



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 28, 2005

Ordinance 15243

Proposed No. 2005-0098.2

Sponsors Constantine, Pelz, Patterson,
Edmonds and Phillips

1 AN ORDINANCE establishing application requirements
2 for land use permits, revising hearing examiner findings for
3 reclassifications of property and shoreline redesignations;
4 and amending Ordinance 12196, Section 11, as amended,
5 and K.C.C. 20.20.040 and Ordinance 4461, Section 10, as
6 amended, and K.C.C. 20.24.190.

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8

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040
11 are each hereby amended to read as follows:

12 **Application requirements.**

13 A. The department shall not commence review of any application set forth in this
14 chapter until the applicant has submitted the materials and fees specified for complete
15 applications. Applications for land use permits requiring Type 1, 2, 3 or 4 decisions shall
16 be considered complete as of the date of submittal upon determination by the department
17 that the materials submitted meet the requirements of this section. Except as provided in

18 K.C.C. 20.20.040.B, all land use permit applications described in K.C.C. 20.20.020

19 Exhibit A shall include the following:

20 1. An application form provided by the department and completed by the
21 applicant that allows the applicant to file a single application form for all land use permits
22 requested by the applicant for the development proposal at the time the application is
23 filed;

24 2. Designation of who the applicant is, except that this designation shall not be
25 required as part of a complete application for purposes of this section when a public
26 agency or public or private utility is applying for a permit for property on which the
27 agency or utility does not own an easement or right-of-way and the following three
28 requirements are met:

29 a. the name of the agency or private or public utility is shown on the
30 application as the applicant;

31 b. the agency or private or public utility includes in the complete application
32 an affidavit declaring that notice of the pending application has been given to all owners
33 of property to which the application applies, on a form provided by the department; and

34 c. the form designating who the applicant is submitted to the department before
35 permit approval;

36 3.a. A certificate of sewer availability or site design approval for an on-site
37 sewage system by the Seattle-King County department of public health, as required by
38 the King County board of health code title 13: or

39 b. for public schools and public schools facilities located in rural areas, a
40 finding by King County that no cost-effective alternative technologies are feasible, a

41 certificate of sewer availability((~~;~~)) and a letter from the sewer utility indicating
42 compliance with the tightline sewer provisions in the zoning code, as required by K.C.C.
43 chapter 13.24;

44 4. If the development proposal requires a source of potable water, a current
45 certificate of water availability(~~(, if required by)~~) consistent with K.C.C. chapter 13.24 or
46 documentation of an approved well by the Seattle-King County department of public
47 health;

48 5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C.
49 chapter 21A.40;

50 6. A site plan, prepared in a form prescribed by the director;

51 7. Proof that the lot or lots to be developed are recognized as a lot under this
52 title;

53 8. A sensitive areas affidavit, if required by K.C.C. chapter 21A.24;

54 9. A completed environmental checklist, if required by K.C.C. chapter 20.44;

55 10. Payment of any development permit review fees, excluding impact fees
56 collectible pursuant to K.C.C. Title 27;

57 11. A list of any permits or decisions applicable to the development proposal
58 that have been obtained before filing the application or that are pending before the county
59 or any other governmental entity;

60 12. Certificate of transportation concurrency from the department of
61 transportation if required by K.C.C. chapter 14.70. The certificate of transportation
62 concurrency may be for less than the total number of lots proposed by a preliminary plat
63 application only if:

- 64 a. at least seventy-five percent of the lots proposed have a certificate of
65 transportation concurrency at the time of application for the preliminary plat;
- 66 b. a certificate of transportation concurrency is provided for any remaining lots
67 proposed for the preliminary plat application before the expiration of the preliminary plat
68 and final recording of the additional lots; and
- 69 c. the applicant signs a statement that the applicant resumes the risk that the
70 remaining lots proposed might not be granted.
- 71 13. Certificate of future connection from the appropriate purveyor for lots
72 located within the urban growth area that are proposed to be served by on-site or
73 community sewage system and group B water systems or private well, if required by
74 K.C.C. 13.24.136 through 13.24.140;
- 75 14. A determination if drainage review applies to the project pursuant to K.C.C.
76 chapter 9.04((;)) and, if applicable, all drainage plans and documentation required by the
77 Surface Water Design Manual adopted pursuant to K.C.C. chapter 9.04;
- 78 15. Current assessor's maps and a list of tax parcels to which public notice must
79 be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4
80 decision;
- 81 16. Legal description of the site;
- 82 17. Variances obtained or required under K.C.C. Title 21A to the extent known
83 at the date of application; and
- 84 18. For site development permits only, a phasing plan and a time schedule, if the
85 site is intended to be developed in phases or if all building permits will not be submitted
86 within three years.

87 B. A permit application is complete for purposes of this section when it meets the
88 procedural submission requirements of the department and is sufficient for continued
89 processing even though additional information may be required or project modifications
90 may be undertaken subsequently. The determination of completeness shall not preclude
91 the department from requesting additional information or studies either at the time of
92 notice of completeness or subsequently if new or additional information is required or
93 substantial changes in the proposed action occur, as determined by the department.

94 C. Additional complete application requirements for the following land use
95 permits are set forth in the following sections of the King County Code:

- 96 1. Clearing and grading permits, K.C.C. 16.82.060.
- 97 2. Construction permits, K.C.C. 16.04.052.
- 98 3. Mobile home permits, K.C.C. 16.04.093.
- 99 4. Subdivision applications, short subdivision applications and binding site plan
100 applications, K.C.C. 19A.08.150.

101 D. The director may specify the requirements of the site plan required to be
102 submitted for various permits and may waive any of the specific submittal requirements
103 listed herein that are determined to be unnecessary for review of an application.

104 E. The applicant shall attest by written oath to the accuracy of all information
105 submitted for an application.

106 F. Applications shall be accompanied by the payment of the applicable filing
107 fees, if any, as established by K.C.C. Title 27.

108 SECTION 2. Ordinance 4461, Section 10, as amended, and K.C.C. 20.24.190 are
109 each hereby amended to read as follows:

110 **Additional examiner findings – reclassifications and shoreline redesignations.**

111 When the examiner issues a recommendation regarding an application for a
112 reclassification of property or for a shoreline environment redesignation, the
113 recommendation shall include additional findings that support the conclusion that at least
114 one of the following circumstances applies:

115 A. The property is potentially zoned for the reclassification being requested and
116 conditions have been met that indicate the reclassification is appropriate;

117 B. An adopted subarea plan or area zoning specifies that the property shall be
118 subsequently considered through an individual reclassification application;

119 C. Where a subarea plan has been adopted but subsequent area zoning has not
120 been adopted, that the proposed reclassification or shoreline redesignation is consistent
121 with the adopted subarea plan; or

122 D. The applicant has demonstrated with substantial evidence that:

123 1. Since the last previous area zoning or shoreline environment designation of
124 the subject property, authorized public improvements, permitted private development or
125 other conditions or circumstances affecting the subject property have undergone
126 substantial and material change not anticipated or contemplated in the subarea plan or
127 area zoning;

128 2. The impacts from the changed conditions or circumstances affect the subject
129 property in a manner and to a degree different than other properties in the vicinity such
130 that area rezoning or redesignation is not appropriate((;)). For the purposes of this
131 subsection, "changed conditions or circumstances" does not include actions taken by the
132 current or former property owners to facilitate a more intense development of the

133 property including but not limited to changing tax limitations, adjusting property lines,
134 extending services((;)) or changing property ownership;

135 3. For proposals to increase rural residential density, that the proposal meets the
136 criteria in Comprehensive Plan policies R-205 through R-209;

137 4. For proposals to increase urban residential density, that the proposal meets
138 the criteria in Comprehensive Plan policies ((~~U-118~~)) U-120 through ((~~U-123~~)) U-125;

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139 and

140 5. The requested reclassification or redesignation is in the public interest.

141

Ordinance 15243 was introduced on 3/7/2005 and passed as amended by the Metropolitan King County Council on 7/25/2005, by the following vote:

Yes: 13 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

ATTEST:

APPROVED this ____ day of _____, ____.

Attachments None