

April 21, 1998

Introduced By: Jane Hague
Rob McKenna

PSO98-107:CW

Proposed No.: 98-107

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ORDINANCE NO. **13145**

AN ORDINANCE relating to the requirements for an extension of transportation concurrency certificates; amending Ordinance 11617, Section 29, as amended, and K.C.C. 14.70.080.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11617, Section 29, as amended and K.C.C. 14.70.080 are each hereby amended to read as follows:

Certificate of Concurrency. A. A certificate of concurrency shall be issued by the director or the director's designee. Issuance of a certificate creates a rebuttable presumption that the proposed development satisfies the concurrency requirements of this chapter. The determination of concurrency shall be final at the time of development approval. The issue of concurrency may be raised as part of the review process for the development application for which the certificate of concurrency was issued.

B. Upon issuance of a certificate of concurrency, the county shall reserve development units on behalf of the applicant, and indicate the reservation on the certificate of concurrency.

C. A certificate of concurrency shall expire if the development permit for which the concurrency is reserved is not applied for within one hundred and eighty days of

1 issuance or extension of the certificate of concurrency. A certificate of concurrency shall
2 be required in application for a formal subdivision plat under K.C.C. 19.36.045 and for a
3 short plat under K.C.C. 19.26.020, and for a commercial building permit.

4 D. A certificate of concurrency shall be valid for the development permit
5 application period and subsequently for the same period of time as the development
6 approval which is issued pursuant to the certificate of concurrency. If the development
7 approval does not have an expiration date, the certificate of concurrency shall be valid for
8 five years from the date of issuance.

9 E. A certificate of concurrency shall be valid for an initial one hundred eighty-day
10 period and may be extended one time for an additional one hundred eighty days by the
11 director, provided that the holder of the original certificate or his agent has, before the time
12 of expiration of the original certificate, scheduled a pre-application meeting with the
13 department of development and environmental services, ~~((and))~~ has requested such
14 extension in writing to the director~~((,))~~ and has paid the extension fee. ~~((The))~~ A further
15 ninety-day extension of a certificate of concurrency by the director shall be made only
16 under extraordinary circumstances, and shall require the receipt of a current certificate of
17 water availability, if required by K.C.C. chapter 13.24, and ~~((upon-))~~ a written request by
18 the applicant to the director.

19 F. A certificate of concurrency can be extended to remain in effect for the life of
20 each subsequent development approval for the same parcel, as long as the applicant obtains
21 the subsequent development approval prior to the expiration of the earlier development
22 approval. No development shall be required to hold more than one valid certificate of
23 concurrency, unless the applicant or subsequent owner proposes changes or modifications

1 to the property location, density, intensity((,)) or land use that creates additional impacts on
2 transportation facilities.

3 G. A certificate of concurrency runs with the land and is valid only for subsequent
4 development approvals for the same parcel, and to new owners of the original parcel for
5 which it was issued. A certificate of concurrency cannot be transferred to a different parcel
6 and shall be limited to uses and intensities for which it was originally issued.

7 H. Upon subdivision of a parcel that has obtained a certificate of concurrency, the
8 county may replace the certificate of concurrency by issuing a separate certificate of
9 concurrency to each subdivided parcel, assigning to each a pro rata portion of the
10 development units of the original certificate. The director may modify such assignment
11 upon petition of the owner.

12 I. A certificate of concurrency shall expire if the underlying development
13 approval expires or is revoked or denied by the county.

14 J. All development approvals that voluntarily provide funding for one or more
15 transportation facilities by the development or entities other than the county shall be
16 conditioned to require that prior to the issuance of any final development approval the
17 availability of such transportation facilities or financial arrangements has been confirmed.

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K. Upon annexation of any development, the provisions for the certificate of concurrency shall be enforced by the interlocal agreement with the annexing city.

INTRODUCED AND READ for the first time this 17th day of

February, 1998.

PASSED by a vote of 8 to 0 this 11th day of May,

1998.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

Zumero
Clerk of the Council

APPROVED this 21 day of May, 1998.

[Signature]
King County Executive

Attachments: