



## **CITY OF EDGEWOOD**

### **PLANNING COMMISSION MEETING AGENDA**

Monday, March 12, 2018 – 6 p.m. • Edgewood City Hall – 2224 104<sup>th</sup> Ave. East

#### **1. Call to Order**

- a. Pledge of Allegiance
- b. Roll Call
  - i. Position 1: Allison Pincas
  - ii. Position 2: JoAnn Overfield
  - iii. Position 3: Lucy Lowry
  - iv. Position 4: Carrie Streepy
  - v. Position 5: Sigmund Brudevold
  - vi. Position 6: Andrew Loe (Vice Chair)
  - vii. Position 7: Jamie Hamilton
- c. Agenda Approval or Modifications

#### **2. Consent Agenda**

- a. Approval of Minutes
  - i. November 20, 2017; and
  - ii. February 26, 2018.

#### **3. Citizen Comment Period**

- a. This portion of the agenda is reserved for the public to comment on items not on the agenda.
- b. The Planning Commission may invite additional public comment on agenda items noted for discussion later in the meeting, in the order they are reviewed.

#### **4. Public Hearings**

- a. None

#### **5. New Business**

- a. Action Item(s)
  - i. Recommendation for Plat Alteration Code Amendment
  - ii. APA Membership
- b. Discussion Item(s)
  - i. 2018 Meeting Calendar
  - ii. 2018 Work Plan

#### **6. Staff Comments**

#### **7. Commissioner Updates**

#### **8. Adjourn**


**CITY OF EDGEWOOD**
**PLANNING COMMISSION MEETING MINUTES**

 Monday, November 20, 2017 – 6 p.m. • Edgewood City Hall – 2224 104<sup>th</sup> Ave. East
 

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1. **CALL TO ORDER:** Chair Stanzel called the meeting to order at 6:05 p.m.
  - A. **Commissioners Present:** Stanzel, Loe, Overfield, and Brudevold
  - B. **Commissioners Absent:** Lowry and West
  - C. **Staff Member(s) Present:** Darren Groth, Community Development Director  
Kirk Rappe, Senior Planner  
Barbara Kincaid, Planning Consultant
  - D. **Agenda Approval:** Commissioner Overfield moved to APPROVE a modified agenda by adding Planned Residential Development action item under Old Business; Loe seconded with modification  
The Commission voted 4-0 to approve the agenda, as modified
  
2. **CONSENT AGENDA:**
  - A. **Minutes**
    1. May 1, 2017
    2. May 15, 2017
    3. June 5, 2017
    4. October 16, 2017
  - B. **Commissioner Overfield move to APPROVE the consent agenda; Loe seconded**
  - C. **The Commission voted 4-0 to approve the consent agenda**
  
3. **PUBLIC HEARINGS**
  - A. **SEPA Code Update**
    1. Chair Stanzel opened the public hearing at 6:08 p.m.
    2. Planner Rappe briefed the Commission on the requested code amendment.
    3. No public comments were submitted.
    4. Chair Stanzel closed the public hearing at 6:09 p.m.
  - B. **Plat Alteration or Vacation Code Update**
    1. Chair Stanzel opened the public hearing at 6:10 p.m.
    2. Planner Rappe briefed the Commission on the requested code amendment.
    3. No public comments were submitted.
    4. Chair Stanzel closed the public hearing at 6:11 p.m.
  - C. **Density Rounding Minor Code Amendment**
    1. Chair Stanzel opened the public hearing at 6:12 p.m.
    2. Planner Rappe briefed the Commission on the requested code amendment.
    3. No public comments were submitted.
    4. Chair Stanzel closed the public hearing at 6:13 p.m.
  - D. **Planned Residential Development (PRD) Code Update**
    1. Chair Stanzel opened the public hearing at 6:14 p.m.
    2. Director Groth briefed the Commission on the requested code amendment.
    3. Jim Otness, 973 Alta Dena Dr in Fircrest, commented in favor of amending and keeping the PRD code
    4. Chair Stanzel closed the public hearing at 6:20 p.m.

**E. Comprehensive Plan Amendment**

1. Chair Stanzel opened the public hearing at 6:21 p.m.
2. Consultant Kincaid briefed the Commission on the requested amendment.
3. No public comments were submitted.
4. Chair Stanzel closed the public hearing at 6:23 p.m.

4. **STAFF UPDATES:** Director Groth briefed the Commission on the status of the tennis center being constructed across Meridian, discussion ensued.

5. **CITIZEN COMMENTS:** None

6. **NEW BUSINESS:** None

**7. OLD BUSINESS**

**A. SEPA Code Update (*discussion item*)**

1. Planner Rappe briefed the Commission that more work is needed on the draft code that was previously presented by another staff member.

**B. Plat Alteration or Vacation Code Update (*action item*)**

1. Planner Rappe asked for action.
2. Commissioner Overfield move to recommend approval; Loe seconded
3. The Commission voted 4-0 to APPROVE.

**C. Density Rounding Minor Code Amendment (*action item*)**

1. Planner Rappe asked for action.
2. Commissioner Overfield move to recommend approval; Brudevold seconded
3. The Commission voted 4-0 to APPROVE.

**D. Planned Residential Development (PRD) Code Update (*action item*)**

1. Director Groth asked for action.
2. Commissioner Overfield move to recommend approval; Brudevold seconded
3. The Commission voted 4-0 to APPROVE.

**E. Comprehensive Plan Amendment (*action item*)**

1. Consultant Kincaid asked for action.
2. Commissioner Overfield move to recommend approval; Loe seconded
3. The Commission voted 4-0 to APPROVE.

**F. Tree Retention Ordinance Goals (*discussion item*)**

1. Planner Rappe sought guidance regarding the best course of action pertaining to the Commission's desire outcome.
2. Discussion ensued regarding the Commission's goals.
3. All of the items identified by the Commission were already addressed in the Edgewood Municipal Code.
4. The Commission agreed to not pursue this matter further at this time.

8. **COMMISSIONER UPDATE:** Chair Stanzel addressed gated communities in Edgewood and Commissioner Overfield spoke about the tax revenue from Taco Time and Starbucks.

9. **ADJOURN:** Chair Stanzel adjourned the meeting at 7:23 p.m.

**CITY OF EDGEWOOD****PLANNING COMMISSION MEETING MINUTES**

Monday, February 26, 2018 – 6 p.m. • Edgewood City Hall – 2224 104<sup>th</sup> Ave. East

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1. **CALL TO ORDER:** Vice-Chair Loe called the meeting to order at 6:02 p.m. and led the attendees in the Pledge of Allegiance.
  - A. **Commissioners Present:** Pincas; Lowry; Streepy; Loe; and Hamilton
  - B. **Commissioners Absent:** Overfield and Brudevold
  - C. **Staff Member(s) Present:** Darren Groth, Community Development Director
  - D. **Agenda Approval:** Commissioner Lowry moved to APPROVE; Pincas Seconded  
The Commission voted 5-0 to approve the agenda, as presented
  - E. **Selection of Chair/Vice:** Commissioner Lowry was nominated as Chair  
Commissioner Loe was nominated as Vice-Chair  
The Planning Commission voted 5-0 to approve both nominations
2. **CONSENT AGENDA:** None
3. **CITIZEN COMMENTS:** None
4. **PUBLIC HEARINGS**
  - A. **Plat Alteration Code Amendments**
    1. Chair Lowry opened the public hearing at 6:07 p.m.
    2. Director Groth briefed the Commission on the requested code amendment.
    3. No public comments were submitted.
    4. Chair Lowry closed the public hearing at 6:08 p.m.
5. **NEW BUSINESS**
  - A. **Comprehensive Plan Amendments**
    1. Director Groth briefed the Commission on the two applications submitted for consideration on the 2018 Annual Comprehensive Plan Amendments.
      - a. File 17-1549\_ Uchida Farms
      - b. File 17-1550\_ Project S22 LLC
    2. The Commission discussed the proposals and sought clarification from Groth regarding the Annual Comprehensive Plan Amendment process.
  - B. **2018 Planning Commission Work Plan**
    1. Director Groth opened the discussion on the work plan for the coming year.
    2. The topics for discussion included:
      - a. Setting a meeting schedule for 2018;
        - i. The Commission agreed to monthly meetings.
        - ii. Meeting dates will be the second Monday of each month at 6 p.m. in the City Council Chamber.

- b. Finalizing a list of policy priorities;
  - i. The Commission agreed to set four policies as their top priorities.
  - ii. The four topics for the Commission's 2018 work plan are:
    - a) Parks and Community Connectivity;
    - b) Economic Development;
    - c) Walkability; and
    - d) Zoning Densities
  - c. Identifying communication procedures to keep City Council informed on the actions of the PC and to ensure the PC is still achieving the Council's goals.

6. **STAFF COMMENTS:** None

7. **COMMISSIONER UPDATE:** None

8. **ADJOURN:** Chair Lowry adjourned the meeting at 8:17 p.m.



**CITY OF EDGEWOOD  
STAFF REPORT  
PLANNING COMMISSION AGENDA ITEM: PLAT ALTERATION  
CODE AMENDMENT RECOMMENDATION**

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**Date:** March 12, 2018

**Title:** Recommendation for Plat Alteration Code Amendment

**Attachments:**

- 1) Ordinance with Draft Code Amendment
- 2) Ordinance with Draft Code Amendment - Clean
- 3) Prior Ordinance with Draft Code Amendment
- 4) Recommendation Document

**Fiscal Impact:** None

**Submitted By:** Darren Groth, Community Development Director

**Discussion**

The City of Edgewood's subdivision, short plat, or binding site plan codes do not include a section allowing modifications or vacation of recorded plats or binding site plans. The Washington Subdivision Act includes provisions and procedures for a vacation of subdivision and an alteration of subdivision under RCW Section 58.17.212 and 58.17.215, respectively. Since most municipal codes have a procedure for altering or vacating approved plats per state law, this request is to add a new Chapter 16.07 to the Edgewood Municipal Code (EMC).

This request was previously heard by the Planning Commission and resulted in an approval recommendation. The request was forwarded to City Council for final action; however, City staff recognized that the drafted code did not address the initial reasons the plat alteration code amendment was necessary, which were the two requests to amend a short subdivision. As a result, staff asked City Council to remand this request back to the Planning Commission to hear the revised draft.

On February 26, 2018, the Planning Commission held a public hearing on the revised draft. No comments were submitted by the public and no additional comments or revisions were proposed by the Commissioners. Attached to this report is the prior draft code update, the current redlined draft, and a clean version of the current draft.

**Recommendation**

Staff recommends APPROVAL of the requested development code amendment to add EMC Chapter 16.07.

DRAFT ~~1102-0820-187~~

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO SUBDIVISIONS, ADDING PROCEDURES FOR ALTERATIONS and Vacations OF APPROVED ~~PLATS-Subdivisions~~ AND APPROVED BINDING SITE PLANS, DESCRIBING THE ELEMENTS OF A COMPLETE APPLICATION, CRITERIA FOR APPROVAL, EFFECT OF APPROVAL AND REQUIREMENTS FOR RECORDING, PURSUANT TO RCW 58.17.212 AND 58.17.215, ADDING A NEW CHAPTER 16.07 TO THE EDGEWOOD MUNICIPAL CODE.

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WHEREAS, the Washington Subdivision Act (hereinafter the “Act”) includes provisions and procedures for a vacation of subdivision and an alteration of subdivision under of approved plats (RCW Section 58.17.212 and 58.17.215, respectively); and

WHEREAS, the Act also allows municipalities to adopt procedures for binding site plans, consistent with RCW Section 58.17.035; and

WHEREAS, the City of Edgewood has adopted development regulations applicable to plats and binding site plans but does not have any procedures for the vacation and alteration of approved short plats, full subdivision plats, and binding site plans~~approved plats or binding site plans~~; and

WHEREAS, the City’s SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC Section 197-11-800(19); and

WHEREAS, on February 6, 2018, the Washington State Department of Commerce sent confirmation to the City that the procedural requirements in RCW 36.70A.106(1) were met; and

WHEREAS, on \_\_\_\_\_, February 26, 2018, the Planning Commission held a public hearing on this Ordinance and made a recommendation of \_\_\_\_\_ to the City Council; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meetings on \_\_\_\_\_ and \_\_\_\_\_, Now, Therefore,

THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. A new eChapter 16.07 is hereby added to the Edgewood Municipal Code (EMC), which shall read as follows:

**Chapter 16.07**  
**Subdivision Vacations and Alterations**  
**of Approved Plats and Final Binding Site Plans.**

**Sections:**

- 16.07.010 Purpose.**
- 16.07.020 Administration.**
- 16.07.030 Procedure.**
- 16.07.040 Additional Notice of Public Hearing**
- 16.07.050 Requirements for a Complete Application.**
- 16.07.0560 Criteria for Approval.**
- 16.07.0670 Time Limitation for Final Decision.**
- 16.07.0780 Recording.**
- 16.07.090 Alterations to a Short Subdivision.**

**16.07.010 Purpose.** The purpose of this chapter is to regulate and allow vacations or alterations of approved plats (approved short plats, and approved final full subdivision plats,) and approved final binding site plans. It does not allow modification or revision of recorded Boundary Line Adjustments (BLA), preliminary subdivision approvals, ~~plats,~~ or preliminary

**Commented [JM1]:** Should there be some reference in the earlier sections that directs the reader to this subsection? Just don't want there to be confusion on what part of the code is applicable...



binding site plans. -The procedure for vacation of plats does not apply to the vacation or alteration of any plat of state-granted tide or shore lands.

When the vacation application is specifically for a city street, the procedures for street vacations in RCW 35.79 RCW shall be utilized for the street vacation. -When the application is for the vacation of the plat or binding site plan together with the roads ~~or~~ streets, the procedure for vacation in this chapter shall be used, but vacations of streets subject to RCW 35.79.035 may not be made under this procedure.

**16.07.020 Administration.** The Director is authorized and directed to administer the provisions of this chapter. -The authority to approve, approve with conditions, or deny ~~an~~ approved plat ~~or~~ ~~and~~ final binding site plan vacations or alterations is granted to the Hearing Examiner after a public hearing.

**16.07.030 Procedure.** ~~The following steps~~ Steps 16.07.030.A-I shall be followed in the processing of approved plat ~~and~~ ~~or~~ final binding site plan vacation or alteration applications ~~and~~ administrative appeals shall be heard by City Council. ~~See EMC Section 16.07.090 for Alterations to a Short Subdivision.~~

<del>A.</del>	EMC 18.40.150	Determination of Complete Application;
B	EMC 18.40.180	Notice of Application;
<del>C.</del>	EMC 20.05	SEPA (if required);
<del>D.</del>	<u>EMC 18.30.050</u>	Determination of Consistency;
E.	EMC 18.40.190	Notice of Public Hearing;
F.	EMC 18.40.100(K)	Preparation of Staff Report;
G.	EMC 18.40.100(L)	Public Hearing;
H.	EMC 18.40.100(Q – R)	Notice of Decision; and
I.	EMC 18.40.100(T)	Hearing Examiner <del>Appeal.</del>

**Commented [cm2]:** In these blanks, insert the code sections relating to the procedure on the right.

**Commented [KR3]:** What does this mean?

Reply: DG changed to concurrency (EMC 18.105) and then changed back to consistency (EMC 18.30.050) IAW RCW 36.70B.040

**Commented [cm4]:** If the City Council makes the decision, there is no administrative appeal. If the Hearing Examiner makes a recommendation/decision, then the appeal is to the Council.

**16.07.040 Additional Notice of Public Hearing.** In addition to the notice required in EMC Section 16.07.030 ~~provided above~~, the City shall provide notice of an application for a full subdivision or binding site plan vacation or alteration to all owners of property within the subdivision not included in the ~~(excluding the owners of property submitting the application)~~, ~~and~~ as provided for in RCW 58.17.080 and RCW 58.17.090. -The notice shall establish the date of the public hearing.

**16.07.0450 Requirements for a Complete Application.** ~~The following materials shall be submitted to the City for a complete application:~~

A. The following materials shall be submitted to the City for a complete full subdivision or binding site plan Vacation Application:

1. Date, name, address, and telephone number of the applicant ~~and~~ or property owner;
2. The reason(s) for the proposed vacation;

3. Signatures of all parties having an ownership interest in the subdivision or that portion of the subdivision proposed to be vacated;

4. If the plat or binding site plan is subject to restrictive covenants which were filed at the time of the approval of the plat, and the application for the vacation would result in the violation of a covenant, the application shall include an agreement signed by all parties subject to the covenants, which provides that the parties agree to terminate or alter the restrictive covenants to accomplish the purpose of the vacation of the plat or portion thereof;

5. Acknowledgement that if any street is included in the application for a vacation, that the applicant shall be required to pay the amount contemplated in RCW 35.79.030, ~~if the vacation is granted pursuant to EMC Section 12.05.015;~~

6. A copy of the approved plat or binding site plan sought to be vacated, together with all plat or binding site plan amendments or vacations recorded since the date of the original approval;

7. A recent title report for each of the properties affected by the vacation that confirms the owner(s) signing the application hold title of the lands described and shown in the application area~~A recent title report for each property affected by the vacation, confirming that the title of the lands as described and shown in the proposed vacation area is in the name of the owner(s) signing the application;~~ and

8. If the vacation is for a portion of the plat or binding site plan, the applicant must demonstrate that the partial vacation will not violate the terms of plat or binding site plan approval or this Chapter.

9. Electronic version of all submittal documents, in a format acceptable to the City on optical disc, flash drive or downloadable from ftp site, in either Adobe PDF or Microsoft Word format.

10. An application fee ~~as established by City resolution.~~

B. The following materials shall be submitted to the City for a complete full subdivision or binding site plan Alteration Application.

1. Date, name, address, and telephone number of the applicant ~~and~~/or property owner;

2. The reason(s) for the proposed alteration;

3. Signatures of the majority of those persons having an ownership interest in the lots, tracts, parcels, sites, or divisions in the plat or binding site plan proposed to be altered;

4. If the plat or final binding site plan is subject to restrictive covenants which were filed at the time of the approval of the plat or final binding site plan, and the application for the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants, providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the plat or final binding site plan;

5. A copy of the approved plat or final binding site plan sought to be altered, together with all recorded plat ~~or~~ binding site plan amendments or vacations; and

6. A recent title report for each of the properties affected by the ~~vacation~~alteration that confirms that the owner(s) signing the application hold title of the lands ~~as described and shown in the application~~proposed vacation area is in the name of the owner(s) signing the application.

**Commented [cm5]:** Also refer to the City's street vacation procedure. Does the City have one?

7. If the alteration is for a portion of the plat or final binding site plan, the applicant must demonstrate that the alteration will not violate the terms of plat or final binding site plan approval, or this Chapter.

8. An electronic version of all submittal documents, in a format acceptable to the City on optical disc, flash drive or downloadable from ftp site, in either Adobe PDF or Microsoft Word format.

9. An application fee.

C. The following materials shall be submitted to the City for a complete Short Plat Alteration:

1. Date, name, address, and telephone number of the applicant or property owner;

2. The reason(s) for the proposed alteration;

3. Signatures of the majority of those persons having an ownership interest in the lots, tracts, parcels, sites, or divisions in the Short Plat proposed to be altered;

4. If the Short Plat is subject to restrictive covenants which were filed at the time of the approval of the Short Plat, and the application for the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants, providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the Short Plat;

5. A copy of the approved Short Plat sought to be altered, together with all previously recorded Short Plat amendments; and

6. A recent title report for each of the properties affected by the alteration that confirms the owner(s) signing the application hold title of the lands described and shown in the application area.

7. If the alteration is for a portion of the Short Plat, the applicant must demonstrate that the alteration will not violate the terms of Short Plat approval, or this Chapter.

8. An electronic version of all submittal documents, in a format acceptable to the City.

9. An application fee.

**106.07.0560 Criteria for Approval.**

A. Vacation Criteria for a full subdivision or binding site plan.

1. *Vacation.* The plat or binding site plan vacation may be approved, approved with conditions or denied after a written determination is made whether the public use and interest will be served by the vacation. -The decision shall be supported by written findings and conclusions. -If any portion of the land contained in the plat or binding site plan was dedicated to the public for public use and benefit, such land, if not already deeded to the City, shall be deeded to the City as a condition of approval, unless the decision-maker makes findings that the public use would not be served in retaining title to those lands. -Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat, binding site plan or other document creating the dedicated easement provides or an alternative method or methods to extinguish or alter the easement.

2. *Street Vacation.* When the vacation application is specifically for vacation of a City street, the ~~City's street vacation~~ procedures, ~~in~~ EMC [Section 12.05.015](#) and the procedures in ~~RCW e~~Chapter 35.79 ~~RCW~~ shall be utilized. -When the procedure is for the vacation of a plat or binding site plan together with the streets, the vacation procedure in this chapter shall be used, but this procedure cannot be used to vacate streets if prohibited under RCW [Section 35.79.035](#) or the City's street vacation ordinance.

Commented [cm6]: Insert reference here to City's street vacation procedures.

3. *Title to Vacated Property.* Title to the vacated property shall vest with the rightful owner as shown on the county records. -If the vacated land is land that was dedicated to the public, for public use other than a road or street, and the ~~decision maker~~[legislative authority](#) has found that retaining title to the land is not in the public interest, title thereto shall vest with the person(s) owning the property on each side thereof, as determined by the ~~decision maker~~[legislative authority](#). -When the road or street that is to be vacated is contained wholly within the plat or binding site plan, and is part of the boundary of the subdivision or binding site plan, title to the vacated road or street shall vest with the owner(s) of property contained within the vacated subdivision or binding site plan.

B. Alteration Criteria [for a full subdivision or binding site plan](#).

[1.](#) The alteration may be approved, approved with conditions or denied after a written determination is made whether the public use and interest will be served by the alteration. The decision shall be supported by written findings and conclusion.

[2.](#) If any land within the alteration area is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels or tracts, or be levied equitably on the lots resulting from the alteration.

[3.](#) If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

**16.07.0670 Time Limitation for Final Decision.** A [full subdivision or binding site plan](#) vacation or alteration application shall be approved, approved with conditions, or denied within one hundred-twenty (120) days after a complete application has been submitted, unless the applicant consents in writing to an extension of ~~such~~ [the 120-day](#) time period.

**16.07.0780 Recording.** After approval of the alteration or vacation, the City shall order the applicant to produce a revised drawing of the approved [full subdivision or binding site plan](#) alteration or vacation ~~of the short plat, final plat or final binding site plan~~. -The Council shall authorize the Mayor to sign the approved alteration ~~or~~ vacation ~~of the short plat, final plat or final binding site plan~~. -The City shall file ~~it~~ [the approved alteration or vacation](#) with the County auditor at the applicant's cost. [The alteration or vacation, and the same](#) shall [replace and supersede](#) the [existing](#) lawful plat or final binding site plan for the property.

**16.07.090 Alterations to a Short Subdivision**

[A. General Requirements.](#)

1. Short subdivision alterations apply to those elements which are common to the entire plat.

2. An alteration to a portion of a recorded short plat replaces and supersedes the portion of the original short plat that is contained in the alteration.

3. Additional lots cannot be added except pursuant to RCW Section 58.17.060.

B. Required Written Findings and Determinations.

1. The Director shall inquire into the public use and interest proposed to be served by the establishment of the alteration, if any.

2. The application shall follow the Process II Administrative Action procedures pursuant to EMC Section 18.40.070.

3. A proposed short subdivision alteration shall not be approved unless the Director makes written findings that:

a. The alteration conforms to the requirements of RCW Chapter 58.17 and the provisions of this Title;

b. The items to be altered do not conflict with the goals and policies of the Comprehensive Plan, applicable community plan(s), and any applicable EMC or state laws; and

c. The public use and interest will be served as a result of the proposed alteration.

C. Approval.

1. The Director has the authority to approve or deny any proposed short subdivision and may impose additional or altered conditions and requirements as necessary to assure that the proposal conforms to the Comprehensive Plan, applicable community plan(s), other applicable EMC provisions, state laws, and the criteria contained in this Section.

2. Approvals shall include a note that states: "This altered short plat ~~or large lot division~~ supersedes Lot(s) \_\_\_\_\_ of Short Plat No. \_\_\_\_\_" and a brief written narrative explaining what is being altered and the reason for such alteration, including identification of the specific change(s) to the recorded document.

3. Appeals from the decision of the Director or designee will be heard by the Hearing Examiner.

D. Recording.

1. After approval of the alteration, the City shall order the applicant to produce a revised final drawing of the approved Short Plat alteration for signatures and recording.

2. The same department signature blocks shall be provided on the proposed plat alteration as those listed on the original document.

3. The final document for recording shall be signed by the property owner(s). The Council shall authorize the Mayor to sign the approved alteration.

34. The City shall file the approved alteration with the County auditor at the applicant's cost. The alteration shall replace and supersede the existing lawful Short Plat for the property.

**Commented [JM7]:** Mayor does not sign short plats. This suggested revision is more consistent with PCC 18F.20.030 D

Section 2. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 3. Effective Date. This Ordinance shall become effective five (5) days after publication as provided by law.

ADOPTED by the City Council of the City of \_\_\_\_\_, signed by the Mayor and attested by the City Clerk in authentication of such passage on this \_\_\_ day of \_\_\_\_\_, 201\_.

\_\_\_\_\_  
MAYOR

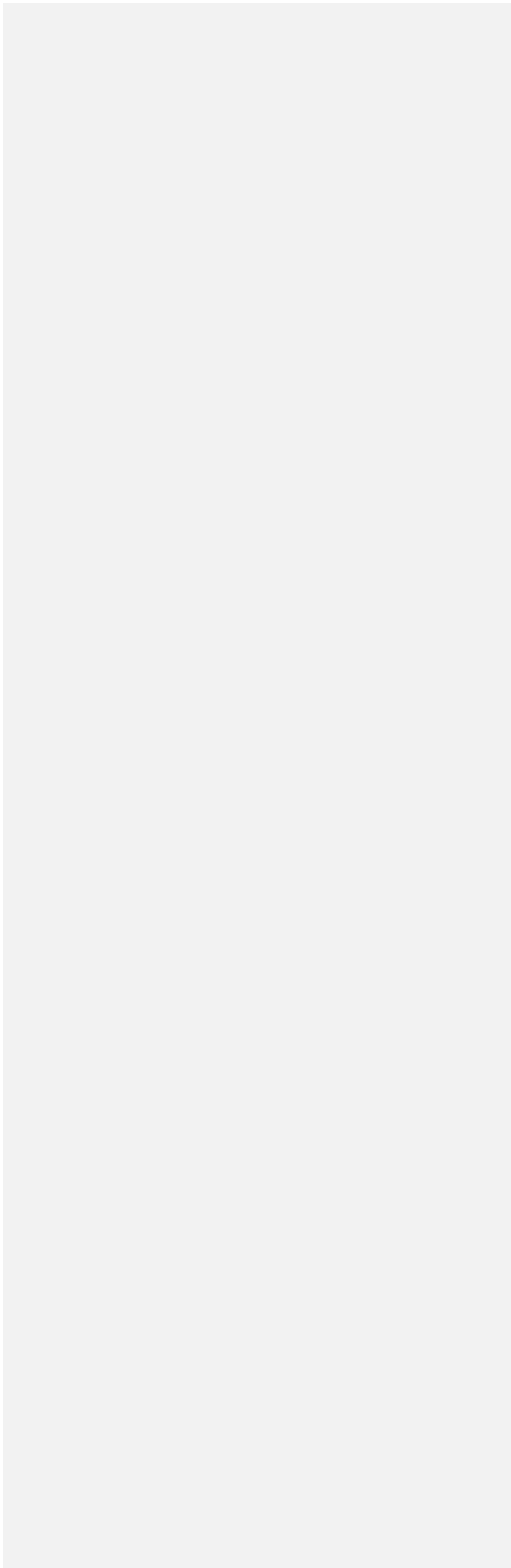
ATTEST/AUTHENTICATED:

\_\_\_\_\_

City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



DRAFT 02-08-18

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO SUBDIVISIONS, ADDING PROCEDURES FOR ALTERATIONS and Vacations OF APPROVED Subdivisions AND APPROVED BINDING SITE PLANS, DESCRIBING THE ELEMENTS OF A COMPLETE APPLICATION, CRITERIA FOR APPROVAL, EFFECT OF APPROVAL AND REQUIREMENTS FOR RECORDING, PURSUANT TO RCW 58.17.212 AND 58.17.215, ADDING A NEW CHAPTER 16.07 TO THE EDGEWOOD MUNICIPAL CODE.**

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WHEREAS, the Washington Subdivision Act (hereinafter the “Act”) includes provisions and procedures for a vacation of subdivision and an alteration of subdivision under RCW Section 58.17.212 and 58.17.215, respectively; and

WHEREAS, the Act also allows municipalities to adopt procedures for binding site plans, consistent with RCW Section 58.17.035; and

WHEREAS, the City of Edgewood has adopted development regulations applicable to plats and binding site plans but does not have any procedures for the vacation and alteration of approved short plats, full subdivision plats, and binding site plans; and

WHEREAS, the City’s SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC Section 197-11-800(19); and

**WHEREAS**, on February 6, 2018, the Washington State Department of Commerce sent confirmation to the City that the procedural requirements in RCW 36.70A.106(1) were met; and



WHEREAS, on February 26, 2018, the Planning Commission held a public hearing on this Ordinance and made a recommendation of \_\_\_\_\_ to the City Council; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meetings on \_\_\_\_\_ and \_\_\_\_\_, Now, Therefore,

THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. A new Chapter 16.07 is hereby added to the Edgewood Municipal Code (EMC), which shall read as follows:

**Chapter 16.07  
Subdivision Vacations and Alterations**

**Sections:**

- 16.07.010 Purpose.**
- 16.07.020 Administration.**
- 16.07.030 Procedure.**
- 16.07.040 Additional Notice of Public Hearing**
- 16.07.050 Requirements for a Complete Application.**
- 16.07.060 Criteria for Approval.**
- 16.07.070 Time Limitation for Final Decision.**
- 16.07.080 Recording.**
- 16.07.090 Alterations to a Short Subdivision.**

**16.07.010 Purpose.** The purpose of this chapter is to regulate and allow vacations or alterations of approved short plats, full subdivision plats, and binding site plans. It does not allow modification or revision of recorded Boundary Line Adjustments (BLA), preliminary subdivision approvals, or preliminary binding site plans. The procedure for vacation of plats does not apply to the vacation or alteration of any plat of state-granted tide or shore lands.

