

April 5, 1995
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Introduced By:

Jane Hague
Cynthia Sullivan
Christopher Vance

Proposed No.:

95-217

ORDINANCE NO. **11765**

AN ORDINANCE related to zoning; adding a provision regarding applicable zoning regulations during the transition to Title 21A; amending Ordinance 10870, Section 4 as amended; and K.C.C. 21A.01.040; and declaring an emergency.

STATEMENT OF FACTS:

1. The new zoning code, King County Code Title 21A, has significantly changed many of the development regulations that had previously been in effect. Applications for subdivisions and short subdivisions submitted prior to the effective date of Title 21A were designed to the standards of the old zoning code, Title 21.
2. As a result, many property owners are no longer able to build the homes for which their property had been subdivided or short subdivided.
3. This situation threatens to impose significant hardship on many property owners, significantly curtail construction activity in King County, and result in significant economic difficulties for the construction industry and King County as a whole.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10870, Section 4 as amended, and

K.C.C. 21A.01.040 are each hereby amended to read as follows:

Transition to new code. A. During the time that a zoning map or parts thereof are being developed and adopted pursuant to this section, Resolution No. 25789 as amended shall remain in full force and effect with regard to a specific piece of property until such time as a zoning map or parts thereof applying the zone designations established in the 1993 Zoning Code to the property in question are adopted.

B. Upon the adoption of a zoning map or parts thereof pursuant to the 1993 Zoning Code, Resolution 25789 and all other zoning resolutions, amendments and zoning maps adopted pursuant thereto are deemed to be no longer in effect for the subject property, except as specified in K.C.C. 21A.01.060(F) & (G), and with the exception listed in part C

1 of this section; provided, however, that the repeal shall be limited to the area within the
2 boundaries of the map or parts thereof adopted pursuant to this title, and provided further
3 that project approval conditions applied through administrative or quasi-judicial
4 development review processes under Resolution 25789 shall continue in effect.

5 C. Complete applications for conditional use permits, planned unit developments,
6 binding site plans, right-of-way use permits, commercial site development permits,
7 variances, unclassified use permits, or public agency and utility exceptions which are filed
8 prior to October 1, 1994 and which are pending at the time Title 21A takes effect shall
9 continue to be processed under those applicable zoning regulations governing review prior
10 to implementation of Title 21A; except when a conditional use permit application has been
11 submitted for a use that under Title 21A no longer requires a conditional use permit, that
12 conditional use permit shall not be a requirement for the vested development proposal.
13 Notwithstanding any contrary provisions in this title, where approved, these permits shall
14 continue to establish allowable uses on the property until permit expiration. A variance to
15 Title 21A standards which has been approved and has not expired shall be deemed to also
16 vary like standards set forth in Title 21A relating to the same subject matter and
17 development proposal. Planned unit development applications pending on October 1, 1994
18 shall be deemed to have vested at the time a complete application was filed.

19 D. Except for the requirements of K.C.C. 21A.43, any lot created by
20 subdivision or short subdivision for which a complete subdivision or short subdivision
21 application was submitted prior to February 2, 1995, may be developed pursuant to the
22 standards of Resolution 25789, as amended (former K.C.C. Title 21), including any
23 applicable p-suffix conditions in adopted community plans and area zoning in effect on
24 February 1, 1995 for a period of six years from the date of recording of the applicable final
25 plat or short plat.

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SECTION 2. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

INTRODUCED AND READ for the first time this 27th day of March, 1995.

PASSED by a vote of 13 to 0 this 24th day of April, 1995.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 5th day of May, 1995.

Gary Locke
King County Executive

Attachments: