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ORDINANCE NO. 7990

AN ORDINANCE revising responsibilities for the Building and Land Development Division of Parks, Planning and Resources Department; amending Resolution 11048, Section III A (part) and Appendix A; Resolution 22903 (part); Resolution 25789, Sections 2507, 2508 and 3001; Ordinance 1488, Sections 5, 6 and 7; Ordinance 1527, Sections 7 and 8; Ordinance 2281 (part) and Sections 2 and 7; Ordinance 2812, Section 4; Ordinance 2985, Sections 2, 4-6; Ordinance 3113, Sections 6(2), 8, 12(5), 13(5), 13(6) and 14; Ordinance 3718, Section 2; Ordinance 4461, Section 2; Ordinance 4462, Section 15; Ordinance 4895, Sections 1, 2, and 5-7; Ordinance 4938, Sections 7, 10, and 12; Ordinance 5026, Section 1; Ordinance 6949, Section 5, and Ordinance 7025, Section 1; Ordinance 7853, Section 1; all as amended; and K.C.C. 9.04.020--040; 9.04.060; 9.04.090; 9.04.100; 9.04.120; 9.04.140; 9.04.180; 14.24.010; 14.28.010-.030; 14.28.050; 14.28.060; 16.04.070; 16.74.020; 16.82.020; 16.82.050; 16.82.060; 19.16.010; 19.26.060; 19.26.200; 19.26.300; 19.26.350; 19.26.360; 19.26.370; 19.36.060; 20.24.080; 20.44.030; 21.50.080; 21.50.090; 21.54.080-.110; 21.55.020, .040-.060; 21.56.030; and 21.62.020; adding new sections to K.C.C. 19.04; and 19.28; and repealing Resolution 25789, Section 221 and Ordinance 3113, Section 6 (3); and K.C.C. 19.26.080 and 21.04.150.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 2281, Section 2, as amended and K.C.C. 9.04.020 are each hereby amended to read as follows:

Definitions.

A. "Bond" means a surety bond, cash deposit or escrow account, assignment of savings, irrevocable letter of credit or other means acceptable to or required by the (~~director~~) manager to guarantee work is in compliance with all applicable county requirements.

B. "Civil engineer" means a professional engineer registered in the state of Washington to practice in the field of civil engineering.

C. "Computations" means calculations, including runoff coefficients and other pertinent data, made to determine the drainage plan with flow of rates of water given in cubic feet per

1 second (cfs).

2 D. "Department" means the department of public works ((and  
3 transportation)).

4 E. "Design storm" is a rainstorm of a particular intensity  
5 and duration used in storm drainage analysis and system design.

6 F. "Design storm frequency" is the probability of a design  
7 storm occurring expressed in terms of a statistically probable  
8 yearly interval of recurrence, which shall be specified by the  
9 department. For example, a storm that has a probability of  
10 occurring once in every ten-year period is called a ten-year  
11 storm.

12 G. "Development coverage" means all impervious surface areas  
13 within the subject property, including, but not limited to,  
14 rooftops, driveways, carports, accessory buildings and parking  
15 areas.

16 H. "Development engineer" means the building and land  
17 development division employee authorized to oversee the review,  
18 conditioning, inspection and acceptance of right-of-way use  
19 permits, road and drainage projects constructed pursuant to  
20 permits administered by the division. The development engineer or  
21 designee shall be a professional civil engineer registered and  
22 licensed under the laws of the State of Washington.

23 ((H.)) I. "Director" means the director of the department of  
24 public works or his designee.

25 J. "Division" means the building and land development  
26 division of the parks, planning and resources department.

27 ((H.)) K. "Drainage area" means the watershed (acreage)  
28 contributing surface water runoff to and including the subject  
29 property.

30 ((H.)) L. "Drainage facility" means the system of conveying and  
31 storing storm and surface water runoff as depicted in the drainage  
32 plan. Drainage facilities shall include but not be limited to all  
33 surface water conveyance facilities within the drainage area

1 including streams, pipelines, channels, ditches, swamps, lakes,  
2 and wetlands, sinks or recharge areas, retention/detention  
3 facilities and other drainage structures and appurtenances, both  
4 natural and manmade.

5 ((K))M. "Drainage plan" means a plan for receiving, handling and  
6 transporting surface water within the subject property including  
7 all computations required to determine the extent and nature of  
8 the proposed plan. The temporary erosion/sedimentation control  
9 plan and the drainage plan comprise the drainage plan for a  
10 subject property.

11 ((L))N. "Improvements" refer to streets (with or without curbs or  
12 gutters), sidewalks, crosswalks, parking lots, water mains,  
13 sanitary and storm sewers, onsite drainage facilities, street  
14 trees and other appropriate items.

15 ((M))O. "Infiltration facility" means an underground retention/  
16 detention facility that disperses water for percolation into the  
17 ground.

18 P. "Manager" means the manager of the building and land  
19 development division or his designee.

20 ((N))Q. "Multifamily/commercial retention/detention facility"  
21 means a retention/detention facility which is not a subdivision  
22 retention/detention facility as defined in this chapter.

23 ((O))R. "Peak discharge" means the maximum surface water runoff  
24 rate (cfs) determined for the design storm frequency.

25 ((P))S. "Pipe/Tank less than or equal to 36 inches" means a  
26 retention/detention facility, including restrictor devices, that  
27 stores water underground. The equivalent diameter of the facility  
28 is 36 inches or smaller.

29 ((Q))T. "Pipe/Tank greater than 36 inches" means a retention/  
30 detention facility, including restrictor devices, that stores  
31 water underground. The predominant equivalent diameter of the  
32 facility is greater than 36 inches.

33 ((R))U. "Pond/Ditch" means a retention/detention facility,

1 including restrictor devices, that stores water aboveground.

2 ((S))V. "Receiving bodies of water" means creeks, streams,  
3 rivers, lakes and other bodies of water into which surface waters  
4 are directed, either naturally or in manmade ditches or open  
5 systems.

6 ((F))W. "Retention/detention facilities" specifies a type of  
7 drainage facility designed either to hold water for a considerable  
8 length of time and then consume it by evaporation, plant  
9 transpiration or infiltration in the ground or to hold runoff for  
10 a short period of time and then release it to the natural  
11 watercourse.

12 ((H))X. "Site" is any lot or parcel of land or contiguous  
13 combination thereof where improvements covered by this chapter are  
14 performed or permitted.

15 ((V))Y. "Subdivision retention/detention facility" means a  
16 retention/detention facility which is both

17 1. Located within or associated with a short or regular  
18 plat subdivision containing only single family or duplex  
19 residential structures located on individual lots; and

20 2. which is required to handle excess runoff generated by  
21 development of an area of which two-thirds or more is designated  
22 for single family or duplex residential structures located on  
23 individual lots.

24 ((W))Z. "Subject property" means the tract of land which is the  
25 subject of the permit and/or approval action.

26 ((X))AA. "~~((Temporary))~~ Erosion/sedimentation control" means the  
27 implementation of any temporary or permanent measures taken during  
28 site development which reduces erosion, controls siltation and  
29 sedimentation and insures that sediment-laden water does not cause  
30 a violation of applicable water standards.

31 SECTION 2. Ordinance 2281, Section 3, as amended, and K.C.C.  
32 9.04.030 are each hereby amended to read as follows:

33 Drainage plan - Submission.

1           A. Applications for any of the following permits and/or  
2 approvals shall be accompanied by ((a temporary)) an erosion/  
3 sedimentation control plan and a drainage plan which have been  
4 prepared by a registered civil engineer except as provided in  
5 K.C.C. 16.82.060 for (A.1) in this section:

- 6           1. Grading permit;
- 7           2. Substantial development permit;
- 8           3. Flood control zone permit;
- 9           4. Final plat approval;
- 10          5. Unclassified use permit;
- 11          6. Conditional use permit;
- 12          7. Building permit where the permit relates to five  
13 thousand or more square feet of development coverage within the  
14 property;
- 15          8. Planned unit development.

16           B. Drainage plans will be required for those short plat  
17 applications which present adverse drainage impacts as defined by  
18 administrative guidelines developed ((by the department and the  
19 division of building and land development and approved by the  
20 county council.)) pursuant to K.C.C. 9.04.140.

21           C. The plan submitted during one permit/approval process may  
22 be subsequently submitted with further required applications. The  
23 plan shall be supplemented with additional information at the  
24 request of the department.

25           The plan requirement established in this section will not  
26 apply when the department determines that the proposed permit  
27 and/or activity;

28           1. Will not seriously and adversely impact the water  
29 quality conditions of any affected receiving bodies of water;  
30 and/or

31           2. Will not alter the drainage patterns, increase the peak  
32 discharge, and cause any other adverse effects in the drainage  
33 area.

1 D. The surface water management and building and land  
 2 development divisions shall prepare a report to the county council  
 3 within 18 months of the effective date of Ordinance 6173 on the  
 4 experience of the two divisions in permitting landscape architects  
 5 to prepare grading plans and to make appropriate recommendations  
 6 if any are necessary.

7 SECTION 3. Ordinance 2281, Section 4, as amended, and K.C.C.  
 8 9.04.040 are each hereby amended to read as follows:

9 Drainage plan - Contents. All persons applying for any of the  
 10 permits and/or approvals contained in section 9.04.030 shall  
 11 provide an ~~((temporary))~~ erosion/sedimentation control plan and a  
 12 drainage plan for surface water flows entering, flowing within,  
 13 and leaving the subject property. The detailed form and contents  
 14 of the drainage plan shall be described in procedures ~~((provided))~~  
 15 developed by the ~~((department and approved by the council.))~~  
 16 division. The procedures will set forth the manner of presenting  
 17 the following required information:

18 A. ~~((TEMPORARY))~~ EROSION/SEDIMENTATION CONTROL PLAN. ~~((A~~  
 19 ~~temporary))~~ An erosion/sedimentation control plan will be required  
 20 unless waived by the ~~((department.))~~ development engineer. The  
 21 plan for a proposed construction site shall describe:

22 1. Soils, topography, existing vegetation, the areas to be  
 23 cleared and graded; and the location of major cuts and fills  
 24 covered by the permit and/or approval for which application is  
 25 made;

26 2. Computations and hazards associated with the area  
 27 covered by the permit and/or approval for which application is  
 28 made; the anticipated schedule of construction; and the proposed  
 29 measures including site management practices (such as check dams,  
 30 reseeding or mulching) as appropriate for controlling erosion/  
 31 sedimentation and runoff.

