

June 2, 1997

Introduced By:

PETE VON REICHBAUER

Notice: CW

Proposed No.:

97-490

ORDINANCE NO. **12884**

AN ORDINANCE relating to comprehensive planning and permitting; providing for additional notice to cities in the urban growth area designated by the King County Comprehensive Plan where King County and a city have adopted a memorandum of understanding and/or a potential annexation boundary agreement; amending Ordinance 12196, Section 13, and K.C.C. 20.20.060.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12196, Section 13 and K.C.C. 20.20.060 are each hereby amended to read as follows:

A. A notice of application shall be provided to the public for all land use permit applications requiring Type 2, 3, or 4 decisions pursuant to this section.

B. Notice of the application shall be provided by the department within fourteen days following the department's determination that the application is complete. A public comment period of twenty-one days shall be provided, except as otherwise provided in RCW 90.58. The public comment period shall commence on the fifteenth day following the department's determination that the application is complete.

C. If the County has made a determination of significance ("DS") under chapter 43.21 RCW prior to the issuance of the notice of application, the notice of the DS shall be combined with the notice of application and the scoping notice.

D. All required notices of application shall contain the following information:

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1. The file number;
2. The name of the applicant;
3. The date of application, the date of the notice of completeness, and the date of the notice of application;
4. A description of the project, the location, a list of the permits included in the application and the location where the application and any environmental documents or studies can be reviewed;
5. A site plan on 8 1/2 x 14 inch paper, if applicable;
6. The procedures and deadline for filing comments, requesting notice of any required hearings, and any appeal procedure.
7. The date, time, place and type of hearing, if applicable and scheduled at the time of notice.
8. The identification of other permits not included in the application to the extent known.
9. The identification of existing environmental documents that evaluate the proposed project.
10. A statement of the preliminary determination, if one has been made, of those development regulations that will be used for project mitigation and of consistency with applicable county plans and regulations.

E. Notice shall be provided in the following manner:

1. Posted at the project site as provided in subsection F hereof;
2. Mailed by first class mail as provided in subsection G hereof; and
3. Published as provided in subsection H hereof.

F. Posted notice. Posted notice for a proposal shall consist of one or more notice boards posted by the applicant within fourteen days following the department's determination of completeness as follows:

1 1. A single notice board shall be posted for a project. This notice board may also be
2 used for the posting of the Notice of Decision and Notice of Hearing, and shall be placed by the
3 applicant:

4 a. At the midpoint of the site street frontage or as otherwise directed by the
5 department for maximum visibility;

6 b. Five feet inside the street property line except when the board is structurally
7 attached to an existing building, provided that no notice board shall be placed more than five
8 feet from the street property without approval of the department;

9 c. So that the top of the notice board is between seven to nine feet above grade;
10 and

11 d. Where it is completely visible to pedestrians.

12 2. Additional notice boards may be required when:

13 a. The site does not abut a public road;

14 b. A large site abuts more than one public road; or

15 c. The department determines that additional notice boards are necessary to
16 provide adequate public notice.

17 3. Notice boards shall be:

18 a. maintained in good condition by the applicant during the notice period, which
19 shall extend through the time of the final county decision on the proposal and the expiration of
20 any applicable appeal periods.

21 b. in place at least twenty-eight days prior to the date of any required hearing for a
22 Type 3 or 4 decision, or at least fourteen days following the department's determination of
23 completeness for any Type 2 decision; and

24 c. removed within fourteen days after the end of the notice period.

1 4. Removal of the notice board prior to the end of the notice period may be cause for
2 discontinuance of county review until the notice board is replaced and remains in place for the
3 specified time period.

4 5. An affidavit of posting shall be submitted to the department by the applicant within
5 fourteen days following the department's determination of completeness to allow continued
6 processing of the application by the department.

7 6. Notice boards shall be constructed and installed in accordance with subsection F,
8 above, and any additional specifications promulgated by the department pursuant to chapter
9 2.98 K.C.C., Rules of County Agencies.

10 G. Mailed notice. Mailed notice for a proposal shall be sent by the department within
11 fourteen days after the department's determination of completeness:

12 1. By first class mail to owners of record of property in an area within five hundred
13 feet of the site, provided such area shall be expanded as necessary to send mailed notices to at
14 least twenty different property owners;

15 2. To any city with a utility which is intended to serve the site;

16 3. To the State Department of Transportation, if the site adjoins a state highway;

17 4. To the affected tribes;

18 5. To any agency or community group which the department may identify as having
19 an interest in the proposal;

20 6. Be considered supplementary to posted notice and be deemed satisfactory despite
21 the failure of one or more owners to receive mailed notice; and

22 7. For preliminary plats only, to all cities within one mile of the proposed preliminary
23 plat, and to all airports within two miles of the proposed preliminary plat.

24 8. In those parts of the urban growth area designated by the King County
25 Comprehensive Plan where King County and a city have adopted a memorandum of

1 understanding and/or a potential annexation boundary agreement, the director shall ensure
2 that the city receives notice of all applications for development subject to this chapter, and
3 shall respond specifically and in writing to any comments on proposed developments subject
4 to this title.

5 H. Published notice. Notice of a proposed action shall be published by the
6 department within fourteen days after the department's determination of completeness in the
7 official county newspaper and another newspaper of general circulation in the affected area.

8 INTRODUCED AND READ for the first time this 18th day of

9 August, 1997.

10 PASSED by a vote of 12 to 0 this 29th day of September,

11 1997

12 KING COUNTY COUNCIL
13 KING COUNTY, WASHINGTON

14 Jane Hague
15 Chair

16 ATTEST:

17 [Signature]

18 Clerk of the Council

19 APPROVED this 9 day of October, 1997.

20 [Signature]
21 King County Executive

22 Attachments: