

## POSTCARD NOTICE

1           SECTION 1. Ordinance 13147, Section 21, as amended, and K.C.C. 20.18.050 are  
2 each hereby amended to read as follows:

3           A. Site-specific land use map amendments are legislative actions that may only be  
4 initiated by property owner application, by council motion, or by executive proposal. All  
5 site-specific land use map amendments must be evaluated by the hearing examiner before  
6 adoption by the council in accordance with this chapter.

7           1. If initiated by council motion, the motion shall refer the proposed site-specific  
8 land use amendment to the department of development and environmental services for  
9 preparation of a recommendation to the hearing examiner. The motion shall also identify  
10 the resources and the work program required to provide the same level of review accorded  
11 to applicant-generated amendments. An analysis of the motion's fiscal impact shall be  
12 provided to the council before adoption. If the executive determines that additional funds  
13 are necessary to complete the work program, the executive may transmit an ordinance  
14 requesting the appropriation of supplemental funds.

15           2. If initiated by executive proposal, the proposal shall refer the proposed site-  
16 specific land use amendment to the department of development and environmental services  
17 for preparation of a recommendation to the hearing examiner.

18           3. If initiated by property owner application, the property owner shall submit a  
19 docketed request for a site-specific land use amendment. Upon receipt of a docketed  
20 request for a site-specific land use amendment, the request shall be referred to the  
21 department of development and environmental services for preparation of a  
22 recommendation to the hearing examiner.

23 B. All proposed site-specific land use map amendments, whether initiated by  
24 property owner application, by council motion, or by executive proposal shall include the  
25 following:

- 26 1. Name and address of the owner(s) of record;
- 27 2. Description of the proposed amendment;
- 28 3. Property description, including parcel number, property street address and  
29 nearest cross street;
- 30 4. County assessor's map outlining the subject property; and
- 31 5. Related or previous permit activity.

32 C. Upon initiation of a site specific land use map amendment, an initial review  
33 conference will be scheduled by the department of development and environmental  
34 services. The owner or owners of record of the property shall be notified of and invited to  
35 attend the initial review conference. At the initial review conference, the department will  
36 review the proposed amendment's consistency with applicable county policies or  
37 regulatory enactments including specific reference to comprehensive plan policies,  
38 countywide planning policies and state Growth Management Act requirements. The  
39 proposed amendment will be classified pursuant to K.C.C. 20.18.040 and this information  
40 either will be provided at the initial review conference or in writing to the owner or owners  
41 of record within thirty days.

42 D. If a proposed site-specific land use map amendment is initiated by property  
43 owner application, the property owner shall, following the initial review conference, submit  
44 the completed application including an application fee and an environmental checklist to

45 the department of development and environmental services to proceed with review of the  
46 proposed amendment.

47 E. If a proposed site-specific land use map amendment is initiated by council  
48 motion, following the initial review conference, the council shall submit an environmental  
49 checklist to the department of development and environmental services to proceed with  
50 review of the proposed amendment.

51 F. If a proposed site-specific land use map amendment is initiated by executive  
52 proposal, following the initial review conference, the executive shall submit an  
53 environmental checklist to the department of development and environmental services to  
54 proceed with review of the proposed amendment.

55 G. Following the submittal of the information required by subsections D, E or F,  
56 the department of development and environmental services shall submit a report including  
57 an executive recommendation on the proposed amendment to the hearing examiner within  
58 one hundred twenty days. The department of development and environmental services  
59 shall provide notice of a public hearing and notice of threshold determination pursuant to  
60 K.C.C. 20.20.060(~~F, G and H~~)G, H and I. The hearing will be conducted by the hearing  
61 examiner pursuant to K.C.C. 20.24.400. Following the public hearing, the hearing  
62 examiner shall prepare a report and recommendation on the proposed amendment pursuant  
63 to K.C.C. 20.24.400. A compilation of all completed reports will be considered by the  
64 council pursuant to K.C.C. 20.18.070.

65 H. A property-owner-initiated for a site-specific land use map amendment may be  
66 accompanied by an application for a zone reclassification to implement the proposed  
67 amendment, in which case administrative review of the two applications shall be

68 consolidated to the extent practical consistent with this ordinance and K.C.C. chapter  
69 20.20. The council's consideration of a site-specific land use map amendment is a  
70 legislative decision which will be determined before and separate from their consideration  
71 of a zone reclassification which is a quasi-judicial decision. If a zone reclassification is not  
72 proposed in conjunction with an application for a site-specific land use map amendment  
73 and the amendment is adopted, the property shall be given potential zoning. A zone  
74 reclassification pursuant to K.C.C. 20.20.020 will be required in order to implement the  
75 potential zoning.

76 I. Site-specific land use map amendments for which a completed recommendation  
77 by the hearing examiner has been submitted to the council by January 15 will be considered  
78 concurrently with the annual amendment to the comprehensive plan. Site specific land use  
79 map amendments for which a recommendation has not been issued by the hearing  
80 examiner by January 15 will be included in the next appropriate review cycle following  
81 issuance of the examiner's recommendation.

82 J. No amendment to a land use designation for a property may be initiated unless at  
83 least three years have elapsed since council adoption or review of the current designation  
84 for the property. This time limit may be waived by the executive or the council if the  
85 proponent establishes that there exists either an obvious technical error or a change in  
86 circumstances justifying the need for the amendment.

87 1. A waiver by the executive shall be considered after the proponent has  
88 submitted a docket request in accordance with K.C.C. 20.18.140. The executive shall  
89 render a waiver decision within forty-five days of receiving a docket request and shall mail  
90 a copy of this decision to the proponent.

91 2. A waiver by the council shall be considered by motion.

92 SECTION 2. Ordinance 12196, Section 10, as amended, and K.C.C. 20.20.030 are  
93 each hereby amended to read as follows:

94 A.1.a. Except as otherwise provided in subsection A.1.b of this section, ((P))prior  
95 to filing a permit application for a Type 1 decision, the applicant shall contact the  
96 department to schedule a preapplication conference, which shall be held prior to filing the  
97 application, if the property will have five thousand square feet of development site or  
98 right-of-way improvements, the property is in a critical drainage basin, or the property  
99 has a wetland, steep slope, landslide hazard, erosion hazard, or coal mine on site.

100 ~~((Exempt from this requirement are:~~

101 ~~1. A))~~ b. A preapplication conference is not required for a Type 1 decision for  
102 a single family residence and its accessory buildings((;

103 ~~2. O))~~ or for other structures where all work is in an existing building and no  
104 parking is required or added.

105 2. Except as otherwise provided in this section, ((P))prior to filing a permit  
106 application requiring a Type 2, 3 or 4 decision, the applicant shall contact the department  
107 to schedule a pre-application conference, which shall be held prior to filing the  
108 application(~~(, except as provided herein)).~~

109 B. The purpose of the pre-application conference is to review and discuss the  
110 application requirements with the applicant and provide comments on the development  
111 proposal. The pre-application conference shall be scheduled by the department, at the  
112 request of an applicant, and shall be held in a timely manner, within thirty days from the  
113 date of the applicant's request. A project coordinator shall be assigned by the department

114 following the pre-application conference. The director may waive the requirement for a  
115 pre-application conference if it is determined to be unnecessary for review of an  
116 application. Nothing in this section shall be interpreted to require more than one pre-  
117 application conference or to prohibit the applicant from filing an application if the  
118 department is unable to schedule a pre-application conference within thirty days  
119 following the applicant's request.

120 C. Information presented at or required as a result of the pre-application  
121 conference shall be valid for a period of one hundred eighty days following the pre-  
122 application conference. An applicant wishing to submit a permit application more than  
123 one hundred eighty days following a preapplication for the same permit application shall  
124 be required to schedule another preapplication conference.

125 ~~((B-))~~ D. At or subsequent to a preapplication conference, the department may  
126 issue a preliminary determination that a proposed development is not permissible under  
127 applicable county policies or regulatory enactments. In that event, the applicant shall  
128 have the option to appeal the preliminary determination to the hearing examiner in the  
129 manner provided for a Type 2 permit, as an alternative to proceeding with a complete  
130 application. Mailed and published notice of the appeal shall be provided for as in K.C.C.  
131 20.20.060~~((G and))~~ H and I.

132 SECTION 3. Ordinance 12196, Section 13, as amended, and K.C.C. 20.20.060 are  
133 each hereby amended to read as follows:

134 A. A notice of application shall be provided to the public for ~~((all))~~ land use  
135 permit applications ~~((requiring))~~ as follows:

136 1. Type 2, 3 or 4 decisions; ~~((or))~~

- 137           2. Type 1 decisions subject to SEPA; ~~((or K.C.C. 20.20.060J and K, under))~~ and  
138           3. As provided in subsections K and L of this section.

139           B. Notice of the application shall be provided by the department within fourteen  
140 days following the department's determination that the application is complete. A public  
141 comment period of at least twenty-one days shall be provided, except as otherwise  
142 provided in chapter 90.58 RCW and RCW 58.17.215 with regards to subdivision  
143 alterations. The public comment period shall commence on the third day following the  
144 department's mailing of the notice of application as provided for in subsection ~~((G))~~ H of  
145 this section.

146           C. If the county has made a determination of significance ("DS") under chapter  
147 43.21C RCW before the issuance of the notice of application, the notice of the DS shall  
148 be combined with the notice of application and the scoping notice.

149           D. ~~((A))~~ Unless the mailed notice of application is by a post card as provided in  
150 subsection E of this section, the ~~((required))~~ notice~~((s))~~ of application shall contain the  
151 following information:

- 152           1. The file number;
- 153           2. The name of the applicant;
- 154           3. The date of application, the date of the notice of completeness and the date of  
155 the notice of application;
- 156           4. A description of the project, the location, a list of the permits included in the  
157 application and the location where the application and any environmental documents or  
158 studies can be reviewed;
- 159           5. A site plan on eight and one-half by fourteen inch paper, if applicable;

- 160           6. The procedures and deadline for filing comments, requesting notice of any  
161 required hearings and any appeal procedure;
- 162           7. The date, time, place and type of hearing, if applicable and scheduled at the  
163 time of notice;
- 164           8. The identification of other permits not included in the application to the  
165 extent known;
- 166           9. The identification of existing environmental documents that evaluate the  
167 proposed project; and
- 168           10. A statement of the preliminary determination, if one has been made, of those  
169 development regulations that will be used for project mitigation and of consistency with  
170 applicable county plans and regulations.
- 171           E. If mailed notice of application is made by a post card, the notice of application  
172 shall contain the following information:
- 173           a. A description of the project, the location, a list of the permits included in the  
174 application and the location where the application and any environmental documents or  
175 studies can be reviewed;
- 176           b. The name of the applicant;
- 177           c. The date of application, the date of the notice of completeness and the date of  
178 the notice of application;
- 179           d. If the department has made a decision or recommendation on the application,  
180 the decision or recommendation made;
- 181           e. The applicable comment and appeal dates and the date, time, place and type of  
182 hearing, if applicable;

183 h. A website address that provides access to project information, including a site  
184 map and application page; and

185 i. The department contact name, telephone number and email address;

186 F. Notice shall be provided in the following manner:

187 1. Posted at the project site as provided in subsections (~~(F and I)~~) G and J of this  
188 section;

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

190 3. Published as provided in subsection (~~(H)~~) I of this section.

191 (~~(F-)~~) G. Posted notice for a proposal shall consist of one or more notice boards  
192 posted by the applicant within fourteen days following the department's determination of  
193 completeness as follows:

194 1. A single notice board shall be posted for a project. This notice board may also  
195 be used for the posting of the notice of decision and notice of hearing and shall be placed  
196 by the applicant:

197 a. at the midpoint of the site street frontage or as otherwise directed by the  
198 department for maximum visibility;

199 b. five feet inside the street property line except when the board is structurally  
200 attached to an existing building, but a notice board shall not be placed more than five feet  
201 from the street property without approval of the department;

202 c. so that the top of the notice board is between seven to nine feet above grade;

203 (~~(and)~~)

204 d. where it is completely visible to pedestrians; and

205 e. comply with site distance requirements of K.C.C. 21A.12.xxx and the King  
206 County Road Standards adopted under K.C.C. Chapter 14.XX.

207 2. Additional notice boards may be required when:

208 a. the site does not abut a public road;

209 b. a large site abuts more than one public road; or

210 c. the department determines that additional notice boards are necessary to  
211 provide adequate public notice;

212 3. Notice boards shall be:

213 a. maintained in good condition by the applicant during the notice period  
214 through the time of the final county decision on the proposal, including the expiration of  
215 any applicable appeal periods, and for decisions which are appealed, through the time of  
216 the final resolution of any appeal;

217 b. in place at least twenty-eight days before the date of any required hearing for a  
218 Type 3 or 4 decision, or at least fourteen days following the department's determination of  
219 completeness for any Type 2 decision; and

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

221 4. Removal of the notice board before the end of the notice period may be cause  
222 for discontinuance of county review until the notice board is replaced and remains in place  
223 for the specified time period;

224 5. An affidavit of posting shall be submitted to the department by the applicant  
225 within fourteen days following the department's determination of completeness to allow  
226 continued processing of the application by the department; and

227           6. Notice boards shall be constructed and installed in accordance with subsection  
228 ~~((F))~~ G. of this section and any additional specifications promulgated by the department  
229 under K.C.C. chapter 2.98, rules of county agencies.

230           ~~((G-))~~ H. Mailed notice for a proposal shall be sent by the department within  
231 fourteen days after the department's determination of completeness:

232           1. By first class mail to owners of record of property in an area within five  
233 hundred feet of the site, but the area shall be expanded as necessary to send mailed notices  
234 to at least twenty different property owners;

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

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

237           4. To the affected tribes;

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

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

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

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

250           ~~((H.))~~ I. Notice of a proposed action shall be published by the department within  
251 fourteen days after the department's determination of completeness in the official county  
252 newspaper and another newspaper of general circulation in the affected area.

253           ~~((I.))~~ J. Posted notice for approved formal subdivision engineering plans, clearing  
254 or grading permits subject to SEPA or building permits subject to SEPA shall be a  
255 condition of the plan or permit approval and shall consist of a single notice board posted by  
256 the applicant at the project site, before construction as follows:

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

259           2. Notice boards shall include the following information:

- 260           a. permit number and description of the project;
- 261           b. projected completion date of the project;
- 262           c. a contact name and phone number for both the department and the applicant;
- 263           d. a department contact number for complaints after business hours; and
- 264           e. hours of construction, if limited as a condition of the permit;

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

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

268 Early removal of the notice board may preclude authorization of final construction

269 approval.

270           ~~((J.))~~ K. Posted and mailed notice consistent with this section shall be provided~~((;))~~

271 to property owners of record and to the council district representative in which it is

272 located~~((;))~~ for any proposed single-family residence in a higher density urban single

273 family residential zone (R-4 through R-8) exceeding a size of ten thousand square feet of  
274 floor area as defined in the Washington State Uniform Building Code.

275 ~~((K))~~ L. Posted and mailed notice consistent with this section shall be provided to  
276 any property owner of record and to the council district representative in which is locating  
277 any application for building permits or other necessary land use approvals for the  
278 establishment of the social service facilities classified by SIC 8322 and 8361 and listed  
279 below, unless the proposed use is protected under the Fair Housing Act:

- 280 1. Offender self-help agencies;
- 281 2. Parole offices;
- 282 3. Settlement houses;
- 283 4. Halfway home for delinquents and offenders; and
- 284 5. Homes for destitute men and women.

285 SECTION 4. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090 are  
286 each hereby amended to read as follows:

287 A. The department shall provide notice in a timely manner of its final decision or  
288 recommendation on permits requiring Type 2, 3 and 4 land use decisions and Type 1  
289 decisions subject to SEPA, including the threshold determination, if any, the dates for any  
290 public hearings and the procedures for administrative appeals, if any. Notice shall be  
291 provided to the applicant, to the Department of Ecology and to agencies with jurisdiction if  
292 required by K.C.C. chapter 20.44, to the Department of Ecology and Attorney General as  
293 provided in chapter 90.58 RCW, to any person who, prior to the decision or  
294 recommendation, had requested notice of the decision or recommendation or submitted  
295 comments, and to property owners of record, as provided in K.C.C. 20.20.060~~((G))~~H.

296 B. Except for shoreline permits which are appealable to the state Shorelines  
297 Hearings Board, all notices of appeal to the hearing examiner of Type 2 land use  
298 decisions made by the director shall be filed as provided in K.C.C. 20.24.090.

299 SECTION 5. Ordinance 1076, Section 7, as amended, and K.C.C. 20.36.060 are  
300 each hereby amended to read as follows:

301 A. Notice of the time, place and purpose of a public hearing (~~(F)~~)before the hearing  
302 examiner(~~(J\*)~~) on an open space or timberland application based on land in unincorporated  
303 areas of the county shall be given by one publication in the official county newspaper at  
304 least ten days before the hearing.

305 B. Notice of the time, place and purpose of a public hearing before the hearing  
306 examiner on an open space application based on land in unincorporated areas of the  
307 county shall be provided by the following methods at least thirty days before the hearing:

308 1. By the applicant posting the property included in the application with a sign  
309 provided at no charge by the department. The sign shall measure at least eighteen inches  
310 by twenty-four inches, and shall include the name of the applicant, the location of the  
311 subject property, the date, place and purpose of the public hearing, a reference to this  
312 section and a source for additional information. The applicant must provide a declaration  
313 or affidavit to the department confirming the posting and the department shall file the  
314 declaration or affidavit with the clerk of the council;

315 2. By the department by mailing notice in accordance with the standards  
316 provided for in K.C.C. 20.20.060(~~(-G)~~)H. 1, 5. and 6; and

317 3. By the clerk of the council by publishing notice in the official county  
318 newspaper and another newspaper of general circulation in the affected area.