32 The ~~((department))~~ development engineer may require additional  
 33 ~~((temporary))~~ erosion/sedimentation control measures to account

1 for seasonal changes, alterations of the topography and  
2 watercourse during construction, and other such factors affecting  
3 site conditions which need to be considered to insure complete  
4 siltation control on the subject property. It shall be the  
5 obligation and responsibility of the person required to provide  
6 and maintain ((temporary)) erosion/sedimentation facilities  
7 pursuant to this section to address any new conditions that may be  
8 created by his activities and to utilize additional control  
9 measures as may be needed.

10 B. DRAINAGE PLAN.

11 1. Background computations for sizing drainage facilities:

12 a. Depiction of the drainage area on a topographical  
13 map, with acreage indicated;

14 b. Indication of the peak discharge and amount of  
15 surface water currently entering and leaving the subject  
16 property;

17 c. Indication of the peak discharge and amount of runoff  
18 which will be generated within the subject property if development  
19 is allowed to proceed.

20 d. Determination of the peak discharge that will be  
21 generated by the design storm frequencies as specified by the  
22 department at various points on the subject property.

23 2. Proposed improvements for handling the computed runoff.

24 3. Access and/or easements to all facilities for  
25 inspection, cleaning and repair.

26 C. OTHER REQUIREMENTS. Plans and specifications and the  
27 supporting data which may be required for the review and approval  
28 of an ((temporary)) erosion/sedimentation control plan and for the  
29 drainage plan shall comply with county storm drainage control  
30 requirements.

31 SECTION 4. Ordinance 2812, Section 4, as amended and K.C.C.  
32 9.04.060 are each hereby amended to read as follows:

33 Drainage plan - Development in critical flood, drainage and/or

1 erosion areas. Development in areas where the department has  
2 determined that the existing flooding, drainage, and/or erosion  
3 conditions present an imminent likelihood of harm to the welfare  
4 and safety of the surrounding community shall meet special  
5 drainage conditions set by the ((department)) development  
6 engineer, until such time as the community hazard is alleviated.  
7 Such conditions may include the limitation of the volume of  
8 discharge from the subject property to predevelopment levels,  
9 preservation of wetlands or other natural drainage features, or  
10 other controls necessary to protect against community hazard.  
11 Where applications of the provisions of this section will deny all  
12 reasonable uses of the property, the restriction of development  
13 contained in this section may be ((waived)) modified for the  
14 subject property, provided that the resulting development shall be  
15 subject to all of the remaining terms and conditions of this  
16 chapter.

17 SECTION 5. Ordinance 4938, Section 7 and K.C.C. 9.04.090  
18 are each hereby amended to read as follows:

19 Procedures and conditions related to construction timing and  
20 final plat approval.

21 A. No work related to permanent or temporary storm drainage  
22 control shall proceed without the approval of the ((director))  
23 manager.

24 B. ((Temporary-e)) Erosion/sedimentation control measures  
25 associated with both the interim and permanent drainage systems  
26 shall be:

27 1. Constructed in accordance with the approved plan prior  
28 to any grading or land clearing other than that associated with  
29 the ((temporary)) erosion/sedimentation control plan;

30 2. Satisfactorily maintained until all improvements,  
31 restoration, and landscaping associated with the permit and/or  
32 approval listed in Section 9.04.030 are completed and the  
33 potential for onsite erosion has passed.

1 C. Prior to the recording of the final plat and/or the  
2 construction of any improvements on the site, those portions of  
3 the drainage facilities necessary to accommodate the control of  
4 flows discharging from the site must be constructed and in  
5 operation unless ((waived)) modified by the ((department))  
6 development engineer.

7 SECTION 6. Ordinance 2281, Section 7, as amended, and K.C.C.  
8 9.04.100 are each hereby amended to read as follows:

9 Bonds and liability insurance required. The ((department))  
10 division is authorized to require all persons constructing  
11 retention/detention facilities and other drainage facilities to  
12 post bonds with the ((~~director of the department~~)) manager. Where  
13 such persons have previously posted, or are required to post,  
14 other such bonds with the ((~~director~~)) manager either on the  
15 facility itself or on other construction related to the facility,  
16 such person may, with the permission of the ((~~director~~)) manager  
17 and to the extent allowable by law, combine all such bonds into a  
18 single bond; provided, that at no time shall the amount thus  
19 bonded be less than the total amount which would have been  
20 required in the form of separate bonds; and provided further, that  
21 such a bond shall on its face clearly delineate those separate  
22 bonds which it is intended to replace.

23 A. DRAINAGE FACILITIES RESTORATION AND SITE STABILIZATION  
24 BOND. Prior to commencing construction, the person required to  
25 construct the drainage facility pursuant to Section 9.04.050  
26 shall post a drainage facilities restoration and site  
27 stabilization bond in the amount sufficient to cover the cost of  
28 corrective work on or off the site which is necessary to provide  
29 adequate drainage, stabilize and restore disturbed areas, and  
30 remove sources of hazard associated with work which has been  
31 performed and is not completed. After determination by the  
32 ((department)) development engineer that all facilities are  
33 constructed in compliance with approved plans, the drainage

1 facilities restoration and site stabilization bond shall be  
2 released. The county may collect against the drainage facilities  
3 restoration and site stabilization bond when work which is not  
4 completed in reasonable fashion and is found to be in violation of  
5 the conditions associated with the permit and/or approval listed  
6 in Section 9.04.030 and/or the ((~~director~~)) manager determines  
7 that the site is in violation of the ((~~purposes~~)) requirements of  
8 this ((~~act~~)) chapter.

9 B. DEFECT BOND. After satisfactory completion of the  
10 drainage facility or final plat approval, whichever occurs last,  
11 the person required to construct the facility pursuant to Section  
12 9.04.050 shall post a defect bond warranting the satisfactory  
13 performance of the drainage facility and guaranteeing the  
14 workmanship and materials used in the construction of the facility  
15 for a period of one year.

16 C. FAILURE TO COMPLETE PROPOSED WORK. In the event of  
17 failure to comply with all the conditions and terms of the permit  
18 and/or approval covered by this chapter, the ((~~director~~)) manager  
19 shall notify the permittee and surety in writing, and failing to  
20 obtain response within seven days from the receipt of notification  
21 may order the work required be satisfactorily completed or perform  
22 all necessary corrective work to stabilize and restore disturbed  
23 areas and eliminate hazards caused by not completing the work.  
24 The surety executing such bond shall continue to be firmly bound  
25 up to the limits of the bond, under a continuing obligation for  
26 the payment of all necessary costs and expenses that may be  
27 incurred or expended by the governing agency in causing any and  
28 all such required work to be done. In no event shall the  
29 liability of the surety exceed the amount stated in the bond  
30 regardless of the number of years the bond remains in force.

31 D. LIABILITY POLICY. The person required to construct the  
32 facility pursuant to Section 9.04.050 shall maintain a liability  
33 policy in the amount of one hundred thousand dollars per

1 individual, three hundred thousand dollars per occurrence and  
2 fifty thousand dollars property damage, which shall name King  
3 County as an additional insured, and which shall protect King  
4 County from any liability up to those amounts for any accident,  
5 negligence, failure of the facility, or any other liability  
6 whatsoever, relating to the construction or maintenance of the  
7 facility. Proof of said liability policy shall be provided to  
8 the ((director)) manager prior to commencing construction of any  
9 drainage facility; provided, that in the case of facilities  
10 assumed by King County for maintenance pursuant to Section  
11 9.04.110, said liability policy shall be terminated when said  
12 county maintenance responsibility commences.

13 SECTION 7. Ordinance 4938, Section 10, as amended and K.C.C.  
14 9.04.120 are each hereby amended to read as follows:

15 Maintenance of multifamily/commercial facilities.

16 A. Any person or persons holding title to the property for  
17 which a facility was required shall be responsible for the  
18 continual operation and maintenance of the facility in accordance  
19 with standards and requirements of the department. Prior to the  
20 issuance of any of the permits and/or approvals listed in Section  
21 9.04.030 the person or persons holding title to the subject  
22 property for which a retention/detention facility was required  
23 shall record the declaration of covenant set forth in Appendix A  
24 to Ordinance 4938. The restrictions set forth in such covenant  
25 shall be included in any instrument of conveyance of the subject  
26 property and shall be recorded with the King County records  
27 division.

28 B. The county shall enforce the restrictions set forth in  
29 Appendix A of Ordinance 4938.

30 C. Prior to the issuance of any of the permits and/or  
31 approvals contained in Section 9.04.030 or the release of bonds  
32 posted to guarantee satisfactory completion, the person or persons  
33 holding title to the subject property for which a retention/

1 detention facility was required shall pay a fee established by the  
2 ((director)) manager to reasonably compensate the county for costs  
3 relating to inspection of the facility to ensure that it has been  
4 constructed according to plan and applicable specifications and  
5 standards. ((Fees shall be established by the director in  
6 accordance with the county administrative code. Such fees may be  
7 updated as needed to reflect actual costs.))

8 ((D. Any person or persons holding title to the subject  
9 property for which a facility was required shall pay, upon receipt  
10 of an annual statement, a fee established by the county council to  
11 reasonably compensate the county for costs incurred by the  
12 periodic inspection of commercial facilities to ensure that  
13 maintenance is being carried out in accordance with standards and  
14 requirements of the department. This maintenance checking fee  
15 shall apply to all facilities which have been or are required to  
16 be constructed as a condition of approval regardless of the date  
17 of approval or completion.))

18 ((E)) D. The duties specified in this section of maintenance  
19 and payment of inspection and maintenance checking fees shall be  
20 enforced against the person or persons holding title to the  
21 property for which the retention/detention facility was required.

