



Request for City Council Action

MEETING DATE: November 13, 2007, 7:00 p.m.
SUBJECT: Ordinance# 07-2680 – Amending BMC 17.07 (Site Plan Review)
PROPONENT: City of Blaine
AGENT: N/A

SUBMITTING DEPARTMENT: Community Development Services
PREPARED BY: Tom Black, AICP, Development Manager

☐ Comments/Communications ☐ Consent ☐ Committee Reports ☐ Unfinished Business
☐ New Business ☐ Public Hearing ☒ Council Action Item

ATTACHMENTS:

Exhibit 1: draft Ordinance# 07-2680
Exhibit 2: Planning Commission Recommendation to City Council
Exhibit 3: Staff Report to Planning Commission
Exhibit 4: Current BMC 17.07
Exhibit 5: Revised BMC 17.07

NOTE: The materials that constitute the official record are on file with CDS

I. ANALYSIS / SUMMARY OF PROJECT PROPOSAL

In response to solicited feedback from the development community, the Community Development Services Department and Public Works Department have taken several steps over the last few to strengthen the city's permit review process. Central to that effort is a new emphasis on the use of the Site Plan Review process as the "coordinating" mechanism by which the various city permits and approvals may be pulled together in an understandable and cost-effective manner.

The BMC currently includes Chapter 17.07 (Site Plan and Compliance Review), but the mechanics of the process described in that old code section is not consistent with the "improved" process developed by staff over the last few months. Consequently, there is a need to replace the old BMC Chapter 17.07 with a new Chapter that reflects the recent restructuring of the Site Plan Review process. Proposed Ordinance 07-2680 would rescind the current BMC Chapter 17.07, and replace it in its entirety.

II. RECOMMENDATION

Following the public hearing and Planning Commission discussion of the proposed amendment, it was moved and seconded to recommend to the City Council that Ordinance #07-2680 be **APPROVED**.

The Commission's recommendation is based on the Findings of Fact contained in the attached Planning Commission Recommendation to the City Council.

III. FISCAL ANALYSIS:

The proposed amendment is administrative in nature, aimed at improving the efficiency of the Site Plan review process. As such, no fiscal impacts, except perhaps beneficial ones, are anticipated.

REVIEWED BY:

City Manager _____
(Digital Signature)

Finance Director _____
(Digital Signature)

City Clerk _____
(Digital Signature)

COUNCIL ACTION: Approved ☐, Denied ☐, Tabled / Deferred ☐,

ORDINANCE NO. 07-2680

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON, PROVIDING FOR AN AMENDMENT TO CHAPTER 17.07 OF THE BLAINE MUNICIPAL CODE REVISING THE ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS FOR SITE PLAN REVIEW.

WHEREAS, at the direction of the City Council, the Community Development Services Department and Public Works Department have taken several steps over the last several months to improve and strengthen the city's permit review process; and

WHEREAS, one of those improvements is an emphasis on the use of the Site Plan Review process as the coordinating mechanism by which the various city permits and approvals may be pulled together in an understandable and cost-effective manner; and

WHEREAS, the mechanics of the improved Site Plan review process is inconsistent with the current language of BMC Chapter 17.07, Site Plan and Compliance Review; and

WHEREAS, it is necessary to revise the language of BMC 17.07 to be consistent with the improved Site Plan Review process; and

WHEREAS on _____, after posting legal notice, and publication of legal notice in a newspaper of general circulation on _____, the City Council reviewed the recommendations of the Planning Commission and considered public testimony and related information; and

WHEREAS on November 13, 2007, during a public meeting, the City Council voted to approve the amendment to the City Code as set forth herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON DOES HEREBY ORDAIN TO AMEND CHAPTER 17.07 OF THE BLAINE MUNICIPAL CODE BY DELETING IN ITS ENTIRETY THE CURRENT LANGUAGE AND REPLACING IT WITH THAT SET FORTH HEREIN.

SECTION 1: The current language of Chapter 17.07 of the Blaine Municipal Code is replaced with the following:

**Chapter 17.07
SITE PLAN REVIEW**

17.07.010 Intent

17.07.020 Applicability

17.07.030 Contents of Complete Site Plan Review Application

17.07.040 Site Plan Review and Approval Procedures

17.07.050 Amendments to an Approved Site Plan

17.07.060 Expiration of an Approved Site Plan

17.07.070 Fees

17.07.080 Other Permits and Approvals

17.07.010 Intent

The intent of this chapter is to provide a mechanism for evaluating proposed land use activities and construction projects in the City which requires a minimum of up-front expenditure on the part of the applicant. The review utilizes a basic site plan, basic floor plan, and basic exterior elevations submitted by the applicant to determine compliance with City zoning and other development policies and regulations, as well as identify public improvements that may be required. The Site Plan Review process is designed to coordinate and communicate the various requirements of the City to the applicant in a consolidated manner, and provide the applicant with guidance in the preparation of more detailed civil or building construction drawings.

17.07.020 Applicability.

- A. Site Plan Review is a Type I Administrative Decision, and is required in addition to any other permit review and approvals required by the City or other agencies. However, Site Plan Review shall be conducted, to the extent possible, concurrently with any permit and environmental review process required by City code.
- B. Site Plan Review and approval under this chapter shall be required prior to the use of land for commercial, multi-family residential, industrial, or public purpose, including associated activities or structures.
- C. Site Plan Review, as provided for in this Chapter, is required for new construction, substantial improvements to existing buildings, and changes in use which increase associated requirements such as parking.
- D. Based on the type of land use and/or the scale and complexity of the proposed project, the Director may, at his/her discretion, waive the requirement for Site Plan Review or waive one or more of the required elements of a complete application as described in BMC 17.07.030.
- E. Site Plan Review, as provided for in this Chapter, is not required for the following:
 - 1. One and two-family residences.
 - 2. Alterations, additions or remodels of one and two-family residences.
 - 3. Shops, garages, sheds, decks, porches or similar structures intended to serve single family residences.
 - 4. Manufactured Homes.
 - 5. Signs.
 - 6. Plats, Short Plats, Binding Site Plans, and Boundary Line Adjustments, except when such land division is associated with a land use which requires Site Plan Review.
 - 7. Other minor land use or construction activity, as determined by the Community Development Director.
- F. The Site Plan Review process, as provided for in this Chapter, may be required by the Community Development Director to effect detailed review of development applications that may have been previously approved at a conceptual level, such as Planned Unit Developments or Conditional Use Permits.

17.07.030 Contents of Complete Site Plan Review Application

Site Plan Review Application forms shall be provided by the Community Development Services Department. Site Plan Review shall commence upon submittal of a complete Site Plan Review Application, together with accompanying documents and plans as follows:

- A. Legal Description and Parcel Map
 - 1. Title report or equivalent document as determined by the Community Development Director that contains a complete legal description of the property, descriptions of any easements or other encumbrances that may impact the development or use of the property, and a map of the parcel showing accurate property dimensions and configuration.
 - 2. The completeness and accuracy of this information is the responsibility of the applicant.
- B. Site Plan
 - 1. Applicant name and property address.
 - 2. A project summary box including, at a minimum, the following information: legal description; assessor's parcel number(s); site address; city zoning ; site area; lot coverage; building gross floor area; square footage of activity areas by use; number of parking spaces; and impermeable surface area.
 - 3. Vicinity map, north arrow, and scale indicated.
 - 4. Property lines with corners and dimensions shown.
 - 5. Easements and rights-of-way.
 - 6. Existing and/or proposed frontage improvements.
 - 7. Existing and/or proposed utilities, including stormwater facilities.
 - 8. Existing buildings and structures, including structures on adjacent lots within 10 feet of the property line.
 - 9. Proposed structures including setbacks from property lines.
 - 10. Existing and/or proposed ingress and egress, including dimensions of driveways and curbcuts.
 - 11. Existing and/or proposed parking and loading areas including number of spaces (including handicap spaces), dimensions of spaces, aisle widths, etc.
 - 12. Other existing and/or proposed physical improvements on the site such as fences, signs, area lighting, landscaping, etc.
 - 13. Natural features such as significant stands of trees, streams, wetlands, steep slopes, etc.
 - 14. If the site is not basically level, a concept plan showing topography and proposed grading.
 - 15. Phasing plan, if applicable.
 - 16. Design Review information pursuant to BMC 17.06.A, 17.120, and 17.121, if applicable.
- C. Floor Plan
 - 1. Exterior dimensions.
 - 2. Dimensions and square footages of identified use areas by type.
 - 3. Location of doors and windows.
 - 4. Interior walls and partitions.

- D. Exterior Elevations
 - 1. Building height.
 - 2. Location of doors and windows.
 - 3. Basic materials of construction.
 - 4. If the site is not basically level, a representation of how the building relates to the terrain in cross-sectional view, including proposed use of graded pad, retaining walls, stem walls, etc.
- E. SEPA Environmental Checklist if the project is subject to SEPA review.

17.07.040 Site Plan Review and Approval Procedures

The Site Plan, once approved, establishes the spatial relationships between all the various elements of a development project. As such, all subsequent plans, whether they be landscape plans, civil construction drawings, or building plans must be consistent with the approved Site Plan. For this reason, while associated construction drawings may be submitted concurrently with a Site Plan Review Application, they are generally not reviewed prior to approval of the Site Plan. The Site Plan review and approval procedures include:

- A. Submittal of a complete Site Plan Review Application consistent with the provisions of BMC 17.07.030.
- B. All Site Plan Review Applications shall be submitted concurrently with or prior to the submittal of Building Permit or Land Disturbance Permit Applications. Site Plan Review shall be coordinated with the review of associated development applications to the extent practicable.
- C. Following the submittal of a complete Site Plan Review Application the Technical Review Committee shall place the application on the next available agenda for review by the Committee. The TRC shall review the application for compliance with City zoning, environmental review requirements, and development policies, plans, and regulations that may be applicable to the proposed project.
- D. The TRC may conduct pre-application review upon request. Such pre-application requests shall be submitted on forms provided by the Community Development Services Department, and scheduled for review in the same manner as complete Site Plan Review Applications.
- E. Following each TRC meeting, minutes shall be prepared by the City which summarize the meeting content. Minutes shall be provided to applicants upon request, and are meant to augment and not replace the applicant's responsibility for taking notes or otherwise recording the information provided by the TRC during the meeting.
- F. For complete Site Plan Review Applications, the comments and requirements of the TRC relative to the proposed project shall be itemized in a Site Plan Review Response letter which shall be mailed to the applicant, and shall indicate any revisions or additions to the Site Plan that are necessary in order to achieve compliance with City standards and requirements. In addition, the Site Plan Review Response letter shall clearly indicate which conditions of approval must be completed prior to issuance of Building Permits, and which conditions of approval must be completed prior to issuance of occupancy certificates.
- G. The applicant shall make any required revisions or additions to the Site Plan and

return it to the Community Development Services Department for final approval and stamping.

- H. The Community Development Director shall approve the Site Plan when it is determined that the plan is consistent with the Blaine Comprehensive Plan, zoning, and development regulations. The Director shall distribute stamped approved copies of the Site Plan to the applicant, Public Works Department, Building Division, Fire District, and other persons, departments, or agencies as appropriate.
- I. No final certificate of occupancy shall be issued for any building until such time as all required conditions of approval have been completed, except that temporary certificates of occupancy may be issued upon the posting of a bond or other suitable financial surety adequate to ensure the completion of all required conditions of approval.

17.07.050 Amendments to an Approved Site Plan

All amendments to an approved Site Plan shall be processed in the same manner as identified in 17.07.040, except that, depending on the extent or complexity of the amendments, the Community Development Director may waive one or more elements of the procedures identified in 17.07.040. Upon approval and stamping of an amended Site Plan, the Community Development Director shall distribute the amended Site Plan in the same manner as identified in BMC 17.07.040(H).

17.07.060 Expiration of an Approved Site Plan

- A. An approved Site Plan shall be valid for one-year from the date of approval, after which it shall expire and be considered null and void, provided that:
 - 1. The approved Site Plan may be extended once for an additional period not to exceed one-year upon written request of the applicant which includes the reasons for the requested extension. The written request shall be submitted to the Community Development Director and postmarked prior to the date of the expiration of the approved Site Plan in order to be considered. The Director shall grant such requests only upon a showing by the applicant that he is likely to resolve outstanding issues which have precluded initiation of the project by the submittal of a Building Permit Application.
 - 2. If a complete Building Permit Application for the proposed project is submitted within one-year of the date of approval of the approved Site Plan, or the expiration date as approved under 17.07.060(A)(1) above, the approved Site Plan shall expire on the same date as the Building Permit expires, if that should occur.

17.07.070 Fees

The fee for Site Plan Review shall be as provided in the City's fee ordinance. Any and all additional costs associated with the review of the application, including city costs associated with retaining consultants to provide third-party review of the application, shall be paid by the applicant prior to the time the cost is incurred. The Community Development Director may require the applicant to deposit funds with the City to be used to pay for necessary third-party review.

17.07.080 Other Permits and Approvals

Nothing in this chapter shall preclude or eliminate the need to obtain other permits or pay fees in accordance with any other requirements identified in this code

SECTION 2: Severability. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3: Effective Date. This Ordinance shall be in force from and after passage by the City Council and approval by the Mayor, if approved, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON on
The _____ day of _____, 2007, and approved by the Mayor on the same day.

CITY OF BLAINE, WASHINGTON

Mike Myers
Mayor

ATTEST/AUTHENTICATE:

Sheri Sanchez
City Clerk

APPROVED AS TO FORM:

Jonathan Sitkin
City Attorney



Community Development Services

344 H Street, Blaine, WA 98230 Phone: (360) 332-8311 Fax: (360) 543-9978

Planning Commission Recommendation to City Council

Ordinance No. 07-2680

Adopting Revised Language for BMC 17.07 (Site Plan Review)

- I. OVERVIEW OF PROPOSAL
- II. PROCESS AND PROCEDURE
- III. RECOMMENDATION

I. OVERVIEW OF PROPOSAL

In response to solicited feedback from the development community, the Community Development Services Department and Public Works Department have taken several steps over the last few to strengthen the city's permit review process. Central to that effort is a new emphasis on the use of the Site Plan Review process as the "coordinating" mechanism by which the various city permits and approvals may be pulled together in an understandable and cost-effective manner.

The BMC currently includes Chapter 17.07 (Site Plan and Compliance Review), but the mechanics of the process described in that old code section is not consistent with the "improved" process developed by staff over the last few months. Consequently, there is a need to replace the old BMC Chapter 17.07 with a new Chapter that reflects the recent restructuring of the Site Plan Review process. Proposed Ordinance 07-2680 would rescind the current BMC Chapter 17.07, and replace it in its entirety.

II. PROCESS AND PROCEDURE

All administrative, procedural and notification requirements under Title 17 have been met. A SEPA Determination of Non-Significance was issued on September, 24, 2007, and Notice of Public Hearing was published and posted on September 26, 2007. A public hearing was conducted by the Planning Commission on October 11, 2007.

III. RECOMMENDATION

Following the public hearing and Planning Commission discussion of the proposed amendment, it was moved and seconded to recommend to the City Council that Ordinance #07-2680 be **APPROVED** based on the Findings of Fact and conclusion included below.

Findings of Fact

1. The City has complied with all administrative and notification requirements.
2. The Site Plan Review process described in BMC Chapter 17.07 is out-of-date and inconsistent with recent restructuring of the process.
3. It is essential to have administrative provisions of the BMC consistent with the actual mechanics of the administrative processes they describe.
4. The proposed Ordinance 07-2680 will bring the language of Chapter 17.07 into alignment with the recently revised mechanics of the City's Site Plan Review process.
5. The proposed Ordinance 07-2680 will formally implement recent improvements to the City's permit review system and is, therefore, in the best interest of the community.
6. The Municipal Code and Comprehensive Plan designate the Planning Commission to review and develop appropriate revisions to Title 17 of the BMC.

Conclusion

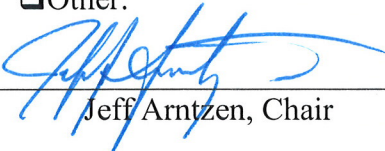
The proposed Ordinance 07-2680 will revise Chapter 17.07 to make the language of the Chapter consistent with recent improvements in the mechanics of the City's Site Plan Review process. As such, Ordinance 07-2680 is necessary and appropriate.

PLANNING COMMISSION ACTION:

Approved ☒ Denied ☐ Tabled/Deferred

Assigned ☐ Other:

Signed:


Jeff Arntzen, Chair

10-25-07
Date

CITY OF BLAINE
REQUEST FOR PLANNING COMMISSION ACTION
MEETING DATE: October 11, 2007

SUBJECT: Ordinance No. 07-2680 Adopting revised language for BMC 17.07, Site Plan Review, and rescinding the current BMC 17.07 in its entirety.

PROPONENTS: City of Blaine

SUBMITTING DEPT: Community Development Services Department

PREPARED BY: Tom Black, AICP, Development Manager

AGENDA LOCATION: Comments/Communications ☐ Consent ☐ Committee Reports ☐
Unfinished business ☐ New business ☐ Public Hearings ☐ Standing Committees ☐

ATTACHMENTS:

1. Attachment A – Rewritten BMC 17.07
 2. Attachment B – Current BMC 17.07
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BACKGROUND & SUMMARY

In response to solicited feedback from the development community, the Community Development Services Department and Public Works Department have taken several steps over the last few to strengthen the city's permit review process. Central to that effort is a new emphasis on the use of the Site Plan Review process as the "coordinating" mechanism by which the various city permits and approvals may be pulled together in an understandable and cost-effective manner.

The BMC currently includes Chapter 17.07 (Site Plan and Compliance Review), but the mechanics of the process described in that old code section is not consistent with the "improved" process developed by staff over the last few months. Consequently, there is a need to replace the old BMC Chapter 17.07 with a new Chapter that reflects the recent restructuring of the Site Plan Review process. Proposed Ordinance 07-2680 would rescind the current BMC Chapter 17.07, and replace it in its entirety.

PROCEDURAL REQUIREMENTS

All administrative, procedural and notification requirements under Title 17 have been met. A SEPA Determination of Non-Significance was issued on September, 24, 2007, and Notice of Public Hearing was published and posted on September 26, 2007.

ANALYSIS & RATIONALE FOR PROPOSED AMENDMENTS

The Community Development Services Department recently participated in two workshops to gain input and feedback from the development community as to ways in which the City's permitting process might be improved. What quickly becomes obvious from listening to the development community is that it is important for the permit process to be structured in such a way that it allows an applicant to:

- ✓ Receive as much information as possible,
- ✓ Receive the information as early in the process as possible, and
- ✓ Receive the information at the lowest cost possible.

In response to these concerns, staff has identified the Site Plan Review process as the best mechanism to pull together the variety of permits and approvals that are involved with most development projects.

This administrative improvement has several advantages. First, it allows an applicant to accomplish the lion's share of compliance review by submitting fairly simple and relatively inexpensive plans. With the information provided by this Site Plan review, an applicant will be able to make informed decisions about whether to continue with or revise the project. In addition, when a Site Plan is approved, it becomes the "template" from which the more detailed (*and more expensive*) civil construction drawings and building construction plans are developed.

Making the Site Plan review the "hub" of the permit review process is necessary for the successful coordination of the other two major permit elements, namely *land disturbance*, and *building construction*. This organizational refocusing has already improved to a great extent, the mechanics of staff-to-staff and staff-to-applicant communication. In using this new approach over the last few months, the process has been refined and strengthened, and as a result has greatly improved the clarity of the overall permitting process, increased the opportunities for staff to coordinate, and greatly improved the predictability of the process for the applicant.

Now that a process has been tried and tested, it is time to formalize the restructured Site Plan Review process in the Municipal Code. The BMC already contains a Chapter that establishes and describes a site plan and compliance review process. However, the mechanics of the process described in the current code section is inconsistent with the newly developed procedures, and needs to be revised accordingly. Because of the extent of the necessary modifications, the chapter has been rewritten in its entirety rather than simply revised.

FINDINGS OF FACT

1. The City has complied with all administrative and notification requirements.
2. The Site Plan Review process described in BMC Chapter 17.07 is out-of-date and inconsistent with recent restructuring of the process.
3. It is essential to have administrative provisions of the BMC consistent with the actual mechanics of the administrative processes they describe.
4. The proposed Ordinance 07-2680 will bring the language of Chapter 17.07 into alignment with the recently revised mechanics of the City's Site Plan Review process.
5. The proposed Ordinance 07-2680 will formally implement recent improvements to the City's permit review system and is, therefore, in the best interest of the community.
6. The Municipal Code and Comprehensive Plan designate the Planning Commission to review and develop appropriate revisions to Title 17 of the BMC.

CONCLUSIONS: The proposed Ordinance 07-2680 will revise Chapter 17.07 to make the language of the Chapter consistent with recent improvements in the mechanics of the City's Site Plan Review process. As such, Ordinance 07-2680 is necessary and appropriate.

RECOMMENDATION: Staff recommends that the Planning Commission forward a recommendation of APPROVAL to the City Council for their consideration.

FISCAL ANALYSIS: The proposed amendments to BMC 17.07 are administrative in nature and will have no fiscal impact on the City.

PLANNING COMMISSION ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to: _____

☐ Other: _____

Chapter 17.07

SITE PLAN AND COMPLIANCE REVIEW

Sections:

[17.07.010](#) Intent.

[17.07.020](#) Applicability.

[17.07.030](#) Contents of a complete submittal.

[17.07.040](#) Site plan and compliance review procedure.

[17.07.050](#) Criteria for site plan approval.

[17.07.060](#) Amendments to a site plan.

[17.07.070](#) Vesting for an approved site plan.

17.07.010 Intent.

Site plan and compliance review is intended to ensure consistent and coordinated application, compliance with, and implementation of Blaine's codes, regulations, policies, design standards and other regulatory devices that affect land development for proposed development projects. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

17.07.020 Applicability.

A. Site plan and compliance review and approval shall be required prior to the use of land for the location of any new or expanded commercial, industrial or public building and associated activities and/or improvements and for the location of any building in which five or more dwelling units will be contained.

B. A site plan and compliance review under this chapter is not required as part of subdivision, short plat, binding site plan or planned unit development review.

C. A site plan and compliance review is required in addition to any other permit review and approvals required by other city codes. However, site plan and compliance review may be processed, to the extent possible, concurrently with any permit and environmental review process required in the city's code.

D. Based on the type of land use and/or the scale and complexity of the proposed project, the director may, in his/her discretion, waive the requirement for a site plan and compliance review or waive one or more of the required contents of a complete application as described in BMC [17.07.030](#) if information obtained would not be relevant or helpful to an informed decision. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

17.07.030 Contents of a complete submittal.

A. A complete submittal for site plan and compliance review shall include the following components:

1. A completed and signed application(s), as well as associated submittal requirements.

2. A vicinity map, showing sufficient detail to clearly locate the project in relation to streets, intersections, natural features and other prominent landmarks.

3. A site plan that shall contain the following information:

a. A topographic map based upon a site survey delineating contours, existing and proposed, at no less than five-foot intervals, and which locates the ordinary high-water mark, existing streams, wetlands and other critical environmental areas, such as unstable/steep slopes, floodplains and marine shorelines;

b. The location of all existing and proposed structures including, but not limited to, buildings, fences, landscaped areas, culverts, in-ground or aboveground storage tanks, pedestrian walkways and areas, bikeways, bridges, roads and streets on the subject property and setback lines;

c. All existing and proposed easements;

d. All areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use or for open space;

e. The locations of all existing and proposed major utility structures and lines, including fire hydrants. All proposed utility systems should be designed to meet the standards as articulated in the city's "Development Guidelines and Public Works Standards";

f. The stormwater drainage systems for existing and proposed structures and impervious surfaces.

4. A parking plan, according to the provisions and standards of Chapter 17.124 BMC.

5. A landscape plan, according to the provisions and standards of Chapter 17.126 BMC. If the subject property is included in the Resort Semiahmoo Master Development Plan, the landscaping standards articulated in this plan shall apply.

6. A land disturbance plan, according to the provisions and standards of Chapter 17.84 BMC.

7. A stormwater pollution prevention plan pursuant to the current edition of the Washington State Department of Ecology, Stormwater Management Manual for Western Washington.

8. A sign plan, according to the provisions and standards of Chapter 17.122 BMC, where applicable.

9. A design review submission, according to the provisions and standards of Chapters 17.06A and 17.120 BMC, where applicable.

10. A completed and signed SEPA environmental checklist, where applicable.

11. Application fees as specified in the city's most current unified fee schedule.

B. The director may require the applicant to submit additional information or material which he/she finds is necessary for the site plan and compliance review. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

17.07.040 Site plan and compliance review procedure.

A. Preliminary site plan and compliance review shall consist of a review of the application materials as delineated in BMC 17.07.030. The director shall coordinate the review of the application materials and shall approve, approve with conditions, request revisions, request additional information, or deny approval of the proposed preliminary site plan.

B. The review of building permit(s) for the subject property can be done concurrently with the preliminary site plan and compliance review, when not associated with design

review requirements. If design review is required, then the building permit would not be issued until such review is complete and approved.

C. If the director grants approval of the preliminary site plan, and any other permits and/or approvals, where applicable, are obtained by the applicant, implementation of the preliminary site plan, as well as the issuance of building permits, can commence.

D. The director may approve the preliminary site plan in phases if the applicant garners approval of a phasing plan. The phasing plan shall include:

1. Timetables indicating the anticipated time between initial site clearing, grading and development and the completion of construction improvements of each phase, including site stabilization and coordination of necessary minimum improvements of each specific phase;

2. The extent of improvements with each anticipated phase of development; and

3. Assurance of necessary supporting improvements and any necessary mitigation through bonding.

E. Approval of a preliminary site plan shall be effective for a period not to exceed five years. For those site plans where the applicant also filed and received approval for a phasing plan, the effective period of approval extends to length of the phasing plan.

F. Final site plan and compliance review shall be conducted prior to the issuance of occupancy permits for building(s) associated with the development project and/or use of improvements approved with the preliminary site plan. The director shall grant approval of the final site plan; provided, that the improvements to the site are consistent with the approved preliminary site plan.

G. If the implementation of the preliminary site plan was done in phases, then approvals would be garnered by the applicant based on the phasing plan. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

17.07.050 Criteria for site plan approval.

Approval of a site plan shall be granted when it is determined that the proposed project is consistent with Blaine's comprehensive plan, is permitted within the subject zoning designation and complies with all of the applicable provisions of this title and all other applicable regulations, including prescribed development/performance standards and all applicable development standards and design guidelines. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

17.07.060 Amendments to a site plan.

All amendments to an approved site plan shall be processed in the same manner as the review procedure in BMC 17.07.040. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

17.07.070 Vesting for an approved site plan.

A. Upon making a determination of complete application, the applicant shall be vested as to zoning requirements and requirements of this chapter; provided, that this is not to be construed as a limitation on the authority to impose conditions as part of any other city, state or federal approval or permit needed for the proposal.

B. Upon approval of the preliminary site plan, the applicant shall be vested as to the general layout, including building location, size and shape of open space, pedestrian and traffic circulation patterns, design and construction standards for streets and

utilities. However, the applicant shall not be vested as to building construction and permits required under Chapters 15.04 and 15.08 BMC.

C. When design review is required for a development project, vesting shall not take place until necessary approvals are acquired by the applicant for design review and site plan and compliance review. (Ord. 2600 § 5, 2005; Ord. 2575 § 3, 2004)

Chapter 17.07 SITE PLAN REVIEW

17.07.010 Intent

17.07.020 Applicability

17.07.030 Contents of Complete Site Plan Review Application

17.07.040 Site Plan Review and Approval Procedures

17.07.050 Amendments to an Approved Site Plan

17.07.060 Expiration of an Approved Site Plan

17.07.070 Fees

17.07.080 Other Permits and Approvals

17.07.010 Intent

The intent of this chapter is to provide a mechanism for evaluating proposed land use activities and construction projects in the City which requires a minimum of up-front expenditure on the part of the applicant. The review utilizes a basic site plan, basic floor plan, and basic exterior elevations submitted by the applicant to determine compliance with City zoning and other development policies and regulations, as well as identify public improvements that may be required. The Site Plan Review process is designed to coordinate and communicate the various requirements of the City to the applicant in a consolidated manner, and provide the applicant with guidance in the preparation of more detailed civil or building construction drawings.

17.07.020 Applicability.

- A. Site Plan Review is a Type I Administrative Decision, and is required in addition to any other permit review and approvals required by the City or other agencies. However, Site Plan Review shall be conducted, to the extent possible, concurrently with any permit and environmental review process required by City code.
- B. Site Plan Review and approval under this chapter shall be required prior to the use of land for commercial, multi-family residential, industrial, or public purpose, including associated activities or structures.
- C. Site Plan Review, as provided for in this Chapter, is required for new construction, substantial improvements to existing buildings, and changes in use which increase associated requirements such as parking.
- D. Based on the type of land use and/or the scale and complexity of the proposed project, the Director may, at his/her discretion, waive the requirement for Site Plan Review or waive one or more of the required elements of a complete application as described in BMC 17.07.030.
- E. Site Plan Review, as provided for in this Chapter, is not required for the following:
 - 1. One and two-family residences.
 - 2. Alterations, additions or remodels of one and two-family residences.
 - 3. Shops, garages, sheds, decks, porches or similar structures intended to serve single family residences.
 - 4. Manufactured Homes.
 - 5. Signs.

6. Plats, Short Plats, Binding Site Plans, and Boundary Line Adjustments, except when such land division is associated with a land use which requires Site Plan Review.
 7. Other minor land use or construction activity, as determined by the Community Development Director.
- F. The Site Plan Review process, as provided for in this Chapter, may be required by the Community Development Director to effect detailed review of development applications that may have been previously approved at a conceptual level, such as Planned Unit Developments or Conditional Use Permits.

17.07.030 Contents of Complete Site Plan Review Application

Site Plan Review Application forms shall be provided by the Community Development Services Department. Site Plan Review shall commence upon submittal of a complete Site Plan Review Application, together with accompanying documents and plans as follows:

- A. Legal Description and Parcel Map
 1. Title report or equivalent document as determined by the Community Development Director that contains a complete legal description of the property, descriptions of any easements or other encumbrances that may impact the development or use of the property, and a map of the parcel showing accurate property dimensions and configuration.
 2. The completeness and accuracy of this information is the responsibility of the applicant.
- B. Site Plan
 1. Applicant name and property address.
 2. A project summary box including, at a minimum, the following information: legal description; assessor's parcel number(s); site address; city zoning ; site area; lot coverage; building gross floor area; square footage of activity areas by use; number of parking spaces; and impermeable surface area.
 3. Vicinity map, north arrow, and scale indicated.
 4. Property lines with corners and dimensions shown.
 5. Easements and rights-of-way.
 6. Existing and/or proposed frontage improvements.
 7. Existing and/or proposed utilities, including stormwater facilities.
 8. Existing buildings and structures, including structures on adjacent lots within 10 feet of the property line.
 9. Proposed structures including setbacks from property lines.
 10. Existing and/or proposed ingress and egress, including dimensions of driveways and curbcuts.
 11. Existing and/or proposed parking and loading areas including number of spaces (including handicap spaces), dimensions of spaces, aisle widths, etc.
 12. Other existing and/or proposed physical improvements on the site such as fences, signs, area lighting, landscaping, etc.
 13. Natural features such as significant stands of trees, streams, wetlands, steep slopes, etc.
 14. If the site is not basically level, a concept plan showing topography and proposed grading.

15. Phasing plan, if applicable.
 16. Design Review information pursuant to BMC 17.06.A, 17.120, and 17.121, if applicable.
- C. Floor Plan
1. Exterior dimensions.
 2. Dimensions and square footages of identified use areas by type.
 3. Location of doors and windows.
 4. Interior walls and partitions.
- D. Exterior Elevations
1. Building height.
 2. Location of doors and windows.
 3. Basic materials of construction.
 4. If the site is not basically level, a representation of how the building relates to the terrain in cross-sectional view, including proposed use of graded pad, retaining walls, stem walls, etc.
- E. SEPA Environmental Checklist if the project is subject to SEPA review.

17.07.040 Site Plan Review and Approval Procedures

The Site Plan, once approved, establishes the spatial relationships between all the various elements of a development project. As such, all subsequent plans, whether they be landscape plans, civil construction drawings, or building plans must be consistent with the approved Site Plan. For this reason, while associated construction drawings may be submitted concurrently with a Site Plan Review Application, they are generally not reviewed prior to approval of the Site Plan. The Site Plan review and approval procedures include:

- A. Submittal of a complete Site Plan Review Application consistent with the provisions of BMC 17.07.030.
- B. All Site Plan Review Applications shall be submitted concurrently with or prior to the submittal of Building Permit or Land Disturbance Permit Applications. Site Plan Review shall be coordinated with the review of associated development applications to the extent practicable.
- C. Following the submittal of a complete Site Plan Review Application the Technical Review Committee shall place the application on the next available agenda for review by the Committee. The TRC shall review the application for compliance with City zoning, environmental review requirements, and development policies, plans, and regulations that may be applicable to the proposed project.
- D. The TRC may conduct pre-application review upon request. Such pre-application requests shall be submitted on forms provided by the Community Development Services Department, and scheduled for review in the same manner as complete Site Plan Review Applications.
- E. Following each TRC meeting, minutes shall be prepared by the City which summarize the meeting content. Minutes shall be provided to applicants upon request, and are meant to augment and not replace the applicant's responsibility for taking notes or otherwise recording the information provided by the TRC during the meeting.
- F. For complete Site Plan Review Applications, the comments and requirements of the TRC

relative to the proposed project shall be itemized in a Site Plan Review Response letter which shall be mailed to the applicant, and shall indicate any revisions or additions to the Site Plan that are necessary in order to achieve compliance with City standards and requirements. In addition, the Site Plan Review Response letter shall clearly indicate which conditions of approval must be completed prior to issuance of Building Permits, and which conditions of approval must be completed prior to issuance of occupancy certificates.

- G. The applicant shall make any required revisions or additions to the Site Plan and return it to the Community Development Services Department for final approval and stamping.
- H. The Community Development Director shall approve the Site Plan when it is determined that the plan is consistent with the Blaine Comprehensive Plan, zoning, and development regulations. The Director shall distribute stamped approved copies of the Site Plan to the applicant, Public Works Department, Building Division, Fire District, and other persons, departments, or agencies as appropriate.
- I. No final certificate of occupancy shall be issued for any building until such time as all required conditions of approval have been completed, except that temporary certificates of occupancy may be issued upon the posting of a bond or other suitable financial surety adequate to ensure the completion of all required conditions of approval.

17.07.050 Amendments to an Approved Site Plan

All amendments to an approved Site Plan shall be processed in the same manner as identified in 17.07.040, except that, depending on the extent or complexity of the amendments, the Community Development Director may waive one or more elements of the procedures identified in 17.07.040. Upon approval and stamping of an amended Site Plan, the Community Development Director shall distribute the amended Site Plan in the same manner as identified in BMC 17.07.040(H).

17.07.060 Expiration of an Approved Site Plan

- A. An approved Site Plan shall be valid for one-year from the date of approval, after which it shall expire and be considered null and void, provided that:
 - 1. The approved Site Plan may be extended once for an additional period not to exceed one-year upon written request of the applicant which includes the reasons for the requested extension. The written request shall be submitted to the Community Development Director and postmarked prior to the date of the expiration of the approved Site Plan in order to be considered. The Director shall grant such requests only upon a showing by the applicant that he is likely to resolve outstanding issues which have precluded initiation of the project by the submittal of a Building Permit Application.
 - 2. If a complete Building Permit Application for the proposed project is submitted within one-year of the date of approval of the approved Site Plan, or the expiration date as approved under 17.07.060(A)(1) above, the approved Site Plan shall expire on the same date as the Building Permit expires, if that should occur.

17.07.070 Fees

The fee for Site Plan Review shall be as provided in the City's fee ordinance. Any and all

additional costs associated with the review of the application, including city costs associated with retaining consultants to provide third-party review of the application, shall be paid by the applicant prior to the time the cost is incurred. The Community Development Director may require the applicant to deposit funds with the City to be used to pay for necessary third-party review.

17.07.080 Other Permits and Approvals

Nothing in this chapter shall preclude or eliminate the need to obtain other permits or pay fees in accordance with any other requirements identified in this code