

ORDINANCE NO. 826

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, AMENDING CHAPTER 15.64 CMC FLOODWAYS, FLOODPLAINS, DRAINAGE AND EROSION; TO CORRECT AN ERROR; SETTING FORTH LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City has adopted standards and regulations governing drainage and stormwater management at Chapter 15.64 CMC; and

WHEREAS, the City Council updated and amended said regulations by Ordinance No. 816 adopted on October 2, 2012; and

WHEREAS, Ordinance No. 816 inadvertently omitted an amendment to Subsection 15.64.230 CMC; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF CARNATION, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals as findings in support of the regulations set forth in this ordinance. The City Council further adopts by reference the findings of the Planning Board dated August 29, 2012, together with the following:

A. The City is authorized by State law, including but not limited to Chapter 35A.11 RCW, Chapter 35A.63 RCW and Chapter 36.70A RCW, to enact local regulations governing the development and use of real property.

B. The Planning Board conducted a public hearing on the substance

of this ordinance on August 28, 2012, and recommended adoption by the City Council. The City Council held a public hearing on the substance of this ordinance on October 2, 2012.

C. The regulations set forth in this ordinance have been processed and considered by the City in material compliance with all applicable procedural requirements, including but not limited to requirements related to public notice and comment.

D. All relevant requirements of SEPA have been satisfied with respect to this ordinance.

E. The City Council has carefully considered, and the regulations set forth in this ordinance satisfy, the review criteria codified at CMC 15.100.030(E).

F. The regulations set forth in this ordinance will advance the public health, safety and welfare.

Section 2. Amendment of CMC 15.64.230. Subsection 15.64.230(F) of the Carnation Municipal Code is hereby amended to provide in its entirety as follows:

15.64.230 Permits required for regulated activities.

....

~~F. Where drainage is addressed as part of an underlying development permit, including but not limited to building, site development, subdivision and binding site plan, a separate permit for drainage will not be required. In such circumstances, all of the requirements of this chapter shall be included in the approval criteria of the underlying permit.~~

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Section 3. 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 4. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Carnation City Council this 5th day of February, 2013.


MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:


CITY CLERK, MARY MADOLE

FILED WITH THE CITY CLERK: 01/31/2013
PASSED BY THE CITY COUNCIL: 02/05/2013
PUBLISHED: 02/13/2013
EFFECTIVE DATE:..... 02/18/2013
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