criteria* (Existing for all land divisions)
 - Public health, safety and general welfare
 - Utilities - water, sewer, stormwater, etc.
 - Infrastructure - Streets, sidewalks, bike lanes, etc.
 - Schools, school grounds, and safe walking conditions
 - Parks and open space
 - Fire protection and other public services
 - Environment - Shoreline areas, flood hazards, etc.

Proposed Amendments

5. TMC 17.14.045 *Review criteria for binding site plans* (Additional new review criteria specific to binding site plans):
- Building envelopes and land uses
 - Parking lot plans
 - Access, roads and utilities
 - Previously approved uses, open space tracts, critical areas and buffers, and utility easements
 - Uses allowed in the underlying zone district
 - Addressing development of an entire lot
 - Adjacent properties and future development

Proposed Amendments

6. TMC 17.14.050 *Administrative consideration*
(Added findings for approval of binding site plans):

- Consistency with the Comprehensive Plan, the Tumwater Development Guide, the Tumwater Municipal Code, and state laws
- A statement that uses approved for the property and the conditions under which they are allowed are binding to the property

Proposed Amendments

7. TMC 17.14.050 *Administrative consideration* (Added findings for approval of binding site plans):

- A statement that a binding site plan may not create new nonconforming uses or structures or increase the nonconformity of existing nonconforming uses or structures
- Added reference to review criteria in TMC 17.14.040

Proposed Amendments

8. TMC 17.14.080 *Duration*:

- “Binding site plan” was added to the section to clarify that it applies to binding site plans
- Like other land divisions, such as plats, short plats, etc., the initial period of approval is for five years and up to three additional one-year extensions are allowed

Proposed Amendments

9. TMC 17.14.090 *Phasing of development*:

- Residential binding site plan phasing allowed there are ten or more residential dwellings consistent with the SEPA exemption threshold for short plats
- Commercial or industrial binding site plans over 20 acres in size are allowed to phase development
- Phased binding site plans require Hearing Examiner approval
- Non-phased binding site plans are administrative approval

Next Steps

City Council Review and Approval Process:

- May 24, 2022 – City Council Worksession
- June 7, 2022 – City Council Consideration