

**CITY OF ILWACO
ORDINANCE NO. 866**

AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, AMENDING SECTIONS 15.62.070 AND 15.68.080 OF THE ILWACO MUNICIPAL CODE, PERTAINING TO TIME LIMITATIONS ON SUBMITTING FINAL PLATS TO THE CITY COUNCIL

WHEREAS, the RCW 58.17.140 provides that a preliminary plat approved before January 1, 2008, (and not subject to the Shoreline Management Act) expires in ten years, a preliminary plat approved after January 1, 2008, and before January 1, 2015, expires in seven years, and a preliminary plat approved after January 1, 2015, expires in five years; and

WHEREAS, RCW 58.17.140 further provides that any city, town, or county may adopt by ordinance procedures that would allow extensions of time that may or may not contain additional or altered conditions and requirements; and

WHEREAS, the City of Ilwaco enacted Ordinance 803 on October 8, 2012, extending the expiration date for preliminary plats to nine years from the date of approval for then-existing, approved preliminary plats that had not expired; and

WHEREAS, the City now desires to amend its municipal code provisions to further extend, for an additional five-year period, unexpired preliminary plats that were approved prior to January 1, 2015, while adhering to the requirements of RCW 58.17.140 for any new preliminary plats.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 15.62.070 of the Ilwaco Municipal Code is amended to read as follows:

15.62.070 Time limitations for approval or disapproval of plats— Extensions.

A. Preliminary plats will be approved, disapproved or returned to the applicant for modification or correction within ninety (90) days from the date when a complete application is filed, unless the applicant:

1. Agrees to an extension of the time period; or
2. The ninety (90) day limitation is extended to include up to twenty-one (21) days as specified under RCW 58.17.095(3).

B. If an environmental impact statement is required as provided in RCW 43.21C.030, the ninety (90) day period will not include the time spent preparing and circulating the environmental impact statement.

C. Final plats and short plats will be approved, approved with conditions, denied or returned to the applicant within thirty (30) days from the date when a complete application is filed, unless the applicant consents to an extension of the time period.

D. For all existing preliminary plats that have not expired at the adoption of this chapter, a final plat meeting all requirements of this chapter must be submitted by the applicant to the city council for approval within ~~nine (9)~~fourteen (14) years of the date of preliminary plat approval, and any ~~new~~preliminary plats approved on or after January 1, 2015, shall expire in accordance with RCW 58.17.140. (Ord. 803 § 1, 2012; Ord. 627 (part), 1999)

Section 2. Section 15.68.080 of the Ilwaco Municipal Code is amended to read as follows:

15.68.080 Procedure and criteria for city council approval of final plats.

A. For all existing preliminary plats approved before January 1, 2015, that have not expired at the adoption of this chapter, an applicant must submit a final plat to the city council within ~~nine (9)~~fourteen (14) years of preliminary plat approval, and any ~~new~~preliminary plats approved on or after January 1, 2015, shall expire in accordance with RCW 58.17.140.

B. When the city planner receives a completed application for final plat approval, he or she will notify the clerk-treasurer to place the final plat application on the city council's agenda for its next regular meeting not sooner than ten (10) days after receipt.

C. The following criteria will be considered when the city council reviews a final plat:

1. Whether conditions imposed when the preliminary plat was approved have been met. A final plat will not be approved until the city council finds that the final plat conforms to the proposed preliminary plat and any conditions imposed;
2. Whether the maintenance security assures the successful operation of improvements.

D. When the city council finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and that the subdivision meets the requirements of

Chapter 58.17 RCW, other applicable state laws, the Ilwaco Municipal Ordinance, and other applicable local laws, the mayor or other designated member of the city council will sign the final plat.

E. Every decision of the city council must include findings of fact and conclusions to support the decision.

F. Any findings supporting the city council’s action on the final plat must be recorded in the minutes of the applicable meeting. (Ord. 803 § 2, 2012; Ord. 627 (part), 1999)

Section 3. Referendum and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect and is in full force five (5) days after its passage, approval, and publication of an approved summary of the title as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 24TH DAY OF OCTOBER, 2016.


 Michael Cassinelli, Mayor

ATTEST:


 Holly Beller, Treasurer

VOTE	Jensen	Karnofski	Marshall	Chambreau	Forner	Cassinelli
Ayes	X	X	X	X		
Nays					X	
Abstentions						
Absent						

PUBLISHED: November 2, 2016

EFFECTIVE: November 7, 2016

