



Planning & Economic Development

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BINDING SITE PLAN

The purpose of a Binding Site Plan (BSP) is to create a process for an alternative method of land division using the binding site plan process pursuant to RCW [58.17.035](#).

LIMITATIONS OF A BINDING SITE PLAN

Division of land using the binding site plan process is limited to:

- A. Divisions for the purpose of sale or lease in the commercial (C) zoning districts, and office commercial industrial (OCI), business park (BP) or light industrial (LI) zoned districts.
- B. Divisions for the purpose of lease when no residential structures other than mobile homes or travel trailers are permitted to be placed on the land.
- C. Divisions of land into lots or tracts made under the provisions of the Horizontal Properties Regimes Act (Chapter [64.32](#) RCW) or the Condominium Act (Chapter [64.34](#) RCW).

DECISION CRITERIA

A proposed BSP may be approved if the following findings are made :

- A. The BSP conforms to the requirements of Title 17.
- B. Conforms to the site requirements for the zoning district in which the property is located and other applicable zoning provisions.
- C. Makes adequate provision for streets, roads, alleys, other public ways, and transit stops as required.
- D. The proposed street system provides for the safe, orderly and efficient circulation of traffic.
- E. Will be adequately served with water, sewer, storm drainage, and other utilities appropriate to the nature of the BSP.
- F. Makes adequate provisions for sidewalks and other planning features that provide safe walking conditions for students who walk to and from school.
- G. Makes adequate provisions for critical area protection.
- H. Serves the public interest and makes appropriate provisions for the public health, safety, and welfare.
- I. For residential proposals: makes adequate provision for parks, recreation and playgrounds, as required and makes adequate provision for schools and school grounds, as required.

FINAL REVIEW REQUIREMENTS

- A. Engineering and construction plans for infrastructure improvements or conditioned improvements shall be prepared, submitted and reviewed for approval by the city engineer prior to the commencement of on-site clearing or construction activities.
- B. Plans and technical information reports required shall be submitted to the city engineer and prepared consistent with the city's construction standards and specifications requirements.
- C. The approved BSP shall be surveyed by a land surveyor per requirements of PMC [17.80.080](#).
- D. All required facilities and improvements shall be completed prior to binding site plan recording, as set forth in PMC [17.80.090](#).
- E. Final survey, drawing and documents prepared for recording shall be submitted to the city engineer for review and approval prior to binding site plan recording.

- F. All documents necessary for facilities to be dedicated to the public, including but not limited to streets, roads, sanitary sewer facilities, storm drainage systems and water supply systems, shall be submitted to the city engineer for review and approval prior to BSP recording.
- G. A final copy of the BSP's covenants, conditions and restrictions (CCRs) shall be submitted to the city for review and approval prior to BSP recording.
- H. If the BSP includes condominiums, pursuant to Chapter [64.32](#) or [64.34](#) RCW, the following statement must be included on the face of the binding site plan: "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 city 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 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 and hereafter having any interest in the land described herein."
- I. A declaration is required on the face of the BSP and in the CCRs stating the following: "All development of the property shall be in conformity with the approved binding site plan and any existing or subsequent applicable permit approval. All provisions, conditions, and requirements of the binding site plan shall be legally enforceable on the purchaser or any person acquiring a lease or other ownership interest of any lot, parcel, or tract that does not conform to the requirements of the binding site plan approval, shall be considered a violation."

REVIEW AUTHORITY AND PROCESS

- A. Before filing a BSP application, the applicant is required to schedule a pre-application conference. Pre-app conferences are intended to acquaint City staff and other agencies with a proposed development and to generally advise the applicant of applicable regulations and policies impacting the proposal. See the [Pre-Application Conference Handout](#) and [Application](#) for more information.
- B. PRD's are processed as [Type II](#) applications according to the provisions of [Title 19](#).
- C. BSP application submittal requirements are listed in [PMC 17.50.040](#).
- D. Application fees are collected per [Resolution 2017-03](#).
- E. The review authority reviews the proposed PRD per the criteria in [PMC 17.50.050](#).
- F. The applicant or any interested person may appeal the decision of the review authority as set forth in [Title 19](#).
- G. BSP approval shall expire 3 years from the date of the notice of decision if the BSP has not been recorded . An extension of time up to but not exceeding 1 year may be granted per [PMC 17.50.090 B](#).

Disclaimer: this handout should not be used as a substitute for codes and regulations. The applicant/property owner is responsible for compliance with all code and rule requirements, whether or not described here. Please see the City of Poulsbo Municipal Code for complete text and requirements.

