

1 Introduced by: Bill Reams
2 79-427

3 ORDINANCE NO. 0004460

4 AN ORDINANCE relating to notice requirements
5 for certain land use decisions, establishing
6 the type and manner of notice of public
7 hearing for preliminary plats, zoning reclassi-
8 fications, planned unit developments,
9 unclassified uses, variances, conditional
10 uses and shoreline environment redesignations,
11 and amending Ordinance 3113 and K.C.C. Chapter
12 19.26 by adding a new section thereto, amending
13 Res. 15471 (part) and Res. 11048, Appendix A
14 (part) and K.C.C. 19.36.040, repealing Res.
15 25789, Sections 3007 and 3008 (1963) and
16 K.C.C. 21.62.080 and 21.62.090 and substituting
17 new sections therefore, adding a new section
18 to K.C.C. Chapter 19.36 and amending Ordinance
19 3113, Section 6(6) and KCC 19.26.100.

20 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

21 NEW SECTION. SECTION 1. There is added to K.C.C.

22 19.36 a new section to read as follows:

23 Notice of Public Hearing. The Building and Land
24 Development Division shall cause notice to be given of the time
25 and place of the public hearing on a proposed preliminary plat as
26 follows:

27 1. By first class mail sent 30 days
28 prior to the date of hearing, to owners,
29 including applicant, of property located
30 within 500 feet of any boundary of the
31 subject property, provided that the area
32 within which mailed notice is required
33 may be expanded in rural or lightly
inhabited areas or in other appropriate
cases to the extent the Division determines
is necessary to include affected property
owners. Notice shall contain (a) the
name and total area of the proposed
plat, the number of proposed

1 lots and typical lot sizes, the proposed
2 use and the name of the plat applicant;
3 (b) a legal description of the subject
4 location description in non-legal language;
5 (d) the time and place of hearing at which
6 interested parties may be heard; (e) a form
7 to request a copy of the Division report;
8 and (f) identification of the responsible
9 county official. Mailed notice as herein
10 provided is supplementary to official
11 hearing notification by publication and
12 posting and the failure of one or more
13 owners to receive mailed notice shall not
14 affect the scheduling or validity of the
15 hearing if notice was given pursuant to
16 subsections (3) and (4) below.

17 2. By first class mail sent 30 days
18 prior to the date of the hearing to (a) any
19 city located within one mile of any boundary
20 of the subject property; (b) any city which
21 has a utility which is proposed to serve the
22 plat; and (c) the state Department of
23 Transportation where the plat or part thereof
24 adjoins a state right-of-way. The content of
25 the notice shall be as provided in subsection 1
26 above.

27 3. By publication at least 20 days
28 prior to the date of hearing in the official
29 county newspaper and another newspaper of
30 general circulation in the affected community.
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1 4. By posting 30 days prior to the date
2 of hearing at least three signs or posters on
3 or adjacent to the subject property at places
4 conspicuous and likely to be seen by persons
5 passing the property. The form and content
6 of the notice shall be approved by the
7 Division. Posting, including the expenses
8 thereof, shall be the responsibility of the
9 applicant and an affidavit of posting shall
10 be submitted within seven (7) days of posting
11 by the applicant to the Division in a form
12 approved by the Division.

13 5. By any other method if the Division
14 determines it appropriate for the purpose of
15 proposed preliminary plat, including but not
16 limited to providing notification of the
17 proposed action and hearing to local or
18 community newspapers.

19 SECTION 2. Res. 25789, Sections 3007 and 3008, 1963
20 and K.C.C. 21.62.080 and .090 are each hereby repealed and the
21 following substituted:

22 Notice of Public Hearing. The Building and Land
23 Development Division shall cause notice to be given of the time
24 and place of the public hearing for a proposed zoning reclassi-
25 fication, shoreline environment redesignation, planned unit
26 development, unclassified use, variance and conditional use
27 as follows:

1 1. By first class mail sent 30 days prior
2 to the date of hearing to owners of property
3 within 500 feet of any boundary of the subject
4 property, provided that the area within which
5 mailed notice is required may be expanded in
6 rural or lightly inhabited areas or in other
7 appropriate cases to the extent the Division
8 determines is necessary to include affected
9 property owners. Notice shall contain (a) the
10 name of the applicant, the description of the
11 requested action and the proposed use of the
12 property; (b) a vicinity map or general
13 location description in non-legal language;
14 (c) the time and place of public hearing at
15 which interested parties may be heard;
16 (d) a form to request the Division report;
17 and (e) identification of the responsible
18 county official. Mailed notice as herein
19 provided is supplementary to official
20 hearing notification by publication and
21 posting and the failure of one or more owners
22 to receive mailed notice shall not affect the
23 scheduling or validity of the hearing if
24 notice was given pursuant to subsections (2)
25 and (3) below.

26 2. By publication 20 days prior to the
27 date of hearing in the official county news-
28 paper and another newspaper of general cir-
29 ulation in the affected community.

30 3. By posting at least 30 days prior
31 to the date of hearing at least three signs
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1 or posters on or adjacent to the subject
2 property at places conspicuous and likely
3 The form and content of the notice shall be
4 approved by the Division. Posting, including
5 the expenses thereof, shall be the responsi-
6 bility of the applicant and an affidavit of
7 posting shall be submitted within seven (7)
8 days of posting by the applicant to the
9 Division in a form approved by the Division.

10 4. By any other method if the Building
11 and Land Development Division determines it
12 appropriate for the purpose of giving notice
13 to interested parties, including but not
14 limited to providing notification of the
15 proposed action and hearing to local or
16 community newspapers.