When the vacation application is specifically for a city street, the procedures for street vacations in RCW 35.79 RCW shall be utilized for the street vacation. When the application is for the vacation of the plat or binding site plan together with the roads or streets, the procedure for vacation in this chapter shall be used, but vacations of streets subject to RCW 35.79.035 may not be made under this procedure.

**16.07.020 Administration.** The Director is authorized and directed to administer the provisions of this chapter. The authority to approve, approve with conditions, or deny an approved plat or a final binding site plan vacation or alteration is granted to the Hearing Examiner after a public hearing.

**16.07.030 Procedure.** Steps 16.07.030.A-I shall be followed in the processing of approved plat or final binding site plan vacation or alteration applications and administrative appeals shall be heard by City Council. See EMC Section 16.07.090 for Alterations to a Short Subdivision.

- |    |                      |  |
|----|----------------------|--|
| A. | EMC 18.40.150        | Determination of Complete Application; |
| B. | EMC 18.40.180        | Notice of Application;                 |
| D. | EMC 20.05            | SEPA (if required);                    |
| C. | EMC 18.30.050        | Determination of Consistency;          |
| E. | EMC 18.40.190        | Notice of Public Hearing;              |
| F. | EMC 18.40.100(K)     | Preparation of Staff Report;           |
| G. | EMC 18.40.100(L)     | Public Hearing;                        |
| H. | EMC 18.40.100(Q – R) | Notice of Decision; and                |
| I. | EMC 18.40.100(T)     | Hearing Examiner Appeal.               |

**16.07.040 Additional Notice of Public Hearing.** In addition to the notice required in EMC Section 16.07.030.E, the City shall provide notice of an application for a full subdivision or binding site plan vacation or alteration to all owners of property within the subdivision not included in the application, as provided for in RCW 58.17.080 and RCW 58.17.090. The notice shall establish the date of the public hearing.

**16.07.050 Requirements for a Complete Application.**

A. The following materials shall be submitted to the City for a complete full subdivision or binding site plan Vacation Application:

1. Date, name, address, and telephone number of the applicant or property owner;
2. The reason(s) for the proposed vacation;
3. Signatures of all parties having an ownership interest in the subdivision or that portion of the subdivision proposed to be vacated;
4. If the plat or binding site plan is subject to restrictive covenants which were filed at the time of the approval of the plat, and the application for the vacation would result in the violation of a covenant, the application shall include an agreement signed by all parties subject to the covenants, which provides that the parties agree to terminate or alter the restrictive covenants to accomplish the purpose of the vacation of the plat or portion thereof;
5. Acknowledgement that if any street is included in the application for a vacation, that the applicant shall be required to pay the amount contemplated in RCW 35.79.030, if the vacation is granted pursuant to EMC Section 12.05.015;
6. A copy of the approved plat or binding site plan sought to be vacated, together with all plat or binding site plan amendments or vacations recorded since the date of the original approval;

7. A recent title report for each of the properties affected by the vacation that confirms the owner(s) signing the application hold title of the lands described and shown in the application area; and

8. If the vacation is for a portion of the plat or binding site plan, the applicant must demonstrate that the partial vacation will not violate the terms of plat or binding site plan approval or this Chapter.

9. Electronic version of all submittal documents, in a format acceptable to the City.

10. An application fee.

B. The following materials shall be submitted to the City for a complete full subdivision or binding site plan Alteration Application.

1. Date, name, address, and telephone number of the applicant or property owner;

2. The reason(s) for the proposed alteration;

3. Signatures of the majority of those persons having an ownership interest in the lots, tracts, parcels, sites, or divisions in the plat or binding site plan proposed to be altered;

4. If the plat or final binding site plan is subject to restrictive covenants which were filed at the time of the approval of the plat or final binding site plan, and the application for the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants, providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the plat or final binding site plan;

5. A copy of the approved plat or final binding site plan sought to be altered, together with all recorded plat or binding site plan amendments or vacations; and

6. A recent title report for each of the properties affected by the alteration that confirms the owner(s) signing the application hold title of the lands described and shown in the application area.

7. If the alteration is for a portion of the plat or final binding site plan, the applicant must demonstrate that the alteration will not violate the terms of plat or final binding site plan approval, or this Chapter.

8. An electronic version of all submittal documents, in a format acceptable to the City.

9. An application fee.

C. The following materials shall be submitted to the City for a complete Short Plat Alteration:

1. Date, name, address, and telephone number of the applicant or property owner;

2. The reason(s) for the proposed alteration;

3. Signatures of the majority of those persons having an ownership interest in the lots, tracts, parcels, sites, or divisions in the Short Plat proposed to be altered;

4. If the Short Plat is subject to restrictive covenants which were filed at the time of the approval of the Short Plat, and the application for the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to

the covenants, providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the Short Plat;

5. A copy of the approved Short Plat sought to be altered, together with all previously recorded Short Plat amendments; and

6. A recent title report for each of the properties affected by the alteration that confirms the owner(s) signing the application hold title of the lands described and shown in the application area.

7. If the alteration is for a portion of the Short Plat, the applicant must demonstrate that the alteration will not violate the terms of Short Plat approval, or this Chapter.

8. An electronic version of all submittal documents, in a format acceptable to the City.

9. An application fee.

### **106.07.060 Criteria for Approval.**

#### **A. Vacation Criteria for a full subdivision or binding site plan.**

1. *Vacation.* The plat or binding site plan vacation may be approved, approved with conditions or denied after a written determination is made whether the public use and interest will be served by the vacation. The decision shall be supported by written findings and conclusions. If any portion of the land contained in the plat or binding site plan was dedicated to the public for public use and benefit, such land, if not already deeded to the City, shall be deeded to the City as a condition of approval, unless the decision-maker makes findings that the public use would not be served in retaining title to those lands. Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat, binding site plan or other document creating the dedicated easement provides or an alternative method or methods to extinguish or alter the easement.

2. *Street Vacation.* When the vacation application is specifically for vacation of a City street, the procedures in EMC Section 12.05.015 and the procedures in RCW Chapter 35.79 shall be utilized. When the procedure is for the vacation of a plat or binding site plan together with the streets, the vacation procedure in this chapter shall be used, but this procedure cannot be used to vacate streets if prohibited under RCW Section 35.79.035 or the City's street vacation ordinance.

3. *Title to Vacated Property.* Title to the vacated property shall vest with the rightful owner as shown on the county records. If the vacated land is land that was dedicated to the public, for public use other than a road or street, and the decision maker has found that retaining title to the land is not in the public interest, title thereto shall vest with the person(s) owning the property on each side thereof, as determined by the decision maker. When the road or street that is to be vacated is contained wholly within the plat or binding site plan, and is part of the boundary of the subdivision or binding site plan, title to the vacated road or street shall vest with the owner(s) of property contained within the vacated subdivision or binding site plan.

- B. Alteration Criteria for a full subdivision or binding site plan.
1. The alteration may be approved, approved with conditions or denied after a written determination is made whether the public use and interest will be served by the alteration. The decision shall be supported by written findings and conclusion.
  2. If any land within the alteration area is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels or tracts, or be levied equitably on the lots resulting from the alteration.
  3. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

**16.07.070 Time Limitation for Final Decision.** A full subdivision or binding site plan vacation or alteration application shall be approved, approved with conditions, or denied within one hundred-twenty (120) days after a complete application has been submitted, unless the applicant consents in writing to an extension of the 120-day time period.

**16.07.080 Recording.** After approval of the alteration or vacation, the City shall order the applicant to produce a revised drawing of the approved full subdivision or binding site plan alteration or vacation. The Council shall authorize the Mayor to sign the approved alteration or vacation. The City shall file the approved alteration or vacation with the County auditor at the applicant's cost. The alteration or vacation shall replace and supersede the existing lawful plat or final binding site plan for the property.

**16.07.090 Alterations to a Short Subdivision**

- A. General Requirements.
1. Short subdivision alterations apply to those elements which are common to the entire plat.
  2. An alteration to a portion of a recorded short plat replaces and supersedes the portion of the original short plat that is contained in the alteration.
  3. Additional lots cannot be added except pursuant to RCW Section [58.17.060](#).
- B. Required Written Findings and Determinations.
1. The Director shall inquire into the public use and interest proposed to be served by the establishment of the alteration, if any.
  2. The application shall follow the Process II Administrative Action procedures pursuant to EMC Section 18.40.070.
  3. A proposed short subdivision alteration shall not be approved unless the Director makes written findings that:
    - a. The alteration conforms to the requirements of RCW Chapter [58.17](#) and the provisions of this Title;

b. The items to be altered do not conflict with the goals and policies of the Comprehensive Plan, applicable community plan(s), and any applicable EMC or state laws; and

c. The public use and interest will be served as a result of the proposed alteration.

C. Approval.

1. The Director has the authority to approve or deny any proposed short subdivision and may impose additional or altered conditions and requirements as necessary to assure that the proposal conforms to the Comprehensive Plan, applicable community plan(s), other applicable EMC provisions, state laws, and the criteria contained in this Section.

2. Approvals shall include a note that states: "This altered short plat supersedes Lot(s) \_\_\_\_\_ of Short Plat No. \_\_\_\_\_" and a brief written narrative explaining what is being altered and the reason for such alteration, including identification of the specific change(s) to the recorded document.

3. Appeals from the decision of the Director or designee will be heard by the Hearing Examiner.

D. Recording.

1. After approval of the alteration, the City shall order the applicant to produce a final drawing for signatures and recording.

2. The same department signature blocks shall be provided on the proposed plat alteration as those listed on the original document.

3. The final document for recording shall be signed by the property owner(s).

4. The City shall file the approved alteration with the County auditor at the applicant's cost. The alteration shall replace and supersede the existing lawful Short Plat for the property.

Section 2. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 3. Effective Date. This Ordinance shall become effective five (5) days after publication as provided by law.

ADOPTED by the City Council of the City of \_\_\_\_\_, signed by the Mayor and attested by the City Clerk in authentication of such passage on this \_\_\_ day of \_\_\_\_\_, 201\_.

\_\_\_\_\_  
MAYOR

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DRAFT 6-14-17

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO SUBDIVISIONS, ADDING PROCEDURES FOR ALTERATION OF APPROVED PLATS AND APPROVED BINDING SITE PLANS, DESCRIBING THE ELEMENTS OF A COMPLETE APPLICATION, CRITERIA FOR APPROVAL, EFFECT OF APPROVAL AND REQUIREMENTS FOR RECORDING, PURSUANT TO RCW 58.17.212 AND 58.17.215, ADDING A NEW CHAPTER 16.07 TO THE EDGEWOOD MUNICIPAL CODE.**

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WHEREAS, the Washington Subdivision Act (hereinafter the “Act”) includes provisions for a vacation and alteration of approved plats (RCW 58.17.212 and 58.17.215); and

WHEREAS, the also allows municipalities to adopt procedures for binding site plans, consistent with RCW 58.17.035; and

WHEREAS, the City of Edgewood has adopted development regulations applicable to plats and binding site plans but does not have any procedures for the vacation and alteration of approved plats or binding site plans; and

WHEREAS, the City SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC 197-11-800(19); and

WHEREAS, on \_\_\_\_\_, 2017, the Planning Commission held a public hearing on this Ordinance and made a recommendation of \_\_\_\_\_ to the City Council; and



WHEREAS, the City Council considered this Ordinance during its regular City Council meetings on \_\_\_\_\_ and \_\_\_\_\_, Now, Therefore, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. A new chapter 16.07 is hereby added to the Edgewood Municipal Code, which shall read as follows:

**Chapter 16.07  
Vacation and Alteration  
of Approved Plats and Final Binding Site Plans.**

**Sections:**

- 16.07.010 Purpose.**
- 16.07.020 Administration.**
- 16.07.030 Procedure.**
- 16.07.040 Requirements for a Complete Application.**
- 16.07.050 Criteria for Approval.**
- 16.07.060 Time Limitation for Final Decision.**
- 16.07.070 Recording.**

**16.07.010 Purpose.** The purpose of this chapter is to regulate and allow vacation or alteration of approved plats (approved short plats and approved final plats) and approved final binding site plans. It does not allow modification or revision of preliminary plats or preliminary binding site plans. The procedure for vacation of plats does not apply to the vacation or alteration of any plat of state-granted tide or shore lands.

When the vacation application is specifically for a city street, the procedures for street vacations in RCW 35.79 RCW shall be utilized for the street vacation. When the application is for the vacation of the plat or binding site plan together with the roads/streets, the procedure for vacation in this chapter shall be used, but vacations of streets subject to RCW 35.79.035 may not be made under this procedure.

**16.07.020 Administration.** The Director is authorized and directed to administer the provisions of this chapter. The authority to approve, approve with conditions or deny approved plat and final binding site plan vacations or alterations is granted to the **City Council? Hearing Examiner?** after a public hearing.

**16.07.030 Procedure.** The following steps shall be followed in the processing of approved plat and final binding site plan vacation or alteration applications:

- A. \_\_\_\_\_ Determination of Complete Application;
- B. \_\_\_\_\_ Notice of Application;
- C. \_\_\_\_\_ SEPA;
- D. \_\_\_\_\_ Determination of Consistency;
- E. \_\_\_\_\_ Notice of Public Hearing (*see also*, additional public hearing notice below);
- F. \_\_\_\_\_ Preparation of Staff Report;
- G. \_\_\_\_\_ Public Hearing;
- H. \_\_\_\_\_ Notice of Decision; and
- I. \_\_\_\_\_ Administrative Appeal.

**Comment [cm1]:** In these blanks, insert the code sections relating to the procedure on the right.

**Comment [cm2]:** If the City Council makes the decision, there is no administrative appeal. If the Hearing Examiner makes a recommendation/decision, then the appeal is to the Council.

