

CITY OF BURIEN, WASHINGTON
RESOLUTION NO. 309

**A RESOLUTION OF THE CITY OF BURIEN, WASHINGTON
AMENDING EXHIBIT A OF RESOLUTION NO. 297 TO INCLUDE A
SCHEDULE OF FEES FOR LAND USE REVIEW AND APPROVAL
FOR VESTED APPLICATIONS WITHIN THE NORTH HIGHLINE
SOUTH ANNEXATION AREA AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the City Council on April 27, 2009 passed Resolution No. 292 calling for a special election to be held in conjunction with the primary election on August 18, 2009 and to submit the question of annexation of the North Highline South Annexation Area as described therein (the "Annexation Area") as a ballot question as authorized by RCW 35A.14.085, and

WHEREAS, the qualified voters within the North Highline South Annexation Area boundaries voted at the primary election to approve annexation as presented in the ballot question, and

WHEREAS, on January 11, 2010, the City Council of the City of Burien adopted Ordinance No. 527 establishing April 1, 2010 as the effective date for annexation of the North Highline South Annexation Area, and

WHEREAS, under state law, applications for the development of land within the Annexation Area that have met certain requirements prior to the effective date of annexation will vest to certain land use development regulations established by King County, and

WHEREAS, King County staff have knowledge and expertise with regard to the interpretation and application of King County land use regulations, and

WHEREAS, the City Council desires that King County continue processing and review of vested applications within the Annexation Area, and

WHEREAS, King County has established a fee schedule applicable to the review and processing of land use development applications and has requested that such fees continue to apply to vested applications, and

WHEREAS, pursuant to Section 3.05.010 of the Burien Municipal Code, all permit fees, deposit requirements and other community development and land use related fees will be established by resolution of the Burien City Council, and

WHEREAS, the current fee schedule was adopted by the City Council of the City of Burien pursuant to Resolution No. 297 on July 20, 2009 and is set forth in Exhibit "A" thereof, and

WHEREAS, the City now desires to amend Exhibit "A" to Resolution No. 297 to conform the fee schedule proposed by King County for those vested applications that the County continues to review and process on behalf of the City on and after the date of annexation;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. Amendment of Exhibit A to Resolution No. 297. Exhibit A of Resolution No. 297 adopted by the City Council on July 20, 2009 is hereby amended by adding the following note at the end of Exhibit A; provided that, all other provisions of Exhibit "A" shall remain in full force and effect:

Note. Notwithstanding the fee and deposit schedules set forth herein, all applications that have been filed with King County, WA and which have vested prior to April 1, 2010 and which the City assigns to King County as the City's agent pursuant to agreement with King County, shall be subject to applicant fees, including by way of example and not limitation, building permit fees, land use permit fees, engineering review fees, and inspection fees, in the amounts set forth in Title 27 of the King County Code, as now or as may hereinafter amended. King County shall have authority to assess and collect such fees from applicants on behalf of the City and retain such amounts collected as authorized herein.

Section 2. Effective Date. This resolution shall take effect immediately upon passage.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 22ND DAY OF MARCH, 2010.

CITY OF BURIEN

/s/ Joan McGilton, Mayor

ATTEST/AUTHENTICATED:

/s/ Monica Lusk, City Clerk

Approved as to form:

/s/ Christopher D. Bacha

Kenyon Disend, PLLC

Interim City Attorney

Filed with the City Clerk: March 22, 2010

Passed by the City Council: March 22, 2010

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