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ORDINANCE NO. 5341

AN ORDINANCE relating to zoning, authorizing the Building and Land Development Division to grant final Planned Unit Development approvals when consistent with preliminary Planned Unit Development approvals; amending Ordinance 5026, Section 1, and KCC 21.56.030.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 5026, Section 1, and KCC 21.56.030 are each hereby amended as follows:

Procedure for approval of planned unit development projects.

The approval of a planned unit development in the following steps shall be by the council upon recommendation of the examiner subject to the provisions of Chapter 21.60 and 21.62.

(1) A preliminary development plan first shall be submitted to the Division of Building and Land Development. The division shall submit that plan, together with its report and recommendations, to the examiner, pursuant to KCC Chapter 20.24. Before approval, the examiner shall determine that the plans comply with the development policies of the comprehensive plan, community plan policies, area zoning guidelines, the shoreline management master program when applicable, the purpose of this title, and provisions of this chapter. The applicant shall be responsible for demonstrating consistency with these requirements at the time of application and at public hearings. If the council concurs, an ordinance shall be adopted granting preliminary planned unit development with any conditions appropriate to meet the intent of this chapter, and authorizing approval of a final planned unit development as provided below. (~~Upon concurrence by the council~~) Preliminary approval (~~of a preliminary development plan or subsequent revision~~) shall be binding as to the general intent and apportion-

1 ment of land for buildings, stipulated use and circulation pattern,  
2 but shall not be construed to render inflexible the ultimate de-  
3 sign, specific uses or final plan of the project.

4 (2) The petitioner shall within two years of the date of  
5 preliminary approval submit a final development plan of the pro-  
6 posed development to the department for approval; (~~by-the-coun-~~  
7 ~~cil~~) provided that upon application of the petitioner, the depart-  
8 ment may grant an extension for a maximum of twelve additional  
9 months, if the applicant demonstrates that substantial progress has  
10 been made and that the project can reasonably be completed within  
11 the requested time extension. A second extension for up to twelve  
12 months may be granted by motion of the County Council if the  
13 council determines that the applicant has made substational pro-  
14 gress in complying with the conditions of the preliminary planned  
15 unit development approval, and that it would be inequitable to  
16 require the applicant to reapply for a new preliminary planned unit  
17 development approval. If the final development plan and all re-  
18 lated and required information sufficient to grant final admini-  
19 strative approval is not filed within the prescribed time limits,  
20 the planned unit development shall become void.

21 (3) A final planned unit development plan shall be submitted  
22 to the Manager of the Building and Land Development Division for  
23 approval. The division shall specify the exact form, contents and  
24 dimensions of the final plan. Before approval the manager shall  
25 determine that the final plan is consistent with the intent of the  
26 preliminary planned unit development and that all conditions of  
27 preliminary approval have been met. Final approval shall be  
28 granted by signature of the manager upon a permanent tracing of  
29 the final plan, and said plan shall be recorded with the Department  
30 of Records and Elections.

31 ~~(+3)~~ (4) Preliminary development plans may program two or  
32 more divisions to be developed successively; provided, that:  
33

1 (A) Each division shall meet the design requirements  
2 of a planned unit development if considered individually.

3 (B) The initial division shall contain at least twenty-  
4 five units.

5 (C) Each succeeding division may be subject to then  
6 current county standards.

7 (~~4~~) (5) In planned unit developments having more than one  
8 division authorized pursuant to subsection (~~3~~) (4) of this  
9 section, the second division shall be granted two years to satisfy  
10 final development plan requirements, following the completion of  
11 final development plan requirements of the first division. This  
12 procedure may be repeated for as many two-year periods as there are  
13 divisions authorized by the approved preliminary development plan.  
14 If the final development plan for any succeeding division is not  
15 filed within the authorized two-year period, preliminary develop-  
16 ment plan approval for that division and for all succeeding  
17 divisions shall become void.

18 (~~5~~) (6) From the date of filing of a final development  
19 plan or revised final development plan, the Division of Building  
20 and Land Development or the Department of Public Works shall, with-  
21 in thirty days, notify the developer of any inadequacies which  
22 require correction or revision. Within sixty days of that notifi-  
23 cation, the developer shall fully correct those inadequacies. This  
24 period may be extended sixty days upon the developer's request.

25 (~~6~~) (7) A construction schedule may be required as a part  
26 of the final development plan. This schedule, when required, shall  
27 coordinate the development of common open space and common open  
28 space improvements, and other project improvements and development,  
29 with the development of residential dwellings.

30 (~~7~~) (8) The planned unit development final plan approval  
31 resulting from the application of the provisions of this section  
32 shall be made a part of the zoning map, identified thereon by  
33 appropriate reference to the detailed planned unit development map

1 and explanatory text either by number or by symbol and shall there-  
2 by constitute a limitation on the use and design of the site.

3 (~~8~~) (9) The Division of Building and Land Development may  
4 issue building permits for units having common walls when a plat  
5 is required, or for ten or fewer model units, when the following  
6 conditions have been satisfied:

7 (A) The Department of Public Works has determined that:

8 (i) The road and parking area plan and profiles are  
9 approved or ready to approve.

10 (ii) A bond has been received to assure the roads and  
11 drainage will be constructed, as well as other required bonds and  
12 fees.

13 (iii) The street, drainage systems and lot configuration  
14 will not change.

15 (B) The Department of Public Health has approved the  
16 site plan, if such approval has been required as a condition for  
17 final development plan approval.

18 (C) The Division of Building and Land Development has  
19 determined that all other customary requirements for issuing per-  
20 mits have been fulfilled.

21 (~~9~~) (10) Buildings constructed pursuant to subsection  
22 (~~7~~) (9) of this section shall not be occupied, nor shall any  
23 additional permits be issued, until the planned unit development  
24 has received final development plan approval by county ordinance  
25 and any plat which may be required has been recorded.

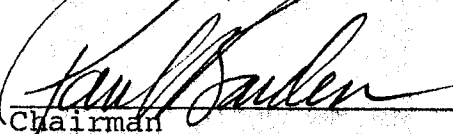
26 SECTION 2. SPECIAL APPLICATION. This ordinance shall apply  
27 to all planned unit developments receiving preliminary approval  
28 after the effective date of this ordinance. All planned unit  
29 developments which are to receive final approval after the  
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1 effective date of this ordinance shall be prepared and submitted  
2 in the manner prescribed in Section 1, paragraph (4), for record-  
3 ing with the Department of Records and Elections.

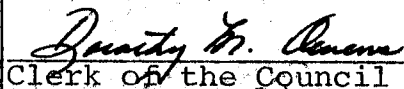
4 INTRODUCED AND READ for the first time this 12th day  
5 of January, 1981.

6 PASSED this 17th day of February, 1981.

7 KING COUNTY COUNCIL  
8 KING COUNTY, WASHINGTON

9   
10 Chairman

11 ATTEST:

12  DEPUTY  
13 Clerk of the Council

14 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

15 DEEMED ENACTED WITHOUT  
16 COUNTY EXECUTIVE'S SIGNATURE

17 DATED: 3/1/81  
18 King County Executive