22 SECTION 8. Ordinance 4938, Section 12, as amended, and  
23 K.C.C. 9.04.140 are each hereby amended to read as follows:

24 Administration. The director is authorized to promulgate and  
25 adopt administrative rules and regulations under the procedures  
26 specified in Ordinance 2165, K.C.C. Chapter 2.98, for the purpose  
27 of implementing and enforcing the provisions of this chapter.  
28 Said rules and regulations shall be contained and made available  
29 to the public in the adopted drainage manual.

30 The manager is authorized to develop procedures for applying  
31 adopted rules and regulations during the review of permit  
32 applications for the development of land. Said procedures may  
33 also be contained in the adopted drainage manual.

1           A. INSPECTIONS. The ((director)) manager is authorized to  
2 make such inspections and take such actions as may be required to  
3 enforce the provisions of this chapter.

4           B. RIGHT OF ENTRY. Whenever necessary to make an inspection  
5 to enforce any of the provisions of this chapter, or whenever the  
6 director or manager has reasonable cause to believe that  
7 violations of this chapter are present or operating on a subject  
8 property or portion thereof, the director or manager may enter  
9 such premises at all reasonable times to inspect the same or  
10 perform any duty imposed upon the director or manager by this  
11 chapter; provided that, if such premises or portion thereof is  
12 occupied, he shall first make a reasonable effort to locate the  
13 owner or other person having charge or control of the premises or  
14 portion thereof and demand entry.

15           C. ACCESS. Proper ingress and egress shall be provided to  
16 the director or manager to inspect or perform any duty imposed  
17 upon the director or manager by this chapter. The director or  
18 manager shall notify the responsible party in writing of failure  
19 to comply with the said access requirement. Failing to obtain a  
20 response within seven days from the receipt of notification the  
21 director or manager may order the work required completed or  
22 otherwise address the cause of improper access. The obligation  
23 for the payment of all costs that may be incurred or expended by  
24 the county in causing such work to be done shall thereby be  
25 imposed on the person holding title to the subject property.

26           ~~((D. FEES. The determination by the director of the type  
27 and/or number of facilities used to calculate the maintenance fees  
28 for subdivision facilities may be appealed by any aggrieved person  
29 to the zoning and subdivision examiner pursuant to chapter 20.24  
30 of this code.))~~

31           SECTION 9. Ordinance 2281 (part), as amended and K.C.C.  
32 9.04.180 are each hereby amended to read as follows:

33           Enforcement. The director ~~((of the department of public~~

1 works)) or manager is authorized to enforce the provisions of this  
 2 chapter, the ordinances and resolutions codified in it, and any  
 3 rules and regulations promulgated thereunder pursuant to the  
 4 enforcement and penalty provisions of Title 23.

5 SECTION 10. Resolution 22903 (part), as amended and K.C.C.  
 6 14.24.010 are each hereby amended to read as follows:

7 Rules adopted. ~~((Plans))~~ Standards, rules and regulations  
 8 pertaining to the construction of plat roads and the performance  
 9 of other road construction work on King County rights-of-way are  
 10 hereby adopted and approved by the King County council and made an  
 11 integral part of this chapter. The ~~((county road engineer))~~  
 12 department of public works shall print copies of said ~~((plans))~~  
 13 standards, rules and regulations and subsequent revisions and  
 14 additions thereto, and make the same available to anyone proposing  
 15 to do work on King County rights-of-way. It is also made the duty  
 16 of the ~~((King County road engineer to furnish and provide all~~  
 17 ~~necessary inspection services and clerical assistance necessary~~  
 18 ~~to accomplish the intents and purposes of this chapter, and the~~  
 19 ~~applicant for or permit holder of Commercial Building Permits, or~~  
 20 ~~Mobile Home or Recreational Vehicle Park Permits shall pay a fee~~  
 21 ~~for such inspection pursuant to Section 16.04.070.))~~ department  
 22 of public works to prepare and periodically update a county  
 23 bonding schedule for use in determining appropriate construction,  
 24 maintenance or restoration bonds for road and drainage facilities  
 25 developed in compliance with adopted standards.

26 SECTION 11. Ordinance 4895, Section 1 and K.C.C. 14.28.010  
 27 are hereby amended to read as follows:

28 14.28.010 Definitions. A. ~~((BALD. "BALD"))~~ Division.  
 29 "Division" means the building and land development division of the  
 30 department of ~~((planning and community development))~~ parks,  
 31 planning and resources.

32 ~~((B. DEPARTMENT. "Department" means the King County~~  
 33 ~~department of public works.))~~

1 ((C.))B. DEVELOPMENT APPROVAL. "Development approval" means  
2 the granting of a building permit, mobile home on-site permit,  
3 short subdivision or other county land use approval or approvals.

4 C. DEVELOPMENT ENGINEER. "Development engineer" means the  
5 building and land development division employee authorized to  
6 oversee the review, conditioning, inspection and acceptance of  
7 right-of-way use permits, road and drainage projects constructed  
8 pursuant to permits administered by the division. The development  
9 engineer or designee shall be a professional civil engineer  
10 registered and licensed under the laws of the State of Washington.

11 D. RIGHT-OF-WAY USE PERMIT.

12 1. "Right-of-way use permit: limited" means a permit  
13 authorizing the use of the county right-of-way for a designated  
14 purpose and for a period of time limited to one year or less.

15 2. "Right-of-way use permit: extended" means a permit  
16 authorizing the use of the county right-of-way for a designated  
17 purpose and for a period of time exceeding one year in duration.

18 SECTION 12. Ordinance 4895, Section 2 and K.C.C. 14.28.020  
19 are each hereby amended to read as follows:

20 Permit required for improvement or use - Application  
21 processing.

22 A. PERMITS REQUIRED. County road right-of-way shall not be  
23 privately improved or used for access or other purposes and no  
24 development approval shall be issued which requires use of  
25 privately maintained county right-of-way unless a permit therefor  
26 has been issued pursuant to this chapter, except for utility  
27 construction work authorized pursuant to KCC Chapter 14.44. This  
28 section shall not apply to driveway connections from private  
29 property to county road right-of-way.

30 B. ~~((APPROVALS BY AFFECTED AGENCIES))~~ GENERAL PROCEDURES:

31 1. Upon receipt of an application for right-of-way use  
32 permit, limited or extended, ~~((BALD))~~ the division shall forward  
33 copies of the application to ~~((each of the following county~~

1 ~~agencies for their review:~~

2 a. ~~(7))~~ the division of real property, which shall  
3 determine whether the proposed activity is within county-owned  
4 right-of-way ~~((7))~~.

5 ~~((b. The department of public works, which shall  
6 determine the feasibility of the proposed construction and shall  
7 establish the construction standards and appropriate bond amount  
8 as required for each permit as prescribed in this chapter and  
9 shall perform inspections necessary to establish compliance with  
10 the terms of each permit.))~~

11 2. ~~((BALD))~~ The division shall be the lead agency for the  
12 compliance with the State Environmental Policy Act. In addition,  
13 ~~((BALD))~~ the development engineer shall review applications for  
14 compliance with applicable county ~~((ordinances and policies.))~~  
15 plans, policies, regulations and standards. Prior to issuing a  
16 right-of-way use permit the division shall determine and secure  
17 an appropriate bond as prescribed in this chapter.

18 3. ~~((BALD))~~ The division shall, when feasible, consolidate  
19 right-of-way use permits with other development approvals to  
20 prevent duplication and increase efficiency. The fee for a  
21 consolidated approval shall be reduced to the extent separate fees  
22 would be duplicative.

23 SECTION 13. Ordinance 4895, Section 7 and K.C.C. 14.28.030  
24 are each hereby amended to read as follows:

25 Permit - Additional requirements. A. Plans. Detailed  
26 engineering and restoration plans and/or drainage plan pursuant to  
27 K.C.C. 9.04 and Ordinance No. 4463, KCC 19.20, may be required  
28 when considered necessary by the ~~((department))~~ development  
29 engineer. Costs for the development of such plan and conduct of  
30 required studies shall be borne by the permit applicant.

31 B. SURVEY. When considered necessary by the ~~((department))~~  
32 development engineer to adequately define the limits of right-of-  
33 way, the permit applicant shall cause the right-of-way to be

1 surveyed by a licensed land surveyor. Such survey shall be  
2 recorded in accordance with the Survey Recording Act.

3 C. DEDICATION. A permit applicant may be required to deed  
4 additional right-of-way across property under his authority when  
5 necessary to fulfill the minimum road right-of-way width  
6 prescribed in RCW (~~(36.85.010)~~) 36.86.010.

7 D. ILLEGAL SUBDIVISION. A permit shall not be issued to  
8 provide access to a lot or parcel created in violation of state  
9 and county subdivision regulations.

10 SECTION 14. Ordinance 4895, Section 5 and K.C.C. 14.28.050  
11 are each hereby amended to read as follows:

12 Permit - Limited.

13 A. Upon filing of a complete application, payment of the fee,  
14 and posting of the required (~~(department)~~) bond for restoration of  
15 the right-of-way, (~~(BALD)~~) the division may issue a permit  
16 authorizing the limited use of county road right-of-way, for use  
17 by designated private parties (~~(that have been designated)~~) for a  
18 specific use which is less than one year in duration.

19 B. The permit may require construction and restoration of  
20 the right-of-way to adopted standards (~~(prescribed by the~~  
21 ~~department in view of)~~) based on the nature and duration of the  
22 (~~(designated)~~) specific use, and subject to (~~(a department)~~)  
23 division inspection. In addition, conditions may be set (~~(by~~  
24 ~~BALD)~~) to assure the compliance (~~(of the permit)~~) with county  
25 plans, policies, (ordinances, and other applicable laws)  
26 standards and regulations. (~~(as cited in Section 14.28.020 B. 2.)~~)  
27 Such conditions may require performance in excess of  
28 (~~(department)~~) adopted road standards.

29 C. The permit applicant may be required to post bonds in  
30 amounts determined by the (~~(department)~~) division based on current  
31 bonding schedules which:

32 1. Guarantee construction and maintenance of the roadway,  
33 drainage, and retention/detention facilities in compliance with

1 adopted standards (~~((prescribed by the department and BALD-~~  
2 ~~standards))~~); and

3 2. Guarantee restoration of the right-of-way to a  
4 condition consistent with the right-of-way use permit including  
5 blocking of access to the right-of-way at the expiration of the  
6 permit period.

7 D. The permit applicant shall assume sole responsibility for  
8 the safe and adequate operation and maintenance of any  
9 improvements to the county right-of-way during the period of time  
10 the permit is in effect.

11 E. The permit applicant may apply for one one-year  
12 extension to the right-of-way use permit: limited, upon written  
13 application for an extension, payment of the fees, and being  
14 found to have fully complied with the conditions and requirements  
15 of the original permit. The application for extension may only  
16 be made after the first six months of the original permit life.

17 SECTION 15. Ordinance 4895, Section 6 and K.C.C. 14.28.060  
18 are each hereby amended to read as follows:

19 Permit - Extended.

20 A. Upon filing of a complete application and payment of fee,  
21 ~~((BALD))~~ the division may issue a permit authorizing the use of  
22 the county right-of-way for a designated use and for a period  
23 exceeding one year in duration.

24 B. The applicant may be required (~~((by the department))~~) to  
25 construct a road to specific standards which may include full  
26 compliance with adopted King County road standards, and may be  
27 required to post bonds for construction, restoration and  
28 maintenance. Construction work and all restoration work required  
29 by the permit shall be completed within one year of the permit's  
30 issuance. In addition, ~~((BALD))~~ the division may set conditions  
31 to assure compliance of the permit with other adopted plans,  
32 county policies, (~~((ordinances, and other applicable laws))~~) and  
33 regulations. (~~((as cited in Section 14.28.020 B. 2.))~~)

1 C. The department of public works shall place and maintain  
2 permanent sign(s) denoting the end of the county-maintained road.

3 D. The applicant shall have sole responsibility for the safe  
4 construction, operation and maintenance of any improvements to  
5 the county right-of-way pursuant to the permit, until such time  
6 as the (~~read is~~) improvements are officially accepted for main-  
7 tenance by King County.

8 E. The permit applicant may be required to record a covenant  
9 running with the land and for the benefit of King county, which  
10 contains:

11 1. A legal description of the lot or parcel to be served  
12 by the right-of-way use permits, limited or extended;

13 2. A statement indicating that access to such parcel is  
14 across an unmaintained county right-of-way, that the county is  
15 not responsible for maintenance of the right-of-way and that  
16 responsibility for maintenance of the road rests jointly and  
17 equitably upon all permit holders;

18 3. A statement that the owner(s) of the parcel will not  
19 oppose participation in a county road improvement district, if  
20 formation of such a district is deemed necessary by King County;

21 4. A prohibition against subdividing such parcel without  
22 obtaining either plat or short plat approval therefor, or if  
23 exempt from platting, a right-of-way use permit for the  
24 additional lots being created;

25 5. A statement that the right-of-way use permit covenant  
26 is binding on the successors and assigns of the owner(s); and

27 6. The acknowledged signature(s) of the owner(s) of such  
28 parcel.

29 SECTION 16. Ordinance 7853, Section 1 and 16.04.098 are each  
30 hereby amended to read as follows:

31 Inspection and enforcement.

32 A. Enforcement. The manager of the division of building  
33 and land development is authorized to enforce the provisions of

1 this chapter and any rules and regulations promulgated thereunder,  
2 pursuant to the enforcement and penalty provisions of Title 23 of  
3 the King County code.

4 B. General. All construction or work for which a permit is  
5 required shall be subject to inspection by the manager of the  
6 division of building and land development (~~provided that~~  
7 ~~inspection of roads, sidewalks, curbing, curbs and gutters, paving,~~  
8 ~~parking areas, drainage, erosion and sedimentation control~~  
9 ~~associated with commercial building permits shall be performed by~~  
10 ~~the department of public works~~)).

11 C. Authority. The manager of the division of building and  
12 land development is authorized and directed to enforce this  
13 chapter. The manager of the division of building and land  
14 development is authorized to promulgate, adopt, and issue those  
15 rules and regulations necessary to the effective and efficient  
16 administration of this chapter, such rules and regulations to be  
17 adopted and maintained in accordance with the provisions for the  
18 rules of county agencies, K.C.C. 2.98.

19 D. Plan reviews and inspections. All buildings constructed  
20 under the provisions of this chapter are subject to a final  
21 inspection for compliance with this chapter. The manager of the  
22 division of building and land development has the authority to  
23 establish rules and procedures for accepting at the option of the  
24 applicant an affidavit of substantial compliance with this chapter  
25 in lieu of plan reviews and/or inspections.

26 SECTION 17. Ordinance 7025, Section 1 and K.C.C. 16.04.070  
27 are each hereby amended to read as follows:

28 Site improvement bond. Site improvement bond refers to the  
29 bond or other approved security required (~~by the department of~~  
30 ~~public works~~) as security for the applicant's guarantee of the  
31 construction, according to approved plans and county specifica-  
32 tions, of roadway and right-of-way improvements, traffic  
33 requirements, appurtenances, off-street parking, curbing,

1 drainage, retention/detention facilities, and erosion/  
2 sedimentation control and site restoration associated with  
3 commercial building permits.

4 SECTION 18. Resolution 23316, as amended and K.C.C. 16.74.020  
5 are each hereby amended to read as follows:

6 Enforcement. The (~~director of the department of public~~  
7 ~~works~~) manager of the building and land development division is  
8 authorized to enforce the provision of this chapter, the  
9 ordinances and resolutions codified in it, and any rules and  
10 regulations promulgated thereunder pursuant to the enforcement and  
11 penalty provisions of Title 23.

12 SECTION 19. Ordinance 1488, Section 5 and K.C.C. 16.82.020  
13 are each hereby amended to read as follows:

14 Definitions. Certain words and phrases used in this chapter,  
15 unless otherwise clearly indicated by their context, mean as  
16 follows:

17 A. "Bench" is a relatively level step excavated or  
18 constructed on the face of a graded slope surface for drainage and  
19 maintenance purposes.

20 B. "Berm" is a mound or raised area used for the purpose of  
21 screening a site or operation.

22 C. "Civil engineer" means a professional engineer registered  
23 in the state of Washington to practice in the field of civil  
24 works.

25 D. "Compaction" is the densification of a fill by mechanical  
26 means.

27 E. "Director" means the director or the authorized agent of  
28 the (~~department of Planning and Community Development~~) parks,  
29 planning and resources department.

30 F. "Earth material" is any rock, natural soil or any  
31 combination thereof.

32 G. "Erosion" is the wearing away of the ground surface as the  
33 result of the movement of wind, water and/or ice.

1 H. "Excavation" is the mechanical removal of earth material.

2 I. "Fill" is a deposit of earth material placed by mechanical  
3 means.

4 J. "Grade" means the elevation of the ground surface.

5 1. "Existing grade" is the grade prior to grading.

6 2. "Rough grade" is the stage at which the grade  
7 approximately conforms to the approved plan as required in Section  
8 16.82.060.

9 3. "Finish grade" is the final grade of the site which  
10 conforms to the approved plan as required in Section  
11 16.82.060.

12 K. "Grading" is any excavating or filling or combination  
13 thereof.

14 L. "Grading permit" means a permit required by ordinance,  
15 including temporary permits.

16 M. "Reclamation" means the final grading and land restoration  
17 of a site.

18 N. "Remote area" means a rural area on which a grading site  
19 (used primarily as the source of materials for the construction or  
20 maintenance of access) is not visible from any state highway,  
21 county road or any public street or highway, or, if visible, it is  
22 more than one mile away from the point on such road from which it  
23 is visible.

24 O. "Shorelines" means those lands defined as shorelines in  
25 the state Shorelines Management Act of 1971.

26 P. "Site" is any lot or parcel of land or contiguous  
27 combination thereof where projects covered by this chapter are  
28 performed or permitted where a public street or way may intervene.

29 Q. "Slope" is an inclined ground surface, the inclination of  
30 which is expressed as a ratio of horizontal distance to vertical  
31 distance.

32 R. "Soil engineer" means a civil engineer experienced and  
33 knowledgeable in the practice of soil engineering.

1 S. "Structure" is that which is built or constructed, an  
2 edifice or building of any kind, or any piece of work artificially  
3 built up or composed of parts jointed together in some definite  
4 manner.

5 T. "Terrace" is a relatively level step excavated or  
6 constructed on the face of a graded slope surface for drainage and  
7 maintenance purposes.

8 U. "Tidelands" means that portion of the land which is  
9 covered and uncovered by the ebb and flood tide.

10 SECTION 20. Ordinance 1488, Section 6, as amended and K.C.C.  
11 16.82.050 are each hereby amended to read as follows:

12 Permit required - Exceptions.

13 A. No person shall do any grading without first having  
14 obtained a grading permit from the director except for the  
15 following:

16 1. An excavation or fill for basements and footings of a  
17 building, retaining wall, parking lot, or other structure  
18 authorized by a valid building permit. This shall not exempt any  
19 fill made with the material from such excavation nor exempt any  
20 excavation having an unsupported height greater than five feet  
21 after the completion of such structure;

22 2. The depositing or covering of any garbage, rubbish or  
23 other material at any (~~dump~~) solid waste facility operated by  
24 King County;

25 3. Any grading in remote areas by an owner or holder of a  
26 possessory interest in land for the primary purpose of construc-  
27 tion or maintenance of access to or on such landowner property;

28 4. Any grading within a publicly owned right-ofway;

29 5. Any grading for roads within a preliminary or finally  
30 approved residential plat which has been approved by the director  
31 (~~of the Department of Public Works~~) and for which a bond has  
32 been posted;

33 6. Maintenance or reconstruction of the facilities of a

1 common carrier by a rail in interstate commerce within its  
2 existing right-of-way; provided restoration is consistent with the  
3 requirements of Section 16.82.110;

4 7. Cemetery graves;

5 8. Grading within a preliminarily or finally approved  
6 residential plat not involving any excavation exceeding five feet  
7 in vertical depth or any fill exceeding three feet in vertical  
8 depth, regardless of the amount of material to be removed;

9 9. Excavation less than five feet in vertical depth not  
10 involving more than five hundred cubic yards of earth or other  
11 material on a single site.

12 10. Fill less than three feet in vertical depth not  
13 involving more than five hundred cubic yards of earth or other  
14 material on a single site.

15 B. TEMPORARY PERMITS. The director shall have the authority  
16 to issue temporary permits for excavations, processing, quarrying  
17 and mining, and removal of black soil, peat, sand, gravel, rock  
18 and other natural deposits, together with the necessary buildings,  
19 apparatus or appurtenances incident thereto for specific jobs on  
20 application for highway, road, street, airport construction, flood  
21 control and other public works projects. In conjunction with such  
22 operations, allied uses such as, but not limited to, rock  
23 crushers, concrete-batching plants and asphalt-batching plants may  
24 be authorized by this temporary permit. (~~Before any such permit~~  
25 ~~is issued, the application shall be referred to the Department of~~  
26 ~~Public works for its review and recommendations.~~)

27 The (~~Department of Public Works~~) division of building and  
28 land development shall consider the effect of the proposed  
29 operation on the county road system and any effect it may have on  
30 surface or groundwater drainage and flood control, and shall make  
31 such recommendations as are necessary to protect the public  
32 interest in this regard.

33 The division of building and land development shall also

1 consider the effect of the proposed operation on the current and  
2 future land use in the area affected by the proposed operation and  
3 shall (~~make such recommendations as are~~) condition permits as  
4 necessary to protect the public interest in this regard. (~~When~~  
5 ~~issuing the permit, the director shall require compliance with the~~  
6 ~~provisions of this chapter, the recommendations of the Division of~~  
7 ~~Building and Land Development and the Department of Public Works,~~  
8 ~~and shall be responsible for the enforcement of the provisions of~~  
9 ~~the permit. This temporary permit is~~) Temporary permits are  
10 good for the life of the contract of the specific job but must be  
11 reviewed annually. Each temporary permit site shall be fully  
12 restored during the term of the temporary permit, unless the site  
13 is subsequently designated with a QM zone classification or  
14 included in an unclassified use permit.

15 SECTION 21. Ordinance 1488, Section 7, as amended and K.C.C.  
16 16.82.060 are each hereby amended to read as follows:

17 Permit requirements. Except as exempted in Section 16.82.050,  
18 no person shall do any grading without first obtaining a grading  
19 permit from the director. A separate permit shall be required for  
20 each site and may cover both excavations and fills.

21 A. APPLICATION. To obtain a permit, the applicant shall  
22 first file an application therefore in writing on a form furnished  
23 for that purpose. The director shall prescribe the form by which  
24 application is made. No application shall be accepted unless it  
25 is completed consistent with the requirements of this chapter.  
26 Every application shall:

27 1. Identify and describe the work to be covered by the  
28 permit for which application is made;

29 2. Describe the land on which the proposed work is to be  
30 done, by lot, block, tract and house and street address, or  
31 similar description that will readily identify and definitely  
32 locate the proposed site;

33 3. Indicate the estimated quantities of work involved;

1           4. Be accompanied by plans and specifications as required  
2 in subsections B. and C.;

3           5. Be signed by the property owner or his authorized agent  
4 who may be required to submit evidence to indicate such authority;

5           6. Give such other information as may be required by the  
6 director.

7           B. PLANS AND SPECIFICATIONS. When required by the director,  
8 each application for a grading permit shall be accompanied by five  
9 sets of plans and specifications and other supporting data as may  
10 be required. The plans and specifications shall be prepared and  
11 signed by a civil engineer or landscape architect registered to  
12 practice in the state of Washington when required by the director;  
13 provided, he may require additional studies prepared by a  
14 qualified soils specialist.

15           C. INFORMATION ON PLANS AND IN SPECIFICATIONS. Plans shall  
16 be drawn to an engineer's scale upon substantial paper or cloth  
17 and shall be of sufficient clarity to indicate the nature and  
18 extent of the work proposed and show in detail that they will  
19 conform to the provisions of this chapter and all other relevant  
20 laws, (~~ordinances,~~) rules (~~and~~), regulations and standards.  
21 The first sheet of each set of plans shall give the location of  
22 the work and the name and address of the owner and the person by  
23 whom they were prepared. The plans shall include the following  
24 minimum information:

25           1. General vicinity of the proposed site;

26           2. Property limits and accurate contours of existing ground  
27 and details of terrain and area drainage;

28           3. Limiting dimensions, elevations or finished contours to  
29 be achieved by the grading, and proposed drainage channels and  
30 related construction;

31           4. Detailed plans of all surface and subsurface drainage  
32 devices, walls, cribbing, dams, berms, settling ponds and other  
33 protective devices to be constructed with or as a part of the

1 proposed work, together with the maps showing the drainage area  
2 and the estimated run-off of the area served by any drains;

3 5. Location of any buildings or structures on the property  
4 where the work is to be performed and the location of any  
5 buildings or structures on land of adjacent owners which are  
6 within fifty feet of the property or which may be affected by the  
7 proposed grading operations;

8 6. Landscape and rehabilitation plan as required by Section  
9 16.82.110;

10 7. Other information as may be required by the director.

11 D. (~~REFERRAL OF APPLICATIONS.~~) GRANTING OF PERMITS.

12 (~~Applications for grading permits shall be referred to the~~  
13 ~~Department of Public Works.~~) 1. The director shall determine if  
14 the proposed grading will adversely affect the character of the  
15 site for present lawful uses or with the future development of the  
16 site and adjacent properties for building or other purposes as  
17 indicated by the comprehensive plan, the shoreline master program,  
18 and the zoning code. (~~The Department of Public Works shall~~  
19 ~~determine the effect of the intended grading upon public and~~  
20 ~~private property as it pertains to drainage, traffic, and public~~  
21 ~~roads. The Department of Public Works shall report its findings~~  
22 ~~to the director.~~

23 E. (~~GRANTING OF PERMITS.~~) 2. After an application has been  
24 filed and reviewed, the director shall also ascertain whether such  
25 grading work complies with the other provisions of this chapter.  
26 If the application and plans so comply, or if they are corrected  
27 or amended so as to comply, the director may issue to the  
28 applicant a grading permit. A grading permit shall be valid for  
29 the number of days stated in the permit but in no case shall the  
30 period be more than two years; provided, that when operating  
31 conditions have been met, the permit may be renewed every two,  
32 years, or less if a shorter approval and/or renewal period is  
33 specified by the director.

1           3. No grading permit shall be issued until approved by  
2 federal, state and local agencies having jurisdiction by laws or  
3 regulations.

4           4. Upon approval of the application and issuance of the  
5 grading permit, no work shall be done that is not provided for in  
6 the permit. The director is authorized to inspect the premises at  
7 any reasonable time to determine if the work is in accordance with  
8 the permit application and plans.

9           5. The permits from the director shall be required regardless  
10 of any permits issued by any other department of county government  
11 or any other governmental agency who may be interested in certain  
12 aspects of the proposed work. Where work for which a permit is  
13 required by this chapter is started or proceeded with prior to  
14 obtaining the permit, the violator shall be subject to such civil  
15 penalties as provided in Chapter 23.04. However, the payment of  
16 such civil penalties shall not relieve any persons from fully  
17 complying with the penalties prescribed thereon.

18           NEW SECTION. SECTION 22. There is added to K.C.C. 19.04 a  
19 new section to read as follows:

20           Bond. "Bond" means a surety bond, cash deposit, escrow  
21 account, assignment of savings, irrevocable letter of credit or  
22 other means acceptable to, or required by, the manager to  
23 guarantee work is in compliance with all applicable county  
24 requirements.

25           NEW SECTION. SECTION 23. There is added to K.C.C. 19.04 a  
26 new section to read as follows:

27           Division. "Division" means the building and land development  
28 division of the parks, planning and resources department.

29           NEW SECTION. SECTION 24. There is added to K.C.C. 19.04 a  
30 new section to read as follows:

31           Development Engineer. "Development engineer" means the  
32 building and land development division employee authorized to  
33 oversee the review, conditioning, inspection and acceptance of

1 right-of-way use permits, road and drainage projects constructed  
2 pursuant to permits administered by the division. The development  
3 engineer or designee shall be a professional civil engineer  
4 registered and licensed under the laws of the state of Washington.

5 SECTION 25. Resolution 11048, Section IIIA(part), as amended  
6 and K.C.C. 19.16.010 are each hereby amended to read as follows:

7 Requirements for approval of plat - Exception and deposit of  
8 bond. No plat shall be approved by the (~~department of planning  
9 and community development~~) division until each and all of the  
10 proposed streets, avenues, boulevards and highways shown thereon  
11 shall first be so improved by grading, surface and drainage as to  
12 give unobstructed access to all separate lots, tracts and  
13 subdivisions of such plat, all at the expense of the plattor in  
14 accordance with the current King County standard specifications  
15 for private work on county right-of-way and approved by the  
16 (~~director, department of public works and transportation;~~)  
17 development engineer; provided, however, that in lieu of the full  
18 compliance herewith prior to the acceptance of the plat, the  
19 plattor may deposit a performance bond with the (~~county  
20 executive~~) manager in an amount equal to the (~~department of  
21 public works and transportation director's estimated~~) cost  
22 estimated from current county bonding schedules as a guarantee  
23 that the plattor will, within one year from the date of acceptance  
24 of the plat, fully comply with all the requirements herein set  
25 forth to the satisfaction of the (~~director, department of public  
26 works and transportation~~) development engineer; or, in the  
27 alternative to this above required bond, the (~~county executive~~)  
28 manager may accept other secure methods providing for and securing  
29 to the county the actual construction and installation for such  
30 improvements within a one-year period and on the terms identical  
31 to the herein described bond.

32 SECTION 26. Ordinance 3113, Section 6(2) and K.C.C. 19.26.060  
33 are each hereby amended to read as follows:

1 Application - Content. Applications shall be on forms  
2 prescribed by the division of building and land development.  
3 Information required shall include the following:

4 A. Declaration of covenant in lieu of soils test for sewage  
5 disposal suitability, when required by Section 19.26.380;

6 B. Short subdivision map, including legal description,  
7 boundary lines, easements and rights-of-way (existing and  
8 proposed), significant natural features, and vicinity sketch;

9 C. Documentation of the establishment of the boundaries of  
10 the property to be short platted;

11 D. For private road rights-of-way serving lots thirty-five  
12 thousand square feet or larger, a statement of intent to improve  
13 to county short plat private road standards, or the completed  
14 declaration of covenant set forth in Appendix B-1, Section  
15 19.26.460.

16 E. Such other information as may be necessary to  
17 ~~((expeditiously))~~ implement the requirements of this chapter~~((7))~~  
18 and other adopted county plans, policies, and regulations. The  
19 division may also set reasonable deadlines for the supplemental  
20 submittal of such information if it is found to be necessary  
21 subsequent to the initial application submittal. Failure to meet  
22 such deadlines shall cause the application to be deemed withdrawn,  
23 and plans or other data previously submitted for review may  
24 thereafter be returned to the applicant together with any  
25 unexpended portion of the preliminary application review fee. In  
26 no case shall an application be processed until it is complete in  
27 terms of the type or amount of information necessary for accurate  
28 review.

29 F. Signature(s) of the owner(s) of the property to be short  
30 subdivided. The purchaser of any lot which was created in  
31 violation of RCW Chapter 58.17 since June 1, 1974, may file  
32 application without the signature or approval of the other  
33 owner(s) of any other lots within the property to be short

1 platted, consistent with the requirements set forth in Section  
2 19.26.190.

3 SECTION 27. Ordinance 3113, Section 8 and K.C.C. 19.26.200  
4 are each hereby amended to read as follows:

5 Abbreviated short subdivision procedures.

6 A. Abbreviated short subdivision procedures shall apply only  
7 when:

8 1. Each created lot abuts either a maintained county street  
9 or an improved private road approved by the (~~department of public~~  
10 ~~works~~) division prior to application.

11 2. The short subdivision contains no more than one  
12 panhandle lot or access tract.

13 B. The (~~D~~)division (~~of Building and Land Development~~)  
14 shall approve a short subdivision when an application therefor is  
15 submitted upon a form provided by the division, and the division  
16 has determined that the application is consistent with the King  
17 County zoning code, that the legal description is capable of being  
18 surveyed, and that the application satisfies the following  
19 requirements:

20 1. If any lot to be served by access tract or panhandle is  
21 five acres or larger, such access tract or panhandle shall be at  
22 least sixty feet wide.

23 2. If the smallest lot is less than five acres, the  
24 application shall be accompanied by department of public health  
25 approval consistent with Sections 19.26.380 through 19.26.420.

26 3. If the abutting road is private, the application shall  
27 be accompanied by evidence of (~~Department of Public Works and~~  
28 ~~Transportation~~) division approval of such road.

29 SECTION 28. Ordinance 3113, Section 12(5) and K.C.C.  
30 19.26.300 are each hereby amended to read as follows:

31 Reduced private road requirements - Permitted when.

32 A. The right-of-way width requirements for extensions of  
33 existing private roads which were created before the effective

1 date of the ordinance codified in this chapter may be reduced ((by  
 2 ~~the Department of Public Works~~)) when ((~~that department~~)) the  
 3 division finds that:

- 4 1. No traffic hazard will result, and
- 5 2. No additional extensions will be necessary or permitted,  
 6 and
- 7 3. There is no public street access alternative available to  
 8 serve the additional lots, and,
- 9 4. The right-of-way of the existing private road cannot be  
 10 expanded.

11 B. The limitation on the number of lots which may be served  
 12 by a short plat private road as set forth in subsection F. of  
 13 Sectin 19.26.290 may be waived by the ((~~Department of Public~~  
 14 ~~Works~~)) division when extending private roads created before the  
 15 effective date of the ordinance codified in this chapter, or when  
 16 short subdividing property which abuts such a road; provided, that  
 17 the ((~~department~~)) division finds:

- 18 1. The road would be consistent with required findings A. 1  
 19 through 3, set forth in this paragraph; and
- 20 2. The right-of-way will be improved consistent with county  
 21 standards and specifications for plat roads.

22 SECTION 29. Ordinance 3113, Section 13(5) and K.C.C.  
 23 19.26.350 are each hereby amended to read as follows:

24 Future public street rights-of-way - Additional building  
 25 setbacks. Where the comprehensive plan or the major streets and  
 26 highways plan indicates the necessity of a portion of right-of-way  
 27 for a street which is not included in the six-year capital  
 28 improvement plan, the ((~~D~~))division ((~~of Building and Land~~  
 29 ~~Development~~)) may require a plat restriction which imposes a  
 30 sufficient building setback to guarantee that future right-of-way  
 31 expansion could be accomplished without infringing on the yard  
 32 requirement of the zone. Such required setback shall be based on  
 33 ((~~Department of Public Works and Transportation estimate,~~

1 ~~consistent with~~) adopted county standards and plans for public  
2 streets and roads.

3 SECTION 30. Ordinance 3113, Section 13(6) and K.C.C.

4 19.26.360 are hereby amended to read as follows:

5 Future public street rights-of-way - Tract, when permitted.  
6 ~~((Only when the Department of Public Works determines that it is  
7 necessary to provide for future public street rights-of-way and to  
8 assure orderly development of a neighborhood street pattern, t))~~  
9 The ((D))division ((of Building and Land Development)) may require  
10 the setting aside of sufficient future rights-of-way, using the  
11 "Tract X" form set forth ~~((in Appendix D, codified))~~ in Section  
12 19.26.500 ~~((The dimensions of such tract,))~~ when ~~((required,  
13 shall be based on Department of Public Works and Transportation  
14 estimate,))~~ the division determines that such tracts are  
15 necessary to provide for future street rights-of-way consistent  
16 with adopted transportation or community plans, or to assure  
17 orderly development of a neighborhood street pattern. Such tracts  
18 shall be consistent with adopted county standards for public  
19 streets and roads.

20 Such tract may contain a private road, consistent with the  
21 standards set forth in Sections 19.26.230 through 19.26.250.

22 SECTION 31. Ordinance 3113, Section 14 and K.C.C. 19.26.370  
23 are each hereby amended to read as follows:

24 Bonds, security. When public street or private road  
25 improvement is required pursuant to Sections 19.26.260 through  
26 19.26.360, the subdivider may deposit, in lieu of construction, a  
27 performance bond or other satisfactory security with the  
28 ~~((Director of Public Works and Transportation))~~ manager in an  
29 amount equal to the ~~((estimated))~~ cost of said improvements  
30 estimated from current county bonding schedules and inspection,  
31 ~~((as furnished by the Department of Public Works,))~~ as a guarantee  
32 that said applicant will, within one year from date of recording  
33 of said final plat, fully comply with all required private road or

1 public street improvements, consistent with applicable adopted  
2 county grading, surfacing, drainage, and access standards and  
3 specifications.

4 NEW SECTION. SECTION 32. There is added to K.C.C. 19.28 a  
5 new section to read as follows:

6 Additional requirements. The manager may require the  
7 submittal of additional information, including but not limited to  
8 soil and geological studies, wetland assessments, or traffic  
9 studies, prior to processing a preliminary subdivision application  
10 if he determines that such information is necessary for the  
11 accurate review of such applications. The manager may also set  
12 reasonable deadlines for the supplemental submittal of such  
13 information if it is found to be necessary subsequent to the  
14 initial application submittal. Failure to meet such deadlines  
15 shall cause the application to be deemed withdrawn, and plans or  
16 other data previously submitted for review may thereafter be  
17 returned to the applicant together with any unexpended portion of  
18 the preliminary application review fee. In no case shall an  
19 application be processed until it is complete in terms of the type  
20 or amount of information necessary for accurate review.

21 SECTION 33. Resolution 11048 Appendix A, as amended and  
22 K.C.C. 19.36.060 are each hereby amended to read as follows:

23 Final plat to conform to preliminary plat - Improvements to  
24 conform to certain specifications - Surety bond for improvements.

25 A. After the return of the approved print of the preliminary  
26 plat to the surveyor, the developer is in position to go ahead  
27 with the improvement with the assurance that the final plat will  
28 be approved, provided that:

29 1. The final plat strictly conforms with the approved  
30 preliminary plat;

31 2. The improvements have been installed in accordance  
32 with the current King county specifications for private work on  
33 county rights-of-way (~~and under the supervision of and~~) with the

1 approval of the ((~~director, Department of Public Works~~))  
2 development engineer or that the plattor has deposited a  
3 performance bond with the ((~~county executive~~)) manager in an  
4 amount equal to the ((~~Department of Public Works director's~~))  
5 manager's estimate for such improvements , based on current county  
6 bonding schedules, as a guarantee that the plattor will, within  
7 one year from date of acceptance of the final plat, complete the  
8 improvements in accordance with the requirements and to the  
9 satisfaction of the ((~~director, Department of Public Works~~))  
10 development engineer or in the alternative to the above required  
11 bond, the ((~~county executive~~)) manager may accept other secure  
12 methods providing for and securing to the county the actual  
13 construction and installation of such improvements within a  
14 one-year period and on the terms identical to the herein described  
15 bond.

16 B. A bond or other satisfactory security to secure the  
17 successful operation of improvements for a period of 12 months in  
18 an amount and form satisfactory to the ((~~director~~)) manager. Such  
19 bond or security shall cover workmanship and materials, damage  
20 from reasonable expected usage and damage due to construction  
21 activities.

22 1. The bond shall be deposited by the plattor with the  
23 ((~~Director~~)) manager either:

24 a. Prior to the recording of the final plat when the  
25 plattor has constructed improvements in accordance with King  
26 County specifications and with the approval of the ((~~director~~))  
27 development engineer, or

28 b. Prior to release of the performance bond or the  
29 acceptance by King County of streets and street drainage  
30 facilities for maintenance following final construction  
31 inspection.

32 2. The bond shall be in effect for a period of not less  
33 than 12 months commencing upon the date of:

- 1 a. final plat recording, or
- 2 b. release of performance bond, or
- 3 c. acceptance by King County of streets and street
- 4 drainage facilities for maintenance following final construction
- 5 inspection, whichever occurs last.

6 SECTION 34. Ordinance 4461, Section 2, as amended and K.C.C.  
7 20.24.080 are each hereby amended to read as follows:

8 Final decisions by the examiner.

9 A. The examiner shall receive and examine available  
10 information, conduct public hearings and prepare records and  
11 reports thereof, and issue final decisions based upon findings and  
12 conclusions in the following cases:

- 13 1. Appeals from the decisions of the administrator for  
14 short subdivisions;
- 15 2. Appeals of threshold determinations;
- 16 3. Appeals from notices and orders issued pursuant to Title  
17 23 of this code or the Rules and Regulations VII of the King  
18 County department of public health;
- 19 4. Appeals from decisions of the (~~department of public~~  
20 ~~works~~) manager of the building and land development division  
21 regarding permits or licenses in flood hazard areas pursuant to  
22 Section 21.54.100;
- 23 5. Appeals from conditions imposed on final approvals of  
24 subdivisions receiving extensions pursuant to Section  
25 19.28.050.E. or F.;
- 26 6. Appeals from decisions of the zoning adjustor on  
27 administrative conditional use permits, conditional use permits or  
28 variances;
- 29 7. Appeals from decisions regarding site plan approvals  
30 pursuant to Section 21.46.180 and pursuant to Ordinance 4122;
- 31 8. Appeals from decisions regarding the abatement of  
32 nonconforming uses;
- 33 9. Applications for shoreline substantial development

1 permits when combined with other land use applications pursuant to  
2 Section 25.32.080;

3 10. Appeals from decisions regarding modification of  
4 landscaping requirements pursuant to Section 21.51.050;

5 11. Appeals from decisions of the director of the department  
6 of public works on requests for rate adjustments to surface and  
7 storm management rates and charges;

8 12. Appeals from decisions regarding the reuse of public  
9 schools pursuant to Section 21.08.040.H.;

10 13. Appeals from decisions to condition or deny applications  
11 pursuant to RCW 43.21C.060, as provided in Section 20.44.110 2.C.;

12 14. Appeals from department of public safety seizures and  
13 intended forfeitures, when properly designated by the chief law  
14 enforcement officer of that department as provided in RCW  
15 69.50.505;

16 15. Appeals from decisions of the manager of building and  
17 land development division on variances;

18 16. Other applications or appeals which the council may  
19 prescribe by ordinance.

20 B. The examiner's decision may be to grant or deny the  
21 application or appeal, or the examiner may grant the application  
22 or appeal with such conditions, modifications and restrictions as  
23 the examiner finds necessary to make the application or appeal  
24 compatible with the environment and carry out applicable state  
25 laws and regulations and the regulations, policies, objectives and  
26 goals of the comprehensive plan, the community plans, the sewerage  
27 general plan, the zoning code, the subdivision code and other  
28 official laws, policies and objectives of King County.

29 SECTION 35. Ordinance 6949, Section 5 and K.C.C. 20.44.030  
30 are each hereby amended to read as follows:

31 Purpose and general requirements. The procedures and  
32 standards regarding the timing and content of environmental review  
33 specified in WAC 197-11-055 through 197-11-100 are adopted subject

1 to the following:

2 A. Pursuant to WAC 197-11-055(4), the building and land  
3 development division shall adopt rules and regulations pursuant to  
4 K.C.C. 2.98 establishing a process for environmental review at the  
5 conceptual stage of permit applications which require detailed  
6 project plans and specifications (i.e., building permits and  
7 PUD's). This process shall not become effective until it has been  
8 reviewed by the council.

9 B. The optional provision of WAC 197-11-060(3)(c) is adopted,  
10 provided analysis of more than one independent private proposal  
11 shall occur in a single environmental document only if all  
12 affected private applicants agree to such an analysis.

13 C. Under WAC 197-11-100, the applicant shall be responsible  
14 for completion of the environmental checklist, unless the lead  
15 agency specifically elects to prepare the checklist.

16 D. The manager of the building and land development division  
17 may set reasonable deadlines for the submittal of information,  
18 studies, or documents necessary for, or subsequent to, threshold  
19 determinations. Failure to meet such deadlines shall cause the  
20 application to be deemed withdrawn, and plans or other data  
21 previously submitted for review may be returned to the applicant  
22 together with any unexpended portion of the application review  
23 fees.

24 NEW SECTION. SECTION 36. There is added to K.C.C. 21.04 a  
25 new section to read as follows:

26 Bond. "Bond" means a surety bond, cash deposit, escrow  
27 account, assignment of savings, irrevocable letter of credit or  
28 other means acceptable to, or required by, the manager to  
29 guarantee work is in compliance with all applicable county  
30 requirements.

31 NEW SECTION. SECTION 37. There is added to K.C.C. 21.04 a  
32 new section to read as follows:

33 Division. "Division" means the building and land development

1 division of the parks, planning and resources department.

2 SECTION 38. Resolution 25789, Section 2507 and K.C.C.

3 21.50.080 are hereby amended to read as follows:

4 Plans required. Prior to the issuing of a building permit for  
5 any new building or structure, or for the enlargement of the floor  
6 area of an existing building or structure the use of either of

7 which requires off-street parking facilities to be provided as set  
8 forth in this title, or if a parking area is to be jointly used, a  
9 plan of the parking area clearly indicating the number of parking  
10 spaces being provided and the proposed development of such area  
11 including location of the spaces, the size, shape, design,  
12 relationship to buildings to be served, curbcuts, lighting,  
13 landscaping and other features and appurtenances of the proposed

14 parking facility shall be approved by the ((county engineer))

15 division.

16 SECTION 39. Resolution 25789, Section 2508 and K.C.C.

17 21.50.090 are each hereby amended to read as follows:

18 Surety bond required. Before a building permit is issued for  
19 any building or structure for which this title requires off-street  
20 parking facilities, and where such parking facilities are not to  
21 be contained within the building for which the building permit is  
22 requested, the applicant shall provide the ((county engineer))

23 manager with a surety bond or other sufficient security

24 guaranteeing to the county the installation and improvement of the  
25 required parking facilities within not to exceed six months

26 following the completion of the building or buildings for which

27 such facilities are to be provided.

28 SECTION 40. Ordinance 1527, Section 7, as amended and K.C.C.

29 21.54.080 are each hereby amended to read as follows:

30 Permits and licenses - Approval required. No permit or

31 license for structures of the development or use of land shall be  
32 issued by King County within a flood hazard area unless approved  
33 by the ((director of the department of public works)) manager.

Such approval shall be based on a review of the provisions set forth in this chapter and ((the)) technical findings ((and recommendations of county divisions including, but not limited to, the division of building and land development)). Compliance with the provisions of this chapter does not obviate the need to obtain other permits which may be required pursuant to state or federal law including approvals required from the Washington State Departments of Social and Health Services and/or Ecology relating to water and/or sewer systems which such approvals ensure that water and sewer systems will be designed to avoid infiltration, inflow or impairment.

SECTION 41. Ordinance 1527, Section 8, as amended and R.C.C. 21.54.090 are each hereby amended to read as follows:

Permits and licenses - Procedural requirements. County permits or licenses which relate to the development and use of land within a flood hazard area shall be referred to the ((department of public works)) division by the issuing department or agency for approval. If it can be determined from information at hand that the property lies in that portion of the flood hazard area that is nonfloodplain land, the ((department)) division may approve the permit or license directly. If it appears that the property may lie in the floodway or floodway fringe, the ((department of public works)) division may require its owner to submit information necessary to determine if in fact the property lies within the floodway or floodway fringe, provided that the department of public works shall be required to develop such information for properties of ten acres or less for county permits to construct a single-family residence. If it is determined that the property lies within the floodway or floodway fringe, the applicant may be required by the ((department of public works)) division to submit such surveys, plans and supporting documents as are necessary to determine the applicability of county guidelines to the proposed structure development or use. The ((department of public works))

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1 division shall consider not only the individual structure,  
 2 development or use, but shall also consider it in combination with  
 3 existing and future similar structures, developments and uses.  
 4 whenever a hydraulics report is furnished to King County by an  
 5 applicant, the county shall consider such report in acting upon  
 6 the requested permit.  
 7 The (~~director of the department of public works~~) manager  
 8 shall, within a reasonable time, indicate his approval or  
 9 disapproval of the requested permit or license; and if approved,  
 10 the conditions of approval, in a letter to the issuing department  
 11 or agency, with copies to the applicant, commenting county  
 12 department or agencies, and other known parties of interest.  
 13 SECTION 42. Ordinance 4462, Section 15 and K.C.C. 21.54.100  
 14 are each hereby amended to read as follows:  
 15 Permits and licenses - Appeal from decision.  
 16 A. The decision of the (~~department of public works~~)  
 17 division to approve or disapprove a permit or license in a flood  
 18 hazard area may be appealed to the zoning and subdivision examiner  
 19 pursuant to Chapter 20.24.  
 20 B. The requested permit or license shall not be issued by a  
 21 county department pending a decision by the examiner.  
 22 SECTION 43. Ordinance 3718, Section 2 and K.C.C. 21.54.110  
 23 are each hereby amended to read as follows:  
 24 Authority. (~~King County, through the Hydraulics Division~~)  
 25 The division shall consider and interpret information produced by  
 26 the Army Corps of Engineers, Soil Conservation Service,  
 27 (~~Department of Housing and Urban Development~~) Federal Emergency  
 28 Management Agency, King County department of public works or any  
 29 other qualified person or agency to determine the location of  
 30 floodplains, floodways or floodway fringes. Whenever a hydraulics  
 31 report is furnished to King County by an applicant, the county  
 32 shall consider such report in acting upon the requested permit.  
 33 SECTION 44. Ordinance 2985, Section 2 and K.C.C. 21.55.020

are each hereby amended to read as follows:

Definitions. ((A. "Director" means the director of the King

County department of public works.))

((B-))A. "Flood control zones" means areas of the state flood

damage as established by the State Department of Ecology, pursuant

to Chapter 86.16, Revised Code of Washington.

((C-))B. "Permit program" shall mean the State Flood Control

Zone Permit Program established in Chapter 86.16, Revised Code of

Washington, further described by Chapter 173-142 and Chapter

508-60 of the Washington Administrative Code, as now or hereafter

amended.

SECTION 45. Ordinance 2985, Section 4 and K.C.C. 21.55.040

are each hereby amended to read as follows:

Permit required. No person, firm, association or corporation,

public, municipal or private, shall have the authority or the

right hereafter to construct, reconstruct or modify any structure

or work affecting floodwaters within any state flood control zone,

or portion thereof, delegated to King County for administration,

or to operate or maintain any such structure or work hereafter

constructed, reconstructed or modified without a flood control

zone permit from the ((King County Department of Public Works and

Transportation)) division applied for and issued in accordance

with this chapter and such general rules and regulations as now or

hereafter are established by the State Department of Ecology and

King County.

SECTION 46. Ordinance 2985, Section 5 and K.C.C. 21.55.050

are each hereby amended to read as follows:

Permit application. All persons, firms, associations or

corporations requiring a permit pursuant to Section 21.55.030 of

this chapter shall make application to King County on forms

supplied by the ((Surface Water Management Division, Department of

Public Works and Transportation)) division prior to commencing any

of the actions delineated in Section 21.55.030.

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1            SECTION 47. Ordinance 2985, Section 6 and K.C.C. 21.55.060  
2 are each hereby amended to read as follows:

3            Review of application.

4            A. All permit applications shall be submitted for review to  
5 the (~~Surface Water Management Division, Department of Public~~  
6 ~~Works and Transportation~~) division. The division shall review  
7 all submitted applications to determine compliance with the  
8 following state and county laws and policies as now or hereafter  
9 amended:

10           1. Chapter 86.16 of the Revised Code of Wahsington - Flood  
11 Control Zones;

12           2. Chapter 508-60 of the Washington Administrative Code -  
13 Administration of Flood Control Zones;

14           3. Ordinance 1527, codified in Chapter 21.54 of the King  
15 County Code - Special Control Areas and Flood Hazard Areas;

16           4. Ordinance 1402, codified in Chapter 20.40 of the King  
17 County Code - Shoreline Management;

18           5. Ordinance 2281, codified in Chapter 9.04 of the King  
19 County Code - Surface Water Run-Off Policy;

20           6. Ordinance 1488, codified in Chapter 16.82 of the King  
21 County Code - Grading.

22           B. The review of all applications shall be coordinated by the  
23 (~~Surface Water Management Division, Department of Public Works~~  
24 ~~and Transportation~~) division, and may include the transmittal of  
25 applications for review and comment to such county, state, and  
26 federal department and agencies having interest or expertise in  
27 the subject matter of the permit.

28           SECTION 48. Ordinance 5026, Section 1, as amended and K.C.C.  
29 21.56.030 are each hereby amended to read as follows:

30           Procedure for approval of planned unit development projects.  
31 The approval of a planned unit development in the following steps  
32 shall be by the council upon recommendation of the examiner  
33 subject to the provisions of Chapters 21.60 and 21.62.

1           A. A preliminary development plan first shall be submitted  
2 to the ((D)) division ((of Building and Land Development)). The  
3 division shall submit that plan, together with its report and  
4 recommendations, to the examiner, pursuant to Chapter 20.24.  
5 Before approval, the examiner shall determine that the plans  
6 comply with the development policies of the comprehensive plan,  
7 community plan policies, area zoning guidelines, the shoreline  
8 management master program when applicable, the purpose of this  
9 title, and provisions of this chapter. The applicant shall be  
10 responsible for demonstrating consistency with these requirements  
11 at the time of application and at public hearings. If the council  
12 concurs, an ordinance shall be adopted granting preliminary  
13 planned unit development, with any conditions appropriate to meet  
14 the intent of this chapter, and authorizing approval of a final  
15 planned unit development as provided below. Preliminary approval  
16 shall be binding as to the general intent and apportionment of  
17 land for buildings, stipulated use and circulation pattern, but  
18 shall not be construed to render inflexible the ultimate design,  
19 specific uses or final plan of the project.

20           B. The petitioner shall within two years of the date of the  
21 preliminary approval submit a final development plan of the  
22 proposed development to the department for approval; provided,  
23 that upon application of the petitioner, the department may grant  
24 an extension for a maximum of twelve additional months if the  
25 applicant demonstrates that substantial progress has been made and  
26 that the project can reasonably be completed within the requested  
27 time extension. A second extension for up to twelve months may be  
28 granted by motion of the county council if the council determines  
29 that the applicant has made substantial progress in complying with  
30 the conditions of the preliminary planned unit development  
31 approval, and that it would be inequitable to require the  
32 applicant to reapply for a new preliminary planned unit  
33 development approval. If the final development plan and all

1 related and required information sufficient to grant final  
2 administration approval is not filed within the prescribed time  
3 limits, the planned unit development shall become void.

4 C. A final planned unit development plan shall be submitted  
5 to the ((M))manager (~~of the Building and Land Development~~  
6 ~~Division~~)) for approval. The division shall specify the exact  
7 form, contents and dimensions of the final plan. Before approval,  
8 the manager shall determine that the final plan is consistent with  
9 the intent of the preliminary planned unit development and that  
10 all conditions of preliminary approval have been met. Final  
11 approval shall be granted by signature of the manager upon a  
12 permanent tracing of the final plan, and said plan shall be  
13 recorded with the ((Department)) division of records and  
14 elections.

15 D. Preliminary development plans may program two or more  
16 divisions to be developed successively; provided, that:

17 1. Each division shall meet the design requirements of a  
18 planned unit development if considered individually.

19 2. The initial division shall contain at least twenty-five  
20 units.

21 3. Each succeeding division may be subject to then current  
22 county standards.

23 E. In planned unit developments having more than one  
24 division authorized pursuant to subsection D. of this section, the  
25 second division shall be granted two years to satisfy final  
26 development plan requirements, following the completion of final  
27 development plan requirements of the first division. This  
28 procedure may be repeated for as many two-year periods as there  
29 are divisions authorized by the approved preliminary development  
30 plan. If the final development plan for any succeeding division  
31 is not filed within the authorized two-year period, preliminary  
32 development plan approval for that division and for all succeeding  
33 divisions shall become void.

1 F. From the date of filing of a final development plan or  
2 revised final development plan, the ((D))division (~~(of Building~~  
3 ~~and Land Development or the Department of Public Works)~~) shall,  
4 within thirty days, notify the developer of any inadequacies which  
5 require correction or revision. Within sixty days of that  
6 notification, the developer shall fully correct those  
7 inadequacies. This period may be extended sixty days upon the  
8 developer's request.

9 G. A construction schedule may be required as part of the  
10 final development plan. This schedule, when required, shall  
11 coordinate the development of common open space and common open  
12 space improvements, and other project improvements and  
13 development, with the development of residential dwellings.

14 H. The planned unit development final plan approval resulting  
15 from the application of the provisions of this section shall be  
16 made a part of the zoning map, identified thereon by appropriate  
17 reference to the detailed planned unit development map and  
18 explanatory text either by number or by symbol and shall thereby  
19 constitute a limitation on the use and design of the site.

20 I. The ((D))division (~~(of Building and Land Development)~~) may  
21 issue building permits for units having common walls when a plat  
22 is required, or for ten or fewer model units, when the following  
23 conditions have been satisfied:

24 1. The (~~Department of Public Works and Transportation~~)  
25 division has determined that:

26 a. The road and parking area plan and profiles are  
27 approved or ready to approve.

28 b. A bond has been received to assure the roads and  
29 drainage will be constructed, as well as other required bonds and  
30 fees.

31 c. The street, drainage systems and lot configuration  
32 will not change.

33 d. All other customary requirements for issuing permits

1 have been fulfilled.

2 2. The department of public health has approved the site  
3 plan, if such approval has been required as a condition for final  
4 development plan approval.

5 ~~((3. The Division of Building and Land Development has  
6 determined that all other customary requirements for issuing  
7 permits have been fulfilled.))~~

8 J. Buildings constructed pursuant to subsection I of this  
9 section shall not be occupied, nor shall any additional permits be  
10 issued, until the planned unit development has received final  
11 development plan approval by county ordinance and any plat which  
12 may be required has been recorded.

13 SECTION 49. Resolution 25789, Section 3001, as amended and  
14 K.C.C. 21.62.020 are each hereby amended to read as follows:

15 Forms of applications and types of information. The  
16 department shall prescribe the form in which applications are made  
17 for changes in zone boundaries or classifications, for planned  
18 unit development, unclassified use permits, variances and appeals.  
19 The adjustor shall prescribe the form in which applications are  
20 made for conditional use permits. Both may prepare and provide  
21 blanks for such purpose and may prescribe the type of information  
22 to be provided in the application by the applicant. Both may also  
23 set reasonable deadlines for the supplemental submittal of such  
24 information if it is found to be necessary subsequent to the  
25 initial application submittal. Failure to meet such deadlines  
26 shall cause the application to be deemed withdrawn, and plans or  
27 other data previously submitted for review may thereafter be  
28 returned to the applicant together with any unexpended portion of  
29 the application review fee. ~~((No application shall be accepted~~  
30 ~~unless)) In no case shall an application be processed until it  
31 complies with such information requirements and is verified under  
32 oath as to the correctness of information given by the applicant  
33 attesting thereto.~~

1            SECTION 50. Ordinance 3113, Section 6(3) and K.C.C. 19.26.080  
2 are each hereby repealed.

3            SECTION 51. Resolution 25789, Section 221 and K.C.C.  
4 21.04.150 are each hereby repealed.

5            INTRODUCED and READ for the first time this 17th day of  
6 February, 1987.

7            PASSED this 23rd day of March, 1987.

8            KING COUNTY COUNCIL  
9            King County, Washington

10            Bill Reams  
11            VICE Chairman

11            ATTEST:

12            Janet M. Ruess  
13            Clerk of the Council

14            APPROVED this 2nd day of April, 1987

15            [Signature]  
16            King County Executive