

not signed by executive

**13555**

04/08/99

rb

Introduced By:

Jane Hague

Clerk 04/08/99, 6/15/99

Proposed No.:

**1999-0207**

ORDINANCE NO. **13555**

AN ORDINANCE relating to public and council notice for proposed single-family residences exceeding ten thousand square feet in size and for certain social services facilities; and amending Ordinance 12196, Section 13, as amended, and K.C.C. 20.20.060.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings of fact:

1. The growing trend towards construction of larger and larger residences has recently been manifested in King County with the submittal since 1993 of up to eighty applications for homes in excess of eight thousand square feet.
2. Due to the comparatively higher costs often associated with the development of raw land, construction of mega-houses has often been achieved through in-fill or redevelopment within existing urban high density single family neighborhoods.
3. In-fill and redevelopment within existing urban neighborhoods can have a profound effect on neighborhood character because the greater size of these mega-houses is often out of scale with existing homes in such urban neighborhoods.
4. Such structures also raise a number of environmental concerns. For instance, they often have a greater area of impervious surface coverage. In older urban

1 neighborhoods constructed with little or no storm water drainage facilities, the greater  
2 amount of impervious surface could have a very deleterious effect. The larger  
3 structures also require greater amounts of grading and clearing on a lot, with the  
4 attendant problems of siltation and erosion.

5 5. The concerns and effects outlined above have begun to manifest themselves in the form  
6 of lawsuits between neighbors and King County. Notice to nearby residents of  
7 applications for large structures and the opportunity to provide comment on a proposal  
8 during the permit review stage would create avenues to address community concerns  
9 prior to the commencement of construction.

10 6. It is not in the best interest of property owners, urban neighborhoods, or King County  
11 to ignore the increasing number of applications and the greater potential for future  
12 confrontation between neighbors. Enactment of this ordinance would be beneficial for  
13 all parties through the avoidance of lawsuits.

14 7. The state Growth Management Act, the countywide planning policies (CPPs), and the  
15 King County Comprehensive Plan (KCCP) each contain goals, policies or provisions  
16 pertaining to essential public facilities that provide human and social services.

17 8. The Metropolitan King County Council supports the equitable siting of social service  
18 facilities consistent with the provisions of the Fair Housing Act and recognizes the  
19 importance of public notification of building and land use permits associated with  
20 controversial social service facilities.

21 SECTION 2. Ordinance 12196, Section 13, as amended, and K.C.C. 20.20.060 are

1 each hereby amended to read as follows:

2 **Notice of application.** A.A notice of application shall be provided to the public for  
3 all land use permit applications requiring Type 2, 3 or 4 decisions or Type 1 decisions  
4 subject to SEPA (~~(pursuant to)~~), or K.C.C. 20.20.060J and K, under this section.

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

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

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

- 14 1. The file number;
- 15 2. The name of the applicant;
- 16 3. The date of application, the date of the notice of completeness and the date of  
17 the notice of application;
- 18 4. A description of the project, the location, a list of the permits included in the  
19 application and the location where the application and any environmental documents or  
20 studies can be reviewed;
- 21 5. A site plan on 8 1/2 x 14 inch paper, if applicable;

1           6. The procedures and deadline for filing comments, requesting notice of any  
2 required hearings and any appeal procedure((+));

3           7. The date, time, place and type of hearing, if applicable and scheduled at the  
4 time of notice((+));

5           8. The identification of other permits not included in the application to the extent  
6 known((+));

7           9. The identification of existing environmental documents that evaluate the  
8 proposed project((+)); and

9           10. A statement of the preliminary determination, if one has been made, of those  
10 development regulations that will be used for project mitigation and of consistency with  
11 applicable county plans and regulations.

12           E. Notice shall be provided in the following manner:

13           1. Posted at the project site as provided in subsections F and I (~~hereof~~) of this  
14 section;

15           2. Mailed by first class mail as provided in subsection G (~~hereof~~) of this section;  
16 and

17           3. Published as provided in subsection H (~~hereof~~) of this section.

18           F. Posted notice for a proposal shall consist of one or more notice boards posted by the  
19 applicant within fourteen days following the department's determination of completeness as  
20 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 ~~(N)~~notice of ~~(D)~~decision and ~~(N)~~notice of ~~(H)~~hearing and  
3 shall be placed by the 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)~~ but a notice board shall not be placed  
8 more than five 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 through  
19 the time of the final county decision on the proposal, including the expiration of any  
20 applicable appeal periods, and for decisions which are appealed, through the time of the final  
21 resolution of any appeal~~(( ))~~;

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

4 c. removed within fourteen days after the end of the notice period(~~(\*)~~);

5 4. Removal of the notice board (~~(prior to)~~) before the end of the notice period may  
 6 be cause for discontinuance of county review until the notice board is replaced and remains in  
 7 place for the specified time period(~~(\*)~~);

8 5. An affidavit of posting shall be submitted to the department by the applicant  
 9 within fourteen days following the department's determination of completeness to allow  
 10 continued processing of the application by the department(~~(\*)~~); and

11 6. Notice boards shall be constructed and installed in accordance with subsection  
 12 F(~~(, above,)~~) of this section and any additional specifications promulgated by the department  
 13 (~~(pursuant to)~~) under K.C.C. chapter 2.98, (~~(R)~~) rules of (~~(C)~~) county (~~(A)~~) agencies.

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

16 1. By first class mail to owners of record of property in an area within five hundred  
 17 feet of the site, (~~(provided such)~~) but the area shall be expanded as necessary to send mailed  
 18 notices to at least twenty different property owners;

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

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

21 4. To the affected tribes;

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

3           6. Be considered supplementary to posted notice and be deemed satisfactory despite  
4 the failure of one or more owners to receive mailed notice; ~~((and))~~

5           7. For preliminary plats only, to all cities within one mile of the proposed  
6 preliminary plat, and to all airports within two miles of the proposed preliminary plat~~((,))~~; and

7           8. In those parts of the urban growth area designated by the King County  
8 Comprehensive Plan where King County and a city have adopted either a memorandum of  
9 understanding ~~((and))~~ or a potential annexation boundary agreement, or both, the director  
10 shall ensure that the city receives notice of all applications for development subject to this  
11 chapter~~((,))~~ and shall respond specifically in writing to any comments on proposed  
12 developments subject to this title.

13           H. Notice of a proposed action shall be published by the department within fourteen  
14 days after the department's determination of completeness in the official county newspaper  
15 and another newspaper of general circulation in the affected area.

16           I. ~~((Posted notice for approved formal subdivision engineering plan, clearing or  
17 grading permits subject to SEPA or building permits subject to SEPA.))~~ Posted notice for  
18 approved formal subdivision engineering plans, clearing or grading permits subject to SEPA  
19 or building permits subject to SEPA shall be a condition of the plan or permit approval and  
20 shall consist of a single notice board posted by the applicant at the project site, ~~((prior to))~~  
21 before construction as follows:

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1. Notice boards shall comport with the size and placement provisions identified for construction signs in K.C.C. 21A.20.120B;

2. Notice boards shall include the following information:

- a. permit number and description of the project;
- b. projected completion date of the project;
- c. a contact name and phone number for both the department and the applicant;

and

- d. hours of construction, if limited as a condition of the permit;

3. Notice boards shall be maintained in the same manner as identified ((above,)) in subsection F of this section; and

4. Notice boards shall remain in place until final construction approval is granted.

Early removal of the notice board may preclude authorization of final construction approval(~~;~~ and

~~5. These provisions shall become effective 90 days following adoption of this ordinance)).~~

J. Posted and mailed notice consistent with this section shall be provided, to property owners of record and to the council district representative in which it is located, for any proposed single-family residence in a higher density urban single family residential zone (R-4 through R-8) exceeding a size of ten thousand square feet of floor area as defined in the Washington State Uniform Building Code.

K. Posted and mailed notice consistent with this section shall be provided to any property owner of record and to the council district representative in which is locating any



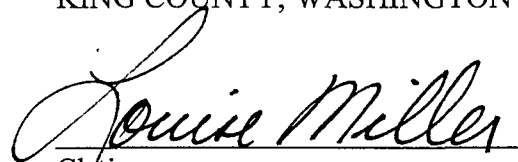
1 application for building permits or other necessary land use approvals for the establishment  
2 of the social service facilities classified by SIC 8322 and 8361 and listed below, unless the  
3 proposed use is protected under the Fair Housing Act:

- 4 1. Offender self-help agencies;
- 5 2. Parole offices;
- 6 3. Settlement houses;
- 7 4. Halfway home for delinquents and offenders; and
- 8 5. Homes for destitute men and women.

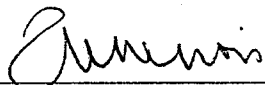
9 INTRODUCED AND READ for the first time this 12th day of April, 1999.

10 PASSED by a vote of 11 to 2 this 14th day of June, 1999.

11 KING COUNTY COUNCIL  
12 KING COUNTY, WASHINGTON

13   
14 Chair

15 ATTEST:

16   
17 Clerk of the Council

18 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 19

DEEMED ENACTED WITHOUT  
COUNTY EXECUTIVE'S SIGNATURE

DATED: 6/25/99

King County Executive

21 Attachments: None

05/26/99

LP:dl  
cdbghmor  
Clerk 05/27/99

Introduced By: Cynthia Sullivan

Proposed No.: 1999-0305

ORDINANCE NO. **13556**

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AN ORDINANCE relating to the housing and community development program; authorizing the county executive to enter into three-year interlocal cooperation agreements with participating jurisdictions within King County for the purposes of administering the Community Development Block Grant and HOME Investment Partnerships funds from the United States Department of Housing and Urban Development received on behalf of the consortium, and undertaking housing and community development activities within those jurisdictions.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The county executive is hereby authorized to enter into interlocal cooperation agreements with those cities eligible and willing to participate with King County in an urban consortium for the purposes of administering federal Community Development Block Grant, HOME Investment Partnerships and other federal grant funds from the United States Department of Housing and Urban Development, and planning and undertaking community development and housing activities within the consortium.

SECTION 2. In accordance with Section 495 of the King County Charter and K.C.C. 4.04.040B.7, the county council hereby further authorizes the county executive to enter into attached interlocal agreements, which are anticipated to be in effect for a three-year period,