May 22, 1997

Introduced by: PETE VON REICHBAUER

Proposed No.: 97-283

clerk 7/18/97

ORDINANCE NO. 12962

AN ORDINANCE relating to final decisions by the examiner, amending Ordinance 4461, Section 2 as amended, and K.C.C. 20.24.080.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 4461, Section 2, as amended, and K.C.C. 20.24.080 are hereby amended as follows:

Final decisions by the examiner. A. The examiner shall receive and examine available information, conduct open record public hearings and prepare records and reports thereof, and issue final decisions, including findings and conclusions, based on the issues and evidence in the record, which shall be appealable to superior court as provided by K.C.C. 20.24.240B, or to other designated authority in the following cases:

1. Appeals from the decisions of the administrator for short subdivisions, including those variance decisions of the road engineer made pursuant to K.C.C. 14.42.060 with regard to road circulation in the subject short divisions;

1.a. Appeals of all Type 2 land use decisions with the exception of appeals of shoreline permits including shoreline variances and conditional uses which are appealable to the State Shoreline Hearings Board;

((~~2. Appeals of threshold determinations;~~))

((~~3.~~))2. Appeals from notices and orders issued pursuant to Title 23 of this code or the Rules and Regulations VII of the King County department of public health;

((~~4.~~))3. Appeals from decisions regarding the abatement of a nonconformance;

((~~5.~~))4. Appeals from decisions of the director of the department of public works on requests for rate adjustments to surface and storm management rates and charges;

((~~6.~~))5. Appeals from department of public safety seizures and intended forfeitures, when properly designated by the chief law enforcement officer of that department as provided in RCW 69.50.505;

((~~7.~~))6. Appeals from notices and certifications of junk vehicles to be removed as a public nuisance as provided in Chapter 23.10;

((~~8.~~))7. Appeals from enforcement actions under K.C.C. 23.08.120;

((~~9.~~))8. Appeals from the department's final decisions regarding transportation concurrency, mitigation payment system and intersection standards provisions of Title 14;

((~~10. Applications for reasonable use exceptions pursuant to chapter 21A.24 K.C.C.~~))

((~~11.~~))9. Other applications or appeals which the council may prescribe by ordinance.

B. The examiner's decision may be to grant or deny the application or appeal, or the examiner may grant the application or appeal with such conditions, modifications and restrictions as the examiner finds necessary to make the application or appeal compatible with the environment and carry out applicable state laws and regulations, including Chapter 43.21C RCW, and the regulations, policies, objectives and goals of the comprehensive plan, the community plans, subarea or neighborhood plans, the zoning code, the subdivision code and other official laws, policies and objectives of King County.

In case of any conflict between the King County Comprehensive Plan and a community, subarea or neighborhood plan, the Comprehensive Plan shall govern.

INTRODUCED AND READ for the first time this 28th day of July, 1997.

PASSED by a vote of 8 to 5 this 5th day of January, 1998.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

Clerk of the Council

APPROVED this 15 day of January, 1998.

King County Executive

Attachments:
None