

# CITY OF ROSLYN

WASHINGTON

ORDINANCE NO. 1180

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**AN ORDINANCE OF THE CITY OF ROSLYN,  
WASHINGTON, RELATING TO THE PROCESSING OF  
SUBDIVISION APPLICATIONS; SPECIFICALLY  
AMENDING SECTIONS 18.150.020, 18.150.030, 18.50.050,  
AND 18.150.060 OF THE ROSLYN MUNICIPAL CODE;  
PROVIDING FOR SEVERABILITY; AND ESTABLISHING  
AN EFFECTIVE DATE**

WHEREAS, on February 12, 2019, the City Council adopted Ordinance No. 1154 adopting a one-year moratorium on the acceptance and approval of applications for short plats or subdivisions within the City of Roslyn following concerns regarding growth and development under existing development regulations; and

WHEREAS, the moratorium was extended on February 11, 2020 and August 11, 2020 for additional six-month periods as the City Council continued to review proposed amendments to Chapter 18.150 of the Roslyn Municipal Code ("RMC") relating to the processing of applications for subdivisions; and

WHEREAS, the Planning and Historic Preservation Commission reviewed the draft amendments code on [INSERT DATES AND KEY ACTIONS]; and

WHEREAS, on Jan 28th 2021, the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) related to this Ordinance and notice of said DNS was published in the [INSERT OFFICIAL NEWSPAPER NAME] on \_\_\_\_\_; and

WHEREAS, in accordance with RCW 36.70A.106 and WAC 365-196-630, a Notification of Intention to Adopt Development Regulation Amendments was sent to the State of Washington Department of Commerce and to other state agencies on Jan 28th for review; and

WHEREAS, on Sep 22, 2020 the City Council held a workshop to review and consider the proposed code revisions and the recommendations from the Planning and Historic Preservation Commission; and

WHEREAS, on Feb 9th, the City Council held a Public Hearing regarding proposed code revisions and the recommendations from the public and Planning and Historic Preservation Commission;

**WHEREAS**, the City Council now finds it is in the best interest of the public health, welfare, and safety to amend Chapter 18.150 RMC;

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

Section 1. RMC Section 18.150.020 (Applicability), Amended. Roslyn Municipal Code 18.150.020 (Applicability) is hereby amended to read as follows:

**18.150.020 Applicability.**

A. The provisions of this chapter shall apply to all subdivisions of land unless specifically noted.

AB. Exceptions. This chapter shall not apply to land divisions or activities deemed inapplicable Pursuant to RCW 58.17.040, the provisions of this chapter shall not apply to:

- ~~1. Cemeteries and other burial plots, while used for that purpose;~~
- ~~2. Any division made by testamentary provisions or the laws of descent;~~
- ~~3. A division for the purpose of lease when no residential structures other than mobile homes or travel trailers are permitted to be placed upon the land when a binding site plan for the use of the land has been approved;~~
- ~~4. A division made solely for the purpose of adjusting boundary lines;~~
- ~~5. Divisions created by action of public bodies not for the purpose of future sale or lease, including:
  - ~~a. Acquisitions through negotiation or condemnation of fractional parts of land by public bodies for the purpose of future public use as public highways or public utility facilities; and~~
  - ~~b. Annexations and land vacations accomplished pursuant to and in accordance with all pertinent state and local laws governing same.~~~~

Section 2. RMC Section 18.150.030 (Procedures), Amended. Roslyn Municipal Code 18.150.030 (Procedures) is hereby amended to read as follows:

**18.150.030 Procedures.**

- A. Lot line adjustments shall be processed as a Class 1 permit.
- B. Short plats or short subdivisions involving four lots or less shall be processed as a Class 21 permit.
- C. Preliminary plat approval for Long plats or subdivisions involving five or more lots shall be processed as a Class 32 permit.
- D. Subdivision final plat shall be processed as a Class 3 decision.

Section 3. RMC Section 18.150.050 (Preliminary Plats), Amended. Roslyn Municipal Code 18.150.050 (Preliminary Plats) is hereby amended to read as follows:

**18.150.050 Preliminary plats and short plats.**

A. Each proposed subdivision or short subdivision shall be reviewed to ensure that:

1. The proposal conforms to the goals, policies and plans set forth in the Roslyn comprehensive plan and any other adopted plans;
2. The proposal conforms to the site and design requirements set forth in this title. ~~No final subdivision or short subdivision shall be approved unless the requirements are met;~~
3. Appropriate provisions have been made for roads, utilities, and other improvements which are consistent with current standards and plans and are ~~The proposed street system and pedestrian system conform to the Roslyn comprehensive plan, the architectural design review standards in this title and the public works development design standards as adopted by the city, and is~~ laid out in such a manner as to provide for the safe, orderly and efficient circulation of vehicular and pedestrian traffic;
4. The proposed subdivision or short subdivision will be adequately served with city-approved water and sewer, and other utilities appropriate to the nature of the subdivision or short subdivision; The city may require as a condition of approval that any existing lots or structures currently served by a septic system connect to the city sewer system;
5. The layout of lots, and their size and dimensions, takes into account topography and vegetation on the site in order that buildings may be reasonably sited, and that the least disruption of the site, topography and vegetation will result from development of the lots;
6. Identified hazards and limitations to development have been considered in the design of streets and lot layout to assure street and building sites are on geologically stable soil considering the stress and loads to which the soil may be subjected.

