

CITY OF REDMOND
ORDINANCE NO. 2468

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, ADOPTING AN INTERIM CODE
AMENDMENT, AMENDING RCDG 20F 40 150-050(4)
IN ORDER TO EXTEND THE TIME PERIOD FOR
SUBMITTAL OF A FINAL PLAT FOR A RESIDENTIAL
SUBDIVISION TO SEVEN YEARS AFTER PRELIMINARY
PLAT APPROVAL, SETTING A PUBLIC HEARING ON
SUCH INTERIM AMENDMENT FOR JULY 21, 2009,
PROVIDING FOR SEVERABILITY, DECLARING AN
EMERGENCY AND ESTABLISHING AN IMMEDIATE
EFFECTIVE DATE

WHEREAS, RCW 58 17 140 and RCDG 20F 40 150-050(4) provide that a preliminary plat approval becomes void if a final plat is not approved within five years of preliminary plat approval, and

WHEREAS, due to the recent collapse of local and national housing markets, many residential developments which were approved within the last several years or which are already under construction are at risk of incompleteness or failure, and

WHEREAS, plats which were granted preliminary approval but which remain incomplete are facing the expiration of the required five-year time period to acquire final plat approval, and

WHEREAS, if these plats are allowed to expire, the current condition of financial markets will make it difficult, if not impossible, for developers to either sell the projects or raise the capital necessary to re-start the plat approval process, and

WHEREAS, while the consequences of expiring plats could be financially ruinous for many developers and builders, the City will also bear a heavy burden in the form of significantly decreased tax revenues, underutilized and vacant land, and the potential for abandoned construction sites, and

WHEREAS, unless the City of Redmond acts immediately, plats will expire and the adverse consequences of decreased revenues, abandoned projects, and underutilized land will occur, and

WHEREAS, the extension of plat approvals from five years to seven years may provide significant relief to developers, builders, and the City as the financial crisis abates and the economy recovers, and

WHEREAS, RCW 58 17 140 authorizes the City to adopt procedures by which preliminary plat approvals may be extended, and

WHEREAS, Article 11, Section 11 of the Washington State Constitution authorizes cities to adopt, on interim official land use controls an emergency basis, and RCW 36 70A 390 and RCW 35A 63 220 establish the procedure for doing so

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

Section 1 Classification This ordinance is of a temporary or interim nature and should not become part of the

city code unless subsequently enacted as a permanent amendment to the Community Development Guide

Section 2 Findings adopted In support of the actions undertaken by this ordinance, the Redmond City Council adopts the recitals set forth above as its findings

Section 3 Adoption of interim amendment RCDG
20F 40 150-050(4) is hereby amended on an interim basis 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 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 4 Application of interim amendment The interim amendment set forth in this ordinance shall apply to all preliminary plat approvals for single family residential subdivisions that have not expired as of the effective date of

this ordinance Preliminary plat approvals that have expired are not revived by this ordinance

Section 5 Effective period for interim amendment The interim amendment adopted by this ordinance shall remain in effect for a period of six months from the date of its enactment and shall automatically expire on that date unless extended as provided in RCW 36 70A 390 and RCW 35A 63 220 prior to said date, or unless the same is repealed or superseded by permanent amendments prior to said date

Section 6 Public hearing Pursuant to RCW 36 70A 390 and RCW 35A 63 220, the Redmond City Council hereby sets a public hearing for July 21, 2009 at 8 00 p m or as soon thereafter as the matter may be heard in order to take public testimony on the amendment adopted by this ordinance The Redmond City Council may, in its discretion, adopt additional findings justifying the interim amendment at the close of the hearing

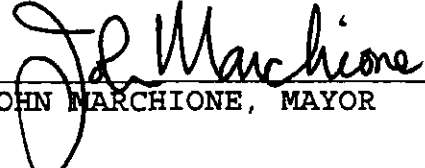
Section 7 Severability If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance

Section 8 Effective Date The Redmond City Council hereby finds and declares that an emergency exists which necessitates that this ordinance become effective immediately in order to preserve the public health, safety and welfare This ordinance shall become effective immediately upon passage The City Clerk is directed to publish a summary of this ordinance at the earliest possible publication date

ADOPTED by the Redmond City Council this 2nd day of June,

2009

CITY OF REDMOND



JOHN MARCHIONE, MAYOR

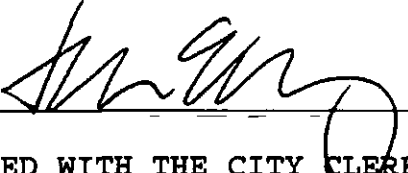
ATTEST



MICHELLE M. MCGEHEE, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM
OFFICE OF THE CITY ATTORNEY

By 

FILED WITH THE CITY CLERK	May 29, 2009
PASSED BY THE CITY COUNCIL	June 2, 2009
SIGNED BY THE MAYOR	June 2, 2009
PUBLISHED	June 8, 2009
EFFECTIVE DATE	June 2, 2009
ORDINANCE NO <u>2468</u>	

APPROVED (6-1), Yes Carson, Cole, Margeson, McCormick, Myers and Vache
No Allen