17 NEW SECTION. SECTION 3. Ord. 3113 and K.C.C. 19.26
18 are hereby amended by adding a new section, K.C.C. 19.26.065, to
19 read as follows:

20 Notice of Application. Upon receipt of short sub-
21 division applications authorized by KCC 19.26.020(2) or (3)
22 which will result in the creation of five or more lots on
23 adjacent properties under common ownership, the Division shall
24 cause notice of such applications to be given within ten (10)
25 days of the filing of such applications as provided herein. In
26 addition, where the Division receives a short subdivision
27 application which is adjacent to property for which a short
28 subdivision application has been submitted within the preceding
29 twenty-four months and the proposed and previously submitted
30 short subdivisions in combination would create 5 or more lots
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1 on such adjacent properties. The Division may in its discretion
2 cause notice of such application to be given as provided
3 herein. If notice is given pursuant to this section, the
4 recommended review period contained in KCC 19.26.100(b) shall
5 commence ten days after notice of the application has been
6 mailed.

7 Notice required pursuant to this section shall be as
8 follows:

9 1. By first class mail to owners of
10 property within 500 feet of any boundary
11 of the subject property, provided that the
12 area within which mailed notice is required
13 may be expanded in rural or lightly inhabited
14 areas or in other appropriate cases to the
15 extent the Division determines is necessary
16 to include affected property owners. Notice
17 shall contain (a) the identifying number
18 of the short plats, the total area of the
19 plats, the number and typical lot size, the
20 proposed use, and the name of the applicant;
21 (b) a vicinity map or general location
22 description in non-legal language; (c) a
23 statement that written materials may be
24 submitted to the Division within ten (10)
25 days after notice is sent; (d) a form to
26 request the preliminary and final short
27 subdivisions as approved by the Division;
28 and (e) a statement of county appeal
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1 procedures. Mailed notice as herein
2 provided is supplementary to official
3 hearing notification by publication and
4 posting and failure of one or more
5 owners to receive mailed notice shall not
6 affect the scheduling or validity of the
7 hearing if notice was given pursuant to
8 subsection (3) below.

9 2. By first class mail sent to
10 (a) any city located within one mile of
11 any boundary of the subject property;
12 (b) any city which has a utility which
13 is proposed to serve the short sub-
14 division; and (c) the state Department
15 of Transportation where the plat or part
16 thereof adjoins a state right-of-way.
17 The content of notice shall be as approved
18 in subsection 1 above.

19 3. By any other method if the
20 Division deems it appropriate for the
21 purpose of giving notice to interested
22 parties, including but not limited to
23 providing notification of the proposed
24 action and hearing to local or community
25 newspapers.

26 SECTION 4. Res. 15471 (part), 1955 and Resolution 11048,
27 Appendix A (part), 1948 and K.C.C. 19.36.040 are each amended to
28 read as follows:
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1 19.36.040. (~~Notices-of-hearing-on~~
 2 ~~proposed-plat--~~) Review by (~~engineer~~)
 3 Department of Public Works and Health
 4 Department - Approval of plat by
 5 (~~Department-of-Planning---Department~~
 6 ~~of-Planning~~) Division of Building and
 7 Land Development to note required
 8 changes on plat. Upon receipt of the
 9 preliminary plat, the (~~Department-of~~
 10 ~~Planning~~) Division of Building and
 11 Land Development shall:

12 (~~(a)---Cause, at the expense of~~
 13 ~~the person proposing such plat, at~~
 14 ~~least three notices of hearing thereof~~
 15 ~~to be posted in conspicuous places on~~
 16 ~~or adjacent to the land proposed to be~~
 17 ~~so-platted or subdivided, giving notice~~
 18 ~~of time and place where such hearing is~~
 19 ~~to be held, said notices to be posted~~
 20 ~~not less than seven days prior to the~~
 21 ~~hearing thereof.)~~)

22 (~~(b)~~) Submit copies to the
 23 (~~county engineer~~) Department of
 24 Public Works and the King County
 25 Health Department for review and
 26 comment concerning the acceptability
 27 of the plat and conformance with the
 28 regulations. The (~~Department-of~~
 29 ~~Planning~~) Division of Building and
 30 Land Development will indicate its
 31 approval on the print of the prelim-
 32 inary plat which will be returned to
 33 the surveyor. Any changes required
 34 by the (~~Department-of-Planning~~)
 35 Division of Building and Land
 36 Development will be marked on this
 37 print.

38 SECTION 5. Ordinance 3113, Section 6(6) and K.C.C.

39 19.26.100 are each amended to read as follows:

40 19.26.100. Review Period. (a) Agencies
 41 receiving short subdivision application
 42 for review shall have fifteen days to
 43 respond, or the Building and Land Develop-
 44 ment Division shall conclude that the
 45 reviewing agency has no interest in the
 46 application, and may make such findings,
 47 conclusions, or requirements as it deems
 48 reasonable, consistent with the require-
 49 ments of this chapter.

50 (b) The Building and Land Develop-
 51 ment Division shall complete its review,
 52 and approve, approve with conditions, or
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deny the short subdivision application within thirty days from the date a complete application is filed; provided if notice of any short subdivision application is given pursuant to this chapter, said review period shall commence ten days after notice of the application has been mailed.

INTRODUCED and READ for the first time this 26th day of March, 1979.

PASSED this 27th day of August, 1979.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Ruby Chow
Chairman

ATTEST:

John E. Hammond
Clerk of the Council

APPROVED this 10th day of September, 1979.

[Signature]
King County Executive

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