7. Appropriate provisions for the maintenance of commonly owned private facilities have been made.

8. The proposed subdivision or short subdivisions complies with the requirements of the Roslyn Municipal Code and other relevant local regulations.

B. The planning and historic preservation commission shall review all preliminary plats and make recommendations to the decision-maker to assure conformance of the proposed subdivision to the general purposes of the comprehensive plan and to the city's planning standards and specification. The planning and historic preservation commission shall include findings of fact and conclusions to support their recommendation. Reports of the planning and historic preservation commission shall be advisory only.

~~C. The planning and historic preservation commission~~~~decision-maker~~ shall consider agency reports, public testimony and all other relevant facts and consider whether the proposed subdivision makes appropriate provisions for public health, safety and general welfare and for such open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary wastes, parks, playgrounds, sites for schools and school grounds, and whether the public use and interest will be served by the platting of such subdivision.

~~CD.~~ Recommended conditions to be fulfilled, if any, after approval of the preliminary plat shall be written on the face of the plat.

~~DE.~~ Dedication of land to any public body, or fees paid in lieu thereof, may be required as a condition of subdivision approval and shall be clearly shown on the final plat. A record of the public meeting/public hearing shall be kept by the city and shall be open to public inspection.

~~EF. Preliminary plats must be approved, disapproved, or returned to the applicant for modification within 90 days of the filing of the preliminary plat application, unless the applicant consents to an extension. Approval of a preliminary plat shall not constitute approval of the final plat for record. Rather, it shall be a guide to the preparation of the final plat, which shall be submitted for approval of the required officials within two years of the date of preliminary plat approval unless extended in accordance with the provisions of this chapter.~~

Section 4. RMC Section 18.150.060 (Final Plats), Amended. Roslyn Municipal Code 18.150.060 (Final Plats) is hereby amended to read as follows:

**18.150.060 Final plats.**

The final plat shall conform substantially to the preliminary plat, and shall incorporate any conditions or recommendations imposed by the city.

A. The final plat shall be submitted within five years of the date of preliminary plat approval. An applicant who files a written request with the city at least 30 days before the expiration of this five-year period may be granted a three-year extension with two one-year extensions following a showing that the applicant has attempted in good faith to submit the final plat within the five-year period.

B. The city shall review the final plat for conformance to conditions imposed on the approved preliminary plat.

C. The final plat shall be recorded within 30 days following the date of approval of the final plat. If the ~~subdivider~~applicant fails to file ~~his~~the final plat prior to the expiration of the above time period, ~~he~~the applicant shall resubmit the plat in accordance with the provisions of this chapter.

D. Once a plat has been filed with the county auditor, it shall remain as the official plat covering the land. If a person proposes to alter or vacate the plat in whole or in part, the procedures set forth in Chapter 58.17 RCW shall be followed.

E. No building permit shall be issued or approved until such time as the city approves and accepts the final plat for the subdivision and the final plat is recorded with the Kittitas County auditor.

F. Inspection of improvements shall be made during construction and after completion of required improvements. Scheduling of inspections shall be the responsibility of the applicant and shall be coordinated with the appropriate city staff.

G. Once property is subdivided in accordance with the short subdivision regulations of this chapter, no further division creating more than nine lots, tracts, parcels, sites or divisions from the original short plat shall be made for a period of five years from the date of recording of the short plat, unless a final plat has been approved and filed for record pursuant to the regular plat provisions of this chapter.

H. In the case of a proposed redivision of land within a short plat or a regular plat, either the short subdivision or regular subdivision provisions of this chapter and Chapter 58.17 RCW shall be complied with dependent upon the number of divisions proposed within the land as defined by this chapter and/or the period of time that has elapsed since the recording of a prior short plat.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

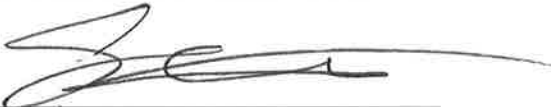
**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 9 DAY OF 2, 2021.**

CITY OF ROSLYN

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Brent Hals, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Sarah Christensen, City Clerk

Approved as to form:

\_\_\_\_\_  
Ann Marie Soto, City Attorney

Filed with the City Clerk:  
Passed by the City Council:  
Date of Publication:  
Effective Date: