Ordinance No. 3443
(Amending or Repealing Ordinances)

CFN=458 – Subdivision Code
Passed 2/16/1999
Amending Sec. 12.04.280 – Short Plat Filing

Amends Ord. 1840 (Sec. 2.2.9)

Amended by Ord. 3511
Amended by Ord. 3906 (Ch. 12.04)
ORDINANCE NO. 3443

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 12.04.280 of the Kent City Code to lengthen the timeframe for recording a final short plat.

WHEREAS, the current City of Kent subdivision code, Section 12.04.280, requires that a short plat of two to nine lots be filed within six (6) months of the date of approval or the short plat will be null and void; and

WHEREAS, the current code does allow for one (1) extension of not more than six (6) months if the request is received by the Planning Department prior to the six month expiration date; and

WHEREAS, the Planning Department has determined that in 1997 approximately 72% of the short plats required a six month extension prior to the recording of the final plat; and

WHEREAS, developers have expressed concern about the limited amount of time allotted for recording of a final short plat and the Planning Department agrees that six months can be inadequate time to complete a short plat and file it for recording; and

WHEREAS, the Planning Department proposed an amendment to Section 12.04.280 of the Kent City Code to lengthen the timeframe for recording a final short plat; and

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WHEREAS, the proposed amendment would extend the short plat expiration date to one (1) year from the date of the approval and increase the extension time period to one (1) year, if the extension is requested prior to the one-year expiration date; and

WHEREAS, the proposed amendment was submitted to the Land Use & Planning Board for discussion at its January 11, 1999 work session; and

WHEREAS, the Land Use & Planning Board voted to bring the proposed amendment as an action item to the January 26, 1999 Land Use & Planning Board public hearing; and

WHEREAS, the Land Use & Planning Board unanimously approved the recommendation to amend Section 12.04.280 of the Kent City Code as recommended by the Planning Department; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 12.04.280 of the Kent City Code is hereby amended as follows:

Sec. 12.04.280. Short subdivision plat expiration. If the short subdivision plat is not filed within six (6) months one (1) year of the date of approval, the short subdivision plat shall be null and void. Upon written request of the subdivider, the planning department may grant one (1) extension of not more than six (6) months one (1) year. Such request must be received by the planning department prior to the six-month one-year expiration date.
SECTION 2. - Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

SECTION 3. - Effective Date. This Ordinance shall take effect and be in thirty (30) days from and after the date of passage and publication as provided by law.

ATTEST:

JIM WHITE, MAYOR

BRENDA JACOBER, CITY CLERK, DEPUTY

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 16 day of February, 1999.

APPROVED: 16 day of February, 1999.

PUBLISHED: 19 day of February, 1999.

I hereby certify that this is a true copy of Ordinance No. 3443, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(Seal)

BRENDA JACOBER, CITY CLERK

DONNA SWAW, DEPUTY

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