

April 7/97sub
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Introduced By: Kent Pullen

Proposed No.: 97-0128

12751

ORDINANCE NO. _____

AN ORDINANCE relating to zoning; amending Ordinance 6986, Sections 1 through 4, as amended, to remove a P-suffix condition with regard to a particular land parcel in the Tahoma/Raven Heights Planning Area (parcel number 2722-06-9018).

FINDINGS:

1. Clarification of Council's intent for zoning of this parcel is necessary because of ambiguities during the Council's application of areawide zoning.
2. Four Corners Inc. owns two contiguous parcels (272206-9046, and 272206-9018) in the Tahoma/Raven Heights Planning Area (see Figure 1).
3. Prior to, and after the 1994 King County Comprehensive Plan and implementing zoning parcel 272206-9046 was zoned CB with no P-suffix conditions.
4. Through the Tahoma/Raven Heights Communities Plan Amendment Study, parcel 272206-9018 was given split zoning. One portion of the parcel was given SR-7200 zoning with a potential for B-C, a second portion was given SR-7200 zoning with a potential for RM-900, and a third portion of the parcel was given RM-900-P zoning (see Figure 2).
5. On September 4, 1990 the King County Council passed Ordinance 9622 concurring with the recommendation of the Zoning and Subdivision Examiner to reclassify one portion of parcel 272206-9018 from SR-7200 potential B-C, to B-C. An additional request to rezone the portion of the parcel with SR-7200 potential RM-900 zoning to RM-900 was denied. The third portion of the parcel with RM-900-P zoning was left unchanged. Ordinance 9622 was not effective unless three pre-effective conditions outlined by the examiner were satisfied.

- 1 6. On December 22, 1993 the pre-effective conditions were met and
2 the zoning of BC-P recommended in the examiner report became
3 effective (see Figure 3). There was a post effective P-suffix
4 condition which required building permits to be applied for within
5 two years of the effective date, or by December 22, 1995.
- 6 7. On December 11, 1994 in Executive Proposed Ordinance 94-737
7 relating to area zoning, the portion of the parcel which was zoned
8 SR-7200 was proposed to be zoned R-12 potential Office.
- 9 8. Amendment number 67 to Proposed Ordinance 94-737 proposed to
10 rezone all of the tax lot number 18 (parcel number 272206-9018)
11 from R-12 Potential O to CB. This amendment was approved, and
12 integrated into the final ordinance as adopted. (Ordinance 11653
13 on January 9, 1995). Amendment number 67 contains ambiguous
14 language and the map attached to the text of amendment number 67
15 is inconsistent with the language in the amendment. The language
16 of the amendment purports to rezone the entire parcel, while the
17 map suggests that only the eastern-most and southern portions,
18 which had been zoned RS-7200 or RM-900, were intended to be
19 rezoned. In either case, however, the portion of the site which
20 is the subject of this ordinance was already zoned B-C, and would
21 convert to C-B under the new zoning ordinance.
- 22 9. Ordinance 11653 included a blanket retention of existing P-suffix
23 conditions which were established through reclassifications or
24 community plan area zoning. This resulted in a P-suffix condition
25 being retained on the portion of parcel number 272206-9018 (the
26 western portion) which was reclassified from R-12 Potential O
27 (Office) to Community Business in Ordinance 9622 (see Figure 4).
- 28 10. This particular P-suffix condition requires a commercial
29 building permit to be applied for within two years of the
30 effective date of the zoning and may be inconsistent with the CB
31 zoning on the other two portions of parcel number 272206-9018.
32 The building permits were not applied for within the timeframe
33 allowed for by the zoning examiner's conditions.
- 34 11. This P-suffix was developed in the Tahoma/Raven Heights
35 Community Plan in order to discourage the rezoning of sites for
36 speculative purposes. Retention of this P-suffix condition on only
37 a portion of the CB designated and zoned parcel does not make
38 sense as applied when the remainder of the property already has
39 outright CB zoning without this particular P-suffix condition.
- 40 12. Deletion of this P-suffix condition clarifies the council
41 intent that all of parcel number 272206-9018 is to have CB zoning
42 without this particular p-suffix condition.

43 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

44 SECTION 1. Amend Ordinance 6986, Sections 1 through 4 and
45 K.C.C. 20.12.360 are each amended to read as follows:

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1 A. The Tahoma/Raven Heights Community Plan, attached to
2 Ordinance 6986 as Appendix A, is adopted as an amplification and
3 augmentation of the comprehensive plan for King County and as
4 such constitutes official county policy for the geographic area
5 defined therein.

6 B. The Tahoma/Raven Heights Community Plan Area Zoning,
7 attached to Ordinance 6986 as Appendix B, is adopted as the
8 official zoning control for that portion of unincorporated King
9 County defined therein.

10 C. Ordinance 4035, previously adopting the King County
11 Sewerage General Plan, is hereby corrected in accordance with
12 subsection A.

13 D. Ordinance 1913, previously adopting area zoning for
14 Tahoma/Raven Heights on February 4, 1974, is hereby corrected in
15 accordance with subsection B.

16 E. The King County planning division, as directed by
17 Motion 7121, has studied the Lake Webster area of the
18 Tahoma/Raven Heights Community Plan and Area Zoning pursuant to
19 K.C.C. 20.12.070 - 20.12.080 and determined the need to amend
20 the area zoning. The amendment to the area zoning as described
21 in the Lake Webster Plan Amendment Report, attached to Ordinance
22 8732 as Appendix A, is consistent with the intent of the
23 Tahoma/Raven Heights Community Plan and King County
24 Comprehensive Plan policies. The amendment to the Tahoma/Raven
25 Heights Area Zoning, attached to Ordinance 8732 as Appendix B,

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1 is adopted as the official zoning control for that portion of
2 unincorporated King County defined therein.

3 F. The King County Comprehensive Plan map as adopted by
4 Ordinance 7178 is hereby amended in accordance with K.C.C.
5 20.12.030, subsection C as follows:

6 The Lake Webster area as described in the Lake Webster
7 Plan Amendment Report, attached to Ordinance 8738 as Appendix A,
8 is designated Rural consistent with the intent of King County
9 Comprehensive Plan policies.

10 G. The Tahoma/Raven Heights Communities Plan Amendment
11 and Area Zoning attached to Ordinance 10200 as Appendix A are
12 adopted as an amendment to the Tahoma/Raven Heights Communities
13 Plan and to the Tahoma/Raven Heights Area Zoning as official
14 zoning control for that portion of unincorporated King County
15 defined therein.

16 H. The King County Comprehensive Plan Map, adopted by
17 Ordinance 7178, is amended within the Tahoma/Raven Heights
18 community planning area to redesignate portions of urban areas
19 to rural, as indicated on the map attached to Ordinance 10201 as
20 Map A. These designations shall be implemented by the adoption
21 of the Executive Proposed Tahoma/Raven Heights Communities Plan
22 Amendment and Area Zoning.

23 I. The Tahoma/Raven Heights Community Plan Area
24 Zoning, attached to Ordinance 6986 as Appendix B, as amended by
25 Appendix B to Ordinance 8732 and by Map A and Appendix A to
26 Ordinance 10200 is hereby amended by Ordinance 11653 as follows:

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Existing zoning and potential zoning are replaced by the zoning and potential zoning contained in Appendices A and O of Ordinance 11653. Existing P-suffix conditions are retained except as amended by Appendix K of Ordinance 11653 and with the further exception that P-suffix post-effective Condition #5, as approved by ordinance 9622, is rescinded.

INTRODUCED AND READ for the first time this 18th day of February, 1997.

PASSED by a vote of 12 to 1 this 19th day of May, 1997.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
via Chair

ATTEST:

Jane Masno
ACTING Clerk of the Council

APPROVED this 30 day of May, 1997.

Greg A...
King County Executive

Attachments: Figures 1 through 4

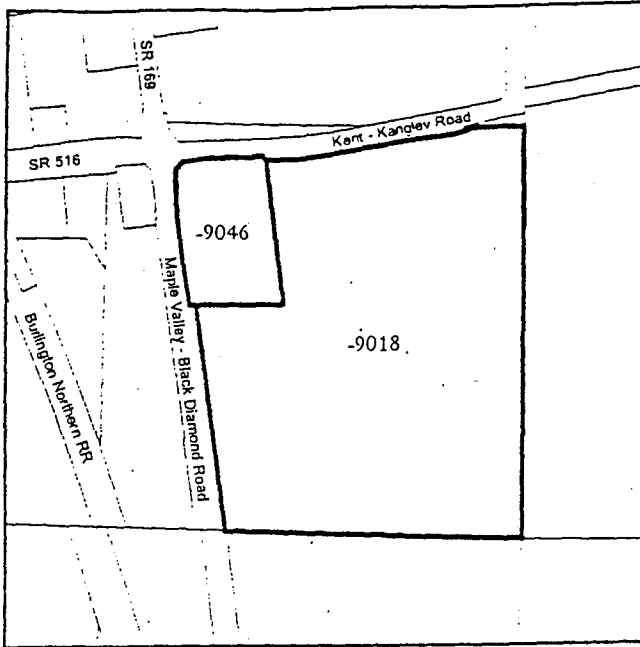


Figure 1.

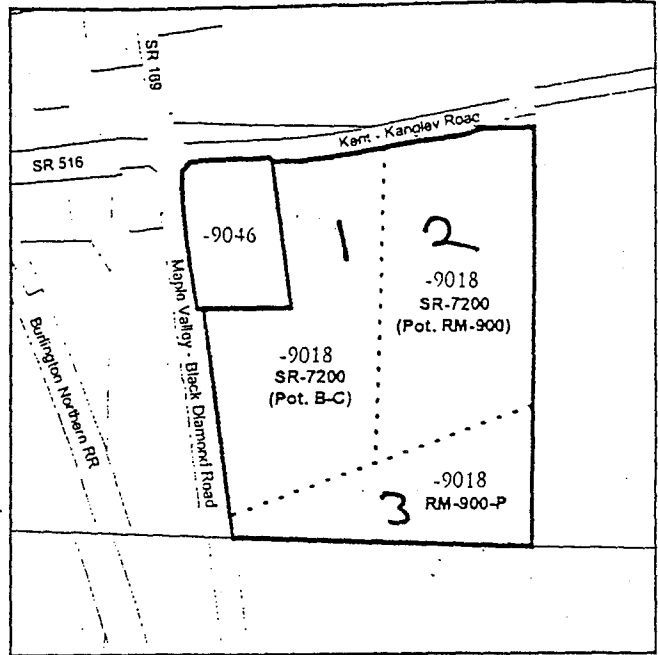


Figure 2.

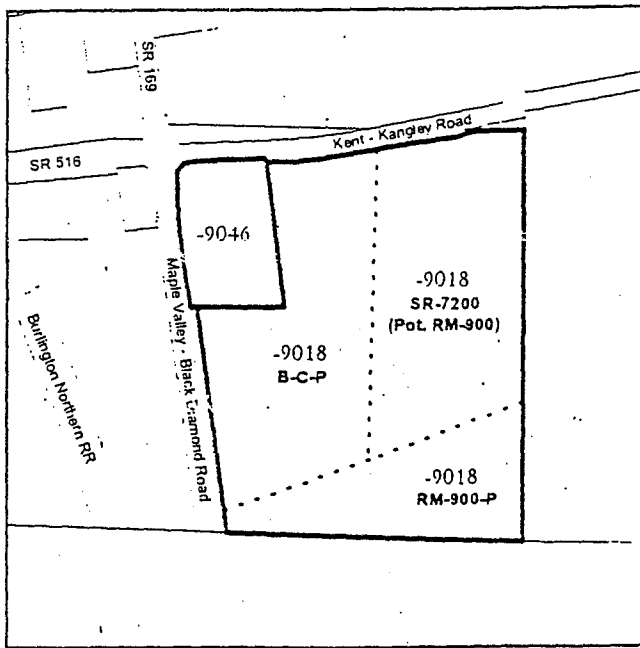


Figure 3.

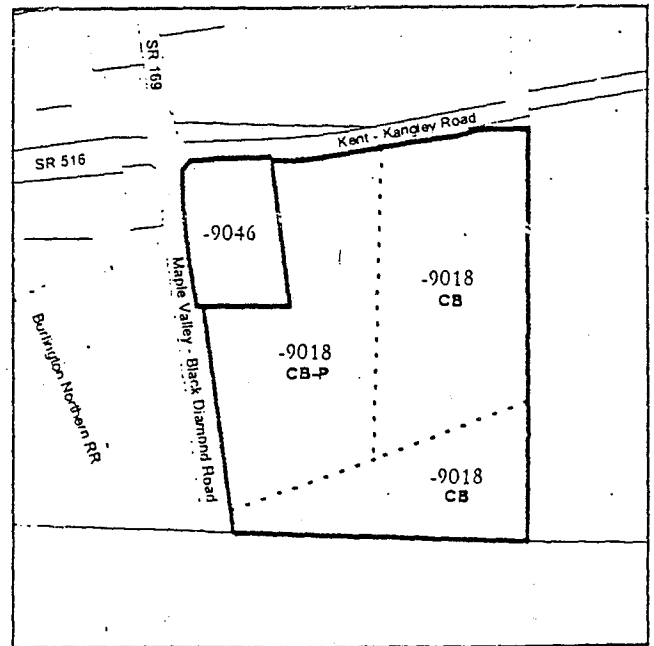


Figure 4.