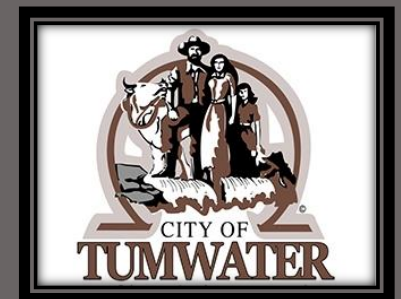


# Binding Site Plans

## Ordinance No. O2022-004

May 24, 2022

City Council Worksession



# 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:

- June 7, 2022 – City Council Consideration