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**ORDINANCE NO. 861**

AN ORDINANCE OF THE CITY OF CARNATION, WASHINGTON, AMENDING CHAPTER 15.16 CMC SUBDIVISION; CLARIFYING THE TIME LIMITATIONS FOR APPROVED PRELIMINARY PLATS TO REFLECT APPLICABLE STATE LAW REQUIREMENTS; SETTING FORTH LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, the City of Carnation regulates the subdivision of land through local regulations codified at Chapter 15.16 CMC; and

WHEREAS, the City Council desires to update and amend the City's subdivision regulations by revising the effective timeframe for approved preliminary plats in order to ensure consistency with applicable state law requirements; 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 June 4, 2015, 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 RCW Chapter 58.17 RCW, to enact local regulations governing the use and subdivision of land.

B. The Planning Board conducted a public hearing on the substance of this ordinance on May 26, 2015, and recommended adoption by the City Council. The City Council held a public hearing on this ordinance on August 4, 2015.

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 15.16.330. Subsection 15.16.330 of the Carnation Municipal Code is hereby amended to provide in its entirety as follows:

**15.16.330 - Preliminary plat time limitation.**

- A. A preliminary plat shall be valid for the period(s) specified by Chapter 58.17 RCW, including any future amendments thereto. If any condition is not satisfied and the final plat is not recorded within the approval period, the preliminary plat shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the approval period, the department may grant a single extension of up to ninety days to obtain additional information for the processing and recording of the final plat documents.
- B. If the final plat is being developed in phases and the final plats for all the phases have not been recorded within the time limits provided in this section, preliminary plat approval for unrecorded phases shall become void. A preliminary plat for any unrecorded divisions must again be submitted to the city with a new application.
- C. In granting administrative extensions authorized pursuant to subsection A of this section, the city may administratively impose

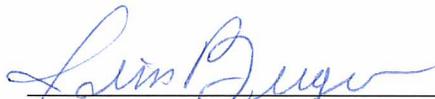
additional conditions for final approval, consistent with current city-adopted ordinances and standards.

Section 3. Copy to Commerce. Pursuant to RCW 36.70A.106, the Planning Director is hereby authorized and directed to provide a copy of this ordinance to the State Department of Commerce within 10 days of adoption.

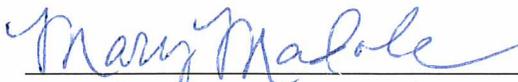
Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. 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 4th day of August, 2015.

  
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MAYOR, JIM BERGER

ATTEST/AUTHENTICATED:

  
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CITY CLERK, MARY MADOLE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
J. ZACHARY LELL

FILED WITH THE CITY CLERK: ..... 06/05/2015  
PASSED BY THE CITY COUNCIL: .... 08/04/2015  
PUBLISHED: ..... 08/12/2015  
EFFECTIVE DATE:..... 08/17/2015  
ORDINANCE NO. .... 861