**Additional Notice of Public Hearing.** In addition to the notice provided above, the City shall provide notice of an application for vacation or alteration to all owners of property within the subdivision (excluding the owners of property submitting the application), and as provided for in RCW 58.17.080 and 58.17.090. The notice shall establish the date of the public hearing.

**16.07.040 Requirements for a Complete Application.** The following materials shall be submitted to the City for a complete application:

A. Vacation Application:

1. Date, name, address and telephone number of the applicant and/or property owner;
2. The reason(s) for the proposed vacation;
3. Signatures of all parties having an ownership interest in the subdivision or that portion of the subdivision proposed to be vacated;
4. If the plat or binding site plan is subject to restrictive covenants which were filed at the time of the approval of the plat, and the application for the vacation would result in the violation of a covenant, the application shall include an agreement signed by all parties subject to the covenants, which provides that the parties agree to terminate or alter the restrictive covenants to accomplish the purpose of the vacation of the plat or portion thereof;
5. Acknowledgement that if any street is included in the application for a vacation, that the applicant shall be required to pay the amount contemplated in RCW 35.79.030, if the vacation is granted;
6. A copy of the approved plat or binding site plan sought to be vacated, together with all plat or binding site plan amendments recorded since the date of the original approval;
7. A recent title report for each property affected by the vacation, confirming that the title of the lands as described and shown in the proposed vacation area is in the name of the owner(s) signing the application; and
8. If the vacation is for a portion of the plat or binding site plan, the applicant must demonstrate that the partial vacation will not violate the terms of plat or binding site plan approval or this Chapter.
9. Electronic version of all submittal documents on optical disc, flash drive or downloadable from ftp site, in either Adobe PDF or Microsoft Word format.
10. An application fee as established by City resolution.

**Comment [cm3]:** Also refer to the City's street vacation procedure. Does the City have one?

B. Alteration Application.

1. Date, name, address and telephone number of the applicant and/or property owner;
2. The reason(s) for the proposed alteration;
3. Signatures of the majority of those persons having an ownership interest in the lots, tracts, parcels, sites or divisions in the plat or binding site plan proposed to be altered;
4. If the plat or final binding site plan is subject to restrictive covenants which were filed at the time of the approval of the plat or final binding site plan, and the application for the alteration would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants, providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the alteration of the plat or final binding site plan;
5. A copy of the approved plat or final binding site plan sought to be altered, together with all recorded plat/binding site plan amendments; and
6. A recent title report for each of the properties affected by the vacation, confirming that the title of the lands as described and shown in the proposed vacation area is in the name of the owner(s) signing the application.
7. If the alteration is for a portion of the plat or final binding site plan, the applicant must demonstrate that the alteration will not violate the terms of plat or final binding site plan approval, or this Chapter.
8. An electronic version of all submittal documents on optical disc, flash drive or downloadable from ftp site, in either Adobe PDF or Microsoft Word format.
9. An application fee.

**106.07.050 Criteria for Approval.**

A. Vacation Criteria.

1. *Vacation.* The plat or binding site plan vacation may be approved, approved with conditions or denied after a written determination is made whether the public use and interest will be served by the vacation. The decision shall be supported by written findings and conclusions. If any portion of the land contained in the plat or binding site plan was dedicated to the public for public use and benefit, such land, if not already deeded to the City, shall be deeded to the City as a condition of approval, unless the decision-maker makes findings that the public use would not be served in retaining title to those lands. Easements established by a dedication are property rights that cannot be extinguished or altered without the approval of the easement owner or owners, unless the plat, binding site plan or other document creating the dedicated easement provides or an alternative method or methods to extinguish or alter the easement.
2. *Street Vacation.* When the vacation application is specifically for vacation of a City street, the City's street vacation procedures (and/or the procedures in chapter 35.79 RCW) shall be utilized. When the procedure is for the vacation of a plat or binding site plan together with the streets, the vacation procedure in this chapter shall be used, but this procedure

**Comment [cm4]:** Insert reference here to City's street vacation procedures.

cannot be used to vacate streets if prohibited under RCW 35.79.035 or the City's street vacation ordinance.

3. *Title to Vacated Property.* Title to the vacated property shall vest with the rightful owner as shown on the county records. If the vacated land is land that was dedicated to the public, for public use other than a road or street, and the legislative authority has found that retaining title to the land is not in the public interest, title thereto shall vest with the person(s) owning the property on each side thereof, as determined by the legislative authority. When the road or street that is to be vacated is contained wholly within the plat or binding site plan, and is part of the boundary of the subdivision or binding site plan, title to the vacated road or street shall vest with the owner(s) of property contained within the vacated subdivision or binding site plan.

B. *Alteration Criteria.* The alteration may be approved, approved with conditions or denied after a written determination is made whether the public use and interest will be served by the alteration. The decision shall be supported by written findings and conclusion. If any land within the alteration area is part of an assessment district, any outstanding assessments shall be equitably divided and levied against the remaining lots, parcels or tracts, or be levied equitably on the lots resulting from the alteration. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties.

**16.07.060 Time Limitation for Final Decision.** A vacation or alteration application shall be approved, approved with conditions or denied within one hundred-twenty (120) days after a complete application has been submitted, unless the applicant consents in writing to an extension of such time period.

**16.07.070 Recording.** After approval of the alteration or vacation, the City shall order the applicant to produce a revised drawing of the approved alteration or vacation of the short plat, final plat or final binding site plan. The Council shall authorize the Mayor to sign the approved alteration/vacation of the short plat, final plat or final binding site plan. The City shall file it with the County auditor at the applicant's cost, and the same shall be the lawful plat or final binding site plan for the property.

Section 2. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 3. Effective Date. This Ordinance shall become effective five days after publication as provided by law.

ADOPTED by the City Council of the City of \_\_\_\_\_, signed by the Mayor and attested by the City Clerk in authentication of such passage on this \_\_\_\_ day of \_\_\_\_\_, 201\_.

\_\_\_\_\_  
MAYOR

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**EDGEWOOD PLANNING COMMISSION RECOMMENDATION:**

**RECOMMENDATION OF THE CITY OF EDGEWOOD PLANNING COMMISSION RELATING TO SUBDIVISIONS, AMENDING THE EDGEWOOD MUNICIPAL CODE (EMC) BY ADDING PROCEDURES FOR ALTERATION OF APPROVED PLATS AND APPROVED BINDING SITE PLANS, DESCRIBING THE ELEMENTS OF A COMPLETE APPLICATION, CRITERIA FOR APPROVAL, EFFECT OF APPROVAL, AND REQUIREMENTS FOR RECORDING, PURSUANT TO RCW 58.17.212 AND 58.17.215, ADDING A NEW CHAPTER 16.07 TO THE EDGEWOOD MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Washington Subdivision Act (hereinafter the “Act”) includes provisions for a vacation and alteration of approved plats (RCW 58.17.212 and 58.17.215); and

**WHEREAS**, the also allows municipalities to adopt procedures for binding site plans, consistent with RCW 58.17.035; and

**WHEREAS**, the City of Edgewood has adopted development regulations applicable to plats and binding site plans but does not have any procedures for the vacation and alteration of approved plats or binding site plans; and

**WHEREAS**, the City SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC 197-11-800(19); and

**WHEREAS**, on February 6, 2018, the Washington State Department of Commerce sent confirmation to the City that the procedural requirements in RCW 36.70A.106(1) were met; and

**WHEREAS**, the Planning Commission held a Public Hearing to receive public testimony regarding the Proposed Code Amendment at the February 26, 2018 Planning Commission meeting; and

**NOW, THEREFORE, IT SHALL BE ADVISED** that the Planning Commission hereby makes the following recommendations:

1. The Planning Commission reviewed the proposed amendments to the development regulations and recommends City Council APPROVE, AS PRESENTED the proposal to add Chapter 16.07 to the Edgewood Municipal Code (EMC).

**THIS RECOMMENDATION WAS APPROVED BY THE CITY OF EDGEWOOD PLANNING COMMISSION ON THE 12<sup>th</sup> DAY OF MARCH 2018.**

\_\_\_\_\_  
Planning Commission Chair

Attest by: \_\_\_\_\_  
Community Development Director



**CITY OF EDGEWOOD  
STAFF REPORT**

**PLANNING COMMISSION AGENDA ITEM: APA MEMBERSHIP**

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<b><u>Date:</u></b>	March 12, 2018
<b><u>Title:</u></b>	APA Membership
<b><u>Attachments:</u></b>	1) Commissioner Membership Application
<b><u>Fiscal Impact:</u></b>	\$115 participation fee plus \$45 per commissioner, annual maximum of \$430
<b><u>Submitted By:</u></b>	Darren Groth, Community Development Director

**Discussion**

The American Planning Association (APA) provides leadership in the development of vital communities by advocating excellence in planning, promoting education and citizen empowerment, and providing members with the tools and support necessary to meet the challenges of growth and change. The APA's membership includes planners, commissioners, public officials, educators, students, and engaged citizens who are committed to creating communities that thrive and prosper. As an APA member, you would join the world's largest planning organization.

All planning public officials, whether newly seated or well-seasoned, should master planning basics and learn about innovative planning practices. The APA publishes educational material to educate commissioners about the planning profession. As a Commission member, you have access to *Planning* magazine and its bimonthly supplement, *The Commissioner*. Members also have unlimited web access to current and archived publications of the Planning Advisory Service, APA's Research KnowledgeBase, and *Interact*. Members also enjoy the APA Library's E-book Collection and discounts on resources through the online store. As a member, you can also join the Washington APA Chapter and attend local, state, and national training events and conferences.

**Recommendation**

Discuss and provide direction regarding an organization-wide membership for each Commissioner.



Photo of the Hillsborough (Florida) City  
County Planning Commission by Dean Sallis

# CONNECT

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- The agency pays a \$115 annual participation fee and \$65 (\$60 national dues + \$5 chapter dues) per member.

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- APA affiliates are not members of APA national, but may join some APA chapters.
- The agency pays a \$115 annual participation fee and \$45 per affiliate.

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Chicago, IL 60678-9770  
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**American Planning Association**

*Making Great Communities Happen*



**Identify planning board members or affiliates** (Photocopy this form to identify additional individuals.)

\_\_\_\_\_  
 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
 Home Address

\_\_\_\_\_  
 City State ZIP

\_\_\_\_\_  
 \*Email address (required)

\_\_\_\_\_  
 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
 Home Address

\_\_\_\_\_  
 City State ZIP

\_\_\_\_\_  
 \*Email address (required)

\_\_\_\_\_  
 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
 Home Address

\_\_\_\_\_  
 City State ZIP

\_\_\_\_\_  
 \*Email address (required)

\_\_\_\_\_  
 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
 Home Address

\_\_\_\_\_  
 City State ZIP

\_\_\_\_\_  
 \*Email address (required)

\_\_\_\_\_  
 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
 Home Address

\_\_\_\_\_  
 City State ZIP

\_\_\_\_\_  
 \*Email address (required)

\_\_\_\_\_  
 Name  Mr.  Ms.  Mrs.

\_\_\_\_\_  
 Home Address

\_\_\_\_\_  
 City State ZIP

\_\_\_\_\_  
 \*Email address (required)

*\*This will be the email address of record. APA will use it to deliver benefits and it will serve as login to the APA website.*

**Choose your connection and compute your cost.**

<b>Group Planning Board Members (GPBM)</b>			<b>OR</b>	<b>APA Affiliates</b>		
Participation fee		\$ 115 (A)		Participation fee		\$ 115 (A)
Dues per member	\$ 65			Dues per affiliate	\$ 45	
Multiply by number of members	x _____			Multiply by number of affiliates	x _____	
Total member dues	=	\$ _____ (B)		Total affiliate dues	=	\$ _____ (B)
<b>GPBM TOTAL (A+B)</b>	=	<b>\$ _____</b>	<b>OR</b>	<b>AFFILIATES TOTAL (A+B)</b>	=	<b>\$ _____</b>

**Verification** *(required)*

I verify that the individuals named above are members of a planning board or commission or elected or appointed officials, and that they do not earn their living in planning.

\_\_\_\_\_  
 Name of commission, board, or agency

\_\_\_\_\_  
 Signature of program administrator

\_\_\_\_\_  
 Email address of program administrator *(please print)*

**Contact and billing information** *(please print)*

\_\_\_\_\_  
 Agency

\_\_\_\_\_  
 Agency's APA ID (if known)

\_\_\_\_\_  
 Program administrator

\_\_\_\_\_  
 Agency address 1

\_\_\_\_\_  
 Agency address 2

\_\_\_\_\_  
 City State ZIP

**Agency director or designate**

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Email address

**Payment information**

Check enclosed, payable to APA

MasterCard  Visa  American Express  Discover

\_\_\_\_\_  
 Card number

\_\_\_\_\_  
 Expiration date

\_\_\_\_\_  
 Cardholder's signature



**CITY OF EDGEWOOD  
STAFF REPORT  
PLANNING COMMISSION AGENDA ITEM: 2018 MEETING  
CALENDAR**

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**Date:** March 12, 2018

**Title:** 2018 Meeting Calendar

**Attachments:** None

**Fiscal Impact:** None

**Submitted By:** Darren Groth, Community Development Director

**Discussion**

On February 26, 2018, the Planning Commission set their standard meeting date as the second Monday of each month. The action established the following dates as the remaining 2018 Planning Commission standard meeting schedule:

- |              |                |                 |
|--------------|----------------|-----------------|
| 1. April 9   | 2. May 14      | 3. June 11      |
| 4. July 9    | 5. August 13   | 6. September 10 |
| 7. October 8 | 8. November 12 | 9. December 10  |

As the action merely identified the second Monday of the month, this report is intended to memorialize and record the results by providing clear dates associated with the act. The dates do not conflict with any City holidays, which recently has caused scheduling conflicts as both the January and February 2018 standard meetings were cancelled for Martin Luther King Day and Presidents' Day, respectively.

In addition to the standard dates, if special business or time sensitive actions are needed throughout the year, then specially called meetings can also augment the Commission's schedule.

**Recommendation**

Review and discuss the standard meeting schedule.



**CITY OF EDGEWOOD  
STAFF REPORT  
PLANNING COMMISSION AGENDA ITEM: 2018 WORK PLAN**

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**Date:** March 12, 2018

**Title:** 2018 Work Plan

**Attachments:** None

**Fiscal Impact:** None

**Submitted By:** Darren Groth, Community Development Director

**Discussion**

On February 26, 2018, the Planning Commission established four key themes for their 2018 Work Plan. The four topics for the Commission's 2018 work plan are:

1. Parks and Community Connectivity;
2. Economic Development;
3. Walkability; and
4. Zoning Densities.

As the action was conducted at the end of a lot of discussion, this report is intended to memorialize and record the results. As the Commission works through their plan, requests for information, agenda items, code amendments, or City Council briefings may all be necessary to support the work needed to address these topics.

**Recommendation**

Review and discuss the work plan.