

**CITY OF STEVENSON, WASHINGTON****ORDINANCE NO. 2016-1096****AN ORDINANCE ADOPTED PURSUANT TO RCW 58.17.140, AMENDING SMC 16.26.010, ADDING SMC 16.26.090 (Final Plat Approval – Extension), AND REPEALING SECTION 10.10 OF ORDINANCE 670.**RECITALS

WHEREAS, RCW 58.17.140(3) adopts specific time limitations for approval or disapproval of final plats which differ from the timelines adopted by the City in SMC 16.26.010;

WHEREAS, RCW 58.17.140(4) provides that nothing contained in RCW 58.17.140, pertaining to time limitations for approval or disapproval of plats and extensions, acts to prevent any city, town or county from adopting by ordinance procedures which would allow extensions of time that may or may not contain additional or altered conditions and requirements;

WHEREAS, the City Council desires to advance objectives 2.14 and 3.6 related to permitting processes and fees;

WHEREAS, the City Council has determined that it is in the best interests of the City to adopt final plat extension procedures, to provide the City necessary flexibility and ability to respond to factors such as economic and other conditions that impact development timelines;

WHEREAS, Whereas, pursuant to RCW 36.70B.170, a development agreement may set forth the development standards and other provisions that will apply to, govern and vest the development, use and mitigation of the development of real property for the duration specified in the agreement, which statute provides:

(1) A local government may enter into a Development Agreement with a person having ownership or control of real property within its jurisdiction. A city may enter into a development agreement for real property outside its boundaries as part of a proposed annexation or a service agreement. A development agreement must set forth the development standards and other provisions that will apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement will be consistent with applicable development regulations adopted by a local government planning under chapter 36.70A RCW;

WHEREAS, the legislative findings supporting the enactment of this section provide:

The legislature finds that the lack of certainty of the approval of development projects can result in a waste of public and private resources, escalate housing costs for consumers and discourage the commitment to comprehensive planning which would make maximum efficient use of resources at the least economic cost to the public. Assurance to a development project applicant that upon government approval the project may proceed in accordance with existing policies and regulations, and subject to conditions of approval, all as set forth in a development agreement, will strengthen the public planning process, encourage private, participation and comprehensive planning, and reduce the economic cost of development. Further, the lack of public facilities and services is a serious impediment to development of new housing and commercial uses. Project applicants and local governments may include provisions and agreements whereby applicants are reimbursed over time for financing public facilities. It is the intent of the legislature by RCW 36.70B.170 through 36.70B.210 to allow local governments and owners and developers of real property to enter into development agreements;

NOW, THEREFORE, the City Council of the City of Stevenson do ordain as follows:

**Section 1** – THAT, SMC 16.26.010 (Section 10.10 of Ordinance 670) shall be repealed and replaced with SMC 16.26.010 – Filing of final plat—Time Limit as follows: “At any time within 5 years following the council’s approval of a preliminary plat, or such longer period as established by the state legislature in RCW 58.17.140(B), the subdivider shall file the original and five copies of a proposed final plat with the administrator.”

**Section 2** – THAT, SMC 16.26.070 (Section 10.60 of Ordinance 670) shall be repealed and replaced with SMC 16.26.070 – Recording time limit:

“A. The final plat shall be recorded with the Skamania County auditor within 30 days of approval by the city. It shall be the responsibility of the applicant to record the plat with the county auditor.

B. Upon recording the final plat with the Skamania County auditor, the applicant shall submit a full size copy of the actual recorded mylar, inclusive of book and page number, to the administrator. No building permit shall be issued until a copy of the recorded plat is received by the city.”

**Section 3** – THAT, a new section (16.26.090) shall be added to the Stevenson Municipal Code as SMC 16.26.090 – Final Plat Approval—Extensions as follows: “The time periods established within the Stevenson Municipal Code for the approval or disapproval of final plats may be extended through a development agreement mutually approved by the applicant and the City pursuant to RCW 36.70B.170, upon findings by the City that such extension is in the City’s best interests.”

**Section 4** – THAT this ordinance affects Title 16 of the Stevenson Municipal Code, and any other SMC Titles only to the extent specified in Sections 1 and 2.

**Section 5** – THAT if any portion of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

This Ordinance shall take effect and be in force five (5) days after its publication according to law.

PASSED by the City Council of the City of Stevenson and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Mayor of the City of Stevenson

ATTEST

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Clerk of the City of Stevenson

APPROVED AS TO FORM

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KEN WOODRICH, Attorney for the  
City of Stevenson