ORDINANCE NO. 16-0462

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEOOOD, WASHINGTON, AMENDING CHAPTER 16.03 EMC SHORT SUBDIVISIONS AND CHAPTER 16.04 EMC FULL SUBDIVISIONS; UPDATING AND CLARIFYING THE APPLICABLE DEADLINES FOR SUBMITTING FINAL SHORT SUBDIVISIONS AND FULL SUBDIVISIONS; SETTING FORTH LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Growth Management Act requires the City of Edgewood to periodically review and update the City’s development regulations consistent with changes made by the State Department of Commerce and State law; and

WHEREAS, the City of Edgewood Planning Commission discussed the amendments contained in this ordinance at the September 21, 2015 regular Planning Commission meeting and formally recommended approval thereof; and

WHEREAS, a 60-day Notice of Intent to Adopt was sent to the Washington State Department of Commerce on September 16, 2015 pursuant to RCW 36.70A.106; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) was issued for the amendments on September 15, 2015; and

WHEREAS, the Edgewood Planning Commission conducted a public hearing regarding the amendments on October 5, 2015 to take comments from interested parties; and

WHEREAS, the amendments do not modify any development standards or requirements beyond updating references to reflect various requirements of the Growth Management Act and various updates to State Law;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEOOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The above recitals, together with the content of Agenda Bill No. 16-0462, are hereby adopted by reference as legislative findings in support of this ordinance. The City Council further enters the following additional findings:
A. The code amendments set forth herein bear a substantial relation to the public health, safety and welfare.

B. The code amendments set forth herein are in the best interest of City of Edgewood residents.

C. The code amendments set forth herein satisfy all relevant criteria for approval and adoption, including but not limited to the standards codified in Title 18 EMC.

D. The code amendments set forth herein have been processed, reviewed, considered and adopted in material compliance with all applicable state and local procedural requirements, including but not limited to the requirements codified in Title 18 EMC and Chapter 36.70A RCW.

E. All relevant procedural requirements of the State Environmental Policy Act have been satisfied with respect to this ordinance.

Section 2. Amendment Chapter 16.03 EMC. Chapter 16.03 of the Edgewood Municipal Code is hereby amended by the addition of a new Section 16.03.115 to provide in its entirety as follows:

16.03.115 Time limitation on final short subdivision submittal. A final short subdivision meeting all conditions of approval and local and state requirements shall be submitted to the city within five years of the date of the preliminary short subdivision approval, or the preliminary approval shall expire and become null and void except as specifically provided for in accordance with Chapter 58.17 RCW.

Section 3. Amendment EMC 16.04.170. Section 16.04.170 of the Edgewood Municipal Code is hereby amended to provide in its entirety as follows:

16.04.170 Time limitation on final full subdivision submittal. The final full subdivision meeting all conditions of approval and local and state requirements shall be submitted to the city council within five years of the date of the preliminary full subdivision approval, or the preliminary approval shall expire and become null and void as specifically provided for in accordance with RCW 58.17.140 and 58.17.170.

Section 4. Purpose: Intent. The purpose of this ordinance is to ensure that the City’s codes accurately reflect the mandated updates associated with the Growth Management Act, the State subdivision statute codified at Chapter 58.17 RCW, and other legislative amendments to applicable State law.

Section 5. Transmittal to State. Pursuant to RCW 36.70A.106, a copy of this ordinance shall be submitted to the Washington State Department of Commerce, Growth Management Services.
Section 6. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 7. Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Mayor, Daryl Eldinger

ATTEST/AUTHENTICATED:

Jane Montgomery
Acting City Clerk, Jane Montgomery, CMC

APPROVED AS TO FORM:

Zach Lell
City Attorney, Zach Lell

Date of Publication: April 28, 2016
Effective Date: May 3, 2016
LEGAL NOTICE

Date: April 27, 2016

NOTICE OF ORDINANCE PASSED BY EDGEWOOD CITY COUNCIL

The following is a summary of an Ordinance passed by the City of Edgewood City Council on the 26th day of April, 2016, and shall take effect and be in full force on the 3rd day of May, 2016.

ORDINANCE NO. 16-0462

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The full text of the Ordinance is available at the City Clerk’s office, Edgewood City Hall, 2224 - 104th Ave. East, Edgewood, WA 98371 (253) 952-3299.

Jane Montgomery
Acting City Clerk, Jane Montgomery, CMC

Published in the News Tribune on April 28, 2016