

August 30, 1994
415M.2 CVG

Introduced By:

BRUCE LAING
BRIAN DERDOWSKI

Proposed No.:

94 - 563

MOTION NO. 9372

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A MOTION authorizing the county executive to enter into an amendment to an interlocal agreement with the city of Newport Hills relating to the processing of certain building permit and land use applications.

WHEREAS, the city of Newport Hills will incorporate on September 30, 1994, and

WHEREAS, the city and the County have agreed to enter into an interlocal agreement for the processing of building permit and land use applications, and

WHEREAS, said interlocal agreement allows for amendments to the agreement upon mutual agreement of the parties, and

WHEREAS, the city has requested the County continue to provide services of the King County Zoning and Subdivision Examiner in order to continue processing certain applications only, and

WHEREAS, the County Zoning and Subdivision Examiner is willing and able to provide such services;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The county executive is authorized to execute an amendment to an interlocal agreement, substantially in the form attached, with the city of Newport Hills for the Zoning and Subdivision Examiner services for certain applications only as specified in the agreement.

PASSED by a vote of 11 to 0 this 19th day of September, 1994.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

Attachment: Interlocal Agreement

**Amendment to Interlocal Agreement
City of Newport Hills and King County, Washington
Relating to Processing of
Building Permit and Land Use Applications**

WHEREAS, by August 30, 1994, King County (hereinafter "County") and the City of Newport Hills (hereinafter "City") will enter into an Interlocal Agreement whereby the County will continue to process certain building permit and land use applications involving property located within the City; and

WHEREAS, Section 17 of that Interlocal Agreement allows for amendments to the agreement to be made upon mutual consent of the parties hereto; and

WHEREAS, the City desires to utilize services of the King County Zoning and Subdivision Examiner and King County Department of Development and Environmental Services Planners in order to continue processing certain applications; and

WHEREAS, the City and County have committed to provide for the orderly transition or completion of projects currently in the pipeline; and

WHEREAS, the City and County wish to amend the Interlocal Agreement in order to add sections set forth below;

NOW, THEREFORE, in consideration of the terms and conditions contained herein, it is mutually agreed by and between the County and City that the Interlocal Agreement relating to the processing of building permit and land use applications is amended as follows:

1.2 The City shall enact an ordinance adopting hearing examiner procedures substantially similar to those contained in King County Code Chapter 20;

3.6 For any proposed subdivision or short subdivision project which had an appeal hearing pending with the King County Zoning and Subdivision Examiner as of the date of incorporation of the City and which involves property now located within the City, the King County Zoning and Subdivision Examiner shall conduct the pending public hearing and such further preliminary plat or short subdivision hearings which may apply to the same project and shall issue a report and recommendation to the City in accordance with Sections 3.7 and 3.8 below. All final decision making authority shall remain with the City.

3.7 For all land use hearings involving matters identified in King County Code 20, the King County Zoning and Subdivision Examiner's report and recommendation shall be provided to the City Director of Community Development for a final decision.

3.8 For all land use hearings involving matters identified in King County Code 20, the King County Zoning and Subdivision Examiner's report and recommendation shall be provided to the City legislative body for a final decision.

3.9 Hearing Examiner services set forth herein are provided to the City, on the City's behalf, at the City's request. The King County Hearing Examiner is hereby appointed as the designated agent authorized to act on behalf of the City in the manner set forth herein.

3.10 The parties agree that the intent of this Amendment is to provide a process of completion for those few cases scheduled for hearing at the time of incorporation. In the interest of assuring continuity of services for the public good, no additional hearings, beyond those cases already, scheduled as detailed in Section 3.4 will be provided under the terms of this Agreement.

3.11 This portion only of the agreement, relating to the provision of zoning and subdivision hearing examiner services, shall expire on December 31, 1994, unless extended by mutual agreement.

Except as modified herein, all terms and conditions of the Interlocal Agreement regarding the processing of building permit and land use applications shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this amendment to be executed.

KING COUNTY

CITY OF NEWPORT HILLS

King County Executive

Manager

Date

Date

Approved as to form:

Approved as to form:

King County Deputy Prosecuting
Attorney

City Attorney

Date

Date