



FOLLOWING IS THE PREVIOUS VERSION OF

TITLE 17

SUBDIVISIONS AND PLATS

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*A Codifiable Ordinance is a law or rule adopted by the Tukwila City Council. An example of Non-codifiable Ordinances would be an ordinance relating to the City's budget, land use, street vacations, and moratoriums.

**The power of initiative refers to the authority of the voters of a city to directly initiate and enact legislation.

TITLE 17

SUBDIVISIONS AND PLATS

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CHAPTER 17.04

GENERAL PROVISIONS

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17.04.010 Title

A. This code shall be known as the “City of Tukwila Subdivision Code.”

(Ord. 2740 §3 (part), 2024)

17.04.020 Purpose

A. The purpose of this code is to provide rules, regulations, requirements, and standards for subdividing land in the City, insuring that the public health, safety, general welfare, and aesthetics of the City shall be promoted and protected; that orderly growth, development, and the conservation, protection and proper use of land shall be insured; that the character of the developing area is safeguarded and promoted; that proper provisions for all public facilities including circulation, utilities, open space, and services shall be made; and that the goals and policies of the Tukwila Comprehensive Plan are furthered through the subdivision of land.

(Ord. 2740 §3 (part), 2024)

17.04.030 Scope and Exceptions

A. Scope:

1. The subdivision of land within the City of Tukwila shall comply with Chapter 58.17 RCW.

2. Where this code imposes greater restrictions or higher standards upon the development of land than other laws, ordinances or restrictive covenants, the provisions of this code shall prevail.

B. Exceptions:

1. This ordinance shall not apply to divisions and activities described as inapplicable in RCW 58.17.040; provided that boundary line adjustments and lot consolidations are subject to the provisions contained in TMC Chapter 17.08; provided further that binding site improvement plans are subject to the provisions contained in TMC Chapter 17.16.

(Ord. 2740 §3 (part), 2024)

17.04.040 Definitions

A. The definitions of the Zoning Code, TMC Chapter 18.06, are hereby adopted by reference.

(Ord. 2740 §3 (part), 2024)

17.04.050 Dedications

A. **Act of Dedication:** The intention to dedicate real property to the public shall be evidenced by showing the dedication on the plat prepared for approval. All dedications, including easements, rights-of-way and real property shall be clearly and precisely indicated on the face of the plat. Unless specifically noted otherwise on the plat, approval of the plat for recording shall constitute acceptance of the dedications.

B. **Public Streets:** All streets and parcels of land shown on the final plat and intended for public use shall be offered for dedication for public use, except the approving entity may allow the conveyance of certain public improvements to be conveyed to a homeowner's association or similar non-profit corporation.

C. **Certificate:** If the subdivision includes a dedication, the final plat shall include a certificate of dedication or reference to a separate written instrument which dedicates all required streets and other areas to the public. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by every person having any ownership interest in the lands divided and recorded as part of the final plat.

D. **Title Report:** Every proposed final plat containing a dedication must be accompanied by a title report confirming that the title of the lands as described and shown on the plat is in the name of the owners signing the certificate of dedication.

(Ord. 2740 §3 (part), 2024)

17.04.060 Survey Content

A. **Information:** All surveys submitted for boundary line adjustments, lot consolidations, short subdivisions, subdivisions, binding site improvement plans, or any other permits, shall include the following information:

1. The name of the plat, City of Tukwila file number, graphic scale and north arrow. The survey shall be done to a scale of one inch equals 100 feet unless otherwise approved by the Department, and shall be drawn with black drawing ink in record of survey format.

2. Existing features such as rivers, streets, railroads and structures.

3. The lines and names of all existing or platted streets or other public ways, parks, playgrounds, and easements adjacent to the final plat, subdivision or dedication, including municipal boundaries, township lines, and section lines.

4. In the event the plat constitutes a replat, the lots, blocks, streets, etc., of the previous plat shall be shown by dotted lines in their proper positions in relation to the new arrangement of the plat, the new plat being shown in solid lines so as to avoid ambiguity.

5. Legal description of the subdivision boundaries.

6. A complete survey of the section or sections in which the plat or replat is located, if necessary, including:

a. All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the subdivision. Location and monuments found or reset with respect to any established centerline of streets adjacent to or within the proposed subdivision. All other monuments found or established in making the survey of this subdivision or required to be installed by provisions of this title.

b. City or County boundary lines when crossing or adjacent to the subdivision.

c. The location and width of streets and easements intersecting the boundary of the tract.

d. Tract, block and lot boundary lines and street rights-of-way and centerlines, with dimensions, bearings, radii, arcs and central angles, points of curvature and tangent bearings. Tract boundaries, lot boundaries and street bearings shall be shown to the nearest second with basis of bearings. All distances shall be shown to the nearest one-hundredth foot.

e. The width and location of existing and proposed easements and rights-of-way.

7. Lot and block numbers beginning with the number one (1) and numbered consecutively without omission or duplication.

8. Tracts to be dedicated to any public or private purpose shall be distinguished from lots intended for general development with notes stating their purpose and any limitations.

B. Statements: The plat shall include the following statements:

1. A statement to be signed by the Director of Public Works approving the survey data, the layout of the streets, alleys and other rights-of-way, design of bridges, sewage and water systems, drainage systems and other structures.

2. A certificate bearing the printed names of all persons having an interest in the subdivided land, signed by the persons and acknowledged by them before a notary public, consenting to the subdivision of the land and reciting a dedication by them of all land shown on the plat to be dedicated for public uses, and a waiver by them and their successors of all claims for damages against any governmental authority arising from the construction and maintenance of public facilities and public property within the subdivision.

3. A certificate with the seal of and signature of the surveyor responsible for the survey and final plat with the following statement:

"I, _____, registered as a land surveyor by the State of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me or under my supervision; that the distances, courses and angles are shown thereon correctly; and that monuments other than those monuments approved for setting at a later date, have been set and lot corners staked on the ground as depicted on the plat."

4. Certification from the King County Treasurer that all taxes and assessments for which the property may be liable have been duly paid, satisfied or discharged as of the date of certification.

5. Certification of examination and approval by the County Assessor.

6. Recording Certificate for completion by the King County Department of Executive Services.

7. Certification of Examination and Approval by the Seattle-King County Health Department when the lot(s) are served by septic system(s).

8. City of Tukwila Finance Director Certificate that states there are no delinquent special assessments, and that all special assessments on any of the property that is dedicated as streets, alleys or for other public use are paid in full at the date of certification.

9. Certification by the Director of Public Works that the applicant has complied with one of the following:

a. All improvements have been installed in accordance with the requirements of this title and with the preliminary plat approval, and that original and reproducible records in a format approved by Public Works and meeting current Public Works drawing standards for road, utility and drainage construction plans certified by the designing engineer as being "as constructed" have been submitted for city records.

b. An agreement and bond or other financial security have been executed in accordance with TMC 17.24.030 sufficient to assure completion of required improvements and construction plans.

10. Certificate of dedication pursuant to TMC 17.04.050C.

11. or short subdivisions, binding site improvement plans, boundary line adjustments, and lot consolidations, a certificate of approval to be signed by the Director of the Department of Community Development, the Director of the Public Works Department, and the Fire Marshal.

12. For long subdivisions, a certificate of approval to be signed by the Mayor and City Clerk.

(Ord. 2740 §3 (part), 2024)

17.04.070 Notification of Other Agencies

A. Notice of the filing of an application for a preliminary subdivision within 1,000 feet of the municipal boundaries, or which contemplates the use of special use districts or other city's or town's utilities, shall be given to the appropriate special districts, county, city or town authorities. Notice of the filing of an application for a preliminary subdivision located adjacent to the right-of-way of a State highway shall be given to the State Department of Highways. In addition, notice of all applications for preliminary subdivisions shall be submitted to the appropriate school district. All such notices shall include the hour, location, and purpose of the hearing and a description of the property to be divided.

(Ord. 2740 §3 (part), 2024)

CHAPTER 17.08

BOUNDARY LINE ADJUSTMENTS AND LOT CONSOLIDATIONS

Sections:

17.08.010	Purpose
17.08.020	Scope
17.08.030	Decision Process
17.08.040	Preliminary Applications
17.08.050	Expiration of Preliminary Approval
17.08.060	Final Applications

17.08.010 Purpose

A. It is the intent to provide an efficient and timely process that allows consistent review; to ensure such actions do not create non-conformities with zoning and other city regulations; to provide a permanent record of boundary line adjustments and lot consolidations; and to ensure appropriate provisions are made for access and utility easements; in a manner consistent with RCW 58.17.040(6).

(Ord. 2740 §3 (part), 2024)

17.08.020 Scope

A. This chapter applies to all boundary line adjustments and lot consolidations which are otherwise exempt from RCW 58.17.040(6), Subdivision Regulations.

17.08.030 Decision Process

A. Applications for boundary line adjustments and lot consolidations shall be processed as Type 1 decisions, subject to the provisions of TMC 18.104.

(Ord. 2740 §3 (part), 2024)

17.08.040 Preliminary Applications

A. Application Requirements: Applications for preliminary boundary line adjustments and lot consolidations shall meet the permit submittal requirements found at TMC 18.104.060.

B. Criteria for Boundary Line Adjustment or Lot Consolidation Approval: In order to approve a boundary line adjustment or lot consolidation, the Short Subdivision Committee shall determine the project complies with the following criteria:

1. No additional lots, sites, parcels, tracts or divisions are created.

2. The adjustment will not create non-conforming lots with respect to zoning dimension and area standards, zoning setbacks and lot area coverage standards. The adjustment shall not result in the creation of lots with split zoning.

3. The degree of non-conformance on existing non-conforming lots with respect to zoning dimension and area standards, zoning setbacks and floor area ratio are not increased.

4. All lots have legal access to a public road. Existing required private access road improvements and easements are not diminished below subdivision ordinance standards for lots that are served by a private access road.

5. Existing easements for utilities are appropriate for their intended function, or they are extended, moved or otherwise altered to an appropriate location.

6. The adjustment does not create any non-conformities with respect to the Uniform Building Code or any other locally administered regulation.

C. Minor and Major Modifications to a Preliminary Approval:

1. Minor modifications proposed by an applicant after a preliminary approval decision has been issued may be approved by the Director as a Type 1 decision, based on review and recommendations of the Short Subdivision Committee. The Director may include conditions as part of an approval of a minor modification to ensure conformance with the criteria below. Minor modifications are those which:

a. Do not increase or decrease the number of lots beyond the number previously approved.

b. Do not decrease the aggregate area of open space, or the design or location of stormwater systems or roadways in the project by 10% or more.

c. May realign internal roadways and lot lines, but do not relocate any roadway access point to an exterior street.

d. Do not alter the exterior boundaries of the project.

e. Are consistent with applicable development standards and will not cause the boundary line adjustment or lot consolidation to violate any applicable City policy or regulation.

f. Are consistent with the conditions of the preliminary approval, provided that a minor modification may revise conditions of the preliminary approval so long as the revisions are consistent with the minor modification limitations set by TMC 17.08.030.D.a-e.

2. Major modifications are those which, as determined by the Director, are not minor modifications as defined in this code, or either add property or lots or substantially change the basic design, density, open space, or other substantive requirement or provision. If the applicant proposes to make one or more major changes, the revised plan(s) shall be processed as a new application.

(Ord. 2740 §3 (part), 2024)

17.08.050 Expiration of Preliminary Approval

A. The preliminary boundary line adjustment or lot consolidation application shall expire if it has not been recorded within one (1) year from the date of approval.

B. Where all conditions of approval of the preliminary boundary line adjustment or lot consolidation have been satisfied, and all required documents have been submitted within the one (1) year filing period, the Director may grant a single extension of up to one hundred eighty (180) days for the processing and recording of the final boundary line adjustment or lot consolidation.

(Ord. 2740 §3 (part), 2024)

17.08.060 Final Applications

A. Application Requirements: Applications for final boundary line adjustments and lot consolidations shall meet the permit submittal requirements found at TMC 18.104.060.

B. Review Procedures: Upon receiving approval from the City, the applicant will be responsible for picking up the documents from the Department and recording them with King County Department of Executive Services. A notification of recording that includes the filed recording number must be provided to the Department in order to deem the application finalized.

C. Criteria for Approval: To grant final approval of a boundary line adjustment or lot consolidation, the Director must determine that it meets the following decision criteria:

1. All requirements for boundary line adjustments or lot consolidations as set forth in the Subdivision Code are met.

2. All terms of the preliminary boundary line adjustment or lot consolidation approval have been met.

3. The requirements of all applicable state laws and any City ordinances have been met.

4. All required improvements have been installed in accordance with City standards or an improvement agreement with financial guarantee pursuant to TMC 17.24.030 has been entered into by the applicant and accepted by the City.

5. The boundary line adjustment or lot consolidation is technically correct and accurate as certified by the land surveyor responsible for the plat.

(Ord. 2740 §3 (part), 2024)

CHAPTER 17.12
DETAILED PROCEDURES
FOR SHORT SUBDIVISIONS

Sections:

17.12.010	Scope
17.12.020	Decision Process
17.12.030	Preliminary Applications
17.12.040	Expiration of Preliminary Approval
17.12.050	Final Applications
17.12.060	Limitations on Further Subdivision
17.12.070	Contiguous Short Subdivisions
17.12.080	Unit Lot Short Subdivisions

17.12.010 Scope

A. Any land being divided into nine (9) or fewer parcels, lots, unit lots, tracts or sites for the purpose of sale, lease, or gift, any one of which is less than twenty (20) acres in size, shall meet the requirements of this chapter.

(Ord. 2740 §3 (part), 2024)

17.12.020 Decision Process

A. Applications for short subdivisions shall be processed as Type 2 decisions, subject to the provisions of TMC 18.104.

(Ord. 2740 §3 (part), 2024)

17.12.030 Preliminary Applications

A. **Application Requirements:** Applications for preliminary short subdivisions shall meet the permit submittal requirements found at TMC 18.104.060.

B. Review Procedures:

1. Referral to Other Departments: Upon receipt of an application for a short subdivision, the Director shall route the application to each member of the Short Subdivision Committee and any other department or agency deemed necessary.

2. Short Subdivision Committee Decision: The Short Subdivision Committee may approve, approve with modifications, or deny the application. No formal meeting of the Committee is required so long as the Chair obtains the recommendations and consent of the other members of the Committee before issuing a decision.

C. **Criteria for Preliminary Short Subdivision Approval:** The Short Subdivision Committee shall base its decision on an application on the following criteria:

1. The proposed Short Subdivision is in conformance with the Tukwila Comprehensive Plan, and any other such adopted plans.

2. Appropriate provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the short plat that are consistent with current standards and plans.

3. Appropriate provisions have been made for road, utilities and other improvements that are consistent with current standards and plans.

4. Appropriate provisions have been made for dedications, easements and reservations.

5. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended and are compatible with the area in which they are located.

6. Appropriate provisions for the maintenance of commonly owned private facilities have been made.

7. The short subdivision complies with the relevant requirements of the Tukwila Subdivision Ordinance.

8. The short subdivision complies with the requirements of the Tukwila Zoning Ordinance and other relevant local regulations.

D. Minor and Major Modifications to a Preliminary Short Subdivision Approval:

1. Minor modifications proposed by an applicant after a preliminary approval decision has been issued may be approved by the Director as a Type 2 decision, based on review and recommendations of the Short Subdivision Committee. The Director may include conditions as part of an approval of a minor modification to ensure conformance with the criteria below. Minor modifications are those which:

a. Do not increase or decrease the number of lots beyond the number previously approved.

b. Do not decrease the aggregate area of open space, or the design or location of stormwater systems or roadways in the project by 10% or more.

c. May realign internal roadways and lot lines, but do not relocate any roadway access point to an exterior street.

d. Do not alter the exterior boundaries of the project.

e. Are consistent with applicable development standards and will not cause the short plat to violate any applicable City policy or regulation.

f. Are consistent with the conditions of the preliminary approval, provided that a minor modification may revise conditions of the preliminary approval so long as the revisions are consistent with the minor modification limitations set by TMC 17.12.020.D.a – e.

2. Major modifications are those which, as determined by the Director, are not minor modifications as defined in this code, or either add property or lots or substantially change the basic design, density, open space, or other substantive requirement or provision. If the applicant proposes to make one or more major changes, the revised plan(s) shall be processed as a new application.

(Ord. 2740 §3 (part), 2024)

17.12.040 Expiration of Preliminary Approval

A. If the preliminary short subdivision is not recorded within three (3) years of the date of preliminary short subdivision approval, the preliminary short subdivision application shall become null and void.

B. Where all conditions of approval of the preliminary short subdivision have been satisfied, and all required documents have been submitted within the three (3) year filing period, the Director may grant a single extension of up to one hundred eighty (180) days for the processing and recording of the final short subdivision.

(Ord. 2740 §3 (part), 2024)

17.12.050 Final Applications

A. **Application Requirements:** Applications for final short subdivisions shall meet the permit submittal requirements found at TMC 18.104.060.

B. **Final Approval Review Procedures:**

1. The Short Subdivision Committee may grant final approval of the short subdivision when they find the criteria listed in TMC 17.12.030C have been met. No formal meeting of the Committee is required so long as the Chair obtains the recommendations and consent of the other members of the Committee before issuing a decision.

2. Upon final approval of the short subdivision, the applicant shall record the plat and all other relevant documents with the King County Department of Executive Services. The applicant is responsible for paying the recording fee(s). Upon completion of recording, the applicant shall provide the Department with a copy of the recorded documents. The short plat shall not be considered final until these documents have been provided to the Department.

C. **Criteria For Approval:** To grant final approval of a short subdivision, the Short Subdivision Committee must determine that it meets the following decision criteria:

1. All requirements for short subdivisions as set forth in the Subdivision Code are met.

2. All terms of the preliminary short subdivision approval have been met.

3. The requirements of RCW 58.17, other applicable state laws, and any other applicable City ordinances have been met.

4. All required improvements have been installed in accordance with City standards or an improvement agreement with financial guarantee pursuant to TMC 17.24.030 has been entered into by the applicant and accepted by the City.

5. The subdivision is technically correct and accurate as certified by the land surveyor responsible for the plat.

(Ord. 2740 §3 (part), 2024)

17.12.060 Limitations on Further Subdivision

A. Any land subdivided under the requirements of this chapter shall not be further divided for a period of five (5) years without following the procedures for subdivision, except when the short plat contains fewer lots than allowed for a short subdivision, in which case an additional short subdivision may be approved if the total number of lots within the boundaries of the original short subdivision does not exceed nine (9).

(Ord. 2740 §3 (part), 2024)

17.12.070 Contiguous Short Subdivisions

A. No application for a short subdivision shall be approved if the land being divided is held in common ownership with a contiguous parcel which has been divided in a short subdivision within the preceding five (5) years and the total number of lots created in both short subdivisions would exceed nine (9). When the total number of lots exceeds four (4) but is less than ten (10), the paving, curb, gutter and sidewalk shall be provided per TMC 17.20.030C.6.c(1).

(Ord. 2740 §3 (part), 2024)

17.12.080 Unit Lot Short Subdivisions

A. Sites developed or proposed to be developed with townhouses, cottage housing, compact single-family, or zero-lot-line units may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. Any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit that it serves.

B. Subsequent divisions of the land, or additions or modifications to the structure(s), may not create or increase any nonconformity of the parent lot.

C. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common play areas), and other similar features, as recorded with the King County Department of Executive Services.

D. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the King County Department of Executive Services.

E. The fact that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot, shall be noted on the plat, as recorded with the King County Department of Executive Services.

F. Construction of townhouse dwelling foundations may commence prior to final short subdivision approval, provided:

1. The proposed short subdivision has received preliminary approval, and the necessary financial sureties have been filed to assure construction of required public improvements;

2. Partial or complete construction of structures shall not relieve the applicant from, nor impair City enforcement of, conditions of subdivision approval;

3. Construction shall not proceed beyond foundations, and units shall not be rented or sold, nor occupancy permits issued, until final short plat approval is granted.

CHAPTER 17.14
DETAILED PROCEDURES
FOR LONG SUBDIVISIONS

Sections:

17.14.010	Scope
17.14.020	Decision Process
17.14.030	Preliminary Applications
17.14.040	Expiration of Preliminary Approval
17.14.050	Final Applications
17.14.060	Phasing
17.14.070	Expiration Unit Lot Long Subdivisions

17.14.010 Scope

A. Any land being divided into ten (10) or more parcels, lots, unit lots, tracts or sites, for the purpose of sale or gift, any one of which is less than twenty (20) acres in size, or any land which has been divided under the short subdivision procedures within five (5) years and is not eligible for further short subdivisions, pursuant to TMC 17.12.010, shall conform to the procedures and requirements of this chapter.

(Ord. 2740 §3 (part), 2024)

17.14.020 Decision Process

A. Preliminary Long Subdivisions: Applications for preliminary long subdivisions shall be processed as Type 3 decisions subject to the provisions of TMC 18.104.

B. Final Long Subdivisions: Applications for final long subdivisions shall be processed as Type 2 decisions subject to the provisions of TMC 18.104.

(Ord. 2740 §3 (part), 2024)

17.14.030 Preliminary Applications

A. **Application Requirements:** Applications for preliminary long subdivisions shall meet the permit submittal requirements found at TMC 18.104.060.

B. **Review Procedures:**

1. Referral to Other Offices: Upon receipt of a complete preliminary long subdivision application, the Director shall transmit a notice of application and the preliminary long subdivision application materials to each of the following offices, where appropriate: Public Works, Building Division, Fire Department, Police Department, King County Health Department, the appropriate school district, and each public utility agency serving the area in which the property proposed for long subdivision is located.

2. Departmental Review: The other interested departments and agencies shall review the preliminary long subdivision and may submit to the Department written comments with respect to the preliminary long subdivision decision criteria.

3. Public Notice and Public Hearing. The process for public notice, hearings, decisions and appeals shall be as provided for Type 3 decisions (or Type 4 decisions if the plat is combined with an associated design review) as identified in TMC Title 18, "Zoning Code."

C. **Criteria for Preliminary Long Subdivision Approval:** The decision-maker shall base its decision on an application for preliminary long subdivision on the following criteria:

1. The proposed long subdivision is in conformance with the Tukwila Comprehensive Plan and any other City adopted plans.

2. Appropriate provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the long subdivision that are consistent with current standards and plans.

3. Appropriate provisions have been made for road, utilities and other improvements that are consistent with current standards and plans.

4. Appropriate provisions have been made for dedications, easements and reservations.

5. The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended and are compatible with the area in which they are located.

6. The proposed long subdivision complies with the relevant requirements of the Tukwila Subdivision and Zoning Ordinances, and all other relevant local regulations.

7. Appropriate provisions for maintenance of privately owned common facilities have been made.

8. The proposed long subdivision complies with RCW 58.17.110.

D. Minor and Major Modifications to an Approved Preliminary Long Subdivision:

1. Minor modifications proposed by an applicant after a preliminary approval decision has been issued may be approved by the Director as a Type 2 decision, based on review and recommendations of City departments including Public Works, Fire, Building, and Planning. The Director may include conditions as part of an approval of a minor modification to ensure conformance with the criteria below. Minor modifications are those which:

- a. Do not increase or decrease the number of lots beyond the number previously approved.
- b. Do not decrease the aggregate area of open space, or the design or location of stormwater systems or roadways in the long subdivision by 10% or more.
- c. May realign internal roadways and lot lines, but do not relocate any roadway access point to an exterior street from the plat.
- d. Do not alter the exterior boundaries of the long subdivision.
- e. Are consistent with applicable development standards and will not cause the long subdivision to violate any applicable City policy or regulation.
- f. Are consistent with the conditions of the preliminary approval, provided that a minor modification may revise conditions of the preliminary approval so long as the revisions are consistent with the minor modification limitations set by TMC 17.14.020.E.a-e.

2. Major modifications are those which, as determined by the Director, are not minor modifications as defined in this code, or either add property or lots or substantially change the basic design, density, open space, or other substantive requirement or provision. If the applicant proposes to make one or more major changes, the revised plan(s) shall be processed as a new application.

(Ord. 2740 §3 (part), 2024)

17.14.040 Expiration of Preliminary Approval

A. The preliminary long subdivision application shall expire unless a complete application for final long subdivision meeting all requirements of this chapter is submitted to the Director within five (5) years of the date of preliminary long subdivision approval; provided that the Director may extend a preliminary long subdivision pursuant to this section.

B. Time Limitations: Extension(s) shall be requested in writing and are subject to the criteria set forth in TMC 17.14.050.C. The extension(s) shall be subject to the following time limitations:

1. Preliminary long subdivisions less than 100 acres that receive approval after the effective date of this ordinance shall expire within five (5) years from the date of the preliminary approval; provided that the applicant has the option of requesting a single 1-year extension, for a maximum of six (6) years from the date of the preliminary approval to the date of recording of the final phase.

2. Preliminary long subdivisions greater than 100 acres and that received approval prior to the effective date of this ordinance shall expire within five (5) years from the date of the preliminary long subdivision approval; provided that the applicant has the option of requesting up to three (3) extensions as follows: the first extension may be for three (3) years, and each subsequent extension for not exceeding two (2) years each. This allows for a maximum of twelve (12) years between the date of the preliminary approval and the date of recording of the final phase.

C. Criteria for Granting Extensions: The following criteria shall be used to review an extension request for a preliminary long subdivision:

- 1. A written request for extension is filed at least 30 days before the expiration of the preliminary long subdivision; and
- 2. Unforeseen circumstances or conditions that are not the result of voluntary actions of the applicant necessitate the extension of the preliminary long subdivision; and
- 3. Conditions within the subject property or immediately adjacent to the subject property have not changed substantially since the preliminary long subdivision was first approved; and
- 4. An extension of the preliminary long subdivision will not cause substantial detriment to existing uses in the immediate vicinity of the subject property or to the community as a whole; and
- 5. The applicant has demonstrated reasonable diligence in attempting to meet the time limit imposed; and
- 6. The preliminary long subdivision complies with applicable City code provisions in effect on the date the application for extension was made.

D. **Process for Granting Extensions:** Applicant shall request the extension in writing prior to the expiration of the preliminary long subdivision approval. The request shall include discussion of how it complies with the criteria listed under TMC 17.40.050.C. The Director shall review and approve requests for an extension of a preliminary long subdivision. The Director shall provide 14-day notice to all parties of record for the preliminary long subdivision approval prior to making the decision on the extension. The Director's decision will also be provided to all parties of record.

17.14.050 Final Applications

A. **Application Requirements:** Applications for final long subdivisions shall meet the permit submittal requirements found at TMC 18.104.060.

B. **Review Procedures:**

1. *Referral to Other Departments and Agencies:* The Director shall distribute the final long subdivision application to all departments and agencies who received the preliminary long subdivision, and to any other departments, special purpose districts and other governmental agencies deemed necessary.

2. *Departmental Approval:* The other interested departments and agencies shall review the final long subdivision and may submit to the Department written comments with respect to the final long subdivision decision criteria. If the final long subdivision is in order, the Director of Public Works shall sign the appropriate certificates on the face of the plat.

3. *Filing Final Long Subdivision:*

a. Before the final long subdivision is submitted to the Director, it shall be signed by the Director of the Finance Department and the Director of the Department of Public Works. Upon approval by the Director, it shall be signed by the Mayor and attested by the City Clerk.

b. The applicant shall file the final long subdivision with the King County Department of Executive Services. The long subdivision will be considered complete when a copy of the recorded documents is returned to the Director.

C. **Criteria for Final Long Subdivision Approval:** In approving the final long subdivision, the Director shall find:

1. That the proposed final long subdivision bears the required certificates and statements of approval.

2. That a title insurance report furnished by the applicant confirms the title of the land, and the proposed long subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate.

3. That the facilities and improvements required to be provided by the applicant have been completed or, alternatively, that the applicant has submitted with the proposed final long subdivision a performance bond or other security in conformance with TMC 17.24.030.

4. That the long subdivision is certified as accurate by the land surveyor responsible for the long subdivision.

5. That the long subdivision is in conformance with the approved preliminary long subdivision.

6. That the long subdivision meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary long subdivision approval.

(Ord. 2740 §3 (part), 2024)

17.14.060 Phasing

A. **Approval of Phasing Plan:** The applicant may develop and record the long subdivision in phases. Any phasing proposal shall be submitted for Hearing Examiner review at the time at which a preliminary long subdivision is submitted. Approval of the phasing plan shall be based upon making the following findings:

1. The phasing plan includes all land contained within the approved preliminary long subdivision, including areas where off-site improvements are being made.

2. The sequence and timing of development is identified on a map.

3. Each phase shall consist of a contiguous group of lots that meets all pertinent development standards on its own. The phase cannot rely on future phases for meeting any City codes.

4. Each phase provides adequate circulation and utilities. Public Works has determined that all street and other public improvements, including but not limited to drainage and erosion control improvements, are assured. Deferment of improvements may be allowed pursuant to TMC Chapter 17.24.

5. The first phase submitted for final long subdivision approval must be recorded within five (5) years of the date of preliminary plat approval, unless an extension is granted pursuant to TMC 17.14.050.B, TMC 17.14.050.C and TMC 17.14.050.D.

(Ord. 2740 §3 (part), 2024)

17.14.070 Unit Lot Long Subdivisions

A. Sites developed or proposed to be developed with townhouses, cottage housing, compact single-family, accessory dwelling units, or zero-lot line units may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. Any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.

B. Subsequent subdivision actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.

C. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common play areas), and other similar features, as recorded with the King County Department of Executive Services.

D. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the King County Department of Executive Services.

E. The fact that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots maybe limited as a result of the application of development standards to the parent lot, shall be noted on the plat, as recorded with the King County Department of Executive Services.

F. Construction of townhouse dwelling foundations may commence prior to final plat approval, provided:

1. The proposed long subdivision has received preliminary approval, and the necessary financial sureties have been filed to assure construction of required public improvements;

2. Partial or complete construction of structures shall not relieve the applicant from, nor impair City enforcement of conditions of, long subdivision approval;

3. Construction shall not proceed beyond foundations, and units shall not be rented or sold, nor occupancy permits issued, until final long subdivision approval is granted.

(Ord. 2740 §3 (part), 2024)

CHAPTER 17.16
DETAILED PROCEDURES FOR
BINDING SITE IMPROVEMENT PLANS (BSIPS)

Sections:

17.16.010	Purpose
17.16.020	Applicability
17.16.030	Decision Process
17.16.040	Preliminary Applications
17.16.050	Expiration of Preliminary Approval
17.16.060	Final Applications
17.16.070	Improvements
17.16.080	Alterations and Vacations

17.16.010 Purpose

A. This chapter is established to:

1. Provide an optional process for land under single ownership to be divided for the purpose of sale or lease;
2. Accommodate the division of land for the purpose of sale or lease of property within an integrated commercial or industrial center, which allows certain zoning standards (minimum parking, setbacks, landscaping, lot area and lot dimension) on the individual lots to be modified provided the standards for the entire center are met;
3. Facilitate alternative ownership options by allowing BSIPs in conjunction with a condominium process for residential, commercial, or industrial purposes (RCW 64.34);
4. Allow phased infrastructure improvements for large tracts of land.

(Ord. 2740 §3 (part), 2024)

17.16.020 Applicability

A. **Eligibility:** A BSIP application may be submitted for a project located on any land zoned multi-family, commercial, or industrial, consistent with the terms of this chapter.

B. **Construction Authorization Through Other Permits:** A BSIP creates or alters existing lot lines. A BSIP does not authorize construction. Construction is permitted upon approval of construction and building permits that implement the BSIP.

(Ord. 2740 §3 (part), 2024)

17.16.030 Decision Process

A. Applications for BSIPs shall be processed as Type 2 decisions subject to the provisions of TMC 18.104.

(Ord. 2740 §3 (part), 2024)

17.16.040 Preliminary Applications

A. **Approval Criteria:**

1. Prior to approval of any BSIP, the Short Subdivision Committee shall ensure that the following improvements are provided to sufficiently service the anticipated uses throughout the proposed plan and the decision criteria that follow are met:

- a. Adequate water supply.
- b. Adequate sewage disposal.
- c. Appropriate storm drainage improvements.
- d. Adequate fire hydrants.
- e. Appropriate access to all anticipated uses within

the plan.

f. Provision for all appropriate deed, dedication, and/or easements.

- g. Monumentation of all exterior tract corners.

2. **Legal Lots:**

a. Residential BSIPs shall consist of one or more contiguous legally-created lots and each lot shall meet the minimum dimensional requirements of the applicable zone or overlay district.

b. If the site will contain commercial or industrial uses, or mixed-use commercial and residential uses, the lots shall meet the minimum dimensional requirements of the zoning district or meet the definition of "integrated site" in TMC 18.06, such that when taken as a whole and not considering interior lot lines, the integrated site meets all applicable zoning and subdivision requirements.

3. Appropriate easements and maintenance agreements for shared facilities, including but not limited to, circulation, parking, utilities and landscaping, have been provided.

4. Modifications to the minimum zoning standards for individual lots located within the integrated site -- including setbacks, parking, landscaping, lot area and lot dimension -- are not detrimental to the public health, safety and welfare, do not adversely affect the rest of the integrated site or other properties in the vicinity, and do not impede planned street, trail or pedestrian networks for the neighborhood or district.

5. Common improvements necessary to serve any particular phase of development must be sufficient for meeting the zoning and subdivision requirements for that phase.

6. Access to the integrated site meets the subdivision ordinance standards. Access within the site provides for safe and efficient circulation and meets Fire Department access requirements.

7. The circulation system incorporates appropriate provisions for safe pedestrian activity to the site from the street and from building to building within the site.

8. The sign regulations shall be applied to the integrated site as a whole. For example, the number of freestanding signs allowed is based on one (1) site within the BSIP. Individual ownerships within the integrated site are not considered to be separate sites in determining the number of freestanding signs allowed.

9. The requirements of the Washington State Building Code are met.

10. The BSIP shall contain a provision requiring that any subsequent development of the site shall be in conformance with the approved and recorded BSIP.

11. Where lands are required or proposed for dedication, the applicant shall provide a dedication statement and acknowledgement on the BSIP.

12. The BSIP shall be consistent with any City approved master plans and development agreements.

D. **Additional Approval Criteria for BSIPs Proposing Condominium Ownership:** Condominium developments are eligible for BSIP approval when the purpose of such approval is to divide the property so a portion of the parcel or tract can be subjected to either RCW Chapter 64.32 or 64.34. A BSIP can only be approved when the development has already been constructed or when the approval has been obtained and a building permit for an entire development or a portion of a development is issued.

(Ord. 2755 §2, 2025)

17.16.050 Expiration of Preliminary Approval

A. If the BSIP is not recorded within three (3) years of the date of the preliminary BSIP, the BSIP shall become null and void. Upon written request by the applicant prior to the expiration date, the Short Subdivision Committee may grant one (1) extension of not more than one (1) year.

B. Where all conditions of approval of the BSIP have been satisfied, and all required documents have been submitted within the three (3) year filing period, the Director may grant a single extension of up to one hundred eighty (180) days for the processing and recording of the final BSIP.

(Ord. 2740 §3 (part), 2024)

17.16.060 Final Applications

A. **Application Requirements:** Applications for final BSIPs shall meet the permit requirements found at TMC 18.104.060.

B. Final Approval Review Procedures:

1. The Short Subdivision Committee may grant final approval of the BSIP when they find that the survey, plan and other documents for recording are consistent with the preliminary approval. No formal meeting of the Committee is required so long as the Chair obtains the recommendations and consent of the other members of the Committee before issuing a decision.

2. Upon final approval of the BSIP, the applicant shall record the plat and all other relevant documents with the King County Department of Executive Services. The applicant is responsible for paying the recording fee(s). Upon completion of recording, the applicant shall provide the Department with a copy of the recorded documents. The BSIP shall not be considered final until these documents have been provided to the Department.

C. **Binding Effect:** Approved BSIPs shall be binding and shall be enforceable by the City. All provisions, conditions and requirements of the BSIP shall be legally enforceable on the purchaser or on any person acquiring a lease or other ownership interest of any lot, tract, or parcel created pursuant to the BSIP.

(Ord. 2740 §3 (part), 2024)

17.16.070 Improvements

A. **Improvements:** The following requirements shall be met for each BSIP prior to the issuance of a building permit for construction within a BSIP.

1. *Improvements Required:* Consistent with TMC 17.20, and subject to any applicable development agreement, the following tangible improvements shall be provided, either by actual construction or a construction schedule approved by the City and bonded by the applicant, before a BSIP may be recorded:

- a. grading and paving of streets and alleys;
- b. installation of curbs, gutters, sidewalks, monuments, sanitary and storm sewers, street lights, water mains and street name signs; together with all related appurtenances to the specifications and standards of this code, approved by the Short Subdivision Committee, and in accordance with other standards of the City.

A separate construction permit will be required for any such improvements, along with associated engineering plans prepared per the City Drafting Standards.

2. *Modifications:* Proposals that contain commercial uses, industrial uses, or mixed-uses (commercial and residential), and that meet the definition of “integrated site” in TMC 18.06, are not required to submit a modification request.

B. **Phasing of Improvements:** To satisfy improvement requirements, the Short Subdivision Committee is authorized to impose conditions and limitations on the BSIP. If the Short Subdivision Committee determines that any delay in satisfying requirements will not adversely impact the public health, safety or welfare, the Committee may allow requirements to be satisfied prior to:

- 1. Issuing the first building permit for the site; or
- 2. Prior to issuing the first building permit for any phase; or
- 3. Prior to issuing a specific building's certificate of occupancy; or
- 4. In accordance with an approved phasing plan; or
- 5. In accordance with plans established by a development agreement or as otherwise permitted or required by the TMC.

(Ord. 2740 §3 (part), 2024)

17.16.080 Alterations and Vacations

A. **Alteration:** Alteration of an approved BSIP, excluding standard easements for utilities and lot line adjustments, shall be accomplished following the same procedures required for a new BSIP application as set forth in this chapter; provided, that only owners of lots within the BSIP that are directly affected by the proposed alteration shall be required to authorize application for the alteration. If a property subject to a BSIP approval is the subject of a development agreement, the alteration of the approved BSIP shall not require an amendment to the development agreement or approval by the City Council and, after approval and recording, shall automatically be incorporated within the development agreement unless otherwise provided in the development agreement.

B. **Vacation:** Vacation of a recorded BSIP shall be accomplished by following the same procedures required for a new BSIP application as set forth in this chapter. If a portion of a BSIP is vacated, the property subject to the vacation shall constitute one lot, and the balance of the approved BSIP shall remain as approved. Any non-conformities created by such a vacation must be remedied prior to final approval of the vacation. If a BSIP property subject to a BSIP approval is the subject of a development agreement, the vacation of the approved BSIP, whether total or partial, shall not require an amendment to the development agreement or approval by the City Council and, after approval and recording shall automatically be incorporated within the development agreement unless otherwise provided in the development agreement.

(Ord. 2740 §3 (part), 2024)

CHAPTER 17.20**DESIGN AND IMPROVEMENT STANDARDS FOR THE
SUBDIVISION OF LAND****Sections:**

17.20.010	Applicability
17.20.020	Improvements, Supervision, Inspections and Permits Required
17.20.030	General Standards

17.20.010 Applicability

A. The standards contained in this chapter are to be used as the basic standards for addressing the approval criteria for subdivisions, short plats, boundary line adjustments, lot consolidations, and BSIPs. The decision-making entity may require additional standards be met if it is determined necessary to meet the approval criteria for a particular application.

(Ord. 2740 §3 (part), 2024)

**17.20.020 Improvements, Supervision, Inspections
and Permits Required**

A. Required Improvements: Every applicant may be required to grade and pave streets and alleys, install curbs and gutters, sidewalks, monuments, sanitary and storm sewers, water mains, fire hydrants, street lights and name signs, together with all appurtenances in accordance with specifications and standards of this code, approved by the Public Works Department, and in accordance with other standards of the City.

B. Supervision and Inspection: A licensed engineer or engineering firm, acceptable to the Department of Public Works, shall be responsible for the supervision and inspection of all subdivision improvements. All improvements shall be certified in writing as completed in accordance with plans and specifications as approved by the Department of Public Works.

C. Permits: Prior to proceeding with any subdivision improvements, the applicant shall obtain those permits from the City as are necessary. The applicant is also responsible for complying with all applicable permit requirements of other Federal, State and local agencies.

(Ord. 2740 §3 (part), 2024)

17.20.030 General Standards**A. Environmental Considerations:****1. Critical Areas:**

a. Land that contains a critical area or its buffer as defined in TMC Title 18, or is subject to the flood zone control ordinance as defined in TMC 16.52, shall be subdivided to reflect the standards and requirements of TMC 18.45 (Environmentally Critical Areas), and/or TMC 18.46 (PRD - Planned Residential Development), and/or TMC 16.52 (Flood Plain Management).

b. No lot shall be created that does not contain an adequate building site, given the environmental considerations of the lot and current development standards.

2. Trees: In addition to meeting the requirements of TMC 18.54 (Urban Forestry and Tree Regulations), every reasonable effort shall be made to preserve existing trees and vegetation, and integrate them into the subdivision's design.

B. Compatibility with Existing Land Use and Plans:

1. Buffer Between Uses: Where single-family residential subdivisions are proposed adjacent to multi-family, commercial, or industrial land use districts, and where natural separation does not exist, adequate landscape buffer strips and/or solid fences for screening shall be provided.

2. Conformity with existing plans: The location of all streets shall conform to any adopted plans for streets in the City. If a subdivision is located in the area of an officially designated trail, provisions may be made for reservation of the right-of-way or for easements to the City for trail purposes. The proposed subdivision shall respond to and complement City ordinances, resolutions, and comprehensive plans.

3. Other City Regulations: All subdivisions shall comply with all adopted City regulations. In the event of a conflict, the more restrictive regulation shall apply.

4. Accessory Structures: If a subdivision, short subdivision, or boundary line adjustment in a residential zone would result in an accessory structure remaining alone on a lot, the structure must be demolished before preliminary approval, or the owner must provide a bond or other financial guarantee acceptable to the Director in the amount of 150% of the cost of demolition and assurance that the accessory structure will be demolished if a primary use is not established on the lot within 12 months of final approval.

C. Utilities:

1. Generally: All utilities designed to serve the subdivision shall be placed underground and, if located within a critical area, shall be designed to meet the standards of the critical areas overlay zone. Those utilities to be located beneath paved surfaces shall be installed, including all service connections, as approved by the Department of Public Works; such installation shall be completed and approved prior to application of any surface materials. Easements may be required for the maintenance and operation of utilities as specified by the Public Works Department.

2. Sanitary Sewers: Sanitary sewers shall be provided to each lot at no cost to the City and designed in accordance with City standards. Septic systems may be installed when approved by the Seattle-King County Department of Public Health and when the existing sewer system will not be available to the lot within the life of the preliminary approval.

3. Storm Drainage: The storm drainage collection system shall meet the requirements of the City's stormwater ordinance standards (TMC Chapter 14.28).

4. Water System: Each lot within a proposed subdivision shall be served by a water distribution system designed and installed in accordance with City standards. Locations of fire hydrants and flow rates shall be in accordance with City standards and the Uniform Fire Code.

D. Blocks:

1. Length: Residential blocks should not be less than 300 feet nor more than 1,000 feet in length, (600 - 2,000 feet for commercial and industrial areas). Where circumstances warrant for the purpose of implementing the Comprehensive Plan, the Director may require one or more public pathways of not less than six feet nor more than 15 feet in width, either by dedication or easement, to extend entirely across the width of the block to connect public rights-of-way.

2. Width: Blocks shall be wide enough to allow two tiers of lots, except where abutting a major street or prevented by topographical conditions or size of the property, in which case the Director may approve a single tier.

3. Pedestrian Considerations: Blocks, roads, and pedestrian improvements, shall be designed to provide a safe and convenient pedestrian network.

E. Lots:

1. Arrangement: Insofar as practical, side lot lines shall be at right angles to street lines or radial to curved street lines. Each proposed lot shall have access to a public street. New flag lots shall not be permitted. Access requirements may be met by establishing common drive easements.

2. Lot Design: The lot area, width, shape, and orientation, shall be appropriate for the location of the subdivision, for the type of development and land use contemplated, and shall conform with the requirements of the zoning ordinance.

3. Corner Lots: Corner lots may be required to be designed with additional width to allow for the additional side yard requirements.

F. Landscaping:

1. Each lot within a new subdivision or short plat of five (5) lots or greater shall be landscaped with at least one (1) tree in the front yard to create a uniform streetscape.

2. Landscaping shall conform with Public Works standards.

G. Street Signs: The applicant shall be responsible for the initial cost of any street name or number signs, or street markings, including installation thereof, that Public Works finds necessary for the subdivision.

H. Lighting: Street lighting shall conform to the Department of Public Works standards unless the Director of Public Works requires alternative fixtures, poles, and/or spacing to contribute to an overall design concept of the subdivision.

I. Monumentation:

1. Imprinted Monument: All monuments set in subdivisions shall be at least 1/2 inch x 24-inch steel bar or rod, or equivalent, with durable cap imprinted with the license number of the land surveyor setting the monument.

2. Centerline Monument: After paving, except as provided in TMC 17.20.030.J.5, monuments shall be driven flush with the finished road surface at the following intersections:

a. Centerline intersections.

b. Points of intersection of curves if placement falls within the paved area; otherwise, at the beginnings and endings of curves.

c. Intersections of the plat boundaries and street center lines.

3. Property Line Monumentation: All front corners, rear corners, and beginnings and endings of curbs shall be set with monuments, except as provided in TMC 17.20.030.J.5. In cases where street curbs are concentric and/or parallel with front right-of-way lines, front property line monumentation may be provided by brass screws or concrete nails at the intersections of curb lines and the projections of side property lines. If curb monumentation is used, it shall be noted on the plat, and also that such monumentation is good for projection of line only and not for distance.

4. Post-Monumentation: All monuments for exterior boundaries of the subdivision shall be set and referenced on the plat prior to plat recording. Interior monuments need not be set prior to recording if the developer certifies that the interior monuments shall be set within 90 days of final subdivision construction inspection by the Department of Public Works, and if the developer guarantees such interior monumentation.

5. Post-Monumentation Bonds: In lieu of setting interior monuments prior to final plat recording as provided in TMC 17.20.030.J.3, the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to the Director, or other secure method as the Director of Public Works may require, providing for and securing the actual setting of the interior monuments.

J. Streets:

1. Extension: Proposed street systems shall extend existing streets at the same or greater width, unless otherwise approved by the Department of Public Works and authorized by the Director in approval of the plat. Where appropriate, streets shall be extended to the boundaries of the subdivision to ensure access to neighboring properties. The City's goal is to have an integrated system of local streets whenever practical. Grading of steep topography may be necessary to achieve this objective. However, in critical areas, the layout and construction of streets shall follow the standards and procedures of TMC 18.45. Dedication of additional right-of-way may be required for a short plat when it is necessary to meet the minimum street width standards or when lack of such dedication would cause or contribute to an unsafe road or intersection.

2. Names: All proposed street names or numbers shall be subject to approval by the Department of Community Development.

3. Intersections: Any intersection of public streets, whatever the classification, shall be at right angles as nearly as possible and not be offset insofar as practical.

4. Street layout: Street layout shall provide for the most advantageous development of the subdivision, adjoining areas, and the entire neighborhood. Evaluation of street layout shall take into consideration potential circulation solutions. While it is important to minimize the impact to the topography from creating an integrated road system, improved site development and circulation solutions shall not be sacrificed to minimize the amount of cut and fill requirements of the proposal. Where critical areas are impacted, the standards and procedures for rights-of-way in TMC 18.45 shall be followed.

5. Private Access Roads:

a. Private access roads shall only be authorized when they meet the following criteria:

(1) Allowing private access roads in the area being subdivided will not adversely affect future circulation in neighboring parcels of property; and

(2) Adequate and reasonable provisions are made for the future maintenance and repair of the proposed private access roads; and

(3) The proposed private access roads can accommodate potential full (future) development on the lots created; and

(4) For residential subdivisions, the proposed private access roads do not serve more than four (4) lots nor are

more than 200 feet in length. Those access roads 150 feet or greater in length shall have a turnaround built to Fire Department standards; or

(5) For commercial and industrial subdivisions, when private access roads are authorized, there shall be a minimum easement width of 40 feet. With the exception of minimum easement widths, private access roads shall be designed and constructed in accordance with the Department of Public Works standards, and zoning setbacks shall be required as though the easement were a public right-of-way.

b. The minimum total width of the easement or tract, and the minimum width of the roadway pavement for private access roads shall be as shown in the following table. The minimum width shall be used unless the City Engineer demonstrates a wider width is needed due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities, that justify an increase in width.

Type of Private Access Road	Total Width	Roadway Pavement Width
Residential	20 feet	20 feet
Commercial	40 feet	28 feet

6. Public Roads:

a. Roads that do not meet the criteria found at TMC 17.20.030(C)(5) shall be designated as public roads.

b. The minimum total width of the right-of-way and the minimum width of the roadway pavement for public roads shall be based as shown in the following table. The minimum width shall be used unless the City Engineer demonstrates a wider width is needed due to site circumstances, including but not limited to topography, traffic volume, street patterns, on-street parking, lot patterns, land use and bike and transit facilities, that justify an increase in width.

Type of Road	Total Right-of-Way Width	Roadway Pavement Width
Principal Arterial	80 – 100 feet	48 – 84 feet
Minor Arterial	60 – 80 feet	36 – 64 feet
Collector Arterial	60 – 80 feet	24 – 48 feet
Access Road	50 – 60 feet	28 – 36 feet
Cul-De-Sac		
Roadway	40 feet	26 feet
Turnaround	92 feet (dia.)	81 feet (dia.)
Alley	20 feet	15 feet

c. Design: The design and alignment of all public streets shall conform to the following standards unless otherwise approved by the Department of Public Works:

(1) Cul-de-sacs: Cul-de-sacs shall not be permitted unless there is no reasonable alternative or the cul-de-sac is shown on an officially adopted street plan. When permitted, they shall not exceed a length of 600 feet unless the City determines that adequate alternative emergency access will be provided.

(2) Street Grades: Street grades shall not exceed 15%. However, provided there are no vehicular access points, grades may be allowed up to 18%, for not more than 200 feet when:

(a) Exceeding the grades would facilitate a through street and connection with the larger neighborhood;

(b) The greater grade would minimize disturbance of critical slopes;

I The Fire Marshal grants approval of the grade transition; and

(d) Tangents, horizontal curves, vertical curves, and right-of-way improvements conform to Department of Public Works standards.

d. Full Width Improvement:

(1) When interior to a subdivision of five (5) or more lots, all publicly owned streets shall be designed and installed to full width improvement as provided below:

(a) Shall be graded as necessary to conform to Department of Public Works standards.

(b) Shall be of asphaltic concrete according to Department of Public Works standards.

I Shall have permanent concrete curbs and gutters according to Department of Public Works standards.

(d) Shall have storm drains consisting of the proper size pipe and catch basins; sizes to be approved by the Department of Public Works prior to the public hearing for the preliminary subdivision.

I Shall have sidewalks provided at a minimum width as specified in TMC 11.12.

(2) When interior to a subdivision of four (4) or fewer lots, all public roads and all privately owned roads that have the potential to serve five (5) or more lots shall be designed and installed to full width improvement as provided below:

(a) Shall be graded as necessary to conform to Department of Public Works standards.

(b) Shall be of asphaltic concrete according to Department of Public Works standards.

I Shall provide storm drainage to be approved by the Department of Public Works.

(d) Shall provide sidewalk right-of-way or easements at a minimum width as specified in TMC 11.12.

I Shall construct or provide L.I.D. no-protest agreements for permanent concrete curbs, gutters, and sidewalks according to Department of Public Works standards.

(f) Shall be dedicated to the City or subject to a binding agreement for future dedication.

(3) All privately owned roads that will serve four (4) or fewer dwellings shall be designed and installed to full width improvement as provided below:

(a) Shall be graded as necessary to conform to Department of Public Works standards.

(b) Shall be of asphaltic concrete according to Department of Public Works standards.

I Shall provide storm drainage to be approved by the Department of Public Works.

e. Half Width Improvement:

(1) Streets abutting the perimeter of a subdivision of five (5) or more lots shall provide the full improvements on the half of the street adjacent to the site, provided additional paving may be required to ensure safe and efficient roads exist to serve the subdivision; provided further that there are no physical obstructions to completing the other half of the roadway; and that there is a minimum of 20 feet of paving.

(2) If the future grade or alignment of the adjacent public street is unknown and it is not feasible to establish the grade in a reasonable period or the immediate improvement of the street would result in a short, isolated segment of improved street and similar street improvements in the vicinity are unlikely to occur within six years, the City may approve a delay of improvements. The owner(s) must agree to enter into a binding L.I.D. no-protest agreement to further improve the street to full public street standards in the future; however adjacent streets must still be improved to the minimum level necessary, in the judgment of the City Engineer, to safely accommodate traffic generated by the proposed subdivision or short plat.

(3) Streets abutting the perimeter of a subdivision of four (4) or fewer lots shall provide L.I.D. no-protest agreements for construction of frontal improvements on the half of the street adjacent to the site, provided that there is a minimum of 20 feet of paving.

(Ord. 2740 §3 (part), 2024)

CHAPTER 17.24
PROCEDURES FOR
PUBLIC IMPROVEMENTS

Sections:

- 17.24.010 Purpose
- 17.24.020 Plans and Permits Required for Public Improvements
- 17.24.030 Process for Installing Public Improvements
- 17.24.040 Improvement Agreements and Financial Guarantees

17.24.010 Purpose

A. It is the intent to have all infrastructure improvements required by a subdivision, BSIP, boundary line adjustment, or lot consolidation, completed prior to final approval of the proposed land action. The City realizes that there may be instances where the completion of the improvement may not be the best course of action, including, but not limited to: final lift for the roadway, completing sidewalks while development construction is ongoing, minor punch list items, etc. In those instances, the Director of Public Works may accept a bond or other financial security in lieu of the completion of the infrastructure improvements.

(Ord. 2740 §3 (part), 2024)

17.24.020 Plans and Permits Required for Public Improvements

A. Approval of a preliminary subdivision, BSIP, boundary line adjustment, or lot consolidation, shall constitute approval for the applicant to develop construction plans and specifications, for all facilities and improvements, in substantial conformance to the preliminary approval, design standards, and any special conditions required by the Short Subdivision Committee or Hearing Examiner; to obtain permits and complete installation for said improvements; and to prepare a final plat, plans, surveys and other documents for recording.

B. Prior to installing improvements, the applicant shall apply for all required permits for those improvements. The applications shall include development plans as specified on the application form. [Note: See TMC 11.08 and 11.12 for additional guidance on standards and permit requirements for improvements in the public right-of-way.]

(Ord. 2740 §3 (part), 2024)

17.24.030 Process for Installing Public Improvements

A. All required and not-required improvements installed by shall conform to the requirements of this title and improvement standards, specifications, inspections and procedures as set forth by the Department of Public Works, and shall be installed in accordance with the following procedures:

1. Work shall not be commenced until plans have been checked for adequacy and approved by the Department of Public Works to the extent necessary for the evaluation of the subdivision or short plat proposal. Plans shall be prepared in accordance with the requirements of the City.

2. Work shall not commence until the Department of Public Works has been notified in advance and, if work has been discontinued for any reason, it shall not be resumed until the Department of Public Works has been notified.

3. Public improvements shall be constructed under the inspection and to the satisfaction of the Director of Public Works. The Director of Public Works may require changes in typical sections and details if unusual conditions arise during construction to warrant the change.

4. All underground utilities, sanitary sewers and storm drains installed in the streets by the developer of the subdivision or short plat shall be constructed prior to the surfacing of streets. Stubs for service connections and underground utilities and sanitary sewers shall be placed to a length obviating the necessity for disturbing the street improvements when surface connections are made.

5. Plans showing all improvements as built shall be filed with the City upon completion of the improvements.

(Ord. 2740 §3 (part), 2024)

17.24.040 Improvement Agreements and Financial Guarantees

A. **Required Improvements:** Before any final subdivision, BSIP, boundary line adjustment, or lot consolidation is approved, the applicant shall install all required improvements and replace or repair any such improvements which are damaged in the development of the subdivision. In lieu of the completion of the actual construction of all required improvements (public and private), the Director of Public Works may accept a bond in an amount and with surety and conditions satisfactory to the Director of Public Works, or other secure method, providing for and securing to the City the actual construction and installation of all required improvements. This is in addition to the requirements of TMC 11.08 requiring a performance bond for all work being done in the public right-of-way. If the Director of Public Works accepts a bond for the completion of the work, the applicant shall execute and file with the City an agreement guaranteeing completion of such improvements together with any needed replacement or repair. The agreement shall:

1. Specify the period of time within which all work required shall be completed. The time for completion shall not exceed one year from the date of final approval of the subdivision. The agreement may provide for reasonable extensions of time for completion of work. Extensions must be requested, approved by the Director of Public Works, and properly secured in advance of the required initial completion date.

2. Require notice by the applicant to the Director of Public Works promptly upon completion of all required improvements.

3. Provide for notice of approval or disapproval by the Director of Public Works of the improvement within a reasonable time after receiving notice of completion.

4. Require financial security to be provided by the applicant pursuant to TMC 17.24.030.C.

5. Provide that, if the applicant fails to complete all required work within the period specified, the City may take steps to demand performance of the developer's obligation within a reasonable time not to exceed 90 days from the date of demand.

6. Provide that, if the required improvements are not completed within that time, the City may take action to require the applicant to forfeit the financial security.

7. Provide that the City shall be entitled to recover all costs of such action including reasonable attorney's fees.

8. Provide that, following recovery of the proceeds of the financial security, those proceeds shall be used to complete the required improvements and pay the costs incurred.

9. Provide that, should the proceeds of the financial security be insufficient for completion of the work and payment of the costs, the City shall be entitled to recover the deficiency from the applicant.

B. **Maintenance Agreement:** Regardless of whether all required improvements are completed prior to final approval of any subdivision of land, as a condition of such approval the applicant shall execute an agreement to assure successful operation of said improvements. [Note: See TMC 11.08.110 for details.] The agreement shall:

1. Require the applicant to post a bond or other financial security to secure successful operation of all required improvements and full performance of the developer's maintenance obligation. Such financial security shall be effective for a two-year period following approval of installation of all required improvements.

2. Require the applicant to perform maintenance functions on drainage improvements for a period of time not to exceed two years from approval of their completion or final plat approval, whichever is later. Such maintenance functions shall be specified by the Director of Public Works, and shall be reasonably related to the burdens that the subdivision will impose on drainage facilities during the time maintenance is required. The City may agree to accept and perform maintenance of the improvements, in which case the applicant's obligation to perform maintenance functions shall terminate.

3. Not relieve the applicant of liability for the defective condition of any required improvements discovered following the effective term of the security given.

4. Provide a waiver by the applicant of all claims for damages against any governmental authority, which may occur to the adjacent land as a result of construction, drainage, and maintenance of the streets and other improvements.

C. **Performance Bond:** To assure full performance of the agreements required herein, the applicant shall provide one or more of the following in a form approved by the City Attorney:

1. A surety bond executed by a surety company authorized to transact business in the State of Washington.

2. An irrevocable letter of credit from a financial institution stating that the money is held for the purpose of development of the stated project.

3. An assignment of account with a financial institution which holds the money in an account until such time the City signs a written release. The assignment of account will allow the City to withdraw the funds in the event the provisions of the agreement are not met.

4. A cash deposit made with the City of Tukwila.

D. **Amount of Financial Security:** The financial security provided shall be 150% of the estimated cost of the improvements to be completed and all related engineering and incidental expenses, final survey monumentation and preparation of records in a format approved by Public Works and meeting current Public Works drawing standards of the “as-built” improvements. The applicant shall provide an estimate of these costs for acceptance by the Director of Public Works.

E. **Defective Work:** The acceptance of improvements by the City shall not prevent the City from making a claim against the applicant for any defective work if such is discovered within two years after the date of completion of the work.

(Ord. 2740 §3 (part), 2024)

CHAPTER 17.28**PENALTIES, SEVERABILITY, LIABILITY****Sections:**

17.28.010	Sale, Lease or Transfer of Land in Violation of this Chapter
17.28.020	Penalties
17.28.030	City Not Liable
17.28.040	Severability

17.28.010 Sale, Lease or Transfer of Land in Violation of this Chapter

A. Any person, firm, corporation, association, or any agent of any person, firm, corporation, or association who violates any provision of RCW 58.17 or TMC Title 17, “Subdivisions and Plats”, relating to the sale, offer for sale, lease, or transfer of any lot, tract, or parcel of land, shall be guilty of a gross misdemeanor; and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of RCW 58.17 or TMC Title 17, “Subdivisions and Plats”, shall be deemed a separate and distinct offense.

(Ord. 2740 §3 (part), 2024)

17.28.020 Penalties

A. Any other violation of any provision, or failure to comply with any of the requirements of this chapter, shall be subject to enforcement and penalties as prescribed in TMC 8.45 and the issuance of a Notice of Violation in accordance with TMC 8.45.070.

(Ord. 2740 §3 (part), 2024)

17.28.030 City Not Liable

A. This code shall not be construed to relieve from or lessen the responsibility of any person owning any land or building, constructing or modifying any subdivisions in the City for damages to anyone injured or damaged either in person or property by any defect therein; nor shall the City or any agent thereof be held as assuming such liability by reason of any preliminary or final approval or by issuance of any permits or certificates authorized herein.

(Ord. 2740 §3 (part), 2024)

17.28.040 Severability

A. If any section, subsection, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

(Ord. 2740 §3 (part), 2024)