



## Legislation Text

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**File #:** 2009-0172, **Version:** 2

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Clerk 07/08/2009

AN ORDINANCE relating to permit timelines; and amending Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020 and Ordinance 13694, Section 58, as amended, and K.C.C. 19A.12.040.

SECTION 1. Ordinance 13694, Section 56, as amended, and K.C.C. 19A.12.020 are each hereby amended to read as follows:

- A. Preliminary subdivision approval shall be effective for a period of sixty months.
- B. Preliminary subdivision approval shall be considered the basis upon which the applicant may proceed toward development of the subdivision and preparation of the final plat subject to all the conditions of the preliminary approval.
- C. If the final plat is being developed in divisions, and final plats for all of the divisions have not been recorded within the time limits provided in this section, preliminary subdivision approval for all unrecorded divisions shall become void. The preliminary subdivision for any unrecorded divisions must again be submitted to the department with a new application, subject to the fees and regulations applicable at the time of submittal.
- D. An urban planned development permit, fully contained community permit, or development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the preliminary approval period beyond sixty months for any preliminary subdivision approved simultaneous or subsequent to the urban planned development permit or fully contained community permit. Such extensions may be made contingent upon satisfying conditions set forth in the urban planned development permit, fully contained community permit or

development agreement. In no case shall the extended preliminary approval period exceed the expected buildout time period of the urban planned development or fully contained community as provided in the urban planned development permit, fully contained community permit or development agreement. This section shall apply to any approved urban planned development permit, fully contained community permit or development agreement in existence on January 1, 2000, or approved subsequent to January 1, 2000.

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

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

G.1. For any plat that has received preliminary approval on or after December 1, 2003, the preliminary subdivision approval shall be valid for a period of eighty-four months, if the applicant:

- a. makes a written request to the department to extend the period of validity;
- b. is current on all invoices for work performed by the department on the subdivision review; and
- c. agrees in writing that the department may make revisions to the fee estimate issued by the

department under K.C.C. 27.02.065.

2. For any plat that received preliminary approval on or after December 1, 2003, pursuant to K.C.C. 21A.55.060, the preliminary subdivision approval shall be valid for a period of one hundred and eight months, if the applicant:

- a. makes a written request to the department to extend the period of validity;
- b. is current on all invoices for work performed by the department on the subdivision review; and
- c. agrees in writing that the department may make revisions to the fee estimate issued by the department under K.C.C. 27.02.065.

3. This subsection shall retroactively apply to any plat that has received preliminary approval on or after December 1, 2003. This subsection expires December 31, 2011.

SECTION 2. Ordinance 13694, Section 58, as amended, and K.C.C. 19A.12.040 are each hereby amended to read as follows:

Preliminary approval of a short subdivision shall be effective for a period of sixty months, except:

A. The approval period shall be eighty-four months for any short plat that was part of a development agreement or interlocal agreement entered into after January 1, 1996, that included at least four hundred acres of open space dedications and urban land designations at a four-to-one ratio; and

B.1. For any short plat that has received preliminary approval on or after December 1, 2003, the preliminary subdivision approval shall be valid for a period of eighty-four months, if the applicant:

- a. makes a written request to the department to extend the period of validity;
- b. is current on all invoices for work performed by the department on the short subdivision review; and
- c. agrees in writing that the department may make revisions to the fee estimate issued by the department under K.C.C. 27.02.065.

2. ~~((For any plat that received preliminary approval on or after December 1, 2003, pursuant to K.C.C. 21A.55.060, the preliminary subdivision approval shall be valid for a period of one hundred and eight months, if the applicant:~~

- ~~a. makes a written request to the department to extend the period of validity;~~
- ~~b. is current on all invoices for work performed by the department on the subdivision review; and~~

~~e. agrees in writing that the department may make revisions to the fee estimate issued by the department under K.C.C. 27.02.065.~~

3-)) This subsection shall retroactively apply to any short plat that has received preliminary approval on or after December 1, 2003. This subsection expires December 31, 2011.

SECTION 3. If any provision of this ordinance or its application to any person or

circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

30 days prior  
Official paper, post outside chambers  
Publish: Wed. 6/10/09  
Public hearing: 7/13/09