

**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 25, 2003**

**Ordinance 14747**

**Proposed No.** 2003-0382.2

**Sponsors** Hague and Phillips

1 AN ORDINANCE related to subdivisions, extending the  
2 effective time for preliminary approval of subdivisions  
3 where the majority of the lots are dedicated to affordable  
4 housing; amending Ordinance 13694, Section 56 as  
5 amended, and K.C.C. 19A.12.020 and declaring an  
6 emergency.  
7  
8

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Findings.

11 A. Under K.C.C. Title 19A, the majority of preliminary subdivisions expire after  
12 sixty months from approval date, unless all conditions of preliminary plat approval have  
13 been met and the lots have been recorded.

14 B. Larger affordable housing projects are typically proposed by nonprofit  
15 organizations and tend to rely at least in part on public funds and volunteer services. This  
16 often makes it difficult for projects to complete all of their conditions of preliminary plat  
17 approval within the sixty-month period.

18 C. Where these projects have been funded, at least in part with community block  
19 grant funds or federal housing funds, it is in the public's best interest to provide these  
20 projects with sufficient time to complete the conditions of preliminary plat approval.

21 D. For example, Covenant Housing Association, a nonprofit housing  
22 organization, received preliminary plat approval in August 1998 for fifty-six lots of  
23 owner occupied affordable housing.

24 E. At least seventeen of the units will be affordable to households with incomes  
25 between sixty-five and eighty percent of the King County median income. At least  
26 another seventeen units will be affordable to households with incomes between fifty and  
27 sixty-five percent of median income.

28 F. Covenant Housing Association obtained seven hundred thousand dollars in  
29 federal housing funds in 1998 to acquire the 14.3-acre project site in the West Hill  
30 community. King County committed an additional three hundred seventy-five thousand  
31 dollars in federal housing funds in 2001, contingent upon the project receiving final  
32 engineering approval.

33 G. If the preliminary plat approval for this project expires, the project will lose its  
34 vested status and will have to reapply for a new preliminary plat. It may also lose some  
35 or all of their federal housing funds. It is doubtful that Covenant Housing Association  
36 could afford to restart the project and also meet new code requirements for surface water  
37 drainage improvements.

38 H. To prevent the potential loss of up to one million seventy-five thousand  
39 dollars of federal funding for affordable housing units that are part of the Covenant

40 Housing Association project, this ordinance must be effective by August 26, 2003. To  
41 meet that deadline, this ordinance must be enacted as an emergency.

42 SECTION 2. Ordinance 13694, Section 56 as amended, and K.C.C. 19A.12.020  
43 are each hereby amended to read as follows:

44 **Preliminary approval of subdivision.**

45 A. Preliminary subdivision approval shall be effective for a period of sixty months.

46 B. Preliminary subdivision approval shall be considered the basis upon which the  
47 applicant may proceed toward development of the subdivision and preparation of the final  
48 plat subject to all the conditions of the preliminary approval.

49 C. If the final plat is being developed in divisions, and final plats for all of the  
50 divisions have not been recorded within the time limits provided in this section, preliminary  
51 subdivision approval for all unrecorded divisions shall become void. The preliminary  
52 subdivision for any unrecorded divisions must again be submitted to the department with a  
53 new application, subject to the fees and regulations applicable at the time of submittal.

54 D. An urban planned development permit, fully contained community permit, or  
55 development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the  
56 preliminary approval period beyond sixty months for any preliminary subdivision approved  
57 simultaneous or subsequent to the urban planned development permit or fully contained  
58 community permit. Such extensions may be made contingent upon satisfying conditions  
59 set forth in the urban planned development permit, fully contained community permit or  
60 development agreement. In no case shall the extended preliminary approval period exceed  
61 the expected buildout time period of the urban planned development or fully contained  
62 community as provided in the urban planned development permit, fully contained

63 community permit or development agreement. This section shall apply to any approved  
64 urban planned development permit, fully contained community permit or development  
65 agreement in existence on January 1, 2000, or approved subsequent to January 1, 2000.

66 E. For any plat with more than four hundred lots that is also part of the county's  
67 four to one program, the preliminary subdivision approval shall be effective for eighty-four  
68 months. This subsection applies to any preliminary plat approved by either the council  
69 ((and/)) or the hearing examiner, or both, on or after January 1, 1998, that relates to a four to  
70 one program with proposed plats containing more than four hundred lots.

71 F. For any plat with more than fifty lots where fifty percent or more of those lots  
72 will constitute affordable housing which is housing for those that have incomes of less  
73 than eighty percent of median income for King County as periodically published by the  
74 United States Department of Housing and Urban Development, or its successor agency,  
75 and at least a portion of the funding for the project has been provided by federal, state or  
76 county housing funds, the preliminary subdivision shall be effective for seventy-two  
77 months. This subsection applies to any plat that has received preliminary approval on or  
78 after January 1, 1998.

79 SECTION 3. For the reasons set forth in section 1 of this ordinance, the county  
80 council finds as a fact and declares that an emergency exists and that this ordinance is

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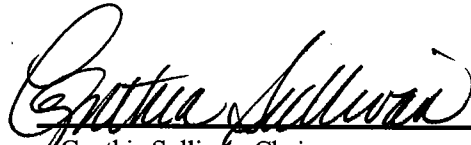
81 necessary for the immediate preservation of public peace, health or safety or for the  
82 support of county government and its existing public institutions.

83


Ordinance 14747 was introduced on 8/18/2003 and passed by the Metropolitan King  
County Council on 8/25/2003, by the following vote:

Yes: 12 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.  
Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Gossett, Ms. Hague,  
Mr. Irons and Ms. Patterson  
No: 0  
Excused: 1 - Mr. Hammond

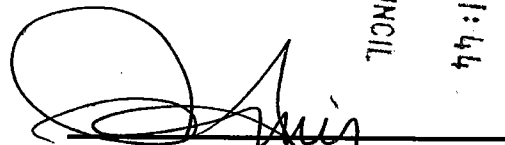
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 5 day of September 2003.

  
Ron Sims, County Executive

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CLERK  
KING COUNTY COUNCIL

Attachments None