

CITY OF REDMOND
ORDINANCE NO. 2500

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, RELATING TO FINAL PLAT APPROVAL, AMENDING RCDG 20F.40.150-050(4) IN ORDER TO EXTEND THE TIME PERIOD FOR SUBMITTAL OF A FINAL PLAT FOR A SINGLE-FAMILY RESIDENTIAL SUBDIVISION FROM FIVE TO SEVEN YEARS AFTER PRELIMINARY PLAT APPROVAL; ADOPTING THE PLANNING COMMISSION'S FINDINGS CONCLUSIONS, AND ANALYSIS; ESTABLISHING A TWO-YEAR SUNSET DATE FOR THE AMENDMENTS; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Ordinance No. 2468 of the City of Redmond, passed by the City Council on June 2, 2009, adopted interim amendments to the City's subdivision regulations to extend the time for submitting a final plat from five years to seven years after preliminary plat approval; and

WHEREAS, the intent of the interim amendments was to provide some immediate level of relief to developers and builders who were facing and continue to face severe economic consequences from the downturn in the local housing market and the overall decline of the economy; and

WHEREAS, the interim amendments expire on December 2, 2009; and

WHEREAS, the Redmond Planning Commission held a public hearing that began on September 9, 2009, and ended on

September 23, 2009, in order to consider extending the amendments; and

WHEREAS, the Planning Commission has recommended that the interim amendments be made permanent amendments to the Redmond Community Development Guide, with a sunset clause providing for expiration of the amendments two years after the effective date of the ordinance adopting them; and

WHEREAS, the Redmond City Council has reviewed the Planning Commission's recommendations at a public meeting on November 17, 2009, and decided to adopt this ordinance.

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

Section 1. Findings, Conclusions, and Analysis. In support of the amendments adopted by this ordinance, the City Council adopts the Findings, Conclusions, and Analysis contained in the Planning Commission Report dated September 23, 2009.

Section 2. Final Plats. RCDG 20F.40.150-050(4) is hereby amended to read as follows:

(4) Limitation on Preliminary Approval. Final approval of single-family residential subdivisions must be acquired within seven years of preliminary plat approval, after which time the preliminary subdivision approval is void. The seven year

limitation on preliminary approval shall apply to all
single-family residential subdivisions which have
either been approved or for which a complete
application has been received while the seven year
limitation is in effect. The seven year limitation on
preliminary approval shall expire on November 28,
2011. Final approval of all single-family residential
subdivisions for which a complete application is filed
after the expiration date must be acquired within five
years preliminary approval, after which time the
preliminary subdivision approval is void. Final
approval of all other subdivisions must be acquired
within five years of preliminary plat approval, after
which time the preliminary plat approval is void. The
Hearing Examiner may grant an extension for one year
if the applicant has attempted in good faith to submit
the final plat within the [FIVE-YEAR] required period,
provided, however, the applicant must file a written
request with the Hearing Examiner requesting the
extension at least thirty days prior to expiration of
the [FIVE-YEAR] required period.


Section 3. Duties of City Clerk and Codifier. It is the intent of the City Council that the seven year limitation on preliminary plat approval provided by the amendments made in Section 2 above expire two years from the effective date of this ordinance. The City Clerk is hereby authorized to insert the date in the above RCDG section that is two years from the effective date of this ordinance. The codifier of the RCDG is hereby authorized and directed to codify the amendments to the RCDG section set forth above with the date included.

Section 4. 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 of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Redmond City Council this 17th day of
November, 2009.

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

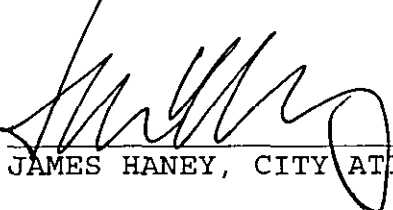
ATTEST:



MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:



JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:	November 10, 2009
PASSED BY THE CITY COUNCIL:	November 17, 2009
SIGNED BY THE MAYOR:	November 17, 2009
PUBLISHED:	November 23, 2009
EFFECTIVE DATE:	November 28, 2009
ORDINANCE NO.2500	

ADOPTED 6-0: Carson, Cole, Margeson, McCormick, Myers and Vache

Exhibit 1
RCDG 20F.40.150-050(4) Amendment

20F. 40.150-050 Preliminary Plat.

(1) Decision Criteria. As a basis for approval, approval with conditions or denial of a preliminary plat, the Hearing Examiner shall determine if appropriate provisions have been made for, but not limited to the purpose and criteria set forth in Chapter 20D.180 RCDG, Subdivision Regulations.

(2) Effect of Preliminary Plat Approval. Approval of the preliminary plat shall constitute authorization for the applicant to develop the subdivision facilities and improvements in strict accordance with the plans and specifications as approved by the Public Works Department subject to any conditions imposed by the Hearing Examiner.

(3) Time Limits - Approval within 90 Days. A preliminary plat shall be approved, approved with conditions, denied or returned to the applicant for modification or correction within 90 days from the date of filing of a complete application unless the applicant agrees to an extension of the time period in writing. Provided, should an environmental impact statement (EIS) be required per RCW 43.21C.030, Guidelines for state agencies, local governments, the 90-day period shall not include the time spent in preparing and circulating the EIS by the City. A preliminary plat application shall not be deemed "filed" until all of the application requirements of this section have been met.

(4) Limitation on Preliminary Approval. Final approval of single-family residential subdivisions must be acquired within seven years of preliminary plat approval, after which time the preliminary subdivision approval is void. The seven year limitation on preliminary approval shall apply to all single-family residential subdivisions which have either been approved or for which a complete application has been received while the seven year limitation is in effect. The seven year limitation on preliminary approval shall expire on November 28, 2011. Final approval of all single-family residential subdivisions for which a complete application is filed after the expiration date must be acquired within five years preliminary approval, after which time the preliminary subdivision approval is void. Final approval of all other subdivisions must be acquired within five years of preliminary plat approval, after which time the preliminary plat approval is void. The Hearing Examiner may grant an extension for one year if the applicant has attempted in good faith to submit the final plat within the [FIVE-YEAR] required period, provided, however, the applicant must file a written request with the Hearing Examiner requesting the extension at least thirty days prior to expiration of the [FIVE-YEAR] required period.