

January 31, 1995

Introduced By: Jane Hague

PlatExtjk

Proposed No.: 95-012

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ORDINANCE NO. **11686**

AN ORDINANCE amending provisions for plat extension for applicants in unusual circumstances who have met the substantial progress provision and amending KCC 19.28.050

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

Section 1. Resolution No. 11048 § IV A(4) as amended and K.C.C. 19.28.050 are hereby amended to read as follows:

A. PRELIMINARY APPROVAL. Council approval of the preliminary plat shall furnish a firm basis upon which the applicant may proceed with development of the subdivision and preparation of the final plat subject only to all the conditions of preliminary approval imposed on the preliminary plat.

B. REVISIONS. The department of development and environmental services may approve minor changes or revisions as are deemed necessary to the interests and needs of the community, consistent with the adopted policies and standards of the county.

C. ENGINEERING DETAILS. Subsequent approval of the engineering details of the proposed streets, storm drainage, sanitary sewer and water systems and other proposed public facilities by the county engineer and the King County department of public health will be required prior to the approval of the final plat.

1 D. APPROVAL TIME. Preliminary approval shall be  
2 effective for a period of thirty-six months.

3 1. ~~If an~~ applicant who files a written request  
4 with the clerk of the King County Council at least thirty  
5 days before expiration of the thirty-six months ~~shall be~~  
6 ~~granted~~ an extension for up to twelve months ~~may be granted~~  
7 by ordinance by the county council if the council determines  
8 that the applicant has acted in good faith and made  
9 substantial progress in complying with the conditions of  
10 preliminary plat approval.

11 2. An applicant who fails to apply for an  
12 extension at least thirty days prior to the expiration of the  
13 preliminary plat may be granted an extension only in unusual  
14 circumstances. Such extension may be granted only upon the  
15 council finding:

16 a. that the applicant has acted in good faith  
17 and made substantial progress in complying with the  
18 conditions of preliminary plat approval; and

19 b. that based on the facts and circumstances  
20 of the case, it would be inequitable to require the applicant  
21 to reapply for a new preliminary plat approval.

22 An extension granted pursuant to section 2, shall not be  
23 for more than 12 months from the date a written request is  
24 filed with the clerk of the county council, and it may extend  
25 a plat up to six years from the date of preliminary plat  
26 approval. In granting an extension pursuant to section 2.,  
27 the council may impose additional conditions for final  
28 approval consistent with the current county adopted standards  
29 and policies in effect at the time such extension is granted.

1           Written request is defined for the purpose of sections  
2     (1) and (2) above, to include a summary of progress of the  
3     plat to date, written confirmation from the department of  
4     development and environmental services that engineering plans  
5     have been submitted, a copy of the original ordinance  
6     granting preliminary plat approval, a copy of the report and  
7     recommendation to the council by the zoning and subdivision  
8     examiner, and a map of the plat. Substantial progress is  
9     defined for the purpose of this section to mean that either  
10    engineering plans have been submitted to the department of  
11    development and environmental services, or that other  
12    compelling evidence clearly indicates that progress has been  
13    made. Engineering plans mean drawings for roads, utilities  
14    and storm water facilities, with lot lines and tracts shown.

15           If prior to the expiration of ~~forty eight months after~~  
16    ~~preliminary approval~~ the extension periods described in  
17    sections a and b, all required plat improvements have been  
18    diligently pursued and have been substantially constructed,  
19    and the plat developer has timely applied for a further  
20    extension, the department of development and environmental  
21    services may grant an extension for an additional period of  
22    up to 6 months from the application date for recording of the  
23    final plat. If the final plat is being developed in  
24    divisions and final plats for all of the divisions have not  
25    been recorded within the time limits provided in this  
26    section, preliminary plat approval for all unrecorded  
27    divisions shall become void. When final plat approval is  
28    contingent upon the future development of a county road, the  
29    council may grant an additional extension of up to six years  
30    if the road is identified in a community plan and is part of

1 the county's 6-year road program, provided that for any such  
2 extension the applicant must file a written request with the  
3 clerk of the council before preliminary plat approval expires  
4 and the council may impose additional conditions or  
5 requirements for final approval consistent with then current  
6 county adopted standards and policies.

7 The preliminary plat for any unrecorded divisions must  
8 again be submitted to the department of development and  
9 environmental services with a new application.

10 E. In granting administrative extensions authorized  
11 pursuant to subsection D, the county may impose  
12 administratively additional conditions for final approval,  
13 consistent with then current county adopted standards and  
14 policies.

1 F. Conditions imposed administratively on divisions  
2 for which extensions have been approved may be appealed to  
3 the zoning and subdivision examiner pursuant to Chapter 20.24  
4 of this code.

5 INTRODUCED AND READ for the first time this 9<sup>th</sup>  
6 day of January, 1995.

7 PASSED this 13<sup>th</sup> day of February, 1995.

8 KING COUNTY COUNCIL  
9 KING COUNTY, WASHINGTON

10 Passed by a vote of 13-0, } Kent Pullen  
11 Chair

12 ATTEST:

13 Gerald A. Peterson  
14 Clerk of the Council

15 APPROVED this 23<sup>rd</sup> day of February, 1995.

16 Doug Locke  
17 King County Executive

18 Attachments: