

January 6, 1995

Proposed No.: 95 - 019

ORDINANCE NO. ~~11652~~

AN ORDINANCE amending the effective date of development regulations to coincide with zoning to implement the 1994 King County Comprehensive Plan under the Growth Management Act, amending Ordinance 11618, 11619, and 11620 and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings. The King County Council makes the following findings of fact:

A. On December 19, 1994, the King County Council adopted Ordinance 11618, 11619, and 11620 amending Title 16 of the King County Code. The effective date of Ordinance 11618, 11619, and 11620 is January 9, 1995.

B. In drafting Ordinance 11618, 11619, and 11620, the references to the King County Zoning Code were amended to cite Title KCC 21A, the new zoning code, and at the same time repeal references to Title KCC 21, the old zoning code. This was done in anticipation that Proposed Ordinance 94-737, which adopts new zoning to implement the 1994 Comprehensive Plan and Title 21A, adopted would be on December 19, 1994 concurrent with Ordinance 11618, 11619, and 11620. Thus, Title KCC 21A would become effective on the same date as Ordinance 11618, 11619, and 11620.

C. However, on December 19, 1994 the King County Council deferred action on Proposed Ordinance 94-737 until January 3, 1995. On January 3, 1995 the action was again deferred to January 9, 1995. As a result of deferring action on Proposed Ordinance 94-737, KCC 21A will not go into effect until some time after the effective date of Ordinance 11618, 11619, and 11620.

D. The problem created by the actions described above is that Ordinance 11618, 11619, and 11620 will go into effect with references to zoning code requirements (KCC Title 21A) that will not be in effect until the adoption and effective date of Proposed Ordinance 94-737. Additionally, the references to the existing zoning code (KCC Title 21) are repealed in Ordinance 11618, 11619,

1 and 11620. As a result, development applications filed between
2 the effective date of Ordinance 11618, 11619, and 11620 and the
3 effective date of proposed Ordinance 94-737 may vest to land use
4 controls that will not include either existing Title 21 or the new
5 Title 21A regulations. Such development may not provide
6 protection for, and be harmful to, the public health, safety and
7 welfare which Title 21 and 21A were adopted to address.

8 SECTION 2. Ordinance 11618, 11619, and 11620 is amended to
9 add the following new section:

10 Ordinance 11618, 11619, and 11620 shall not take effect, or
11 if in effect shall no longer be in effect, until King County
12 adopts zoning to implement the 1994 King County Comprehensive Plan
13 and to convert zoning to Title 21A (Proposed Ordinance 94-737) and
14 such zoning becomes effective. Prior to the effective date of
15 Ordinance 11618, 11619, and 11620, the provisions of law in effect
16 prior to the adoption of Ordinance 11618, 11619, and 11620 shall
17 remain in effect until Ordinance 11618, 11619, and 11620 is in
18 effect under the provisions of this section.

19 SECTION 3. Declaration of Emergency and Effective Date.

20 Based on the findings contained in Section 1 of this ordinance the
21 council finds that an emergency exists. This ordinance is
22 necessary for the immediate preservation of public peace, health
23 or safety or for the support of county government and its existing
24 public institutions and shall take effect immediately.

1 SECTION 4. Severability. If any provision of this
2 ordinance, or its application to any person or circumstance is
3 held invalid, the remainder of the ordinance or the application
4 of the provision to other persons or circumstances is not
5 affected.

6 INTRODUCED AND READ for the first time this 9th day
7 of January, 1995.

8
9 PASSED this 9th day of January, 1995.

10 KING COUNTY COUNCIL
11 KING COUNTY, WASHINGTON

12 Passed by a vote of 12-0.

13 Kent Pullen
14 Chair

15 ATTEST:

16 Gerald A. Peter
17 Clerk of the Council

18 APPROVED this 23 day of January, 1995.
19 Charles N. Earl for
20 King County Executive (Deputy Exec for
21 or Det)

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