King County

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda

Transportation, Economy and Environment Committee

Councilmembers: Rod Dembowski, Chair; Claudia Balducci, Vice Chair; Jeanne Kohl-Welles, Kathy Lambert, Joe McDermott, Dave Upthegrove, Pete von Reichbauer

Staff: Mary Bourguignon, Lead Staff (206-477-0873)
Angelica Calderon, Committee Assistant (206-477-0874)

9:30 AM | **Tuesday, April 5, 2016** | **Room 1001**

Pursuant to K.C.C. 1.24.035 A. and F., this meeting is also noticed as a meeting of the Metropolitan King County Council, whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to full council meetings.

To show a PDF of the written materials for an agenda item, click on the agenda item below.

1. Call to Order

2. Roll Call

3. Approval of Minutes

Minutes of March 15 and March 29, 2016 Special meetings. pp. 5-14

Consent

4. Proposed Motion No. 2016-0166 pp. 15-22

A MOTION confirming the executive's appointment of Grady Steere, who resides in council district nine, to the King County rural forest commission.

Sponsors: Mr. Dunn

Mary Bourguignon, Council Staff

5. Proposed Motion No. 2016-0174 pp. 23-42

A MOTION confirming the executive's appointment of the Honorable Largo Wales, councilmember, city of Auburn, who resides in council district seven, to the King County solid waste advisory committee, filling one of the local elected official positions.

Sponsors: Mr. von Reichbauer

Mike Reed, Council Staff

Sign language and communication material in alternate formats can be arranged given sufficient notice (296-1000).
TDD Number 296-1024.
ASSISTIVE LISTENING DEVICES AVAILABLE IN THE COUNCIL CHAMBERS.

6. Proposed Motion No. 2016-0175 pp. 23-42

A MOTION confirming the executive's appointment of the Honorable David Baker, mayor, city of Kenmore, who resides in council district one, to the King County solid waste advisory committee, filling one of the local elected official positions.

Sponsors: Mr. Dembowski and Ms. Lambert

Mike Reed, Council Staff

7. Proposed Motion No. 2016-0176 pp. 23-42

A MOTION confirming the executive's appointment of Michael Grayum, who works in council district eight, to the King County solid waste advisory committee, as the waste management industry representative.

Sponsors: Mr. McDermott

Mike Reed, Council Staff

8. Proposed Motion No. 2016-0177 pp. pp. 23-42

A MOTION confirming the executive's appointment of Suzette Dickerson, who resides in council district six, to the King County solid waste advisory committee, as the Teamster Union Local 117 labor representative.

Sponsors: Ms. Balducci

Mike Reed, Council Staff

9. Proposed Ordinance No. 2016-0181 pp. 43-56

AN ORDINANCE approving the Final October 2015 City of Auburn Washington Comprehensive Water Plan.

Sponsors: Mr. Dembowski

Mary Bourguignon, Council Staff

Discussion and Possible Action

10. Proposed Ordinance No. 2016-0199 pp. 57-134

AN ORDINANCE approving September 2016 public transportation service changes for King County.

Sponsors: Mr. McDermott

Paul Carlson, Council Staff

11. Proposed Ordinance No. 2016-0016 pp. 135-222

AN ORDINANCE relating to King County's long-term combined sewer overflow plan; approving a joint project agreement with the city of Seattle for the ship canal water quality project and authorizing the King County executive to sign and fulfill the county's obligations in the agreement.

Sponsors: Mr. Dembowski

Beth Mountsier, Council Staff

12. Proposed Motion No. 2016-0200 pp. 223-236

A MOTION requesting Metro Transit transmit an implementation plan for achieving a carbon neutral or zero emissions fleet.

Sponsors: Mr. Dembowski and Ms. Kohl-Welles

Mary Bourguignon, Council Staff

13. Proposed Ordinance No. 2016-0155 pp. 237-438

AN ORDINANCE relating to comprehensive planning and permitting; amending Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020, Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030, and Ordinance 13147, Section 19, amended, and K.C.C. 20.18.030, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020, Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 21A.42, decodifying K.C.C. 20.54.010 and repealing Ordinance 8421, Section 2, and K.C.C. 14.56.010, Ordinance 3064, Section 2, and K.C.C. 20.54.020, Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030, Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040, Ordinance 3064, Section 5, and K.C.C. 20.54.050, Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060, Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070, Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080, Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090, Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100, Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110, Ordinance 3064, Section 12, and .C.C. 20.54.120, Ordinance 3064, Section 13, and K.C.C. 20.54.130 and Ordinance 7889, Section 4, as amended, and K.C.C. 26.08.010

Sponsors: Mr. Dembowski

Christine Jensen, Council Staff

** Comp Plan Schedule.*

14. Public Comment

Other Business

15. Grant Alert

-16-018 - CWM - Boise Creek Design pp. 439-440

Adjournment

King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Minutes

Transportation, Economy and Environment Committee

Councilmembers: Rod Dembowski, Chair; Claudia Balducci, Vice Chair;
Jeanne Kohl-Welles, Kathy Lambert, Joe McDermott, Dave Upthegrove, Pete von Reichbauer

Staff: Mary Bourguignon, Lead Staff (206-477-0873)
Angelica Calderon, Committee Assistant (206-477-0874)

9:30 AM | **Tuesday, March 15, 2016** | **Room 1001**

Pursuant to K.C.C. 1.24.035 A. and F., this meeting is also noticed as a meeting of the Metropolitan King County Council, whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to full council meetings.

1. Call to Order

Chair Dembowski called the Transportation, Economy and Environment Committee meeting to order at 9:42 a.m.

2. Roll Call

Present: 7 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

3. Approval of Minutes

Councilmember McDermott moved approval of the minutes of the March 1, 2016 meeting. There being no objections, the minutes were approved.

Consent

4. Proposed Ordinance No. 2016-0137

AN ORDINANCE approving the King County Water District No.119 Water System Plan.

This matter was expedited to the March 21, 2016, Council agenda.

A motion was made by Councilmember McDermott that this Ordinance be Recommended Do Pass Consent. The motion carried by the following vote:

Yes: 7 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

Discussion and Possible Action

5. Proposed Ordinance No. 2016-0108

AN ORDINANCE approving and adopting the collective bargaining agreement negotiated by and between King County and International Brotherhood of Electrical Workers, Local 77 (Department of Transportation, Transit) representing employees in the department of transportation; and establishing the effective date of said agreement.

Nick Wagner, Council staff, briefed the Committee. Bob Railton, Labor Negotiator, Office of Labor Relations, answered questions from the members. Councilmember Balducci moved amendment 1. The amendment was adopted. This matter was expedited to the March 22, 2016, Council agenda.

A motion was made by Councilmember Balducci that this Ordinance be Recommended Do Pass Substitute Consent. The motion carried by the following vote:

Yes: 6 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

Excused: 1 - Mr. Upthegrove

6. Proposed Substitute Ordinance No. 2016-0091.2

AN ORDINANCE amending the grant award process for the WaterWorks grant program; and amending Ordinance 18031, Section 1.

Beth Mountsier, Council staff, briefed the Committee and answered questions from the members. This matter was expedited to the March 21, 2016, Council agenda.

A motion was made by Councilmember Kohl-Welles that this Ordinance be Recommended Do Pass Consent. The motion carried by the following vote:

Yes: 6 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

Excused: 1 - Mr. Upthegrove

7. Proposed Motion No. 2016-0134

A MOTION relating to the security of transit passengers and operators.

Greg Doss, Council staff, briefed the Committee and answered questions from the members. This matter was expedited to the March 21, 2016, Council agenda.

A motion was made by Councilmember Balducci that this Motion be Recommended Do Pass. The motion carried by the following vote:

Yes: 7 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

8. Proposed Motion No. 2016-0163

A MOTION related to the transfer of retired vanpool vans to nonprofit organizations and local governments to meet the needs of low-income, elderly, disabled and young county citizens.

Paul Carlson, Council staff, briefed the Committee and answered questions from the members. Councilmember von Reichbauer moved amendment 1. The amendment was adopted. This matter was expedited to the March 21, 2016, Council agenda.

A motion was made by Councilmember von Reichbauer that this Motion be Recommended Do Pass. The motion carried by the following vote:

Yes: 4 - Mr. Dembowski, Ms. Lambert, Ms. Kohl-Welles and Ms. Balducci

Excused: 3 - Mr. McDermott, Mr. Upthegrove and Mr. von Reichbauer

9. Proposed Motion No. 2016-0164

A MOTION adopting the 2016 work plan for the transportation, economy and environment committee.

Mary Bourguignon, Council staff, briefed the Committee and answered questions from the members.

A motion was made by Councilmember Balducci that this Motion be Recommended Do Pass Consent. The motion carried by the following vote:

Yes: 7 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

Discussion

10. Proposed Ordinance No. 2016-0155

AN ORDINANCE relating to comprehensive planning and permitting; amending Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020, Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030, and Ordinance 13147, Section 19, amended, and K.C.C. 20.18.030, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020, Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 21A.42, decodifying K.C.C. 20.54.010 and repealing Ordinance 8421, Section 2, and K.C.C. 14.56.010, Ordinance 3064, Section 2, and K.C.C. 20.54.020, Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030, Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040, Ordinance 3064, Section 5, and K.C.C. 20.54.050, Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060, Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070, Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080, Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090, Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100, Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110, Ordinance 3064, Section 12, and K.C.C. 20.54.120, Ordinance 3064, Section 13, and K.C.C. 20.54.130 and Ordinance 7889, Section 4, as amended, and K.C.C. 26.08.010

Christine Jensen, Council staff, briefed the Committee and answered questions from the members. Lauren Smith, Director of Regional Planning, Office of Performance, Strategy and Budget; and Ivan Miller, Comprehensive Planning Manager, Office of Performance, Strategy and Budget; addressed the Committee.

This matter was Presented

11. Public Comment

The following individuals provided public comment:

Bob Sterbank
Mark Hofman
Mike Morita
Christine Tremain
Tom Carpenter
Bob Braeotigam
Alex Tsimerman
Keith Dearborn

Other Business

There was no further business to come before the Committee.

Adjournment

The meeting was adjourned at 11:05 a.m.

Approved this _____ day of _____.

_____

Clerk's Signature

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King County

1200 King County
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516 Third Avenue
Seattle, WA 98104

Meeting Minutes

Transportation, Economy and Environment Committee

Councilmembers: Rod Dembowski, Chair; Claudia Balducci, Vice Chair;
Jeanne Kohl-Welles, Kathy Lambert, Joe McDermott, Dave Upthegrove, Pete von Reichbauer

Staff: Mary Bourguignon, Lead Staff (206-477-0873)
Angelica Calderon, Committee Assistant (206-477-0874)

9:30 AM **Tuesday, March 29, 2016** **Seattle City Council Chambers**

SPECIAL MEETING
City Hall, Council Chambers
600 4th Ave., 2nd Floor
Seattle, WA

Pursuant to K.C.C. 1.24.035 A. and F., this meeting is also noticed as a meeting of the Metropolitan King County Council, whose agenda is limited to the committee business. In this meeting only the rules and procedures applicable to committees apply and not those applicable to full council meetings.

1. Call to Order

Chair Dembowski and Chair O'Brien called the Special jointed meeting of the King County Council's Transportation, Economy and Environment Committee and the City of Seattle's Sustainability and Transportation Committee to order at 9:35 a.m.

2. Roll Call

Present: 7 - Mr. Dembowski, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer, Ms. Kohl-Welles and Ms. Balducci

3. Welcome and Introductions

Councilmember O'Brien and Councilmember Dembowski welcomed and introduced the members of the Committees.

4. Public Comment

The following people were present to offer public comments:
1. Alex Zimmerman
2. Queen Pearl
3. Susan Wickwire
4. Katie Wilson
5. Monica Alfonzo
6. Amber Nicholson
7. Sarah Baker

8. Shane Brookman
9. Brian Chow
10. Betty Lau
11. David Wu
12. Laura Humiston
13. Heidi Campbell
14. Tim Gould

Briefing

5. Briefing No. 2016-B0065

Metro Service Changes for University Link Opening

Rob Gannon, Interim General Manager, Transit Division and Victor Obeso, Deputy General Manager, Planning and Customer Services,Transit Division, King County Department of Transportation

This matter was Presented

6. Briefing No. 2016-B0066

Towards a New Generation of Electrified Transportation

Jessica Finn Coven, Director, Office of Sustainability and Environment; Bill Bryant, Seattle Department of Transportation and Chris Bast, Climate and Transportation Advisor, Office of Sustainability and Environment, briefed the Committee with a PowerPoint Presentation titled Drive Clean Seattle and answered questions from the members. Victor Obeso, General Manager, Planning and Customer Services, Transit Division, King County Department of Transportation and Chris O'Claire, Manager of Strategy and Performance, Transit Division, King County Department of Transportation briefed the Committee with a PowerPoint Presentation titled Metro Transit Green Fleet Initiatives and answered questions from the members.

This matter was Presented

Discussion and Possible Action

7. Proposed Motion No. 2016-0200

A MOTION requesting Metro Transit transmit an implementation plan for achieving a carbon neutral or zero emissions fleet.

Sponsors: Mr. Dembowski and Ms. Kohl-Welles

Jennifer Giambattista, Council Staff briefed the Committee on the legislation and answered questions from the members. Victor Obeso, General Manager, Planning and Customer Services, Transit Division, King County Department of Transportation commented and answered question from the members.

This matter was Deferred

Briefing

8. Briefing No. 2016-B0067

Center City Mobility Initiative Discussion

Scott Kubly, Director, Seattle Department of Transportation; Diane Sugimura, Interim Director, Seattle Office of Planning and Community Development Mike Harbour, Deputy Director, Sound Transit; Victor Obeso, Deputy General Manager, Planning and Customer Services, Transit Division, King County Department of Transportation; Jon Scholes, President and CEO, Downtown Seattle Association briefed the Committee with a PowerPoint Presentation and answered questions from the members.

This matter was Presented

9. Briefing No. 2016-B0068

Draft Sound Transit 3 Plan Overview

Ric Ilgenfritz, Executive Director, Planning Environment and Project Development and Karen Kitsis, ST3 Planning Manager, briefed the Committee with a PowerPoint Presentation and answered questions of the members.

This matter was Presented

Adjournment

The meeting adjourned at 12:03 p.m.

Approved this _____ day of _____.

_____

Clerk's Signature

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King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	4	**Name:**	Mary Bourguignon
Proposed No.:	2016-0166	**Date:**	April 5, 2016

SUBJECT

Proposed Motion 2016-0166 would confirm the appointment of Grady Steere, who resides in Council District 9, to the King County Rural Forest Commission for a partial term to expire on September 30, 2017.

BACKGROUND

The King County Rural Forest Commission was established in October 1997 to review the development and implementation of strategies, innovative programs, policies and regulations that benefit forestry and to advise the County on ways to preserve rural forests and promote rural forestry.

The Commission has 13 voting members selected to represent diverse and specific rural forest interests and geographic regions of rural King County. Commission members serve staggered three-year terms and represent the following interests:

- At least 5 members representing private rural forest landowners, with at least 1 from each of the following ownership categories:
    - 500 acres or greater;
    - 40 to 500 acres and for whom income from forestry is an important component of total income;
    - 20 acres or greater and enrolled in the Forest Land Designation program; and
    - Less than 20 acres;
- Advocates of non-timber values, such as environmental protection, recreation or open space;
- Washington state Department of Natural Resources;
- Affected Indian Tribes;
- Consumers or users of local forest products, such as mills, lumber suppliers, craftsmen, florist suppliers, or users of other alternative forest products;
- Academic or professional foresters, or forestry associations; and
- Rural cities.

In addition to the voting members, the Commission includes the following non-voting ex-officio members:

- The directors of the King County Department of Natural Resources, Parks and Recreation, Development and Environmental Services, Human Resources, and the Office of Budget and Strategic Planning,
- A representative of the Natural Resources Committee; and
- The King Conservation District Director.

APPOINTEE INFORMATION

Grady Steere lives in Orting and is currently an Area Forester for Hancock Forest Management.

Mr. Steere has a degree in Forest Management from the University of Washington. Of his interest in serving on the Commission, he notes that, "Hancock Forest Management represents some of the largest forest landowners in King County. I can provide perspective from industrial forest management."

ATTACHMENTS

1. Proposed Motion 2016-0166 (and attachments)
2. Rural Forest Commission Profile
3. Transmittal Letter

Pursuant to K.C.C.3.04.110, which allows for confidentiality, the required Financial Disclosure Statements have been distributed to Councilmembers only.

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2016

Motion

Proposed No. 2016-0166.1 **Sponsors** Dunn

A MOTION confirming the executive's appointment of Grady Steere, who resides in council district nine, to the King County rural forest commission.

BE IT MOVED by the Council of King County:

The county executive's appointment of Grady Steere, who resides in council district nine, to the King County rural forest commission, for a partial term to expire on

September 30, 2017, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. Application, B. Financial Disclosure Statement, C. Board Profile, D. Appointment Letter

KING COUNTY RURAL FOREST COMMISSION

ATTACHMENT C

DATE: February 2016
TOTAL NUMBER OF MEMBERS: 13
LENGTH OF TERM: 3 years

* ***King County seeks to create an inclusive and accessible process for individuals who wish to serve on a King County board or commission. We strive to ensure that King County boards and commissions are representative of the communities we serve.***

Board Members Appointed and Confirmed:

	Name	KC District	Skill/Affiliation	Date 1st Appt.	Term Expires	Term #
1	Amy LeBarge	3	Professional forester	9/18/15	9/30/16	1 Partial
2	Bernie McKinney	9	Non-timber forest interest (environment), forest landowner <20 acres	09/12/11	9/30/16	1 Partial / 1 Full
3	Sandy Miller	9	Forest landowner 40-500 acres with significant income from forestry	04/27/09	9/30/15	2 Full
4	Rex Thompson	3	Professional forester	09/12/11	9/30/15	1 Partial / 1 Full
5	Doug McClelland	9 (Work)	WA DNR, professional forester	7/29/98	Ongoing	
6	Monica Paulson Preiebe	7	Academic forester	9/18/15	9/30/16	1 Partial
7	Doug Schindler	3	Non-timber forest interest (recreation and environment)	9/18/15	9/30/18	1 Full
8	Richard "Dick" Ryon	3	Rural Cities	09/12/11	9/30/15	2 Full
9	Daryl Harper	9	Forest landowner > 20 Acres	12/14/11	9/30/16	1 Partial / 1 Full
10	Andy Chittick	3	User of local forest products (sawmill); forest land owner <20 acres	9/18/15	9/30/18	1 Full
11	Cindy Spiry	9	Affected Indian Tribe	04/27/09	9/30/15	2 Full
12	Nate Veranth	3	Forest Land Owner >40 acres in Forest Land Designation program	12/14/11	9/30/15	1 Partial / 1 Full
13	Grady Steere	9	Forest landowner >500 acres	2/10/16	9/30/17	1 Partial

APPOINTED, NOT YET CONFIRMED:

	Name	KC District	Skill/Affiliation	Date 1st Appt.	Term Expires	Term #
13	Grady Steere	9	Forest landowner >500 acres	2/10/16	9/30/17	1 Partial

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King County

Dow Constantine
King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104-1818
206-263-9600 Fax 206-296-0194
TTY Relay: 711
www.kingcounty.gov

February 10, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

Enclosed for consideration and approval by the King County Council is a motion confirming the appointment of Grady Steere, who resides in council district nine, to the King County Rural Forest Commission.

The appointment of Mr. Steere is for a partial term expiring September 30, 2017. His application, Code of Ethics Financial Disclosure Statement, current board profile and appointment letter are enclosed for your information. This appointment request supports the King County Strategic Plan goal of public engagement by expanding opportunities to seek input, listen and respond to residents.

If you have any questions about this appointment, please have your staff call Rick Ybarra, liaison for boards & commissions, at 206-263-9651.

Sincerely,

Dow Constantine
King County Executive

Enclosures

King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Rick Ybarra, Liaison for Boards & Commissions
Linda Vane, Staff Liaison
Grady Steere

King County is an Equal Opportunity/Affirmative Action Employer and complies with the Americans with Disabilitites Act

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King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	5, 6, 7, 8	**Name:**	Mike Reed
Proposed No.:	2016-0174; 2016-0175; 2016-0176; 2016-0177	**Date:**	April 5, 2016

SUBJECT

Proposed Motion 2016-0174 would confirm the Executive's appointment of Largo Wales, who is the deputy mayor, City of Auburn and resides in Council District 7, to the King County Solid Waste Advisory Committee filling a local elected official position that will expire on September 30, 2017.

Proposed Motion 2016-0175 would confirm the Executive's appointment of David Baker, who is the Mayor of the City of Kenmore, and resides in Council District 1, to the King County Solid Waste Advisory Committee filling a local elected official position that will expire on September 30, 2017.

Proposed Motion 2016-0176 would confirm the Executive's appointment of Michael Grayum, who is a Division Manager of Republic Services and is employed in Council District 8, to the King County Solid Waste Advisory Committee filling the waste management industry representative position for the remainder of a three year term that will expire on September 30, 2018.

Proposed Motion 2016-0177 would confirm the Executive's appointment of Suzette Dickerson, who is a Division Manager of Republic Services and resides in Council District 6, to the King County Solid Waste Advisory Committee filling the labor representative position for a term that will expire on September 30, 2016.

BACKGROUND

The King County Solid Waste Advisory Committee (SWAC) was established in 1984 (K.C.C. 10.28) to advise and make recommendations to the County Executive and Council relating to:

- All aspects of solid waste management planning;
- The development of programs and policies concerning solid waste management; and
- Solid waste management rules, policies or ordinances prior to their adoption.

The Solid Waste Advisory Committee is composed of at least nine and not more than 20 members. Membership is comprised of a county-wide group of citizens who represent public interest groups, businesses, the waste management industry and local elected public officials.

King County Solid Waste Advisory Committee Candidates

Proposed Motion 2016-0174: Largo Wales: Ms. Wales, Deputy Mayor of the City of Auburn, is a resident of District 7 in Auburn. She is a member of the Regional Accessibility and Mobility Project, Pierce County City and Towns Association, and other boards. She has an extensive background in public health. She is a graduate of Seattle University with a Doctoral Degree, and of Columbia University in post-doctoral studies. She holds a Superintendent Certification. Ms. Wales is being appointed to one of the elected official positions for a partial term, to expire on September 30, 2017.

Proposed Motion 2016-0175: David Baker: Mr. Baker, who resides in the City of Kenmore, serves as Mayor of Kenmore, in District 1. He is a member of the Board of Health, the Aging and Disabilities Committee, and the Harborview Hospital Board of Trustees. Mr. Baker is 1979 MS graduate of the University of Nebraska, and a 1989 PhD graduate of Iowa State University. Mr. Baker is being appointed to one of the elected official positions for a partial term, to expire on September 30, 2017.

Proposed Motion 2016-0176: Michael Grayum: Mr. Grayum, who resides in Dupont, is employed in District 8 as Division Manager of Republic Services. He is a member of the Puget Sound Regional Council Economic Development Board, and has been a member of the Pierce County Regional Council. Mr. Grayum is a 2002 Business graduate of Pacific Lutheran University, and a 2009 graduate of the University of Washington School of Public Policy and Governance with an MA in Public Administration. Mr. Grayum is being appointed as the waste management industry representative for the remainder of a three year term, to expire on September 30, 2018.

Proposed Motion 2016-0177: Suzette Dickerson: Ms. Dickerson currently serves as the Business Representative for Teamsters Local Union No. 117. She is a resident of District 6 in Redmond. She is a 2014 graduate of Bellevue College (formerly known as Bellevue Community College), and is a member of the Coalition of Unions representing King County Employees. Ms. Dickerson is being appointed as the labor representative for a partial term, to expire on September 30, 2016.

ATTACHMENTS

1. Proposed Motion 2016-0174 (attachments available upon request)
2. Executive's transmittal letter for Proposed Motion 2016-0174
3. Proposed Motion 2016-0175 (attachments available upon request)
4. Executive's transmittal letter for Proposed Motion 2016-0175
5. Proposed Motion 2016-0176 (attachments available upon request)

6. Executive’s transmittal letter for Proposed Motion 2016-0176
7. Proposed Motion 2016-0177 (attachments available upon request)
8. Executive’s transmittal letter for Proposed Motion 2016-0177

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ATTACHMENT 1

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2016

Motion

Proposed No. 2016-0174.1 **Sponsors** von Reichbauer

A MOTION confirming the executive's appointment of the Honorable Largo Wales, councilmember, city of Auburn, who resides in council district seven, to the King County solid waste advisory committee, filling one of the local elected official positions.

BE IT MOVED by the Council of King County:

The county executive's appointment of the Honorable Largo Wales, councilmember, city of Auburn, who resides in council district seven, to the King County

solid waste advisory committee, filling one of the local elected official positions, for a partial term to expire on September 30, 2017, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. Application, B. Financial Disclosure Statement, C. Board Profile, D. Appointment Letter

King County

Dow Constantine
King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104-1818
206-263-9600 Fax 206-296-0194
TTY Relay: 711
www.kingcounty.gov

January 29, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

Enclosed for consideration and approval by the King County Council is a motion confirming the appointment of the Honorable Largo Wales, Councilmember, City of Auburn, who resides in council district seven, to the King County Solid Waste Advisory Committee, filling one of the elected official positions.

The appointment of Councilmember Wales is for a partial term expiring September 30, 2017. Her application, Code of Ethics Financial Disclosure Statement, current board profile and appointment letter are enclosed for your information. This appointment request supports the King County Strategic Plan goal of public engagement by expanding opportunities to seek input, listen and respond to residents.

If you have any questions about this appointment, please have your staff call Rick Ybarra, liaison for boards & commissions, at 206-263-9651.

Sincerely,

Dow Constantine

Dow Constantine
King County Executive

Enclosures

King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Rick Ybarra, Liaison for Boards & Commissions
Diane Yates, Staff Liaison
The Honorable Largo Wales, Councilmember, City of Auburn

King County is an Equal Opportunity/Affirmative Action Employer and complies with the Americans with Disabilitites Act

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ATTACHMENT 1

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2016

Motion

Proposed No. 2016-0175.1 **Sponsors** Dembowski and Lambert

A MOTION confirming the executive's appointment of the Honorable David Baker, mayor, city of Kenmore, who resides in council district one, to the King County solid waste advisory committee, filling one of the local elected official positions.

BE IT MOVED by the Council of King County:

The county executive's appointment of the Honorable David Baker, mayor, city of Kenmore, who resides in council district one, to the King County solid waste advisory

committee, filling one of the local elected official positions, for a partial term to expire on September 30, 2017, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. Application, B. Financial Disclosure Statement, C. Board Profile, D. Appointment Letter

King County

Dow Constantine
King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104-1818
206-263-9600 Fax 206-296-0194
TTY Relay: 711
www.kingcounty.gov

January 29, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

Enclosed for consideration and approval by the King County Council is a motion confirming the appointment of the Honorable David Baker, Mayor, City of Kenmore, who resides in council district one, to the King County Solid Waste Advisory Committee, filling one of the elected official positions.

The appointment of Mayor Baker is for a partial term expiring September 30, 2017. His application, Code of Ethics Financial Disclosure Statement, current board profile and appointment letter are enclosed for your information. This appointment request supports the King County Strategic Plan goal of public engagement by expanding opportunities to seek input, listen and respond to residents.

If you have any questions about this appointment, please have your staff call Rick Ybarra, liaison for boards & commissions, at 206-263-9651.

Sincerely,

Dow Constantine
King County Executive

Enclosures

King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Rick Ybarra, Liaison for Boards & Commissions
Diane Yates, Staff Liaison
The Honorable David Baker, Mayor, City of Kenmore

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ATTACHMENT 1

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2016

Motion

Proposed No. 2016-0176.1 **Sponsors** McDermott

A MOTION confirming the executive's appointment of Michael Grayum, who works in council district eight, to the King County solid waste advisory committee, as the waste management industry representative.

BE IT MOVED by the Council of King County:

The county executive's appointment of Michael Grayum, who works in council district eight, to the King County solid waste advisory committee, as the waste

management industry representative, for the remainder of a three-year term to expire on September 30, 2018, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. Resume, B. Financial Disclosure Statement, C. Board Profile, D. Appointment Letter

King County

Dow Constantine
King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104-1818
206-263-9600 Fax 206-296-0194
TTY Relay: 711
www.kingcounty.gov

January 29, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

Enclosed for consideration and approval by the King County Council is a motion confirming the appointment of Michael Grayum, who works in council district eight, to the King County Solid Waste Advisory Committee, as a waste management industry representative.

The appointment of Mr. Grayum is for the remainder of a three-year term expiring September 30, 2018. His résumé, Code of Ethics Financial Disclosure Statement, current board profile and appointment letter are enclosed for your information. This appointment request supports the King County Strategic Plan goal of public engagement by expanding opportunities to seek input, listen and respond to residents.

If you have any questions about this appointment, please have your staff call Rick Ybarra, liaison for boards & commissions, at 206-263-9651.

Sincerely,

Dow Constantine

Dow Constantine
King County Executive

Enclosures

King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Rick Ybarra, Liaison for Boards & Commissions
Diane Yates, Staff Liaison
Michael Grayum

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ATTACHMENT 1

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2016

Motion

Proposed No. 2016-0177.1 **Sponsors** Balducci

A MOTION confirming the executive's appointment of Suzette Dickerson, who resides in council district six, to the King County solid waste advisory committee, as the Teamster Union Local 117 labor representative.

BE IT MOVED by the Council of King County:

The county executive's appointment of Suzette Dickerson, who resides in council district six, to the King County solid waste advisory committee, as the Teamster Union

Local 117 labor representative, for a partial term to expire on September 30, 2016, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. Application, B. Financial Disclosure Statement, C. Board Profile, D. Appointment Letter

King County

Dow Constantine
King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104-1818
206-263-9600 Fax 206-296-0194
TTY Relay: 711
www.kingcounty.gov

January 29, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
COURTHOUSE

Dear Councilmember McDermott:

Enclosed for consideration and approval by the King County Council is a motion confirming the appointment of Suzette Dickerson, who resides in council district six, to the King County Solid Waste Advisory Committee, as the Teamsters Union Local 117 labor representative.

The appointment of Ms. Dickerson is for a partial term expiring September 30, 2016. Her application, Code of Ethics Financial Disclosure Statement, current board profile and appointment letter are enclosed for your information. This appointment request supports the King County Strategic Plan goal of public engagement by expanding opportunities to seek input, listen and respond to residents.

If you have any questions about this appointment, please have your staff call Rick Ybarra, liaison for boards & commissions, at 206-263-9651.

Sincerely,

Dow Constantine
King County Executive

Enclosures

King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Rick Ybarra, Liaison for Boards & Commissions
Diane Yates, Staff Liaison
Suzette Dickerson

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King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	9	**Name:**	Mary Bourguignon
Proposed No.:	2016-0181	**Date:**	April 5, 2016

SUBJECT

An ordinance approving the Water District No. 119 Water System Plan.

SUMMARY

Proposed Ordinance 2016-0181 would approve the City of Auburn Comprehensive Water Plan, meeting the requirement for a water and sewer district to operate in unincorporated King County.

BACKGROUND

The City of Auburn owns and operates a municipal water system that provides service to an approximately 30 square mile area, both in the City and in contiguous potential annexation areas in unincorporated King County. It is unlikely the retail water service area will change in the future. The City holds franchise number 12473 for water distribution; the franchise is current and expires in 2021.

King County Utility Comprehensive Plan Criteria

King County Code Chapter 13.24 requires the Utilities Technical Review Committee (UTRC) to review and make recommendations to the Executive and County Council on the adequacy of all water and sewer comprehensive plans and related matters, and to determine whether the plan:

- is consistent with the King County Comprehensive Plan,
- is consistent with local comprehensive plans,
- reflects current supply and demand,
- forecasts future supply and demand,
- provides a capital plan for obtaining, using, storing and conveying water and sewage, and
- provides sufficient information to demonstrate the utility district's ability to provide service consistent with all applicable laws and regulations.

In addition to satisfying the requirement of KCC Chapter 13.24, the County's approval also provides state regulatory agencies with the determination required under RCW 43.20.260 that the Plan is consistent with the King County Comprehensive Plan and implementing development regulations.

Additionally, King County has adopted a Comprehensive Plan that includes policies F-101 through F-254, the applicable portions of which address water policies for facilities and services, calling for consistency with other adopted plans, pursuit of reclaimed water, water conservation, and protection of water resources.

UTRC ANALYSIS OF CITY OF AUBURN COMPREHENSIVE WATER PLAN

The UTRC finalized its review of the City of Auburn Comprehensive Water Plan on December 16, 2015. The UTRC found the Plan meets the requirements of KCC chapter 13.24 and has recommended its approval. Highlights of the Plan, as reviewed by the UTRC, are outlined below.

Service Area: The City's service area, which encompasses approximately 30 square miles, consists of an area that is largely coincident with the City boundaries as well as potential annexation areas in unincorporated King County. In 2015, the City's water system provided service to a population of approximately 57,213 residents through 13,910 retail accounts. Single family residences make up approximately 80 percent of the accounts. Average daily water demand is approximately 8.1 million gallons.

Facilities: The City's water system includes seven reservoirs and a number of pressure reducing and booster stations to serve four major service areas through nearly 250 miles of pipeline. The City owns ten wells and two springs with an ability to produce approximately 16.5 million gallons per day of water. The City provides wholesale water through interties with the City of Algona, Covington Water District and King County Water District 111, and has five additional interties for emergency use.

Growth: The total number of accounts increased by approximately 6 percent from 2008 to 2013. The UTRC determined in its review that sufficient water supply for near-term growth is available. The City is pursuing development of new sources.

System Improvements: The Plan contains a six-year capital improvement program (CIP) with an estimated cost of approximately $35.5 million. Longer range capital costs are divided into short, medium and long-term CIP elements. Long term, the total supply project costs are estimated at $58.1 million; the total storage project costs are estimated at $9.1 million; the total pump station project costs are estimated at $4.4 million; the total distribution project costs are estimated at $39.5 million and the total general water system project costs are estimated at $8.1 million. The funding sources for the proposed improvement projects include rates, water service fees and bond proceeds.

SEPA: The District completed a State Environmental Policy Act (SEPA) checklist for the Plan and as lead agency under SEPA, issued a determination of non-significance for the Plan on April 21, 2015. There were no appeals.

ATTACHMENTS

1. Proposed Ordinance 2016-0181 (and its attachments)
2. Transmittal Letter
3. Fiscal Note

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KING COUNTY

Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

April 1, 2016

Ordinance

Proposed No. 2016-0181.1 **Sponsors** Dembowski

AN ORDINANCE approving the Final October 2015 City of Auburn Washington Comprehensive Water Plan.

STATEMENT OF FACTS:

1. King County has adopted K.C.C. chapter 13.24, which requires approval of comprehensive plans for water and sewer utilities that provide service in unincorporated King County as a prerequisite for operating in unincorporated King County, receiving approval for annexation proposals, being granted right of way franchises, and being given approval for right of way construction permits. K.C.C. chapter 13.24 prescribes the requirements for approval of such plans, including consistency with state and local planning requirements.

2. The city of Auburn's last general water facility plan was prepared in 2013. Washington state Department of Health and King County regulations require water system plans to be updated every six years or sooner if necessary.

3. The city has a service area within King County and has adopted a water system plan update ("the plan").

4. King County has adopted a Comprehensive Plan that includes policies F-101 through F-254, the applicable portions of which address water policies for facilities and services; these water policies call for consistency with other adopted plans, pursuit of reclaimed water, water conservation and protection of water resources.

5. K.C.C. chapter 13.24 requires the utilities technical review committee to review and make a recommendation to the King County executive and council on the plan, the requirements under K.C.C. chapter 13.24 and consistency with the King County Comprehensive Plan. The utilities technical review committee has reviewed the planning data and system operations and has found:

a. The plan uses population and employment forecasts developed by the Puget Sound Regional Council;

b. The city's service area includes portions of unincorporated King County;

c. The capital facility plan is adequate to meet anticipated facility and service needs;

d. The plan is consistent with applicable Washington state water quality laws; and

e. The plan is consistent with other pertinent county adopted plans and policies.

6. Washington state Department of Health approval is pending upon King County's approval of the plan.

7. Under the state Environmental Policy Act the city completed an environmental check list and the district issued a determination of nonsignificance for the plan approval on April 21, 2015. There were no appeals.

8. The city's operations and facilities meet multiple existing statutory, administrative and planning standards. As the city's operations, facilities and planning meet the requirements of the King County Code and are consistent with the King County Comprehensive Plan, the utilities technical review committee has recommended approval of the plan.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The Final October 2015 City of Auburn Washington

Comprehensive Water Plan, Attachment A to this ordinance, is hereby approved as a comprehensive water plan.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. City of Auburn Comprehensive Water Plan Final October 2015

Final

October 2015

2016-181

Attachment A

Attachment A is available in the Clerk of the Council's office.

RECEIVED
NOV 17 2015
KING COUNTY
UTILITIES TECHNICAL
REVIEW COMMITTEE

CITY OF AUBURN WASHINGTON

Comprehensive Water Plan

carollo

Engineers...Working Wonders With Water®

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ATTACHMENT 2

March 8, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

This letter transmits an ordinance approving the City of Auburn Comprehensive Water Plan (Plan). This letter and attached matrix describe the results of the County's review of the Plan and its consistency with King County requirements.

The King County Code requires King County approval of the Plan before it becomes effective. Approval of the Plan will also provide state regulatory agencies with the determination required under RCW 43.20.260 that the Plan is consistent with the King County Comprehensive Plan and implementing development regulations. On December 16, 2015, the Utilities Technical Review Committee (UTRC) finalized review of the Plan and recommended approval.

This Plan supports the economic growth and built environment goals of the King County Strategic Plan by helping to ensure adequate water management for County residents.

The enclosed matrix provides additional information regarding the City's compliance with King County Code requirements and consistency with the King County Comprehensive Plan.

I appreciate the City's cooperation in submitting the Plan and working with the UTRC review process. I urge the King County Council to adopt the enclosed ordinance approving the Plan.

If you have any questions about the Plan or the proposed ordinance, please feel free to contact Steve Hirschey, Chair of the Utilities Technical Review Committee, at 206-477-5387.

Sincerely,

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Susan Fenhaus, P.E., Water Utility Engineer, City of Auburn
Richard Rodriguez, Regional Planner, Washington State Department of Health
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Dwight Dively, Director, Office of Performance, Strategy and Budget
Christie True, Director, Department of Natural Resources and Parks
Steve Hirschey, Chair, Utilities Technical Review Committee

2015/2016 FISCAL NOTE

Ordinance/Motion: 2016-XXXX
Title: City of Auburn Comprehensive Water Plan
Affected Agency and/or Agencies: Department of Natural Resources and Parks
Note Prepared By: Steve Hirschey, Chair, Utilities Technical Review Committee
Date Prepared: February 3, 2016
Note Reviewed By:
Date Reviewed:

Description of request:

Revenue to:

Agency	Fund Code	Revenue Source	2015/2016	2017/2018	2019/2020
TOTAL			**0**	**0**	**0**

Expenditures from:

Agency	Fund Code	Department	2015/2016	2017/2018	2019/2020
TOTAL			**0**	**0**	**0**

Expenditures by Categories

	2015/2016	2017/2018	2019/2020
TOTAL	**0**	**0**	**0**

Does this legislation require a budget supplemental?
Notes and Assumptions:

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King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	10	**Name:**	Paul Carlson
Proposed No.:	2016-0199	**Date:**	April 5, 2016

SUBJECT

An ordinance approving September 2016 Metro Transit bus service changes.

SUMMARY

Proposed Ordinance 2016-0199 would approve service changes affecting three bus routes:

- **Route 9X:** this route, which connects Rainier Beach and Capitol Hill, is proposed for reduction to peak-only service.

- **Route 38:** During the weekday peak and midday periods, Route 38 would be extended north of Mt. Baker Transit Center to serve to serve the International District via Rainier Avenue South and South Jackson Street. The 38 is a new route as of March 26, 2016, connecting Mt. Baker Transit Center and Rainier Beach; it was created by splitting the Route 8 at Mt. Baker Transit Center Station.

- **Route 243:** New Route 243 would provide northbound morning peak and southbound afternoon peak service connecting Overlake Transit Center in the south and the Kenmore Park & Ride in the north via Redmond Transit Center, Totem Lake Transit Center, Kingsgate Park & Ride, UW Bothell and the Bothell Park & Ride.

Attachment 1 to the staff report is the proposed ordinance and its Attachment A, September 2016 Public Transportation Service Changes, which describes the three proposed route changes and includes maps of the Routes 38 and 243 (the Route 9X map is not included because it is unchanged).[1]

To allow sufficient time to implement the proposed service changes, the Transit Division has requested Council action on this ordinance by mid-May.

[1]Unlike the case with some prior service change ordinances, Proposed Ordinance 2016-0199 is not accompanied by a list of administrative service changes, those which can be approved by the Transportation Director because they change a route's service hours by less than 25%. Some administrative changes may take effect in September 2016, but final decisions have not been made.

BACKGROUND

Southeast Seattle Community Outreach

The proposed redistribution of service hours from the Route 9X to the revised Route 38 is the result of an outreach process that is discussed in the Public Engagement Report transmitted with Proposed Ordinance 2016-0199 (Attachment 5 provides the narrative section of the Public Engagement Report). As part of this outreach, Metro invited public comment on a possible restructure of five bus routes (the 9X, 38, 106, 107, and 124) with impacts for service to Beacon Hill, Capitol Hill, Georgetown, the International District, Renton, Skyway, and Southeast Seattle. Proposed Ordinance 2016-0199 does not include any changes to Routes 106, 107, and 124. The proposed revisions to Routes 9X and 38 affect only Capitol Hill, the International District, and Southeast Seattle.

Proposed Ordinance Changes for Southeast Seattle

Route	Location	Hours	Description
9X	Rainier Beach, Columbia City, First Hill, Broadway	(11,160)	Discontinue midday and evening trips; route will provide peak period service in both directions.
38	Mount Baker, Rainier Valley, International District	10,910	During peak and midday weekdays, extend Route 38 (new in March 2016) to connect Mt. Baker Transit Center with the International District via Rainier Avenue South and South Jackson Street. North of Mt. Baker Transit Center, there will be limited stops. Weekday evening and weekend trips will serve only the Mt. Baker Transit Center-Rainier Beach alignment, not the additional northern segment.

Route 9X. The 9 Express (9X) is a two-way bus connecting Rainier Beach with Capitol Hill via Rainier Avenue South, Boren Avenue, and Broadway. It makes limited stops on Rainier Avenue South, where local service is provided by the Route 7.

The proposed change would retain approximately 8,400 service hours for peak period service in both directions, with a redesigned schedule proposed to optimize trip sequencing. The City of Seattle pays for approximately 10 peak trips on Route 9X; the service change proposal assumes continuation of this investment. Metro staff cites several considerations for recommending the change to this route. Alternative service is available on Route 7 in the southern part of the alignment, on Link Light Rail from Capitol Hill or Rainier Beach and on the First Hill Streetcar and the Route 60 north of South Jackson Street. A majority of 9X riders (estimated at 59 percent of the total) travel during the peak hour and would still have the 9X as an option in both directions.

Northbound, the 9X runs at 10-15 minute frequencies during the AM peak, 30-minute frequencies from 9:00 AM to 4:00 PM, 20-minute frequencies from 4:00-6:00 PM, and with a last trip leaving at 6:29 PM. Southbound, the 9X runs at 15-20 minute

frequencies during the AM peak, 30-minute frequencies from 9:00 AM to 3:00 PM, 20-minute frequencies from 3:00 PM to 7:00 PM, and with a last trip leaving at 7:28 PM.

As of Spring 2015, as reported in the 2015 Service Guidelines Report, performance was 43.7 rides/platform hour and 11.6 passenger miles/platform mile in the peak period and 46.9 rides/platform hour and 14.2 passenger miles/platform mile in the midday period. For routes serving the Seattle Core this falls in the midrange of performance.

Route 38. The Route 38 provides very frequent service between Rainier Beach and Mt. Baker Transit Center. It is the former southern portion of the Route 8, which was split as part of the March 2016 service change in an attempt to improve its reliability[2]. North of Mt. Baker Transit Center, the revised Route 8 continues to provide a connection to the Seattle Center via Martin Luther King Jr. Way, Capitol Hill, and Denny Way.

For weekdays, during the peak period and midday only, the proposed change would have the Route 38 continue north from Mt. Baker Transit Center on Rainier Avenue South and South Jackson Street to the International District.

Route 38 has 15 minute or better frequency from 6:05 AM to 7:00 PM, the time when the extended route would have service. The Route 38 also has 30-minute service from 5:00 AM to 6:00 AM and from 7:00 PM to 1:00 AM; during these periods, only the Mt. Baker Transit Center-Rainier Beach part of the route would be served.

Because Route 38 is new, having begun operations on March 26, 2016, performance data is unavailable. As of Spring 2015, as reported in the 2015 Service Guidelines Report, the old Route 8 performance was 52.4 rides/platform hour and 11.8 passenger miles/platform mile in the peak period, 45.5 rides/platform hour and 11.3 passenger miles/platform mile in the midday period, and 31.7 rides/platform hour and 14.2 passenger miles/platform mile in the midday period. For routes serving the Seattle Core, the 52.4 rides/platform hour is in the top 25% of routes; the other measures are in the midrange of performance.

Route 243

Route	Location	Hours	Description
243	Overlake, Redmond, Kirkland, Bothell, Kenmore	2,500	Add four northbound AM trips and four southbound PM trips; weekdays only.

According to the Executive's transmittal letter, the proposed new Route 243 is an investment of service hours credited to the city of Redmond through a Transit Now partnership agreement. In this case, Bellevue and Redmond were awarded 10,000 bus service hours in exchange for implementing transit speed and reliability improvements for the RapidRide B Line. Effective June 2013, 7,500 hours (all 5,000 Bellevue hours and 2,500 Redmond hours) were invested in Route 245 (connecting downtown Kirkland with Factoria via the Houghton Park & Ride, the Overlake Transit Center, Crossroads, Bellevue College, and the Eastgate Park & Ride).

[2]North of Mt. Baker Transit Center, the revised Route 8 continues to provide a connection to the Seattle Center via Martin Luther King Way, Capitol Hill, and Denny Way.

Redmond has now identified the Route 243 for its final 2,500-hour investment. The Executive's transmittal letter notes that, "proposed Route 243 will complement Route 244, which is also a weekday peak route. The routes will serve similar areas, but the Route 243 will also serve UW Bothell and downtown Redmond. Currently, the Route 244 operates southbound in the a.m. and northbound in the p.m. The Route 243 however will do the reverse, with northbound service in the a.m. and southbound in the p.m."

Service Equity Analysis. Transmitted along with Proposed Ordinance 2016-0199 is the Service Equity Report (Attachment 4). The Service Equity Report reviews the impact of proposed changes on low-income and minority communities. The Transit Division includes this analysis in the ordinance packet consistent with the 2013 update to the Transit Strategic Plan and Federal Transit Administration direction to heighten equity awareness.

The question for this and any other major service change, is whether there is a disparate impact on minority populations compared to non-minority populations, and whether there is a disproportionate burden on low-income populations. Metro analysis for this proposed service change concludes that there is neither a disparate nor a disproportionate impact. Staff analysis is ongoing.

ANALYSIS

Staff analysis of Proposed Ordinance 2016-0199 is ongoing. This section summarizes potential issues for each of the proposed route changes.

Route 9X. The Public Engagement Report (see narrative in Attachment 5) notes that the most frequent objection to the original five-route restructure proposal (since changed to the current proposal to restructure two routes in South Seattle and add one route on the Eastside) was against reducing 9X trips including midday trips (page 20). The Public Engagement Report cites some commenters as being potentially willing to accept 9X reductions if better east-west connections to Link Light Rail were provided (page 22).

According to the 2015 Service Guidelines Report, the 9X is the primary route serving Corridor 79. The 2015 analysis identifies a total of 14,600 service hours needed to reach the identified target service frequency on this corridor. However, the corridor overlaps other corridors and new rail transit options – the First Hill Streetcar and Capitol Hill Link Station – could address the trip needs of some 9X riders. Service planning issues for this corridor in transition include its role in the Metro Transit Long Range Plan and how to implement the Service Guidelines direction to avoid duplicative services.

Route 38. The Public Engagement Report does not include comments about this proposal for revising Route 38, because, as noted above, Metro had originally sought public input on a different proposal to replace the Route 38 with a new, restructured Route 106 connecting the International District with Renton via South Jackson Street, Rainier Avenue South, Martin Luther King Jr Way South, and Renton Avenue South. As a result, there is limited information available about community reaction to the proposed change to Route 38 that has been transmitted to the Council.

In terms of other issues, in response to a Council staff question about transit traffic on South Jackson Street, Metro staff responded that additional buses on the revised Route 38 would not be expected to pose operational problems. Current peak volumes are about 20 buses per hour in each direction (Routes 7, 14, 36) and six Streetcars per hour in each direction. The revised Route 38 would add four buses per hour in each direction, and in Fall 2018 two Eastside coaches in the reserve peak direction might be added to the mix as bus access to the Downtown Seattle Transit Tunnel is limited. Most Eastside buses traveling in the peak direction are expected to use Dearborn Street, not Jackson.

Route 243. Council staff has not identified any issues with proposed new route 243, since it is the City of Redmond's choice as an investment for partnership hours awarded to the City.

ATTACHMENTS

1. Proposed Ordinance 2016-0199 with Attachment
2. Executive's Transmittal Letter
3. Fiscal Note
4. Title VI Service Equity Report
5. Narrative section of Public Engagement Report
6. Transit Division presentation

INVITED

- Victor Obeso, Deputy General Manager Planning and Customer Services, King County Transit Division
- Jonathon Bez, Acting Service Planning Supervisor, King County Transit Division

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1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

April 1, 2016

Ordinance

Proposed No. 2016-0199.1 **Sponsors** McDermott

AN ORDINANCE approving September 2016 public transportation service changes for King County.

STATEMENT OF FACTS:

1. The proposed changes to Metro's fixed route transit network include changes that affect service in the cities of Bothell, Kenmore, Kirkland, Redmond and Seattle.

2. The proposed changes are consistent with the policy direction and priorities adopted via Ordinance 17641 in August 2013, in the 2013 update to King County Metro's Strategic Plan for Public Transportation 2011-2021 and associated Service Guidelines.

3. In February 2012, Ordinance 17259 directed the reduction or elimination of low performing fixed-route bus service and reinvestment of resources into priorities established within the King County Metro Transit Strategic Plan 2011-2021 and Service Guidelines.

4. Ordinance 17259 directed the elimination of Route 42 effective with the Winter 2013 service change.

5. Ordinance 17259 directed the executive to collectively engage the riders and stakeholders associated with Routes 8 and 42 and any other bus routes directly affected by potential service change concepts identified in a

community-developed proposal to meet rider needs in the southeast Seattle and Rainier Valley area.

6. Between 2012 and 2014, Metro met with a coalition of community-based organizations ("Transit for All") and engaged with the general public to collect feedback about potential service changes and related needs in southeast Seattle.

7. Riders and organizations that serve populations that depend on transit identified the need for better connections between southeast Seattle, Renton and other areas south of the city, as well as more convenient bus service to stores, services and the many social, health, cultural and religious activities along Martin Luther King Jr Way South.

8. In 2015, Metro formed a community advisory group, including representatives from Transit for All, to inform the development of the service change proposal reflected in this ordinance.

9. In September 2006, Ordinance 15582 directed the submission of a proposition to King County voters to authorize the county to fix and impose an additional sales and use tax of one-tenth of one percent to fund expansion of the public transportation system and a variety of transit service improvements ("Transit Now").

10. Ordinance 15582 identified a number of transit service measures to be implemented using the one-tenth of one percent sales and use tax collected through Transit Now that focused on capital, operating and maintenance

improvements that were expected to expand and improve bus service within King County.

11. The service partnership program was one of the key strategies identified in Transit Now, approved by King County voters in the general election on November 7, 2006.

12. Two types of service partnerships were authorized by Transit Now: direct financial partnerships and speed-and-reliability partnerships.

13. Transit Now service partnerships are consistent with Strategy 3.1.1 of the King County Metro Strategic Plan for Public Transportation, 2013 Update, which indicates that Metro enters into agreements with public and private entities to fund new or improved public transportation services in which the partner contribution may be in the form of direct funding or investment that results in transit speed or reliability improvements.

14. In April 2008, Ordinance 16041 authorized the county executive to enter into specific Transit Now service partnership agreements, including a speed-and-reliability partnership agreement with the cities of Bellevue and Redmond.

15. In December 2008, Metro and the cities of Bellevue and Redmond executed a Transit Now speed-and-reliability partnership agreement. That agreement specifies that the cities of Bellevue and Redmond are eligible to receive up to ten thousand annual bus service hours in exchange for implementing transit speed and reliability improvements specified in the partnership agreement.

16. Metro has determined that the cities of Bellevue and Redmond have fulfilled the responsibilities identified in the speed-and-reliability partnership agreement and are now eligible to receive ten thousand annual bus service hours.

17. Metro and the cities of Bellevue and Redmond have agreed to use a portion of the ten thousand annual bus service hours to implement new Route 243, as specified in this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The September 2016 public transportation service changes,

including new Route 243, substantially as described in Attachment A to this ordinance, are hereby approved and shall be implemented effective September 10, 2016.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. September 2016 - Public Transportation Service Changes - March 23, 2016

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March 23, 2016

SEPTEMBER 2016
PUBLIC TRANSPORTATION SERVICE CHANGES

ROUTE: 9X

OBJECTIVES:

Revise service to improve productivity and operate in coordination with other public transportation modes, in accordance with the Strategic Plan for Public Transportation, 2011-2021 and King County Metro Service Guidelines:

- *Strategic Plan Strategy* 3.2.2: Coordinate and develop services and facilities with other providers to create an integrated and efficient regional transportation system
- *Strategic Plan Strategy 3.4.1*: Serve centers and other areas of concentrated activity, consistent with *Transportation 2040*.
- *Strategic Plan Strategy 6.1.1*: Manage the transit system through service guidelines and performance measures.
    - *Service Design Guideline* – Routes should be designed in the context of the entire transportation system.
    - *Service Design Guideline* –Routes should serve connection points where riders can connect to frequent services, opening up the widest possible range of travel options.
    - *Service Design Guideline* – Routes should be designed to avoid competing for the same riders.

IMPACTED SERVICE AREA:

Rainier Beach, Columbia City, First Hill, Broadway

SERVICE CHANGE:

Delete midday service on Route 9X and use the resources to extend Route 38 to the International District on weekdays.

Alternative service is available on Route 7 between Rainier Beach and South Jackson Street/12th Avenue South. Alternate service is available on Route 60 and also the First Hill Streetcar between South Jackson Street/12th Avenue South and Broadway. Alternate service is available on Link Light Rail between Rainier Avenue South at the Mount Baker Link Station and the Capitol Hill Station.

ROUTE: 38

OBJECTIVES:

Revise service to provide improved transit connections between Southeast Seattle and the International District, in accordance with the Strategic Plan for Public Transportation, 2011-2021 and King County Metro Service Guidelines:

- *Strategic Plan Strategy 2.1.2*: Provide travel opportunities and supporting amenities for historically disadvantages populations, such as low-income people, students, youth, seniors, people of color, people with disabilities, and others with limited transportation options.
- *Strategic Plan Strategy 3.2.1*: Expand services to accommodate the region's growing population and serve new transit markets.
- *Strategic Plan Strategy 3.4.1*: Serve centers and other areas of concentrated activity, consistent with *Transportation 2040*.
- *Strategic Plan Strategy 5.1.1*: Provide service that is easy to understand and use.
- *Strategic Plan Strategy 6.1.1*: Manage the transit system through service guidelines and performance measures.
    - *Service Design Guideline* – Routes should be designed in the context of the entire transportation system.
    - *Service Design Guideline* –Routes should serve connection points where riders can connect to frequent services, opening up the widest possible range of travel options.
    - *Service Design Guideline* – Routes are more efficient when designed to serve multiple purposes and destinations rather than specialized travel demands.

IMPACTED SERVICE AREA:

Mount Baker, Rainier Valley, International District

SERVICE CHANGE:

Extend Route 38 on weekdays, during the peak and midday, to serve Rainier Avenue South and South Jackson Street between the Mount Baker Transit Center and the International District. All weekday peak and midday trips would be extended, while weekday evening and weekend service will continue to operate between Rainier Beach and the Mount Baker Transit Center, following the current alignment via South Henderson Street and Martin Luther King Jr. Way South. The extended trips would operate as express service, with limited stops along the routing between Mount Baker Transit Center and South Jackson Street/12th Avenue South.

Route 38
Unchanged routing
New routing - runs weekday (peak and midday). No night or weekend service
Link light rail and station
0
0.5
1
Miles
N
Chinatown-International District
International District Station
Yesler Way
S Jackson St
S Dearborn St
23rd Ave S
12th Ave S
6th Ave S
S Holgate St
5
Mount Baker
Rainier Ave S
S McClellan St
Mount Baker Transit Center
SODO Busway
S Spokane St
1st Ave S
Beacon Hill
S Genesee St
S Alaska St
Columbia City
Beacon Ave S
S Lucile St
Martin L King Jr Way S
Georgetown
S Michigan St
Corson Ave S
S Graham St
East Marginal Way S
Airport Way S
S Myrtle Pl
S Othello St
Rainier Beach
Renton Ave S
Seward Park Ave S
S Henderson St
Rainier Beach Station
51st Ave
Rainier Ave S
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CF: Ord38
March 14, 2016
King County

ROUTE: 243 Express

OBJECTIVES:

Improve the productivity of Metro Transit's network of bus routes by serving centers and areas of concentrated activity and through investments in partnership, consistent with the Strategic Plan for Public Transportation, 2011-2021 and King County Metro Service Guidelines:

- *Strategic Plan Strategy 3.1.1*: Through investments and partnerships with regional organizations, local jurisdictions and the private sector, provide alternatives to driving alone.
- *Strategic Plan Strategy 3.2.1*: Expand services to accommodate the region's growing population and serve new transit markets. Coordinate and develop services and facilities with other providers to create an integrated and efficient regional transportation system.
- *Strategic Plan Strategy 3.4.1*: Serve centers and other areas of concentrated activity, consistent with *Transportation 2040*.

IMPACTED SERVICE AREA:

Redmond, Kirkland, Bothell, Kenmore

SERVICE CHANGE:

Implement new Route 243 Express. Provide four northbound trips to Kenmore in the AM, and four southbound trips in the PM on weekdays.
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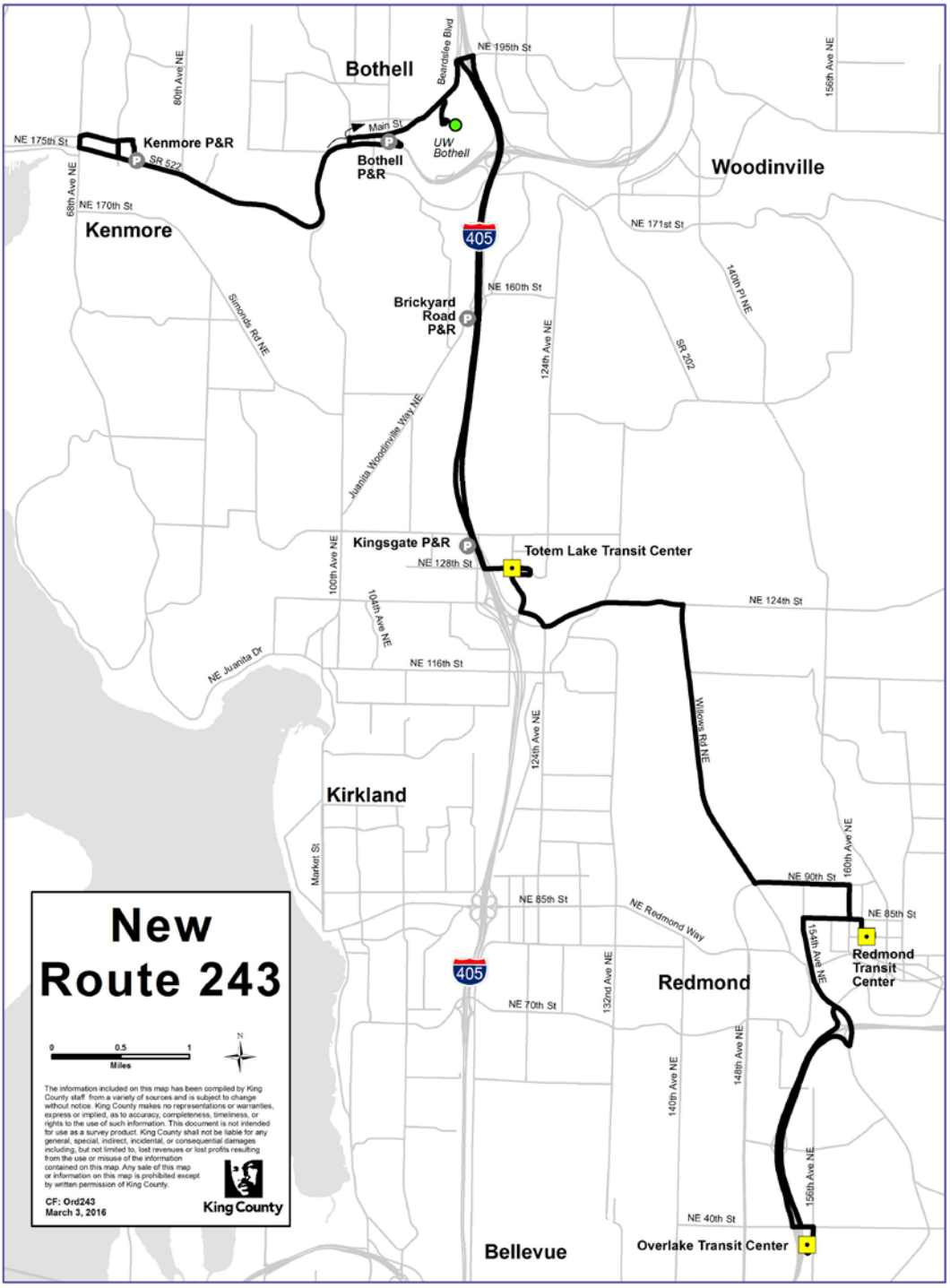
New
Route 243
0
0.5
1
Miles
N
The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.
CF: Ord243
March 3, 2016
King County
Bothell
Kenmore
Woodinville
Kirkland
Redmond
Bellevue
Kenmore P&R
Bothell P&R
UW Bothell
Brickyard Road P&R
Kingsgate P&R
Totem Lake Transit Center
Redmond Transit Center
Overlake Transit Center
NE 175th St
NE 170th St
NE 195th St
NE 171st St
NE 160th St
NE 128th St
NE 124th St
NE 116th St
NE 90th St
NE 85th St
NE 70th St
NE 40th St
80th Ave NE
68th Ave NE
Beardsley Blvd
Main St
SR 522
Simonds Rd NE
Juanita Woodinville Way NE
124th Ave NE
SR 202
140th Pl NE
156th Ave NE
100th Ave NE
104th Ave NE
NE Juanita Dr
Willows Rd NE
160th Ave NE
154th Ave NE
NE Redmond Way
132nd Ave NE
140th Ave NE
148th Ave NE
Market St
405

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ATTACHMENT 2

March 23, 2016

The Honorable Joe McDermott
Chair, King County Council
Room 1200
C O U R T H O U S E

Dear Councilmember McDermott:

This letter transmits an ordinance for Council approval for the September 2016 transit service changes. The ordinance seeks approval of changes that involve revisions to Route 9 Express and Route 38 in Southeast Seattle and the implementation of a new Route 243 servicing the Eastside.

The proposed service revisions in Southeast Seattle would be revenue neutral, using existing service hour resources. It is proposed that the midday service on Route 9 Express would be discontinued and that the resources saved would be reallocated to Route 38 to fund the extension of weekday trips between the Mount Baker Transit Center and the International District.

The extended weekday Route 38 trips will provide a direct connection between the Martin Luther King (MLK) Jr. Way South corridor in the Rainier Valley and the International District and south end of downtown Seattle. This improves the access to transit for many Metro customers in the Rainier Valley, where community organizations have been advocating for a direct connection between the MLK Jr. Way South corridor and the International District since the 2009 service revisions in Southeast Seattle associated with the start of Link light rail service. The proposed extension will provide more convenient bus service for many riders traveling between the various stores, services and social, health, cultural, and religious institutions along MLK Jr. Way South, Rainier Avenue South, and South Jackson Street.

The loss of midday service on Route 9 Express would be mitigated by the new options available for travel between the Rainier Avenue South corridor and First Hill/Capitol Hill via Route 7 and a transfer to either the First Hill Streetcar or Link with service to the Capitol Hill

Station. Peak period service on Route 9 Express, which is used by the majority of the route's riders, would be maintained.

The proposed revisions to Routes 9 Express and 38 are a result of an ongoing community dialogue with Southeast Seattle stakeholders and organizations that has taken place over the past several years. More recently, in the summer and fall of 2015, Metro staff worked with a community advisory group of Southeast Seattle stakeholders to review and shape the development of the proposal.

Also contained in the ordinance is a proposal to implement new route 243. Route 243 will serve three regional growth centers – Overlake, Redmond and Totem Lake – in addition to the University of Washington Bothell/Cascadia College and Kenmore. The new route is associated with a Transit Now partnership between Metro and the cities of Bellevue and Redmond. The cities of Bellevue and Redmond were awarded bus service hours in exchange for implementing transit speed and reliability investments on the RapidRide B Line corridor, and a portion of these service hours will be used to support this new service.

The proposed Route 243 will complement Route 244, which is also a weekday peak route. The routes will serve similar areas, but the Route 243 will also serve UW Bothell and downtown Redmond. Currently, the Route 244 operates southbound in the a.m. and northbound in the p.m. The Route 243 however will do the reverse, with northbound service in the a.m. and southbound in the p.m.

The revisions to the Route 9 Express and Route 38, as well as the implementation of new Route 243 are consistent with the Strategic Plan for Public Transportation 2011-2021 and King County Metro Service Guidelines as these will improve the productivity of Metro's network of bus routes by serving centers and areas of concentrated activity through investments in partnerships. The provision of new transit connections will also further the goals of the Strategic Climate Action Plan by making it possible for residents to choose transit more often and thereby reduce emissions. A summary of Metro Service Guidelines related to the ordinance are attached.

In accordance with U.S. Department of Transportation (USDOT) Title VI regulations (49 CFR Part 21) and King County Code and policy, Metro prepared the "September 2016 Services Change Title VI Service Equity Analysis," which is enclosed with this transmittal. In addition to ensuring compliance with USDOT Title VI regulations, the service equity analysis helps to ensure consistency with King County's goals related to equity and social justice. Identifying the relative impacts of proposed changes to low-income and minority communities is an important step in applying the "fair and just" principle as stated in the King County Strategic Plan 2010-2014.

Thank you for your consideration of this ordinance to approve the public transportation service changes for September 2016. If you have any questions, please feel free to contact Rob Gannon, Interim General Manager, King County Metro Transit Division, at 206-477-5911.

Sincerely,

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Dwight Dively, Director, Office of Performance, Strategy and Budget
Harold S. Taniguchi, Director, Department of Transportation (DOT)
Rob Gannon, Interim General Manager, Metro Transit Division, DOT
Victor Obeso, Deputy General Manager, Metro Transit Division, DOT

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2015/2016 FISCAL NOTE

Ordinance/Motion:
Title: September 2016 Public Transportation Service for King County
Affected Agency and/or Agencies: Transit Division
Note Prepared By: David VanderZee
Date Prepared: 3/17/2016
Note Reviewed By: Nitin Chadha
Date Reviewed: 3/17/2016

Description of request:

This fiscal note provides the financial impacts of the package of bus service changes being proposed for September 2016. Detail on the individual route changes can be found in the supporting materials. The service change includes services associated with the Southeast Seattle proposed network as well as the creation of new Route 243 in Redmond.

Revenue to:

Agency	Fund Code	Revenue Source	2015/2016	2017/2018	2019/2020
Public Transportation	0464	Fare Revenue	31,856	213,953	221,445
TOTAL			**31,856**	**213,953**	**221,445**

Expenditures from:

Agency	Fund Code	Department	2015/2016	2017/2018	2019/2020
Public Transportation	464	Transportation	93,331	632,374	670,886
TOTAL			**93,331**	**632,374**	**670,886**

Expenditures by Categories

	2015/2016	2017/2018	2019/2020
Salaries & Benefits	65,332	442,662	469,620
Supplies and Services	27,999	189,712	201,266
Other	0	0	0
TOTAL	**93,331**	**632,374**	**670,886**

Does this legislation require a budget supplemental? **No**

Net Hours		2016 (Current Year)	2017	2018
Hour changes in 2016, 2017 and 2018 are based on daily hours, including 79 weekdays, 17 Saturdays, and 17 Sunday/holidays in 2016; 256 weekdays, 52 Saturdays, and 57 Sunday/holidays in 2017; and 255 weekdays, 52 Saturdays and 58 Sunday/Holidays in 2018.	35' Diesel/Hybrid	0	0	0
	40' Diesel/Hybrid	694	2,250	2,250
	60' Diesel/Hybrid	0	0	0
	60' Diesel/Hybrid, RapidRide	0	0	0
	40' Trolley	0	0	0
	60' Trolley	0	0	0
	DART	0	0	0
Hourly Rate				
See notes below.	35' Diesel/Hybrid	$131.19	$135.13	$139.18
	40' Diesel/Hybrid	$134.42	$138.45	$142.60
	60' Diesel/Hybrid	$163.09	$167.98	$173.02
	60' Diesel/Hybrid, RapidRide	$157.21	$161.93	$166.79
	40' Trolley	$145.15	$149.51	$153.99
	60' Trolley	$157.78	$162.52	$167.39
	DART	$153.43	$158.04	$162.78
Salaries and Benefits				
Salaries and benefits in each year's marginal cost are estimates based upon a system wide average of 70% of the hourly rate.	35' Diesel/Hybrid	$91.84	$94.59	$97.43
	40' Diesel/Hybrid	$94.09	$96.92	$99.82
	60' Diesel/Hybrid	$114.16	$117.59	$121.12
	60' Diesel/Hybrid, RapidRide	$110.05	$113.35	$116.75
	40' Trolley	$101.61	$104.66	$107.79
	60' Trolley	$110.45	$113.76	$117.17
	DART	$107.40	$110.63	$113.95
Fare Revenue				
The average system wide fare paying ridership is estimated to be 37 rides per service hour. The average system wide fare is assumed to be $1.24 in 2016 and $1.24 in 2017. Average system-wide fares will rise to $1.33 in 2018 because of an assumed adult fare increase.		1.24	1.24	1.33

Notes:

Operating rates-

Rates are typically developed based on the adopted budget, and do not take into account any supplemental revisions that occur during a year. Such changes are reflected in the annual reconciliation.

The Operating rates are developed through an allocation process that identifies costs in a variety of cost pools that are spread across services (e.g. Access, Vanpool, Link, Streetcar, Motorbus and Trolley) through application of variables such as hours, miles or FTEs.

Revenues-

The above farebox revenues are estimates only and are based on the system wide estimated rides per service hour and average system wide fare as noted above.

Revenues shown above from the Regional Partnership Fund with the City of Seattle reflect reimbursement by the City of Seattle for 6,970 annual hours, as under the terms of that agreement.

Hours-

Annual hours also includes hours from the Regional Partnership Fund with the City of Seattle. Revenues from the Regional Partnership Fund reflect 6,970 annual hours paid for by the City of Seattle under that agreement.

2015/2016 FISCAL NOTE

Ordinance/Motion:
Title: September 2016 Public Transportation Service for King County
Affected Agency and/or Agencies: Transit Division
Note Prepared By: David VanderZee
Date Prepared: 3/17/2016
Note Reviewed By: Nitin Chadha
Date Reviewed: 3/17/2016

Description of request:

This fiscal note provides the financial impacts of the package of bus service changes being proposed for September 2016. Detail on the individual route changes can be found in the supporting materials. The service change includes services associated with the Southeast Seattle proposed network as well as the creation of new Route 243 in Redmond.

Revenue to:

Agency	Fund Code	Revenue Source	2015/2016	2017/2018	2019/2020
Public Transportation	0464	Fare Revenue	31,856	213,953	221,445
TOTAL			**31,856**	**213,953**	**221,445**

Expenditures from:

Agency	Fund Code	Department	2015/2016	2017/2018	2019/2020
Public Transportation	464	Transportation	93,331	632,374	670,886
TOTAL			**93,331**	**632,374**	**670,886**

Expenditures by Categories

	2015/2016	2017/2018	2019/2020
Salaries & Benefits	65,332	442,662	469,620
Supplies and Services	27,999	189,712	201,266
Other	0	0	0
TOTAL	**93,331**	**632,374**	**670,886**

Does this legislation require a budget supplemental? **No**

Net Hours		2016 (Current Year)	2017	2018
Hour changes in 2016, 2017 and 2018 are based on daily hours, including 79 weekdays, 17 Saturdays, and 17 Sunday/holidays in 2016; 256 weekdays, 52 Saturdays, and 57 Sunday/holidays in 2017; and 255 weekdays, 52 Saturdays and 58 Sunday/Holidays in 2018.	35' Diesel/Hybrid	0	0	0
	40' Diesel/Hybrid	694	2,250	2,250
	60' Diesel/Hybrid	0	0	0
	60' Diesel/Hybrid, RapidRide	0	0	0
	40' Trolley	0	0	0
	60' Trolley	0	0	0
	DART	0	0	0
Hourly Rate				
See notes below.	35' Diesel/Hybrid	$131.19	$135.13	$139.18
	40' Diesel/Hybrid	$134.42	$138.45	$142.60
	60' Diesel/Hybrid	$163.09	$167.98	$173.02
	60' Diesel/Hybrid, RapidRide	$157.21	$161.93	$166.79
	40' Trolley	$145.15	$149.51	$153.99
	60' Trolley	$157.78	$162.52	$167.39
	DART	$153.43	$158.04	$162.78
Salaries and Benefits				
Salaries and benefits in each year's marginal cost are estimates based upon a system wide average of 70% of the hourly rate.	35' Diesel/Hybrid	$91.84	$94.59	$97.43
	40' Diesel/Hybrid	$94.09	$96.92	$99.82
	60' Diesel/Hybrid	$114.16	$117.59	$121.12
	60' Diesel/Hybrid, RapidRide	$110.05	$113.35	$116.75
	40' Trolley	$101.61	$104.66	$107.79
	60' Trolley	$110.45	$113.76	$117.17
	DART	$107.40	$110.63	$113.95
Fare Revenue				
The average system wide fare paying ridership is		1.24	1.24	1.33

Notes:

Operating rates-

Rates are typically developed based on the adopted budget, and do not take into account any supplemental revisions that occur during a year. Such changes are reflected in the annual reconciliation.

The Operating rates are developed through an allocation process that identifies costs in a variety of cost pools that are spread across services (e.g. Access, Vanpool, Link, Streetcar, Motorbus and Trolley) through application of variables such as hours, miles or FTEs.

Revenues-

The above farebox revenues are estimates only and are based on the system wide estimated rides per service hour and average system wide fare as noted above.

Revenues shown above from the Regional Partnership Fund with the City of Seattle reflect reimbursement by the City of Seattle for 6,970 annual hours, as under the terms of that agreement.

Hours-

Annual hours also includes hours from the Regional Partnership Fund with the City of Seattle. Revenues from the Regional Partnership Fund reflect 6,970 annual hours paid for by the City of Seattle under that agreement.

FISCAL NOTE

Ordinance/Motion No. 00-	
Title: September 2016 Public Transportation Service for King County	
Affected Agency and/or Agencies:	Transit
Note Prepared By:	David VanderZee
Note Reviewed By:	Nitin Chadha

Impact of the above legislation on the fiscal affairs of King County is estimated to be:

Revenue to:

Fund/Agency	Fund	Revenue	2016 (Current Year)	2017	2018	2019
Public Transportation	4640	Fare Revenue	$ 31,856	$ 103,230	$ 110,723	$ 110,723
TOTAL			**31,856**	**103,230**	**110,723**	**110,723**

Expenditures from:

Fund/Agency	Fund	Department	2016 (Current Year)	2017	2018	
Public Transportation	4640	Transit	*$ 93,331*	*$ 311,514*	*$ 320,860*	*$ 330,486*
TOTAL			**93,331**	**311,514**	**320,860**	**330,486**

Expenditures by Categories

	2016 (Current Year)	2017	2018	
Salaries & Benefits	*$ 65,332*	*$ 218,060*	*$ 224,602*	*$ 231,340*
Supplies and Services	*$ 27,999*	*$ 93,454*	*$ 96,258*	*$ 99,146*
Other				
TOTAL	**93,331**	**311,514**	**320,860**	**330,486**

Assumptions:

Net Hours		2016 (Current Year)	2017	2018	
Hour changes in 2016, 2017 and 2018 are based on daily hours, including 79 weekdays, 17 Saturdays, and 17 Sunday/holidays in 2016; 256 weekdays, 52 Saturdays, and 57 Sunday/holidays in 2017; and 255 weekdays, 52 Saturdays and 58 Sunday/Holidays in 2018.	35' Diesel/Hybrid	0	0	0	0
	40' Diesel/Hybrid	694	2,250	2,250	2,250
	60' Diesel/Hybrid	0	0	0	0
	60' Diesel/Hybrid, RapidRide	0	0	0	0
	40' Trolley	0	0	0	0
	60' Trolley	0	0	0	0
	DART	0	0	0	0

Hourly Rate

See notes below.	35' Diesel/Hybrid	$131.19	$135.13	$139.18	$143.36
	40' Diesel/Hybrid	$134.42	$138.45	$142.60	$146.88
	60' Diesel/Hybrid	$163.09	$167.98	$173.02	$178.21
	60' Diesel/Hybrid, RapidRide	$157.21	$161.93	$166.79	$171.79
	40' Trolley	$145.15	$149.51	$153.99	$158.61
	60' Trolley	$157.78	$162.52	$167.39	$172.41
	DART	$153.43	$158.04	$162.78	$167.66

Salaries and Benefits

Salaries and benefits in each year's marginal cost are estimates based upon a system wide average of 70% of the hourly rate.	35' Diesel/Hybrid	$91.84	$94.59	$97.43	$100.35
	40' Diesel/Hybrid	$94.09	$96.92	$99.82	$102.82
	60' Diesel/Hybrid	$114.16	$117.59	$121.12	$124.75
	60' Diesel/Hybrid, RapidRide	$110.05	$113.35	$116.75	$120.25
	40' Trolley	$101.61	$104.66	$107.79	$111.03
	60' Trolley	$110.45	$113.76	$117.17	$120.69
	DART	$107.40	$110.63	$113.95	$117.36

Fare Revenue

The average system wide fare paying ridership is estimated to be 37 rides per service hour. The average system wide fare is assumed to be $1.24 in 2016 and $1.24 in 2017. Average system-wide fares will rise to $1.33 in 2018 because of an assumed adult fare increase.	1.24	1.24	1.33	1.33

Notes:

Operating rates-

Rates are typically developed based on the adopted budget, and do not take into account any supplemental revisions that occur during a year. Such changes are reflected in the annual reconciliation.

The Operating rates are developed through an allocation process that identifies costs in a variety of cost pools that are spread across services (e.g. Access, Vanpool, Link, Streetcar, Motorbus and Trolley) through application of variables such as hours, miles or FTEs.

Revenues-

The above farebox revenues are estimates only and are based on the system wide estimated rides per service hour and average system wide fare as noted above.

Sum of Annual Changes	Weekday	Saturday	Sunday	Annual Total	Peak
9EX	-11,160	0	0	-11,160	
38	10,910	0	0	10,910	
243	2,500	0	0	2,500	
Total	2,250	-	-	**2,250**	

Fleet Type	Total Weekday	Total Saturday	Total Sunday
35' Diesel/Hybrid			
40' Diesel/Hybrid	2,250		
40' Trolley			
40'/60' Hybrid			
40'/60' Trolley			
60' Diesel/Hybrid			
60' Diesel/Hybrid, RapidRide			
60' Trolley			
DART			
Grand Total			

Spring 2016 Service/2016 Service	0.30859375	0.320754717	0.298245614	
2016 Service Prorated				
35' Diesel/Hybrid	0	0	0	0
40' Diesel/Hybrid	694	0	0	694
40' Trolley	0	0	0	0
40'/60' Hybrid	0	0	0	0
40'/60' Trolley	0	0	0	0
60' Diesel/Hybrid	0	0	0	0
60' Diesel/Hybrid, RapidRide	0	0	0	0
60' Trolley	0	0	0	0
DART	0	0	0	0
				694

Scenario: 40'/60' hours split evenly

Spring 2016 Service/2016 Service	0	0	0	
2016 Service Prorated				
35' Diesel/Hybrid	0	0	0	0
40' Diesel/Hybrid	694	0	0	694
40' Trolley	0	0	0	0
60' Diesel/Hybrid	0	0	0	0
60' Diesel/Hybrid, RapidRide	0	0	0	0
60' Trolley	0	0	0	0
DART	0	0	0	0
				694

1234.375

Scenario: 40'/60' hours split evenly **Full year**				
2016 Service Prorated				
35' Diesel/Hybrid	0	0	0	0
40' Diesel/Hybrid	2,250	0	0	2,250
40' Trolley	0	0	0	0
60' Diesel/Hybrid	0	0	0	0
60' Diesel/Hybrid, RapidRide	0	0	0	0
60' Trolley	0	0	0	0
DART	0	0	0	0
				2,250

2016 Budget Costs (for distribution/billing purposes)

	1-Factor Fully Allocated	1-Factor Direct	
AllKC (excl DART)	$148.33	$102.43	
Motorbus Blended Rate	$148.07	$103.71	
Trolley Blended Rate	$150.10	$93.48	
30'	$131.19	$88.87	35' Diesel/Hybrid
40'Diesel/Hybrid	$134.42	$91.52	40' Diesel/Hybrid
60'Diesel	$159.53	$115.05	
60'Hybrid	$163.09	$118.36	60' Diesel/Hybrid
60' RapidRide	$157.21	$106.86	60' Diesel/Hybrid, RapidRide
40' Trolley	$145.15	$88.76	40' Trolley
60' Trolley	$157.78	$100.81	60' Trolley
DART	$153.43	$153.43	DART

DSTT per hour	$1.67
SLU Streetcar	$269.42

2016 Budget Costs (2-factor rates)

	2-Factor FullyAllocated		2-Factor Direct	
	PerHour	PerMile	PerHour	PerMile
All KC Bus (excl. DART)	$109.36	$3.14	$63.47	$3.14
Motorbus Blended Rate	$107.84	$3.06	$63.47	$3.06
Trolley Blended Rate	$120.09	$4.32	$63.47	$4.32
30'	$105.80	$1.57	$63.47	$1.57
40'Diesel/Hybrid	$106.37	$2.48	$63.47	$2.48
60' Diesel	$107.96	$3.73	$63.48	$3.73
60' Hybrid	$108.21	$3.64	$63.47	$3.64
60' RapidRide	$113.83	$3.53	$63.47	$3.53
40'Trolley	$119.87	$4.16	$63.47	$4.16
60'Trolley	$120.45	$4.49	$63.47	$4.49

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ATTACHMENT 4

September 2016 Public Transportation Service Changes

Title VI Service Equity Analysis

March 2016

King County METRO

Introduction

Federal Transit Administration (FTA) Circular 4702.1B, Chapter V, Section 7 requires transit agencies serving large urbanized areas to evaluate major service changes and to determine whether proposed changes would have a discriminatory impact as defined in the United States Department of Transportation's Title VI regulations.

In accordance with these FTA regulations, this report summarizes Metro's service equity analysis of service changes proposed for the September 2016 service change submitted to the King County Council for approval. Metro is proposing changes to service in Southeast Seattle, as well as a new peak only route in East King County.

Equity and social justice are key priorities for the King County Executive and the King County Council. In addition to assuring compliance with federal Title VI regulations, the service equity analysis also helps to ensure consistency with King County's goals related to equity and social justice. Identifying the relative impacts of proposed changes to low-income and minority communities is an important step in applying the "fair and just" principle as stated in the King County Strategic Plan 2010-2014. This analysis is part of an integrated effort throughout King County to achieve equitable opportunities for all people and communities.

Metro's proposed changes in Southeast Seattle were informed by a public engagement effort in late 2015 and early 2016 which included but was not limited to a survey, public meetings, information tables and posting of rider alerts at bus stops. These outreach activities and the feedback generated will be summarized in a public engagement report, which will be submitted to the King County Council along with the service change ordinance.

Service Guidelines Overview

The 2013 update to King County Metro's *Strategic Plan for Public Transportation, 2011-2021* and related service guidelines outline the methodology Metro uses to evaluate service changes, consistent with FTA Title VI requirements (FTA Circular 4702.1B). The most relevant excerpts from the service guidelines are included below.

Implementation

Metro revises service three times each year—in spring, summer, and fall. The summer service change coordinates with the summer schedule for the University of Washington, because service is adjusted each summer on routes serving the UW. In cases of emergency or time-critical construction projects, Metro may make changes at times other than the three regularly scheduled service changes. However, these situations are rare and are kept to a minimum because of the high level of disruption and difficulty they create. Metro will

identify and discuss service changes that address performance-related issues in its annual route performance report.[1]

Any proposed changes to routes are subject to approval by the Metropolitan King County Council except as follows (per King County code 28.94.020):

- Any single change or cumulative changes in a service schedule which affect the established weekly service hours for a route by 25 percent or less.
- Any change in route location which does not move the location of any route stop by more than one-half mile.
- Any changes in route numbers.

Adverse Effect of a Major Service Change

An adverse effect of a major service change is defined as a reduction of 25 percent or more of the transit trips serving a census tract, or 25 percent or more of the service hours on a route.

Disparate Impact Threshold

A disparate impact occurs when a major service change results in adverse effects that are significantly greater for minority populations than for non-minority populations. Metro's threshold for determining whether adverse effects are significantly greater for minority compared with non-minority populations is 10 percent. Should Metro find a disparate impact, Metro will consider modifying the proposed changes in order to avoid, minimize or mitigate the disparate impacts of the proposed changes.

Metro will measure disparate impacts by comparing changes in the number of trips serving minority or non-minority census tracts, or by comparing changes in the number of service hours on minority or non-minority routes. Metro defines a minority census tract as one in which the percentage of minority population is greater than that of the county as a whole. For regular fixed route service, Metro defines a minority route as one for which the percentage of inbound weekday boardings in minority census tracts is greater than the average percentage of inbound weekday boardings in minority census tracts for all Metro routes.

Disproportionate Burden Threshold

A disproportionate burden occurs when a major service change results in adverse effects that are significantly greater for low-income populations than for non-low-income populations. Metro's threshold for determining whether adverse effects are significantly

[1] The proposed 2016 Service Guidelines update will reflect that Metro has two service changes per year; Spring and Fall.

greater for low-income compared with non-low-income populations is 10 percent. Should Metro find a disproportionate burden, Metro will consider modifying the proposed changes in order to avoid, minimize or mitigate the disproportionate burden of the proposed changes.

Metro will measure disproportionate burden by comparing changes in the number of trips serving low-income or non-low-income census tracts, or by comparing changes in the number of service hours on low-income or non-low-income routes. Metro defines a low-income census tract as one in which the percentage of low-income population is greater than that of the county as a whole. For regular fixed route service, Metro defines a low-income route as one for which the percentage of inbound weekday boardings in low-income census tracts is greater than the average percentage of inbound weekday boardings in low-income census tracts for all Metro routes.

I. Service Change Area and Routes

Affected Areas

The proposed changes will affect 27 census tracts with a total population of about 137,000 residents.

Affected Routes

Metro is proposing changes to two routes in Southeast Seattle - Route 9 Express, and Route 38 – and a new route in East King County (Route 243). On Route 9 Express, Metro provides approximately 16,400 annual service hours, and the route generates about 740,000 annual rides based on spring 2015 ridership data. Route 38 is a new route Metro will be implementing in March 2016, so ridership data for this route are not yet available.

II. Threshold 1: Is this a Major Service Change? YES

For the purposes of complying with FTA Circular 4702.1B, Chapter IV, Metro defines any change in service as "major" if King County Council approval of the change is required pursuant to KCC 28.94.020.

The proposed changes meet all criteria for a major service change by Metro and FTA definitions. Appendix A lists the specific routes being changed in September 2016.

III. Threshold 2: Are Minority or Low-Income Census Tracts Affected? YES

Classifying minority and low income census tracts

Metro classifies census tracts as minority tracts if the percentage of the population that is minority within a tract is greater than the percentage for King County as a whole. Based on the American Community Survey five-year average for 2009-2013 data, 35.8 percent of the population is classified as minority within the county as a whole. Similarly, Metro classifies census tracts as low-income tracts if the percentage of the population classified as low-income

(living at or below the poverty threshold) within a tract is greater than the percentage for King County as a whole. Based on the American Community Survey five-year average for 2009-2013, 11.5 percent of the population is classified as low-income within the county as a whole.

The proposed service changes addressed in this report will affect the level of service provided to 27 King County census tracts currently served by Metro. The low-income and minority characteristics of affected census tracts are provided in Table 1 below.

Table 1. Low-Income and Minority Characteristics of Affected Census Tracts

Census Tract Classification				
Total Census Tracts Affected	Minority & Low-income	Minority ONLY	Low-income ONLY	Neither Minority nor Low-income
27	14	5	3	5

IV. Threshold 3: Is there a Disproportionate Burden on Low-Income Populations or a Disparate Impact on Minority Populations? NO

The determination as to whether the proposed changes resulting in a reduction in service would have a disparate impact on minority populations was made by comparing changes in the number of Metro bus trips serving minority and non-minority census tracts. Similarly, the determination as to whether the proposed changes resulting in a reduction in service would have a disproportionate burden on low-income populations was made by comparing changes in the number of Metro bus trips serving low-income and non-low-income census tracts. The March 2016 service change was used as the baseline for calculating the change in trips.

Impacts are summarized in Tables 2 and 3 below and in Figures 1 and 2. No census tracts will be adversely affected by proposed changes to Metro bus service. Because no minority census tracts were adversely affected, Metro's analysis indicates that the impacts of the project would not have a disparate impact on minority populations. Likewise, because no low-income census tracts were adversely affected, Metro's analysis indicates that the impacts of the project would not place a disproportionate burden on minority populations.

Notes for Tables 2 and 3

1. An adverse effect is defined as a reduction of 25 percent or more in trips per week.
2. Tracts are classified as low-income or minority when the percentage of low-income or minority persons in the tract is greater than the percentage of low-income or minority persons in the county as a whole.
3. A disproportionate burden occurs when the percentage of low-income tracts with adverse effects is more than 10 percentage points greater than the county-wide percentage of low-income tracts.
4. A disparate impact occurs when the percentage of minority tracts with adverse effects is more than 10 percentage points greater than the county-wide percentage of minority tracts.

Impacts of Proposed Changes for September 2016

Table 2. Impacts of the September 2016 Service Change on Low-Income Populations

Category[2]	Tracts with Adverse Effects[1]	% of tracts adversely affected	% of tracts system-wide	Difference	Disproportionate Burden[3]?
Low-Income	0	N/A	37%	N/A	**NO**
Non-Low-Income	0	N/A	63%		
Total	0	N/A	100%		

Table 3. Impacts of the September 2016 Service Change on Minority Populations

Category[2]	Tracts with Adverse Effects[1]	% of tracts adversely affected	% of tracts system-wide	Difference	Disparate Impact[4]?
Minority	0	N/A	45%	N/A	**NO**
Non-Minority	0	N/A	55%		
Total	0	N/A	100%		

Figure 1. Impact of proposed changes on minority census tracts.

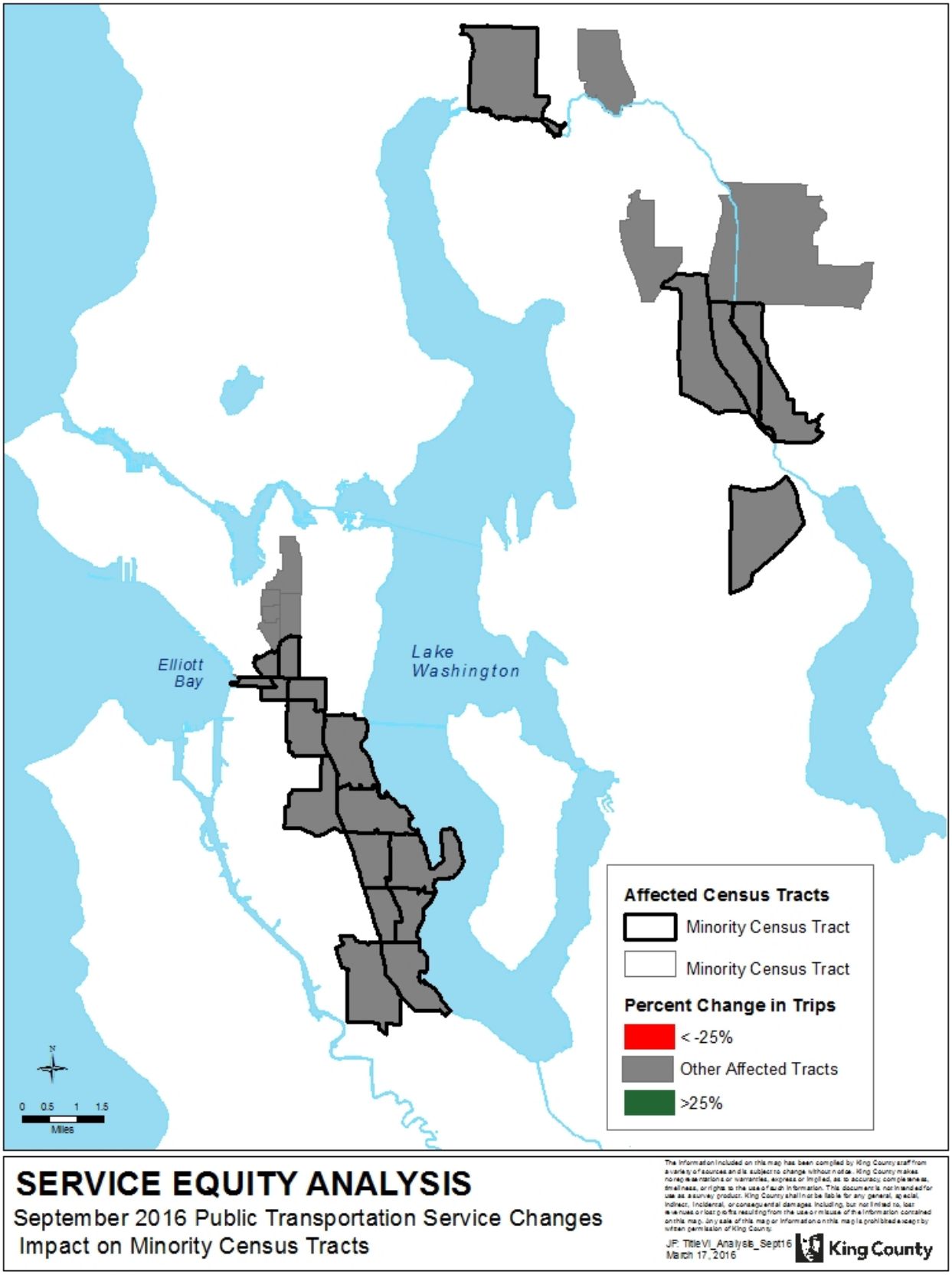
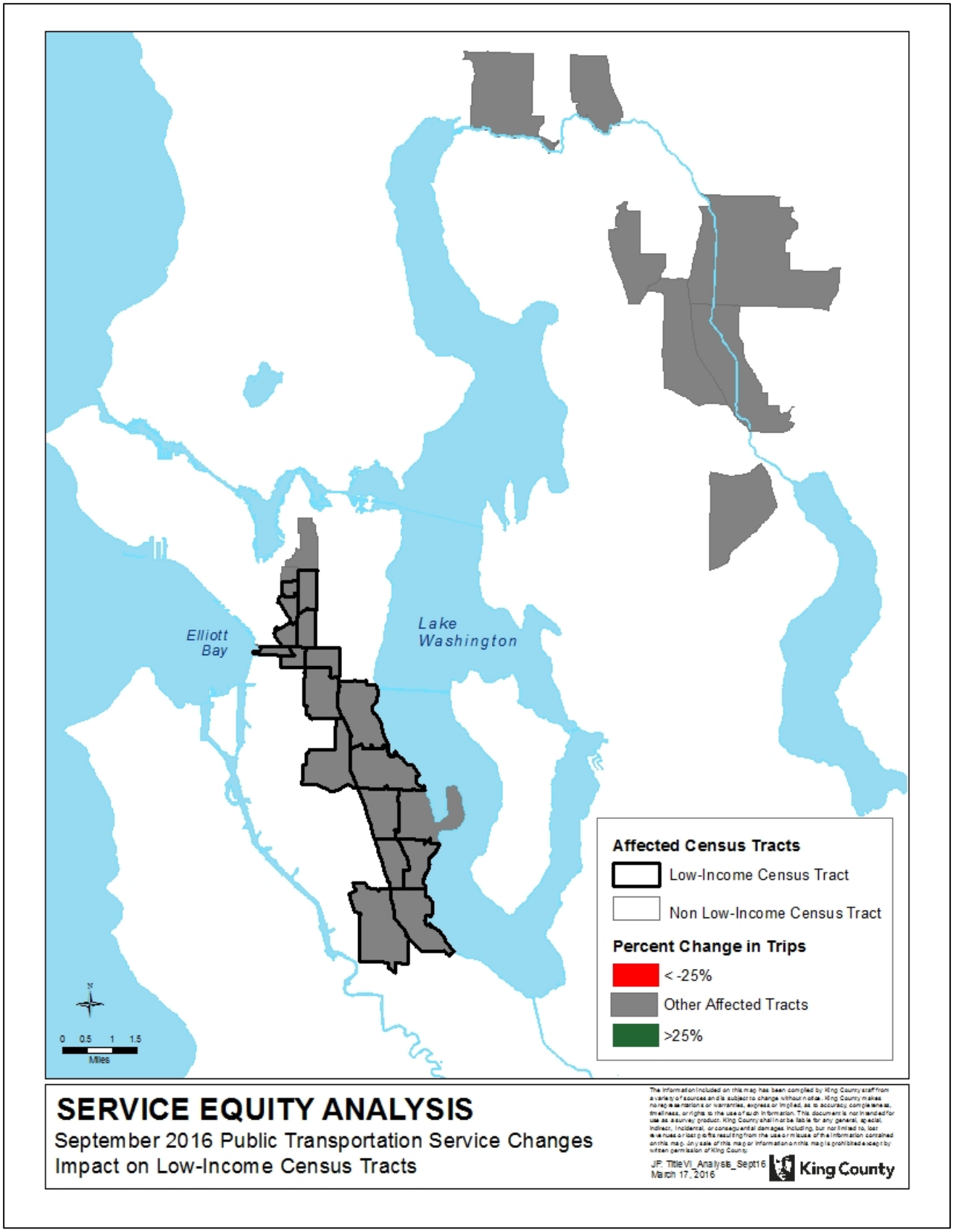


Figure 2. Impact of proposed changes on low-income census tracts.



APPENDIX A: Affected Routes and Alternatives

Route	Action	Alternatives
9X	Delete midday service on Route 9X and use the resources to extend Route 38 to the International District on weekdays.	Alternative service is available on Route 7 between Rainier Beach and South Jackson Street/12th Avenue South. Alternate service is available on Route 60 and also the First Hill Streetcar between South Jackson Street/12th Avenue South and Broadway. Alternate service is available on Link Light Rail between Rainier Avenue South at the Mount Baker Link Station and the Capitol Hill Station.
38	Extend Route 38 on weekdays, during the peak and midday, to serve Rainier Avenue South and South Jackson Street between the Mount Baker Transit Center and the International District. All weekday peak and midday trips would be extended, while weekday evening and weekend service will continue to operate between Rainier Beach and the Mount Baker Mount Baker Transit Center, following the current alignment via South Henderson Street and Martin Luther King Jr. Way South. The extended trips would operate as express service, with limited stops along the routing between Mount Baker Transit Center and South Jackson Street/12th Avenue South.	N/A
243	Implement new Route 243 Express. Provide about four northbound trips to Kenmore in the AM, and about four southbound trips in the PM on weekdays.	N/A

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ATTACHMENT 5

Southeast Seattle Bus Changes

Public Engagement Report

Prepared by

King County Department of Transportation Communications

March 2016

NARRATIVE SECTION ONLY - APPENDIX CAN BE FOUND AS PART OF THE LEGISLATIVE RECORD FOR PROPOSED ORDINANCE 2016-0199

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Executive Summary

Since June 2012, Metro has been working with community organizations and listening to transit riders and the general public to find out how Metro can help people get around better in southeast Seattle. We learned that people want better connections between downtown Seattle, Martin Luther King Jr. Way South (MLK Way) and Renton. People also said they want more convenient bus service to stores, services and the many social, health, cultural and religious activities along MLK Way.

In May 2016, Metro convened a community advisory group that met three times to advise us about a set of proposed changes to fixed-route bus service and a timeline for implementation. The advisory group did not reach consensus that the proposed changes should be adopted; rather, they said the proposal was the best possible set of changes to put forward to the community for feedback.

The proposed changes attempted to address unmet needs for people traveling between downtown Seattle, MLK Way and Renton within Metro's current service funding limits. They also took into consideration changes in transit infrastructure, such as Link light rail serving Capitol Hill and the University of Washington and First Hill Streetcar serving Capitol Hill, First Hill, the International District and Pioneer Square.

Southeast Seattle service change proposal for September 2016:

- **Revise Route 106** – Move the route to serve the Rainier Valley and the International District via MLK Jr. Way S, Rainier Avenue S, and S Jackson Street. The route would no longer serve Beacon Hill and Georgetown. A revised Route 106 buses would come more often—every 15 minutes during the day on weekdays and Saturday and every 30 minutes at night. The revised route would replace today's Route 8 (and the future Route 38).

- **Revise Route 107** –Extend the route beyond Rainier Beach through south Beacon Hill to the Beacon Hill Link light rail station. This revision would replace the segment of Route 106 that currently serves these communities. A revised Route 107 would come more often—every 15 minutes on weekdays during peak periods (northbound in the morning and southbound in the afternoon) and every 30 minutes at night.

- **Add trips to Route 124** – Increase weekday peak and evening service on Route 124 to maintain the same level of service provided today between Georgetown and downtown Seattle by the combination of routes 106 and 124.

- **Replace southern segment of Route 8(and the future Route 38)** – Today's Route 8 will be split into two routes in March 2016. The southern part of Route 8 between Rainier Beach and Mount Baker Transit Center will become the new Route 38. The northern part of Route 8 between Mount Baker Transit Center and Seattle Center will continue to operate under its current route number and will

come more often. If the revision Route 106 and the other elements of this proposal are approved, the new Route 38 would be replaced by a revised Route 106 in September 2016.

- **Reduce Route 9X** – Decrease the route so it would operate during peak periods only. This reduction in service would help cover the cost of the proposed changes to routes 106, 107 and 124. During the day and in the evenings at non-peak times, Route 9X riders could use Route 7 and the First Hill Streetcar to travel between Rainier Valley and First Hill. Link light rail will also go to Capitol Hill, stopping near Seattle Central College.

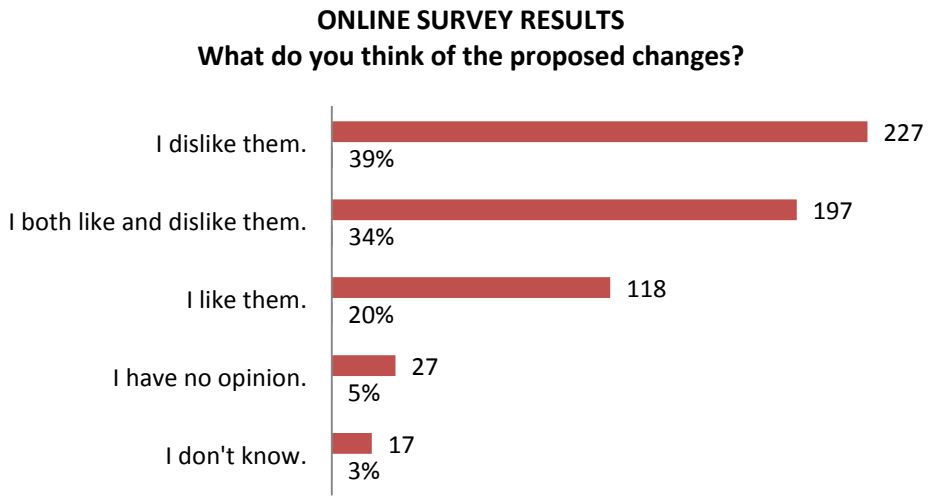
From November 23, 2015, through January 10, 2016, Metro solicited feedback on this proposal via:

- **An online survey** –674 responses
- **Public meetings** –public open house on Dec. 9 at the Filipino Community Center with 30+ attendees, and Georgetown Community Council-hosted public information session on Dec. 15
- **Trusted advocate[*] outreach sessions and surveys** –feedback heard from approximately 250 people accessing services along MLK Way through face-to-face conversations and paper surveys of clients
- **Phone, email, and written correspondence** –input received from more than 100 residents as well as official letters from the Greater Duwamish District Council, Georgetown Community Council, International Community Health Services and Transit for All

We received more than 1,000 comments during this outreach period in total.

The information from our online survey results and those who took the time to call or write reveal a tradeoff in service that people find difficult to make. We heard that while people desired more convenient transit access between downtown Seattle, MLK Way, and Renton, they do not wish to see the route(s) they currently use reduced or changed. In the online survey results below, we saw a plurality of participants disliking the proposal.

[*] The term "trusted advocate" in this outreach process means an organization that Metro contracted with to lead engagement of its community in a public process. These "trusted advocates" have deep connections into their communities as organizers and/or advocates and have demonstrated their abilities to navigate cultural and language distances. They have the confidence of their people.



In contrast, the results of our trusted advocate outreach indicate that a majority of those accessing services along MLK Way said proposed revisions to routes 106 and 107 would make it easier – less travel time, fewer transfers, shorter distance to walk – for them to access these services and provide new, valuable connections to communities and services between Renton and MLK Way.

The following summarizes **what people liked** about the proposal:

By route

- Increased service on a revised Route 106 through Skyway is needed.
- Increased service connecting 15th Avenue S on Beacon Hill to light rail on a revised Route 107.
- Bringing a revised Route 107 further north would be better than today's routing.
- Increased service as proposed on Route 124 is needed.

In general

- New, one-bus connection between Renton and MLK Way would be great.
- One-bus connection between MLK Way and the International District would make it easier – less travel time, fewer transfers, shorter distance to walk – for populations accessing services along MLK Way.
- Proposed Route 106 would provide better neighborhood connectivity in southeast Seattle between Renton, Rainier Beach and MLK Way.
- Proposal is supported by International Community Health Services, Transportation Choices Coalition, Puget Sound Sage, Asian Counseling and Referral Service, Filipino Community of Seattle, One America, Asian Pacific Islander Coalition Advocating Together for Healthy Communities, and Mothers for Police Accountability.

The following summarizes **what people disliked** about the proposal:

By route

- Reducing Route 9 to peak-only is a concern. The route currently operates as an express option through Rainier Valley with direct service to First Hill and Capitol Hill. Don't want to trade a quick, one-seat option for a slower, "less safe" two-seat option and no new connections.
- Riders of Route 106 who live in south Beacon Hill will need to transfer to get to downtown Seattle.
- Riders of Route 106 in Georgetown lose a connection to the Downtown Seattle Transit Tunnel and Skyway/Renton. The addition of trips to Route 124 are not an adequate replacement. In addition, Route 124 feels less safe than Route 106.
- Concern about reliability of service on proposed Route 106.
- Feedback that the proposal provides redundant service between Mount Baker Transit Center and the International District; those resources should be used to provide new or different connections.

In general

- Why create new Route 38 only to replace it six months later? Can revisions to routes 8 and 106 be made at the same time to avoid confusion?
- Criticism as to whether this proposal is consistent with Metro's Service Guidelines.
- Every community affected in this proposal has a high percentage of people of color and with low or no income; doing something to help some of these populations is coming at the expense of doing harm to others.
- With the passing of Seattle's Proposition 1, no community should see a reduction in their service, specifically Georgetown and the Rainier Avenue S corridor.
- Proposal is opposed by Georgetown Community Council and the Greater Duwamish District Council.

This report outlines Metro's approach, activities and the results of our engagement on changes proposed to routes 9X, 38, 106, 107 and 124. Ultimately, the King County Executive is forwarding an ordinance that would reduce Route 9X and extend Route 38 to the International District on weekdays only. This recommendation limits impacts of these changes to Route 9X riders only. Midday riders of Route 9X will continue to have frequent service options to get between the Rainier Valley and First Hill via service provided by Route 7 and the First Hill Streetcar, or with a connection to Link light rail that serving Capitol Hill.

Outreach Plan and Activities

Overview

Since June 2012, Metro has been working with community organizations and listening to transit riders and the general public to find out how Metro can help people get around better in southeast Seattle. We learned that people want better connections between downtown Seattle, Martin Luther King Jr. Way South (MLK Way) and Renton. People also said they want more convenient bus service to stores, services and the many social, health, cultural and religious activities along MLK Way.

Changes are being made in the transit system that affect communities across the Metro service area. Sound Transit's Link light rail began new service to Capitol Hill and the University of Washington on March 19, and Metro has changed bus routes in northeast Seattle and Capitol Hill to work better with Link starting March 26. The First Hill Streetcar is now running between Pioneer Square and Capitol Hill via the International District, Little Saigon, and First Hill. With all of these changes, Metro convened a community advisory group in May 2015 to advise us on how we might reallocate resources to take advantage of these changes and address unmet travel needs in southeast Seattle between Renton, MLK Way, and downtown Seattle.

The community advisory group helped us shape a proposal that we took to the public for feedback starting in November 2015. At first, the public comment period was scheduled to conclude at the end of December 2015. At the request of community members, we extended the public comment period to January 10, 2016. This report summarizes the feedback we received on proposed changes to routes 9X, 38, 106, 107, and 124 through the outreach process.

Background and timeline

The public engagement phase this report summarizes was preceded by four years of outreach and community engagement in southeast Seattle. This period of outreach was built upon the following outreach work including:

- **June 2012** – Route 42 was discontinued
- **Summer – Fall 2012** – Metro hosted conversations with community members and agencies to understand how people are using transit, the barriers they face, improvements that would make it easier to use transit, how people are paying their fares, and the best ways to communicate with English language learners. Read the report »
- **Fall 2013** – Metro conducted a survey of riders on Route 8 and worked with community organizations to survey other riders.

- **2013 – 2014** – We asked for public feedback on proposed Metro service reductions across the county, and received positive comments on a proposal to extend Route 106 to downtown Seattle via Martin Luther King Jr. Way S and Yesler Way.

- **2012 – 2014** – Metro met with the Transit for All working group.

This report documents the following period of outreach:

- **May – July 2015** – Metro formed a community advisory group, including representatives from Transit for All, to inform a bus change proposal for public consideration.

- **November 2015 – January 2016** – Metro solicits public feedback on the bus change proposal.

Engagement goals

The goals of our engagement were to:

- Test support for a community-generated idea to better connect Renton, MLK Way, and downtown Seattle by revising Route 106.

- Improve access to opportunity for populations and communities who need it most - building on the work of the previous four years to better understand mobility needs and transportation barriers in southeast Seattle by proposing fixed route bus changes that could address some of those barriers.

- Be transparent and clear about the timeline for this work and how it is interrelated with other recent, current and future plans and projects that affect riders in this area.

- Educate the public about ORCA and ORCA LIFT program and the increased mobility options using an ORCA card to pay your fare offers.

Notifications – how we let people know they could participate

- **Metro Have a Say Website content** – Information about the project, the proposed changes, how to provide input (including a link to an online survey), and a timeline for decision making was made available at http://www.kingcounty.gov/metro/seseattle2015

- **Media and social media** – The Metro Matters blog, Twitter, and Facebook were used to announce and promote opportunities to give feedback. (A history of blog posts related to our work in Southeast Seattle is available at

https://metrofutureblog.wordpress.com/category/southeast-seattle/) (See Appendix E for media coverage and social media statistics)

- **Rider alerts at bus stops** – Metro posted rider alerts describing the proposed changes, detailing opportunities to comment, and project contact information at stops with 50 or more daily boardings serving the affected routes. (See Appendix F for a copy of the rider alert)

- **Mailer to key community locations** – Metro mailed the rider alert and a multi-lingual handout to key locations in the community such as libraries, schools, and community centers with a request to make information available to those served by these locations.

- **E-notifications to route subscribers** – Metro sent a transit alert to email and SMS text message subscribers of routes 8, 9X, 106, 107 and 124 at the launch of the public comment period on Nov. 23, 2015, and when the comment period was extended on Dec. 22, 2015, with a reminder to participate. Approximately 5,120 individuals received these notifications resulting in a 20% open rate.

- **Outreach to stakeholders in the affected area** – At the launch of the public comment period, Metro contacted major employers, neighborhood and district community councils, community-based organizations, social/human/health service providers, and schools in the project area to inform them of the opportunity to participate and provide comment with a request to help engage those they serve.

Feedback methods – how people shared their opinions

- **Online survey** – 674 people completed an online survey to share their opinion about the changes being proposed and how those changes will affect their use of transit. (See Appendix A: Survey Questions and Answers for details.)

- **Public open house** – Metro hosted a public open house on December 9, 2015, from 6-8 p.m., at the Filipino Community Center where people could learn more and comment on the proposed changes. Approximately 30 people attended this meeting. (See Appendix D: Trusted Advocate Session and Public Meeting Notes.)

- **Phone, email, correspondence** – People called and wrote to share their views on the proposed changes. We received more than 100 comments. (See Appendix B: Emails, Phone Calls, and Letters Received.)

- **Trusted advocate outreach** – Metro invited organizations in the project area who serve populations with limited or no English proficiency to engage those they serve in learning about and commenting on the changes. Metro used a set of questions about the proposed changes as a guide to work with each organization to design a culturally-appropriate way to receive feedback from those they serve.

  Participating organizations:

  - Asian Counseling and Referral Service (ACRS)
  - Filipino Community Center
  - El Centro de la Raza

  Invited organizations that did not participate:

  - Lighthouse for the Blind
  - Refugee Women's Alliance
  - International Community Health Services
  - Oromo Community Center
  - Ethiopian Community Center

- **Stakeholder events by request** – Georgetown Community Council and the Georgetown Merchants Association asked Metro to attend an open house they hosted for their community from 6-8 p.m. on December 15, 2015. Metro staff also attended the Georgetown Community Council meeting on January 25 to brief attendees on the proposal, answer questions, and listen to comments.

About our Trusted Advocate Outreach

Approximately 250 people provided feedback on the proposed changes in a series of listening sessions at ACRS and the Filipino Community Center and the offering of paper surveys by El Centro de la Raza. Metro staff facilitated conversation at small and large group sessions in multiple languages at ACRS and the Filipino Community Center. El Centro de la Raza distributed paper surveys to their clients receiving social services along with a description of the proposal. (Read details of each session, participant demographics, conversation notes, and paper survey results in Appendix D.)

About our Community Advisory Group

Metro convened a community advisory group in May 2015. This group met three times between May and July 2015 to help shape the service change proposal, the timeline and the outreach process. The group was not asked to form a consensus, nor did they come to consensus that the proposed changes should be adopted. As such, they do not have any official statements or positions on the proposal. (Meeting notes and handouts are available in Appendix C.)

Southeast Seattle Community Advisory Group members:

- Dick Burkhart, former Sounding Board member and Othello neighborhood resident
- Emma Catague, Filipino Community Center
- Joanna Cullen, Squire Park Community Council and Central Area Transit Coalition
- Jeff Keever, Seattle Central College
- Peggy Martinez, Lighthouse for the Blind
- Pear Moraras, International Community Health Services
- Diane Narasaki, Asian Counseling and Referral Service
- Shefali Ranganathan, Transportation Choices Coalition
- Karen Westling, Swedish Hospital

Invited, but unable to participate in meetings:

- Rich Stolz, One America
- Neph Drummer, Seattle University
- Mahnaz Eshetu, Refugee Women's Alliance
- Rebecca Saldana, Puget Sound Sage
- Patrice Thomas, SEED Seattle

About Equity and Social Justice

Routes 8, 9X, 106, 107, and 124 operate in some of the most linguistically-diverse ZIP codes in the region. Metro invested in a combination of trusted advocate outreach, rider alerts with proposal details posted at bus stops, some translated project information,

and the use of multi-lingual phone lines to make this engagement process accessible to English language learners, seniors, people with little or no income, and those who are not electronically connected.

Trusted advocates helped us ensure we heard from people who would be directly impacted by these changes in culturally and language-appropriate ways.

We researched census tract data and took advice from community advisory group members on languages to include in translated materials accompanied by multi-lingual phone lines. The multi-lingual handout (available in Appendix F) included the following languages:

- Amharic
- Cambodian/Khmer
- Chinese
- Hmong
- Korean
- Oromo
- Somali
- Spanish
- Tagalog
- Tigrinya
- Vietnamese

Public Feedback Summary

Who we heard from

Online survey participants

More than 670 people responded to our online survey about the proposed changes.

Ninety-nine percent of respondents identified as riders of buses or light rail. The following percentage of respondents indicated they ride the affected route occasionally (less than once a week), one or two days a week, or three or more days a week:

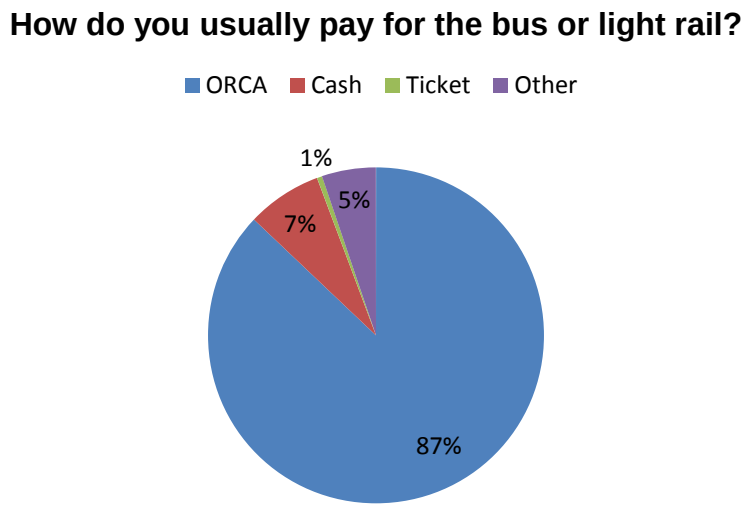
- 52% ride Route 8
- 42% ride Route 9X
- 50% ride Route 106
- 15% ride Route 107
- 23% ride Route 124

Respondents indicated they use transit for the following reasons:

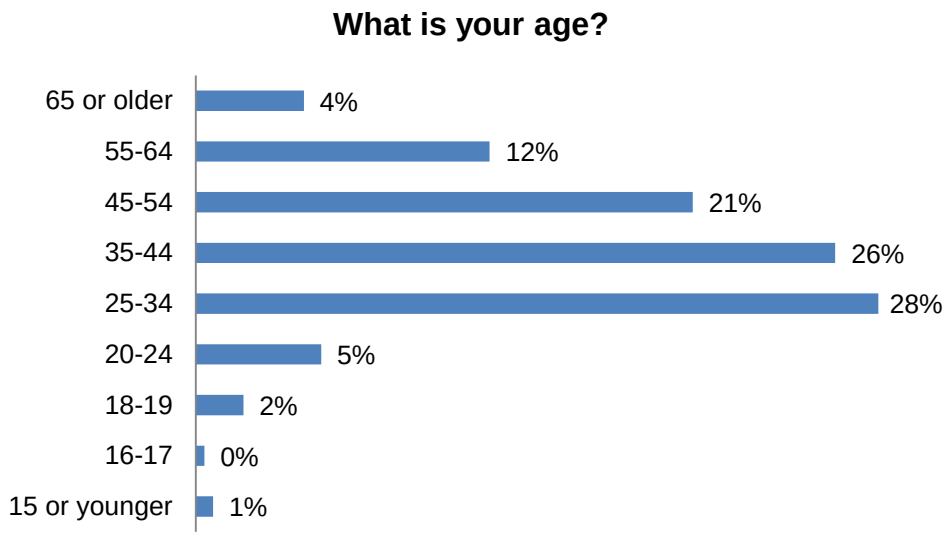
- Eight out of 10 respondents use transit to get to/from work.
- Seven out of 10 respondents use transit for fun, recreational, or social activities and for shopping or errands.
- Five out of 10 respondents use transit for medical appointments and special events.
- Two out of 10 respondents use transit to get to/from school.
- One out of 10 respondents use transit to get to/from church, look for a job, or get to/from a food bank.

The largest number of respondents (one out of three) indicate they live in the Rainier Valley (ZIP code 98118); the second largest number of respondents (one out of five) indicated they live outside of the project area by selecting “other” as their survey answer; and, the third largest number of respondents (almost one out of five) live in the Georgetown/Beacon Hill area (ZIP code 98108).

To help fulfill our goal of educating people about the advantages of using an ORCA card, we asked how people pay their fare. If a respondent indicated that they paid with cash or tickets, they were provided information about the advantages of ORCA, different types of ORCA products, and where to get them. Eight percent of respondents received this educational information.

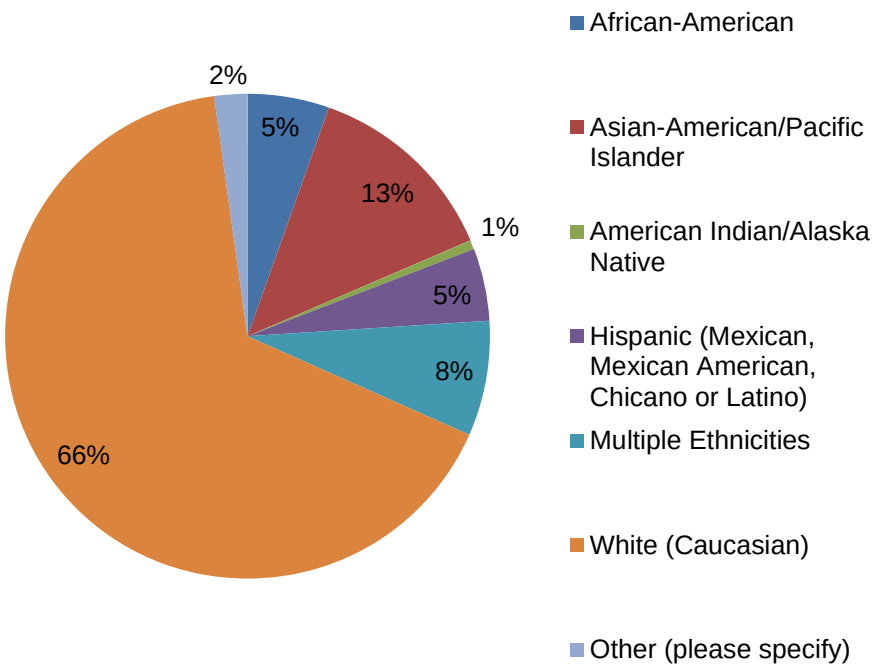


Respondents in the online survey who chose to answer demographic questions tell us they reflect the following ages, disabilities, race/ethnicities, primary languages, household incomes and transit dependency:



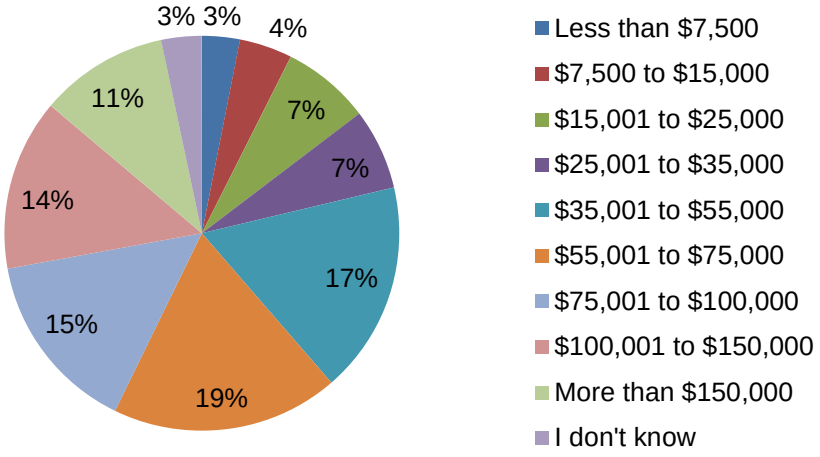
Twenty five percent indicate they have a disability (mobility, vision, hearing or cognitive).

Do you consider yourself...



Ninety three percent speak English as their primary language at home. Four percent speak Chinese (Mandarin, Cantonese, etc.). And, one percent or less speak Vietnamese, Spanish, Korean, Oromo, Tigrinya, Cambodian, Somali, or Tagalog.

What is your annual household income?



Thirty percent of respondents do not have access to a car or truck, while the other seventy percent have access to one or more.

Trusted Advocate outreach participants

Asian Counseling and Referral Service and the Filipino Community Center facilitated eight listening sessions. Metro staff were invited to help explain the proposed changes and answer questions. Agency staff facilitated and provided interpreting services for each session. These sessions engaged more than 200 people currently accessing services or attending events at either location. Sessions were facilitated in Tagalog, Mandarin, Cantonese, Vietnamese, Lao, Mien and Korean. Attendees ranged in age, although a majority were seniors.

El Centro de la Raza provided paper surveys along with a description of the proposed changes to clients receiving social and health services at their on-site clinic. We received approximately 30 completed surveys. Participants ranged in age and spoke the following languages: Spanish, English, Chinese, French and Vietnamese.

What we heard

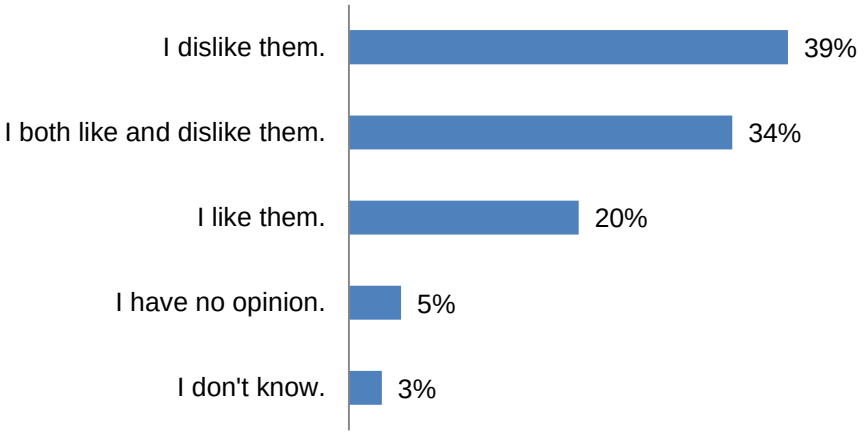
One important note about the feedback we received on this proposal relates to the change proposed to the new Route 38. At the time of outreach, the county had recently decided to split Route 8 into two routes and create new Route 38 to run between Mount Baker Transit Center and Rainier Beach as part of a bus restructure to accompany new light rail service to Capitol Hill and the University of Washington. Route 8 will be split and new Route 38 starts operating on March 26.

In the service change proposal for southeast Seattle we asked for feedback on an option to delete new Route 38 service in September of 2016 and replace it with service on a revised Route 106. Some comments and survey responses we received showed that not all people understood that the decision to split Route 8 and create new Route 38 had already been made. Comments specifically related to this are not a focus of this report.

What people think of the proposed changes

We asked outreach participants what they thought of the changes as a whole. In general, online survey participants and commenters supported the idea of providing better connections between Renton, MLK Way, and downtown Seattle. However, many current riders of routes 9X and 106 north of Rainier Beach said they were unwilling to see their bus routes reduced or changed to meet this need.

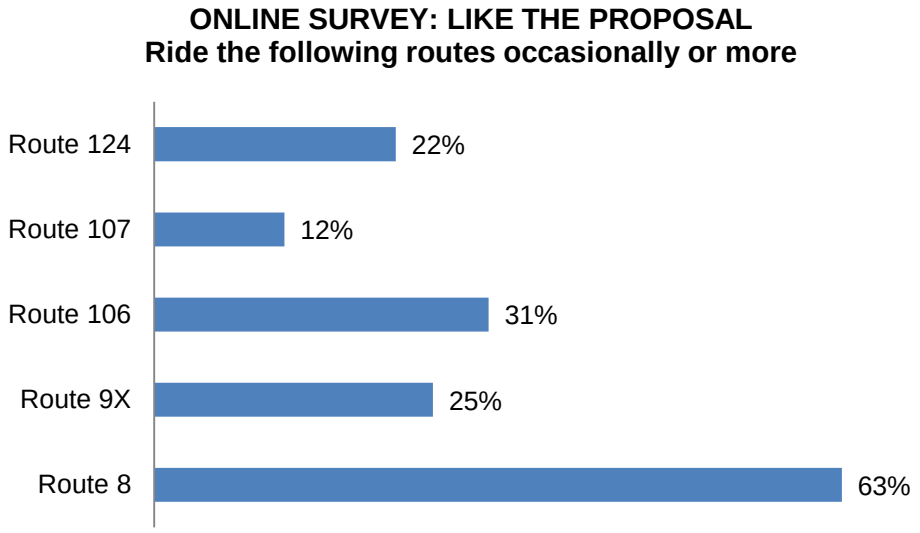
ONLINE SURVEY:
What do you think of the proposed changes?



In contrast to online participants people accessing services along MLK Way and on Beacon Hill who travel from all over the county to find culturally-appropriate services shared a different perspective. They said the proposed changes to Routes 106 and 107 would make their transit use more convenient because of shorter travel times, fewer transfers and shorter distances to walk from a stop to their final destination. A majority of those we spoke with said the revised 106 and 107 in the proposal would better connect them to places where they have access to opportunity. There was a general sense – even if the changes didn't affect the person we were speaking with – that these changes would be better for their "community."

What people like about the proposed changes

One hundred eighteen online survey respondents liked the proposed changes. They lived in the Central Area, North Rainier and Mount Baker (ZIP code 98144), Rainier Valley (ZIP code 98118), Georgetown and Beacon Hill (ZIP code 98108), Capitol Hill and the Central Area (ZIP code 98122), and Skyway (ZIP code 98178).



They told us the top destinations (mentioned ten or more times) they travel to by transit are:

- Downtown Seattle
- Capitol Hill
- University of Washington

When asked why they like the proposed changes, they us told in order of preference that these changes will:

- Improve reliability of their service
- Increase their options
- Provide them with buses that come more often
- Provide connections to new destinations and better connections to light rail

In particular, people on Beacon Hill who live along 15th Avenue South said they would appreciate more frequent connections to light rail and new connections by one bus between south and north Beacon Hill neighborhoods and businesses.

Riders using Route 106 south of Rainier Beach said they would welcome the bus coming more often. Riders on Route 124 said this route is in need of more service to address overcrowding and reliability issues.

People we spoke with at ACRS and the Filipino Community Center tell us that being able to take one bus route from Renton or the International District to reach these locations will save them time, reduce the number of buses they take to complete their trip, and reduce the distance they have to walk once they get off the bus or light rail to reach their final destination.

Their experiences and thoughts are documented in Appendix D. They describe today's reality for many historically underserved populations who rely on transit to access opportunity – such as food, jobs, training, healthcare and affordable housing. They live in the south part of the county where housing is more affordable, they travel by 2 or 3 buses to reach the lunch program or behavioral health class they participate in at ACRS, and it takes them two hours or more to make the trip. Their trip may be too long for them to make the trip within the two hour transfer window.

We heard about how participants' families are moving south. From some, we heard about how attendance at the programs they frequent has dropped since bus options between Skyway, MLK Way, and downtown Seattle were reduced.

Their stories are confirmed by the organizations that serve them and represent them in advocating for policies that make transit service more equitable.

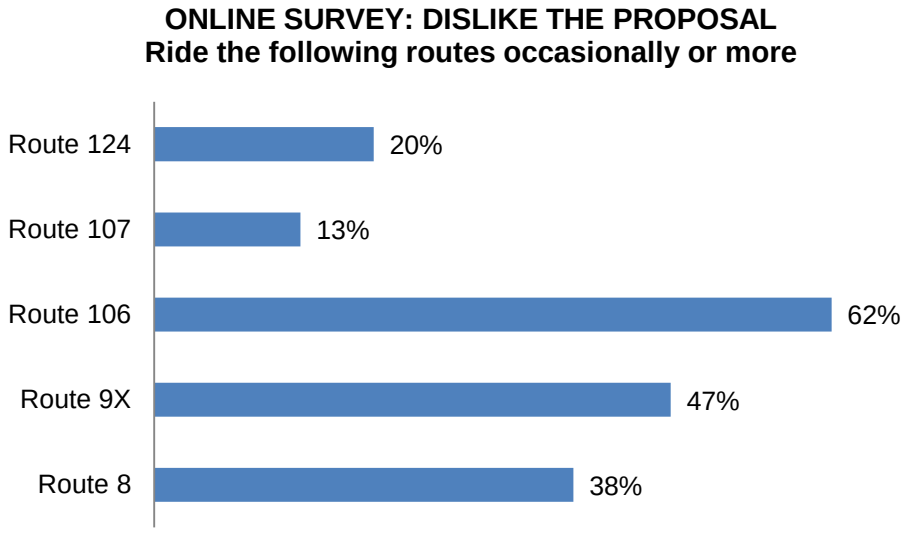
The following organizations wrote to Metro to express their support for the service change proposal:

- Asian Counseling and Referral Services
- Transportation Choices Coalition
- Puget Sound Sage
- One America
- International Community Health Services
- Filipino Community of Seattle
- Mothers for Police Accountability
- Asian Pacific Islander Coalition Advocating Together for Healthy Communities

They shared data about how communities of color and people with low or no income are moving south. They shared details about the thousands of people they serve every day in the International District and along MLK Way whose access to their locations would be improved by the proposed changes.

What people dislike about the proposal

Two hundred twenty five online survey respondents told us they dislike the proposed changes. They live in Rainier Valley (ZIP code 98118), Georgetown and Beacon Hill (ZIP code 98108), Rainier Beach/Skyway (ZIP code 98178), and the Central Area (ZIP code 98144).



They told us the top destinations (mentioned ten more times) they travel to by transit are:

- Downtown Seattle
- First Hill
- Capitol Hill
- International District
- Rainier Beach
- Georgetown
- South Lake Union

When asked why they dislike the proposed changes, we heard most frequently:

- Do not reduce Route 9X, this route needs more service not less

Following this top concern were others – listed in order from most commented on to least – where people said the proposed changes would:

- Increase the number of times I have to transfer to get where I need to go
- Make it harder to get to Georgetown
- Increase my travel time and the number of people on my bus
- Eliminate service where I need to go
- Remove my access to the downtown core/Downtown Seattle Transit Tunnel
- Duplicate other service
- Cause hardship
- Be discriminatory or create social justice issues
- Cause me to feel unsafe taking the bus or transferring between services
- Have negative impacts on seniors or people with disabilities

We heard the following concerns by route:

Route 9

- Reducing Route 9 to peak-only is a cut to valuable service needed in the Rainier Valley
- The route currently operates as an express option through Rainier Valley with direct service to First Hill and Capitol Hill, connecting employees and patients to First Hill hospitals, as well as employees and students to Seattle University and Seattle Central College at all hours of the day
- Desire not to trade a quick, one-seat option for a slower, “less safe” two-seat option and no new connections

Route 106

- Riders of Route 106 who live in south Beacon Hill will need to transfer to get to downtown Seattle
- Riders of Route 106 in Georgetown lose a connection to the Downtown Seattle Transit Tunnel and Skyway and Renton
- The addition of trips to Route 124 is not an adequate replacement for a loss of service in Georgetown
- Route 124 feels less safe than Route 106
- Concern about reliability of service on proposed Route 106

In general, people expressed the following sentiments that were not route specific:

- This proposal provides redundant service between Mount Baker Transit Center and the International District; those resources should be used to provide new or different connections
- Why create the new Route 38 only to replace it six months later? Can revisions to routes 8 and 106 be made at the same time to avoid confusion?
- Criticism as to whether this proposal is consistent with Metro’s Service Guidelines
- Every community affected in this proposal has a high percentage of people of color and with low or no income; doing something to help some of these populations is coming at the expense of doing harm to others
- With the passing of Seattle’s Proposition 1, no community should see a reduction in their service, specifically Georgetown and the Rainier Avenue South corridor

These comments were supported in letters we received from the Georgetown Community Council and the Greater Duwamish District Council, which both said they opposed the proposal. In addition to concerns about reductions in service to their communities, the two organizations said they would like to be a part of the conversation to figure out how to address every community’s needs. They are especially concerned that this proposal pits communities against each other for limited resources.

Ideas for change

Many of the people we heard from could see the value in increasing transit service and options for communities in the south part of the county to access services and activities along MLK Way. There were some who felt extending Route 106 north of the Mount Baker Transit Center on a different pathway – possibly along Yesler or Boren to South Lake Union instead of to the International District – would make these proposed changes less redundant and provide new connections that don't exist today. Others wouldn't mind reductions in Route 9X service, if there were better east-west options for Rainier Valley residents to connect with light rail service. These and other service restructure ideas were documented and shared with Metro service planners.

A contrast could be noted to distinguish outreach participants who felt their service should not be changed, only increased, and those who felt like improvements to the network might be warranted. The latter advocated for a longer, more inclusive, multi-phase engagement process to restructure service so all communities would have the opportunity to fully participate and more communities' needs could be taken into consideration.

ATTACHMENT 6

September 2016 Service Change Proposal

King County TrEE Committee

April 5, 2016

King County METRO

We'll Get You There.

September 2016 Service Change Proposal

The proposed September 2016 Service Change includes the following changes:

- Revisions to Routes 9 Express and Route 38 in Southeast Seattle
- The implementation of new Route 243 on the Eastside

Southeast Seattle Service Revisions – The Need for Change

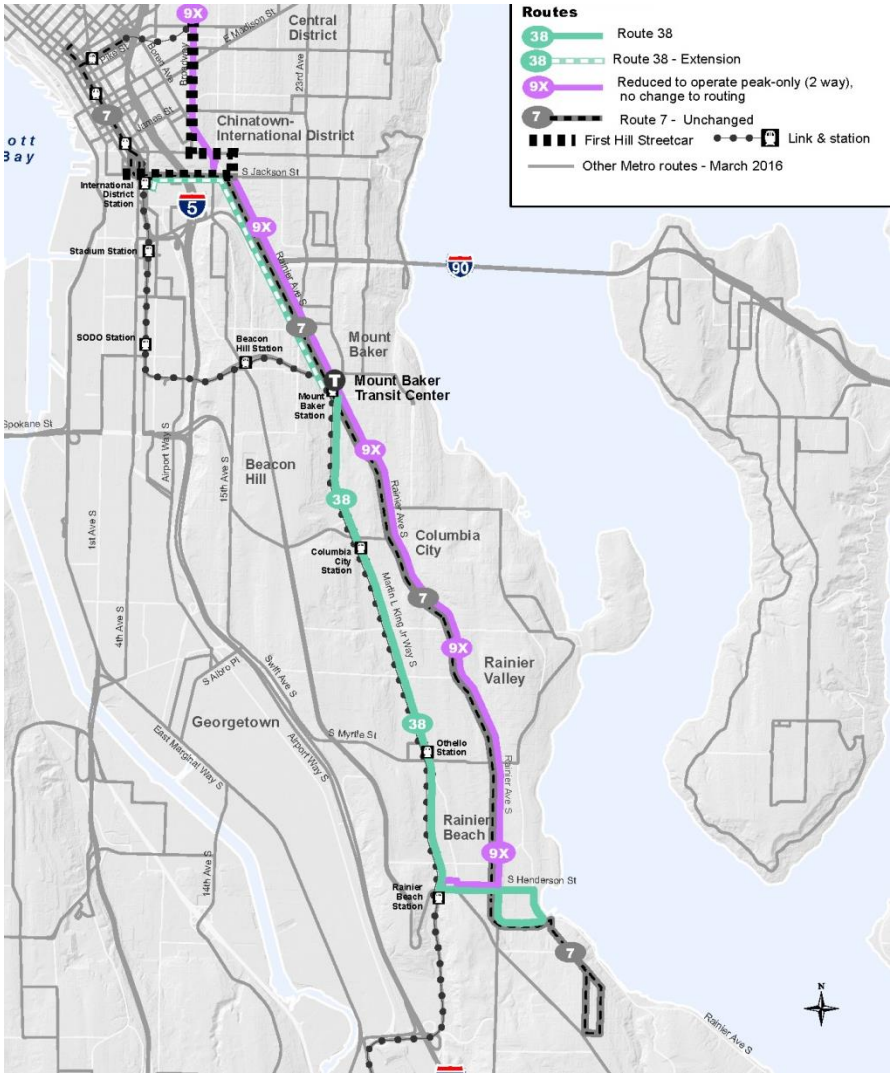
The Proposal is an outcome of Metro's ongoing outreach in Southeast Seattle

- Organizations have advocated for changes since the 2009 service revisions with the start of Link light rail service
- Metro has worked with community groups to develop new service concepts
- Re-establishes a direct connection between the MLK corridor and the International District
- Listening to riders and engaging the community is consistent with Metro's Service Guidelines

Southeast Seattle Service Revisions

The proposed Southeast Seattle service revisions involve changes to Routes 9 Express and 38

- Route 9 Express – reduced to operate peak only
- Route 38 – weekday extension beyond Mount Baker Transit Center to the International District via Rainier Avenue South and South Jackson Street



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Route 9 Express – Service Reduced

Midday service on Route 9 Express would be discontinued – service would operate peak only

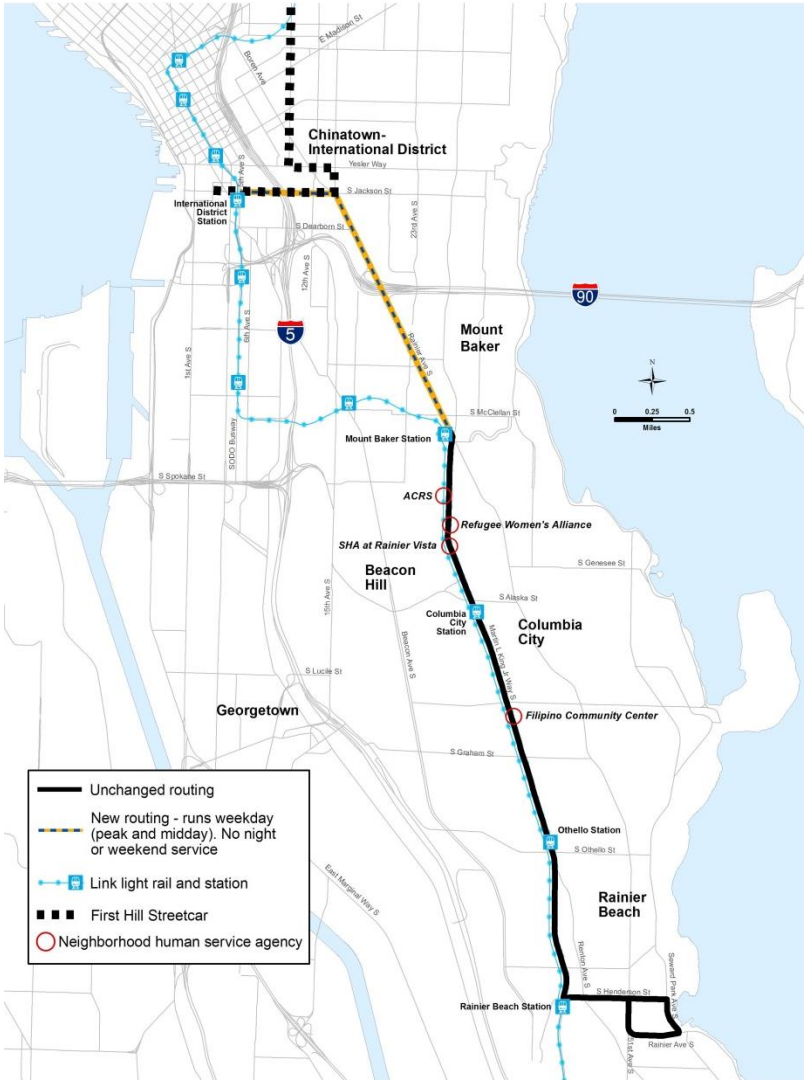
- Peak period service would continue to operate - serves the majority (59%) of the Route's riders
- Frequent service on the corridor is available via Route 7 with new connections to the First Hill Streetcar or Link serving the Capitol Hill Station
- The resources saved by discontinuing the midday service would be used to provide the extended service on Route 38

King County METRO We'll Get You There.

Route 38 – Service Extended

On weekdays Route 38 would be extended between the Mount Baker Transit Center and the International District

- Weekday service would operate between Mount Baker Transit Center and the International District.
- In the evening and on weekends, all service will continue to terminate at Mount Baker Transit Center with transfer opportunities to Link and other service
- Service would operate as a limited stop express between Mount Baker Transit Center and 12th Avenue South & South Jackson Street



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Southeast Seattle Service Revisions – Summary

Summary of the major elements of the proposal

- New direct transit connection between the Martin Luther King Jr. Way South corridor and the International District
- Benefits a historically low income population/community of color with improved access for many riders traveling within Southeast Seattle
- Loss of midday Route 9 Express service mitigated with new transit options to/from First Hill/ Capitol Hill via Route 7 and connections with either the First Hill Streetcar or Link serving the Capitol Hill Station
- Uses existing service hour resources, reallocated among routes operating within Southeast Seattle

Southeast Seattle Service Revisions – Community Engagement

The proposal is an outcome of a collaborative effort between King County Metro and Southeast Seattle Community Organizations

- Since June 2012, Metro has been working with the community to identify ways of improving transit service in Southeast Seattle
- In May 2016, Metro convened a community advisory group to develop a proposal submitted for public outreach starting the past November
- The current service proposal has subsequently been shaped by the community and public input Metro has received since November

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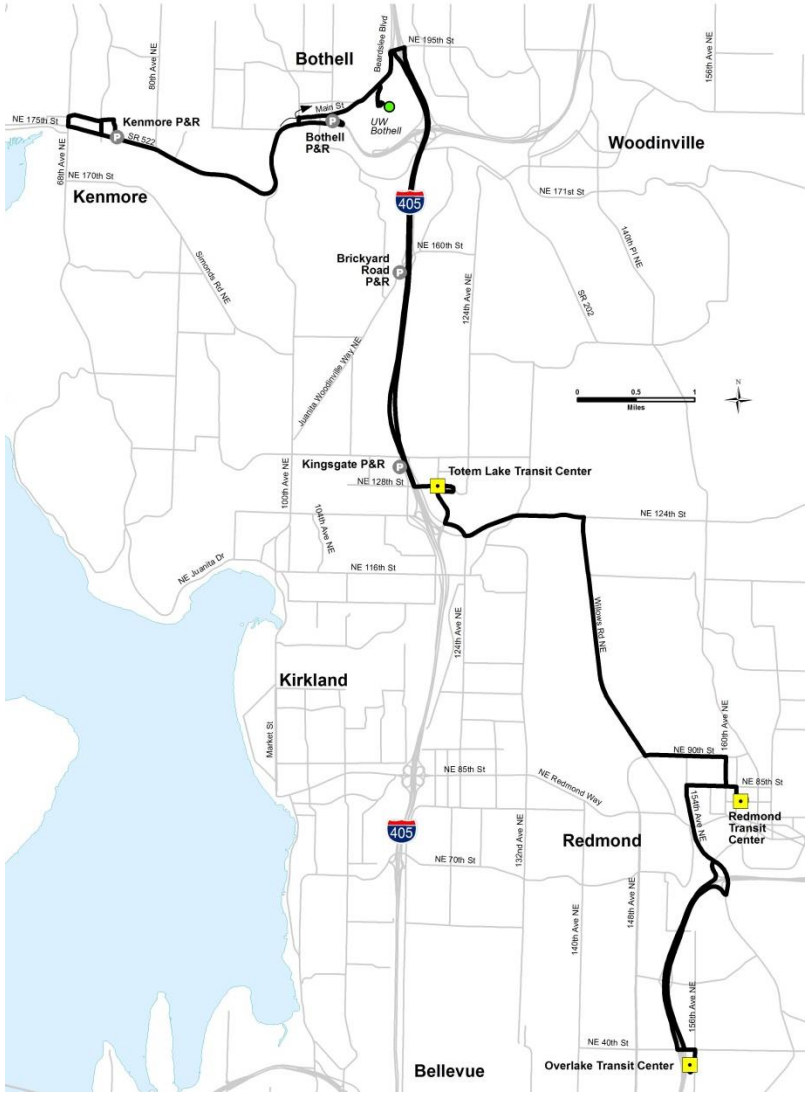
New Route 243

The proposed September 2016 Service Change also includes new Route 243

- Peak service operating on the Eastside between Kenmore and Redmond, northbound in the a.m. and southbound in the p.m.
- Serves three regional growth centers: Overlake, Redmond and Totem Lake, plus UW Bothell / Cascadia Community College and Kenmore
- Service would be provided through a Transit Now partnership between Metro and the Cities of Bellevue and Redmond.



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King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	11	**Name:**	Beth Mountsier
Proposed No.:	2016-0016	**Date:**	April 5, 2016

SUBJECT

This ordinance would approve the Ship Canal Water Quality Joint Project Agreement (JPA) and authorize the Executive to enter into the agreement to have Seattle Public Utilities design, construct, own and manage a combined sewer overflow (CSO) control project for both Seattle and King County wastewater influent in north Seattle.

SUMMARY

King County entered into a federal consent decree with the Washington State Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) on July 3, 2013, which requires control of the County's CSO basins by December 31, 2030. The City of Seattle also entered into a Consent Decree to control its CSO basins by 2030.

After considering separate CSO storage facilities and combinations of shared facilities, the Ship Canal Water Quality (WQ) Project is proposed as a coordinated effort between King County's Department of Natural Resources and Parks (DNRP) and Seattle Public Utilities (SPU) to construct a 15-million gallon CSO storage facility to control five of SPU's CSO basins in Ballard and Fremont/Wallingford, and the County's 3rd Avenue West and 11th Avenue Northwest CSO basins. The project would be constructed by tunneling below publicly owned right-of-ways between Ballard and Highway 99.

Subject to the King County Council's and Seattle City Council's[1] approval, DNRP and SPU have tentatively agreed on the terms of a Ship Canal Water Quality JPA that provides for the funding of the planning, design, construction, maintenance, operation, repair, replacement, alteration, and improvement of the facility. The JPA defines King County's role in the execution and management of this project including decision-making and dispute resolution processes during design and construction and after the facility begins operating to control overflows. SPU would pay for portions of the project that solely relate to its delivery of influent to the storage facility. Otherwise, all costs of the joint facility would be split with Seattle paying 65 percent and King County 35 percent of the costs. King County's share is currently estimated to be $134 million.

[1] Seattle approved the JPA in December 2015 (Ordinance124966), so long as it is substantially in the form as submitted to the King County Council.

BACKGROUND

Combined Sewer Overflows

Combined sewer overflows are discharges of untreated or partially treated sewage and stormwater released directly into marine waters, lakes and rivers during heavy rainfall, when the sewers have reached their capacity. Although the sewage in CSOs is greatly diluted by stormwater, both CSOs and stormwater may be harmful to public health and aquatic life because they carry chemicals and disease-causing pathogens.

Both King County and the City of Seattle manage CSOs within Seattle. SPU manages more than 90 CSO discharge outfalls. King County's WTD manages 38 locations, including four CSO "wet weather" treatment facilities. A fifth treatment facility, the Georgetown wet weather treatment station (to control the Brandon and Michigan CSO basins) is currently being designed.

King County's Consent Decree with Ecology and EPA

Ecology and EPA alleged that the County violated Sections 301 and 402 of the Clean Water Act and the conditions and limitations of the County's National Pollutant Discharge Elimination system (NPDES) permit issued to the County by Ecology. These are violations related to the quality of the effluent released from combined sewer overflow control facilities that act as satellite treatment plants to West Point Treatment Plant. In response, King County, without admitting any liability related to the alleged violations, negotiated a consent decree that the Council approved via adoption of Ordinance 17514 in 2013.

The consent decree obligates King County to implement the long-term CSO control plan that the Council approved in September 2012 (Ordinance 17413) for future projects per the proposed design criteria/specifications and schedule in the plan, including final completion of all projects in 2030. In addition, the consent decree provides direction for:

1) Implementation of CSO control projects currently in design;
2) Improvements in operations of existing CSO treatment plants to meet effluent standards;
3) Reporting requirements regarding progress towards these goals, post-construction monitoring, etc.;
4) Dispute resolution procedures; and
5) Penalties.

The overall goal of the consent decree and EPA's compliance action is to ensure that combined sewer overflows at King County's outfalls occur on average only once per year based on a rolling 20-year average and that the effluent discharged from CSO control treatment plants meet certain standards.

The consent decree contains some provisions for flexibility with regard to the implementation of King County's long term combined sewer overflow control plan. King County may propose changes to the design specifications for projects, the priority and sequencing of projects and may propose a supplemental "integrated plan" that includes additional activities or refines the proposed CSO control projects to address other water pollution issues and thereby results in better water quality in the receiving waters where CSOs currently discharge.

King County's Long Term CSO Control Plan
As noted, King County adopted the 2012 CSO Control Plan Update (Ordinance 17413) as an amendment to its long-term combined sewer overflow control plan (LTCP) and it was submitted to Ecology as a component of the County's NPDES permit renewal for West Point. It provides the blueprint and schedule/milestones for construction of projects to address the remaining CSO outfalls that did/do not meet state standards.

In 2012, out of the 38 CSO sites in the regional wastewater system, 16 of the sites were controlled to Ecology's standard of no more than one overflow per year and three were being refined and adjusted to meet the control standard. This represented significant progress with approximately $389 million spent to reduce untreated wastewater and CSO volumes from over two billion gallons per year in 1980 to 800 million gallons per year in 2012. At the time, King County was also designing five CSO control projects (the "Beach" projects) that are now constructed or nearing completion at a total cost of approximately $100 million.

The remaining 14 sites that were uncontrolled and were addressed in the LTCP through nine proposed projects (two treatment plants and seven storage facilities, with some green stormwater infrastructure proposed as part of some projects) and incorporated into the consent decree as Appendix B. The nine projects had a very preliminary total cost estimate (Class 5, meaning costs could vary from 50 percent less to 100 percent more) of $711 million in 2010 dollars.

Consideration of Joint Projects
King County's long-term CSO control plan as proposed and approved by the Council envisioned the possibility of joint projects with Seattle. Seattle was also interested in shared projects. Additionally both King County's and Seattle's consent decrees required them to coordinate their efforts and future operation of new CSO facilities since each would have impacts upon the other's facilities (and their ability to control overflows) and the West Point Treatment Plant.

With this backdrop, King County and Seattle developed and provisionally agreed to a series of technical memos and plans about (1) cost-sharing and working together on any projects; and (2) a shared project for the CSOs in northwest Seattle. Many of these agreements date back to 2012 and overlap with the time period when King County's long-term CSO control plan and Consent Decree were being approved.

The provisional agreements reflect each agency's acceptance of the technical aspects, assumptions and parameters of a shared storage project addressing:

- existing and future wastewater flows in the basins;
- amounts of combined wastewater and stormwater that would need to be stored;
- conceptual design of a facility to provide the storage;
- division of potential capital costs for the project (based on the avoided costs of separate projects) and future cost-sharing of operations and maintenance;
- parameters for operation of storage facilities and discharge to the WestPoint Treatment Plant; and
- a potential management structure of a shared project from design through operation.

In April 2014, both SPU and WTD agreed to a "Seattle Public Utilities & King County Wastewater Treatment Division Coordination Plan." Its purpose was to guide each agency in executing both joint and individual CSO projects to efficiently and effectively achieve CSO control to comply with their respective Consent Decrees and other regulatory requirements.

By the end of that year both WTD and SPU concluded that a joint project would be the best means of controlling overflows and would reduce environmental impacts and minimize neighborhood disruptions compared to building separate CSO control facilities for that group of drainage/CSO basins. The agencies proceeded to develop a proposed Joint Project Agreement (JPA) in 2015 based on and citing their previous work and provisional agreements. The proposed JPA would **legally and perpetually bind** SPU and DNRP to execute the project, unless they mutually agree to terminate the JPA. It is proposed in this manner and at this time because each agency is required to meet certain milestones and completion of facilities to comply with terms of their consent decrees. If either agency proceeds any further without a commitment to either a shared project or separate projects, it would be far more challenging for either agency to meet its current milestones.

The JPA designates Seattle/SPU as the lead agency during design and construction of the project. Upon completion, SPU would be the owner and manager of the facility. The JPA also defines King County's role throughout the project design, construction and future operation of the facility.

Project Description

The Ship Canal WQ Project would provide storage of combined wastewater in a deep storage tunnel constructed between the Ballard and Wallingford CSO areas, on the north side of the Seattle Ship Canal that connects Lake Union and Elliott Bay. The Project would control SPU's Ballard CSO basins (Outfalls 150,151 and 152), Fremont (Outfall 174) and Wallingford CSO basins (Outfall 147), King County's DNRP 3rd Avenue West Regulator (DSN008), and 11th Avenue NW Regulator (DSN004) by the end of year 2025.

The Ship Canal WQ Project would include the storage tunnel and appurtenances, conveyance facilities to convey SPU and DNRP CSO flows into the tunnel, and a pump station and force main to drain flows from the tunnel. A detailed description of the project (including Figure 1 showing a plan view of the Ship Canal WQ Project location and components) can be found in Exhibit A to the JPA. The following is a summary of the key components of the project:

The storage tunnel and appurtenances, as proposed, would include:

- A minimum 15.24 million gallon (MG) offline[2] storage tunnel. The tunnel is expected to have a 14-foot inside diameter and be approximately 14,000 feet long[3] (2.7 miles).
  - The stored combined sewage in the storage tunnel will flow from the Wallingford CSO Outfalls westward to an effluent pump station located near the Ballard CSO Outfalls 150 and 151.
  - The tunnel route is planned to be generally in street right-of-way along the north side of the Ship Canal.

[2] "Offline" meaning the storage isn't in a conveyance pipe

[3] These dimensions could be changed during the design phase of the project.

- Seven diversion structures for diverting influent CSO flow away from existing CSO outfalls to the tunnel.
- Four drop structures (each with odor control) to convey influent CSO flow into the storage tunnel.
- A pump station would be located at the West tunnel Portal as defined during the design phase of the project, with a minimum peak capacity of 32 MGD to empty the storage tunnel in approximately 12 hours.

Conveyance facilities would include a:

- Gravity sewer line to convey flows from SPUs diversion structure at Fremont Outfall 174 to the tunnel drop shaft;
- Gravity sewer line to convey flows from DNRPs diversion structure at 3rd Ave. W (under the Ship Canal) to the tunnel drop shaft;
- Gravity sewer line to convey flows from DNRPs diversion structure at 11th Ave. NW to the tunnel drop shaft; and a
- Force main to convey flows from the tunnel pump station to DNRPs existing Ballard Siphon wet-weather barrel forebay.

SPU would be solely responsible for the design, construction, management and cost of gravity sewer lines to convey flows from SPU's diversion structures at Ballard outfalls 150, 151 and 152, and Wallingford outfall 147 to the tunnel drop shafts.[4]

Project Design Assumptions and Parameters
The control strategy will limit the inflow to the storage tunnel from each outfall basin for each storm event. The minimum control volume for each outfall is:

<u>SPU Outfalls</u>

- Fremont (Outfall 174): 1.06 MG
- Wallingford (Outfall 147): 2.15 MG
- Ballard (Outfall 152): 5.38 MG
- Ballard (Outfall 150/151): 0.62 MG

<u>DNRP Outfalls</u>

- 3rd Avenue West (DSN008): 4.18 MG
- 11th Avenue Northwest (DSN004): 1.85 MG

Each Party has calculated the control volumes required to meet their independent needs. Although calculation methods vary between the agencies, SPU and DNRP agree that these are the minimum volumes to be controlled and provided for by The Ship Canal WQ Project.

Ownership and Operation of the Facility
SPU would own and operate the storage tunnel and all of the related components listed in the project description above, including all new structures and pipes appended to each existing DNRP outfall pipe and all real estate previously owned or acquired for the project. However, ownership of outfall pipes would remain unchanged. Prior to commissioning of the project,

[4] These are components and costs of the project are referred to as “excluded” in the JPA

SPU is compelled by the JPA to develop an Operations and Maintenance Plan that must be agreed to by DNRP. The JPA also stipulates a “No Impact Release Rate” to ensure pumping out of the storage facility does not impact the function of the West Point Treatment Plant or cause King County to not meet its regulatory standards for discharges from West Point.

Project Costs and Cost Sharing

SPU and WTD aimed to define a method for sharing capital and operating costs in the joint project, in which associated risks and rewards are apportioned equitably. The cost sharing methods incorporated into the JPA are based on three principles:

1. Controlling CSO’s through joint multi-basin efforts may be less costly (or otherwise beneficial) than controlling the same CSOs individually;
2. Both SPU and WTD should share in the potential savings of such joint action; and
3. Projects or facilities within SPU or WTD’s independent long term control plan responsibilities that are unaffected by the choice of a joint project should remain the responsibility of that agency.

SPU and WTD agreed to a Joint King County/Seattle CSO Initiative Work Plan Item 4: Cost-sharing Method for Joint Capital Projects, dated March 26, 2012 (Technical Memorandum No. 4) for the purpose of determining each agency's proportionate share of the total cost of the Ship Canal WQ Project. They also agreed to a Technical Memorandum 7, dated January 7, 2013, addressing a compensation methodology (costs and credits) for incremental changes to SPU wastewater flows that directly affect the operation and maintenance costs of DNRP facilities downstream of SPU facilities.

Cost estimates at a Class 4 level (with a range of minus 20 percent to plus 30 percent) were developed and cross-verified for each agencies’ separate, individual projects. They also agreed on a total cost of a shared Ship Canal WQ Project. A proportionate share of the costs was allocated based on the avoided costs of what otherwise would have been individual projects divided by the cost of the shared project (excluding costs solely the responsibility of SPU). This methodology arrived at the proposed split of costs with King County paying 35 percent of the shared costs and Seattle paying 65 percent. However, as proposed, King County would be entitled to 40 percent of the shared storage with Seattle using the remaining 60 percent.

The total cost estimate (Class 4) for the Ship Canal WQ Project is approximately $423 million. This includes approximately $41 million in land acquisition costs and conveyance pipes that are solely the responsibility of SPU (referred to as excluded costs). Based on the agreed cost-sharing methodology, **the cost for WTD is estimated to be $134 million** and the cost for SPU is estimated to be $289 million ($41 million for SPU's sole responsibility + $248 million for its proportionate share).

The JPA also spells out which Party will be responsible for fines or other costs related to discharges from outfalls that do not meet the regulatory standards and consent decree requirements.

Joint Project Agreement (JPA) – Section Descriptions
The following major elements are contained in the JPA:

Recitals (Article II):

- The Ship Canal WQ Project will not be used for any other basins or purpose than those defined in the JPA

Project Design & Construction (Article IV):

- SPU shall be the lead agency and will be responsible for the planning, design, construction, delivery, operation, maintenance
- SPU will notify DNRP in advance of project milestones
- DNRP and SPU will communicate collaboratively with the Department of Ecology and EPA
- SPU will follow DNRP's Local Public Agency project review process

Roles & Responsibilities (Article V):

- SPU will lead Project design, construction, commissioning, and operations; DNRP has a defined participation, review and inspection role at each stage of the Project
- Any changes that affect the Project Description (project scope, schedule or budget) will be resolved via the Change Management process

Project Management (Article VI):

- SPU will develop and implement the Project Management Plan
- Any changes to scope, schedule or budget will be resolved via the Change Management process (Exhibit B)
- Joint public outreach and communications

Ownership & Use (Article VII):

- SPU will own the Project
- The specific CSOs to be controlled by the Project, and the control volumes to be achieved are contained in this Article

Operations & Maintenance (Article VIII):

- SPU will develop an O&M Plan in consultation with DNRP
- Content requirements for the O&M Plan are defined in this Article
- The O&M Plan is to be finalized at the end of construction; The Article contains a general schedule for completion in relation to Project design and construction

Cost Sharing (Article IX):

- The Article contains the 65 percent/35 percent cost share split for non-excluded costs; SPU has a right to 60% of the volume, DNRP has a right to 40 percent of the volume
- Provisions for managing higher costs, allocating excess volumes, and addressing regular and continuous excess use capacity are contained in this Article

Insurance & Indemnification Articles XI & XII):

- Requires City and County risk managers from to cooperate in the development of an insurance program for design and construction of the Project

- Insurance and Indemnification Requirements developed with the County's Risk Management Office and County's legal counsel in the Civil Division of the PAO

Project Description (Exhibit A)

- This Exhibit describes the Project Purpose, Scope, Capital Cost Estimate (including the excluded costs) and a Schedule Summary
- Change to the project scope would need to be negotiated and agreed to by both SPU and DNRP through the "Change Management Process" (see below)

Change Management (Exhibit B)

- Addresses potential risks to the project by utilizing senior level management from each agency as a Project Review and Change Management Committee (PRCMC) to provide oversight, support and direction should issues arise affecting project scope, schedule and/or budget.
- PRCMC decisions intended to be made by consensus – and otherwise relies on Paragraph 12 of the "One Team Decision Making Guidelines" (Exhibit C)
- SPU leadership will convene meetings with a "Direction and Action Log" maintained and shared for each meeting in addition to meeting minutes.
- Includes direction for PRCMC involvement in Consultant Contract Amendments and Construction Contract Changes

One Team Decision Making Guidelines (Exhibit C)

- Outlines the goals of a Project Team during phases of the project with regard to decision making, team member interactions, responsibilities and what to do if a team member disagrees with the decisions of the team or Team Lead.
- Paragraph 12 calls for the Team Lead to make a project decision in the absence of consensus.

List of Potential Causes for Capital Cost Increases (Exhibit D)

- Assigns financial responsibility for potential capital cost increases to the Lead Agency (SPU) or Partner Agency (DNRP) or where the cost increase would be shared.

DNRP-WTD Invoice Format (Exhibit E)

- Titled to be the invoice format, but is actually intended to provide the format for reporting of SPU costs (to accompany monthly invoices) ranging from staffing to mitigation[5].

ANALYSIS

The Transportation, Economy and Environment Committee (TrEE) was briefed on PO 2016-0016 on February 2, 2016. The Budget and Fiscal Management Committee (BFM) was briefed on companion legislation, PO 2016-0017[6] regarding a supplemental appropriation for the project on February 24, 2016. Council staff and legal analysis of the proposed project and JPA is still ongoing. At the request of several TrEE committee members, independent legal

[5] The transmittal of PO 2016-0016 did not include Exhibit E.

[6] In addition to PO 2016-0016 approving the Ship Canal Water Quality Joint Project Agreement, the Executive also transmitted PO 2016-0017 approving a supplemental appropriation for the Ship Canal WQ Project for approximately $14.2 million. This appropriation is requested to cover the DNRP's portion of the costs for the preliminary analysis and design work, including costs from the years 2014-2015 and anticipated costs in 2016.

counsel has been retained to review and advise King County regarding the terms of the proposed Joint Project Agreement.

The analysis section of this staff report provides a preliminary assessment of how the Ship Canal WQ Project would meet the Consent Decree terms and King County's long term CSO control plan and how it compares to estimated costs for separate projects. Finally this section briefly summarizes key policy considerations regarding the proposed project and JPA.

Request for Capital Appropriation

Though PO 2016-0017 is a separate decision of the Council it is related to the JPA and the proposed Ship Canal WQ project. It should be noted that a supplemental appropriation or any first allocation of funding to a capital project that will have a total capital budget in excess of $10 million typically requires[7] submittal of a "Project Risk Assessment Scoring Instrument Questionnaire." The Joint Advisory Group[8] (JAG) in consultation with the Capital Projects Oversight Program in the King County Auditor's Office considers the project's risk assessment score and determines if the project is to be a mandatory phased appropriation project.[9]

In this case, however, the supplemental appropriation is being requested for capital dollars to be used to pay the County's share for the design and construction of the Ship Canal Project. Under the JPA, the Seattle/SPU will be responsible for managing the Project, including entering into the contracts with the design and construction firms. It will own and manage the capital improvements. Staff have been advised that it is a reasonable interpretation that as used in King County Code Title 4A, the terms "capital project" and "capital asset" refer to projects managed by the County and the asset is intended to benefit from the capital project or result from the capital project. Therefore, it appears that risk assessment scoring in order to determine if the project should be designated for mandatory phased appropriation is not required.

The Council may choose to utilize the Auditor's Capital Projects Oversight Program to evaluate the proposed project and/or advise on terms for reporting and conditions for appropriations through the legislation pending before the Council.

Compliance with Consent Decree and Long-term CSO Control Plan

The Consent Decree contemplated potential joint projects between King County and Seattle. King County's long-term CSO control plan recommended the 3rd Ave W (DSN 8) CSO project be a joint Seattle-County storage tank on the north side of the Ship Canal. It was scheduled for completion in 2023 and proposed to hold up to 7.23 MG of peak CSO storage with the County's portion of the project estimated to be $50.3 million (in 2010 dollars and at a Class 5 cost estimate[10]). But as a fall back, the plan recommended an independent storage tank near Seattle Pacific University at an estimated cost of $56.4 million.

The 11th Ave NW (DSN 004) was proposed to be controlled by reducing some flows through green stormwater infrastructure (GSI) in the basin and additional conveyance capacity to move

[7] KCC 4A.130.020

[8] Comprised of Council and Executive staff

[9] The Council developed this code provision to determine which projects had significant risks, requiring monitoring of the project through design and construction, with requirements for written documentation and reviews as the project progressed through 'phases' prior to Council authorization of appropriation for the next phase.

[10] Class 5 estimates have a variance ranging from minus 50% to plus 100%

flows to the Ballard Siphon more swiftly at an estimated cost of $23.7 million. Because of the GSI component, this project was not scheduled to be completed until 2030.

DNRP has already begun discussions and would be seeking approval from EPA and Ecology to approve a modified schedule for completion of the 3rd Ave W CSO control project and a change in the project description for the 11th Ave NW CSO and 3rd Ave W CSO control projects consistent with the Ship Canal WQ Project schedule and description. The County cannot formally request approval of the project changes until and unless the Council has approved the project and the JPA. It is noted here as a potential (though unlikely risk) that EPA and Ecology will need to approve the changed project scopes and schedules.

Ecology recently submitted a letter in support of the joint project. (Attachment 4)

Environmental and Community Impacts

Council staff has not done a detailed examination of the impacts of separate projects versus a joint project but it is anticipated that one project versus seven lessen the impact on the immediate environment and the broader communities that would be affected by these projects.

Council staff has completed a thorough review of what was known regarding the preferred alternatives to address CSO control for a number of CSO outfalls along the Ship Canal in the 2012 CSO Control Plan Amendment adopted by the Council in 2012. These proposed alternatives, project risks are summarized as follows in the adopted plan.[11]

> **6.1.1 Recommended Preferred Alternative** The recommended preferred alternative for the Ship Canal—11th Ave NW, 3rd Ave W, University, and Montlake area consists of the preferred site alternatives for this area:
>
> - 11th Ave NW Conveyance—Alternative SC-11th Ave NW-KC-Conv, which includes approximately 3,200 feet of up to 84-inch-diameter conveyance pipe to increase the conveyance capacity from the 11th Ave NW Overflow Structure to the Ballard Regulator Station to control King County CSOs. GSI would likely include implementation of the RainWise Program in up to 5 acres of residential properties and installing up to 60 acres of green streets/alleys.
> - 3rd Ave W Storage with SPU North of Ship Canal2—Alternative SC-3rd Ave W-CollabSTOR 2, which includes an up to 7.23-MG storage tank on the north side of the Ship Canal to control county and City of Seattle CSOs.
> - University Storage with SPU2—Alternative SC-University-Collab-STOR, which includes an up to 5.23-MG storage tank near the University Regulator Station to control county and city CSOs. GSI would likely include implementation of the RainWise Program in up to 28 acres of residential properties and installing up to 261 acres of green streets/alleys.
> - Montlake Storage with SPU[12]—Alternative SC-Montlake-Collab-STOR, which includes an up to 7.87-MG storage tank near the Montlake Regulator Station to

[11] http://your.kingcounty.gov/dnrp/library/wastewater/cso/docs/ProgramReview/2012/KC_LTCSOControlPlanAmendment,Oct2012.pdf

[12] At the time of 2012 Plan update it was noted: "The City of Seattle cannot commit to joint projects until their Plan update process progresses. If the City of Seattle does not select joint projects, the County will implement the independent versions of these projects discussed in Chapter 5 of this report (i.e. the 2012 CSO Control Plan Amendment."

control county and city CSOs. GSI would likely include implementation of the RainWise Program in up to 17 acres of residential properties and installing up to 76 acres of green streets/alleys.

See Appendix G.1 of Technical Memorandum 970[11] for details regarding these site alternatives.

6.1.2 Potential Risks, Issues, and Additional Considerations Potential Risks

Potential risks ranked critical and high for the recommended preferred alternatives were identified during this review based on planning-level information. Many of the risks are associated with potential changes to the projects as more detailed information and site-specific conditions become known. Risk management planning may be required.

Potential risks include the following, organized by CSO site:

- 11th Ave NW
  - – Construction complexity associated with installing a new up to 84-inch-diameter conveyance pipe along Shilshole Avenue Northwest and Northwest 45th Street could result in major design/construction changes.

- 3rd Ave W
  - – King County flows are diverted to the storage tank from a diversion point upstream of the 3rd Ave W Overflow Structure, so predictive controls are required to determine when diversion is needed to prevent CSOs. Complex controls could result in the CSO site not being controlled or the proposed facility operating more frequently than planned.
  - – Siting difficulties associated with acquiring property large enough for a storage tank could cause schedule delays or significant project changes.
  - – County flows are diverted from the North Interceptor upstream of the 3rd Ave W Overflow Structure; modeling has not been completed to determine if the size of the storage will increase based on the upstream diversion location. Potential increase in storage volume could result in a change in design and increase in cost.
- University and Montlake
  - – Construction complexity associated with possibility of microtunneling being required to install influent gravity sewer could result in major design/construction changes when more site-specific geotechnical information is known.
  - – Siting difficulties associated with acquiring property large enough for a storage tank could cause schedule delays or significant project changes.
  - – Community stakeholders could press for a specific project site, resulting in schedule delays or change in alternative.

Potential Issues

Potential issues identified for the 3rd Ave W storage tank include uncertainties with the SPU defined project, such as siting, storage volume, and cost estimates. SPU is

leading the development of this alternative[13] and has not yet selected a preferred alternative; King County has only included a representative alternative recommended by SPU to include in the analyses.

The University storage tank may receive flow transfers from SPU's Windermere area, which has not yet been modeled.

For the joint storage tanks (3rd Ave W, University, and Montlake), operation and maintenance implications need to be understood since they will have design implications.

Additional Considerations

For the Montlake storage tank, there may be additional coordination opportunities with the Washington State Department of Transportation (WSDOT) and its State Route 520 improvements project. It is also likely that SPU will send less flow to this joint storage tank than was assumed in the evaluation (SPU will likely only send flows from the Madison Park CSO Basin and Montlake CSO Basin). King County is also considering evaluating other types of storage facilities, such as a storage pipe or tunnel, for this CSO site due to the potential siting difficulties.

For the storage tank site alternatives, the volumes of the CSO storage tanks were not reduced based on potential storage capacity in the influent gravity sewers. Depending on the hydraulics of the proposed system, additional storage capacity may be available in the influent gravity sewers.

Though not recommended as a preferred alternative, there does not appear to be enough information to select the storage tunnel alternative (Alternative SC-Cons Tunnel-Collab-STOR described in Chapter 5 of this report) as the preferred alternative—or screen it out from consideration at this time. **The storage tunnel could reduce siting risks associated with the four county preferred site alternatives and City of Seattle independent alternatives, as well as reduce the number of facilities to be operated and maintained. However, the tunnel alternative would need to site portals and shafts, which may pose similar siting risks. The County and City will continue to evaluate and refine the storage tunnel alternative. The County will evaluate the operation and maintenance requirements and potential issues, including safety, and contact other agencies around the nation that currently operate and maintain large-diameter CSO storage tunnels. The City will strengthen the project definition and refine the costs for this alternative.**

The storage tunnel alternative is being developed by the City, and it appears that the current planning-level design is conservative with excavation depth assumptions (current assumption is that the tunnel would be constructed 40 feet below the Fremont Siphon). However, other costs may be inadequately accounted for, including odor control and air management associated with tunnel operation. If costs and risks are reduced with refinement of the design, this alternative may be reconsidered. Potential risks ranked critical and high

[13] As noted in 2012

identified during this review for the storage tunnel alternative were based on planning-level information. Many of the risks identified below are associated with potential changes to the project as more detailed information and site-specific conditions become known. Risk management planning may be required.

Potential risks include the following:

- Construction complexity associated with deep excavation of tunnel portals and tunnel construction could result in major design/construction changes.
- Four county and four or five city CSO sites would be controlled by this storage tunnel, so complex controls would be needed to ensure that each CSO site is controlled to its regulatory requirement. Complex controls could result in the CSO sites not being controlled or the proposed facility operating more frequently than planned.
- Siting difficulties associated with acquiring easements and property for the west and east tunnel portals could cause schedule delays or significant project changes.
- Limited trained staff is available to operate and maintain the storage tunnel. Operation and maintenance issues need to be further defined and resolved to ensure a proper design and adequately trained staff. Coordination with the City could impact the schedule and project definition. Coordination with the City needs to be further defined in later stages of development to ensure cost and schedule compliance.
- Community stakeholders could press for a specific site alignment and portal locations of the tunnel or press for another alternative, resulting in schedule delays or changes in the alternative.

Another alternative that should be considered in future evaluations is possibly sending only the 3rd Ave W, University, and Montlake CSOs to the joint storage tunnel and controlling 11th Ave NW CSOs with the increased conveyance site alternative. Based on the costs developed as part of this review, the construction cost to convey 11th Ave NW CSOs to the tunnel is similar to the construction cost of the increased conveyance site alternative ($10.58 million versus $11.66 million, respectively). Controlling 11th Ave NW CSOs separately from the tunnel may allow the tunnel to move east of the Fremont Siphon, so it would avoid crossing it, possibly allowing the tunnel to be constructed shallower.

Council staff has also reviewed some of the documents prepared by City of Seattle staff but primarily the Ballard-Fremont/Wallingford Combined Sewer Overflow Reduction Project - Final Project Definition Report - Volume 1[14], dated December 14, 2014.

As noted in the Executive Summary of that report: to help control the CSOs from SPU's Ballard basin, SPU's Fremont/Wallingford basin, King County's 3rd Avenue West CSO area and King County's 11th Avenue NW CSO area, various storage and flow transfer concepts

[14] O:\CSO Planning Capital Projects\West Ship Canal Tunnel\Project description and PDR\Volume1_Final_PDR.pdf

were evaluated in SPU's LTCP (SPU, 2014) and King County's CSO Control Plan (King County Department of Natural Resources [DNR], 2012).

Among the wide range of CSO control options, this Project Definition Report evaluates and refers to the options identified below.

- **Independent Neighborhood Storage** – Independent projects undertaken by SPU and King County. They consist of separate storage tanks for Ballard, Fremont/Wallingford, and the 3rd Avenue West, and one flow transfer project for KC WTD's 11th Avenue NW regulator to divert flow to the Ballard regulator.
- **Independent West Ship Canal Tunnel** – Independent tunnel project undertaken by SPU only to receive flows from SPU's Ballard and Fremont/Wallingford basins. King County would implement its own CSO projects: the King County 3rd Ave W storage tank and 11th Avenue NW flow transfer project.
- **Shared West Ship Canal Tunnel** – Shared project between SPU and King County to convey and store flows in a shared tunnel. Flows would be conveyed from SPU's Ballard and Fremont/Wallingford basins and King County's 3rd Avenue West and 11th Avenue NW basins

The key features of the three options are summarized in Table ES-1 (in the PDR). More detailed discussion of the SPU projects, including the design and construction approaches, utility conflicts, and construction traffic impacts for each option, are included in Section 10 of the PDR. **This PDR does not include detailed design and construction information or address the independent King County projects. More detailed information about King County projects can be found in their CSO Control Plan (King County DNR, 2012).**

Construction of one storage tunnel will involve the deployment of a single tunnel boring machine with portals constructed at either end. This single project could be expected to reduce traffic disruptions and other neighborhood impacts compared to tunneling or construction of storage is needed at seven different sites. The joint project as proposed would also require a reduced number of necessary property acquisitions, which would lower the impact on commercial businesses and residences.

Control over scope, schedule and budget

The JPA calls for SPU to assume the role of project lead for design and construction of the project and to take on day-to-day project management responsibilities. However, King County, through DNRP, would have an ongoing and defined role in decision-making, especially where it concerns any proposal to amend the scope or address issues affecting schedule and budget (referred to as "Change Management").

The Change Management process is intended to address potential risks to the project by utilizing senior level management from each agency as a Project Review and Change Management Committee (PRCMC) to provide oversight, support and direction should issues arise affecting project scope, schedule and/or budget. PRCMC decisions are intended to be made by consensus. All discussions and decisions of the PRCMC would be memorialized in a "Direction and Action Log" maintained and shared, in addition to meeting minutes. Additionally, at the project management level, SPU and WTD would adopt a "One Team" goal with

interactions and cooperation based on "One Team Decision Making Guidelines" (Exhibit C of the JPA) intended to ensure WTD's interests and expertise are factored into the project design/construction and operation phases.

The JPA and attached exhibits address decision-making and anticipated cost assignments where costs might escalate due to one Party or the other not meeting deadlines or project conditions that cannot be known at this time.

Since the last TrEE meeting, several councilmembers have expressed concerns regarding the sufficiency of the JPA and decision-making structure with regard to King County's ability to control the scope, schedule and especially the budget for the project.

Outside legal counsel's review of the JPA was requested in part to focus on these concerns to ensure that King County ratepayers' interests are best served by structure of decision making and the fact that the JPA as structured commits the parties to the JPA in perpetuity unless the parties mutually agree to terminate the agreement.

Interestingly, King County first proposed participation in the project – as payment for a certain amount of storage for specified amount not to be exceeded. Seattle was reportedly only interested in such arrangement if King County agreed to purchase and have the rights to the storage only through the term of the existing contract (through 2016) or through a contract extension to 2056. In effect, King County would pay an amount but not own, nor have the rights to the storage and CSO control of overflows – beyond the contract term. Reportedly King County rejected those terms for participation in the project because the consent decree and state requirements for CSO control run in perpetuity, or until such time as state law is changed.

Therefore, Seattle and King County pursued a negotiated structure for shared costs and risks, in exchange for a role in decision-making during the design and construction of the project and future operation and maintenance of the facility.

Capital Cost Comparisons

As noted above, the total Class 5 cost estimate for stand-alone CSO projects for 3rd Ave W. and 11th Ave NW was approximately $74 million (in 2010 dollars). Those cost estimates were based on long-range planning concepts for the projects in the 1999 Regional Wastewater Services Plan. Adjusting for inflation and typical project cost increases that estimate would be approximately $86 million (with a range of $43 million to $171 million).

The current estimate of $134 million for King County's portion of the costs in the Ship Canal WQ Project reflects a range (at a Class 4 cost estimate ranging from minus 20 percent to plus 30 percent) of $107 million to $174 million. The Class 4 cost estimates for standalone projects for 3rd Ave W. and 11th Ave NW estimated to be $99.1 million and $28.5 million respectively for a total of $127.6 million. All of these estimates were independently reviewed and validated by outside consultants.[15]

[15] City of Seattle staff at Seattle Public Utilities prepared and issued a "Ballard-Fremont/Wallingford Combined Sewer Overflow Reduction Project - Final Project Definition Report - Volume 1, dated December 2014. The report documents amongst other things, the independent cost estimates that were reviewed/assessed for separate projects and a joint project.

The LTCP and Consent Decree contemplated potential joint projects between King County and Seattle. King County's long-term CSO control plan recommended the 3rd Ave W (DSN 008) CSO project be a joint Seattle-County storage tank on the north side of the Ship Canal. It was scheduled for completion in 2023 and proposed to hold up to 7.23 MG of peak CSO storage. At the time, the County's portion of the project cost was estimated to be $50.3 million (in 2010 dollars and at a Class 5 cost estimate). But as a fall back, the plan recommended an independent storage tank near Seattle Pacific University at an estimated cost of $56.4 million.

The 11th Ave NW (DSN 004) was proposed to be controlled by reducing some flows through green stormwater infrastructure (GSI) in the basin and additional conveyance capacity to move flows to the Ballard Siphon more swiftly at an estimated cost of $23.7 million. Because of the GSI component, the project was not scheduled to be completed until 2030.

Within the $134 million is an assumed "management reserve/project contingency." The Management Reserve/Project Contingency is owned by the Ship Canal WQ Program and would be managed by SPU after receiving approval through the PRMRC for any changes requiring use of reserves. The reserves are not committed to any specific segment or project within the Program. However, King County's portion of the program costs includes consideration of reserves and contingency. The contingency and reserves would be used as needed throughout the development/design of the project and during the construction process and is not reserved for King County's percentage split.

The latest information from SPU regarding a Project Cost breakdown is in the table below from January 2015 and reflects approximately five percent design completion. According to WTD staff, the management reserve identified below ($62.5 million) can be considered conservative (i.e., it is in the upper quadrant of the certainty range for a project at this level of design).

Work Breakdown Structure	**Ship Canal Project**
Construction Bid Amount	$173.9 million
Construction Change Order Contingency (10 percent)	$17.4 million
Sales Tax (9.5 percent)	$18.2 million
Total Construction Cost Amount	**$209.5 million**
Soft Costs, Property, and Initiatives	$105.0 million
Management Reserve and Contingency	$62.5 million
Total Non-Construction Costs	**$167.5 million**
Revenue (property resale)	($11.0 million)
Total Project Costs	**$366.0 million**
Stabilization and Monitoring	$9.4 million
Inflation*	$48.0 million
Total Project Costs with Inflation	**$423.4 million**

* Inflation is estimated at 2% per year based on year of expenditure.

Operations and Maintenance Costs

The JPA proposes to share the operations and maintenance (O&M) costs based on the same 35 percent / 65 percent split between King County and Seattle as agreed upon in Technical Memorandum No. 4. SPU will invoice DNRP annually for O&M costs during the first five years of operation of the Ship Canal WQ Project, based on a mutually agreed upon O&M estimate,

to be developed prior to commissioning of the project. Prior to the end of the sixth year of operation of the project, SPU would reconcile actual costs against the O&M estimate and invoice/credit King County for the difference between actual and estimated O&M costs.

There is not sufficient information or data to know how this would compare to independent projects. The storage facilities will operate an estimated five to six times per year. As noted above, Seattle, in addition to the shared costs for operations and maintenance, would compensate King County for the additional flows to be treated at West Point. These would be modest by comparison to the regular flows to West Point. Staff is requesting more information regarding anticipated operations and maintenance costs.

Conclusion

King County is required to complete the control of its CSOs under the terms of the consent decree. However, if the Council approves the Ship Canal WQ Project JPA through Proposed Ordinance 2016-0016 and the supplemental appropriation proposed through Proposed Ordinance 2016-0017 and allows the Executive to enter into the JPA, the County will be able to satisfy the consent decree obligations through the Ship Canal WQ Project.

The JPA, if signed by both City and County would continue in perpetuity, unless both parties mutually agree to terminate it. This aspect of the project reflects potentially the most risk and benefit. As noted above, though not quantified, there are potentially significant benefits to a coordinated single project in a dense, urban neighborhood, compared to multiple complex projects in this setting. However, there is also risk in assigning the project to Seattle and SPU to lead. Though DNRP will have a role in decision-making affecting the scope, schedule and cost of the project, it ultimately will be the Seattle's project to deliver on time and on budget.

Mitigating the risks for project scope alterations, etc. is outlined throughout the JPA but it is a policy decision whether what is outlined provides sufficient security and confidence for the project funders.

As noted above, staff and legal analysis is ongoing.

ATTACHMENTS

1. Proposed Ordinance 2016-0016 (and its attachments)
2. Transmittal Letter , dated December 29, 2015
3. Fiscal Note
4. Ecology Letter to Council Chair, dated March 9, 2016

INVITED

1. Gunars Sreibers, Acting Director, Wastewater Treatment Division(WTD), Department of Natural Resources and Parks
2. Sharman Herrin, Governmental Relations Director, WTD
3. Mark Buscher, Capital Project Manager and CSO Program Lead, WTD
4. Verna Bromley, Prosecuting Attorney, Civil Division, Prosecuting Attorney's Office

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KING COUNTY

Signature Report

January 29, 2016

Ordinance

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Proposed No. 2016-0016.1 **Sponsors** Dembowski

AN ORDINANCE relating to King County's long-term combined sewer overflow plan; approving a joint project agreement with the city of Seattle for the ship canal water quality project and authorizing the King County executive to sign and fulfill the county's obligations in the agreement.

STATEMENT OF FACTS:

1. King County and the city of Seattle have entered into separate federal court-ordered consent decrees with the United States Environmental Protection Agency and the Washington state Department of Ecology requiring control of combined sewer overflows to the Lake Washington Ship Canal, Duwamish river and Elliott bay.

2. The 2012 combined sewer overflow long-term control plan, approved by Ordinance 17413 and incorporated into the consent decree, notes the potential for joint projects with the city.

3. The city of Seattle's Ballard and Fremont/Wallingford combined sewer overflow basins are located in close proximity to the county's 3rd Avenue West regulation and 11th Avenue Northwest regulation combined sewer overflow sites.

4. The coordination efforts of the county and the city have resulted in the proposed joint ship canal water quality project that will control four of the city's and two of the county's combined sewer overflow sites in the ship canal.

5. King County and Seattle agree that the joint ship canal water quality project is a preferred alternative over independently-constructed combined sewer overflow control projects by the county and the city.

6. The city of Seattle will serve as the lead agency for design and construction of the proposed ship canal water quality project, a 2.7-mile, approximately fourteen-foot diameter storage tunnel that will capture and temporarily hold more than fifteen-million gallons of stormwater mixed with sewage from seven combined sewer overflow sites during a storm event.

7. The county is seeking approval from the United States Environmental Protection Agency and the Washington state Department of Ecology of a modified schedule for completion of the 3rd Avenue West regulation combined sewer overflow control project and a change in the project description for the county's 3rd Avenue West regulation and 11th Avenue Northwest control projects consistent with the ship canal water quality project schedule and description.

8. The proposed ship canal water quality project will provide operational efficiencies based on the ability of the storage tunnel to control large flow volumes from adjacent basins in a single facility.

9. Construction of a single project, rather than six independent projects, will reduce environmental impacts and minimize neighborhood disruption.

10. King County and the city of Seattle have agreed to jointly cooperate in, and share funding of, the planning, design, construction and maintenance, as well as the long-term operation, repair, replacement, alteration and improvement of the ship canal water quality project as provided for in the proposed joint project agreement that is Attachment A to this ordinance.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The King County council hereby approves the ship canal water quality joint project agreement, substantially in the form of Attachment A to this

ordinance, and authorizes the King County executive to sign and fulfill the county's obligations in the agreement.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. City of Seattle and King County Ship Canal Water Quality Project Joint Project Agreement

Seattle Public Utilities King County

Protecting Seattle's Waterways

City of Seattle and King County Ship Canal Water Quality Project Joint Project Agreement

October 28, 2015

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City of Seattle and King County

Ship Canal Water Quality

Joint Project Agreement

Article I - Agreement for Joint Project

I.1 This City of Seattle and King County Ship Canal Water Quality Joint Project Agreement ("Joint Project Agreement" or "Agreement") is made by and between the City of Seattle, a municipal corporation of the State of Washington, operating through its Seattle Public Utilities (SPU) department, and King County, a political subdivision of the State of Washington, operating through its Department of Natural Resources and Parks (DNRP), and collectively referred to as "the Parties."

I.2 The effective date of this Joint Project Agreement is the date of last approval signature of this Agreement ("Effective Date").

I.3 This Agreement between the Parties is for the purpose of jointly cooperating in, and sharing funding of, the planning, design, construction, operations, maintenance, repair, replacement, alteration, and improvement of The Ship Canal Water Quality Joint Project, hereinafter referred to as "The Ship Canal WQ Project" or "Project" as defined in Article III.18.

I.4 This Agreement is pursuant to the Guiding Principles dated September 18, 2013 and incorporated into the Term Sheet between the Parties dated November 15, 2013, as amended, and the Ballard-Fremont-Wallingford 3rd Ave. West and 11th Ave. Northwest Storage Tunnel Option (Joint Storage Option) Term Sheet between the Parties dated February 13, 2015, as amended.

I.5 The term of this Joint Project Agreement shall begin on the Effective Date and continue, in perpetuity unless the Parties, their successors or assigns mutually agree in writing to amend or terminate this Joint Project Agreement.

I.6 If a conflict exists between this Agreement and prior agreements incorporated into this Agreement (either attached as an Exhibit or by reference), then the Parties agree that the language in this Agreement shall control.

Article II - Recitals

II.1 The City of Seattle and the Municipality of Metropolitan Seattle ("METRO") entered into a long term "Agreement for Sewage Disposal", dated January 26, 1961, as amended (the "1961 Agreement"); and

II.2 In 1994, METRO merged with and became part of King County, now known as the King County Department of Natural Resources and Parks, Wastewater Treatment Division; and

II.3 The Parties have entered into separate federal court-ordered consent decrees with the U.S. Environmental Protection Agency ("EPA"), the Washington State Department of Ecology ("Ecology"), and the U.S. Department of Justice ("DOJ") requiring control of combined sewer overflows (CSOs) to the Lake Washington Ship Canal, Duwamish River, and Elliott Bay (Civil Action No. 2:13-cv-678("City's Consent Decree" dated July 3, 2013), and Civil Action No. 2:13-cv-677("King County's Consent Decree" dated July 3, 2013); and

II.4 The Parties entered into a set of Guiding Principles, dated September 18, 2013, incorporated into the Term Sheet dated November 15, 2013, ("Guiding Principles"), for the purpose of working together to deliver waste water and water pollution control services as efficiently and effectively as possible, including but not limited to partnering on combined sewer overflow (CSO) control projects; and

II.5 The Parties have identified a wastewater storage tunnel option to be located at the west end and on the north side of the Seattle Ship Canal as a preferred joint solution to control CSOs from the City's Ballard drainage basin outfalls 150, 151 and 152 and its Fremont/Wallingford drainage basin outfalls 174 and 147, and from DNRP's 3rd Avenue West outfall 008 and 11th Avenue Northwest outfall 004, as memorialized in the Shared West Ship Canal Tunnel Description and Schedule in the Ballard-Fremont/Wallingford Combined Sewer Overflow Reduction Project: Final Project Definition Report Volume 1, December 2014, incorporated herein by reference; and

II.6 The Parties entered into the Ballard-Fremont-Wallingford-3rd Avenue West and 11th Avenue Northwest CSO Control Storage Tunnel Option (Joint Tunnel Project) Term Sheet dated February 13, 2015, (the "2015 Term Sheet") setting forth the terms for further consideration of proceeding with the planning, design, construction, operations, maintenance, and joint funding of The Ship Canal WQ Project, for the control of CSOs to the Lake Washington Ship Canal; and

II.7 In accordance with the City's Consent Decree, SPU has a 2015 CSO Long Term Control Plan ("LTCP") approved by state and federal regulators,

identifying Shared West Ship Canal Tunnel (aka The Ship Canal WQ Project) as its preferred option to control CSOs at its Ballard, Fremont and Wallingford outfalls; and

II.8 SPU has also published a final State Environmental Policy Act, Programmatic Environmental Impact Statement ("EIS") dated December 4, 2014, for its CSO program and LTCP; and

II.9 DNRP has a 2012 CSO Long Term Control Plan Amendment approved by state and federal regulators identifying options to control overflows at its 3rd Ave .W. outfall (008) and 11th Ave. NW outfall (004) ; and

II.10 The Parties agree that The Ship Canal WQ Project is a preferred alternative over independently constructed wastewater control projects by the City or King County; and

II.11 DNRP is seeking approval from EPA and Ecology to a modified schedule for completion of the 3rd Ave W. CSO control project and a change in the project description for the 11th Ave. NW CSO and 3rd Ave W CSO control projects consistent with The Ship Canal WQ Project schedule and description; and

II.12 The Parties have mutually agreed to a "Seattle Public Utilities & King County Wastewater Treatment Division Coordination Plan" dated April 7, 2014 (The SPU/DNRP Project Coordination Plan) ("Coordination Plan"). The purpose of the Coordination Plan is to guide the Parties in executing both joint and individual CSO projects to efficiently and effectively achieve CSO control to comply with their respective Consent Decrees and other regulatory requirements; and

II.13 The Parties have agreed to use the Coordination Plan, as appropriate, for the purpose of ensuring coordination between SPU and DNRP and achieving efficient administration of The Ship Canal Project; and

II.14 The Parties have agreed to a Joint King County/Seattle CSO Initiative Work Plan Item 4: Cost-Sharing Method for Joint Capital Projects, dated March 26, 2012 (Technical Memorandum No. 4") for the purpose of determining each Party's proportionate share of the total cost of The Ship Canal WQ Project; and

II.15 The Parties have agreed in Joint King County/Seattle Initiatives Item 7: Incremental Costs and Credits Associated with Combined Sewer Overflow Return Flows and Other Seattle Flow-Changing Initiatives ("Technical Memorandum No. 7"), dated January 7, 2013, to a compensation methodology

for incremental changes to SPU wastewater flows that directly affect the operation and maintenance costs of DNRP facilities downstream of SPU facilities; and

II.16 The Parties have agreed that The Ship Canal WQ Project will be designed, constructed, operated, and maintained to manage CSOs from the seven basins described herein. Minimum Baseline control volumes (per Article III.6) for The Ship Canal WQ Project are:

A) King County CSO Outfalls:

• 11th Avenue Northwest Outfall number 004	1.85 million gallons (MG)
• 3rd Avenue West Outfall number 008	4.18 MG
	6.03 MG

B) SPU CSO Outfalls:

• Ballard Outfall numbers 150/151	0.62 MG
• Ballard Outfall number 152	5.38 MG
• Wallingford Outfall number 147	2.15 MG
• Fremont drainage basin: Outfall number 174	1.06 MG
	9.21 MG

The storage volume of the tunnel may increase due to design and/or other considerations. The Ship Canal WQ Project will not be used for any other basins or purpose unless mutually agreed by both parties in accordance with Change Management as defined in Article III.2 of this Agreement and described in Exhibit B; and

II.17 The Parties have agreed in the 2015 Term Sheet to No Impact Release Rates ("NIRR") for The Ship Canal Project as described in SPUs LTCP, CSO Control Measures Performance Modeling Report, January 2015, (Appendix L of the Final LTCP Volume 2, dated May 29, 2015); and

II.18 Both Parties have already expended funds on technical analyses and on preliminary design work (the "Preliminary Expenditures") in order to determine that The Ship Canal WQ Project is the preferred approach to managing DNRP and SPU CSOs in the West Ship Canal area. The Parties agree that the Preliminary Expenditures are a cost of the Project and are subject to the cost sharing percentages set forth in Section IX.1 through IX.3.

II.19 The Parties acknowledge that this Joint Project Agreement is intended to be binding on SPU and DNRP in perpetuity unless and until it is mutually terminated in accordance with Article XXII.2. The Parties also acknowledge that The Ship Canal WQ Project will require budget appropriations beyond the

respective current approved budget ordinances passed by the Seattle City Council and the King County Council, and thus will be subject to subsequent budget ordinance approvals by both Councils, as appropriate, to adequately fund The Ship Canal WQ Project; and

II.20 The Parties agree that the Recitals in this Article II are incorporated into and constitute a vital part of this Joint Project Agreement.

Article III - Definitions

III.1 **Capital Project Budget** means the annual budget of The Ship Canal Project, as described in the Project Description attached to this Agreement as Exhibit A. The baseline project budget is defined in in the Shared West Ship Canal Tunnel Description and Schedule in the Ballard-Fremont/Wallingford Combined Sewer Overflow Reduction Project: Final Project Definition Report Volume 1, December 2014.

III.2 **Change Management** means the process for evaluation, approval and oversight of changes to The Ship Canal Project attached to this Agreement as Exhibit B.

III.3 **Consent Decree(s)** means the federal court ordered consent decree(s) that the City of Seattle and King County have each entered into with the U.S. Environmental Protection Agency ("EPA"), the Washington State Department of Ecology ("Ecology"), and the U.S. Department of Justice ("DOJ") requiring control of combined sewer overflows (CSOs) to Lake Washington, the Lake Washington Ship Canal, Duwamish River, and Elliott Bay (Civil Action No. 2:13-cv-678 ("City's Consent Decree" dated July 3, 2013), and Civil Action No. 2:13-cv-677 ("King County's Consent Decree" dated July 3, 2013).

III.4 **Consent Decree Extension** means an extension of the construction completion date to achieve the regulatory standard for CSO control at any one or group of outfalls.

III.5 **Control Status** means control of a CSO Outfall as defined by WAC 173-245-020(22).

III.6 **Control Volume** means the volume of combined sewage overflow, as determined by each Party in their respective Long Term Control Plans and/or CSO control plans, required to be controlled through storage in The Ship Canal Project, to achieve control status of the seven CSO outfalls within The Ship Canal WQ Project, as defined in Article II.16.

III.7 **Cost Share(s)** means each Party's proportionate share of The Ship Canal Project's costs, as defined in Articles IX.1 through IX.3 of this Agreement.

III.8 **Flow Attribute Data** means measurements of flow volume and flow rate related to the operation of the Ship Canal WQ Joint Project including but not limited to:

- Water elevation upstream of each diversion point (City and Metro Datums)
- Water elevation downstream of gate at each diversion point (City and Metro Datums)
- Gate position at each diversion point to the tunnel
- Measured flowrate of any flow diverted to the tunnel
- Calculated flowrate of any flow diverted to the tunnel
- Cumulative flow diverted to the tunnel from each basin for the current event
- Total flow diverted to the tunnel for the current event
- Cumulative flow diverted to the tunnel from each basin for historic events
- Total flow diverted to the tunnel for the current event
- Water elevations in tunnel (City and Metro Datums) – upstream and downstream ends (plus any in the middle)
- Calculated volume of tunnel storage used
- Calculated volume of tunnel storage remaining
- Calculated available tunnel volume for each inflow location
- Metered pumped flow from the tunnel – from each pump and total flow
- Pump on-off indicators
- Pump speeds
- Volume pumped out of tunnel during current event

III.9 **No Impact Release Rate (NIRR):** are a set of time series data obtained from models, identifying available capacity at a specific point in the DNRP system after DNRP's future CSO control projects are on-line. The NIRR estimates when and how SPU can drain a storage facility or transfer captured CSO to a specific point in the DNRP system without adversely impacting DNRP facilities. Predicted performance of The Ship Canal WQ Project was analyzed using NIRRs in SPU's Long Term Control Plan, CSO Control Measures Performance Modeling Report, January 2015, (Appendix L of the Final LTCP Volume 2 dated May 29, 2015), incorporated herein by reference.

III.10 **Operation and Maintenance** means the activities performed on all The Ship Canal WQ Project equipment, facilities, systems and structures to assure they achieve their useful life and operate reliably and efficiently in accordance with the principles and guidelines of the Operations and Maintenance Plan.

III.11 **Operations & Maintenance Plan** means the plan setting forth the operating and maintenance principles, and protocols for coordination and communication between SPU and DNRP, and the control strategy and means for monitoring, controlling and regulating the functions of The Ship Canal WQ Project.

III.12 **Peak Flow Event** means any storm event that causes a CSO at any outfall served by The Ship Canal WQ Project, when operated in accordance with the Operations and Maintenance Plan.

III.13 **Post-Construction Monitoring** means the monitoring required by an approved Post Construction Monitoring Plan (PCMP) in accordance with City's and King County's Consent Decrees as well as any additional post-construction monitoring or modeling activities included in any Supplemental Compliance Plan, if needed..

III.14 **Preliminary Expenditures** means costs incurred for, but not limited to, planning, technical analyses, and preliminary design work associated with evaluating the feasibility of The Ship Canal WQ Project.

III.15 **Project Management Plan (PMP)** defines the basis of all work, and describes the processes to be used to plan and deliver The Ship Canal WQ Project through design, construction, and commissioning.

III.16 **Soft Costs** means the fully burdened labor and administrative costs for the planning, design, construction, and commissioning of The Ship Canal WQ Project. Soft Costs include both consultant and agency costs, but excludes costs for materials testing during construction, land survey, and SPU and/or DNRP crew construction costs.

III.17 **Storage Volume** means the total internal volume of The Ship Canal WQ Project available to store wastewater, estimated to be a minimum of 15.4 million gallons.

III.18 **The Ship Canal WQ Project** means the Ship Canal Water Quality Project (SPU Project Number C314056) as described in the Project Description, attached to this Agreement as Exhibit A.

Article IV - Project Design & Construction

IV.1 SPU shall be the lead agency and will be responsible for the planning, design, construction, delivery, operation, maintenance, repair, alteration, monitoring, improvement and support of The Ship Canal WQ Project in

accordance with the terms and conditions of this Joint Project Agreement, Exhibits, and documents incorporated into this Agreement by reference.

IV.2 SPU will execute The Ship Canal WQ Project utilizing the Project Management Plan ("PMP"), as described in Article VI, or as otherwise modified and approved through the Change Management process in accordance with Exhibit B, or by mutual agreement of the Parties.

IV.3 SPU will design The Ship Canal WQ Project for the following:

- Provide Storage Volume, as defined in Article III.16., which is, at a minimum, the aggregate of the seven contributory basin Control Volumes. Any increase in storage volume above and beyond the minimum control volume shall be evaluated through Change Management process (Exhibit B) and Cost Share provisions in accordance with Article IX.
- Ensure each CSO served by the Project is able to use its assigned volume when needed during Peak Flow Events through the use of active controls.
- Preserve existing outfall flow path capacity to retain existing upstream water levels during Peak Flow Events.
- Meet the parameters of the No Impact Release Rates ("NIRR") in accordance with Article III.9. Any changes to the NIRR must be evaluated in accordance with the Change Management process (Exhibit B) and the Cost Share provisions of Article IX.

IV.4 DNRP and SPU will communicate with the Department of Ecology and EPA in a coordinated and collaborative manner and work together to address any subsequent actions that may be needed to keep each Party in compliance. This will include but is not limited to the following:

- Jointly develop a written regulatory strategy to gain approvals from Ecology and EPA for The Ship Canal WQ Project for design, construction, operation and maintenance.
- The regulatory strategy will include communication concerning impacts to up or down stream DNRP or SPU facilities, a process for independent and joint submittals, and regularly scheduled briefings with regulators on their respective Consent Decrees.
- Consistent with the Joint Operations and System Optimization Plan required in both Parties Consent Decrees, each Party will review language pertaining to The Ship Canal WQ Project in each other's annual CSO and Consent Decree reports or other regulatory documents to ensure that each Party is aware of and in agreement with the language.
- DNRP and SPU will work together to prepare summaries of the meetings with Ecology and EPA and conduct follow-up as appropriate.

IV.5 Each Party will be responsible for reporting to EPA and Ecology milestone completions of The Ship Canal WQ Project in compliance with the reporting

requirements of the Parties' respective Consent Decrees and applicable NPDES permits, Long-Term Control Plans and Post Construction Monitoring Plans.

IV.6 SPU will notify DNRP, within thirty (30) calendar days, of substantial and relevant milestones during the construction of The Ship Canal WQ Project. Prior to completion of the Project, SPU will provide DNRP sixty (60) calendar days written notice of the start-up of operations of that facility and that SPU will begin delivery of increased flows from that facility to the Ballard Siphon, pursuant to the terms and conditions of this agreement. DNRP will provide to SPU sixty (60) calendar days written notice of the transfer of flows from 3rd Ave. W and 11th Ave. NW to The Ship Canal WQ Project pursuant to the terms and conditions of this agreement. Prior to commissioning of the Project, SPU and DNRP will document operating assumptions, agreed upon release rates, and any other relevant agreements concerning upstream and downstream flow impacts.

IV.7 SPU will follow DNRP's Local Public Agency project review process as described in the SPU/DNRP Project Coordination Plan as amended, including providing DNRP with as-built drawings for The Ship Canal WQ Project and ancillary facilities upon project completion and/or any future modifications. SPU will submit draft as-built drawings to DNRP prior to commissioning of The Ship Canal WQ Project facilities and final as-built drawings to DNRP within 6 months after Construction Completion as defined in the Consent Decree.

IV.8 DNRP will follow a similar review process as outlined in Article IV.7 to inform SPU of future changes to DNRP's upstream facilities that may impact The Ship Canal WQ Project.

Article V - Roles & Responsibilities

V.1 SPU, in consultation with DNRP, shall develop a schedule for implementation of this Agreement including all deliverables. The schedule will be developed within sixty (60) calendar days of the Effective Date of this Agreement.

V.2 SPU shall be the lead agency responsible for compliance with the State Environmental Policy Act (SEPA), designing, constructing, commissioning, and operating and maintaining The Ship Canal WQ Project. DNRP shall coordinate and cooperate with SPU on all phases of The Ship Canal WQ Project and shall

review and provide timely input to SPU on its facility design, permitting, construction, commissioning, and operations plans, details and specifications. Both Parties are responsible for working together for the benefit of The Ship Canal WQ Project to reach agreement on any outstanding issues or disputes that may arise during all phases of the project.

V.3 SPU shall be responsible for all design drawings and specifications and any other pertinent documentation relating to the design, construction, and operation of The Ship Canal WQ Project. DNRP shall be responsible for coordinating with SPU and providing review and input on those design drawings and specifications throughout the design process. SPU's responsibility and authority is as follows:

- Engage DNRP in continuous and uninterrupted participation in design process through Task Forces, workshops, value engineering sessions, and reviews, etc.
- Actively seek DNRP Subject Matter Experts (SME) involvement in the design process.
- Provide DNRP with work in progress/design-submittals including but not limited to 30%, 60%, and 90% design phases. Also provide information requests as required for SME's to follow and review design progress.
- Provide designers of record with comments at 30%, 60%, and 90% design phases within twenty (20) working days of receipt. SPU comments to the designer will include all DNRP comments and recommendations.
- Any and all comments and recommendations made by either Party that are inconsistent with each other shall be resolved in accordance with the One Team Decision Making Guidelines (Exhibit C), attached to this Agreement, to both parties' mutual satisfaction. Comments that require more than twenty (20) working days to resolve shall be addressed within the succeeding design phase package.
- Any changes that affect the Project Description (project scope, schedule or budget) as defined in Exhibit A of this Agreement shall be resolved in accordance with the Change Management process (Exhibit B) attached to this Agreement.
- SPU shall give DNRP the opportunity to review and comment on all design elements of the Project. SPU recognizes and understands that DNRP has high interest and will focus its review and participation in the design process, including but not limited to the following elements:
    - CSO flow management to limit control volume allocations as specified in Article II.16

- Tunnel drain rate to ensure the NIRR will be met
- Tunnel flow control strategies and associated instrumentation and controls (I&C) to ensure compatibility w/DNRP operations, including solids flushing through the Ballard Siphon
- Areas of interface with DNRP facilities
- Areas to reduce project lifecycle costs, improve reliability and/or function.

V.4 SPU shall execute and administer all construction contracts for The Ship Canal WQ Project in accordance with scope, schedule, budget and approved plans and specifications including and subject to the following:

- Prior to issuance of notice to proceed, SPU will meet with project team members including DNRP. DNRP shall identify construction documents to be reviewed by DNRP.
- SPU will provide construction documentation including, but not limited to, Submittals, Requests for Information (RFIs), and Change Requests that involve DNRP's system components to DNRP for review and comment via SPU's electronic document management system.
- SPU will provide all progress and schedule updates to DNRP via SPU's electronic document management system.
- SPU will make all contract change documents available for DNRP review.
- SPU will follow the approval guidelines set forth in Change Management, Exhibit B.
- DNRP will have the right but not the obligation to provide construction management staff to observe construction at its own cost. All DNRP comments concerning the progress and quality of construction will be given only to SPU Construction Management staff.
- SPU and DNRP will each make their respective requests to the other agency using Exhibits B and C when either agency proposes a change to the project that will affect the terms of the construction contract.

V.5 SPU shall be responsible for commissioning The Ship Canal WQ Project. DNRP shall coordinate and cooperate with SPU and shall review and provide input on plans and specifications for commissioning and for coordinating commissioning activities between SPU staff and staff at the West Point Treatment Plant. Roles and responsibilities for the commissioning process shall be as follows:

- SPU shall be responsible to produce the startup and commissioning plan as part of the design and construction phase for The Ship Canal WQ Project.
- DNRP shall be responsible for providing review and input throughout development of the specifications and implementation of the startup

and commissioning plan. The review and input process shall consist of the following:

  - SPU will include DNRP in the development of specifications for the startup and commissioning process through planning workshops and task forces that include both SPU and DNRP staff, and through direct engagement of subject matter experts from both Parties.
  - The Ship Canal WQ Project contractor will be required to provide to SPU a Commissioning Plan a minimum one hundred eighty (180) calendar days prior the start-up of any major component.
  - Upon receipt from the contractor, SPU shall forward the draft Startup and Commissioning Plan to DNRP for review at least one hundred twenty (120) calendar days prior to the startup of any major component of The Ship Canal WQ Project.
- DNRP shall complete its review and provide input to SPU within thirty (30) calendar days of receipt of the draft Startup and Commissioning Plan.
- During commissioning and startup, SPU shall notify DNRP at least sixty (60) calendar days prior to conveying initial flows from The Ship Canal WQ Project into DNRP's regional system.
  - Flows of wastewater from The Ship Canal WQ Project shall be coordinated with designated DNRP staff regarding operations and monitoring of the West Point Treatment Plant.
  - DNRP shall provide a construction management or operations staff member(s) on site for testing during the commissioning process of The Ship Canal WQ Project to ensure agreed-to specifications are being met; and, to coordinate with designated DNRP staff regarding operations and monitoring of the West Point Treatment Plant.

V.6 SPU shall be responsible for operating the completed Project tunnel and associated equipment to control CSOs to meet the Consent Decree Performance Standards in accordance with WAC 173-245-020(22) and the control volumes specified in Article II.16 of this Agreement. Roles and responsibilities for operations and maintenance of The Ship Canal WQ Project will be as follows:

- SPU is responsible to develop an Operations and Maintenance Plan that includes, at a minimum, the Standard Operating Procedures (SOPs) described in Article VIII.1 of this Agreement.
- DNRP shall be responsible for providing review and input for developing the Operations Plan
- SPU shall include DNRP in development of the Operations and Maintenance Plan through workshops and task forces as may be appropriate that include both SPU and DNRP staff, and through direct engagement of Subject Matter Experts' from both organizations. SPU shall forward an Operations and Maintenance Plan to DNRP for review and input at least one hundred twenty (120) calendar days prior to the startup of any major system of The Ship Canal Water Quality Project.

- SPU will provide at least sixty (60) calendar days for DNRP to review and provide input and comment to the Operations and Maintenance Plan; and for both Parties to reach agreement on input received.
    - SPU shall incorporate DNRP's input and comment(s) or provide written explanation as to why DNRP comments cannot be incorporated.
    - Any disputes will be resolved in accordance to the One Team Decision Making Guidelines (Exhibit C) to both parties' mutual satisfaction.
    - SPU will finalize the Operations and Maintenance Plan prior to construction completion.
- Both Parties shall utilize the Change Management process specified in Exhibit B to this Agreement to modify or amend the completed and approved Operations and Maintenance Plan.
- SPU will provide DNRP opportunity to review and comment within thirty (30) calendar days of receiving draft and final operations and maintenance plans, comments from regulatory agencies, final plans, specifications, agreements, and scopes of work for any consultants and contractors to be retained, and any other pertinent documentation relating to the operation and maintenance of The Ship Canal WQ Project.
- Upon request by either Party, SPU and DNRP shall conduct joint post-storm event debriefs following commencement of operations of the Ship Canal WQ Project to control CSOs in accordance with the Post Construction Monitoring Plan per Article VIII.8
- SPU and DNRP will work jointly to optimize The Ship Canal Water Quality Project operations and maintenance, and will meet annually to assess and document performance of The Ship Canal WQ Project in accordance with Article VIII of this Agreement.
- SPU will operate and maintain the Ship Canal WQ Project and associated equipment according to the final Operations and Maintenance Plan per Article VIII of this Agreement.
- SPU to the best of its ability will notify DNRP in writing of maintenance activities on The Ship Canal WQ Project facilities so that DNRP can coordinate such maintenance activities with the operations of its West Point Treatment Plant.
- SPU shall provide DNRP an annually updated list of maintenance activities and equipment changes as described in Article VII.7 of this Agreement.

Article VI - Project Management

VI.1 SPU will prepare and implement the Project Management Plan (PMP) for The Ship Canal WQ Project. The PMP shall describe the processes that will be used to plan and deliver The Ship Canal WQ Project to completion. The Parties agree that the PMP when finalized and as amended from time to time will be incorporated into the Agreement by reference. SPU will make available to DNRP all progress and status reports required as a part of the PMP. The PMP will include, but will not be limited to the elements described in Articles VI.2 through VI.8 below.

VI.2 SPU will retain the services of design consultants to prepare detailed drawings and specifications for The Ship Canal WQ Project. Review and comment of all detailed drawings and specifications shall follow the process contained in Article V.3.

VI.3 SPU will be responsible for the production of the facility plan, control strategy, final plans and specifications, scopes of work for engineering consultants and contractors to be retained, and any other pertinent documentation relating to the design, construction, and operation of The Ship Canal WQ Project. Review and comment of all documentation relating to the design, construction, and operation of The Ship Canal WQ Project shall follow the process contained in Article V.3.

VI.4 The Parties will jointly develop and coordinate the implementation of a public outreach and communication plan for impacted communities, regulators, media, neighborhoods and businesses affected by implementation of The Ship Canal WQ Project. During design and construction, the joint media and communications task force will oversee and direct this effort. Post construction, the Parties will each appoint a media and communications representative to work together on developing an operations and maintenance communication strategy that will include community outreach for operations, maintenance and emergency response activities.

VI.5 The Parties jointly agree to utilize and comply with the Change Management process as provided in Exhibit B which provides processes and procedures for changing the scope, schedule, or Capital Project Budget, as well as thresholds and required approvals for each type of change to The Ship Canal WQ Project.

VI.6 In consultation with DNRP, SPU may create Task Forces, defined as committees of subject matter experts that are assigned a specific responsibility to assist in the planning, design, construction, delivery, operation, maintenance, repair, alteration, monitoring, improvement and/or support of The Ship Canal WQ Project. Each Task Force will be composed of SPU or DNRP staff, or both, and will have a written charter addressing, including but not limited to, staff roles and responsibilities, a defined purpose, identified deliverables, set of tasks, who the task force reports to, and a schedule to complete their specific tasks and objectives.

VI.7 The Parties agree that The Ship Canal WQ Project shall be bid, contracted for, designed, and constructed in accordance with State and local law applicable to City of Seattle public works projects.

VI.8 Because a portion of the Project will be conducted on County owned property and/or for the benefit of the County, the contracts between SPU and its contractors, consultants and designers will include the following requirements:

- With respect to any and all of the County's interests, SPU, and the consultants/contractors will acknowledge that the County is an intended third party beneficiary of the design, construction management and construction contracts;
- SPU and the contractor will include the County as a named third party beneficiary of the SPU design, construction and construction management contracts; and
- SPU and the consultants/contractor will include the County in the indemnification and insurance provisions contained in the SPU contracts. SPU and the County do not intend that this paragraph be interpreted to create any obligation, liability, or benefit to any third party, other than SPU and the County for purposes of the design and construction of the Project.

Article VII - Ownership and Use of The Ship Canal WQ Project

VII.1 SPU will own the completed Ship Canal WQ Project, and shall be responsible for operation, maintenance, permitting, monitoring, replacement, repair, alteration, and improvement of The Ship Canal WQ Project, with the Parties sharing all costs and expenses related to such operation, maintenance, permitting, monitoring, replacement, repair, alteration, and improvement of The Ship Canal WQ Project in accordance with the cost share terms of Article IX of this Joint Project Agreement.

VII.2 In consideration for and subject to fully and continually meeting its cost share obligations as defined under Articles IX.1 through IX.3, DNRP shall have the right to use 6.03 MG gallons of the Storage Volume of The Ship Canal WQ Project in accordance with Article II.16. SPU shall have the right to use 9.21 MG of the Storage Volume of The Ship Canal WQ Project in accordance with Article II.16.

VII.3 Ownership of the outfall structures for the seven outfalls to The Ship Canal WQ Project as listed below will be retained by the Party to this Agreement that owns each outfall as of the Effective Date of this Agreement:

A) King County Outfalls by NPDES number:

- 004: 11th Ave N.W
- 008: 3rd Ave West

B) SPU Outfalls by NPDES number:

- Ballard drainage basin: Outfall numbers 150,151 and 152
- Fremont drainage basin: Outfall number 174
- Wallingford drainage basin: Outfall number 147

VII.4 DNRP shall work with SPU to secure necessary permissions and permits to access DNRP-owned land, rights-of-way and facilities for the purpose of planning, design, construction, operation, maintenance, repair, replacement, alteration, and improvement of The Ship Canal WQ Project, including but not limited to all Ship Canal WQ Project-related conveyance facilities, devices, structures, and any flow monitoring required to convey, measure and control combined flows to The Ship Canal WQ Project and from The Ship Canal WQ Project to the DNRP's regional wastewater system as long as this Agreement remains in effect.

VII.5 In the event that any County-owned property interest becomes subject to any claims for mechanics', artisan's, materialmen's liens or other encumbrances chargeable to or through the City for work related to The Ship Canal WQ Project, that the City does not contest, the City shall cause such lien, claim or encumbrance to be discharged or released of record (by payment, posting of bond, court deposit or other appropriate means) without cost to the County and shall indemnify the County against all costs and expenses (including attorney's fees) incurred in discharging and releasing such claim, lien or encumbrance prior to completion of The Ship Canal WQ Project.

Notwithstanding any language herein to the contrary, SPU's Contractors retained for The Ship Canal WQ Project work shall be responsible for any damage done to DNRP-owned property and shall promptly repair such damage.

VII.6 Once constructed, SPU shall retain ownership and title to all storage and conveyance facilities, devices, connections, structures, equipment and flow monitoring equipment, as well as all real property required for the operation, support, maintenance, repair, improvement, and administration of The Ship Canal WQ Project as defined in the Project Description (Exhibit A), unless otherwise agreed to in writing by the Parties. Notwithstanding anything in this section or in this Agreement, DNRP shall retain ownership of any property or property interests it owned as of the Effective Date of this Agreement.

VII.7 SPU will provide DNRP an annual, updated list of all storage and conveyance facilities, devices, connections, structures, flow monitoring equipment and other equipment required for the operation of The Ship Canal Project. The updated list will include facility location information and any anticipated changes, including maintenance, to the facilities, devices, connections, structure, flow monitoring or other equipment anticipated in the next 5 years.

VII.8 DNRP will provide SPU with an annual, updated list of all storage and conveyance facilities, devices, connections, structures, flow monitoring

equipment or other equipment related to DNRP facilities upstream of or connected to The Ship Canal Project. The updated list will include facility location information and any anticipated changes, including maintenance, to the facilities, devices, connections, structure, flow monitoring or other equipment anticipated in the next 5 years.

Article VIII - Operations & Maintenance

VIII.1 In consultation with DNRP, SPU will complete development of an Operations and Maintenance (O&M) Plan as defined in Articles III.10 and III.11, simultaneously with the completion of project design.

The Final O&M Plan shall address how the Project will limit the inflow to the Ship Canal WQ Project from each outfall to each outfall's control volume per event, specify processes and procedures for the monitoring, control and regulation of the completed Ship Canal WQ Project that will control CSO basins as defined in Article II.16. The O&M Plan should include methods to minimize life-cycle costs and achieve the goals and requirements of the Parties' respective LTCP/CSO Control Plans, their respective Consent Decrees and NPDES permits.

SPU shall engage DNRP in continuous and uninterrupted participation throughout development of the O&M Plan. DNRP shall be responsible for providing SPU with timely review comments and recommendations of all materials. All comments and recommendations made by either agency that are inconsistent with each other, shall be resolved to both Parties' mutual satisfaction through the One Team Decision Making Guidelines (Exhibit C) and Change Management (Exhibit B).

The O&M Plan shall include operation and maintenance elements contained in the Department of Ecology's "Criteria for Sewerage Works Design" (Publication No. 98-37 WQ) or its successor and WAC 173-240-080 or its successor. Additionally, the operation and maintenance elements listed below are to be used as guidance during development of the O&M Plan.

- Monitoring requirements, quality control, and responsibilities
- Monitoring and Modeling Plan
- Staffing Plan, that requires certified operators with collection system endorsement and confined space entry certification
- Real-time sharing of Flow Attribute Data, as defined in Article III.8, from the Joint Tunnel and from each basin connected to the Joint Tunnel
- Operating control strategy and change process

- Real-time control and reporting strategy
- Process to evaluate facility performance
- Decision making strategy and protocols for facility changes over time
- Start-up and commissioning plan
- Emergency response protocols
- Optimization plan
- Inter-agency Communication protocol
- Change management process
- Detailed Standard Operating Procedures (SOPs)

The O&M Plan shall also include maintenance elements contained in the Department of Ecology's "Criteria for Sewerage Works Design' (Publication No. 98-37 WQ) or its successor, and WAC 173-240-080 or its successor. Additionally, the O&M Plan should include a Maintenance staffing plan that includes number of staff with mechanical, electrical and instrumentation and controls (I&C) disciplines, and confined space entry certification.

Development of the O&M Plan shall occur during the Design and Construction phases for the Project to ensure that operation and maintenance are considered during those phases. Progress on the O&M Plan should proceed at the following pace in relation to design and construction:

60% Design	O&M Plan at 30%
90% Design	O&M Plan at 60%
80% Construction	O&M Plan at 85%
Operational Testing	O&M Plan at 95%
Construction Completion	O&M Plan Finalized

The Final O&M Plan shall be executed by SPU and DNRP and will be incorporated into this Agreement by reference.

VIII.2 DNRP and SPU agree to cooperate in the implementation and optimization of the Operations and Maintenance Plan and to work cooperatively on any update, modification, or amendment to the Operations and Maintenance Plan as may be necessary or desirable, as experience is gained with the operation of The Ship Canal WQ Project.

VIII.3 DNRP and SPU agree to meet annually to assess and document performance of the Ship Canal WQ Project and up and downstream impacts during the first five years following Project start-up, or more frequently if necessary due to operational and regulatory compliance issues. Annual meeting topics may include but are not limited to the following:

- Monitoring and overflow results from the current and previous years
- Comparison of the modeled and monitored data for the current and previous years, if appropriate
- Facility performance and operations adjustments
- Impacts to SPU's and DNRP's up and downstream systems, including discussion of thresholds for developing and executing action plans
- Potential improvements to communications and/or operations coordination
- Short-term operational adjustments or capital improvements to mitigate impacts, if necessary
- Flow monitoring changes, if necessary
- Regulatory compliance issues and response plans, if necessary.

VIII.4 The Parties agree that The Ship Canal WQ Project will be designed and operated to control the flow of grit, settleable solids and debris so as not to impair the capacity of the Ballard Siphon. If it is jointly determined grit, settleable solids or debris from the The Ship Canal WQ Project is adversely affecting the Ballard siphon, SPU will work with DNRP to draft an alternatives analysis to diagnose the problems and propose solutions, evaluating both independent and joint control, maintenance, or repair measures. The proposed solutions will be reviewed by the Joint Oversight Committee as defined in Article XIV.2; and the cost share for the solution(s) implemented shall be negotiated by the Joint Oversight Committee.

VIII.5 SPU will operate The Ship Canal WQ Project within the parameters of the No Impact Release Rates ("NIRRs") in accordance with Article III.9. SPU will also develop NIRRs for The Ship Canal WQ Project to assess potential impacts from flows entering the tunnel. Optimization of these NIRRs will occur jointly and will be described in the Operations and Maintenance Plan.

VIII.6 Prior to commissioning The Ship Canal WQ Project, SPU and DNRP will document all operating assumptions, and any relevant agreements concerning upstream and downstream flow impacts.

VIII.7 Start-up and commissioning of The Ship Canal WQ Project will be conducted jointly as defined in the term sheet and the SPU/DNRP Project Coordination Plan as amended.

VIII.8 SPU and DNRP will prepare a joint draft and final Monitoring and Modeling Plan for The Ship Canal WQ Project, and a five-year Post-Construction Monitoring Plan (PCMP), as defined in Article III.13.

VIII.9 SPU and DNRP shall jointly prepare a draft and final Monitoring and Modeling Report that summarize the results of the baseline period prior to the

increased flows from SPU's Ship Canal WQ Project and five-year post-construction monitoring effort. The specific tasks involved in preparing the report will include but not be limited to:

- Description of the baseline monitored peak flows and volumes at the monitoring locations
- Comparison of baseline monitored peak flows and volumes to monitored post-construction peak flows and volumes and the NIRRs
- Comparison of the monitored flows to the modeled flows
- Description of the total increase in flow volume from SPU Basins (150, 151, 152, 147, 174) to relevant DNRP facilities for calculation of the incremental O&M charges
- Description of any hydrologic/hydraulic modeling work
- Description of the impacts of the increased flows on any DNRP facility including treatment effectiveness at the West Point Treatment Plant and all other related regulatory compliance or operational issues.
- Description of impacts of increased flows and storage volume impacts to The Ship Canal WQ Project above and beyond those defined in Article II.16.

VIII.10 In the event it is necessary to meet the Parties' Consent Decree requirements and/or other regulatory requirements, following the issuance of the Final Monitoring and Modeling Report, the Parties shall work together in preparing a draft and final Post-Monitoring Action Plan to summarize regional and local impacts and recommend actions to mitigate any adverse impacts. The Post-Monitoring Action Plan will include but is not limited to the following:

- Short-term operational adjustments to mitigate impacts
- Long-term operational/capital improvements to mitigate impacts
- Recommended actions necessary to meet regulatory requirements
- Costs and schedules for implementation
- Adaptive management approaches or strategies appropriate to mitigate impacts

Article IX - Cost Sharing

IX.1 DNRP will pay to SPU 35.0% of all costs of The Ship Canal WQ Project as defined in Article III.18 and in accordance with Article IX.3, including all costs

associated with operations and maintenance in accordance with the final Operations and Maintenance Plan, except as specifically otherwise provided by this Agreement.

IX.2 SPU will pay 65.0% of all costs of The Ship Canal WQ Project, as defined in Article III.18 and in accordance with Article IX.3, including all costs associated with operations and maintenance in accordance with the final Operations and Maintenance Plan, except as specifically otherwise provided by this Agreement.

IX.3 The cost share percentages in Article IX.1 and IX.2 will apply to the allocation of all non-excluded costs of The Ship Canal WQ Project. These include but are not limited to project planning, design, land acquisition, permitting, construction, mitigation required by SEPA, commissioning, operation, maintenance, repairs, replacements, alterations, improvements, monitoring and modeling, and 1% for the arts as applicable, except as excluded by King County Ordinance No. 12089.

There are components of the Project that are associated with SPU's CSO control solution in the Ballard and Wallingford basins that are being constructed by SPU and that, consistent with Technical Memorandum No. 4, are to be funded in their entirety by SPU. No costs associated with these components shall be borne by DNRP, including but not limited to project planning, design, land acquisition, permitting, construction, mitigation commissioning, operation, maintenance, repairs, replacements, alterations, improvements, monitoring and modeling, and 1% for the arts. The Ship Canal WQ Project, as defined herein, does not include the components excluded from cost sharing in accordance with those described in Exhibit A and the SPU purchase of parcel numbers 046700-0423 and 046700-0431 (former Yankee Grill site) in Ballard.

IX.4 Any alteration or improvement to The Ship Canal WQ Project following completion that is required by regulation or a Consent Decree, or as may be mutually agreed upon by the Parties through the Change Management process, Exhibit B, shall require an options analysis, and include consideration of both independent and joint control measures.

IX.5 The Parties agree that Soft Costs, as defined in Article III.16., shall be subject to the following:

- At the beginning of each year and continuing through the construction and commissioning of The Ship Canal WQ Project, SPU and DNRP will agree to an annual Soft Costs budget.
- The annual Soft Costs budget will be the Parties' annual limit of Soft Costs charges for The Ship Canal WQ Project.
- The Soft Costs budget will be a part of the total cost of The Ship Canal WQ Project, and will be subject to the Cost Share provisions of Article IX.1 through IX.3 of this Agreement.

- If a Capital Cost Increase is solely due to an increase in Soft Costs, the Change Management process will be utilized.

IX.6 Proceeds or monies received by SPU or DNRP, either individually or jointly, for the benefit of The Ship Canal WQ Project, including but not limited to the award of grants or loans, any insurance proceeds, recovery of any damages, judgments, settlements, or tax adjustments or deferrals, shall benefit SPU and DNRP in proportion to their contributed share of payments for The Ship Canal WQ Project as defined by the cost share percentages in Article IX.1, IX.2 and IX.3 above. If land purchased, in whole or in part, for The Ship Canal WQ Project and paid for by the Parties in accordance with the cost share percentages in Article IX.1, IX.2, and IX.3 is subsequently sold or declared surplus as no longer needed for construction or operation of The Ship Canal WQ Project, then the proceeds of the sale shall be credited to each Party in proportion to their contributed share of The Ship Canal WQ Project in accordance with the cost share percentages in Article IX.1, IX.2 and IX.3, above.

IX.7 Capital Cost Increases, which are costs of planning, design, permitting, construction, mitigation, completing, and commissioning The Ship Canal WQ Project that exceed the Capital Project Budget, will be paid for by the Parties using the cost share percentages in Articles IX.1 and IX.2, subject to Articles IX.9, and IX.10 below.

IX.8 SPU will implement a cost monitoring and reporting system as part of the PMP, which shall document costs incurred and progress to date on The Ship Canal WQ Project, along with any reporting in accordance with the PMP and Article X of this Agreement.

IX.9 The Parties will share Capital Cost Increases exceeding the Capital Project Budget that would have occurred regardless of which Party is in the lead, in proportion to their shares of The Ship Canal WQ Project costs as defined by the cost share percentages in Article IX.1, IX.2, and IX.3 above.

IX.10 As a guide for determining whether a Capital Cost Increase exceeding the baseline Ship Canal WQ Project Budget, as defined in Article III.1, is to be a shared cost, or exclusively a cost to SPU or DNRP, SPU will refer to the "List of Potential Causes for Capital Cost Increases" contained in Exhibit D.

IX.11 The Project shall be designed and constructed to meet the aggregate of the minimum control volumes stated in Article II.16 and in the Project Description. Storage volume in excess of the stated minimum control volumes may come from one or both of the following:

- Tunnel system components, refinements, non-discretionary changes, and contractors' means and methods ("Excess Volume")
- Discretionary changes to the Project Description ("Discretionary Excess Volume")

Allocation of Excess Volume is defined in Article IX.12. Allocation of Discretionary Excess Volume is defined in Article IX.13.

IX.12 Excess Volume, excluding Discretionary Excess Volume, is volume obtained incidentally during design and construction of the Project, in accordance with the Project Description, and is anticipated from one or more of the following:

- Portals and down-shafts
- The pump station wet well
- Non-discretionary Project revisions and refinements (adjustments to the tunnel alignment, portal diameters, etc.)
- Contractor means and methods that meet the requirements of the bid documents and result in the lowest bid amount
- Other means

The Parties agree that Excess Volume, excluding Discretionary Excess Volume, shall be allocated such that SPU has rights to 60 percent and DNRP 40 percent of the Excess Volume. These proportions are consistent with the control volume allocations in Article II.16 and the Project Description, Exhibit A. To ensure appropriate allocation of Excess Volume, The Ship Canal Project Excess Volume shall be estimated at construction substantial completion and allocated between SPU and DNRP in the proportions of 60 and 40 percent respectively. The Ship Canal Project Excess Volume shall only be used exclusively for CSO storage from the basins identified in Article II.16 and the Project Description, Exhibit A. Excess Volume is incidental to the Project and is included in the shared project costs in accordance with Articles IX.1 through IX.3.

IX.13 Discretionary changes to the Project Description that result in Discretionary Excess Volume (e.g., construction of a tunnel diameter greater than 14 feet diameter) shall go through the change management process. Unless otherwise modified by agreement: 1) the cost share between the Parties for the Discretionary Excess Volume shall be proportionate to the agreed upon allocation of the Discretionary Excess Volume; 2) the Parties have the right to, but are not obligated to purchase 65 percent to SPU and 35 percent to DNRP of the Discretionary Excess Volume.

IX.14 Both Parties acknowledge there is a possibility that: 1) a Party may on a regular or continuous basis need to use a portion of the Storage Volume greater than its right to use as defined in Article VII.2, or 2) regulatory compliance may not be obtained by one or both Parties through implementation and operation of the Project in accordance with the final Operations and Maintenance Plan, and will require one or both Parties to develop a supplemental compliance plan under the terms of each Party's Consent Decree. Project commissioning and the 5-year post construction monitoring period will inform both Parties on project performance, possible excess use and compliance with regulations. In the event that regular or continuous use of excess volume or a supplemental compliance

plan is needed by either Party, as determined by annual monitoring following the 5-year post construction monitoring period, consideration will be given to purchasing or leasing available capacity from the other Party. Neither Party shall be obligated to sell or lease their available capacity to the other Party. Requests to purchase or lease volume from the other Party shall be made through the Project Review and Change Management Committee (Exhibit B).

When such regular or continuous excess use is determined after the 5-year post construction monitoring period, if required, the responsible Party will produce a supplemental compliance plan in accordance with that Party's Consent Decree. Annual payment obligations by that Party will be incurred from the time the regular or continuous excess use is determined until the new control measure is implemented. These payment obligations will accrue with interest until they are paid.

The Parties agree that the annual payments for regular or continuous excess use will be equal to a fraction, the numerator of which is the responsible Party's additional control volume and the denominator of which is the Project's total Storage Volume, multiplied by the sum of:

- the estimated annual operating cost of the Project, plus
- three percent (3%) times all capital cost of the Project to reflect for the time value of money.

Article X - Project Budget and Funding

X.1 The Ship Canal WQ Project as defined in Article III.18, or as modified through written agreement of the Parties, is based on the Capital Project Budget, which shall be used as the basis for calculating each Party's financial contribution to plan, design, construct, and complete The Ship Canal WQ Project, and establishing a schedule of payments for planning, design, construction and completion of The Ship Canal WQ Project.

X.2 SPU and DNRP agree that SPU will invoice DNRP each month for DNRP's share of the costs to date of The Ship Canal WQ Project and DNRP shall invoice SPU on a quarterly basis for SPU's share of DNRP costs on The Ship Canal WQ Project. The Parties shall provide each other with invoices showing expenditures during the previous month (or previous quarter for DNRP's expenditures) on The Ship Canal WQ Project. Invoices shall itemize the consultants' and contractors' payments, equipment, materials and labor expended on the Project, plus SPU's and DNRP's expenditures in support of The Ship Canal WQ Project. Invoices seeking payment or reimbursement for contractor and consultant expenditures shall not include any Party mark-up.

Invoices seeking payment or reimbursement for a Party's employee labor charges shall state the number of labor hours expended on the Project by such employees, along with their names, job titles, and fully burdened labor rates. Any direct non-salary charges shall be itemized by category, i.e. mileage, reproduction, postage and shipping, telephone, etc. Supporting documentation will accompany each invoice submitted. Copies of receipts for expenses for which reimbursement is sought shall be attached. Properly documented invoices shall be paid by the receiving Party within thirty (30) calendar days of receipt, unless otherwise agreed to in writing by the billing Party. Notice of any potential dispute regarding current invoices shall be made in writing within the same time-period. Payment by a Party shall not constitute agreement as to the appropriateness of any item or acceptance of the work so represented. At the time of final audit, all required adjustments related to any potential dispute for which notice has been timely given shall be made and reflected in a final payment.

X.3 SPU will provide DNRP a progress report on work completed on The Ship Canal WQ Project to-date, along with a cost report, with each invoice in a format as shown in Exhibit E. SPU will submit the cost report with each monthly invoice.

X.4 SPU's first invoice shall be submitted to DNRP thirty (30) calendar days after the mutual execution of this Agreement or January 30, 2016, whichever is later. The first invoice to DNRP for The Ship Canal WQ Project costs shall include $463,080 for DNRP's expenses accrued in 2014 and DNRP's proportionate share of costs, as defined in Article IX.1, IX.2 and IX.3, incurred for The Ship Canal WQ Project including costs and expenses accrued since January 1, 2015, excluding costs associated with negotiating and drafting of this Joint Project Agreement.

X.5 The Parties agree to pay simple interest at the rate of one percent (1%) per month on any undisputed amounts that are more than thirty (30) calendar days overdue under this Agreement, unless otherwise agreed to in writing by the Parties.

X.6 In accordance with the cost share provisions of Article of IX.1 through IX.3, SPU and DNRP will jointly fund an independent audit of costs for The Ship Canal WQ Project for the purpose of reconciling actual costs for each Party in accordance with this Joint Project Agreement within one year of The Ship Canal WQ Project achieving Control Status.

X.7 Within one year of completion of the independent audit described in Article X.6 above, the Parties will reconcile their contributions made in comparison to the audited actual cost to deliver The Ship Canal WQ Project to completion.

X.8 SPU will invoice DNRP annually for Operation and Maintenance (O&M) costs, during the first five (5) years of operation of The Ship Canal WQ Project,

based on a mutually agreed O&M estimate, to be developed at completion of project construction, and incorporated herein by reference. Prior to the end of the sixth year of operation of The Ship Canal WQ Project, SPU will reconcile actual costs against the O&M estimate, and invoice/credit DNRP for the difference between actual O&M costs and estimated O&M costs. SPU will invoice DNRP annually thereafter for DNRP's share of O&M costs incurred, and DNRP will pay to SPU the amount due within ninety (90) calendar days of receipt of an annual O&M invoice.

X.9 The Parties acknowledge and agree that this Joint Project Agreement will require budget appropriations beyond the respective current approved budget ordinances passed by the Seattle City Council and the King County Council, and thus will be subject to subsequent annual or biennial budget ordinance approvals by both Councils, in accordance with the City of Seattle and King County Charters and applicable state law.

Article XI - Insurance

XI.1 Prior to the contract solicitation for the Construction contract(s) and signature of any Design contract(s) for The Ship Canal WQ Project the Risk Managers from the City of Seattle and King County will co-operate in the development of an insurance program for the design and construction of The Ship Canal WQ Project. Both parties shall agree on the scope and content of the insurance programs.

Coverages and limits shall be in accordance with prudent risk management practices and shall be consistent with those insurance coverages routinely requested and obtained by the parties for projects of similar size and scope.

XI.2 The Design Contract at a minimum shall require the following coverages and limits:

a) Commercial General Liability: Coverage shall be at least as broad as: Insurance Services Office Form No. CG 00 01, covering Commercial General Liability no less than $1,000,000 combined single limit per occurrence and, for those policies with an aggregate limit, a $2,000,000 aggregate limit.
b) Automobile Liability: Insurance Services Office form number CA 00 01, covering BUSINESS AUTO COVERAGE, symbol 1 "any auto"; or the combination of symbols 2, 8, and 9. $1,000,000 Combined Single limit Bodily Injury and Property Damage.
c) Umbrella or Excess Liability Insurance: The Contractor shall provide minimum Excess or Umbrella Liability coverage limits of $5,000,000

each occurrence in excess of the primary CGL and Automobile liability insurance limits.

d) Professional Liability, Errors and Omissions (PLI): $20,000,000 per Claim and in the Aggregate. SPU and DNRP agree that the minimum coverage specified in this paragraph will be met through any combination of the following, to be mutually agreed upon by the Parties prior to the design contract being executed with the selected design consultant: 1) the Design Consultant's Professional Liability/E&O standard practice policy; 2) Project Specific PLI Policy; and/or 3) SPU and DNRP jointly-purchased Owner's Protective Professional Liability Indemnity (OPPI) insurance policy. Coverage shall be maintained for a period of six years subsequent to project completion.

e) Contractor's Pollution Liability Coverage: Contractor shall provide Contractor's Pollution Liability coverage in the amount of $1,000,000 per occurrence and in the aggregate to cover sudden and non-sudden bodily injury and/or property damage to include the destruction of tangible property, loss of use, clean-up costs and the loss of use of tangible property that has not been physically injured or destroyed.

f) Workers' Compensation: Workers' Compensation coverage, as required by the Industrial Insurance Act of the State of Washington.

g) Employers Liability or "Stop-Gap": The protection provided by the Workers Compensation policy Part 2 (Employers Liability) or, in states with monopolistic state funds, the protection provided by the "Stop Gap" endorsement to the General Liability policy. Limit: $1,000,000.

XI.3 The Parties expect that construction contracts for The Ship Canal Project will be solicited and entered into in the years 2017 and 2018. Prior to solicitation the Parties shall meet and consider the potential insurance programs suitable for a project of this size and scope. This can include but not be limited to: contractor provided insurance, OCIP or CCIP coverage. Construction contract coverages to be included:

a) Commercial General Liability: Coverage shall be at least as broad as: Insurance Services Office Form No. CG 00 01, covering Commercial General Liability no less than $1,000,000 combined single limit per occurrence and, for those policies with an aggregate limit, a $2,000,000 aggregate limit.

b) Automobile Liability: Insurance Services Office form number CA 00 01, covering BUSINESS AUTO COVERAGE, symbol 1 "any auto"; or the combination of symbols 2, 8, and 9. $1,000,000 Combined Single limit Bodily Injury and Property Damage.

c) Umbrella or Excess Liability Insurance: The Contractor shall provide minimum Excess or Umbrella Liability coverage limits of $50,000,000 each occurrence in excess of the primary CGL and Automobile liability insurance limits.
d) Contractor's Pollution Liability Coverage: Contractor shall provide Contractor's Pollution Liability coverage in the amount of $15,000,000 per occurrence and in the aggregate to cover sudden and non-sudden bodily injury and/or property damage to include the destruction of tangible property, loss of use, clean-up costs and the loss of use of tangible property that has not been physically injured or destroyed.
e) Workers' Compensation: Workers' Compensation coverage, as required by the Industrial Insurance Act of the State of Washington.
f) Employers Liability or "Stop-Gap": The protection provided by the Workers Compensation policy Part 2 (Employers Liability) or, in states with monopolistic state funds, the protection provided by the "Stop Gap" endorsement to the General Liability policy. Limit: $1,000,000.
g) Contractor's Professional Liability: The Contractor shall provide evidence of Professional Liability insurance covering professional errors and omissions for construction management, value engineering, or any other non-construction professional services. Such insurance must provide a minimum limit of liability of $2,000,000 million each claim and may be evidenced as an extension of a CGL policy or by a separate Professional Liability policy.
h) Inland Marine Coverage: Contractor shall procure and maintain Inland Marine coverage to include coverage for the Full Replacement Value of the Tunnel Boring Machine(s). Coverage shall include "All risk" perils to include Earthquake and Flood.
i) Builder's Risk/Installation Floater: "All Risk" Builders Risk including coverage for collapse, theft, off-site storage, soft costs, delay and property in transit. The coverage shall insure for direct physical loss to property of the entire construction project, for 100% of the replacement value thereof and include earthquake.
j) Other coverages to be considered upon determination of the contract means and methods may include (but not be limited to) Marine and Railroad Protective.

XI.4 Other Insurance Provisions

a) Insurance limits and coverage provisions in this Article XI are meant to provide guidance but may be altered, enhanced and finalized by the City and King County using prudent risk management practices, and

shall be consistent with those insurance coverages routinely requested and obtained for projects of this size and scope.

b) Each insurance policy shall be written on an "Occurrence" basis, except Professional Liability.
c) If insurance is on a claims-made form, its retroactive date, and that of all subsequent renewals, shall be no later than the Notice to Proceed Date. Coverage shall be effective for a period of six years subsequent to project completion.
d) XCU and Subsidence Perils Not Excluded on General Liability coverages.
e) Any deductibles or self-insured retentions in excess of $25,000 must be declared to and approved by the City of Seattle and King County.
f) For all liability policies except Professional Liability, Workers Compensation, and Employers' Liability, the City of Seattle and King County, its officers, officials, employees, and agents are to be covered as additional insureds as respects liability arising out of activities performed by or on behalf of SPU or DNRP in connection with this Agreement. Additional Insured status shall include both Ongoing Operations and Products-Completed Operation and extend for a period of six years subsequent to the expiration or termination of this Agreement or substantial completion of construction. Such coverage shall be Primary.
g) Acceptability of Insurers. Insurance is to be placed with insurers with a Bests' rating of no less than A: VIII, or if not rated with Bests' with minimum surpluses, the equivalent of Bests' surplus size VIII.
h) Failure on the part of the Consultant or Contractor to maintain insurance as required shall constitute a material breach of contract
i) Consultant or Contractor shall contractually require that each subcontractor of every tier include the City of Seattle and King County as additional insureds for primary and non-contributory limits of liability.
j) Except as may be agreed upon by the Parties for the design contract PLI, the Consultant's and Contractor's insurance coverage shall be primary insurance as respects the City and County, its officers, officials, employees, and agents. Any insurance and/or self-insurance maintained by the City or County, its officers, officials, employees, or agents shall not contribute with the Consultant's or Contractor's in any way.
k) The Consultant's and Contractor's insurance shall apply separately to each insured against whom a claim is made and or lawsuit is brought, except with respect to the limits of the insurer's liability.
l) For all insurance policies, coverage shall not be suspended, voided, canceled, reduced in coverage or in limits, until after thirty (30) days

prior notice - return receipt requested, has been given to the City and County.

m) Substitution of insurance: if project work under XI.2.E and/or XI.3.D is subcontracted, applicable minimum coverages and limits of liability may be evidenced by any subcontractor, instead of the prime contractor; provided that such insurance fully meets the applicable requirements set forth herein and must include the City of Seattle and King County as Additional Insureds.

XI.5 For SPU Project contracts, SPU and the consultant or contractor will include the King County as a named third party beneficiary of the SPU design, construction, construction management, and operations and maintenance contracts for the Project, and SPU and the consultants/contractor will include King County in the indemnification and insurance provisions contained in the SPU contracts.

For DNRP Project contracts, DNRP and the consultant or contractor will include The City of Seattle as a named third party beneficiary of the DNRP design, construction, construction management, and operations and maintenance contracts for the Project, and DNRP and the consultants/contractors will include The City of Seattle in the indemnification and insurance provisions contained in the DNRP contracts.

SPU and DNRP do not intend that this Article XI.5 be interpreted to create any obligation, liability, or benefit to any third party, other than SPU and DNRP for purposes of the design and construction of the Project.

Article XII - Indemnification

XII.1 As between the Parties, each Party shall protect, defend, indemnify and save harmless the other Party, its officers, officials, employees and agents while acting within the scope of their employment as such, from any and all suits, costs, claims, actions, losses, penalties, judgments, and/or awards of damages, of whatsoever kind arising out of, or in connection with, or incident to the obligations assumed under this Agreement caused by or resulting from each Party's own negligent acts or omissions. Each Party agrees that it is fully responsible for the acts and omissions of its own contractors, subcontractors, their employees and agents, acting within the scope of their employment as such, as it is for the acts and omissions of its own employees and agents.

Each Party agrees that its obligations under this provision extend to any claim, demand, and/or cause of action brought by or on behalf of any of its employees, or agents. The foregoing indemnity is specifically and expressly intended to constitute a waiver of each Party's immunity under Washington's

Industrial Insurance act, RCW Title 51, as respects the other Party only, and only to the extent necessary to provide the indemnified Party with a full and complete indemnity of claims made by the indemnitor's employees. The Parties acknowledge that these provisions were specifically and mutually negotiated.

In the event it is determined that R.C.W. 4.24.115 applies to this Agreement, then each Party agrees to defend, hold harmless, and indemnify the other to the maximum extent permitted thereunder, and specifically for its' negligence concurrent with the other Party to the full extent of the indemnifying Parties,' it's employees', agents', contractors' and consultants' negligence.

The Parties agree that the provisions of this Article XII shall survive the termination of this Agreement.

Article XIII - Change in Project Purpose

XIII.1 The Parties agree that the purpose of this Joint Project Agreement is to implement The Ship Canal WQ Project as defined in Exhibit A, and through such implementation, achieve the control of combined sewer overflows as required by the Parties' respective Consent Decrees for the seven outfalls identified and described Article VII.3. Any change in the purpose of The Ship Canal WQ Project may be made only through mutual agreement of the Parties and written amendment of this Joint Project Agreement.

Article XIV - Governance

XIV.1 The Parties acknowledge that while The Ship Canal WQ Project represents a preferred means to control CSOs, it is unique and will present challenges to both Parties during its design, construction, and operating life. Therefore, the governing structure in Article XIV.2 through Article XIV.4 below is established to provide the Parties with a means of managing and achieving mutual compliance with the terms of this Joint Project Agreement.

XIV.2 The Parties may agree to form a Joint Oversight Committee whose members shall be SPU's Deputy Director of Corporate Policy and the Deputy Director of Drainage and Wastewater, Deputy Director of Project Delivery and Engineering, and DNRP's Deputy Director and Director of the Wastewater Treatment Division, or otherwise as may be designated by the Directors of DNRP and SPU. The Joint Oversight Committee shall provide policy guidance in the implementation and administration of The Ship Canal WQ Project. The Joint

Oversight Committee will meet not less than two times per year until Control Status is achieved or unless an alternative meeting schedule is mutually agreed upon by the Oversight Committee Members.

XIV.3 Project Principals, defined as the Manager of SPU's Project Delivery and Engineering Branch and DNRP's Wastewater Treatment Division, Project Planning and Delivery Section Manager, or as may be designated by the Parties' respective agency Directors, shall serve to provide timely oversight and coordination between the Parties and provide direction to the Project Manager as needed to manage changes not otherwise subject to the Change Management process, Exhibit B, and requirements of Article VI.5.

XIV.4 SPU may form Task Forces, in accordance with Article VI.6., in consultation with the Project Principals to provide advice and support through completion, and through the operating life of The Ship Canal WQ Project.

Article XV - Incremental Flow Charges

XV.1 SPU will pay DNRP for SPU's incremental increases in flows to DNRP's sewer system from The Ship Canal Project as follows: 1) in accordance with Technical Memorandum No. 7 methodology; 2) in accordance with the final monitoring and modeling report described in Article VIII.9; 3) based on data produced from actual monitoring of SPU's and DNRP's combined sewage inflows to The Ship Canal WQ Project conveyance and storage system; and 4) based on data produced from actual monitoring of effluent discharged from The Ship Canal WQ Project to the regional sewer system. During the first 5 years of operation of The Ship Canal WQ Project, such payments may be based on an estimate of flows, based on modeled information prepared by each Party for their respective LTCP/CSO Control Plan. Within one year following the end of the 5th year of operation of The Ship Canal WQ Project, DNRP and SPU will reconcile payments based on actual monitoring of the first five years of flows to The Ship Canal WQ Project storage system, and actual SPU flows discharged to DNRP's sewer system.

XV.2 DNRP and SPU acknowledge and agree that the payments made by SPU for incremental flows under Article XV.1 satisfy the obligation for payment under Section 5.3(c) of the Agreement for Sewage Disposal, as amended in 1992, for the flows resulting from The Ship Canal WQ Project.

Article XVI - Miscellaneous

XVI.1 SPU will pay 100 percent of applicable fines or penalties to EPA or Ecology that are imposed for not meeting the CSO Control standard as defined by WAC 173-245-020(22) for each of the seven CSO outfalls within The Ship Canal WQ Project, as defined in Article II.16 including DNRP's 11th Avenue Northwest outfall (004) and 3rd Avenue West outfall (008)), except where it has been determined through modeling of flows from each basin that the tunnel design Control Volume has been exceeded, in which case SPU and DNRP will pay their proportionate share of the fines and penalties in accordance with the cost share provisions of Article IX.1 and IX.2 of this Agreement.

XVI.2 DNRP and SPU agree that flows from The Ship Canal WQ Project shall be released into DNRP's regional system based on the NIRR as described in SPU's Long Term Control Plan, CSO Control Measures Performance Modeling Report, January 2015 (Appendix L of the Final LTCP Volume 2 dated May 29, 2015), incorporated herein by reference.

XVI.3 The Ship Canal WQ Project shall not be considered a regional facility as defined in the 1961 Agreement.

Article XVII - Dispute Resolution

XVII.1 If a dispute regarding the terms of this Joint Project Agreement arises between the Parties, the Parties agree to first attempt resolution of the issues through One Team Decision Making Guidelines (Exhibit C). In the event the Parties are not able to reach reasonable and prompt resolution through One Team Decision Making Guidelines (Exhibit C), the Parties agree to engage in mediation to attempt to resolve the dispute prior to initiating any lawsuit arising under this Agreement. The Parties shall jointly select a neutral third party mediator, and agree to share the costs of mediation equally.

XVII.2 This Joint Project Agreement is made pursuant to, and shall be construed according to the laws of the State of Washington. In the event that mediation is unsuccessful and either Party finds it necessary to initiate legal proceedings to enforce any provision of this Agreement, both Parties agree and consent to the exclusive jurisdiction of the courts of the State of Washington, and that the venue of any action shall be Seattle, King County, Washington.

Article XVIII - Authority to Sign

XVIII.1 The individual signing this Joint Project Agreement on behalf of SPU represents and warrants that he or she has the authority to enter into this Agreement on behalf of The City of Seattle and to bind the City to the terms and conditions contained herein.

XVIII.2 The individual signing this Joint Project Agreement on behalf of DNRP represents and warrants that he or she has the authority to enter into this Agreement on behalf of King County and to bind King County to the terms and conditions contained herein.

Article XIX - Modifications and Amendments

XIX.1 Either Party may request changes, amendments, or additions to any portion of this Joint Project Agreement; however, except as otherwise provided in this Agreement, no such change, amendment, or addition to any portion of this Agreement shall be valid or binding upon either Party unless it is in writing and signed by personnel authorized to bind each of the Parties. All amendments shall be made part of this Agreement.

Article XX - Entire Agreement

XXI.1 These provisions represent the entire agreement of the Parties and may not be modified or amended except as provided herein. Any understanding, whether oral or written, past, concurrent or future, which is not expressly incorporated herein as either an Exhibit or by reference, is expressly excluded.

Article XXI - Notices

XXI.1 Unless otherwise directed in writing, notices, reports and payments shall be delivered to each party as follows:

The City of Seattle Seattle Public Utilities Attn: Ship Canal WQ Project Administrator	King County Dept. of Natural Resources Wastewater Treatment Division Attn: Project Control and Contract Management Unit Manager

701 Fifth Ave., Ste. 4900
Seattle, WA 98120

201 South Jackson Street
Mailstop: 512
Seattle, WA 98104

XXI.2 Notices mailed by either party shall be deemed effective on the date mailed. Either party may change its address for receipt of reports, notices, or payments by giving the other written notice of not less than five days prior to the effective date.

Article XXII - Termination

XXII.1 The intent of this Joint Project Agreement is to establish a permanent cooperative partnership between the Parties to efficiently execute, construct, and operate The Ship Canal WQ Project, meet the Parties' respective Consent Decree requirements, and avoid either Party experiencing a significant schedule and/or cost performance variance on The Ship Canal Project or other joint or independent water quality projects.

XXII.2 This Agreement may be terminated only upon the mutual written agreement of the Parties.

Article XXIII - Counterparts

XXIII.1 This Agreement may be executed simultaneously in two counterparts, each of which shall be an original and all of which shall constitute but one instrument.

Article XXIV - No Third Party Beneficiaries

XXIV.1 This Agreement is entered into solely for the mutual benefit of the City of Seattle and King County. This Agreement is not entered into with the intent that it shall benefit any other person and no other such person shall be entitled to be treated as a third party beneficiary of this Agreement.

Article XXV - Successors and Assigns

XXV.1 SPU or DNRP may not assign this Agreement without the other's prior written approval.

Article XXVI - Severability

XXVI.1 If any provision of this Agreement or any provision of any law, rule or document incorporated by reference into this Agreement shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which legally can be given effect without the invalid provision, unless to do so would frustrate the purpose of the provision.

Article XXVII - Headings

XXVII.1 Section titles or other headings contained in this Agreement are for convenience only and shall not be part of this Agreement, nor be considered in its interpretation.

Article XXVIII - No Waiver

XXVIII.1 Neither payment nor performance by a Party shall be construed as a waiver of the other Party's rights or remedies against the Party. Failure to require full and timely performance of any provision at any time shall not waive or reduce the right to insist upon complete and timely performance of such provision thereafter.

Article XXIX - Project Records

XXIX.1 Upon request by a Party, the other Party will provide within fourteen (14) calendar days of any request, or if the request is voluminous or is for documents in several locations then in a reasonable time, any Project-related documentation in its possession or in the possession of its agents, contractors and consultants (except documents that are not subject to the Washington State Public Records Act, Ch. 42.56 RCW), including but not limited to environmental analyses, geotechnical reports, engineers estimates, bid tabulations, contractor submittals, and contract payment records relating to the Project. In addition, the Consent Decrees require that the Parties retain and instruct their respective contractors

and agents to preserve all non-identical copies of all documents, records or other information (including documents, records or other information in electronic form) in their or their respective contractor's or agent's possession or control or that come into their or their respective contractor's or agent's possession or control regarding this Project until five (5) years after the termination of the Consent Decrees. Therefore the Parties shall retain all such documents until the latter of (1) 2035, (2) five years after the termination of the City's Consent Decree or (3) five years after the termination of the County's Consent Decree. During such time all such records, accounts, documents or other data pertaining to The Ship Canal Project shall be made available for inspection and/or copies of such shall be furnished upon request.

Article XXX - Publication

XXX.1 Each party may publish information, findings, reports and results of The Ship Canal WQ Project, and may acknowledge its respective role in and support of The Ship Canal WQ Project.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained herein, or attached and incorporated and made a part hereof, the Parties have executed this Joint Project Agreement by having their authorized representatives affix their signatures below.

Christie True
Director
King County Dept. of Natural Resources & Parks
King Street Center
201 S Jackson St; Suite 700
Seattle, WA 98104-3855

By_____
Signature Date

_____
Type or Print Name

Director
Department of Natural Resources
Parks, King County

Ray Hoffman
Director
Seattle Public Utilities
P. O. Box 34108
Seattle, WA 98124-4018

By_____
Signature Date

_____
Type or Print Name

Director
Seattle Public Utilities
City of Seattle

EXHIBITS:

Exhibit A: SPU/DNRP Ship Canal Water Quality Project – Project Description
Exhibit B: SPU/DNRP Ship Canal Water Quality Project – Change Management
Exhibit C: SPU/DNRP Ship Canal Water Quality Project – One Team Decision Making Guidelines
Exhibit D: SPU/DNRP Ship Canal Water Quality Project – List of Potential Causes for Capital Cost Increases
Exhibit E: DNRP-WTD Invoice Format

Exhibit A

SPU / DNRP Ship Canal Water Quality Project

Project Description

October 26, 2015

Project Purpose

The purpose of The Ship Canal Water Quality (WQ) Project is to provide offline storage of combined sewer overflows (CSOs) for five Seattle Public Utilities (SPU) and two King County Department of Natural Resources and Parks (DNRP) CSO basins to meet regulatory control standards which limits CSOs to an average of no more than one untreated discharge per year per outfall on a twenty year moving average. The specific basins, and CSO to be controlled by the project, include the SPU Ballard CSO basins (Outfalls 150, 151, and 152), Fremont CSO basin (Outfall 174) and Wallingford CSO basins (Outfall 147), DNRP 3rd Avenue West Regulator (DSN008), and DNRP 11th Avenue NW Regulator (DSN004). The total minimum control volume to be achieved for these SPU and DNRP CSO basins combined is 15.24 million gallons (MG). The facility must also meet water quality standards and protection of designated uses, and must be verified by post construction monitoring (frequency of overflow and sediment sampling).

Project Scope

The Ship Canal WQ Project will provide offline storage of combined wastewater in a deep storage tunnel constructed between the Ballard and Wallingford CSO areas, on the north side of the Ship Canal. The Project will control the Ballard CSO basins (Outfalls 150,151 and 152), Fremont (Outfall 174) and Wallingford CSO basins (Outfall 147), DNRP 3rd Avenue West Regulator (DSN008), and 11th Avenue NW Regulator (DSN004). Figure 1 provides a plan view of the Ship Canal WQ Project location and components.

The main components of The Ship Canal WQ Project include the storage tunnel and appurtenances, conveyance facilities to convey SPU and DNRP CSO flows into the tunnel, and a pump station and force main to drain flows from the tunnel.

The storage tunnel and appurtenances will include:

- A minimum 15.24-MG offline storage tunnel with a nominal 14-foot inside diameter and approximately 14,000 feet long or as defined during the design phase of the project.
    - The stored combined sewage in the storage tunnel will flow from the Wallingford CSO Outfalls westward to an effluent pump station located near the Ballard CSO Outfalls 150 and 151.
    - The tunnel route is planned to be generally in street right-of-way along the north side of the Ship Canal.
- Seven diversion structures for diverting influent CSO flow away from existing CSO outfalls to the tunnel.
- Four drop structures to convey influent CSO flow into the storage tunnel.

- All four drop structures will have odor control.

- A pump station will be located at the West tunnel Portal as defined during the design phase of the project, with a minimum peak capacity of 32 MGD to empty the storage tunnel in approximately 12 hours.

Conveyance facilities will include:

- Gravity sewer line to convey flows from SPUs diversion structure at Fremont Outfall 174 to the tunnel drop shaft (approximately 100 lineal feet (lf) of 36-inch diameter pipe);

- Gravity sewer line to convey flows from DNRPs diversion structure at 3rd Ave. W (under the Ship Canal) to the tunnel drop shaft (approximately 800 lf of 60 and 48-inch diameter pipe);

- Gravity sewer line to convey flows from DNRPs diversion structure at 11th Ave. NW to the tunnel drop shaft (approximately 100 lf of 72 and 60-inch diameter pipe);

- Force main to convey flows from the tunnel pump station to DNRPs existing Ballard Siphon wet-weather barrel forebay (approximately 1900 lf of 24-inch diameter pipe).

All conveyance sizing and quantities are estimates based on conceptual planning to date. Actual diameters and lengths of conveyance facilities will be determined during the design phase of the project.

Gravity sewer lines to convey flows from SPUs diversion structures at Ballard outfalls 150, 151 and 152, and Wallingford outfall 147 to the tunnel drop shafts have been excluded from The Ship Canal WQ Project in accordance with the Joint King County/Seattle CSO Initiative Work Plan Item 4: Cost-Sharing Method for Joint Capital Projects.

The control strategy will limit the inflow to the tunnel from each outfall to each outfall's control volume per event. The minimum control volume for each outfall is:

<u>SPU Outfalls</u>

- Fremont (Outfall 174): 1.06 MG
- Wallingford (Outfall 147): 2.15 MG
- Ballard (Outfall 152): 5.38 MG
- Ballard (Outfall 150/151): 0.62 MG

<u>DNRP Outfalls</u>

- 3rd Avenue West (DSN008): 4.18 MG
- 11th Avenue Northwest (DSN004): 1.85 MG

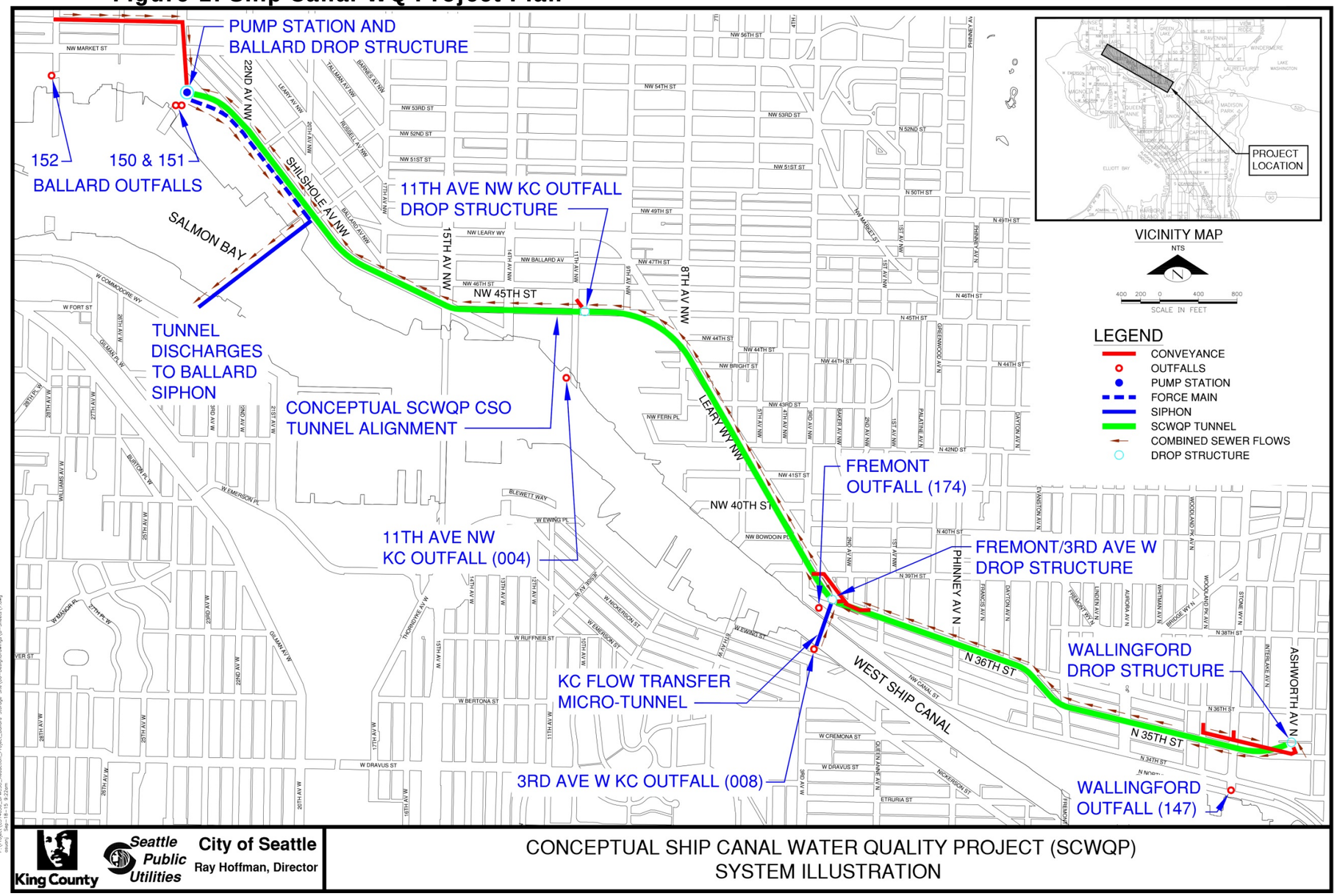
Each agency has calculated the control volumes required to meet their independent needs. Although calculation methods vary between the agencies, SPU and DNRP agree that these are the minimum volumes to be controlled to and provided for by The Ship Canal WQ Project.

SPU will own and operate the tunnel components listed below, and all new structures and pipes appended to each existing DNRP outfall pipe. Ownership of outfall pipes will remain unchanged. The Ship Canal WQ Project tunnel components include:

- The tunnel in its entirety, including the East and West Portals;
- The pump station and force main;
- All diversion structures, including DNRP's 3rd Avenue West and 11th Ave NW structures, SPU diversion structures for Ballard outfalls 150,151 and 152, Fremont outfall 174 and Wallingford outfall 147;
- All of the conveyance system associated with SPU's outfalls and downstream of the 3rd Avenue West and 11th Ave NW diversion structures;
- All control gates and associated structures and control systems;
- All odor control systems;
- All appurtenances associated with the above; and
- All real property associated with the Project

Any changes to this project scope need to be negotiated and agreed to by both SPU and DNRP through the Change Management process, attached to the Joint Project Agreement as Exhibit B.

Figure 1: Ship Canal WQ Project Plan



King County | Seattle Public Utilities | City of Seattle | Ray Hoffman, Director

CONCEPTUAL SHIP CANAL WATER QUALITY PROJECT (SCWQP)
SYSTEM ILLUSTRATION

Project Capital Cost Estimate

Total project capital costs for the Ship Canal Water Quality (WQ) Project are estimated at $423.4 million. This estimate is from SPU's Final Project Definition Report Volume 1, December 2014, with sales tax and escalation adjustments. The estimate includes exclusions from cost sharing described above and is escalated to the mid-point of construction assuming 2% escalation. The estimate is AACE Class 4, which has level of accuracy of minus 20%, plus 30% ($338.7 to $550.4 million cost range).

Project Schedule Summary

The compliance schedule for the Ship Canal WQ Project (per the City's approved Plan to Protect Seattle's Waterways) is summarized below. A detailed project schedule shall be included in the Project Management Plan.

Task	Compliance Date
Submit Draft Engineering Report (Facility Plan) for review and comment	3/31/2017
Submit Final Engineering Report (Facility Plan) for approval	12/31/2017
Submit Draft Plans and Specifications for review	3/31/2020
Submit Final Plans and Specifications for approval	12/31/2020
Construction Start (notice to proceed)	7/1/2021
Construction Completion	12/31/2025
Achieve Controlled Status	12/31/2026

Signatures

Madeline Goddard, P.E.	*Deputy Director, Drainage and Wastewater Line of Business, Seattle Public Utilities*
	Date:

Henry Chen, P.E.	*Deputy Director, Project Delivery and Engineering Branch, Seattle Public Utilities*
	Date:

Pam Elardo, P.E.	*Director, King County Wastewater Treatment Division*
	Date:

Exhibit B

SPU / DNRP Ship Canal Water Quality Project

CHANGE MANAGEMENT

October 26, 2015

Background

SPU and DNRP are committed to work together to implement the Joint Ship Canal Water Quality Project (Project), to control both agencies' CSOs into the Ship Canal. The Project is under a Consent Decree mandated schedule (both agencies have separate consent decree schedules that this project must comply with,) and like many large scale municipal projects, is expected to be technically challenging and complex. The Project must meet all required milestones as it progresses through design and construction. Potential cost increases are to be managed and/or avoided and require management oversight, review and guidance through project design and construction.

To address the potential risks to the project, a Change Management process with a Project Review and Change Management Committee (PRCMC) is established through this document and the Joint Project Agreement (JPA) to provide senior level management oversight, support, and direction to the project. The PRCMC will focus on project issues that can affect project scope, schedule and/or budget, and serve as the forum to discuss major issues and concerns as they arise and make recommendations to keep the project on schedule and within budget. The PRCMC will provide support and guidance throughout the project design,construction phases. Decisions will be made by consensus of the Committee. If consensus cannot be reached, the decision will be elevated to follow Paragraph 12 of the One Team Decision Making Guidelines (Exhibit C).

In addition, the PRCMC will provide support and guidance throughout the project commissioning, operations and maintenance. Changes to the final Operations and Maintenance Plan are to be managed and require management oversight, review and guidance. Decisions will be made by consensus of the Committee. If consensus cannot be reached, the decision will be elevated to follow Paragraph 12 of the One Team Decision Making Guidelines (Exhibit C).

If the Parties agree to change the project scope beyond the Project Description, then the joint project cost shares and the costs to which those shares apply will be revised. The cost shares will be recalculated in accordance with Technical Memorandum No. 4 to include additional avoided independent project, if applicable. These modified cost shares will then be used to assign costs to the Parties for both the larger Ship Canal Project and any consequently modified CSO control project in other basins.

Project Review and Change Management Committee Objectives and Membership

SPU is responsible for the implementation of PRCMC decisions for the Project. However both agencies' compliance with their approved mandated Consent Decrees, NPDES Permits and Post Construction Monitoring Plans are dependent in part on the Project's success in controlling CSOs.

SPU will use the PRCMC to leverage the experiences, expertise, and insights of the committee members to effectively progress the Project. The PRCMC will be responsible for the following:

- Understand the commitments inherent in the Project Description and the Joint Project Agreement. Provide the bigger picture and look-ahead view;
- Reach agreement on what the required goals of the Project are versus the desired goals,
- Maintain an awareness of risks through regular project briefings;
- Engage in high level problem solving to ensure effective management of project risks,
- Monitor and conduct formal reviews of project scope, costs, schedules, refinements and adjustments during project design through construction;
- Meet every other month or more frequently as determined by the PRCMC or requested by the Project team to provide management-level oversight by both SPU and DNRP,
- Review status reports and monitor project progress;
- Review and validate prior to SPU's formal Stage Gates 2 (preferred option, funding for design, placeholder for total cost projection and O&M), Stage Gate 3 (final design plans, contract specifications and engineer's estimate of construction costs) and Stage Gate 5 (project close out) to ensure approved project objectives, as documented in the Project Description, are met or that new/modified objectives are justified and documented;
- Make decisions and provide direction to the Project team on course of action for key project elements;
- Make decisions on contract changes as defined in Table B-1,Table B-2 and Table B-3, attached;
- Authorize Project Description and budget changes.

PRCMC meetings will be structured to fully inform the committee members and provide up to date status reports on the following:

- Cost and schedule;
- Understanding of the risks identified for the Project, and the cost and schedule implications of the risks;
- Permitting challenges that affect project scope, schedule or budget;
- Alternatives analysis, and approach for on-going success of the project;
- Analysis of consultant and construction contract changes essential for project delivery as defined in the Project Description, Exhibit A; and
- The plan for stakeholder involvement, stakeholder input and expectations, and proposed strategy to respond to stakeholder expectations.

Meetings

Meetings will be scheduled by SPU as the lead agency. The SPU Project Delivery and Engineering Deputy Director will chair the PRCMC. The WTD Division Director will attend the meetings and the SPU Project Administrator will staff the meetings. Meeting agendas will be provided at least two days in advance of all meetings. Minutes will be taken and retained on an accessible site for all committee members using either dedicated project or SharePoint. An electronic "Direction and Action Log" will be developed, maintained and retained on an accessible site for reference by the project team and the PRCMC members.

PRCMC Membership

The PRCMC shall be composed of SPU and DNRP management with specific areas of expertise and experience considering the nature of the project and its potential challenges. The PRCMC Chair ensures the board fulfills its role. The Project Administrator organizes, schedules and staffs the meetings, develops agendas, coordinates with PRCMC Chairand DNRP's Project Representative on agenda items, materials and presentations as they are needed for the PRCRC meetings; records and maintains records for the PRCMC proceedings. Committee members will bring their experience and expertise to bear on the review, analysis and decisions made and directions given by the PRCMC.

The PRCMC members include the following:

- DNRP WTD Director
- DNRP WTD Project Planning & Delivery Section Manager
- DNRP WTD Engineering Unit Manager
- DNRP WTD Construction Unit Manager
- DNRP WTD Plant Operations Manager
- DNRP WTD Assistant Plant Manager
- SPU DWW LOB Deputy Director
- SPU Project Delivery and Engineering Branch Deputy Director (Chair)
- SPU Construction Management Director
- SPU Engineering Director
- SPU Systems Operation Assessment and Monitoring Division Director
- SPU Utility Operations and Maintenance Division Director
- SPU Systems Operation Planning and Analysis Manager
- SPU Utility Operations Manager

Participation by the members is dependent upon the phase of the Project and the PRCMC agenda. Project team subject matter experts will be requested to attend the meetings on an as-needed basis.

Table B-1. Required Approvals for Consultant Contract Amendments

Type of Change	Required Approval	Dollar Threshold	Aggregate Overall PROJECT Schedule Extension Threshold**	Reporting	Notes
Amendment required to deliver per JPA project description (Scope, Schedule and Budget) and is within consultant contract scope	SPU PM SPU Division Director	(Less than $250K) Per SPU change management policies and procedures	Up to 2 months impact on the required Project delivery date in the JPA	Reporting to PRCMC Reporting to DNRP on any and all contract changes (cost or schedule) on the monthly basis and at 30/60/90 submittals.	Changes essential for project delivery as defined in the baseline project description
	Approval by both PDEB and LOB Directors and concurrence of WTD PPD Section Manager	For changes exceeding $250K but under $500K	Up to 4 months impact on the required Project delivery date in the JPA		
	Approval by both SPU PDEB,LOB and concurrence of WTD Deputy Directors	For changes exceeding $500K but under $1M	Up to 6 months impact on the required Project delivery date in the JPA		
Any change to the project description and Amendments exceeding $1M	Approval by SPU Director and concurrence of DNRP Director or Delegated to PRCMC	All changes that are outside the JPA project description. All changes above $1M	Greater than 6 months impact on the required Project delivery date in the JPA		Financial participation will be per the cost sharing agreement

Table B-2 Required Review and Approval Responsibility for Construction Contract Changes Per Individual Contract GREATER THAN $10M	
Construction Contract Change Threshold	**Approval Level**
Change requiring usage of budgeted project contingency reserve up to $500,000	Follows SPU project approval authority matrix
Change requiring usage of budgeted project contingency reserve over $500,000	Follows SPU project approval authority matrix and WTD PPD Section Manager
Changes requiring usage of budgeted management reserve and aggregate changes of <$500,000	SPU Project Manager/ Construction Manager/Director
Changes requiring usage of budgeted management reserve and between $500K - $1M	SPU Project Delivery and Engineering Director with WTD PPD Section Manager
Changes requiring usage of budgeted management reserve and between $1M - $2M or >10% and <15% of contract award amount	Project Review and Change Management Committee (PRCMC)
Changes requiring usage of budgeted management reserves > $2M or >15% of contract award amount	SPU and DNRP Division Level Directors
Changes desired by stakeholders but not included in JPA project description < $2 M	Project Review and Change Management Committee (PRCMC)
Changes desired by stakeholders but not included in JPA project description > $2 M	SPU and DNRP Department Level Directors

Table B-3 Required Review and Approval Responsibility for Construction Contract Changes Per Individual Contract LESS THAN $10M	
Construction Contract Change Threshold	**Approval Level**
Change requiring usage of budgeted project contingency reserve up to $250,000	Follows SPU project approval authority matrix
Change requiring usage of budgeted project contingency reserve over $250,000	Follows SPU project approval authority matrix and WTD PPD Section Manager
Changes requiring usage of budgeted management reserve and aggregate changes of <$250,000	SPU Project Manager/ Construction Manager/Director
Changes requiring usage of budgeted management reserve and between $250K - $500K	SPU Project Delivery and Engineering Director with WTD PPD Section Manager
Changes requiring usage of budgeted management reserve and between $500K - $1M or >10% and <15% of contract award amount	Project Review and Change Management Committee (PRCMC)
Changes requiring usage of budgeted management reserves > $1M or >15% of contract award amount	SPU and DNRP Division Level Directors
Changes desired by stakeholders but not included in JPA project description < $1 M	Project Review and Change Management Committee (PRCMC)
Changes desired by stakeholders but not included in JPA project description > $1 M	SPU and DNRP Department Level Directors

- Project Contingency Reserves: The amount of funds allocated to the project to cover identified risk events identified in the risk register that occur on the project, excluding changes to project scope.

- Project Management Reserves: The amount of funds allocated to the project to cover unidentified and unquantifiable risk events that occur on the project.

- Project Reserve: Sum of Project Contingency Reserves and Project Management Reserves. Project Reserves are part of the cost estimate and approved project budget.

- Project will have major milestones: Submission of Draft Facility Plan for review, Submission of Final Facility Plan for Approval, Submission of Draft Plans and Specifications for Review (90%), Submission of Final Plans and Specification for Approval (100%),. Construction start (Notice to Proceed) and Construction Completion are SPUs Consent Decree/LTCP milestone requirements. Any delay to any of the milestones is subject to the Change Management process.

- The project reserve threshold levels may be revised upon mutual written agreement of the Parties, executed by the Department Directors or their designees.

Seattle Public Utilities

King County

Exhibit C

SPU / DNRP Ship Canal Water Quality Project

One Team Decision Making Guidelines

October 26, 2015

1.	The Ship Canal WQ Project Team is empowered and encouraged to make relevant decisions to carry out projects in a way that is efficient, adds value, and maximizes the prospects of a successful project. However, there are boundaries to the Team's authority. The Team is responsible for understanding project assignment, including its purpose, scope, schedule and budget; and for seeking timely approval by governance decision-makers for changes that exceed authorized levels.
2.	At each stage of the Project the active members of the Team at the time, should be solicited for their point of view. It is the responsibility of the Team lead and other members of the Team to listen to the other's view and consider it in the context of each decision being made and with the ultimate goal of achieving the best outcome for the Project, SPU and DNRP.
3.	A deliberate transistion meeting should occur whenever the Lead for the Project changes from planning to design to construction to commissioning to operations and maintenance to help ensure that the members of the Project Review and Change Management Committee understand the issues and risks.
4.	If a particular member has an opinion about something that strictly resides in their area of expertise or concern and does not significantly affect the interests of the other members, <u>and</u> it is not inconsistent with asset management guidelines or standards, the Team should give some amount of deference to that particular member on that topic. For example, if the operator has a preference for equipment that does not affect NPV, schedule, project functionality, environmental impact, department standards, or community expectations, then they would normally be the one to make that decision. Another example might be Project Delivery and Engineering Branch (PDEB) deciding between DBB and GCCM project delivery methods. However, if a Team member wants to pursue an option for their personal preference, but the option would affect the NPV or impair the functionality or operability of the Project, they should not normally be deferred to.
5.	While each Team member is expected to pay particular attention to the interests that they have selected to represent in the process, they should at the same time temper that by also considering what is best from an overall project or customers' interest. It is expected that any Team member should speak up and raise concerns within the Team about proposed project decisions or changes that, in the view of that Team member, may negatively affect scope, schedule or budget, or potentially undermine project success.
6.	Previous decisions should not be revisited unless there is compelling new information. A modification of a Team's membership is usually not a sufficient reason to revisit a previous decision. New members to the Team should be brought up to speed by the current Team lead (or someone designated by the lead) at the stage they begin engaging with the Project Team.
7.	If choices can be easily and clearly analyzed by asset management techniques, then these should be used to make a decision.
8.	The Team should work hard and creatively to openly discuss and propose alternatives in order to find the best solution or reach the best decision that can achieve as many project objectives as

possible. This is an obligation of all Team members, but especially that of the current lead which, at the particular phase, is most responsible for keeping the Project and Team moving forward.

9. The Team should strive for general agreement and clear commitment among Team members when making decisions. That is to say that each of the Team's members should at least be able to live with the decision that is being proposed, even if it is not their preferred outcome. Silence is your concurrence. It is also worth considering including other mitigating aspects of a decision that can move Team members from the most grudging acceptance to more enthusiastic support.
10. Notes should always be taken and decisions will be documented in a Decision Log.
11. All Team members are responsible for supporting Team decisions in word and action.
12. If general agreement among members is not possible, then the Lead is responsible for making a final decision (including any compromise aspect). This action will be the direction of the Team, subject to #13, below.
13. If a member cannot live with the direction of the Team; the following "appeal" process should be used:
    - The member should notify the Team and/or Team leader (Project Administrator) of their lack of agreement/support and will seek further guidance with his/her division management.
    - The member should promptly talk to the following First Level Decision Makers:

Project Phase	SPU	DNRP
Planning or Design	Engineering Director	WTD Engineering Unit Manager
Construction	Construction Management Director	WTD Construction Unit Manager
Commissioning	Systems Operation, and Planning Analysis Manager	WTD Assistant Plant Manager
Operations and Maintenance	Utility Operations Manager	WTD Assistant Plant Manager

Team members will present issues of concern in order of presidence, to the First Level Decision Makers to determine whether or not to take the dispute forward with their counterpart for resolution.

- If First Level Decision Makers choose not to pursue the issues of concern, then this is the end of the "appeal" and the Team direction stands;
- If First Level Decision Makers choose to address the issues of concern with their counterpart, and agreement is made, their decision is final; or
- If First Level Decision Makers choose to address the issues of concern with their counterpart, and no decision is made, then the issue must be promptly elevated to the Second Level Decision Makers.

- Elevate the issues of concern to the following Second Level Decision Makers:

Project Phase	SPU	DNRP
Planning, Design or Construction	Project Delivery and Engineering Branch Deputy Director	WTD Project Planning and Delivery Section Manager
Commissioning	Systems Assessment Operations and Maintenance Division Director	WTD Plant Operations Manager
Operations and Mainteance	Utility Operations and Maintenance Division Director	WTD Plant Operations Manager

- If agreement is made by the Second Level Decision Makers, their decision is final;
- If no decision is made, then the issue must be promptly elevated to the SPU DWW LOB Deputy Director and WTD Director; their decision is final.

Exhibit D

SPU / DNRP Ship Canal Water Quality Project

List of Potential Causes for Capital Cost Increases

October 26, 2015

The following table provides guidance regarding agency responsibility for costs that exceed the total Project budget as defined in the Joint Project Agreement and subsequent agreed upon revisions to the total Project cost.

Potential Causes for Capital Cost Increases		Financially Responsible Agency		
		Lead Agency	Shared	Partner Agency
1.	Project delays caused by delays in obtaining land use and development permits.	X		
2.	Project delays caused by delays in obtaining environmental permits.	To be jointly determined by both Agencies.		
3.	Unanticipated permit conditions once permits are issued.		X	
4.	Higher than estimated street-use fees by the City.		X	
5.	Unanticipated environmental mitigation costs.		X	
6.	Unanticipated changes to design and construction policies and codes. (e.g. changes to green building or sustainability requirements, or equity and social justice policies) (Shared, unless applicable to only one agency)		X	
7.	Project delays caused by delays in acquiring needed sites.	X		
8.	Project cost increases due to higher than estimated site acquisition costs.		X	
9.	Unanticipated demands by local utility managers/owners.		X	
10.	Unanticipated demands by local property owners.		X	
11.	Unknown existing utility conflicts.		X	
12.	Discovery of contaminated groundwater or soils on the construction site and resultant investigation and clean-up.		X	

Potential Causes for Capital Cost Increases		Financially Responsible Agency		
		Lead Agency	Shared	Partner Agency
13.	Discovery and removal of hazardous waste.		X	
14.	Unanticipated costs as a result of archaeological discoveries.		X	
15.	Unanticipated geotechnical considerations (seismic, boulders, groundwater, unstable soils, liquefaction, etc.) Depends on professional services compliance with industry defined 'standard of care'/ condition on appropriate construction management within industry standard/not within industry standard.	To be jointly determined by both Agencies.		
16.	Higher than anticipated requirements for storm water or dewatering treatment and disposal during construction		X	
17.	Chosen site requires extension of conveyance pipelines and outfall over assumed planning level estimates. Based on percentage.		X	
18.	Chosen site or alignment results in unanticipated costs for demolition of existing structures, property acquisition and relocation.		X	
19.	Changed market conditions for labor, materials and equipment and other factors of construction such as fuel cost.		X	
20.	Changed bidding climate.		X	
21.	Project delays and increased costs caused by bid protests.	To be jointly determined by both Agencies. (Example: If protest is due to lead agency not complying with all procurement requirements, then lead agency is responsible. If protest is found to be frivolous then agencies may share cost.		
22.	Project delays associated with material and equipment unavailability (not including sole sourced materials and equipment).		X	
23.	Higher than estimated material and equipment costs due to inflation.		X	
24.	Project cost increases caused by delays in obtaining **lead**	X		

Potential Causes for Capital Cost Increases		Financially Responsible Agency		
		Lead Agency	Shared	Partner Agency
	agency sole source materials and equipment.			
25.	Project cost increases caused by delays in obtaining **partner agency** sole source materials and equipment.			X
26.	Project cost increases caused by **partner agency** delay in providing concurrence on use of project contingency reserve per Table B-2 and Table B-3 of Exhibit B.			X
27.	Unanticipated sales tax increases.		X	
28.	Overrun due to changes that resulted from reliance on data provided by either jurisdiction proved to be inaccurate.	To be jointly determined by both Agencies based on who's Agency provided the information found to be in error.		
29.	Compressed design schedule requires additional internal and consultant staff after baseline schedule and budget are set.	To be jointly determined by both Agencies.		
30.	Increased oversight of high profile projects requires additional staff time to manage. Based on who requests, if only one agency requires then not shared (Example: Added third party oversight).	To be jointly determined by both Agencies.		
31.	Construction claims – basis of the claim used to determine.	To be jointly determined by both Agencies.		
32.	Correction of construction defects.		X	
33.	Correction of design errors and omissions.		X	
34.	Failure to achieve start-up and commissioning of project within agreed budget and time frame.	To be jointly determined by both Agencies.		
35.	Labor issues such as strikes.		X	
36.	Project delays caused by force majeure delays.		X	
37.	Legal costs.	To be jointly determined by both Agencies.		

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ATTACHMENT 2

December 29, 2015

The Honorable Larry Phillips
Chair, King County Council
Room 1200
C O U R T H O U S E

This letter transmits two ordinances relating to the Ship Canal Water Quality Project (Project), a joint project between King County and Seattle Public Utilities (SPU). This Project provides a public benefit as it controls one of the County's combined sewer overflow (CSO) basins five years earlier than anticipated and provides increased flexibility to manage CSO flows into the ship canal which improves water quality. Because this single Project negates the need for the Wastewater Treatment Division of the Department of Natural Resources and Parks (WTD) to construct two and SPU to construct four independent CSO control projects, the Project will reduce environmental impacts and minimize neighborhood disruption.

King County entered into a federal consent decree with the Washington State Department of Ecology and the U.S. Environmental Protection Agency on July 3, 2013 which requires control of the County's CSO basins by December 31, 2030. One of the ordinances transmitted with this letter would authorize execution of a Joint Project Agreement with SPU for the design, construction, operations, and maintenance of the Project for CSO control. The second ordinance requests a supplemental appropriation of $14,190,219 to WTD Capital Improvement Fund 3611 for initial work on the Project.

This Project is a coordinated effort between WTD and SPU and involves the construction of a 15-million gallon CSO storage facility. SPU will serve as the lead agency for design and construction of the Project. This single storage facility will control five of SPU's CSO basins in Ballard and Fremont/Wallingford, and the County's 3rd Avenue West and 11th Avenue Northwest CSO basins for which independent construction projects would have been completed in 2023 and 2030 respectively. The Project, which is scheduled for completion in 2025, will significantly reduce overflows of sewage and stormwater into the Ship Canal and meet the requirements for controlling these CSO basins under SPU's and WTD's federal consent decrees.

The Project allows both SPU's and WTD's flows from multiple basins to be managed in a single storage facility to minimize overflows. Subject to the King County Council's and Seattle City Council's approval, WTD and SPU have tentatively agreed on the terms of a Ship Canal

Water Quality Joint Project Agreement that provides for the funding of, the planning, design, construction, maintenance, operation, repair, replacement, alteration, and improvement of the facility.

The requested supplemental appropriation will fund WTD's portion of the proposed Project for the 2015-16 Biennial Budget. The total cost estimate for this Project is $423 million which includes approximately $41 million in conveyance and land acquisition costs that are exclusive to SPU. The proposed Project cost share is based upon the projected cost for each entity to construct independent projects. For WTD, this is estimated to be $134 million which is 35 percent of the total project cost minus costs exclusive to SPU ($382 million). Note that these cost estimates are Class 4 estimates with a range of minus 20 percent to plus 30 percent.

These two ordinances support the environmental sustainability goal of the King County Strategic Plan by authorizing a joint project agreement and appropriating funds for a CSO control project that will improve water quality in the region.

Thank you for your consideration of these ordinances. Their passage will ensure the County can continue its coordinated effort with SPU to achieve CSO control in the Lake Washington Ship Canal.

If you have any questions, please feel free to contact Sharman Herrin, Government Relations Administrator of the Wastewater Treatment Division in the Department of Natural Resources and Parks, at 206-477-5376, or sharman.herrin@kingcounty.gov.

Sincerely,

Dow Constantine
King County Executive

Enclosures

cc: King County Councilmembers
ATTN: Carolyn Busch, Chief of Staff
Anne Noris, Clerk of the Council
Carrie S. Cihak, Chief of Policy Development, King County Executive Office
Dwight Dively, Director, Office of Performance, Strategy and Budget
Christie True, Director, Department of Natural Resources and Parks (DNRP)
Pam Elardo, P.E., Division Director, Wastewater Treatment Division (WTD), DNRP
Sharman Herrin, Government Relations Administrator, WTD, DNRP

2015/2016 FISCAL NOTE

ATTACHMENT 3

Ordinance/Motion: 2015-XXXX
Title: An appropriation to Wastewater Capital Fund 3611 for the Joint Ship Canal Water Quality Combined Sewer Control Project
Affected Agency and/or Agencies: Wastewater Treatment Division (WTD), Department of Natural Resources and Parks
Note Prepared By: Kevin Yokoyama, Business & Finance Officer, WTD
Date Prepared: 10/23/2015
Note Reviewed By: John Walsh, Budget Analyst, PSB
Date Reviewed: 10/23/2015

Description of request:

This ordinance will enable WTD to enter into an agreement with Seattle Public Utilities to fund a 35% cost share ($134 million) of the estimated $382 million in shared capital costs for the Joint Ship Canal Water Quality (WQ) Combined Sewer Overflow (CSO) Control Project (1127126). The joint project is scheduled for completion in 2025. WTD's share represents the cost to design and construct planned CSO control facilities at 11th Ave NW and 3rd Ave W which are part of the joint project scope of work. WTD staff support ($10.7 million) for project oversight will be billed to and reimbursed by Seattle Public Utilities. The design and construction of a joint CSO control project to addess sewer overflows is more efficient as it improves coordination and minimizes disruption to the community.

Revenue to:

Agency	Fund Code	Revenue Source	2015/2016	2017/2018	2019/2020
Wastewater Treatment Division	3611	Bond Proceeds	13,070,095	14,367,562	45,601,263
Seattle Public Utilities	3611	Sewer Component Agencies	1,120,124	1,911,344	2,027,754
TOTAL			**14,190,219**	**16,278,906**	**47,629,017**

Expenditures from:

Agency	Fund Code	Department	2015/2016	2017/2018	2019/2020
Wastewater Treatment Division	3611	4000	13,070,095	14,367,562	45,601,263
Wastewater Treatment Division: Staff Support	3611	4000	1,120,124	1,911,344	2,027,754
TOTAL			**14,190,219**	**16,278,906**	**47,629,017**

Expenditures by Categories

	2015/2016	2017/2018	2019/2020
Capital Outlay	14,190,219	16,278,906	47,629,017
TOTAL	**14,190,219**	**16,278,906**	**47,629,017**

Does this legislation require a budget supplemental? Yes.

Notes and Assumptions: Funding for this supplemental request will be included in the Wastewater Treatment Division's balanced financial plan.

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ATTACHMENT 4

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

MAR 15 2016
Wastewater Treatment Division

March 8, 2016

The Honorable Joe McDermott, Chair
King County Council
516 Third Avenue, Room 1200
Seattle, WA 98104

Re: Joint Project Agreement for the Ship Canal Water Quality Project

Dear Councilmember McDermott:

I understand that the King County Council will be deliberating soon on the approval of a Joint Project Agreement (JPA) for the Ship Canal Water Quality Project, an environmentally important combined sewer overflow (CSO) reduction project, between King County (County) and the City of Seattle (City). The purpose of this letter is to express the Department of Ecology's (Ecology) support for this project.

Ecology has encouraged both the City and the County to work jointly to manage their respective CSOs to protect water quality. In fact, both the City and County are required to control their untreated CSO outfalls via their respective federal consent decrees between Ecology, USEPA, and each agency. The Ship Canal Water Quality Project represents a significant joint effort to meet the requirements of the consent decrees because the completed project will control two County-owned CSO outfalls and five City-owned CSO outfalls along the Lake Washington Ship Canal that will meet the State's regulatory requirement of no more than one untreated discharge per outfall per year on average. This project will prevent about 130 combined sewer overflows from occurring each year, which equates to an approximate reduction of 50 million gallons of combined sewage and stormwater from discharging to the Lake Washington Ship Canal on an annual basis. Ecology agrees with County and City staff findings that construction of a single storage tunnel rather than seven separate CSO control projects in different locations will result in operational efficiencies, cause fewer construction-related disruptions to residents and businesses in the project area, and be more environmentally sound.

We understand that passage of JPA for the Ship Canal Water Quality Project is a significant first step to implementing the project. We encourage the King County Council to approve the JPA so that both the City and County can begin work immediately on this important water quality project and meet their respective requirements under the consent decrees.

Thank you for your consideration. If you have questions or wish to discuss Ecology's perspective further, please contact Mark Henley, Municipal Unit Supervisor, at (425) 649-7103.

Sincerely,

Kevin Fitzpatrick
Water Quality Section Manager

cc King County Councilmembers
Christie True, King County, Department of Natural Resources, Director
Ray Hoffman, Seattle Public Utilities, Director
Pam Elardo, P.E., King County, Wastewater Treatment Division, Director
Madeline Goddard, Seattle Public Utilities, Deputy Director

King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	12	**Name:**	Jenny Giambattista
Proposed No.:	2016-0200	**Date:**	April 5, 2016

SUBJECT

Proposed Motion 2016-0200 requests Transit to transmit an implementation plan for achieving a carbon neutral or zero emission fleet.

SUMMARY

Proposed Motion 2016-0200 expresses the Council's support for Metro Transit achieving either a carbon neutral or zero emission vehicle fleet. The motion requests an implementation plan and outlines specific components to be included in the implementation plan.

BACKGROUND

According to the County's recently adopted Strategic Climate Action Plan (SCAP)[1], transportation is the region's largest source of greenhouse gas emissions, accounting for nearly half of all greenhouse gas emissions. King County plays an important role in reducing greenhouse gas emissions by providing public transportation options. The 2015 SCAP includes goals to grow transit service through 2020 with no increase in greenhouse gas emissions.

According to Metro Transit, it is an industry leader in deploying vehicles that use new technologies and reduce fuel use. For example, according to Metro Transit, nearly seventy percent of its fleet is either all electric or hybrid electric. Metro has stated a goal to have an all-electric or hybrid fleet by 2018.

Metro operates one of only five electric trolley systems in the U.S., and in 2015, began updating its trolley fleet with vehicles designed to travel "off-wire" for limited distances with regenerative braking and improved energy efficiency.

Metro is currently testing three all-electric battery powered buses manufactured by Proterra. The buses and one charging station are funded from a 2010 Transit Investment for Greenhouse Gas and Energy Reduction program award. The three

[1] Motion 14449

buses are deployed on Routes 226 and 241 in Bellevue and charged at the agency completed fast-charge station and the Eastgate Park and Ride.

Metro has completed a federal grant to provide the incremental cost of acquiring eight more battery powered buses and purchasing and installing three fast charge stations. The battery buses would be acquired in lieu of 40 foot diesel-hybrid coaches.

In March 2016, the City of Seattle announced "Drive Clean Seattle," a comprehensive strategy to transition the transportation sector to clean, carbon-neutral electricity.

ANALYSIS

Proposed Motion 2016-0200 includes the following policy statements and requests by the Council:

Recognizes Metro Transit's achievements

Lines 39-42 express support for Metro's achievements to date in converting nearly seventy percent of its fleet to either all-electric or hybrid electric vehicles and expresses support for the battery bus pilot.

Expresses support for a carbon neutral or zero emissions fleet

Liens 43-45 express support for a carbon neutral or zero emissions fleet.

Requests an implementation plan for achieving goals

Transit is requested to analyze several issues as part of the implementation plan.

a) Lines 49-50 request Transit prepare an analysis and recommend whether a carbon neutral or zero emission fleet should be the preferred goal for Metro Transit. In preparing the analysis, Transit is requested to consider the cost of greenhouse gas emission and the health costs from tailpipe emissions.

b) Additionally, in lines 53-60 Transit is request to recommend its own target dates for achieving it goals. Transit is also requested to consider a phased approach where the target data for achieving a carbon neutral or zero emission vehicle fleet in the City of Seattle occurs prior the target date for Transit's service area in its entirety.

c) Lines 61-63 request Transit to include recommendations for any necessary changes to the service guidelines or the long range plan to achieve the recommended goal.

d) Lines 64-67 request the implementation plan include an evaluation of the battery bus pilot, including an analysis of the feasibility and timelines for transitioning the fleet to an all-electric fleet.

e) Lines 68-70 request the implementation plan include an analysis of how the King County Metro Transit carbon offset program established in Ordinance 17971 can be implemented to achieve the recommended goal.

f) Lines 71 to 73 request an analysis of any gaps in available technologies or products that would need to be addressed in order to meet the recommended goal.

g) Lines 74-76 request the implementation plan include an equity and social justice analysis of all proposed policies to ensure service levels are maintained and air quality benefits accrue to those communities most negatively impacted by poor air quality.

h) Lines 77 to 79 request a fleet replacement plan identifying, by type of vehicle, the number of vehicles to be purchased each year in order to achieve the recommended goal.

The preliminary implementation plan is due August 15, 2016 and a final implementation plan, with a motion adopting the plan, is due to Council by January 1, 2017.

Fleet purchases prior to the implementation plan

Proposed Motion 2016-0200 requests that prior to the adoption of the final implementation plan, when purchasing or requesting a budget appropriation for any nonelectric vehicle for the transit fleet, the executive prepare a written justification as to why it is necessary to purchase nonelectric vehicles for the Metro Transit fleet in light of the objective to achieve a carbon neutral or zero emission fleet.

AMENDMENTS

Amendment 1 is a technical amendment. It would make several small grammatical changes recommended by the Code Reviser.

Title Amendment T1 would conform the title to the motion as updated by Amendment 1.

ATTACHMENTS

1. Proposed Motion 2016-0200
2. Amendment 1
3. Title Amendment T1

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KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

April 1, 2016

Motion

Proposed No. 2016-0200.1 **Sponsors** Dembowski and Kohl-Welles

A MOTION requesting Metro Transit transmit an implementation plan for achieving a carbon neutral or zero emissions fleet.

WHEREAS, transportation is the region's largest source of greenhouse gas emissions, accounting for nearly half of all greenhouse gas emissions, and

WHEREAS, King County plays an important role in reducing greenhouse gas emissions by providing public transportation options, and

WHEREAS, the transit division, also known as Metro Transit, has been a leader in deploying vehicles that utilize new technologies and reduce fuel use, and

WHEREAS, the 2015 King County Strategic Climate Action Plan, adopted in Motion 14449, includes goals to grow transit service through 2020 with no increase in greenhouse gas emissions, and

WHEREAS, Metro Transit has one of the largest vehicle fleets in the nation, and

WHEREAS, Metro Transit has a goal of achieving an all-electric or hybrid fleet, by 2018, and

WHEREAS, nearly seventy percent of Metro Transit's fleet is now comprised of either all-electric or hybrid-electric vehicles, and

WHEREAS, Metro Transit operates one of only five electric trolley systems in the United States and, in 2015, began updating its trolley fleet with vehicles designed to travel "off-wire" for limited distances with regenerative braking and improved energy efficiency, and

WHEREAS, Metro Transit's electric trolley system is powered by carbon neutral energy from Seattle City Light, and

WHEREAS, Metro Transit is testing its first all-electric battery-powered buses manufactured by Proterra, and

WHEREAS, according to data collected by other transit agencies operating the Proterra bus, the battery-powered vehicles generate a cost savings of forty-nine percent per mile compared to a hybrid bus, and a forty-percent savings over a diesel bus, and

WHEREAS, given its size Metro Transit's fleet purchasing decisions can influence and help grow the worldwide market for electric transit vehicles, and

WHEREAS, in March 2016, the city of Seattle announced "Drive Clean Seattle," a comprehensive strategy to transition the transportation sector to clean, carbon-neutral electricity;

WHEREAS, Ordinance 17971 created the King County Metro transit carbon offset program to maximize the environmental benefits of transit;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. The King County council recognizes Metro Transit's achievements to date in converting nearly seventy percent of its fleet to either all-electric or hybrid-electric vehicles and expresses its support for Metro Transit's all-electric battery-powered bus pilot.

B. The King County council expresses its support for Metro Transit achieving either a carbon neutral or zero vehicle emissions fleet in all of Metro Transit's service area as expeditiously as possible.

C.1. The executive is requested to develop and transmit an implementation plan for achieving a carbon neutral or zero emissions vehicle fleet, including the vanpool fleet. The plan shall include but not be limited to:

a. analysis and a recommendation on whether a carbon neutral or zero emissions fleet should be the preferred goal for Metro Transit. The analysis should compare the costs and benefits of both goals. In considering the costs, the analysis shall include the cost of greenhouse gas emissions and the health costs from tailpipe emissions;

b. an analysis and recommendation of target dates for achieving the recommended goal in subsection C.1.a. of this motion. The analysis should consider a phased approach where the target date for achieving a carbon neutral or zero emissions fleet in the city of Seattle occurs before the target date for Metro transit's service area in its entirety. The analysis shall consider the feasibility and costs for at least three target dates, each progressively more expeditious, for achieving the goal in subsection C.1.a. of this motion and shall document the budgetary and fleet management tradeoffs required to meet each target date and recommend a target date;

c. recommendations for changes necessary to the service guidelines or the long range plan in order to achieve the recommended goal in subsection C.1.a. of this motion and the recommended target date in subsection C.1.b. of this motion;

d. an evaluation of the battery bus pilot, including an analysis of the feasibility and timelines for transitioning the fleet to an all-electric fleet. The evaluation shall

consider expanding the electric trolley fleet. The analysis shall also identify the associated fleet and infrastructure needs for an all-electric fleet;

e. an analysis of how the King County Metro transit carbon offset program established in Ordinance 17971 can be implemented to achieve the goal identified in subsection C.1.a. of this motion;

f. an analysis of any gaps in available technologies or products that would need to be addressed in order to meet the goal identified in subsection C.1.a. of this motion and the recommended target date identified in subsection C.1.b. of this motion;

g. an equity and social justice analysis of all proposed policies to ensure service levels are maintained and air quality benefits accrue to those communities most negatively impacted by poor air quality; and

h. a fleet replacement plan identifying, by type of vehicle, the number of vehicles to be purchased each year in order to achieve the goal identified in subsection C.1.a. of this motion by recommended target date identified in subsection C.1.b. of this motion.

2. The executive shall transmit a preliminary implementation plan by August 15, 2016. The preliminary implementation plan shall describe Metro Transit's approach and progress as of July 1, 2016, in completing each of the requirements in subsection C.1.a. through h. of this motion.

3. The executive shall transmit a final implementation plan, and a motion adopting the plan by January 1, 2017, in the form of a paper original and an electronic copy to the clerk of the council, who shall retain the original and provide an electronic

copy to all councilmembers, the council chief of staff, the policy staff director, and the lead staff for the transportation, economy and environment committee, or its successor.

4. Before the adoption of the final implementation plan, when purchasing or requesting a budget appropriation for any nonelectric vehicle for the transit fleet, the executive is requested to prepare a written justification as to why it is necessary to purchase nonelectric vehicles for the Metro Transit fleet in light of the objective to

achieve a carbon neutral or zero emission fleet. The justification should include an analysis of other vehicle options.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: None

3-28-16

1

[JG]

Sponsor: Dembowski

Proposed No.: 2016-0200

AMENDMENT TO PROPOSED MOTION 2016-0200, VERSION 1

On page 2, line 22, after "powered by" delete "carbon neutral" and insert "carbon-neutral"

On page 3, line 42, after "either a" delete "carbon neutral or zero vehicle emissions" and insert "carbon-neutral or zero-emission vehicle"

On page 3, line 45, after "achieving a" delete "carbon neutral or zero emissions" and insert "carbon-neutral or zero-emission vehicle"

On page 3, beginning on line 47, after "whether a" delete "carbon neutral or zero emissions" and insert "carbon-neutral or zero-emission"

On page 3, line 53, after "achieving a" delete "carbon neutral or zero emissions" and insert "carbon-neutral or zero-emission"

On page 6, line 92, after "achieve a" delete "carbon neutral or zero emission" and insert "carbon-neutral or zero-emission"

EFFECT: Corrects grammatical errors in several adjectives.

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March 29, 2016

Sponsor: Dembowski

[JG]

Proposed No.: 2016-0200

TITLE AMENDMENT TO PROPOSED MOTION 2016-0200, VERSION 1

On page 1, beginning on line 2, after "achieving a" delete "carbon neutral or zero emissions" and insert "carbon-neutral or zero-emission"

EFFECT: Corrects an error in several adjectives so as to conform the title to the body of the motion.

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King County

Metropolitan King County Council
Transportation, Economy and Environment Committee

STAFF REPORT

Agenda Item:	13	**Name:**	Christine Jensen Erin Auzins Paul Carlson Lise Kaye Beth Mountsier
Proposed No.:	2016-0155	**Date:**	April 5, 2016

SUBJECT

A briefing on the proposed 2016 update to the King County Comprehensive Plan (KCCP).

SUMMARY

This year marks a four-year, "major" update to the KCCP, which allows for consideration of substantive policy changes to the Plan and potential revisions to the Urban Growth Area (UGA). The Executive transmitted the proposed 2016 KCCP to the Council on March 1. The Council is in the process of reviewing and deliberating on the Executive's proposal. The Council's review will include briefings in the Transportation, Economy and Environment Committee (TrEE) over the next several months and possible final adoption in mid-to-late 2016.

Today's briefing will cover Chapter 1 (Regional Growth Management Planning), Chapter 3 (Rural Areas and Natural Resource Lands), Chapter 8 (Transportation), Chapter 10 (Economic Development), Proposed Ordinance 2016-0155 and Development Code Proposals, and Technical Appendix C Transportation and C1 Transportation Needs Report. Key issues identified by Council staff in these chapters include:

Chapter 1 Regional Growth Management Planning

- **Guiding Principles structure.** The transmitted 2016 KCCP proposes to relocate the 2012 Guiding Principles polices from the Introduction into the second half of Chapter 1 and to change the name of these policies from "Guiding Principles" to "Planning Objectives." These changes may change the perception of the importance of these policies in relation to the remainder of the KCCP. The Council may wish to evaluate the placement of and reference to these policies within the context of the Plan in its entirety.

- **Amendments to Guiding Principles policies.** The Council may wish to evaluate the impacts of the proposed changes to the former Guiding Principles policies. The proposed changes relate to:
    - ensuring the social, environmental and economic benefits of County activities in RP-201;[1,2]
    - broadening the scope and reducing fiscal considerations for preservation of open space lands in RP-202[3];
    - focusing growth in the existing UGA in RP-203;[4]
    - reducing environmental impacts of transportation in RP-204;[5]
    - adding ESJ lead-in text stating that countywide services, such as recreation, transit service, and public health, will be focused on cities in the contiguous UGA and that ESJ considerations are less of a factor in planning in rural and natural resource areas; and
    - no longer including performance measurement and management as a guiding principle/planning objective.

Chapter 3 Rural Areas and Natural Resource Lands

- **"Rural Areas" definition and usage.** Where appropriate, use of the "Rural Area" terms is clarified throughout the transmitted 2016 KCCP; the majority of these changes can be found in Chapter 3**.** Staff analysis of these proposed changes to ensure consistency with existing policy intent is ongoing.
- **Local Food Initiative.** Several policy changes relate to implementation of the Executive's Local Food Initiative. This initiative has not been reviewed or adopted by the Council. The Council may desire to evaluate the underlying goals of this program before adopting the proposed 2016 KCCP policy changes associated with the Local Food Initiative.
- **Nonresidential/urban uses in the Rural Area.** Proposed changes to two policies, R-324 and R-201, would limit nonresidential uses in the rural area. The proposed changes are more limiting than existing restrictions regarding schools, institutions, and community facilities listed in R-326, which could affect the types of uses that are allowed in the Rural Area and may lead to unanticipated changes in the uses permitted outside the UGA. The Council may want to consider whether these changes meet the Council's policy goals.
- **Scoping Motion.** The transmittal did not address several items the Scoping Motion, including consideration of: expanded urban-to-urban Transfer of Development Rights (TDRs) allowances; updating Farm, Fish, Flood related policies; supporting housing for aging demographics, such as expanded cottage

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[1] The policy numbers referenced in the staff report are those from the transmitted 2016 KCCP. If the policy number is different from the adopted 2012 KCCP, that will be highlighted in the footnotes.
[2] The policy is currently GP-101 in the adopted 2012 KCCP, and is proposed to be changed to RP-201 as part of the transmitted 2016 KCCP.
[3] The policy is currently GP-102 in the adopted 2012 KCCP, and is proposed to be changed to RP-202 as part of the transmitted 2016 KCCP.
[4] The policy is currently GP-103 in the adopted 2012 KCCP, and is proposed to be changed to RP-203 as part of the transmitted 2016 KCCP.
[5] The policy is currently GP-104 in the adopted 2012 KCCP, and is proposed to be changed to RP-204 as part of the transmitted 2016 KCCP.

housing; further integration of the Rural Economic Strategies (RES); streamlining regulations for home-based businesses; and matching rural densities to water resources.

Chapter 8 Transportation

- **Disaster Coordination.** Existing 2012 policy T-105 states that King County shall protect its transportation system against disasters, to the extent possible, by developing prevention and recovery strategies. King County has specific responsibilities relative to managing and restoring the countywide transportation network in the event of a disaster, and the Council may wish to consider this policy in light of these roles.
- **Regional Growth Strategy.** Proposed new language in policy T-231 refers to the "regional growth strategy," but does not clearly define the meaning of this term. Council and Executive staff are reviewing the narrative and policy language, including Chapter 1 Regional Growth Management Planning to determine if Chapter 8 references to the regional growth strategy should be clarified and possibly included in another policy.
- **Scoping Motion.** The transmittal did not address several items in the Scoping Motion, including consideration of substantive updates to the Concurrency Program and Mitigation Payment System; consideration of adding policies for stormwater management and culvert replacements to allow for fish passage; and updating policies to further support the King County International Airport (KCIA) master plan.

Chapter 10 Economic Development

- **Local Food Initiative.** Several policy changes relate to implementation of the Executive's Local Food Initiative. This initiative has not been reviewed or adopted by the Council. The Council may wish to evaluate the underlying goals of this program before adopting the proposed 2016 KCCP policy changes associated with the Local Food Initiative.
- **Infrastructure development policies**. Proposed changes to infrastructure development policies, ED-401 and ED-404, more clearly state the County's support for infrastructure and facilities related to economic development that are consistent[6] with the locations in which they are sited. These changes appear to relate to other proposed changes elsewhere in the Plan,[7] which further limit siting urban or largely urban serving uses or facilities in the rural area. The Council may want to consider whether these changes meet the Council's policy goals, as they could affect the types of uses that are allowed in the Rural Area and may lead to unanticipated changes in the uses permitted outside the UGA.
- **Scoping Motion**. The transmittal did not address several items the Scoping Motion, including consideration of: further advancement of the RES Plan; place-based workforce training policies; and addressing fragmented economic

[6] Consistency is related to size, scale, adjacent land uses, and applicable policy restrictions regarding where the uses are allowed to be sited.
[7] Such as noted in the Chapter 3 staff report related to polices R-324 and R-201.

development activities across the county and improving regional coordination to achieve agreed-upon results in job and wage growth and in economic diversity.

Proposed Ordinance 2016-0155 and Development Code Proposals

- **Analysis ongoing.** Staff analysis is ongoing for the impacts of the proposed code changes.
- **Scoping Motion.** The Scoping Motion included direction for six development code proposals. The Proposed Ordinance includes code changes for two of the items, both related to the agricultural land policy and agricultural use permitted uses. The Council may want to consider whether to include any of the remaining four unaddressed code proposals in this Proposed Ordinance.

Technical Appendix C Transportation and C1 Transportation Needs Report (TNR)

- **Rural Regional Corridors.** The Road Services Division (RSD) has not updated the Average Daily Trips reported for Rural Regional Corridors since the 2012 TNR, which may result in underreporting the traffic volume and congestion for the Rural Regional Corridors. Additionally, the 2016 TNR does not propose any additional capacity projects as a result of the deficiency analysis performed with the travel demand forecast model; this is despite the plan also noting that there are deficiencies on unincorporated arterial roadways including, but not limited to, the Rural Regional Corridors.
- **Vulnerable Road Segments.** The 2016 TNR does not include any new vulnerable road segments, as the RSD has not completed any new studies since the 2005 study. This may result in underreporting the magnitude of vulnerable road segments.
- **Prioritization Methodologies.** It is unclear how RSD, which faces a significant funding shortfall, allocates funds across project categories for budgeting purposes (e.g. bridges vs. roadway reconstruction, or guardrails vs. high accident locations). In addition, the TNR includes detailed information on evaluation and prioritization methodologies for most project categories, but some of the methodologies are incomplete and/or could not be replicated using information provided in the narrative.
- **Baseline data.** The nonmotorized projects baseline data pre-dates 2007. Similarly, the Intelligent Transportation Systems Corridor projects date back to a 2005 strategic plan. Utilizing updated baseline data for nonmotorized projects and Intelligent Transportation Systems Corridor projects may provide a more accurate list of project needs in the TNR.

BACKGROUND

The KCCP is the guiding policy document for land use and development regulations in unincorporated King County, as well as for regional services throughout the County, including transit, sewers, parks, trails, and open space. The King County Code dictates the allowed frequency for updates to the KCCP.

Annual cycle. On an annual basis, only technical changes and other limited amendments to the KCCP are allowed to be adopted.[8] This is known as the "annual cycle." While the Code states that the KCCP "may be amended" annually,[9] it is not required to be reviewed or amended on an annual basis.

Four-year cycle. Substantive changes to policy language and amendments to the UGA boundary[10] are only allowed to be considered once every four years.[11,12] This is known as the "four-year cycle." The Code requires the County to complete a "comprehensive review" of the KCCP once every four years in order to "update it as appropriate" and ensure continued compliance with the Growth Management Act (GMA).[13] The Code requires the Executive to transmit to the Council a proposed ordinance amending the KCCP once every four years.[14] However, the Code does not require the Council to adopt a KCCP update during the four-year cycle.[15] This year's four-year review of the KCCP is the fifth major review since 2000.

GMA update requirements. It is worth highlighting how the County's KCCP cycles fit into the GMA planning cycles. The GMA requires cities and counties to update their comprehensive plans once every eight years.[16] The GMA authorizes, but does not require, cities and counties to amend their comprehensive plans annually.

For King County, the GMA-established plan update deadlines are in 2015 and 2023. For the purposes of the GMA, the 2012 update to the KCCP[17] satisfied the State's requirement to update the County's comprehensive plan by 2015. The GMA does not require the County to complete another comprehensive update until 2023. Under the County's current policies and Code, the County will complete this update in the 2020 four-year cycle.

Under the County's policies and regulations, the 2016 review of the KCCP constitutes a "four-year amendment." However, under GMA requirements, the County's 2016 review

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[8] K.C.C. 20.18.030

[9] K.C.C. 20.18.030(B)

[10] Note that Four-to-One UGA proposals may be considered during the annual cycle (see K.C.C. 20.18.030(B)(10), 20.18.040(B)(2), 20.18.170, and 20.18.180).

[11] From year 2000 and forward. Substantive updates to the KCCP can be considered on a two-year cycle, but only if: "the county determines that the purposes of the KCCP are not being achieved as evidenced by official population growth forecasts, benchmarks, trends and other relevant data" (K.C.C. 20.18.030(C)). This determination must be authorized by a motion adopted by the Council. To date, this option has not been used by the County.

[12] The annual Capital Improvement Plan (CIP), Transportation Needs Report (TNR), and school capital facilities plans are elements of the KCCP but are adopted in conjunction with the County budget, and thus follows separate timeline, process, and update requirements (see K.C.C. 20.18.060 and 20.18.070).

[13] K.C.C. 20.18.030(C)

[14] K.C.C. 20.18.060

[15] If the Council decides not to adopt a four-year update, the County may still need to formally announce that it has completed the required review; the mechanism to do that, whether legislatively or not, would need to be discussed with legal counsel.

[16] Revised Code of Washington (RCW) 36.70A.130

[17] Ordinance 17485

is subject to the rules applicable to an "annual amendment," which is not a required action.

Actions to date for the 2016 KCCP. In May 2015, the Council adopted the Scoping Motion[18] for the 2016 KCCP update, which is included in Attachment 4 to the staff report. The Scoping Motion outlined the key issues the Council and Executive identified for specific consideration in the forthcoming KCCP update. While the scope of work approved through the Scoping Motion was intended to be as thorough as possible, it does not establish the absolute limit on the scope of issues that can be considered. Based on subsequent public testimony, new information, or Council initiatives, other issues may also be considered by the Executive or the Council – except for UGA expansion proposals, which must follow the limitations of KCCP policy RP-107[19] as discussed in the Area Zoning Studies and Land Use Map Amendments section of the March 15 staff report.[20]

King County Code (K.C.C.) 20.18.160 and RCW 36.70A.140 call for "early and continuous" public engagement in the development and amendment of the KCCP and any implementing development regulations. As part of that public engagement process, the Executive published a Public Review Draft (PRD) of the KCCP on November 6, 2015, which was open for public comment through January 2016.[21] During that time, the Executive hosted six PRD community meetings: one each in Fairwood, Skyway, Fall City, Issaquah, and two in Vashon. A summary of the Executive's outreach efforts can be found in Appendix R "Public Outreach for Development of KCCP." A detailed listing of all of the public comments received during development of the Plan can be found in the Public Participation Report that is located on the Council's KCCP website.[22]

Council review of the transmitted 2016 KCCP began with a briefing of the Transportation, Economy and Environment Committee on March 15, 2016. Council review will continue with briefings on selected sections of the transmitted 2016 KCCP, as well as opportunities for public comment and engagement. As noted above, today's briefing will cover Chapter 1 (Regional Growth Management Planning), Chapter 3 (Rural Areas and Natural Resource Lands), Chapter 8 (Transportation), Chapter 10 (Economic Development), Proposed Ordinance 2016-0155 and Development Code Proposals, and Technical Appendix C Transportation and C1 Transportation Needs Report.

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[18] Motion 14351, which was required to be transmitted by the Executive by K.C.C. 20.18.060. The Council approved the 2016 KCCP scoping motion after the April 30 deadline for Council action. However, as noted in the adopted Motion, the Executive agreed to treat the scope as timely and would proceed with the work program as established in the Council-approved version of the motion.

[19] This policy is currently RP-203 in the adopted 2012 KCCP, and is proposed to be changed to RP-107 as part of the 2016 KCCP. Does not apply to Four-to-One proposals.

[20] http://www.kingcounty.gov/council/2016compplan/materials.aspx

[21] General public comment was open through January 6, 2016. Additional comments on the late addition of the East Cougar Mountain Potential Annexation Area to the Public Review Draft were allowed from January 27 to February 3.

[22] http://www.kingcounty.gov/council/2016compplan.aspx

ANALYSIS

How the Analysis section is organized. The analysis in this staff report includes a review of selected chapters of the transmitted 2016 KCCP. Analysis of other chapters in the transmitted plan has been provided already or will be provided at subsequent TrEE meetings, as noted in the schedule in Attachment 2 to the staff report.[23] Staff analysis of each chapter will include identification of what is new in the transmitted 2016 KCCP compared with the adopted 2012 KCCP, discussion of any issues or inconsistencies with adopted policies and plans and/or the Scoping Motion, and highlights of any additional issues for Council consideration.[24]

This staff report includes:

Transmitted 2016 KCCP Overview	Page 243
Chapter 1 Regional Growth Management Planning	Page 245
Chapter 3 Rural Areas and Natural Resource Lands	Page 251
Chapter 8 Transportation	Page 267
Chapter 10 Economic Development	Page 277
Proposed Ordinance 2016-0155 and Development Code Studies	Page 288
Technical Appendix C Transportation and C1 Transportation Needs Report	Page 301

Transmitted 2016 KCCP Overview

The transmitted 2016 KCCP is proposed as a four-year, "major" update to the KCCP, which includes significant policy changes throughout the plan, as well as evaluation of several proposals to revise the UGA boundary. The following is a summary of the overarching changes proposed in the 2016 KCCP.

Restructures. The transmitted 2016 KCCP proposes several significant changes to the existing structure of the Plan. A welcome letter from the Executive and an Executive Summary are both proposed to be included in the beginning of the Plan to frame the document and the issues addressed in the plan. The Introduction is proposed to be removed and integrated into Chapter 1 Regional Growth Management Planning. A new Housing and Human Services chapter is proposed to be created as Chapter 4, which

[23] Subject to change.
[24] For information on the Executive's rationale for the proposed changes, please refer to the Policy Amendment Analysis Matrix that was included in the 2016 KCCP transmittal package as required by policy I-207, which can be found here: http://www.kingcounty.gov/council/2016compplan/transmittal.aspx

both consolidates existing policies into one place and adds more robust policies in each of these policy areas.

Readability improvements and technical updates. The transmitted 2016 KCCP aims to improve readability by the general public and makes necessary technical updates. Changes include:

- A more detailed **Table of Contents** that outlines the topical areas that are covered in each of the chapters.
- Replacement of all **acronyms** with their full names, such as "GMA" being written out as the "Growth Management Act" throughout the Plan.
- Where appropriate, references to the "Urban Area" or the "Urban Growth Area" are restated as the "**Unincorporated Urban Area**" when the intent is to apply the policy only to areas where King County has local government authority, as opposed to policies that provide regional government policy guidance that would apply to both unincorporated areas and cities.
- The definition for "**Rural Area**" is updated to clarify it is a collective geography that includes Rural Towns, Rural Neighborhood Commercial Centers, and rural residential zoned properties (RA-2.5, RA-5, RA-10, and RA-20). This change makes it clearer that **Natural Resource lands** are separate from Rural Area lands. The terminology for "Rural Cities" is also updated to be "**Cities in the Rural Area**" to reflect that they are urban geographies that are located in the rural area and outside of the contiguous UGA. Where appropriate, references to these terms are updated throughout the plan to ensure consistency with existing policy intent**.**
- Current **demographic information and technical references** to adopted planning documents and terminology (such as using "recycled water" instead of "reclaimed water") are also updated throughout the plan.

Key policy themes. A summary of the large policy changes across the transmitted 2016 KCCP include:

- **Elimination of the Guiding Principles** structure that was created in 2012 as part of the Introduction section to the KCCP to set the tone.

- Increased **Equity and Social Justice (ESJ)** integration throughout the Plan.

- **Climate change and the Strategic Climate Action Plan (SCAP)** goals and targets incorporated throughout the Plan.

- The new **Housing and Human Services** chapter includes significant increased attention to affordable and healthy housing issues.

- New policies in directing **urban facilities** that serve urban development to be sited in the UGA.

- Updates to **stormwater policies** to address the new requirements in the County's National Pollution Discharge Elimination System (NPDES) permit, including increased attention to **Low Impact Development (LID)**.

- Increased attention on **local and healthy food** options.

- Stronger connections and references to the **Regional Growth Strategy and GMA.**

- Creation of a new **subarea planning process,** and inclusion of proposed land use and zoning map changes for **eight land use proposals** – none of which would expand of the UGA, aside from two minor technical corrections.[25]

Chapter 1 Regional Growth Management Planning

The Introduction and Chapter 1 Regional Growth Management Planning from the 2012 KCCP are proposed to be consolidated into one chapter in the transmitted 2016 KCCP. The policies in this new consolidated Chapter 1 for Regional Growth Management Planning address the King County planning framework,[26] regional partnerships, and planning objectives.

What's new in the transmitted 2016 KCCP?

Preserving open space. In a section in Chapter 1 that provides direction for public outreach, the transmitted 2016 KCCP proposes that the County shall work with its residents to "preserve resource and open space lands," rather than "maintain" them.

> **RP-101** King County shall strive to provide a high quality of life for all of its residents by working with cities, special purpose districts and residents to develop attractive, safe and accessible urban communities, retain rural character and rural neighborhoods, support economic development, promote equity and social justice, ((~~maintain~~)) preserve resource and open space lands, preserve the natural environment, and to protect significant cultural and historic resources.

Regional partnerships. The transmitted 2016 KCCP adds a new policy, RP-109, requiring the County to establish and/or participate in regional and subregional partnerships to advance the objectives of the KCCP, such as the King County Cities

[25] Twenty land use proposals were ultimately reviewed as part of the Public Review Draft, which were included as an attachment to the 2016 KCCP transmittal package and were discussed in the Area Zoning Studies and Land Use Map Amendments section of the March 15 staff report:

[26] Including relationships to Growth Management Act (GMA); the Puget Sound Regional Council's (PSRC) VISION 2040, Regional Growth Strategy, and Multicounty Planning Policies (MPPs); and the Growth Management Planning Council's (GMPC) Countywide Planning Policies (CPPs); the KCCP; and County functional plans.

Climate Collaboration (K4C), PSRC's Regional Transit Oriented Development Program, and the Eastside Rail Corridor (ERC).

> **RP-109** King County shall establish and/or participate in regional and subregional partnerships to advance the objectives of the Comprehensive Plan such as:
> a. The King County Cities Climate Collaboration (the "K4C") to confront climate change,
> b. The Regional Transit Oriented Development Program to advance transit-oriented development around transit stations and hubs, and
> c. The Eastside Rail Corridor to support a multi-use vision for the corridor.

Expanding community elements. RP-110[27] currently encourages "strengthening communities by addressing the elements, resources and needs that make a community whole." In the transmitted 2016 KCCP, this policy is proposed to be expanded to include "regional and local mobility" as one of those community aspects.

> ((~~RP-104~~)) **RP-110** King County's planning should strengthen communities by addressing all the elements, resources and needs that make a community whole, including: economic growth and the built environment, environmental sustainability, regional and local mobility, health and human potential, and justice and safety.

Appropriate service levels. In the current 2012 KCCP, policy RP-117[28] states that functional plans should define required service levels for the urban and rural areas. The transmitted 2016 KCCP adds new language qualifying that the defined service levels should be "appropriate" for the geography in which the services will be provided.

> ((~~RP-206~~)) **RP-117** Functional plans for facilities and services should:
> a. Be consistent with the comprehensive plan and subarea and neighborhood plans;
> b. Define required service levels that are appropriate for the Urban Growth Area, Rural Area and Natural Resource Lands;
> c. Provide standards for location, design and operation of public facilities and services;
> d. Specify adequate, stable and equitable methods of pay for public facilities and services;
> e. Be the basis for scheduling needed facilities and services through capital improvement programs; and
> f. Plan for maintenance of existing facilities.

[27] This policy is currently RP-104 in the adopted 2012 KCCP, and is proposed to be changed to RP-110 as part of the transmitted 2016 KCCP.
[28] This policy is currently RP-206 in the adopted 2012 KCCP, and is proposed to be changed to RP-117 as part of the transmitted 2016 KCCP.

Elimination of Guiding Principles structure. The 2012 KCCP was structured with an Introduction and a separate chapter for Regional Planning in Chapter 1. In the adoption of the 2012 KCCP, the Council added a set of "Guiding Principles" policies to the Introduction to guide funding decisions, creation and operation of programs and projects, and the County's interactions with local, state and federal agencies. The transmitted 2016 KCCP proposes to make two changes to the Guiding Principles. First, the Guiding Principles would be removed from the Introduction, and would be integrated into a new subsection within Chapter 1 Regional Growth Management Planning. Second, the transmitted 2016 KCCP now identifies them as "Planning Objectives" instead of "Guiding Principles," as in the 2012 KCCP.

Expanding Planning Objectives implementation areas. In the lead-in text for the new proposed Planning Objectives Section, the transmitted 2016 KCCP proposes to include managing stormwater runoff as one of the implementation areas of the Planning Objectives.

Amendments to Guiding Principles. The transmitted 2016 KCCP proposes a number of amendments to the 2012 Guiding Principles, including:

- **Benefits of County activities.** In addition to existing Guiding Principle language that calls for promoting sustainable communities, RP-201[29] is proposed to be expanded to "ensure that all County activities provide social, environmental and economic benefits."

  > ((~~GP-101~~)) **RP-201** In its policies and regulations, King County shall strive to promote sustainable neighborhoods and communities, and seek to ensure that all county activities provide social, environmental and economic benefits.

- **Preservation of open space lands.** In RP-202,[30] the underlying 2012 Guiding Principle requires King County to pursue economically feasible opportunities to preserve open space lands. The transmitted 2016 KCCP proposes to remove the "economically feasible" qualifier and would add maintenance in addition to preservation. Additionally, while already included in the definition for the King County Open Space System in the KCCP glossary, the transmitted 2016 KCCP proposes to specifically call out forest and agriculture lands in addition to open space lands in RP-202. The policy is also now focused on preservation and maintenance of "remaining high-priority" lands, as opposed to just open space lands in general as in the current policy.

[29] This policy is currently GP-101 in the adopted 2012 KCCP, and is proposed to be changed to RP-201 as part of the transmitted 2016 KCCP.
[30] This policy is currently GP-102 in the adopted 2012 KCCP, and is proposed to be changed to RP-202 as part of the transmitted 2016 KCCP.

((~~GP-102~~)) **RP-202** King County shall pursue ((~~economically feasible~~)) opportunities to preserve and maintain remaining high-priority forest, agriculture, and other open space lands.

- **Existing UGA.** In RP-203,[31] the 2012 Guiding Principle that called for focusing growth in the UGA, now explicitly focuses growth in the "existing" UGA, and also now clarifies that growth should occur consistent with adopted growth targets.

  ((~~GP-103~~)) **RP-203** King County shall continue to support the reduction of sprawl by focusing growth and future development in the existing urban growth area, consistent with adopted growth targets.

- **Reducing impacts of transportation.** The 2012 KCCP included a Guiding Principle that called for promoting a transportation system that provides a "range of transportation choices" that respond to community needs and environmental concerns. As amended in RP-204,[32] that policy is proposed to now include an "efficient multimodal" system, as well as reducing "impacts on the natural environment" rather than just responding to "environmental concerns."

  ((~~GP-104~~)) **RP-204** King County shall continue to promote an efficient multimodal transportation system that provides residents with a range of transportation choices that respond to ((~~both~~)) community needs and reduces impacts on the natural environmental ((~~concerns~~)).

- **Equity and Social Justice (ESJ).** Information about the Determinants of Equity[33] is proposed to be added to the text of the Planning Objectives section. Significant text is added regarding connecting ESJ issues to land use planning. This includes a statement that addressing ESJ through long-range planning relates to the County's role as a regional service provider; additionally, where the County provides countywide services, such as recreation, transit service, and public health, the transmitted 2016 KCCP notes that those services "will be focused on cities in the contiguous UGA." The transmitted 2016 KCCP goes on to state: "While ESJ considerations will remain an important factor in planning across all geographies, the County's unincorporated rural and natural resource areas have much lower concentration of these demographic groups."[34]

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[31] This policy is currently GP-103 in the adopted 2012 KCCP, and is proposed to be changed to RP-203 as part of the transmitted 2016 KCCP.
[32] This policy is currently GP-104 in the adopted 2012 KCCP, and is proposed to be changed to RP-204 as part of the transmitted 2016 KCCP.
[33] As outlined in Ordinance 16948.
[34] It is worth noting that Councilmembers have previously expressed interest in applying ESJ considerations to underserved rural area residents as well.

The transmitted 2016 KCCP also proposes to amend the existing Guiding Principle that calls for addressing ESJ issues. In RP-205,[35] this policy is expanded to "proactively" address ESJ issues and now applies this to "implementing" the County's policies, programs, and practices instead of just when "evaluating" those areas. Similarly, in the Guiding Principle that calls for protecting and enhancing natural resources and the environment, RP-206[36] now also calls for "consideration of inequities and disparities that may be caused by climate change."

> ((~~GP-105~~)) **RP-205** King County will seek to reduce health ((~~disparities~~)) inequities and proactively address issues of equity, social and environmental justice when ((~~evaluating~~)) implementing its land use policies, programs, and practices.
>
> ((~~GP-106~~)) **RP-206** King County will protect, restore and enhance its natural resources and environment, encourage sustainable agriculture and forestry, reduce climate pollution and prepare for the effects of climate change, including considering of the inequities and disparities that may be caused by climate change.

- **Managing performance.** The 2012 KCCP included a Guiding Principle that called for measuring and assessing agency performance and achievement of the CPPs and the KCCP goals. The transmitted 2016 KCCP no longer includes this policy, nor any other performance management policies in the Planning Objectives section. Instead, the transmitted 2016 KCCP proposes to move that policy elsewhere in the chapter as RP-120,[37] which is located in a section related to review and amendment of the KCCP.

Consistency with adopted policies and plans

ESJ and climate change. Proposed changes regarding ESJ and climate change will be reviewed at a later briefing on the 2016 KCCP.

Consistency with the Scoping Motion

No issues identified.

[35] This policy is currently GP-105 in the adopted 2012 KCCP, and is proposed to be changed to RP-205 as part of the transmitted 2016 KCCP.
[36] This policy is currently GP-106 in the adopted 2012 KCCP, and is proposed to be changed to RP-206 as part of the transmitted 2016 KCCP.
[37] This policy is currently GP-107 in the adopted 2012 KCCP, and is proposed to be changed to RP-120 as part of the transmitted 2016 KCCP.

Other issues for Councilmember consideration

Elimination of Guiding Principles structure. In the 2012 KCCP, the Council placed the Guiding Principles in the Introduction section of the plan. The Council's stated intent of locating the policies in the Introduction instead of one of the standalone chapters was to set the tone for the entire KCCP, ensure applicability to all chapters within the Plan, and to apply to both regional and local government planning. The transmitted 2016 KCCP proposes to relocate those polices into the second half of Chapter 1 Regional Growth Management Planning. The transmitted 2016 KCCP also proposes change the name of these policies from "Guiding Principles" to "Planning Objectives." While it is currently unclear if there are any unintended policy and planning impacts of these changes, it is possible that they could change the perception of the importance of these policies in relation to the remainder of the KCCP. The Council may wish to evaluate the placement of and reference to these policies within the context of the Plan in its entirety.

Amendments to Guiding Principles. The Council may wish to evaluate the impacts of the proposed changes to the former Guiding Principles policies, including:

- **Benefits of county activities.** RP-201 amends a 2012 Guiding Principle to state that the County shall seek to ensure that all County activities provide social, environmental and economic benefits. This proposed language is very broad and it is unclear how this would be defined, measured, or enforced.

- **Preservation of open space lands.** RP-202 amends a 2012 Guiding Principle to remove the "economically feasible" qualifier and add maintenance in addition to preservation as a requirement of the policy. The fiscal impacts of these two changes are currently unknown, but it could increase expenditures to implement the amended policy. Additionally, it is unknown what the scope of "remaining high-priority" forest, agriculture, and open space lands would include. Through adoption of Motion 14458, the Council has asked the Executive to provide a work plan for the preservation of these resources, as well as criteria for preservation, by the end of the first quarter of 2016.

- **Existing UGA.** RP-203 amends a 2012 Guiding Principle, which now calls for focusing growth within the "existing" UGA consistent with adopted growth targets. It appears that this policy change is intended to be consistent with general growth management principles in the GMA, Multicounty Planning Policies (MPPs), Countywide Planning Policies (CPPs), and existing KCCP to focus growth within the UGA. It is currently unclear whether changing the policy to the focus on the existing UGA would further limit consideration of UGA expansions in the future.

- **Reducing impacts of transportation.** RP-204 amends an existing Guiding Principle to require a range of transportation choices now reduce impacts on the natural environment rather than just responding to environmental concerns. While this does not appear to be inconsistent with the County's current approach to multimodal transportation planning, this does appear to be a more explicit

regional policy directive to use transportation planning to benefit the environment, such as addressing climate change.

- **ESJ.** The transmitted 2016 KCCP includes text in the Planning Objectives section stating that countywide services, such as recreation, transit service, and public health, will be focused on cities in the contiguous UGA and that ESJ considerations are less of a factor in planning in rural and natural resource areas. While this directive is not located in policy, it does imply intent for County operations. This statement implies that such services, including recreation and public health, could be less available to:
    - Residents of cities in eastern King County, such as Carnation, Duvall, Enumclaw, North Bend, Skykomish, and Snoqualmie.
    - Urban unincorporated residents, such as those in Fairwood, Highline, Skyway-West Hill, and White Center.
    - Residents in the rural area.

- **Managing performance.** The transmitted 2016 KCCP proposes to relocate a 2012 performance management Guiding Principle, which called for measuring and assessing agency performance and achievement of the CPPs and the KCCP goals, to elsewhere in the chapter. As a result, the KCCP would no longer include performance measurement and management as a planning objective, though it is still called for elsewhere in the plan related to implementation.

Chapter 3 Rural Areas and Natural Resource Lands

The policies in Chapter 3 address rural residential, rural commercial, forestry, agricultural, and mineral resource areas. Policies regarding the County's approach to Cities in the Rural Area are also included in this chapter.

<u>What's new in the transmitted 2016 KCCP?</u>

"Rural Areas" definition and usage. The definition in the glossary for "Rural Area" is proposed to be updated to clarify that it is a collective geography that includes Rural Towns, Rural Neighborhood Commercial Centers, and rural residential zoned properties.[38] This change makes it clearer that Natural Resource lands are distinct from Rural Area lands. The terminology for "Rural Cities" is also proposed to be updated to "Cities in the Rural Area" to reflect that they are urban geographies that are located in the rural area and outside of the contiguous UGA. Where appropriate, the use of these terms is clarified throughout the transmitted 2016 KCCP; the majority of these changes can be found in Chapter 3**.** Staff analysis of these proposed changes to ensure consistency with existing policy intent is ongoing.

Public engagement. Three policies regarding public engagement are proposed to be modified. Policy R-101, related to preservation and sustaining rural legacy and

[38] RA-2.5, RA-5, RA-10, and RA-20

communities, would be changed to recognize that collaboration is needed with a broader range of parties than the current policy recognizes.

> **R-101** King County will continue to preserve and sustain its rural legacy and communities through programs and partnerships that support, preserve, and sustain its historic, cultural, ecological, agricultural, forestry, and mining heritage through collaboration with local and regional preservation and heritage programs, community groups, rural residents and business owners including forest and farm owners, rural communities, towns, and cities, and other interested stakeholders.

Policy R-102 would be modified to remove a reference to Unincorporated Area Councils (UACs). Instead, public engagement would occur mainly through the Community Service Area (CSA) program.[39]

> **R-102** King County will continue to support the diversity and richness of its rural communities and their distinct character by working with its rural constituencies ((~~and the unincorporated area councils and~~)) through its Community Service Areas program to sustain and enhance the rural character of ((~~rural and resource lands~~)) Rural Area Zoned Land, Natural Resource Lands, Rural Neighborhood Commercial Centers, and Rural Towns.

Policy R-611, related to notice to neighbors on nearby resource management activities, is proposed to be modified to more closely match current code requirements for public notice on development applications.

> **R-611** King County should develop and employ effective means to inform affected property owners about nearby resource management activities. This may include, but not be limited to:
> a. Notice on title, notification for subdivisions, short subdivisions and development permits for properties within five hundred feet of designated agriculture, forestry, and mineral resource lands, or the surrounding twenty (20) different property owners, whichever is greater;
> b. Signage; and
> c. Community meetings and other public notification tools.

Nonresidential/urban uses in the Rural Area. The transmitted 2016 KCCP includes changes to two policies that would limit nonresidential uses in the rural area. Policy R-324 would limit nonresidential uses in the rural area to those that provide local products and services for "nearby Rural Area residents," rather than "nearby residents" as in the 2012 policy. The proposed changes also further limits these uses to comply with development standard criteria in policy R-201.

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[39] Created by Ordinance 17139 in 2011 and refined in Ordinance 17415 in 2012 to replace the County sponsored UAC model with a broader framework for public engagement with unincorporated area residents.

R-324 Nonresidential uses in the Rural Area shall be limited to those that:
a. Provide convenient local products and services for nearby Rural Area residents;
b. Require location in a Rural Area;
c. Support natural resource-based industries;
d. Provide adaptive reuse of significant historic resources; or
e. Provide recreational opportunities that are compatible with the surrounding Rural Area.

These uses shall be sited, sized and landscaped to complement rural character as defined in policy R-101 and R-201, prevent impacts to the environment and function with rural services including on-site wastewater disposal.

Policy R-201 sets the criteria for development regulations for the Rural Area. Changes are proposed to this policy that would add language to:

- further describe that the criteria are those "attributes associated with a rural lifestyle;"
- call out home occupations and home industries;
- clarify that historic resources, character and continuity to protect and enhance are those important to "local communities;" and
- add a new criteria that rural uses do not include urban or largely urban-serving facilities.

This last proposed change is more limiting than existing restrictions regarding schools, institutions, and community facilities listed in R-326, and including this statement regarding R-201 may have impacts to other uses besides these listed facilities.

R-201 It is a fundamental objective of the King County Comprehensive Plan to maintain the character of its designated Rural Area. The ((~~GMA~~)) Growth Management Act specifies the rural element of comprehensive plans include measures that apply to rural development and protect the rural character of the area (RCW 36.70A.070 (5)). The ((~~GMA~~)) Growth Management Act defines rural character as it relates to land use and development patterns (RCW 36.70A.030 (15)). This definition can be found in the Glossary of this Plan. Rural development can consist of a variety of uses that are consistent with the preservation of rural character and the requirements of the rural element. In order to implement ((~~GMA~~)) Growth Management Act, it is necessary to define the development patterns that are considered rural, historical or traditional and do not encourage urban growth or create pressure for urban facilities and service.

Therefore, King County's land use regulations and development standards

shall protect and enhance the following ((~~components of~~)) attributes associated with a rural lifestyle ((~~the~~)) and the Rural Area:

a. The natural environment, particularly as evidenced by the health of wildlife and fisheries (especially salmon and trout), aquifers used for potable water, surface water bodies including Puget Sound and natural drainage systems and their riparian corridors;

b. Commercial and noncommercial farming, forestry, fisheries, mining, home-occupations and ((~~cottage~~)) home industries;

c. Historic resources, historical character and continuity important to local ((~~, including~~)) communities, as well as archaeological and cultural sites important to tribes;

d. Community small-town atmosphere, safety, and locally owned small businesses;

e. Economically and fiscally healthy Rural Towns and Rural Neighborhood Commercial Centers with clearly defined identities compatible with adjacent rural, agricultural, forestry and mining uses;

f. Regionally significant parks, trails and open space;

g. A variety of low-density housing choices compatible with adjacent farming, forestry and mining and not needing urban facilities and services; and

h. Traditional rural land uses of a size and scale that blend with historic rural development((~~.~~)); and

i. Rural uses that do not include urban or largely urban-serving facilities.

Rural Forest Focus Areas. Policy R-207, related to preservation of forest cover and sustainable forestry in the Rural Area, is proposed to be modified to require targeting "fee and easement acquisition strategies" to the Rural Forest Focus Areas.

> **R-207** Rural Forest Focus Areas are identified geographic areas where special efforts are necessary and feasible to maintain forest cover and the practice of sustainable forestry. King County shall target funding, when available, new economic incentive programs, regulatory actions, fee and easement acquisition strategies and additional technical assistance to the Rural Forest Focus Areas. Strategies specific to each Rural Forest Focus Area shall be developed, employing the combination of incentive and technical assistance programs best suited to each focus area.

Equestrian trails. Policy R-213 sets a standard for equestrian trails that are located within road rights-of-way. This policy is proposed to be revised to reduce the gravel shoulder on a local access road from 4.5 to 4.0 feet in width, which Executive staff state is the current road standard for a local access shoulder.

> **R-213** Soft-surface multiple-use trails in corridors separate from road rights-of-way are the preferred option for equestrian travel for safety reasons and to avoid conflicts with residential activities associated with the street. Existing off-road trails should be preserved during site

development, with relocation as appropriate to accommodate development while maintaining trail connections. The King County Road Design and Construction Standards will accommodate safe equestrian travel within road rights-of-way. Where appropriate, capital improvement programs for transportation and park facilities shall also enable the use of new facilities by equestrians. Construction standards for multiple-use nonmotorized trails to be established in road rights-of-way within the Rural Area should assure a minimum eight-foot-wide gravel shoulder on arterial roads and ((~~4.5~~)) 4.0 foot gravel shoulder on local access roads, or provide a trail separated from the driving lanes by a ditch or other barrier. Construction standards for soft-surface multiple-use nonmotorized trails in corridors separate from road rights-of-way shall be consistent with current trail construction and maintenance practices as promulgated by the U.S. Forest Service.

Growth rate in Rural Area. Policy R-301 is proposed to be changed to include Rural Neighborhood Commercial Centers in the policy, which states that a low growth rate is desirable in the Rural Area. While this change would give additional emphasis to Rural Neighborhood Commercial Centers, the impact would be minimal as Rural Neighborhood Commercial Centers are considered part of the "Rural Area" definition, which is referenced in the existing 2012 KCCP policy.

R-301 A low growth rate is desirable for the Rural Area, including Rural Towns and Rural Neighborhood Commercial Centers, to comply with the State Growth Management Act, continue preventing sprawl and the overburdening of rural services, reduce the need for capital expenditures for rural roads, maintain rural character, protect the environment and reduce transportation-related greenhouse gas emissions. All possible tools may be used to limit growth in the Rural Area. Appropriate tools include land use designations, development regulations, level of service standards and incentives.

Transfer of Development Rights (TDRs). The transmitted 2016 KCCP includes changes to the TDR policies. Changes to policy R-314 would add language stating that conservation of agricultural lands through TDRs and other land use tools helps to mitigate the impact of urban development on climate change.

R-314 King County supports and shall work actively to facilitate the transfer of Rural Area and Natural Resource Lands development rights to:
a. Preserve the rural environment, encourage retention of resource-based uses and reduce service demands;
b. Provide permanent protection to significant natural resources;
c. Increase the regional open space system;
d. Maintain low density development in the Rural Area and Natural Resource Lands;

e. Steer development growth inside the Urban Growth Area in ways that promote quality urban neighborhoods where residents want to work and live; and

f. Provide mitigation for the impacts of urban development on global climate change by simultaneously reducing transportation-related greenhouse gas emissions and sequestering carbon through retention of forest cover and conserving agricultural lands through zoning, land use planning, transfer of development rights and similar tools.

Policy R-317 sets the allocation of development rights for sending sites. The proposed change sets an allocation of one TDR per every 2.5 acres of gross land area for RA-2.5 zoned lands. Under the 2012 KCCP policy, RA-2.5 zones would have an allocation of one TDR per 5 acres of gross land area (like other RA zoned areas); however, this proposed policy change for RA-2.5 properties is consistent with current code regulations.

R-317 For transfer of development rights purposes only, qualified sending sites are allocated development rights as follows:

a. Sending sites in the Rural Area zoned RA-2.5 shall be allocated one TDR for every two and one-half acres of gross land area

b. Sending sites with Rural Area (RA-5, RA-10, and RA-20) or Agricultural zoning shall be allocated one TDR for every five acres of gross land area;

((~~b.~~))c. Sending sites with Forest zoning shall be allocated one TDR for every eighty acres of gross land area;

((~~c.~~))d. Sending sites with Urban Separator land use designation shall be allocated four TDRs for every one acre of gross land area;

((~~d.~~))e. If a sending site has an existing dwelling or retains one or more development rights for future use, the gross acreage shall be reduced in accordance with the site's zoning base density for the purposes of TDR allocation; and

((~~e.~~))f. King County shall provide bonus TDRs to sending sites in the Rural Area as follows:

1. The sending site is a vacant RA zoned property and is no larger than one-half the size requirement of the base density for the zone; and

2. The sending site is a RA zoned property and is located on a shoreline of the state and has a shoreline designation of conservancy or natural.

New policy R-319a would limit TDR receiving sites in urban unincorporated areas to short subdivisions; use of TDRs in long subdivisions[40] would only be allowed after a subarea study is completed. Under current policies and code, both short and long

[40] Short subdivisions in urban unincorporated King County are those subdivisions with nine or fewer lots; long subdivisions in urban unincorporated King County are those with ten or more lots. In the rural area, short subdivisions are those with four or fewer lots; long subdivisions are those with five or more lots.

subdivisions are allowed to be receiving sites in urban unincorporated areas.[41] Executive staff has noted that this change is proposed in response to community concerns regarding the breadth of using TDRs for increased density in urban unincorporated areas. Council staff continues to evaluate the use of the term "subarea study" and what the impacts of this term would have on a potential development hoping to be a TDR receiving site.

> **R-319a** King County should designate urban unincorporated areas as TDR receiving sites for short subdivisions. Use of TDRs in formal subdivisions shall be allowed on through a subarea study.

New policy R-320a would require the County to provide amenities for urban unincorporated TDR receiving areas. The type, timing, and location of amenities would be determined by a public engagement process. A pilot project for such a process is proposed in "Action 5" of the Workplan in Chapter 12 of the transmitted 2016 KCCP.

> **R-320a** King County shall provide amenities to urban unincorporated TDR receiving areas to improve the livability of the receiving area. Amenities should be provided at levels commensurate with the number of TDRs used in the receiving area. The type, timing and location of amenities provided to urban unincorporated TDR receiving areas should be informed by a public engagement process including members of the affected receiving area and the city affiliated with annexation.

A change to policy R-323, would clarify that TDRs from Natural Resource Lands (in addition to Rural Area lands) can be used to satisfy transportation concurrency requirements, which is consistent with the existing program. Explanatory language is also added to the policy of why the use of TDRs to satisfy transportation concurrency is allowed.

> **R-323** The *Rural and Resource Land Preservation TDR Program* shall include, but is not limited to, the following:
> a. In addition to the density that is allowed on a receiving site in the urban growth area from the purchase of TDRs, the county shall evaluate the climate change benefits achieved by reducing transportation related greenhouse gas emissions that result from the transfer of development rights from the sending site, provided that such consideration is not precluded by administrative rules promulgated by the state;
> b. In order to satisfy transportation concurrency requirements in the Rural Area in a transportation concurrency travel shed that is non-concurrent, a development proposal for a short subdivision creating up to four lots may purchase TDRs from other Rural Area or Natural Resource Land properties in the same travel shed; allowing this is intended to reduce

[41] The proposed code changes in the Executive's transmittal inadvertently omitted the necessary code change to implement this proposed policy change. As a result, an amendment to the development code in 2016-0155 would be needed if the council wishes to adopt this policy change.

overall traffic impacts in rural travel sheds by permanently removing development potential. The transfer shall not result in an increase in allowable density on the receiving site. A short subdivision creating two lots where the property has been owned by the applicant for five or more years and where the property has not been subdivided in the last ten years shall satisfy the transportation concurrency requirements without having to purchase TDRs;

c. King County shall provide an added density bonus of up to a 100% increase above the base density allowed in K.C. Code 21A.12.030, when TDRs are used for projects within any designated commercial center or activity center within the Urban Growth Area that provides enhanced walkability design and incorporates transit oriented development;

d. King County may allow accessory dwelling units in the Rural Area that are greater than one thousand square feet, but less than 1,500 square feet, if the property owner purchases one TDR from the Rural Area; and

e. King County may allow a detached accessory dwelling unit on a RA-5 zoned lot that is two and one-half acres or greater and less than three and three-quarters acres if the property owner purchases one TDR from the Rural Area.

Site design for Rural Area subdivisions. Policy R-332, related to site design standards for subdivisions in the rural area, is proposed to be changed to encourage minimization of "impervious" surface, instead of "paved" surfaces. "Impervious" is a broader term than "paved", as it can include gravel and compacted earth. This change is likely intended to reflect current changes in stormwater runoff and surface water management policies that now require minimization of impervious surfaces and use of low impact development techniques.[42]

R-332 Site design standards for new subdivisions in the Rural Area should include: minimization of ((~~paved~~)) impervious surfaces; limitations on entrance signage; preservation of natural contours, existing meadows and opportunities for keeping of horses; and other standards to limit features typical of urban or suburban development.

Low Impact Development (LID)/Stormwater. A change to policy R-336 is proposed to encourage LID, where feasible, as a way to manage stormwater onsite in the Rural Area, with specific reference to minimizing impervious surfaces, preserving onsite hydrology, retaining native vegetation, capturing and reusing rainwater, controlling pollution, and protecting groundwater. It also removes the exception from this policy for schools.

R-336 King County shall continue to support the rural development standards that have been established to protect the natural environment by addressing seasonal and maximum clearing limits, impervious surface limits ~~((, surface water management standards that emphasize~~

[42] Adopted as part of Ordinance 18257.

~~preservation of natural drainage systems and water quality, groundwater protection,~~)) and resource-based practices. ((~~These standards should be designed to provide appropriate exceptions for lands that are to be developed for kindergarten through twelfth grade public schools and school facilities, provided that the school project shall comply at a minimum with the requirements of the King County Surface Water Design Manual.~~)) Stormwater management practices should be implemented that emphasize preservation of natural drainage systems, protect water quality and natural hydrology of surface waters and groundwater. Rural development standards should also, where feasible, incorporate and encourage Low Impact Design principles for managing stormwater onsite by minimizing impervious surfaces, preserving onsite hydrology, retaining native vegetation and forest cover, capturing and reusing rainwater, controlling pollution at the source, and protecting groundwater. King County shall take care that requirements for onsite stormwater management complement requirements for onsite wastewater management.

Green Building. The transmitted 2016 KCCP calls for new Green Building standards in the Rural Area. New policy R-336a calls for the County to adopt and implement Green Building codes that are appropriate, ambitious and achievable, and that respect and support rural character. The policy also identifies that solar panels, wind generation turbine or other renewable energy technologies may need to be sited in the Rural Area. This language will be also be evaluated as part of the climate change analysis at a later briefing.

R-336a To help achieve the goal of reducing energy use and greenhouse gas emissions associated with new construction, King County should adopt and implement green building codes that are appropriate, ambitious and achievable. Adoption of such codes may result in an increased use of solar panels, private wind generation turbines and similar renewable energy technologies that may need to be sited in the rural area. Development standards will seek to ensure that the siting, scale and design of these facilities respect and support rural character.

Public spending priorities. The transmitted 2016 KCCP includes a change to policy R-402 to add a third priority for public spending priorities in the Rural Area. The first two priorities remain unchanged. The new third priority would use public spending to support sustainable economic development appropriate for the Rural Area and that does not foster urbanization. This additional priority is consistent with the RES plan adopted by the Council in 2014.[43]

R-402 Public spending priorities for facilities and services within the Rural Area should be as follows:

[43] Ordinance 17956

a. First, to maintain existing facilities and services that protect public health and safety; ((~~and~~))
b. Second, to upgrade facilities and services when needed to correct level of service deficiencies without unnecessarily creating additional capacity for new growth; and
c. Third, to support sustainable economic development that is sized and scaled at levels appropriate for Rural Areas and does not foster urbanization.

Industrial development. The transmitted 2016 KCCP includes a change to policy R-514 to add to the criteria for development standards for industrial development in the Rural Area. Facilities that generate significant heavy-gross weight truck traffic would be reduced to avoid the need for public funding for infrastructure.

R-514 Development regulations for new industrial development in the Rural Area shall require the following:
a. Greater setbacks, and reduced building height, floor/lot ratios, and maximum impervious surface percentage standards in comparison to standards for urban industrial development;
b. Maximum protection of sensitive natural features, especially salmonid habitat and water quality;
c. Building and landscape design that respects the aesthetic qualities and character of the Rural Area, and provides substantial buffering from the adjoining uses and scenic vistas;
d. Building colors and materials that are muted, signs that are not internally illuminated, and site and building lighting that is held to the minimum necessary for safety;
e. Heavier industrial uses, new industrial uses producing substantial waste byproducts or wastewater discharge, or new paper, chemical and allied products manufacturing uses in the urban industrial zone shall be prohibited; and
f. Industrial uses requiring substantial investments in infrastructure such as water, sewers or transportation facilities ((~~shall~~)), or facilities that generate substantial volumes of heavy-gross weight truck trips, shall be ((~~scaled~~)) reduced to avoid the need for public funding of the infrastructure.

Forest management. Changes to forest management policies are included in the transmitted 2016 KCCP. Policy R-636 adds management of stormwater runoff and associated pollutants to forest management goals.

R-636 King County promotes forest management that achieves long-term forest health; protection of watersheds, critical areas and habitat to support fish and wildlife populations; protection of threatened and endangered species; management of stormwater runoff and associated pollutants; conservation and economic viability of working forests; carbon

sequestration and reduction in greenhouse gas emissions; and adaptation to climate change.

Policy R-639, relating to soil amendments for forest ecosystems, adds language that references carbon capture as a benefit of recycled, organic-based soil amendments.

> **R-639** King County encourages the use of recycled, organic-based soil amendments, such as biosolids, and fertilizers in forest ecosystems, which can help reduce erosion and sedimentation into streams, increase water-holding capacity of soils, stimulate the growth of trees and other vegetation, capture carbon and enhance fish and wildlife habitat. King County shall work with the general public and private and public forestland owners to encourage the selective and appropriate use of these materials for ecosystem enhancement and restoration.

The transmitted 2016 KCCP also adds lead-in text regarding the Strategic Climate Action Plan's (SCAP's) commitment to management and restoration of forested parks and natural lands. This new text would commit King County Parks to develop and implement stewardship plans for all forested properties 200 acres or larger in size. The County's Department of Natural Resources and Parks (DNRP) would also commit to provide opportunities for planting native trees and shrubs and removing invasive species on County-owned lands, and references the tree planting goals in the SCAP. This language will be evaluated as part of the climate change analysis at a later briefing.

Local Food Initiative/food production. The goals of the Initiative are included in the lead-in text. These goals include adding 400 net new acres in food production and 25 new food farmers per year over the next ten years. This text also states that the County should pursue feasible opportunities to return formerly farmed land (such as Tall Chief) into production. Many policies are added or modified to address the Executive's Local Food Initiative and/or food production generally.

New policy R-503a encourages the use of existing structures and/or land to accommodate farmers markets in the Rural Neighborhood Commercial Centers.[44]

> **R-503a** Where appropriate, King County should allow the use of existing structures/parcels to accommodate farmers markets within Rural Neighborhood Commercial Centers.

Two policies are proposed to be revised to include reference to affordable food. Policy R-517 would add "affordable" as a qualifier for the type of food the County will encourage through community based food growing projects such as farmers markets and produce stands. Policy R-665 adds "affordable" as a qualifier to the type of local food supply that the County should develop incentives to support local food production.

[44] Farmers markets are currently allowed in this zone in the Permitted Use Table in KCC 21A.08.070; however, the Vashon Town Plan would need to be amended in order to allow this use on Vashon Island.

R-517 King County should explore ways of creating and supporting community gardens, farmers' markets, produce stands and other similar community based food growing projects to provide and improve access to healthy and affordable food for all rural residents.

R-665 ((~~The county~~)) King County should develop incentives that support local food production and processing to increase food security and provide a healthy and affordable local food supply, and reduce energy use.

New policy R-642a encourages development of a long term strategy for financing "sufficient" farmland protection for the purpose of "significantly" expanding and retaining food production.

R-642a King County should develop a long term strategy for financing protection of sufficient farmland to significantly expand and retain food production, including improving the farmability of protected farmland, and ensuring that the easements are well-managed for the long-term.

Policy R-655 is proposed to be modified to include language that requires public services and utilities to be designed to support agriculture and not just to minimize impacts.

R-655 Public services and utilities within and adjacent to APDs shall be designed to support agriculture and minimize significant adverse impacts on agriculture and to maintain total farmland acreage and the area's historic agricultural character:
a. Whenever feasible, water lines, sewer lines and other public facilities should avoid crossing APDs. Installation should be timed to minimize negative impacts on seasonal agricultural practices;
b. Road projects planned for the APDs, including additional roads or the widening of roads, should be limited to those that are needed for safety or infrastructure preservation and that benefit agricultural uses. Where possible, arterials should be routed around the APDs. Roads that cross APDs should be aligned, designed, signed and maintained to minimize negative impacts on agriculture, and to support farm traffic; and
c. In cases when public or privately owned facilities meeting regional needs must intrude into APDs, they should be built and located to minimize disruption of agricultural activity.

A change to policy R-661 would focus on food production, rather than agricultural activities in general, would broaden the geographical scope beyond Agricultural Production Districts (APDs), and would add language regarding working with Seattle Tilth and other organizations to assist immigrant and minority farmers to gain access to farmland.

R-661 ((~~The county~~)) King County should develop incentives to encourage ((~~agricultural activities in the remaining prime farmlands located~~)) food production on prime farmland ((~~outside the Agriculture Production Districts~~)). These incentives could include tax credits, expedited permit review, reduced permit fees, permit exemptions for activities complying with best management practices or similar programs. The county should continue to work with Seattle Tilth and other organizations to assist immigrant and minority farmers in gaining access to farmland.

New policies R-661a and 661b would encourage leasing of agricultural lands to beginning and low income farmers, and expand the representation of low income and socially disadvantaged farmers on County boards and commissions.

R-661a To help make more farmland accessible to beginning and low-income farmers, King County should expand its leasing of agricultural land to farmers where appropriate and should encourage private farmland owners to lease unused land to farmers.

R-661b King County should expand representation of low income and socially disadvantaged farmers within King County agricultural processes such as the Agriculture Commission, advisory committees, task forces and hiring.

New policy R-677a would continue programs aimed at reducing food waste.

R-677a King County should continue food waste programs for single family, multi-family, businesses and institutions, aimed at reducing generation, promoting donation and encouraging curbside collection for anaerobic digestion and composting.

New policy R-667b would prioritize the economic development of the food and agriculture industries.

R-667b King County should prioritize the economic development of the food and agriculture industries in order to build a more sustainable and resilient local food system.

Water/drainage on agricultural lands. The transmitted 2016 KCCP includes changes to policies that address drainage and water use on agricultural lands. Policy R-666 includes new text that would incentivize practices and improvements that increase the soil water holding capacity of agricultural lands.

R-666 King County shall provide incentives, educational programs and other methods to encourage agricultural practices and technological improvements that maintain water quality, protect public health, protect

fish and wildlife habitat, protect historic resources, maintain flood conveyance and storage, reduce greenhouse gas emissions, control noxious weeds, and prevent erosion of valuable agricultural soils, and increase soil water holding capacity while maintaining the functions needed for agricultural production.

Policy R-668 is proposed to be revised to address issues with water availability for agricultural land, and to encourage efficient use of water through various tools.

R-668 ((~~The county~~)) King County shall work with federal, state, local, and private agencies to ((~~ensure and maintain adequate water for the needs of agriculture~~)) improve the availability and efficiency of water for agriculture through use of tools such as expanding the availability of recycled water to farms, offering incentives for irrigation efficiency, support mechanisms for water rights banking and trading that will give farmers greater certainty for water rights while protecting instream flows. King County will encourage the maintenance and preservation of agriculture water rights for agriculture purposes. Assessments of future surface and groundwater availability for agriculture should consider projected impacts of climate change.

New policy R-668a commits to the County's continued support of the Agricultural Drainage Assistance Program (ADAP), and calls for seeking new ways to reduce the cost and improve implementation of drainage projects, including working across property lines.

R-668a King County will continue to support drainage improvements through its Agricultural Drainage Assistance Program and actively seek new ways to make drainage projects less expensive and easier to implement and to improve drainage systems across property lines.

Mineral resource industry. The transmitted 2016 KCCP includes a change to policy R-604, to remove reference to mining as part of a "diverse, regional and sustainable economy." Instead, a new policy is added, policy R-604b, to state the County's support for designating mineral resource lands of long-term significance, while minimizing conflicts with neighboring uses and mitigating environmental impacts.

R-604 King County shall promote and support forestry, agriculture, ((~~mining~~)) and other resource-based industries as a part of a diverse, regional and sustainable economy and environment.

R-604b King County shall support and designate mineral resource lands of long-term significance and promote policies, environmental reviews and management practices that minimize conflicts with neighboring land uses and mitigate environmental impacts.

Policy R-689 is proposed to be changed to add climate change as a potential area to condition and mitigation for environmental impacts of mining operations. Other descriptive text also includes discussion of climate change and mining resources.

> **R-689** Conditions and mitigations for significant adverse environmental impacts associated with mining operations and their associated structures or facilities should be required, especially in the following areas:
> a. Air quality and climate change;
> b. Environmentally sensitive and critical areas, such as surface and groundwater quality and quantity, wetlands, fisheries and wildlife habitats, and aquatic habitats;
> c. Noise levels;
> d. Vibration;
> e. Light and glare;
> f. Vehicular access and safety;
> g. Land and shoreline uses;
> h. Traffic impacts;
> i. Visual impacts;
> j. Cultural and historic features and resources;
> k. Site security; and
> l. Others unique to specific sites and proposals.

Policy R-690 is proposed to be modified to add language regarding impacts from transport of mineral resources and climate change impacts from end-use of resources as considerations in the review of mineral resource extraction proposals.

> **R-690** King County should work with the state and federal governments to ensure that proposals for underground mining, oil and gas extraction, and surface coal mining are reviewed with consideration of local land use and environmental requirements, regional impacts from transport and assessment of climate change impacts from end-use of oil, gas and coal.

Consistency with adopted policies and plans

Local Food Initiative. The Local Food Initiative has not been reviewed or adopted by the Council. This initiative, including its goals and targets, and associated changes to individual policies in the transmitted 2016 KCCP, have been set by the Executive. The Council may desire to evaluate the underlying goals of this program before adopting the proposed 2016 KCCP policy changes associated with the Local Food Initiative.

ESJ and climate change. Proposed changes regarding ESJ and climate change will be reviewed at a later briefing on the 2016 KCCP.

Consistency with the Scoping Motion[45]

Transfer of Development Rights (TDRs). The Scoping Motion called for an update to the TDR policies, including policies that support the use of urban-to-urban TDRs. While the transmitted 2016 KCCP does propose changes in that would clarify the TDR program, it does not include any policies that would allow additional urban lands to be used as TDR sending sites. It is worth noting that 2012 KCCP policy R-316 currently allows Urban Separator (R-1) zoned lands in the UGA to be sending sites.[46]

Farm, Fish, Flood. The transmitted 2016 KCCP does not include specific references to the Farm, Fish, Flood watershed planning process that is currently underway, as this process is not yet complete. Executive staff note that changes to policies R-649 and R-650 could be made at the conclusion of this planning process, which is scheduled for the spring of 2016.

Housing. The Scoping Motion called for a review of the policies related to housing for aging demographics, such as expanded cottage housing. Additional or revised policies on this topic are not included in this chapter.

Rural Economic Strategies (RES). The transmitted 2016 KCCP includes introductory language in this chapter on the RES, and includes some updates to policies to include home-based businesses as a commercial use in the Rural Area (R-201), and for funding of infrastructure that supports rural economic development (R-402). However, more integration of the RES in Chapter 3 may be desired by the Council. The RES is further discussed in the Chapter 10 Economic Development portion of this staff report.

Home-based businesses. The transmitted 2016 KCCP does not include updated or new policies related to home-based business in this chapter. A reference to home-based businesses has been added to Policy R-201, which establishes the attributes of the Rural Area, but no discussion of streamlining home-based businesses is included in this chapter.[47]

Rural densities and water resources. No changes to residential density policies are included in the transmitted 2016 KCCP. The Scoping Motion included a statement to consider matching rural densities to water resources. This has not been included in this chapter.[48]

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[45] Scoping Motion items related to landslide hazards have been addressed in Chapter 5 Environment.
[46] 2012 KCCP policy U-120 in Chapter 2, Urban Communities, currently allows those R-1 zoned sending sites to transfer density at a rate of at least four units per acre.
[47] The Executive is currently conducting a study regarding the wineries in the Sammamish Valley Agricultural Production District area, and intends to make recommendations on policy and code changes this summer for possible inclusion in the 2016 KCCP. These recommendations may include updates to home-occupations regulations.
[48] It is worth noting that the state, not King County, regulates Group B water systems (serving fewer than fifteen connections and fewer than twenty-five people per day). That being said, King County building permits do require applicants to demonstrate water access.

Other issues for Councilmember consideration

"Rural Areas" definition and usage. The definition in the glossary for "Rural Area" is proposed to be updated to clarify that it is a collective geography that includes Rural Towns, Rural Neighborhood Commercial Centers, and rural residential zoned properties. This change makes it clearer that Natural Resource lands are distinct from Rural Area lands. The terminology for "Rural Cities" is also proposed to be updated to "Cities in the Rural Area" to reflect that they are urban geographies that are located in the rural area and outside of the contiguous UGA. Where appropriate, the use of these terms is clarified throughout the transmitted 2016 KCCP; the majority of these changes can be found in Chapter 3**.** Staff analysis of these proposed changes to ensure consistency with existing policy intent is ongoing.

Nonresidential/urban uses in the Rural Area. The transmitted 2016 KCCP includes changes to two policies that would limit nonresidential uses in the rural area. Policy R-324 would limit nonresidential uses in the rural area to those that provide local products and services for "nearby Rural Area residents," rather than "nearby residents" as in the 2012 policy. The proposed changes also further limits these uses to comply with development standard criteria in policy R-201.

Policy R-201 sets the criteria for development regulations for the Rural Area. One of the changes proposed to this policy would add a new criteria that rural uses do not include urban or largely urban-serving facilities. This change is more limiting than existing restrictions regarding schools, institutions, and community facilities listed in R-326, and including this statement regarding R-201 may have impacts to other uses besides these listed facilities.

The Council may want to consider whether these changes meet the Council's policy goals, as they could have impacts to the types of uses that are allowed in the Rural Area and may lead to unanticipated changes in the uses permitted outside the UGA.

Chapter 8 Transportation

The policies in Chapter 8 address transportation, including unincorporated area roads, Metro Transit services, operation of Sound Transit light rail and some express buses, operation of Seattle streetcars, passenger ferries, and the King County International Airport (KCIA). For the unincorporated area, policies set Level of Service (LOS) standards and define components of the Transportation Concurrency Program and Mitigation Payment System, which are further defined in the King County Code.

What's new in the transmitted 2016 KCCP?

Metro Transit Long Range Plan. The transmitted 2016 KCCP adds references to the Metro Transit Long Range Plan, which is required by Strategy 6.1.2 of the Strategic Plan for Public Transportation 2011-2021 and is currently under development in collaboration with King County cities and other transit agencies. Policy T-101,

concerning public transportation policy, and T-205, supporting high capacity transit, are amended to refer to the Long Range Plan.[49] The Transit Long Range Plan is likely to be approved in late 2016; the timing of action on this Plan would not affect the references in the KCCP.

Marine Division. The transmitted 2016 KCCP updates policies for passenger-only ferry service to reflect the Marine Division's assumption of the King County Ferry District. New policy T-101a directs that the 2014 Ferry District Strategic Plan or its successor shall provide policy guidance for the Marine Division. Policies T-205 and T-302 are proposed to be amended to also refer to the Ferry District 2014 Strategic Plan.

> **T-101a** The Strategic Plan developed for the King County Ferry District in 2014, or successor plans, shall guide the planning, development and implementation of the passenger only ferry system and services operated by the King County Marine Division.

Policy T-214, expressing general support for development of passenger-only ferry service, is deleted as it is now obsolete; instead, a new policy, T-301a, states that the Marine Division should be a leader in regional mobility through provision of safe, reliable, high-quality passenger ferry service.

> ~~((**T-214** King County should support, encourage and be an active partner in local and regional passenger-only ferry transportation solutions that support mobility, accessibility, growth management, and help reduce road congestion.))~~

> **T-301a** The King County Marine Division should be a leader in regional mobility benefiting the community and economic development needs of King County through providing passenger-only ferry service that is safe, reliable and a great customer experience while being responsive and accountable to the public.

Equity impacts and benefits of transportation. The transmitted 2016 KCCP adds multiple references to the Equity and Social Justice initiative. New policy T-104a calls for consideration of equity impacts and benefits of transportation programs, policies, and services.

> **T-104a** King County should consider the equity impacts, and benefits, when planning, developing, and implementing transportation programs, projects, and services.

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[49] Countywide transit policies are generally within the jurisdiction of the Regional Transit Committee as provided by the Charter. These policies are contained in the Strategic Plan for Public Transportation 2011-2021, the King County Metro Service Guidelines – both of which are being updated in 2016 - and in the Transit Long Range Plan when it is adopted, expected in late 2016. To clarify how these countywide transit policies are addressed, Policy T-101 states that these transit policy documents shall guide the planning, development and implementation of King County Metro services.

New policy T-253a would require King County to provide opportunities for low-income people, people of color, and immigrants and refugees to participate in programs increasing access to alternatives to driving alone as part of the County's Transportation Demand Management strategies.

> **T-253a** King County shall provide opportunities for residents of low income communities, people of color, and immigrant and refugee populations to inform and participate in programs to increase access to effective alternatives to driving alone.

Policy T-511 is amended to target public information efforts to low-income communities, people of color, and immigrant and refugee populations.

> **T-511** King County should provide timely, accurate, and consistent public information about transportation services, infrastructure and funding issues, and ensure a wide range of opportunities for input and engagement with county residents, including low income communities, people of color, and immigrant and refugee populations and other stakeholders.

Lead-in text in the Road Services Policies and Priorities section adds a variety of ESJ considerations in service planning, including a statement that that grant-funded non-motorized improvements are directed to ESJ communities. This section also notes that projects and programs are evaluated using ESJ data, and that the Rural Area and Natural Resource lands "do not have significant concentrations of ESJ communities."[50]

In policies T-104, T-237, and T-308, references to "people with limited English proficiency" are replaced with references to "immigrant and refugee populations." These ESJ-related policy changes will be evaluated as part of the 2016 KCCP briefing on ESJ issues at a later meeting.

Alternative Transit Services Program delivery. The transmitted 2016 KCCP amends Policy T-202, concerning compatible rural transportation, to add a reference to working with partners to develop alternative transit service in areas not well suited to fixed-route transit service. The language paraphrases part of Strategic Plan for Public Transportation 2011-2021 strategy 2.1.1: "Design and offer a variety of public transportation products and services appropriate to different markets and mobility needs."

> **T-202** Rural densities and distances between travel destinations are less conducive to efficient use of alternative modes of transportation. As resources allow, King County's transportation investments in ((~~rural areas~~)) Rural Areas and Natural Resource Lands should emphasize

[50] It is worth noting that Councilmembers have previously expressed interest in applying ESJ considerations to underserved rural area residents as well.

maintaining and preserving safe road infrastructure that is compatible with the preservation of rural character and does not promote urban or unplanned growth. In areas not well suited to fixed route transit, the County should work with partners to develop a range of alternative service options such as community shuttles, real-time ridershare, community vans, and other innovative options.

Land use and growth strategy. Policy T-203 adds transit-supportive "infrastructure investments" to the list of encouraged partnership opportunities to support alternatives to single occupant vehicles.

> **T-203** King County should encourage transit-supportive land uses, development, facilities and policies that lead to communities that transit can serve efficiently and effectively. As funding permits, King County should partner with jurisdictions and the private sector to spur transit-supportive development and infrastructure investments that enhance((s)) opportunities for transit, pedestrians, bicyclists, car and van pools, and other alternatives to single occupant vehicles.

Level of Service (LOS) Standards and Concurrency Program. New policy T-214b, inserted in the LOS Standards section, requires the County to design a new concurrency management methodology that is efficient to administer, incorporates travel demand management, supports reduction of vehicle miles traveled and reliance on single occupant vehicle trips, and promotes increased transportation system efficiency. Due to limitations on annual-cycle KCCP updates, the new methodology would either have to:

- wait until the next four-year KCCP update in 2020 to be implemented, or
- continue to comply with the existing LOS standards defined in policies T-215, T-216, T-217, and T-218. The new methodology would also have to comply with concurrency program policies T-219, T-220, T-221, T-222, T-223, and T-224. There would continue to be travel sheds tested for passing or failing concurrency based on “the LOS on arterials in unincorporated King County using the county’s adopted methodology” (policy T-222). Elements of the concurrency methodology defined in the Code could be modified if consistent with the adopted KCCP policies noted here.

> **T-214b** King County shall design a new concurrency management methodology that is efficient to administer, incorporates travel demand management principles, supports reduction of vehicle miles traveled and reliance on single occupancy vehicle trips, and promotes increased efficiency of the transportation system as a whole.

Nonmotorized program. The transmitted 2016 KCCP proposes several changes related to the nonmotorized transportation program. Policy T-231 is amended to reference consistency with “the regional growth strategy” and to add intermodal connections and access to centers as goals of nonmotorized system investments.

T-231 Consistent with the priorities defined in the County's functional transportation plans, and the regional growth strategy, nonmotorized transportation system investments should aim to increase safety and mobility, facilitating mode integration and intermodal connections, access to centers where appropriate, and providing opportunities for healthy activity and alternatives to driving for all populations.

Policy T-233 proposes to add "safe routes to transit" to the list of needs to be given highest priority for nonmotorized improvement.

T-233 In ((~~both urban and rural~~)) unincorporated areas of King County, the following needs will be given the highest priority when identifying, planning, and programming nonmotorized improvements:
a. Addressing known collision locations;
b. Fostering safe walking and bicycling routes to schools and other areas where school-aged children regularly assemble;
c. Filling gaps in, or enhancing connections to, the regional trail system; ((~~and~~))
d. Locations of high concentration of pedestrian and/or bicycle traffic; and
e. Providing safe routes to transit.

The transmitted 2016 KCCP proposes to expand Policy T-234 to encourage urban nonmotorized improvements to increase access to urban centers, in addition to transit in the 2012 policy.

T-234 In urban areas, nonmotorized improvements should ((~~also~~)) increase access to transit and ((~~enhance~~)) urban centers while enhancing connections to parks, local trails, shopping, libraries, healthcare, and other public and private services and facilities.

Policy T-235 calls for the Regional Trails System to enhance access to transit.

T-235 The King County Regional Trails System is the centerpiece of the nonmotorized system in the Rural Area. The county's efforts to enhance the Rural Area nonmotorized network should include filling in the Regional Trails System's missing links, coordinating road and trail projects whenever possible, ((~~and~~)) considering access from roadways such as trailhead parking, and enhancing access to transit, especially park and rides and transit centers.

Policy T-244 is revised to reflect King County's participation in the Puget Sound Regional Council's regional bicycle network planning.

T-244 ((~~King County will participate in and support the Puget Sound Regional Council's regional bicycle network planning efforts. Once a~~

~~regional network is designated, related project needs within King County's jurisdiction should be incorporated into the county's nonmotorized planning and project prioritization processes.~~)) King County participated in the Puget Sound Regional Council's regional bicycle network planning efforts; related project needs within King County's jurisdiction should be considered in the county's nonmotorized planning and project prioritization processes as financial resources allow.

Transportation Demand Management. New policy T-248a expresses support for employee transportation programs that encourage trip reduction and calls for the County to lead by example through a program for its own employees.

T-248a King County should promote employee transportation programs that encourage trip reduction, use of public transportation, walking, and bicycling, and provide regional leadership by modeling this with its own employees.

The term "congestion pricing" is proposed to replace "variable tolling" in several policies, as this is the term used by the Federal Highway Administration (FHWA). Policy T-250 is amended to include this change and to delete an obsolete sentence concerning toll collection systems, because the Washington State Department of Transportation (WSDOT) has set tolling collection policy by implementing the Good to Go system. Policy T-251 and Policy T-252 also replace the term "variable tolling" with "congestion pricing" strategies and are otherwise unchanged.

T-250 King County will work with the Washington State Department of Transportation, Washington State Transportation Commission, Puget Sound Regional Council, and cities to develop and implement applications of managed transportation facilities and ((~~variable tolling~~)) congestion pricing strategies on new and existing transportation facilities. ((~~Toll and high-occupancy-toll lane collection systems used in the region should be simple, unified, and interoperable and should avoid the use of tollbooths, whenever possible.~~))

T-251 King County supports ((~~variable tolling~~)) congestion pricing strategies as a means to optimize transportation system performance, generate revenues, ((and)) reduce vehicle miles traveled, and reduce greenhouse gas emissions.

T-252 Revenue from ((~~variable tolling~~)) congestion pricing should be used to improve, preserve and operate the transportation system including transit and other multimodal investments, as well as to help fund improvements that address the diversionary impacts on non-tolled facilities.

High Occupancy Vehicle (HOV), High Occupancy Toll (HOT), and Express Toll Lane Performance Standards. 2012 KCCP policy T-505 supports active management of state-owned freeways including management of HOV, HOT, and Express Toll lanes to meet the state's performance standard, which benefits transit buses and vanpools. The policy is proposed to be amended to include the actual state performance measure, "maintaining an average speed of 45 mph or greater at least 90 percent of the time during the morning and afternoon peak hours."

> **T-505** King County shall support active management of state-owned freeways to optimize movement of people. High Occupancy Vehicle ((~~(HOV)~~)), High Occupancy Toll ((~~(HOT)~~)) or Express Toll lanes should be managed to prioritize reliable speed advantage for transit and vanpools, and maintain a reliable speed advantage for the other high occupancy vehicles consistent with the State's ((~~HOV~~)) High-Occupancy-Vehicle lane performance standard of maintaining an average speed of 45 mph or greater at least 90% of the time during the morning and afternoon peak hours.

Road closures and abandonments. Policy T-304 is proposed to be reworded to clarify that a decision framework for prioritizing road investments has been implemented and should be used.

> **T-304** ((~~King County should implement a decision framework in order to keep the most vital components of the road system operational for users. This approach should both guide service provision and help direct investments towards the most critical needs when additional resources are available.~~)) In order to keep the most vital components of the road system operational for users, King County should use a decision framework to both guide service provision and help direct investments towards the most critical needs when additional resources are available.

A new policy, T-306a, outlines how road closures and abandonment decisions should be made, and calls for notification of closures in a timely manner.

> **T-306a** Decisions on road closures and abandonments should be made based on public safety considerations, technical/engineering standards, and the policy guidance set forth in the Strategic Plan for Road Services. Impacts to residents, businesses, and other road users or stakeholders should be identified and communicated to them in a timely manner.

Climate change. Several policies are added and/or amended to address climate change. Policy T-322 is proposed to be amended to add references to low-carbon fuels and GHG emissions.

T-322 Through its own actions and through regional partnerships, King County will promote strategies to reduce emissions from the transportation sector. The county will promote new vehicle technologies, the use of low-carbon fuels, and strategies to reduce greenhouse gas emissions, including land use changes, provision of transit, promotion of nonmotorized travel, joint purchasing, pilot projects, and other actions to reduce vehicle miles traveled.

Policy T-323 is also proposed amended to include zero-emission vehicle acquisition as a strategy to reduce GHG emissions.

T-323 King County will be a leader in the use of transportation fuels and technologies that reduce operational greenhouse gas emissions from its fleets and vessels by buying hybrid-electric, electric, zero-emission and other clean transportation technologies; using clean fuels in its fleets and vessels; implementing demonstration projects that use alternative fuels and technologies; purchasing locally-produced energy sources when practical; seeking local and federal support to expand the use of ((~~alternative~~)) low-carbon fuels and alternative, zero emission technologies; and promoting best practices, innovations, trends and developments in transportation fuels and technologies. The county will also seek to deploy and use its vehicles in an energy-efficient manner through vehicle routing, idling-reduction, and operator practices.

The transmitted 2016 KCCP adds a new policy, T-324a, directing the County to reduce greenhouse gas (GHG) emissions from its off-road vehicles and equipment.

T-324a King County will reduce greenhouse gas emissions from its off-road vehicles and equipment by using low-carbon fuels and advanced technologies, and by partnering with other agencies to implement demonstration projects using these vehicle technologies.

These proposed policy changes will be evaluated as part of the climate change analysis at a later briefing.

Revenue shortfall. Several policies are amended to identify and address the revenue shortfall relative to the identified needs of the unincorporated area transportation network. An amendment to policy T-212 provides additional rationale for encouraging annexation of county roadways located in the urban area and within or between cities in terms of reducing the burden on taxpayers in the unincorporated areas.

T-212 King County shall work with cities for the annexation of county ((~~-owned~~)) roadways and/or street segments located in the urban area and within or between cities, in order to provide for a consistent level of urban services on the affected roads and reduce the burden on unincorporated taxpayers that are supporting this urban infrastructure.

Policy T-405 is proposed to be amended to state that a shortfall gap will be calculated based on the costs needed to "preserve and maintain" existing infrastructure and services levels, instead of based on costs of "needed improvements."

> **T-405** During review of its Comprehensive Plan, King County should consider and address any potential shortfalls likely to occur between expected revenues and ((~~needed improvement~~)) costs to maintain, preserve and improve existing transportation infrastructure and service levels. Such review could include a reassessment of land use, growth targets, LOS standards, and revenue availability.

Policy T-407 is proposed to be amended to state that new funding sources should be pursued as well as identified, and adds a new expression of the view that these funding sources should not be regressive.

> **T-407** New funding sources should be identified and pursued that would provide adequate and sustainable resources for transportation system ((~~improvements~~)) investments, are not regressive, and whenever possible provide multi-jurisdictional benefits.

Eastside Rail Corridor (ERC). Under "Regional Coordination," the transmitted 2016 KCCP proposes new policy T-507a directing the County to participate with other agencies to plan for the ERC in ways that enhance multimodal mobility.

> **T-507a** King County shall support and participate in collaborative planning efforts both inter-departmentally and with other federal, state, and local agencies to develop the Eastside Rail Corridor in ways that enhance multimodal mobility and connectivity. Planning and development should consider opportunities for integration of transit and nonmotorized facilities, including regional trails into the greater transportation network.

Freight mobility. New policy T-510a calls on the County to work with partners to develop adequate truck parking along the county's Truck Freight Economic Corridors.[51]

> **T-510a** King County should work with partners and stakeholders to plan for and develop adequate truck parking in high-demand locations along King County's Truck Freight Economic Corridors to improve safety and reduce negative impacts on local communities.

Consistency with adopted policies and plans

ESJ and climate change. Proposed changes regarding ESJ and climate change will be reviewed at a later briefing on the 2016 KCCP.

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[51] The draft text states that truck parking is needed adjacent to highways and mentions that WSDOT Truck Parking Studies identify the state's greatest needs are on I-5 and SR 167 in central Puget Sound and I-90 near North Bend.

Consistency with the Scoping Motion[52]

The Scoping Motion included a number of items to include in the 2016 KCCP for this chapter. Staff notes here the items that do not appear to be addressed in the transmitted 2016 KCCP.

Concurrency. The Scoping Motion called for:

- revisions to policies and programs relating to the LOS standards and impact mitigation,
- updates of the Concurrency Program and Mitigation Payment System to address insufficient road funding to address capacity projects, and
- efforts to address collaboration with other jurisdictions to address unfunded city and state projects and the impacts of traffic from outside the unincorporated area.

The transmitted 2016 KCCP does not propose changes to the LOS, the Transportation Concurrency Program nor Impact Mitigation (the policy basis for the Mitigation Payment System). Proposed new policy T-214b, stating that the County shall adopt a new concurrency management methodology, could address some Scoping Motion issues but not all. Some changes to concurrency and mitigation payments could be advanced through amendments to the King County Code, which would have to be consistent with the KCCP policies in effect at the time.

Stormwater management, culverts, and fish passage. The Scoping Motion calls for consideration of adding policies for stormwater management and culvert replacements to allow for fish passage. According to Road Services Division (RSD) staff, stormwater management is being addressed through ongoing discussions with the Water and Land Resources Division (WLRD); additional culvert replacement project information is included in the TNR narrative within "Drainage Program Programmatic Needs" and "Vulnerable Road Segments" in the 2016 transmitted KCCP. Most of the drainage projects listed in the TNR would replace failing or undersized culverts.

Air transportation. The Scoping Motion called for updating policies to support the KCIA master plan. The transmitted 2016 KCCP does not propose updates to Air Transportation policies (T-317, T-318, T-319, and T-504). Executive staff anticipate transmitting an updated KCIA master plan in December 2017.

Other issues for Councilmember consideration

Disaster coordination. Existing 2012 policy T-105 states that King County shall protect its transportation system against disasters, to the extent possible, by developing prevention and recovery strategies. Under King County's Comprehensive Emergency Management Plan and Regional Coordination Framework for Disasters and Planned

[52] Scoping Motion items related to active transportation and housing near transit stations have been addressed in Chapter 4 Housing and Human Services.

Events for Public and Private Organizations in King County, Washington, King County has specific responsibilities relative to managing and restoring the countywide transportation network in the event of a disaster. The Council may wish to amend policy T-105 to reflect these roles.

Regional Growth Strategy. Proposed new language in policy T-231 refers to the "regional growth strategy" but does not clearly define the meaning of this term. Narrative language states that with respect to transportation, the PSRC's Vision 2040, Transportation 2040, and transportation-related Countywide Planning Policies "outline and support a regional growth strategy." Council and Executive staff are reviewing the narrative and policy language, including Chapter 1 Regional Growth Management Planning to determine if Chapter 8 references to the regional growth strategy should be clarified and possibly included in another policy.

Chapter 10 Economic Development

The policies in Chapter 10 address economic development, including general policies, business development, workforce development, infrastructure, sustainable development in the private sector, and the rural economy.

What's new in the transmitted 2016 KCCP?

Equity and Social Justice (ESJ). In the General Economic Development Policy section of the chapter, lead-in text is proposed to be added that states that "equity and equality are important factors" in promoting a successful economy and that the County is committed to promoting these factors in all policies and decision making efforts. This, however, is not included in policy language. That being said, policy E-101 proposes to add an emphasis on "equitable" economic development, in addition to sustainable development. These proposed changes will be evaluated as part of the ESJ analysis at a later 2016 KCCP briefing.

> **ED-101** King County has a long term commitment to sustainable and equitable economic development throughout the county.

Start-up companies. Policy ED-103 would recognize and support "start-up" companies or businesses, as being equally important to the local economy as retaining and expanding homegrown businesses.

> **ED-103** King County policies, programs, and strategies shall recognize the importance of, and place special emphasis on, start-up companies as well as retaining and expanding homegrown firms in basic industries that bring income into the county and increase the standard of living of ((~~our~~)) the County's residents.

Regional partnerships. The transmitted 2016 KCCP includes changes to three policies that would clarify who the County plans to partner with, along with two new policies regarding partnering and collaboration.

Policy ED-201 adds that King County will be working with educational sector and research institutions to support programs and strategies that promote sustainable business development and job creation.

> **ED-201** King County shall partner with federal, state, and local governments, economic development organizations, schools, educational and research institutions and the private sector to foster an innovative and entrepreneurial environment and support programs and strategies that promote sustainable business development and job creation. Programs that provide technical and financial assistance to businesses include, but are not limited to:
> a. Financial, marketing, expansion, and general operations assistance for small businesses to help them become competitive in the private sector;
> b. Technological, efficiency, and managerial assessments to help manufacturers reduce costs and use smaller footprints for existing or expanded production; and
> c. Assessment and/or remediation of contaminated property (Brownfields) in order to continue or expand operations to help individual small businesses or jurisdictions impacted by Brownfields.

Policy ED-202 replaces an outdated reference to the Prosperity Partnership, which no longer exists, and replaces it with the PSRC's Regional Economic Strategy as the document identifying key industrial clusters in the county. The policy is also changed to include a reference to the Local Food Initiative in the Rural Area as a strategy to increase job growth/employment.

> **ED-202** King County shall emphasize continued support for the aerospace and information technology industrial clusters as well as industrial clusters offering the best opportunities for business development, job creation, and economic growth including those identified in the ((~~Prosperity Partnership's~~)) Puget Sound Regional Council's Regional Economic Strategy ((~~for urban areas~~)), the Local Food Initiative and the King County Rural Economic Strategies for rural areas (including resource lands).

Policy ED-210 is changed to be more explicit regarding King County activities and key partners for trade development and expansion, including collaboration with the new Northwest Seaport Alliance and Port of Seattle and other regional trade groups.

> **ED-210** King County should support programs and strategies to expand international trade, including those that:
> a. Promote, market, and position the county for increased export, import, and foreign investment opportunities; ((~~and~~))

b. Promote the health and viability of the region's export and import gateways through active collaboration with the Northwest Seaport Alliance and the Port of Seattle;
c. Provide technical assistance, training, and opportunities for local firms wishing to export; and
d. Partner with regional trade groups to promote assistance, opportunities and partnerships to connect current and potential exporters with international markets.

Two new proposed policies, ED-212 and ED-213, align with new King County initiatives, policies and activities and require economic development activities that develop and promote ”healthy” communities and Communities of Opportunity.

ED-212 King County shall encourage and support community based and community led efforts to support and retain existing small businesses while improving and revitalizing business corridors and districts in need of such.

ED-213 King County shall coordinate with a broad range of partners, organizations, businesses and public sector agencies to support the development of business innovation districts and related initiatives in lower income communities, with an emphasis on food innovation districts, in particular. Food innovation districts may encompass anchor food businesses, small food business incubation, food industry education and training, markets and food hubs, food programs and partnerships with urban and rural food growers and cooperatives, and food aggregation and processing.

Workforce development. Many of the proposed edits to policies and new policies related to workforce development address the Council’s call in the Scoping Motion to “update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities”.

The transmitted 2016 KCCP includes a new statement in lead-in text that there is an “ever greater divide between those who are benefitting from a strong economy and those who are not” in the current economic climate. The difficulties for low-income people in isolated communities to access services help them secure living wage jobs is also noted.

Policy ED-104 proposes to amend the text to “recognize the importance of a diversified economic base to provide a continuum of skill training opportunities to meet the skill level needs of industry” rather than to “provide a continuum of job training to meet the skill levels of all workers”. Executive staff report that this change clarifies the role of King County to support skill training, not specific job training to meet the needs of King County businesses.

ED-104 King County policies, programs, and strategies shall recognize the importance of a diversified economic base to provide a continuum of ((~~job~~)) skill training opportunities to meet the skill level ((~~s of all workers~~)) needs of industry.

Policy ED-301 adds "natural resource management" as another "green job" area linked to preservation/sustainability of the natural environment.

ED-301 King County should support workforce development programs that are integrated with the county's overall economic strategies, including but not limited to:
a. Apprenticeship opportunities on county public works projects to ensure a continual pipeline of skilled, local construction trades workers and to encourage family wage job opportunities.
b. Development and growth of clean technology "green" jobs linked to the preservation and sustainability of the natural environment, including jobs in pollution prevention, Brownfields cleanup, energy efficiency, renewable energy industries, natural resource management, and other technologies that address climate change.
c. Training in skills (job clusters) that apply to and are in demand across multiple industry clusters.

Policy ED-302 corrects the reference the current federal Act regarding workforce development. There is also a sentence added that requires King County to work with the Workforce Development Council, especially in communities that have the highest unemployment rates in the region. This aligns with the Scoping Motion that called for exploration of job training in communities with the highest needs/highest unemployment; though, this policy doesn't specifically call for the training to be located in those communities.

ED-302 King County supports the King County Workforce Development Council, established by the federal ((~~Workforce Investment Act of 1998~~)) Workforce Innovation and Opportunity Act of 2014, composed of high level representatives from business, local government, labor, education and training institutions, advocacy organizations, and human service providers. The purpose of the council is to coordinate and improve employment, training, literacy, and vocational rehabilitation programs to meet the needs of workers and employers. King County will work with the Workforce Development Council to emphasis the need in and highlight opportunities for communities that have the highest unemployment rates in the region.

Policy ED-303 includes text additions that underscore other King County initiatives, activities, and policies to address not just individual needs for assistance and support, but also "community needs." These include support for programs that align homeless housing and employment systems to ensure access to housing and employment

opportunities, including food-related workforce development.[53] This policy also adds a reference to the new ORCA LIFT reduced transit fare program as an alternative transportation access and assistance program for low-income workers and job-seekers.

> **ED-303** King County policies programs, strategies, and partnerships shall recognize the importance of worker training and retraining, especially for low income and low skilled residents, and communities with the highest unemployment rates, to provide the skilled workers needed by local businesses and industry. King County shall support and partner with other jurisdictions, educational institutions and industry to promote programs such as:
> a. Programs that retrain dislocated workers for jobs in growing industries;
> b. Training for jobs in growing industries that require post- technical or post-training and credentials and provide a career pathway to self-sufficiency;
> c. Programs that facilitate employer involvement in hiring workers with limited experience and skills and provide successful strategies for skills training, job placement, and worker retention;
> d. Programs that reduce recidivism by helping residents exiting the criminal justice system gain access to training and employment services;
> e. Alignment of homeless housing and employment systems to assure homeless residents have access to both housing and employment opportunities;
> f. Food-related workforce development activities and opportunities;
> g. School to work programs and effective alternatives for out of school youth to provide a clear pathway to self-sufficiency through career options and applied learning opportunities;
> ((~~f~~)) h. Summer youth employment programs for at risk youth;
> ((~~g~~)) i. Access to alternative modes of transportation by providing transportation information, financial assistance programs such as OrcaLift, and services to jobseekers and workers; and
> ((~~h~~)) i. Access to childcare by increasing the availability and affordability of quality childcare for low income families.

Policy ED-305 is another new workforce development policy that addresses ESJ goals to be as inclusive as possible for populations with limited English proficiency. This proposed change will be evaluated as part of the ESJ analysis at a later briefing.

> **ED-305** King County shall help promote and develop opportunities for limited English proficiency populations.
> a. Partner and invest in community organizations that represent limited English proficiency populations
> b. Improve translation services.

[53] This could include development of local food businesses and/or start-ups as a means to lift local residents out of poverty and provide better and/or additional food choices.

c. Partner with private business to promote the hiring of limited English proficiency populations.
d. Partner with regional educational institutions to develop methods for recertification for limited English proficiency professionals with credentials from other countries. Partner with community organizations to promote and increase access to recertification programs.

Youth workforce outreach and employment. Policy ED-304 is a new policy that is specifically focused on youth and youth engagement in workforce exposure and training. The emphasis is on King County activity to support and partner with schools and businesses offering vocational training, apprenticeships, or internships. This new policy is aligned with King County's Youth Action Plan,[54] which was called out in the Scoping Motion but is not specifically referenced in this policy.

ED-304 King County shall continue to increase equity in jobs and career opportunities for youth through programs such as the Education Engagement Strategy launched by Public Health in 2013, and others.
a. Partner with private businesses, community organizations and educational institutions to provide job shadowing, internship and summer job opportunities for King County youth.
b. Partner with Maritime and Manufacturing industry businesses, and other business sectors, to engage high school students in vocational programs that offer training for living wage industry jobs. Work with these businesses to engage schools in promoting regional opportunities for apprenticeships and internships for high school students.

Policy ED-306 is also new and calls for King County to work with educational institutions, especially community colleges, to promote greater alignment of program offerings and workforce needs. This addresses a reported need to ensure the classes and programs of local institutions produce graduates with the right skills for the available and future jobs in King County.

ED-306 King County shall work with regional workforce development organizations and regional educational institutions, especially community colleges to promote greater alignment between educational programs and workforce needs.

Infrastructure development. Policy ED-401 is amended so that it underscores and is consistent with the other policies regarding the compatibility of development and infrastructure within a community. It calls for the County to support and partner on programs and strategies to maintain existing and construct new infrastructure in locations and at a size and scale consistent with other Comprehensive Plan policies.

ED-401 King County recognizes that adequate infrastructure is essential to support existing economic activity and to attract new industry and

[54] Youth Action Plan was adopted in 2014 via Ordinance 17738

development. The county therefore supports and partners on programs and strategies to maintain existing infrastructure and construct new facilities (transportation, utilities, schools, information, communications, including an adequate supply of housing) necessary to accommodate current and future economic demand, in locations, and at a size and scale, consistent with other policies in the Comprehensive Plan.

ED-404 is edited from the adopted 2012 KCCP to realize the full benefit of infrastructure investments by using zoning, incentives, or other tools to promote economic development that can capitalize on infrastructure projects. An example of this would be making sure that zoning and incentives surrounding a transit hub promote economic development where this type of infrastructure investment has been made.

ED-404 Through local subarea planning and partnerships with other agencies and organizations, King County should use zoning, incentives, or other measures to ((~~ensure that an appropriate proportion of the land adjacent or near to major public infrastructure facilities is used to capitalize on the economic benefit of that infrastructure. The surrounding land uses should be compatible with the economic development uses or a buffer provided as necessary~~)) capitalize on the economic benefit of infrastructure projects, in a manner consistent with existing and forecasted land uses, and other locational criteria.

Policy ED-405 is proposed to be amended to ensure adequate technology infrastructure is in place to meet the growing demand for these services.

ED-405 King County support programs and partnerships to facilitate the development of adequate technology infrastructure, to meet growing technological demand and ensure high quality infrastructure for the regional economy.

Sustainable development in the private sector. Policy ED-105 adds language to clarify the intent of protecting the natural environment rather than potential confusion with the 'business' environment.

ED-105 King County recognizes the natural environment as a key economic value that must be protected.

Policy ED-501 is changed to be more specific and in alignment with the requirements of the County's National Pollutant Discharge Elimination System (NPDES) permit for stormwater or surface water management, and encourages working with developers to utilize Low Impact Development (LID) principles and practices in residential and commercial development, including minimizing impervious surfaces.

ED-501 King County should encourage, support and promote the application of sustainable development practices in all private sector

development within the county. This may be accomplished through working with residential and commercial developers to ((~~reduce impervious surface areas~~)) use Low Impact Development principles and practices, including minimized impervious surface areas, protect ground and surface water within a watershed, ((~~assure~~)) ensure that habitat protection needs are incorporated into development proposals to the extent possible, incorporate greater use of green building materials, eliminate, to the extent possible, the use of materials that pose health hazards, and utilize systems that conserve or reuse resources, including those that use energy more efficiently. When King County provides technical assistance and incentives for the use of sustainable development practices, it shall be at no cost to any private sector development. King County shall collaborate with the private sector on potential future regulatory tools.

Policy ED-501a is a new policy that calls for King County to promote green building and smart building practices and promote programs that foster this type of development in private and residential uses in addition to public buildings.[55] This change will be evaluated as part of the climate change analysis at a later briefing.

ED-501a King County shall strive to promote green building and smart building practices throughout private, public and residential uses and support programs that foster this type of development through collaboration with jurisdictions and other sectors.

Policy ED-502 has been edited to shift the use of property-specific stewardship plans toward property owners making sustainable land "management" choices, rather than sustainable land "use" choices.

ED-502 In the Rural Area, King County shall provide assistance through development of customized stewardship plans for individual properties, to help property owners understand their properties' characteristics and the potential impacts of their actions, and to make sustainable land ((~~use~~)) management choices that protect natural resources.

Policy ED-504 includes a change calling for King County to not only help "develop" but also to "use" national standards for measuring sustainability at the community scale.

ED-504 King County should participate in the development and use of national standards for measuring sustainability at the community scale and the breadth and effectiveness of county policies and practices that improve community scale sustainability.

[55] The King County Green Building Ordinance, as adopted in K.C.C. 18.17, currently only addresses County buildings, and does not address private or residential buildings or uses.

Rural economy policies. Policy ED-601 updates a reference to the King County's work with rural businesses, commissions and with "community service area community groups" within the rural areas, rather than the "Unincorporated Area Councils" to support evolving compatible commercial uses and jobs.

> **ED-601** King County is committed to a sustainable and vibrant rural economy that allows rural residents to live and work throughout the Rural Area and Natural Resource Lands. County policy, regulations, programs should be reviewed and developed in partnership with rural businesses, the Agriculture and Rural Forest Commissions, the community service area community groups, ((~~the unincorporated area councils,~~)) and others to support the preservation and enhancement of traditional rural economic activities and lifestyles, while supporting evolving compatible commercial uses and job opportunities.

ED-603 is edited to use terminology for "food and forest processing" and to broaden the policy to other agriculture and forest processing facilities beyond just mobile processing facilities, which are specifically called out in the adopted 2012 KCCP. The transmitted 2016 KCCP policy adds a statement that King County recognizes the processing needs of the rural economy and proposes to partner with regional communities, governments and residents to address challenges and opportunities of the industries dependent on this processing. The Executive has noted that these changes are, in part, intended to implement the Local Food Initiative.

> **ED-603** King County should partner with other Puget Sound counties and businesses to analyze the need and possible sites for regional agricultural ((~~including~~)) such as beef and poultry) and forest product processing ((~~facilities that may require regional demand to make them economically feasible. The county should also explore options and incentives to encourage entrepreneurs to invest in mobile forest and food production processing facilities that can serve the region~~.)) King County recognizes the importance of food and forest processing for the regional economy and should partner with regional communities, governments and residents to ensure that the challenges and opportunities within this industry are analyzed and addressed as needed.

Policy ED-604 adds the "resource" economy to rural and urban economies that should be supported through programs and strategies that strengthen their interdependence and linkages, in part through efforts such as the Regional Food Policy Council, Puget Sound Fresh and other "farm to table" programs.

> **ED-604** King County will continue to partner with organizations that support programs and strategies that strengthen the interdependence and linkage between the rural, resource and urban economies, such as the Regional Food Policy Council and Puget Sound Fresh and other "Farm to Table" programs.

Policy ED-605 is a new policy that is consistent with other policies regarding incorporating open and green space throughout the county, but in this case is underscored as supporting and strengthening the linkages between rural and urban communities' use and maintenance of these open spaces.

> **ED-605** King County recognizes the value of open and green space in promoting social and economic health and wellness throughout the county. The county will continue to invest in public lands and partner with organizations that support and strengthen the linkages between rural and urban communities use and maintenance of these open spaces.

Policy ED-606 is a new policy that addresses the multiple issues of land use, healthy communities and other initiatives and calls for economic analysis and development of the local food system consistent with the Local Food Initiative.

> **ED-606** King County will encourage economic analysis and economic development of the local food system as called for in the Local Food Initiative.

Consistency with adopted policies and plans

Local Food Initiative. Several proposed policy changes in this chapter address implementation of the Local Food Initiative. The Local Food Initiative has not been reviewed or adopted by the Council. This initiative, including its goals and targets, and associated changes to individual policies in the transmitted 2016 KCCP, have been set by the Executive. The Council may wish to evaluate the underlying goals of this proposed initiative before adopting the proposed 2016 KCCP policy changes associated with the Local Food Initiative.

ESJ and climate change. Proposed changes regarding ESJ and climate change will be reviewed at a later briefing on the 2016 KCCP.

Consistency with the Scoping Motion

The Scoping Motion included a number of items to include in the 2016 KCCP for this chapter. Staff notes here the items that do not appear to be addressed in the transmitted 2016 KCCP.

Rural Economic Strategies (RES). The existing and amended policies in the transmitted 2016 KCCP are not inconsistent with the 2013 RES Plan[56] policies. However, the Scoping Motion called for advancing the RES strategies and policy direction in the 2016 KCCP. The transmitted 2016 KCCP includes new language in ED-603 about the importance of food and forest processing in the regional economy and a

[56] Ordinance 17956, adopted by the Council in 2014.

new policy ED-606 calling for economic analysis and development of the local food system. However, the other policy issues in the 2013 RES are not addressed.[57]

Place-based workforce training. The Scoping Motion called for considering inclusion of "policies for place-based workforce training strategies in communities with education and opportunity challenges." None of the policies directly call for place-based workforce training, although there are policies supporting youth access to vocational training, presumably within their public schools, and apprenticeships and internships at local businesses. There is also a proposed change to policy ED-303 which calls for "food-related workforce development activities and opportunities." Executive staff report that this could include support for local food-based business opportunities, because food-based businesses and restaurants offer a relatively low-bar entry point for new business owners in lower income communities and can be beneficial to the individual and the community.

Fragmented economic development activities. The Scoping Motion also called for an assessment of "current fragmented economic development activities across the county" and an update of "policies to improve regional coordination and achieve agreed-upon results in job and wage growth and in economic diversity." The transmitted 2016 KCCP includes a number of policies that call for more regional coordination and the updated policies are more focused on a King County role that emphasizes assistance to low-income and communities with the highest unemployment. However, the transmitted 2016 KCCP does not include policies that address achieving agreed upon results in job and wage growth.

<u>Other issues for Council consideration</u>

Infrastructure development. The transmitted 2016 KCCP proposes changes to infrastructure development policies, ED-401 and ED-404, which more clearly state the County's support for infrastructure and facilities related to economic development that are consistent[58] with the locations in which they are sited. These changes appear to relate to other proposed changes elsewhere in the Plan,[59] which further limit siting urban or largely urban-serving uses or facilities in the Rural Area. The Council may want to consider whether these changes meet the Council's policy goals, as they could affect the types of uses that are allowed in the Rural Area and may lead to unanticipated changes in the uses permitted outside the UGA.

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[57] Such as additional revenues and/or resources to support infrastructure (ranging from roads to data transmission technology), economic development in rural and resource areas, and emphasis on potential home based business development.

[58] Consistency is related to size, scale, adjacent land uses, and applicable policy restrictions regarding where the uses are allowed to be sited.

[59] Such as noted in the Chapter 3 staff report related to polices R-324 and R-201.

Proposed Ordinance 2016-0155 and Development Code Proposals

Proposed Ordinance 2016-0155 adopts the 2016 KCCP, as well as associated code amendments. This portion of the staff report reviews the code changes in the Proposed Ordinance, as well as the development code proposals called for in the Scoping Motion. Staff analysis is ongoing for the changes in the Proposed Ordinance.

Changes proposed by Proposed Ordinance 2016-0155

Table 1 shows each proposed change and the associated section of the Proposed Ordinance. This staff report analyzes the changes made in Titles 14, 20, 21A and 26 of the King County Code (K.C.C.).

Table 1 – Summary of Proposed Ordinance 2016-0155

K.C.C. Title	Summary of Change	Location in Ordinance
n/a	Findings	Section 1
n/a	Adoption of 2016 KCCP	Section 2
Title 14	Modifying the nonmotorized vehicle program	Sections 3 through 5
Title 20	Modification to allowed annual amendments to the KCCP Decodification and repeal of agricultural lands policy	Section 6 Sections 7 through 19
Title 21A	Modifications to definitions, permitted use tables, and review and notice requirements regarding agricultural uses Modification to transfer of development rights program	Sections 20 through 32, Sections 35 through 36 Sections 33 through 34[60]
Title 26	Repeals agricultural and open space inventory requirements	Section 37
n/a	Severability	Section 38

<u>Title 14 Roads and Bridges</u>

Nonmotorized program. The transmitted 2016 KCCP includes changes to K.C.C. Chapter 14.56, the Nonmotorized Vehicle Program. The more substantive changes include:

1. Striking K.C.C. 14.56.010, which sets out findings, a declaration of purpose and the intent of the Council to develop a functional plan for nonmotorized transportation.

[60] The Executive has identified additional changes to K.C.C. 21A.37 that were omitted from the Proposed Ordinance as transmitted.

2. Amending K.C.C. 14.50.020, including:
    a. Adding special populations such as school children or people with limited mobility and wheelchair users to the list of nonmotorized transportation needs.
    b. Calling for integration of nonmotorized transportation into current and future County transportation network and services, including transit (in place of previous language to identify ways that the existing County transportation network can be made more responsive to the needs of nonmotorized users).
    c. Striking reference to guiding development of a County functional plan for non-motorized transportation.
3. Amending K.C.C. 14.05.030, including adding a requirement that the King County Department of Transportation implement the nonmotorized program in coordination with other County departments.

Council staff has requested additional information from Executive staff on the rationale behind these changes; analysis is ongoing.

Title 20 Planning

Annual Comprehensive Plan amendments. The transmitted 2016 KCCP includes changes to K.C.C. 20.18.030. This section of code sets out the amendment schedule for the KCCP, including what is allowed to be included in annual amendments, which implements KCCP policy I-203 in Chapter 12, Implementation, Amendments and Evaluation. There are three proposed changes in this section:

1. Eliminate from the list of allowed annual amendments a mining site conversion demonstration project. If this language is deleted, the Council could only adopt a mining site conversion demonstration project that requires substantive policy changes to the KCCP as part of a four-year major update.[61]
2. Add to the list of allowed annual amendments those resulting from subarea studies required by KCCP policy that do not substantively change KCCP policy language and do not alter the UGA (except mapping errors).[62] The Council may want to consider whether to clarify what types of subarea studies would be allowed under this code change, for example, to make it clearer that the CSA subarea studies contemplated by Chapter 11, Community Service Area Planning, could be adopted on an annual basis.
3. Add to the list of allowed annual amendments changes required to implement a study regarding wastewater services to a Rural Town; amendments would be limited to those needed to implement the preferred option identified by the study, and could include policy amendments and adjustments to the boundary of the

[61] A related change is proposed in policy I-203 in the transmitted 2016 KCCP. If the Council decides not to adopt the change in I-203, this section of Proposed Ordinance would need to be amended to reflect that.
[62] In order to enact this proposed change, a similar change would also be needed in policy I-203 – which is not currently proposed in the Executive's transmittal.

Rural Town.[63] This appears to be consistent with the Area Zoning Study for the Fall City alternative wastewater proposal that was included in the Scoping Motion and which is being developed by multiple County agencies and the community.

Agricultural Lands Policy. The transmitted 2016 KCCP includes a partial repeal of K.C.C. Chapter 20.54, Agricultural Lands Policy. This chapter was first adopted in 1977 as an agricultural lands designation and protection program, prior to the adoption of the 1985 Comprehensive Plan. The Executive's development code study states that this chapter is no longer relevant and has largely been replaced by the zoning code regulations in Title 21A and updated KCCP policies.

The purpose section (K.C.C. 20.54.010) is proposed to be decodified, meaning it would still be adopted law but would no longer be included in the code. The Council may want to consider whether to take a different action in regards to the purpose section, such as repealing it, or including it as an appendix to the 2016 KCCP, as called for by the related development code study.

Title 21A Zoning

There are two types of changes proposed in Title 21A:

1. Changes related to how agricultural uses are regulated in the definitions section, permitted use tables, and review and notice requirements.
2. Changes to the Transfer of Development Rights (TDR) program.

Agricultural uses: Definitions. Six new definitions are proposed: "Agriculture," "Agricultural Activities," "Agricultural Products," "Agricultural Support Services," "Farm, and "Farm Residence." Two changes to note are new definitions for "Agricultural Activities" and "Agricultural Support Services." These are new uses that would be added to Resource Land Uses Permitted Uses Table and would become allowed uses in certain zones.[64]

The proposed definition of "Agricultural Activities" is:

> **Agricultural activities:** those agricultural uses and practices that pertain directly to the commercial production of agricultural products, including, but not limited to:
> A. Tilling, discing, planting, seeding, fertilization, composting and other soil amendments and harvesting;

[63] A related change is proposed in policy I-203 in the transmitted 2016 KCCP. If the Council decides not to adopt the change in I-203, this section of Proposed Ordinance would need to be amended to reflect that.

[64] In the analysis of the changes related to agricultural uses, reference of a "permitted" use reflects one of the following in the Proposed Ordinance: a “P” in the Permitted Uses Table, in which the use would be permitted outright; "P" with a number following in the table, which adds specific development conditions for that use in that zone; or “C” in the table, which would require a conditional use permit (CUP) for that use.

B. Grazing, animal mortality management and on-site animal waste storage, disposal and processing;
C. Soil conservation practices including dust control, rotating and changing agricultural crops and allowing agricultural lands to lie fallow under local, state or federal conservation programs;
D. Maintenance of farm and stock ponds, agricultural drainage, irrigation systems canals and flood control facilities;
E. Normal maintenance, operation and repair of existing serviceable equipment, structures, facilities or improved areas, including, but not limited to, fencing, farm access roads and parking; and
F. Processing, promotion, sale, storage, packaging and distribution.

The proposed definition of "Agricultural Support Services" is:

> **Agricultural support services:** any activity that is directly related to agriculture and directly dependent upon agriculture for its existence but is undertaken on lands that are not predominately in agricultural use.

How these uses would be regulated is summarized in Table 2 and is discussed in more detail under the Permitted Uses Tables analysis below. Generally, uses related to agriculture are proposed to be consolidated into the Resource Land Uses table and labelled using a broader term. Executive staff report that this is comparable to other codes related to agricultural uses around the state, and that the proposed changes have been reviewed by an inter-departmental review team and the King County Agriculture Commission.

Table 2 – Summary of Permitted Uses Changes

Use	Allowed Zones Existing Code	Allowed Zones Proposed Ordinance 2016-0155
Resource Accessory Use - housing for agricultural employees	Agricultural	Agricultural Forestry Rural Area *(as part of "Farm Worker Housing")*
Miscellaneous Repair - accessory to an agricultural or forestry use	Agricultural	Agricultural Forestry Rural Area *(as part of "Agricultural Activities")*

Use	Allowed Zones Existing Code	Allowed Zones Proposed Ordinance 2016-0155
Farm Product Warehousing, Refrigeration and Storage	Agricultural Rural Area Urban Reserve Industrial	Industrial *(as part of "Farm Product Warehousing, Refrigeration and Storage")* Agricultural Forestry Rural Area *(as part of "Agricultural Activities")*
Agricultural Product Sales	Agricultural Forestry Rural Area Urban Reserve R1-8 R12-48 Neighborhood Business Community Business Regional Business Office Industrial	Forestry Rural Area Urban Reserve R1-8 R12-48 Neighborhood Business Community Business Regional Business Office Industrial *(as part of "Agricultural Product Sales")* Agricultural Forestry Rural Area *(as part of "Agricultural Activities")*
Livestock Sales	Agricultural Forestry Rural Area Urban Reserve R1-8 Industrial	Industrial *(as part of "Livestock Sales")* Agricultural Forestry Rural Area *(as part of "Agricultural Activities")*
Food and Kindred Products	Agricultural Forestry Rural Area Urban Reserve Neighborhood Business Community Business Regional Business Industrial	Neighborhood Business Community Business Regional Business Industrial *(as part of "Food and Kindred Products")* Agricultural Forestry Rural Area *(as part of "Agricultural Activities")*

Use	Allowed Zones Existing Code	Allowed Zones Proposed Ordinance 2016-0155
Winery/Brewery /Distillery	Agricultural Rural Area Urban Reserve Neighborhood Business Community Business Regional Business Industrial	Rural Area Urban Reserve Neighborhood Business Community Business Regional Business Industrial *(as part of "Winery/Brewery/Distillery")* Agricultural *(as part of "Resource Accessory Use")*
Non-Hydroelectric Generation Facility – accessory to agricultural anaerobic digester	Agricultural	Agricultural Forestry Rural Area *(as part of "Agricultural Activities")*

Agricultural uses: Permitted Use Tables – Residential Land Uses. Under the current code in the Residential Land Uses table, housing for agricultural employees as a "Resource Accessory Use" is allowed in the Agricultural zones. In the Proposed Ordinance, the allowance for housing for agricultural employees as a "Residential Accessory Use" is proposed to be moved out of this table, and into the Resource Land Uses table in K.C.C. 21A.08.090. In the Resource table, this use is proposed to be regulated as "Farm Worker Housing" and would be allowed in the Agricultural, Forestry and Rural Area[65] zones.

Agricultural uses: Permitted Use Tables – General Services Land Uses. Under the current code in the General Services Land Uses table, "Miscellaneous Repair" as an accessory to agricultural or forestry uses is allowed in the Agricultural zones. In the Proposed Ordinance, the permitted use for "Miscellaneous Repair" as an accessory to agricultural or forestry uses would be deleted from this table for Agricultural and Rural Area zones. In the Resource table, "Miscellaneous Repair" is proposed to be regulated as part of the new "Agricultural Activities" use and would be permitted in the Agricultural, Forestry and Rural Area zones.

Agricultural uses: Permitted Use Tables – Government/Business Services Land Uses. Under the current code in the Government/Business Services Land Uses table, "Farm Product Warehousing, Refrigeration and Storage" is permitted in the Agricultural, Rural Area, Urban Reserve, and Industrial zones. In the Proposed Ordinance, "Farm Product Warehousing, Refrigeration and Storage" is proposed to be deleted from this

[65] Rural Area zones include RA-2.5, RA-5, RA-10, and RA-20 zoning designations.

table for the Agricultural, Rural Area, and Urban Reserve zones. This use would be retained in the Government/Business Services table for the Industrial zone and would continue to be permitted in that zone. In the Resource table, "Farm Product Warehousing, Refrigeration and Storage" is proposed to be regulated as part of the new "Agricultural Activities" use and would be permitted in the Resource table in the Agricultural, Forestry and Rural Area zoning districts as part of the "Agricultural Activities" use. In either table, "Farm Product Warehousing, Refrigeration and Storage" is proposed to no longer be allowed in the Urban Reserve zone.

Agricultural uses: Permitted Use Tables – Retail Land Uses. Under the current code in the Retail Land Uses table, "Agricultural Product Sales" is permitted in every zone except for Mining. In the Proposed Ordinance, "Agricultural Product Sales" is proposed to be deleted from the Retail Land Uses table for the Agricultural zone, and partially from the Rural Area zone. This use would remain as a permitted use in the Forestry, Urban Reserve, R1-8, R12-48, Neighborhood Business, Community Business, Regional Business, Office, and Industrial Zones; and would remain with some permissions in the Rural Area zones. In the Resource table, "Agricultural Product Sales" is proposed to be regulated as part of the new "Agricultural Activities" use and would be permitted in the Resource Table in the Agricultural, Forestry and Rural Area zones.

Also in the Retail Land Uses table, "Livestock Sales" is permitted under the current code in the Agricultural, Forestry, Rural Area, Urban Reserve, R1-8 and Industrial zones. In the Proposed Ordinance, "Livestock Sales" is proposed to be deleted from this table for the Agricultural, Forestry, Rural Area, Urban Reserve and R1-8 zones. This use would be retained in the Retail Land Uses table and continue to be allowed in the Industrial zone. In the Resource table, "Livestock Sales" is proposed to be regulated as part of the new "Agricultural Activities" use and would be permitted in the Agricultural, Forestry and Rural Area zones. In either table, "Livestock Sales" is proposed to no longer be allowed in the Urban Reserve and R1-8 zones.

Agricultural uses: Permitted Use Tables – Manufacturing Land Uses. Under the current code in the Manufacturing Land Uses table, "Food and Kindred Products" are allowed in the Agricultural, Forestry, Rural Area, Urban Reserve, Neighborhood Business, Community Business, Regional Business and Industrial zones. In the Proposed Ordinance, this use is proposed to be deleted from the Manufacturing Land Uses table for the Agricultural, Forestry, Rural Area, and Urban Reserve zones. This use would remain in this table and permitted in the Neighborhood Business, Community Business, Regional Business and Industrial zones. In the Resource table, "Food and Kindred Products" are proposed to be regulated as the new "Agricultural Activities" use and would be permitted in the Agricultural, Forestry and Rural Area zones. In either table, "Food and Kindred Products" is proposed to no longer be allowed in the Urban Reserve zone.

Also in the Manufacturing Land Uses table, "Winery/Brewery/Distillery" is permitted under the current code in the Agricultural, Rural Area, Urban Reserve, Neighborhood

Business, Community Business, Regional Business and Industrial zones. In the Proposed Ordinance, this use is proposed to be deleted from the Agricultural zone. This use would remain in the Manufacturing table and continue to be allowed in the Rural Area, Urban Reserve, Neighborhood Business, Community Business, Regional Business and Industrial zones. In the Resource table, "Winery/Brewery/Distillery" is proposed to be regulated as a "Resource Accessory Use“ and would be allowed in the Agricultural zone. Under these proposed changes, this use would continue to be allowed (in some manner) in the same zones as it is today, although the allowance for a "Winery/Brewery/Distillery" through a conditional use permit (CUP) in the Agricultural zones is proposed to be removed. Further discussion on this change is included in the Resource Land Use table analysis below.

Agricultural uses: Permitted Use Tables – Regional Land Uses. Under the current code, Non-Hydroelectric Generation Facilities are permitted as an accessory use to an agricultural anaerobic digester in the Agricultural zone. In the Proposed Ordinance, this permitted use is proposed to be deleted from the table in the Agricultural zone. Other allowances for Non-Hydroelectric Generation Facilities, through a CUP or special use permit, would remain in the table. In the Resource table, "Non-Hydroelectric Generation Facility" as an accessory to an anaerobic digester is proposed to be regulated as the new "Agricultural Activities" use and would be permitted in the Agricultural, Forestry and Rural Area zones.

Agricultural uses: Permitted Use Tables – Resource Land Uses. In the Resource table, there are three main changes to the table itself. First, two new uses are added: "Agricultural Activities" and "Agricultural Support Services," the definitions of which are included above. These uses would be added to the permitted use table and be allowed in several zones, either outright, through an administrative process similar to other Type 1 land use permits, and/or through a CUP. Second, wineries, breweries and distilleries would be allowed in the Agricultural zone as an accessory use to another permitted use. Third, the current allowance for Farm Worker Housing would be expanded to include both temporary housing and permanent housing.[66]

Some of the more significant policy changes to note, both in the table itself and the associated development conditions, include:

- The new "Agricultural Activities" and "Agricultural Support Services" uses are broader than the uses that have been removed from the other tables. However, the development conditions that are attached to these new uses are tied directly to the uses that were moved from other tables. These conditions may not anticipate all situations and potential conditions for the broader range of uses that could be allowed under the Proposed Ordinance, and the Council may want to consider whether the continued application of the existing development conditions meets the Council's policy goals.

[66] This change moves the existing provisions that were in the Residential table into this table.

- A new proposed development condition for permanent "Farm Worker Housing" would allow one additional dwelling unit for properties over 100 acres than the current code.

- The current code requires minimum lot sizes for many of these uses of either 4.5 or 5 acres. The proposed allowance under the development conditions for "Agricultural Activities" would set a minimum lot size of 4.5 acres for many uses. Executive staff report that this minimum size was chosen to avoid making current uses nonconforming, and to avoid issues with new uses on existing lots that are slightly less than the minimum lot size of an RA-5[67] zoned lot.

- "Agricultural Activities" allows for tasting of agricultural products where retail sale is allowed, in accordance with applicable health regulations. This provision is slightly different than the current allowance for tasting with "Food and Kindred Products." The current code only allows tasting of products that are produced on site. The Proposed Ordinance does not have a restriction to tasting only those products produced on site, but does retain the current requirement that 60 percent of the gross sales of products sold onsite must be grown or produced in the Puget Sound Region.

- With the new process described in the section below for K.C.C. Chapter 21A.42, some uses will have three thresholds of review, whereas under existing code there were two. This will allow businesses to go through an administrative process to have a larger building, whereas currently they would have had to go through a CUP process. As shown in Table 3, some of the square footage thresholds between the three levels of review are lower in the Proposed Ordinance than they are in the existing code, which would result in fewer development proposals being permitted outright and more proposals having to go through additional review; the Council may want to consider whether this is consistent with the Council's policy goals.

[67] One dwelling unit per five acres

Table 3 – Comparison of Thresholds for Review Levels for Agricultural Uses

Use	Existing Code	Proposed Ordinance 2016-0155
Manufacturing	Permitted Outright: up to 3,5000sf/ 7,000sf[68] With CUP: up to 5,000sf	Permitted Outright: up to 3,500sf Through Administrative Process: up to 5,000sf/ 7,000sf[69] With CUP: no limit on square footage with a CUP
Warehousing, Refrigeration and Storage	Permitted Outright: up to 3,500sf/ 7,000sf[70] With CUP: no limit on square footage with a CUP	Permitted Outright: up to 2,000sf Through Administrative Process: up to 5,000sf/ 7,000sf[71] With CUP: no limit on square footage with a CUP
Sales	Permitted Outright: up to 2,000sf With CUP: no limit on square footage with a CUP	Permitted Outright: up to 2,000sf Through Administrative Process: up to 3,500sf With CUP: no limit on square footage with a CUP

- In the Proposed Ordinance, "Winery/Brewery/Distillery" is proposed to be allowed only as a "Resource Accessory Use" in the Agricultural zone. Under the current code, if a "Winery/Brewery/Distillery" wanted to be allowed as a stand-alone use (and not an accessory use to another agricultural use) or wants additional floor area than is allowed as an accessory use, the owner could apply for a CUP. The allowance for a CUP is not included in the Proposed Ordinance, which means that a "Winery/Brewery/Distillery" would only be permitted as an accessory use to another permitted agricultural use in the Agricultural zones. In discussions with Executive staff, this appears to be an unintentional change. The Executive is currently conducting a study regarding the wineries in the Sammamish Valley Agricultural Production District area, and intends to make recommendations on policy and code changes this summer for possible inclusion in the 2016 KCCP. Executive staff state that the changes in the Proposed Ordinance as transmitted were only intended to address non-winery/brewery/distillery-related agricultural uses. Staff will review this issue again once the winery study is complete.

[68] The 3,500 square foot limit applies to RA zones and lots less than 35 acres in the Agricultural zones; the 7,000 square foot limit applies to lots at least 35 acres in the Agricultural zones.
[69] The 5,000 square foot limit applies to RA zones and lots less than 35 acres in the Agricultural zones; the 7,000 square foot limit applies to lots at least 35 acres in the Agricultural zones.
[70] The 3,500 square foot limit applies to RA zones and lots less than 35 acres in the Agricultural zones; the 7,000 square foot limit applies to lots at least 35 acres in the Agricultural zones.
[71] The 5,000 square foot limit applies to RA zones and lots less than 35 acres in the Agricultural zones; the 7,000 square foot limit applies to lots at least 35 acres in the Agricultural zones.

Agricultural uses: Review procedures/notice requirements. Two new sections are proposed in this chapter. The first would create a new review process and decision criteria for the modification and expansion of agricultural activities provided in K.C.C. 21A.08.090, Resource land uses, that would be established by the Proposed Ordinance. The second would create an agricultural technical review committee, with representatives from the Department of Permitting and Environmental Review (DPER), the Department of Natural Resources and Parks (DNRP), Public Health, and the King Conservation District to review proposals to site agricultural support facilities allowed under the Resource land use table. It sets criteria for the siting of such facilities. Executive staff report that the review by this committee would be a Type 1 land use decision,[72] and could be undertaken as a standalone review or as part of another permit review.

The Council may want to consider whether the criteria established by these two new sections meet the Council's policy goals, and whether the process is clearly stated for project applicants.

Transfer of Development Rights (TDR). K.C.C. Chapter 21A.37 regulates the TDR Program. Proposed Ordinance 2016-0155 includes a change to the program that would allow County-purchased property to be sending sites under the TDR program, under certain circumstances. The intent of this change would be to clarify the existing regulations for situations in which the County purchases a property with the express intent of conserving it in a resource-based use, or as open space.[73]

Subsequent to transmittal, Executive staff identified additional changes to Chapter 21A.37 that were inadvertently omitted from the ordinance. These proposed changes, which can be found in Attachment 5, include code changes that mirror proposed changes in the transmitted 2016 KCCP, including:

- In K.C.C. 21A.37.030, increased limitations on TDR receiving sites in urban unincorporated areas, consistent with new policy R-319a, which would only allow them outright on short subdivisions. Long subdivisions could only be receiving sites through a subarea study that analyzes the impacts of receiving development rights.
- In K.C.C. 21A.37.110, new language that would allow amenity funding to be used in receiving areas in urban unincorporated King County. This is consistent with new policy R-320a.
- In K.C.C. 21A.37.150, establishing criteria for expending amenity funds in the urban unincorporated area, and distinguishing those expenditures from expenditures made inside cities.

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[72] Type 1 land use decisions are made by the Director of the Department of Permitting and Environmental Review, or their designee (usually a product line manager). These decisions do not have public notice and have no administrative appeal to the Hearing Examiner.

[73] This issue was identified in late 2015 during the Council's deliberations on Proposed Ordinance 2015-0423 (enacted as Ordinance 18194), which concerned the sale of the Tall Chief property.

These proposed changes are consistent with other policy changes proposed in the transmitted 2016 KCCP. If Council adopts these changes in the KCCP, these code changes would also be appropriate to implement the new policies, and could be added through an amendment to the Proposed Ordinance.

Title 26 Agricultural and Open Space Lands

Proposed Ordinance 2016-0155 includes a repeal of K.C.C. 26.08.010. This stand-alone section in the current code required a review of all land acquisition and land use policies for agricultural uses, starting in 1986, following the adoption of the 1985 Comprehensive Plan. The development code study for this item notes that it appears the required report was never completed or transmitted to the Council, and the follow up ordinance adopted after the 1994 Comprehensive Plan was adopted did not require a formal report. The associated development code study states that this provision is no longer needed, because agricultural land use and development regulations policies are updated through the KCCP update process, including for conformance with the Countywide Planning Policies and the Capital Facility Plans.

Consistency with adopted policies and plans

Staff analysis is ongoing for the changes in the Proposed Ordinance.

Consistency with the Scoping Motion

In addition to the Proposed Ordinance, the Executive completed development code studies for six items identified by the Scoping Motion, which are summarized in Table 4. The Proposed Ordinance includes code changes for items 1 and 5, both related to the agricultural land policy and agricultural use permitted uses. Item 3, regarding micro-housing and similar uses, was recommended for approval by its development code study, but no code changes were included in the Proposed Ordinance, nor as part of a separate ordinance. The Council may want to consider whether to include any code changes related to the non-included and/or non-recommended code proposals from the Scoping Motion in this Ordinance.

Table 4 – Summary of Development Code Study Items Identified by Scoping Motion

Item #	Proposal in Scoping Motion	Executive Recommendation	Location in PO 2016-0155
1	Code amendments for agricultural supportive and dependent uses to support viable and sustainable agricultural products.	Significant changes in Title 21A addressed above. Conduct a winery study in the Sammamish APD and surrounding area, to be completed in summer 2016. Incorporate recommendations in the 2016 KCCP at that time.	Throughout
2	Code flexibility for alternative temporary lodging, such as treehouses and structures associated with re-creations of historic communities.	Code amendments not recommended. Instead, use existing procedures in the Building Code for "alternative methods and materials."	N/A
3	Consider code flexibility for alternative housing models, such as micro-housing.	Add a definition, zoning allowance, and building code templates for micro-housing, as well as tiny houses, recreational vehicles, and apodments. These recommendations were not included in PO 2016-0155. Executive staff report that the recommendations in the development code study were not final, and that departments continue to review what appropriate regulations should be proposed to Council.	N/A
4	Code changes regarding ingress/egress for new plat proposals, including space needed for traffic queuing.	Do not change Title 21A or the King County Road Standards.	N/A

Item #	Proposal in Scoping Motion	Executive Recommendation	Location in PO 2016-0155
5	Consolidate code sections related to agricultural lands policy.	Repeal most of K.C.C. 20.54, repeal K.C.C. 26.08, amendment Title 21A to make agricultural use tables more consistent with agricultural lands policies.	Section 7 – 19, Section 37
6	Code changes to allow extensions for preliminary plat approvals.	Do not change the code to allow for any extensions to preliminary plats. If the Council determines an amendment is necessary, limit to one-time for one year.	N/A

Other issues for Councilmember consideration

Staff analysis is ongoing for the changes in the Proposed Ordinance.

Technical Appendix C and C1 Transportation Needs Report

Technical Appendix C includes the County's Arterial Functional Classification of roadways, the Transportation Inventory, and the Travel Forecast Summary, as well as the Transportation Needs Report (TNR) as outlined in Appendix C1.

2016 ARTERIAL FUNCTIONAL CLASSIFICATION

King County's arterial functional classification system classifies roadways based on the degree to which a roadway serves the movement of traffic or provides access to adjacent land uses. Arterial classifications can be used to guide transportation planning, roadway design and allocation of road improvement funds. King County designates three types of arterial roadways: principal arterials that mostly serve "through traffic" across and between large subareas, with minimum direct service to abutting land uses; minor arterials that provide for movement within the subareas and provide more direct access to abutting land uses than do principal arterials; and collector arterials that link local neighborhood streets and larger arterials.

What's new in the transmitted 2016 KCCP?

Classification changes. The proposed 2016 TNR includes two classification changes as shown in Table 5.

Table 5 – Arterial Functional Classification Changes

Location	Change	Rationale
204th Ave NE/Paradise Lake Rd (NE Woodinville-Duvall Road to County line)	collector to minor arterial	Average daily traffic increased to 3,300, due to development in the area; serves as major route into Snohomish County
424th Ave SE (North Bend City limits, south to SE 140th St, 432nd Av SE, to SE North Bend Road)	collector arterial to neighborhood collector (local)	Residential roadways serve neighborhoods; posted at 25 mph; not striped

Removed arterial segments. Twenty arterial segments have been removed from the classification map due to annexations.

2016 TRANSPORTATION INVENTORY

The KCCP includes an inventory of transportation services and facilities to meet the requirements for the transportation element as required by growth management legislation.[74]

<u>What's new in the transmitted 2016 KCCP?</u>

Air transportation system. The 2016 inventory does not include the table or map included in the 2012 inventory that identified airports in King County by service type and location.

Marine transportation system. The 2016 inventory reflects the assumption by King County of the King County Ferry District into the Marine Division of the King County Department of Transportation and provides current information on passenger ferry service.

Land transportation system. The 2016 inventory includes updated figures for road infrastructure owned by King County. The figures compare as shown in Table 6. The 2012 inventory provided data about roadway miles by surface type; the 2016 inventory does not include this information. Differences reflect annexations, changes in equipment ownership, and counting methodology. State highway routes in King County are identified by map instead of table, as had been included in the 2012 inventory.

[74] RCW 36.70A.070(6)(a)

Table 6 – 2012 and 2016 King County Transportation Infrastructure

Infrastructure Type	2012 TNR	2016 TNR
Roadways	1479 miles	1,469 miles
Bridges	181 + 10 owned by DNRP	181
Traffic Signals	102	78
Traffic Control Signs	39,000	Over 44,000
Traffic Cameras	72	50
Drainage Ditches	n/a	~ 5.7 million feet

Transit services. The 2016 inventory provides updated data and information links for King County Metro Transit, including a new section on service integration that references the Executive's initiative in late 2014 to increase joint planning and integration between Sound Transit and King County Metro. The 2016 inventory does not include a list of park and ride lots in King County, as had been included in the 2012 inventory.

Nonmotorized facilities. The King County Bike map referenced in the 2012 inventory has been discontinued and so is not referenced in the 2016 inventory.[75]

2016 TRAVEL FORECAST SUMMARY

State law requires the Transportation Element of a Comprehensive Plan to include "forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth."[76]

<u>What's new in the transmitted 2016 KCCP?</u>

New traffic model. The 2016 travel forecast summary originates from the PSRC's four-county model instead of the custom King County model used for the 2012 summary. According to Road Services Division (RSD) staff, using the PSRC's model is much less expensive and provides sufficient information given the rural nature of the unincorporated area.

Level of service deficiencies. According to RSD staff, the latest PSRC model forecast shows fewer level of service "deficiencies" than were forecast in 2012. RSD staff attribute this change to a less "granular" level of analysis (regional vs. countywide), as well as assumptions in the PSRC model that all funded regional projects have been completed. This is an aggressive assumption that may minimize existing and near-term deficiencies, but according to RSD staff the model is only one of the tools that the County uses to identify deficiencies in the system. RSD staff add known deficiencies

[75] The RSD website explains that the map was discontinued due to lack of resources. See http://www.kingcounty.gov/depts/transportation/roads/bicycles/bike-map-discontinued.aspx
[76] RCW 70A.070(6)(a)

and also included all deficiencies from the 2012 TNR, which used the customized model, when identifying system needs.

2031 forecasted congestion. The 2016 summary includes a map showing 2031 forecasted congestion which includes some locations that differ from the 2012 map. Staff analysis with respect to these differences is ongoing.

APPENDIX C1 TRANSPORTATION NEEDS REPORT (TNR)

The TNR is a long-term, comprehensive list of recommended improvements for unincorporated King County. King County uses this list, together with its six-year Capital Improvement Program (CIP) and biennial operating budget, to serve as the GMA-required transportation capital facilities plan element of the KCCP.[77] The TNR also serves as the basis for the County's Mitigation Payment System to identify growth-related projects for the impact fee system.

What's new in the transmitted 2016 KCCP?

Deleted projects. The 2016 TNR does not include 180 projects that were in the 2012 TNR. Of these, about a third have been completed or are in construction. Another third are nonmotorized projects that RSD staff removed following a re-evaluation based on KCCP policy guidance and assessment of current conditions. Most of the others were annexed or incorporated, replaced, or combined with an alternate project.

New projects. The proposed 2016 TNR includes 329 separate projects, totaling $1.05 billion, including 90 new projects, totaling approximately $245 million, not previously listed in the 2012 TNR. Table 7 shows the cost and percentage breakdown of the full TNR project list by project type.

Table 7 – TNR Projects by Project Family as a Percent of the TNR

Project Family (Categories)	Total TNR	% of TNR
Bridge	$286,855,000	27%
Capacity-Major	$307,130,000	29%
Drainage	$31,027,000	3%
Guardrail	$35,199,300	3%
Intersection Priority Array	$115,935,600	11%
ITS	$55,717,000	5%
Nonmotorized	$84,948,500	8%
Reconstruction	$107,116,000	10%
Vulnerable Road Segment Hotspot	$28,447,300	3%
TOTAL	$1,052,375,700 [78]	100%

[77] RCW 36.70A.070

[78] The transmitted TNR shows total 2016 TNR costs as $1,051,700,000. The difference is due to rounding.

Table 8 illustrates the cost and percentage breakdown of the new projects as a percent of the total new project cost. Capacity projects account for 68 percent of the added cost. Additional capital needs for drainage may be identified in a subsequent TNR as a result of a new prioritization process currently underway.

Table 8 – New TNR Projects by Project Family as a Percent of the TNR

Category	New Projects	Percent of Total New Project Cost
Bridge	$2,190,000	1%
Capacity-Major	$167,770,000	68%
Drainage	$15,228,000	6%
Guardrail	$29,949,600	12%
Intersection Priority Array	$13,050,000	5%
ITS	$0	0
Nonmotorized	$17,124,700	7%
Reconstruction	$0	0
Vulnerable Road Segment Hotspot	$0	0
Total	$245,312,300	1

Project needs as a percent of TNR in 2012 and 2016. A line item comparison of project needs between the proposed 2016 TNR and the 2012 TNR will be inexact, as the two documents use different categories of needs. However, Table 9 compares project costs in the respective categories used in both documents. Bridges and Structures exhibit the most significant shift in terms of need as a percent of the total TNR funds, having increased from 9 percent in 2012 to 27 percent in 2016. Bridges and Drainage projects show the greatest increase in total project cost, with Bridges having nearly quadrupled and Drainage almost tripled.

Project cost estimates for the 2016 TNR include a 3 percent annual inflation factor, relative to the 2012 TNR.

Table 9 – Comparisons of Project Needs in 2012 and 2016 TNR

Project Needs	2012 TNR	Need as % of TNR	2016 TNR	Need as % of TNR	% Change 2012-2016
Bridge	$74,350,000	9%	$286,855,000	27%	286%
Capacity-Major & Minor	$225,749,000	28%	$307,130,000	29%	36%
Drainage	$11,402,000	1%	$31,027,000	3%	172%
Guardrail	n/a	n/a	$35,199,300	3%	n/a

Project Needs	2012 TNR	Need as % of TNR	2016 TNR	Need as % of TNR	% Change 2012-2016
Intersection Priority Array	n/a	n/a	$115,935,600	11%	n/a
ITS	$53,062,000	7%	$55,717,000	5%	5%
Nonmotorized	$106,558,000	13%	$84,948,500	8%	-20%
Reconstruction	$58,759,000	7%	$107,116,000	10%	82%
Vulnerable Road Segment Hotspot	n/a	n/a	$28,447,300	3%	n/a
Operations	$68,792,000	9%	n/a	n/a	n/a
Preservation	$119,461,000	15%	n/a	n/a	n/a
Safety	$90,402,000	11%	n/a	n/a	n/a
TOTAL	$808,535,000	100%	$1,052,375,700	100%	

Financial analysis

Both the 2012 and 2016 TNRs include a financial analysis intended to quantify any anticipated revenue shortfall. Table 10 shows how the anticipated shortfall has increased even as the TNR's time span has been shortened by four years (i.e. still a 2031 planning horizon, but dating from 2016 instead of 2012). In addition, the financial analysis shows that ongoing programmatic needs such as overlay and road maintenance facilities costs will compete with funds available to complete the projects in the TNR. The analysis assumes that a policy decision will be made to allocate $140 million for overlays, $50 million for safety and $20 million for road maintenance facilities costs over the life of the TNR. .

Table 10 – Revenue Shortfall in 2012 and 2016 TNR

Item	2012-2031 (2012 TNR)	2016-2031 (2016 TNR)
Total Project Costs	$808,535,000	$1,052,375,700
Anticipated Revenue	$145,711,000	$289,349,991
Shortfall	$662,824,000	$981,851,009

Transportation modeling. The 2016 TNR includes a new chapter on transportation modeling. State law requires the Transportation Element of a Comprehensive Plan to include "forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth."[79] King County developed travel demand forecasts with a 2031 "planning horizon" for the 2012

[79] RCW 70A.070(6)(a)

TNR using a custom model using localized traffic data, including concurrency and local development data specific to unincorporated King County. PSRC's model also uses 2031 as the forecast horizon year, and its latest forecast shows fewer level of service "deficiencies" than were forecasted in 2012. RSD staff attribute part of this change to differences in travel models, as the PSRC model is less detailed but also assumes that all funded projects in the region have been completed. This is an aggressive assumption that may minimize existing and near-term deficiencies, but according to RSD staff the model is only one of the tools that the County uses to identify deficiencies in the system. RSD staff add known deficiencies and also included all deficiencies from the 2012 TNR, which used the customized model, when identifying system needs.

Drivers of change. The 2016 TNR includes a new chapter on "Drivers of Change Affecting Transportation in Unincorporated King County." This chapter describes national and regional transportation trends and also trends specific to unincorporated King County. The latter include declining revenue to support rural roads due to extensive annexations, declining gas tax revenues, and the effects of voter initiatives. The chapter notes that the current federal, state and regional transportation funding allocation processes primarily benefit locations within the UGA. Notably, the chapter reports that RSD's financial forecasts show that, assuming funds are first directed to the programmatic items of overlay, safety and facilities, available revenue will no longer support additional capital improvements after 2030.

Restructures. The 2016 TNR organizes projects into five product families identified by the RSD's 2015-2016 Line of Business Plan. The TNR includes a diagram that shows how the product families incorporate the 2012 "project types."

Pavement inspection and testing. The 2016 TNR includes a new section describing RSD's pavement inspection and testing methodologies, including alternative rehabilitation and preservation approaches instituted beginning in 2015 The new inspection methodology employs the less expensive County Road Administrative Board visual data collection system instead of the previously used, more time intensive manual inspection methodology. In addition, the TNR notes that funding levels are insufficient to maintain a traditional schedule for pavement overlay that would maximize asset lifecycle and minimize cost, and RSD is instead combining a variety of pavement management strategies, including patches, alternative resurfacing materials and seal coatings, to delay the decline of pavement surface conditions and extend surface life.

Skyway-West Hill Action Plan (SWAP). The 2016 TNR also includes newly identified projects identified in the SWAP, which was discussed in the March 15, 2016, KCCP staff report and is proposed by the Executive to be adopted as an addendum to the existing Skyway-West Hill subarea plan as part of the 2016 KCCP update.

Proposed trail projects with potential King County roads overlap. Narrative in the 2016 TNR includes a table of trail projects from the Department of Natural Resources and Parks (DNRP) that would modify the roadside infrastructure. These projects are not

included in the TNR project lists but are listed to support future project coordination between DNRP and RSD.

Americans with Disabilities Act (ADA) Program. Under the ADA, alterations to a roadway intersection can trigger upgrades for all ADA-related facilities at the intersection, such as curb ramps, push buttons and auditory devices at cross walks. The 2016 TNR does not yet include any of these needs, but RSD has indicated that it will complete an inventory of ADA location needs by the end of 2017. ADA projects will be incorporated into larger CIP projects and will not be listed separately in the TNR.

Drainage projects. The 2016 TNR references a new prioritization system for drainage projects that will be complete by the end of 2016, which will be based on quantifying the benefits to water quality. Drainage projects are currently rated using a Field Priority Score and Habitat Evaluation. Changes to the project list will be incorporated into a future TNR.

Facilities. The 2016 TNR includes a new narrative section on road maintenance facilities but does not include facilities projects in the needs list. RSD staff anticipate replacement of the Vashon and Cadman maintenance facilities, but the estimated project costs are not yet final. The $20 million placeholder in the financial analysis section anticipates replacement of these two facilities.

Consistency with adopted policies and plans

No issues identified**.**

Consistency with the Scoping Motion

No issues identified.

Other Issues for Councilmember consideration

Rural Regional Corridors. Policy T-208 states that the TNR shall identify segments of Rural Regional Corridors that pass through Rural Areas to connect urban areas. The TNR lists four corridors (segments of Woodinville Duvall Road, Novelty Hill Road, Issaquah Hobart Road and Avondale Road) as meeting this criterion. RSD has not updated the Average Daily Trips reported for these corridors since the 2012 TNR, which may result in under-reporting the traffic volume and congestion in these locations. The 2016 TNR does not propose any additional capacity projects as a result of the deficiency analysis performed with the travel demand forecast model. The narrative notes that most of the deficiencies in unincorporated King County on are unincorporated arterial roadways “with severe congestion levels and significant cost or engineering challenges dating back may years.” According to RSD staff, these roadways include, but are not limited to, the Rural Regional Corridors.

Vulnerable road segments. A vulnerable road segment is one that is abnormally expensive to maintain and/or that requires frequent repair, as identified in a 2005 Vulnerable Road Segments Study. These segments typically involve failing infrastructure around or beneath the roadway, such as failing retaining walls or seawalls, chronic settlement problems, or roadways close to rivers with repetitive erosion problems. The 2016 TNR does not include any new vulnerable road segments, as the RSD has not completed any new studies since the 2005 study. This may result in under-reporting the magnitude of vulnerable road segments.

Prioritization methodologies. Chapter 2 of the TNR describes prioritization methodologies for most of the categories of RSD's capital projects.[80] In the event of competition for scarce resources, RSD looks to its Line of Business Plan during the budget development process for prioritization guidance. However, some of the methodologies described in the TNR are incomplete and/or could not be replicated using information provided in the narrative:

- The 2016 TNR does not include the scoring methodology for capacity projects or the algorithm for non-signal intersection improvements that had been included in the 2012 TNR.
- The prioritization process for roadside barriers is described in general terms, but in the absence of weighting factors, etc. could not be replicated.
- The road maintenance facilities section describes prioritization considerations but does not include links to the prioritization documents developed for the facilities condition assessment.

Baseline data. The list of project needs in the TNR provides the basis upon which the Executive estimates any revenue shortfalls. Several project categories have been or are in the process of being updated, including High Accident Location and Road Segment Analysis (2015), Street Lighting (2014), Signal Warrant Priority Array (2014), and Drainage (in process). However, while the list of nonmotorized projects has been revised in 2007, 2012 and 2016, the baseline data pre-dates 2007. Similarly, the Intelligent Transportation Systems Corridor projects date back to a 2005 strategic plan. Updated baseline data for these two areas may provide a more accurate list of project needs in the TNR.

ATTACHMENTS

1. Proposed Ordinance 2016-0155
2. 2016 KCCP Schedule
3. Frequently Used Acronyms
4. Scoping Motion (Motion 14351)
5. Potential additions to K.C.C. 21A.37, inadvertently omitted from the transmitted version of PO 2016-0155
6. Comprehensive Plan Comments, updated April 2, 2016

[80] e.g. drainage, bridges, vulnerable road segments, among others

LINKS

All components of the proposed 2016 KCCP can be found at:

http://www.kingcounty.gov/council/2016compplan/transmittal.aspx

These components include:

- 2016 KCCP
- Land Use and Zoning Changes
- Appendix A: Capital Facilities
- Appendix B: Housing
- Appendix C: Transportation
- Appendix C1: Transportation Needs Report
- Appendix C2: Regional Trails Needs Report
- Appendix D: Growth Targets and the Urban Growth Area
- Appendix R: Public Outreach for Development of KCCP
- Attachment: Skyway-West Hill Action Plan
- Attachment: Area Zoning Studies
- Attachment: Development Code Studies
- Attachment: Policy Amendment Analysis Matrix
- Attachment: Public Participation Report

INVITED

- Ivan Miller, KCCP Manager, Performance, Strategy and Budget

KING COUNTY

Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

March 11, 2016

Ordinance

Proposed No. 2016-0155.1 **Sponsors** Dembowski

AN ORDINANCE relating to comprehensive planning and permitting; amending Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020, Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030, and Ordinance 13147, Section 19, amended, and K.C.C. 20.18.030, Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030, Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060, Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070, Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080, Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020, Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110, adding new sections to K.C.C. chapter 21A.06, adding new sections to K.C.C. chapter 21A.42, decodifying K.C.C. 20.54.010 and repealing Ordinance 8421, Section 2, and

K.C.C. 14.56.010, Ordinance 3064, Section 2, and K.C.C. 20.54.020, Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030, Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040, Ordinance 3064, Section 5, and K.C.C. 20.54.050, Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060, Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070, Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080, Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090, Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100, Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110, Ordinance 3064, Section 12, and K.C.C. 20.54.120, Ordinance 3064, Section 13, and K.C.C. 20.54.130 and Ordinance 7889, Section 4, as amended, and K.C.C. 26.08.010

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:** For the purposes of effective land use planning and regulation, the King County council makes the following legislative findings:

A. King County adopted the King County Comprehensive Plan 2012 to meet the requirements of the Washington State Growth Management Act ("the GMA");

B. The 2012 King County Comprehensive Plan, adopted by King County Ordinance 17485, satisfied the GMA requirement for the county to update its comprehensive plan by June 30, 2015;

C. In 2013 and 2014, King County adopted narrow amendments to the King County Comprehensive Plan 2012;

D. The King County Code authorizes a review of the Comprehensive Plan and allows substantive amendments to the Comprehensive Plan once every four years. The King County Comprehensive Plan 2016 amendments are the fifth major review of the Comprehensive Plan;

E. The GMA requires that King County adopt development regulations to be consistent with and implement the Comprehensive Plan;

F. The changes to zoning contained in this ordinance are needed to maintain conformity with the King County Comprehensive Plan, as required by the GMA. As such, they bear a substantial relationship to, and are necessary for, the public health, safety and general welfare of King County and its residents; and

G. King County engages in a comprehensive review of its Comprehensive Plan and development regulations every four years. This ordinance constitutes the conclusion of the county's review process. The 2016 King County Comprehensive Plan and King County's development are intended to satisfy the requirements of the GMA.

SECTION 2. A. King County completed its fifth comprehensive four-cycle review of the Comprehensive Plan in 2016. As a result of the review, King County amended the King Comprehensive Plan 2012 through passage of the King County Comprehensive Plan 2016.

B. The amendments to the King County Comprehensive Plan 2012 contained in Attachments A, B, C, D, E, F, G, H, I and J to this ordinance are hereby adopted as amendments to the King County Comprehensive Plan 2012.

C. Attachments A and B to this ordinance amend policies, text and maps of the Comprehensive Plan and amend the Comprehensive Plan Land Use Zoning. The land use and zoning amendments contained in Attachments A and B to this ordinance are hereby adopted as the official land use and zoning controls for those portions of unincorporated King County defined in Attachments A and B to this ordinance.

D. Attachment C to this ordinance contains Technical Appendix A (Capital Facilities).

E. Attachment D to this ordinance contains Technical Appendix B (Housing).

F. Attachment E to this ordinance contains Technical Appendix C (Transportation).

G. Attachment F to this ordinance contains Technical Appendix C.1 (Transportation Needs Report).

H. Attachment G to this ordinance contains Technical Appendix C.2 (Regional Trails Needs Report).

I. Attachment H. to this ordinance contains Technical Appendix D (Growth Targets and Urban Growth Area).

J. Attachment I to this report contains Technical Appendix R (Summary of Public Outreach for Development of the 2016 KCCP Update.)

K. Attachment J to this ordinance contains the Skyway-West Hill Action Plan.

SECTION 3. Ordinance 8421, Section 2, and K.C.C. 14.56.010 are each hereby repealed.

SECTION 4. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are each hereby amended to read as follows:

There is established a ((~~non-motorized vehicle~~)) nonmotorized transportation program ((~~to meet the following goals and objectives:~~

~~A. To identify and document the needs of non-motorized transportation in King County, including bicyclists, equestrians, pedestrians, and special populations;~~

~~B. To determine ways that the existing county transportation network, including transit, can be made more responsive to the needs of non-motorized users~~)). The program shall consist of the nonmotorized policies in the King County Comprehensive Plan and the respective functional plans of the responsible county agencies, nonmotorized project needs contained in agency capital improvement programs and operational activities that:

A. Identify and document the nonmotorized transportation needs in the county for bicyclists, pedestrians, equestrians and special populations such as school children or people with limited mobility and wheelchair users;

B. Determine ways that nonmotorized transportation can be integrated into the current and future county transportation network and services, including transit;

C. ((~~To i~~))Inform and educate the public on issues relating to ((~~non-motorized~~)) nonmotorized transportation, including compliance with traffic laws; and

D. ((~~To institute the consideration of non-motorized transportation in all related county-funded~~)) Consider nonmotorized transportation safety and other needs in all related county programs, and ((~~to~~)) encourage the same consideration on an interlocal and regional basis((~~;~~

~~E. To improve non-motorized transport users and motorists compliance with traffic laws; and~~

~~F. To guide development of a county functional plan for non-motorized transportation, to implement the adopted policies established in the county comprehensive plan, the county transportation plan, and current programs within county government~~)).

SECTION 5. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are each hereby amended to read as follows:

The department of transportation shall ((~~carry out the following duties and responsibilities~~)):

A. Implement the ((~~non-motorized vehicle~~)) nonmotorized transportation program in coordination with other county departments;

B. Provide support to any ad hoc ((~~non-motorized~~)) nonmotorized transportation advisory committee; and

C. Work with ((~~governmental agencies~~)) other jurisdictions and nongovernmental organizations to identify, develop and promote programs that encourage the use of ((~~non-motorized~~)) nonmotorized modes of transportation.

SECTION 6. Ordinance 13147, Section 19, amended, and K.C.C. 20.18.030 are hereby amended to read as follows:

A. The King County Comprehensive Plan shall be amended in accordance with this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public participation program whereby amendments are considered by the council no more frequently than once a year as part of the amendment cycle established in this chapter, except that the council may consider amendments more frequently to address:

1. Emergencies;

2. An appeal of the plan filed with the Central Puget Sound Growth Management Hearings Board or with the court;

3. The initial adoption of a subarea plan, which may amend the urban growth area boundary only to redesignate land within a joint planning area;

4. An amendment of the capital facilities element of the Comprehensive Plan that occurs in conjunction with the adoption of the county budget under K.C.C. 4A.100.010; or

5. The adoption or amendment of a shoreline master program under chapter 90.58 RCW.

B. Every year the Comprehensive Plan may be amended to address technical updates and corrections, and to consider amendments that do not require substantive changes to policy language, changes to the priority areas map, or changes to the urban growth area boundary, except as permitted in subsection B.5, 10. and 12. of this section. This review may be referred to as the annual cycle. The Comprehensive Plan, including subarea plans, may be amended in the annual cycle only to consider the following:

1. Technical amendments to policy, text, maps or shoreline designations;

2. The annual capital improvement plan;

3. The transportation needs report;

4. School capital facility plans;

5. ((~~A mining site conversion demonstration project. The demonstration project shall evaluate and address:~~

~~a. potential options for the use of a reclaimed mine site, including the feasibility of residential use and/or long-term forestry on the demonstration project site;~~

~~b. the impacts to carbon sequestration as a result of reforestation, and for residential use, the impacts to carbon sequestration when implementing modified standards for lot clustering or transfer of development rights;~~

~~c. the need for a site design that compatibly integrates any proposed residential development on the demonstration project site with uses occurring on the adjacent rural or forest production district lands, especially if the proposed residential development utilizes modified standards for lot clustering and/or transfer of development rights;~~

~~d. the levels and standards for reclamation of mining sites that are appropriate to their use either for long-term forestry and/or for residential development; and~~

~~e. the need to ensure that the demonstration project provides an overall public benefit by providing permanent protection, as designated park or open space, of lands in the vicinity of the demonstration project site that form the headwaters of critical, high-valued habitat areas; or that remove the development potential from nonconforming legal parcels in the forest production district; or that provide linkages with other forest production district lands;~~

~~6.~~)) Changes required by existing Comprehensive Plan policies;

((~~7.~~)) 6. Changes to the technical appendices and any amendments required thereby;

((~~8.~~)) 7. Comprehensive updates of subarea plans initiated by motion;

((~~9.~~)) 8. Changes required by amendments to the countywide planning policies or state law;

((~~10.~~)) 9. Redesignation proposals under the four-to-one program as provided for in this chapter;

((~~11.~~)) 10. Amendments necessary for the conservation of threatened and endangered species; ((~~and~~))

((~~12.~~)) 11. Site-specific ((~~comprehensive~~)) land use map amendments that do not require substantive change to comprehensive plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors ;

12. Amendments resulting from subarea studies required by comprehensive plan policy that do not require substantive change to comprehensive plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors; and

13. Changes required to implement-a study regarding the provision of wastewater services to a Rural Town. Such amendments shall be limited to policy amendments and adjustment to the boundaries of the Rural Town as needed to implement the preferred option identified in the study.

C. Every fourth year beginning in 2000, the county shall complete a comprehensive review of the Comprehensive Plan in order to update it as appropriate and to ensure continued compliance with the GMA. This review may provide for a cumulative analysis of the twenty-year plan based upon official population growth forecasts, benchmarks and other relevant data in order to consider substantive changes to policy language and changes to the urban growth area ("UGA"). This comprehensive review shall begin one year in advance of the transmittal and may be referred to as the four-year cycle. The urban growth area boundaries shall be reviewed in the context of the four-year cycle and in accordance with countywide planning policy ((~~FW~~))G-1 and RCW 36.70A.130. If the county determines that the purposes of the Comprehensive Plan are not being achieved as evidenced by official population growth forecasts, benchmarks,

trends and other relevant data, substantive changes to the Comprehensive Plan may also be considered on even calendar years. This determination shall be authorized by motion. The motion shall specify the scope of the even-year amendment, and identify that the resources necessary to accomplish the work are available. An analysis of the motion's fiscal impact shall be provided to the council before to adoption. The executive shall determine if additional funds are necessary to complete the even-year amendment, and may transmit an ordinance requesting the appropriation of supplemental funds.

D. The executive shall seek public comment on the comprehensive plan and any proposed comprehensive plan amendments in accordance with the procedures in K.C.C. 20.18.160 before making a recommendation, in addition to conducting the public review and comment procedures required by SEPA. The public shall be afforded at least one official opportunity to record public comment before to the transmittal of a recommendation by the executive to the council. County-sponsored councils and commissions may submit written position statements that shall be considered by the executive before transmittal and by the council before adoption, if they are received in a timely manner. The executive's recommendations for changes to policies, text and maps shall include the elements listed in Comprehensive Plan policy RP-307 and analysis of their financial costs and public benefits, any of which may be included in environmental review documents. Proposed amendments to the Comprehensive Plan shall be accompanied by any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

SECTION 7. K.C.C. 20.54.010 is each hereby decodified.

SECTION 8. Ordinance 3064, Section 2, and K.C.C. 20.54.020 are each hereby repealed.

SECTION 9. Ordinance 3064, Section 3, as amended, and K.C.C. 20.54.030 are each hereby repealed.

SECTION 10. Ordinance 3064, Section 4, as amended, and K.C.C. 20.54.040 are each hereby repealed.

SECTION 11. Ordinance 3064, Section 5, and K.C.C. 20.54.050 are each hereby repealed.

SECTION 12. Ordinance 3064, Section 6, as amended, and K.C.C. 20.54.060 are each hereby repealed.

SECTION 13. Ordinance 3064, Section 7, as amended, and K.C.C. 20.54.070 are each hereby repealed.

SECTION 14. Ordinance 3064, Section 8, as amended, and K.C.C. 20.54.080 are each hereby repealed.

SECTION 15. Ordinance 3064, Section 9, as amended, and K.C.C. 20.54.090 are each hereby repealed.

SECTION 16. Ordinance 3064, Section 10, as amended, and K.C.C. 20.54.100 are each hereby repealed.

SECTION 17. Ordinance 3064, Section 11, as amended, and K.C.C. 20.54.110 are each hereby repealed.

SECTION 18. Ordinance 3064, Section 12, and K.C.C. 20.54.120 are each hereby repealed.

SECTION 19. Ordinance 3064, Section 13, and K.C.C. 20.54.130 are each hereby repealed.

NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agriculture: the use of land for commercial purposes for either the raising of crops or livestock or the production of agricultural products, or both.

NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural activities: those agricultural uses and practices that pertain directly to the commercial production of agricultural products, including, but not limited to:

A. Tilling, discing, planting, seeding, fertilization, composting and other soil amendments and harvesting;

B. Grazing, animal mortality management and on-site animal waste storage, disposal and processing;

C. Soil conservation practices including dust control, rotating and changing agricultural crops and allowing agricultural lands to lie fallow under local, state or federal conservation programs;

D. Maintenance of farm and stock ponds, agricultural drainage, irrigation systems canals and flood control facilities;

E. Normal maintenance, operation and repair of existing serviceable equipment, structures, facilities or improved areas, including, but not limited to, fencing, farm access roads and parking; and

F. Processing, promotion, sale, storage, packaging and distribution.

NEW SECTION. SECTION 22. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural products: products that include, but are not limited to:

A. Horticultural, viticultural, floricultural and apiary products;

B. Livestock and livestock products;

C. Animal products including, but not limited to, upland finfish, dairy products, meat, poultry and eggs;

D. Feed or forage for livestock;

E. Christmas trees, hybrid cottonwood and similar hardwood trees grown as crops and harvested within fifteen years of planting; and

F. Turf, sod, seed and related products.

NEW SECTION. SECTION 23. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Agricultural support services: any activity that is directly related to agriculture and directly dependent upon agriculture for its existence but is undertaken on lands that are not predominately in agricultural use.

NEW SECTION. SECTION 24. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Farm: the land, buildings equipment and infrastructure used in the raising and production of agricultural products for commercial sales.

NEW SECTION. SECTION 25. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Farm residence: a single detached dwelling unit that serves as the primary residence for a farm.

SECTION 26. Ordinance 10870, Section 330, as amended, and K.C.C. 21A.08.030 are each hereby amended to read as follows:

A. Residential land uses.

KEY			RESOURCE			R U R A L	RESIDENTIAL			COMMERCIAL/INDUSTRIAL				
P-Permitted Use **C**-Conditional Use **S**-Special Use		ZONE	AGRICULTURE	FOREST	MINERAL	RURAL AREA	* URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD BUSINESS	COMMUNITY BUSINESS	REGIONAL BUSINESS	OFFICE	INDUSTRIAL
SIC #	**SPECIFIC LAND USE**	**A**		**F**	**M**	**RA**	**UR**	**R1-8**	**R12-48**	**NB**	**CB**	**RB**	**O**	**I**
	DWELLING UNITS, TYPES:													
*	Single Detached	P C12		P2		P C12	P C12	P C12	P C12	P15				
*	Townhouse					C4	C4	P11 C12	P	P3	P3	P3	P3	
*	Apartment					C4	C4	P5 C5	P	P3	P3	P3	P3	
*	Mobile Home Park					S13		C8	P					

*	Cottage Housing						P15						
	GROUP RESIDENCES:												
*	Community Residential Facility-I				C	C	P14.a C	P	P3	P3	P3	P3	
*	Community Residential Facility-II						P14.b	P	P3	P3	P3	P3	
*	Dormitory				C6	C6	C6	P					
*	Senior Citizen Assisted Housing					P4	P4	P	P3	P3	P3	P3	
	ACCESSORY USES:												
*	Residential Accessory Uses	P7 ((~~P17~~))	P7		P7	P7	P7	P7	P7	P7	P7	P7	
*	Home Occupation	((~~P18~~)) P17	((~~P18~~)) P17		((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	
*	Home Industry	C			C	C	C						
	TEMPORARY LODGING:												
7011	Hotel/Motel (1)									P	P	P	
*	Bed and Breakfast Guesthouse	P9			P9	P9	P9	P9	P9	P10	P10		
7041	Organization Hotel/Lodging Houses										P		
GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1. Except bed and breakfast guesthouses.

2. In the forest production district, the following conditions apply:

a. Site disturbance associated with development of any new residence shall be limited to three acres. Site disturbance shall mean all land alterations including, but not limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage disposal systems and driveways. Additional site disturbance for agriculture, including

raising livestock, up to the smaller of thirty-five percent of the lot or seven aces, may be approved only if a farm management plan is prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on the area devoted to animal care and not the total area of the lot;

b. A forest management plan shall be required for any new residence in the forest production district, that shall be reviewed and approved by the King County department of natural resources and parks before building permit issuance; and

c. The forest management plan shall incorporate a fire protection element that includes fire safety best management practices developed by the department.

3. Only as part of a mixed use development subject to the conditions of K.C.C. chapter 21A.14, except that in the NB zone on properties with a land use designation of commercial outside of center (CO) in the urban areas, stand-alone townhouse developments are permitted subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060 and 21A.14.180.

4. Only in a building listed on the National Register as an historic site or designated as a King County landmark subject to K.C.C. 21A.32.

5.a. In the R-1 zone, apartment units are permitted, if:

(1) At least fifty percent of the site is constrained by unbuildable critical areas. For purposes of this subsection B.5.a.(1), unbuildable critical areas includes wetlands, aquatic areas and slopes forty percent or steeper and associated buffers; and

(2) The density does not exceed a density of eighteen units per acre of net buildable area.

b. In the R-4 through R-8 zones, apartment units are permitted if the density does not exceed a density of eighteen units per acre of net buildable area.

c. If the proposal will exceed base density for the zone in which it is proposed, a conditional use permit is required.

6. Only as accessory to a school, college, university or church.

7.a. Accessory dwelling units:

(1) Only one accessory dwelling per primary single detached dwelling unit;

(2) Only in the same building as the primary dwelling unit on:

(a) an urban lot that is less than five thousand square feet in area;

(b) except as otherwise provided in subsection B.7.a.(5) of this section, a rural lot that is less than the minimum lot size; or

(c) a lot containing more than one primary dwelling;

(3) The primary dwelling unit or the accessory dwelling unit shall be owner occupied;

(4)(a) Except as otherwise provided in subsection B.7.a.(5) of this section, one of the dwelling units shall not exceed one thousand square feet of heated floor area except when one of the dwelling units is wholly contained within a basement or attic; and

(b) When the primary and accessory dwelling units are located in the same building, or in multiple buildings connected by a breezeway or other structure, only one entrance may be located on each street;

(5) On a site zoned RA:

(a) If one transferable development right is purchased from the rural area under K.C.C. chapter 21A.37, the smaller of the dwelling units is permitted a maximum floor area up to one thousand five hundred square feet; and

(b) If one transferable development right is purchased from the rural area under K.C.C. chapter 21A.37, a detached accessory dwelling unit is allowed on an RA-5 zoned lot that is at least two and one-half acres and less than three and three-quarters acres;

(6) One additional off-street parking space shall be provided;

(7) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied; and

(8) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the department of executive services, records and licensing services division, that identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, neither the original lot nor the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone; and

(9) Accessory dwelling units and accessory living quarters are not allowed in the F zone.

b. One single or twin engine, noncommercial aircraft shall be permitted only on lots that abut, or have a legal access that is not a county right-of-way, to a waterbody or landing field, but only if there are:

(1) no aircraft sales, service, repair, charter or rental; and

(2) no storage of aviation fuel except that contained in the tank or tanks of the aircraft.

c. Buildings for residential accessory uses in the RA and A zone shall not exceed five thousand square feet of gross floor area, except for buildings related to agriculture or forestry.

8. Mobile home parks shall not be permitted in the R-1 zones.

9. Only as accessory to the permanent residence of the operator, and:

a. Serving meals shall be limited to paying guests; and

b. The number of persons accommodated per night shall not exceed five, except that a structure that satisfies the standards of the International Building Code as adopted by King County for R-1 occupancies may accommodate up to ten persons per night.

10. Only if part of a mixed use development, and subject to the conditions of subsection B.9. of this section.

11. Townhouses are permitted, but shall be subject to a conditional use permit if exceeding base density.

12. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for

multiple unit lots, and except as provided for accessory dwelling units in subsection B.7. of this section.

13. No new mobile home parks are allowed in a rural zone.

14.a. Limited to domestic violence shelter facilities.

b. Limited to domestic violence shelter facilities with no more than eighteen residents or staff.

15. Only in the R4-R8 zones limited to:

a. developments no larger than one acre;

b. not adjacent to another cottage housing development such that the total combined land area of the cottage housing developments exceeds one acre;

c. All units must be cottage housing units with no less than three units and no more than sixteen units, provided that if the site contains an existing home that is not being demolished, the existing house is not required to comply with the height limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C. 21A.14.025.B.; and

d. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

15. The development for a detached single-family residence shall be consistent with the following:

a. The lot must have legally existed before March 1, 2005;

b. The lot has a Comprehensive Plan land use designation of Rural Neighborhood Commercial Center or Rural Area; and

c. The standards of this title for the RA-5 zone shall apply.

17. ((~~Housing for agricultural employees who are employed by the owner or operator of the site year-round as follows:~~

~~a. Not more than:~~

~~(1) One agricultural employee dwelling unit on a site under twenty acres;~~

~~(2) Two agricultural employee dwelling units on a site between twenty acres and fifty acres;~~

~~(3) Three agricultural employee dwelling units on a site greater than fifty acres and less than one-hundred acres; and~~

~~(4) On sites one-hundred acres and larger one additional agricultural employee dwelling unit for each additional one hundred acres;~~

~~b. The primary use of the site shall be agricultural in SIC Industry Group No. 01-Growing and Harvesting Crops or SIC Industry Group No. 02-Raising Livestock and Small Animals. If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;~~

~~c. The applicant shall file with the department of executive services, records and licensing services division, a notice approved by the department that identifies the agricultural employee dwelling units as accessory and that the dwelling units shall only be occupied by agricultural employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and licensing services division, before the department approves any permit for the construction of agricultural employee dwelling units;~~

~~d. An agricultural employee dwelling unit shall not exceed a floor area of one thousand square feet and may be occupied by no more than eight unrelated agricultural employees;~~

~~e. One off-street parking space shall be provided for each agricultural employee dwelling unit; and~~

~~f. The agricultural employee dwelling units shall be constructed in compliance with K.C.C. Title 16.~~

~~18.~~)) Allowed if consistent with K.C.C. chapter 21A.30.

SECTION 27. Ordinance 10870, Section 332, as amended, and K.C.C. 21A.08.050 are each hereby amended to read as follows:

A. General services land uses.

KEY			RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
P-Permitted Use **C**-Conditional Use **S**-Special Use		ZONE	AGRICULTURE	FOREST	MINERAL	RURAL AREA	URBAN	URBAN RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	**SPECIFIC LAND USE**		**A**	**F**	**M**	**RA**	**UR**		**R1-8**	**R12-48**	**NB**		**CB**		**RB**		**O**	**I**
	PERSONAL SERVICES:																	
72	General Personal Service								C25 ((~~C37~~))	C25 ((~~C37~~))	P		P		P		P3	P3

							C36	C36					
7216	Drycleaning Plants												P
7218	Industrial Launderers												P
7261	Funeral Home/Crematory					C4	C4	C4		P	P		
*	Cemetery, Columbarium or Mausoleum				P24 C5 and 31	P24 C5	P24 C5	P24 C5	P24	P24	P24 C5	P24	
*	Day Care I	P6			P6	P6	P6	P	P	P	P	P7	P7
*	Day Care II				P8 C	P8 C	P8 C	P8 C	P	P	P	P7	P7
074	Veterinary Clinic	P9			P9 C10 and 31	P9 C10			P10	P10	P10		P
753	Automotive Repair (1)								P11	P	P		P
754	Automotive Service								P11	P	P		P
76	Miscellaneous Repair	((~~P33~~))			P32 ((~~P33~~))	P32	P32	P32	P32	P	P		P
866	Church, Synagogue, Temple				P12 C27 and 31	P12 C	P12 C	P12 C	P	P	P	P	
83	Social Services (2)				P12 P13 C31	P12 P13 C	P12 P13 C	P12 P13 C	P	P	P	P	
0752	Animal specialty services				C P34 P35 ((~~P36~~))	C			P	P	P	P	P
*	Stable	P14 C			P14 C31	P14 C	P 14 C						
*	Commercial Kennel or Commercial Cattery	P42			C43	C43				C43	P43		
*	Theatrical Production Services									P30	P28		
*	Artist Studios				P28	P28	P28	P28	P	P	P	P29	P
*	Interim Recycling				P21	P21	P21	P21	P2	P22	P	P21	P

	Facility								2				
*	Dog training facility	((~~C34~~)) C33			((~~C34~~)) C33	((~~C34~~)) C33			P	P	P		P
	HEALTH SERVICES:												
801-04	Office/Outpatient Clinic				P12 C 13a	P12 C13a	P12 C13a ((~~C37~~)) C36	P12 C13a ((~~C37~~)) C36	P	P	P	P	P
805	Nursing and Personal Care Facilities							C		P	P		
806	Hospital						C13a	C13a		P	P	C	
807	Medical/Dental Lab									P	P	P	P
808-09	Miscellaneous Health									P	P	P	
	EDUCATION SERVICES:												
*	Elementary School				P38 P39 ((~~P40~~))	P	P	P		P16 ((~~P40~~)) P39	P16 ((~~P40~~)) P39	P16 ((~~P40~~)) P39	
*	Middle/Junior High School				((~~P40 C39~~)) P39 C38 and 31	P	P	P		P16 ((~~C40~~)) C39	P16 ((~~C40~~)) C39	P16 ((~~C40~~)) C39	
*	Secondary or High School				((~~C39~~)) C38 and 31 ((~~C41~~)) C40 and 31	P26	P26	P26		P16 C15	P16 C15	P16	
*	Vocational School					P13a C	P13a C	P13a C			P15	P17	P
*	Specialized Instruction School		P18		P19 C20 and 31	P19 C20	P19 C20	P19 C20	P	P	P	P17	((~~P 38~~)) P 37
*	School District Support					P23 C	P23 C	P23 C	C1	P15	P15	P15	P

	Facility								5				15
GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific Land Use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1. Except SIC Industry No. 7534-Tire Retreading, see manufacturing permitted use table.

2. Except SIC Industry Group Nos.:

a. 835-Day Care Services, and

b. Community residential facilities.

3. Limited to SIC Industry Group and Industry Nos.:

a. 723-Beauty Shops;

b. 724-Barber Shops;

c. 725-Shoe Repair Shops and Shoeshine Parlors;

d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and

e. 217-Carpet and Upholstery Cleaning.

4. Only as accessory to a cemetery, and prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.

5. Structures shall maintain a minimum distance of one hundred feet from property lines adjoining rural area and residential zones.

6. Only as accessory to residential use, and:

a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and

b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones.

7. Permitted as an accessory use. See commercial/industrial accessory, K.C.C. 21A.08.060.A.

8. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:

a. Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates and have a minimum height of six feet;

b. Outdoor play equipment shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones;

c. Direct access to a developed arterial street shall be required in any residential zone; and

d. Hours of operation may be restricted to assure compatibility with surrounding development.

9. As a home occupation only, but the square footage limitations in K.C.C. chapter 21A.30 for home occupations apply only to the office space for the veterinary clinic, and:

a. Boarding or overnight stay of animals is allowed only on sites of five acres or more;

b. No burning of refuse or dead animals is allowed;

c. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be

surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

10.a. No burning of refuse or dead animals is allowed;

b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with concrete or other impervious material; and

c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

11. The repair work or service shall only be performed in an enclosed building, and no outdoor storage of materials. SIC Industry No. 7532-Top, Body, and Upholstery Repair Shops and Paint Shops is not allowed.

12. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

13.a. Except as otherwise provided in subsection B.13.b. of this ((~~sub~~))section, only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

b. Allowed for a social service agency on a site in the NB zone that serves transitional or low-income housing located within three hundred feet of the site on which the social service agency is located.

c. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not exceed twenty thousand square feet, but stabling areas, whether attached or detached, shall not be counted in this calculation.

15. If located outside of the urban growth area, limited to projects that are of a size and scale designed to primarily serve the rural area and shall be located within a rural town.

16. If located outside of the urban growth area, shall be designed to primarily serve the rural area and shall be located within a rural town. In CB, RB and O, for K-12 schools with no more than one hundred students.

17. All instruction must be within an enclosed structure.

18. Limited to resource management education programs.

19. Only as accessory to residential use, and:

a. Students shall be limited to twelve per one-hour session;

b. Except as provided in ((~~subsection~~)) B.19.c. of this ((~~sub~~))section, all instruction must be within an enclosed structure;

c. Outdoor instruction may be allowed on properties at least two and one-half acres in size. Any outdoor activity must comply with the requirements for setbacks in K.C.C. chapter 21A.12; and

d. Structures used for the school shall maintain a distance of twenty-five feet from property lines adjoining rural area and residential zones.

20. Subject to the following:

a. Structures used for the school and accessory uses shall maintain a minimum distance of twenty-five feet from property lines adjoining residential zones;

b. On lots over two and one-half acres:

(1) Retail sale of items related to the instructional courses is permitted, if total floor area for retail sales is limited to two thousand square feet;

(2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health approval, if total floor area for food sales is limited to one thousand square feet and is located in the same structure as the school; and

(3) Other incidental student-supporting uses are allowed, if such uses are found to be both compatible with and incidental to the principal use; and

c. On sites over ten acres, located in a designated Rural Town and zoned any one or more of UR, R-1 and R-4:

(1) Retail sale of items related to the instructional courses is permitted, provided total floor area for retail sales is limited to two thousand square feet;

(2) Sale of food prepared in the instructional courses is permitted with Seattle-King County department of public health approval, if total floor area for food sales is limited to one thousand seven hundred fifty square feet and is located in the same structure as the school;

(3) Other incidental student-supporting uses are allowed, if the uses are found to be functionally related, subordinate, compatible with and incidental to the principal use;

(4) The use shall be integrated with allowable agricultural uses on the site;

(5) Advertised special events shall comply with the temporary use requirements of this chapter; and

(6) Existing structures that are damaged or destroyed by fire or natural event, if damaged by more than fifty percent of their prior value, may reconstruct and expand an additional sixty-five percent of the original floor area but need not be approved as a conditional use if their use otherwise complies with the development condition in subsection B.20.c. of this section and this title.

21. Limited to:

a. drop box facilities accessory to a public or community use such as a school, fire station or community center; or

b. in the RA zone, a facility accessory to a retail nursery, garden center and farm supply store that accepts earth materials, vegetation, organic waste, construction and demolition materials or source separated organic materials, if:

(1) the site is five acres or greater;

(2) all material is deposited into covered containers or onto covered impervious areas;

(3) the facility and any driveways or other access to the facility maintain a setback of at least twenty five feet from adjacent properties;

(4) the total area of the containers and covered impervious area is ten thousand square feet or less;

(5) ten feet of type II landscaping is provided between the facility and adjacent properties;

(6) no processing of the material is conducted on site; and

(7) access to the facility is not from a local access street.

22. With the exception of drop box facilities for the collection and temporary storage of recyclable materials, all processing and storage of material shall be within enclosed buildings. Yard waste processing is not permitted.

23. Only if adjacent to an existing or proposed school.

24. Limited to columbariums accessory to a church, but required landscaping and parking shall not be reduced.

25. Not permitted in R-1 and limited to a maximum of five thousand square feet per establishment and subject to the additional requirements in K.C.C. 21A.12.230.

26.a. New high schools permitted in the rural and the urban residential and urban reserve zones shall be subject to the review process in K.C.C. 21A.42.140.

b. Renovation, expansion, modernization, or reconstruction of a school, or the addition of relocatable facilities, is permitted.

27. Limited to projects that do not require or result in an expansion of sewer service outside the urban growth area. In addition, such use shall not be permitted in the RA-20 zone.

28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32 or as a joint use of an existing public school facility.

29. All studio use must be within an enclosed structure.

30. Adult use facilities shall be prohibited within six hundred sixty feet of any rural area and residential zones, any other adult use facility, school, licensed daycare centers, parks, community centers, public libraries or churches that conduct religious or educational classes for minors.

31. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone.

32. Limited to repair of sports and recreation equipment:

a. as accessory to a recreation or multiuse park in the urban growth area; or

b. as accessory to a park and limited to a total floor area of seven hundred fifty square feet.

33. ((~~Accessory to agricultural or forestry uses provided:~~

~~a. the repair of tools and machinery is limited to those necessary for the operation of a farm or forest.~~

~~b. the lot is at least five acres.~~

~~c. the size of the total repair use is limited to one percent of the lot size up to a maximum of five thousand square feet unless located in a farm structure, including but not limited to barns, existing as of December 31, 2003.~~

~~34.~~)) Subject to the following:

a. the lot is at least five acres;

b. in the A zones, area used for dog training shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production or areas without prime agricultural soils;

c. structures and areas used for dog training shall maintain a minimum distance of seventy-five feet from property lines; and

d. all training activities shall be conducted within fenced areas or in indoor facilities. Fences must be sufficient to contain the dogs.

((~~35.~~)) 34. Limited to animal rescue shelters and provided that:

a. the property shall be at least four acres;

b. buildings used to house rescued animals shall be no less than fifty feet from property lines;

c. outdoor animal enclosure areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the animals;

d. the facility shall be operated by a nonprofit organization registered under the Internal Revenue Code as a 501(c)(3) organization; and

e. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.

((~~36.~~)) 35. Limited to kennel-free dog boarding and daycare facilities, and:

a. the property shall be at least four and one-half acres;

b. buildings housing dogs shall be no less than seventy-five feet from property lines;

c. outdoor exercise areas shall be located no less than thirty feet from property lines and shall be fenced in a manner sufficient to contain the dogs;

d. the number of dogs allowed on the property at any one time shall be limited to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

e. training and grooming are ancillary services that may be provided only to dogs staying at the facility; and

f. the facility shall maintain normal hours of operation no earlier than 7 a.m. and no later than 7 p.m.

((~~37.~~)) 36. Not permitted in R-1 and subject to the additional requirements in K.C.C. 21A.12.250.

((~~38.~~)) 37. Driver training is limited to driver training schools licensed under chapter 46.82 RCW.

((~~39.~~)) 38. A school may be located outside of the urban growth area only if allowed under King County Comprehensive Plan policies.

((~~40.~~)) 39. Only as a reuse of an existing public school.

((~~41.~~)) 40. A high school may be allowed as a reuse of an existing public school if allowed under King County Comprehensive Plan policies.

((~~42.~~)) 41. Commercial kennels and commercial catteries in the A zone are subject to the following:

a. Only as a home occupation, but the square footage limitations in K.C.C. chapter 21A.30.085 for home occupations apply only to the office space for the commercial kennel or commercial cattery; and

b. Subject to K.C.C. 21A.30.020, except:

(1) A building or structure used for housing dogs or cats and any outdoor runs shall be set back one hundred and fifty feet from property lines;

(2) The portion of the building or structure in which the dogs or cats are kept shall be soundproofed;

(3) Impervious surface for the kennel or cattery shall not exceed twelve thousand square feet; and

(4) Obedience training classes are not allowed except as provided in subsection ((~~B.34.~~)) B.33. of this section.

((~~43.~~)) 42. Commercial kennels and commercial catteries are subject to K.C.C. 21A.30.020.

SECTION 28. Ordinance 10870, Section 333, as amended, and K.C.C. 21A.08.060 are each hereby amended to read as follows:

A Government/business services land uses.

KEY			RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL					
P-Permitted Use **C**-Conditional Use **S**-Special Use		ZONE	AGRICULTURE	FOREST	MINERAL	RURAL AREA	URBAN RESERVE		URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC#	**SPECIFIC LAND USE**		**A**	**F**	**M**	**RA**	**UR**		**R1-8**	**R12-48**	**NB**	**CB**			**RB**		**O**	**I (((~~30~~)) 29)**
	GOVERNMENT SERVICES:																	
*	Public agency or utility office					P3 C5	P3 C5		P3 C	P3 C	P	P			P		P	((~~P16~~)) P15
*	Public agency or utility yard					((~~P27~~)) P26	((~~P27~~)) P26		((~~P27~~)) P26	((~~P27~~)) P26					P			P
*	Public agency archives														P		P	P
921	Court											P4			P		P	
9221	Police Facility					P7	P7		P7	P7	P7	P			P		P	P

9224	Fire Facility				C6 ((~~and 33~~))	C6	C6	C6	P	P	P	P	P
*	Utility Facility	((~~P29 C28~~)) P28 C27	((~~P29 C28~~)) P28 C27	((~~P29 C28~~)) P28 C27	((~~P29 C28 and 33~~)) P28 C27	((~~P29 C28~~)) P28 C27	((~~P29 C28~~)) P28 C27	((~~P29 C28~~)) P28 C27	P	P	P	P	P
*	Commuter Parking Lot				C ((~~33 P19~~)) P19	C ((~~P19~~)) P18	C ((~~P19~~)) P18	C ((~~19~~)) 18	P	P	P	P	((~~P35~~)) P33
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P18~~)) P17	((~~P31~~)) P30	((~~P31~~)) P30	((~~P31~~)) P30	((~~P31~~)) P30	P
	BUSINESS SERVICES:												
*	Construction and Trade				((~~P34~~)) P32						P	P9	P
*	Individual Transportation and Taxi									((~~P25~~)) P24	P	P10	P
421	Trucking and Courier Service									P11	P12	P13	P
*	Warehousing, (1) and Wholesale Trade												P
*	Self-service Storage							P14	((~~P37~~)) P34	P	P	P	P
4221 4222	Farm Product Warehousing, Refrigeration and Storage	((~~P15 C36~~))			((~~P15 and 33 C36~~))	((~~P15 C36~~))							P

*	Log Storage	P((~~1 5~~)) 25	P		P26 and 33								P
47	Transportation Service												P
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service									P	P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communications									P	P	P	P
*	General Business Service								P	P	P	P	((~~P16~~)) P15
*	Professional Office								P	P	P	P	((~~P16~~)) P15
7312	Outdoor Advertising Service										P	((~~P17~~)) P16	P
735	Miscellaneous Equipment Rental									((~~P17~~)) P16	P	((~~P17~~)) P16	P
751	Automotive Rental and Leasing									P	P		P
752	Automotive Parking								((~~P20~~)) P19a	((~~P20~~)) P19b	((~~P2 1~~)) P20	((~~P20~~)) P19a	P
*	Off-Street Required Parking Lot				((~~P3 2~~)) P31	((~~P32~~)) P31	((~~P3 2~~)) P31	((~~P3 2~~)) P31	((~~P32~~)) P31	((~~P32~~)) P31	((~~P3 2~~)) P31	P32)) P31	((~~P32~~)) P31
7941	Professional Sport Teams/Promoters										P	P	
873	Research, Development and Testing										P2	P2	P2
*	Heavy Equipment and Truck Repair												P
	ACCESSORY USES:												
*	Commercial/Industrial Accessory Uses			P	((~~P2 2~~))				((~~P22~~)) P21	((~~P22~~)) P21	P	P	P

					P21								
*	Helistop					((~~C23~~)) C22	((~~C23~~)) C22	((~~C23~~)) C22	((~~C23~~)) C22	((~~C23~~)) C23	((~~C24~~)) C23	((~~C23~~)) C22	((~~C24~~)) C23
GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*) Definition of this specific land use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1. Except self-service storage.

2. Except SIC Industry No. 8732-Commercial Economic, Sociological, and Educational Research, see general business service/office.

3.a. Only as a reuse of a public school facility or a surplus nonresidential facility subject to K.C.C. chapter 21A.32; or

b. only when accessory to a fire facility and the office is no greater than one thousand five hundred square feet of floor area.

4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

5. New utility office locations only if there is no commercial/industrial zoning in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that no feasible alternative location is possible, and provided further that this condition applies to the UR zone only if the property is located within a designated unincorporated Rural Town.

6.a. All buildings and structures shall maintain a minimum distance of twenty feet from property lines adjoining rural area and residential zones;

b. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of thirty-five feet from such street;

c. No outdoor storage; and

d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no feasible alternative location is possible.

7. Limited to storefront police offices. Such offices shall not have:

a. holding cells;

b. suspect interview rooms (except in the NB zone); or

c. long-term storage of stolen properties.

8. Private stormwater management facilities serving development proposals located on commercial/industrial zoned lands shall also be located on commercial/industrial lands, unless participating in an approved shared facility drainage plan. Such facilities serving development within an area designated urban in the King County Comprehensive Plan shall only be located in the urban area.

9. No outdoor storage of materials.

10. Limited to office uses.

11. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.

12. Limited to self-service household moving truck or trailer rental accessory to a gasoline service station and SIC Industry No. 4215-Courier Services, except by air.

13. Limited to SIC Industry No. 4215-Courier Services, except by air.

14. Accessory to an apartment development of at least twelve units provided:

a. The gross floor area in self service storage shall not exceed the total gross floor area of the apartment dwellings on the site;

b. All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

c. The use of the facility shall be limited to dead storage of household goods;

d. No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

e. No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

f. No residential occupancy of the storage units;

g. No business activity other than the rental of storage units; and

h. A resident director shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

i. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

15.((~~a. The floor area devoted to warehousing, refrigeration or storage shall not exceed two thousand square feet;~~

~~b. Structures and areas used for warehousing, refrigeration and storage shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones; and~~

~~c. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.~~

~~16.~~)) Only as an accessory use to another permitted use.

((~~17.~~)) 16. No outdoor storage.

((~~18.~~)) 17. Only as an accessory use to a public agency or utility yard, or to a transfer station.

((~~19.~~)) 18. Limited to new commuter parking lots designed for thirty or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses that have excess capacity available during commuting; provided that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the department of transportation;

((~~20.~~)) 19.a. No tow-in lots for damaged, abandoned or otherwise impounded vehicles((~~,~~)); and

b. Tow-in lots for damaged, abandoned or otherwise impounded vehicles shall be:

(1) permitted only on parcels located within Vashon Town Center;

(2) accessory to a gas or automotive service use; and

(3) limited to no more than ten vehicles.

((~~21.~~)) 20. No dismantling or salvage of damaged, abandoned or otherwise impounded vehicles.

((~~22.~~)) 21. Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.

((~~23.~~)) 22. Limited to emergency medical evacuation sites in conjunction with police, fire or health service facility. Helistops are prohibited from the UR zone only if the property is located within a designated unincorporated Rural Town.

((~~24.~~)) 23. Allowed as accessory to an allowed use.

((~~25.~~)) 24. Limited to private road ambulance services with no outside storage of vehicles.

((~~26.~~)) 25. Limited to two acres or less.

((~~27~~)) 26.a. Utility yards only on sites with utility district offices; or

b. Public agency yards are limited to material storage for road maintenance facilities.

((~~28.~~)) 27. Limited to bulk gas storage tanks that pipe to individual residences but excluding liquefied natural gas storage tanks.

((~~29.~~)) 28. Excluding bulk gas storage tanks.

((~~30.~~)) 29. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

((~~31.~~)) 30. Vactor waste treatment, storage and disposal shall be limited to liquid materials. Materials shall be disposed of directly into a sewer system, or shall be stored in tanks (or other covered structures), as well as enclosed buildings.

((~~32.~~)) 31. Subject to the following:

a. Off-street required parking for a land use located in the urban area must be located in the urban area;

b. Off-street required parking for a land use located in the rural area must be located in the rural area; and

c.(1) Except as provided in subsection ((~~B.32.c.(2)~~)) B.31.c.(2) of this subsection, off-street required parking must be located on a lot that would permit, either

outright or through a land use permit approval process, the land use the off-street parking will serve.

(2) For a social service agency allowed under K.C.C. 21A.08.050.B.13.b. to be located on a site in the NB zone, off-street required parking may be located on a site within three hundred feet of the social service agency, regardless of zoning classification of the site on which the parking is located.

((~~33. Subject to review and approval of conditions to comply with trail corridor provisions of K.C.C. chapter 21A.14 when located in an RA zone.~~

~~34.~~)) 32. Limited to landscape and horticultural services (SIC 078) that are accessory to a retail nursery, garden center and farm supply store. Construction equipment for the accessory use shall not be stored on the premises.

((~~35.~~)) 33. Allowed as a primary or accessory use to an allowed industrial-zoned land use.

((~~36. Accessory to agricultural uses provided:~~

~~a. In the RA zones and on lots less than thirty-five acres in the A zone, the floor area devoted to warehousing, refrigeration or storage shall not exceed three thousand five hundred square feet unless located in a building designated as historic resource under K.C.C. chapter 20.62;~~

~~b. On lots at least thirty-five acres in the A zones, the floor area devoted to warehousing, refrigeration or storage shall not exceed seven thousand square feet unless located in a building designated as historic resource under K.C.C. chapter 20.62.~~

~~c. In the A zones, structures and areas used for warehousing, refrigeration and storage shall be located on portions of agricultural lands that are unsuitable for other~~

~~agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils;~~

~~d. Structures and areas used for warehousing, refrigeration or storage shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones; and~~

~~e. Warehousing, refrigeration and storage is limited to agricultural products and sixty percent or more of the products must be grown or processed in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be included in the warehousing, refrigeration or storage.~~

~~37~~)) 34. Use shall be limited to the NB zone on parcels outside of the Urban Growth Area, Rural Towns and Rural Neighborhoods and the building floor area devoted to such use shall not exceed ten thousand square feet.

SECTION 29. Ordinance 10870, Section 334, as amended, and K.C.C. 21A.08.070 are each hereby amended to read as follows:

A. Retail land uses.

KEY		RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL							
P-Permitted Use **C**-Conditional Use **S**-Special Use	ZONE	AGRICU	FOREST	MINERA	RURAL	URBAN	RESERV	URBAN	RESIDE	NBEIGHB	BUSINE	CBOMMUN	BUSINE	RBGIONE	BUSINE	OFFICE	INDUST

		L T U R E		L	A R E A	E		N T I A L	O S R S H O O D	I S T S Y	A S L S		R I A L
SIC#	**SPECIFIC LAND USE**	**A**	**F**	**M**	**RA**	**UR**	**R1-8**	**R12-48**	**NB**	**CB**	**RB**	**O**	**I (30)**
*	Building Materials and Hardware Stores		((~~P23~~)) P20						P2	P	P		
*	Retail Nursery, Garden Center and Farm Supply Stores	P1 C1			P1 C1				P	P	P		
*	Forest Products Sales	P3 and 4	P4		P3 and 4						P		
*	Department and Variety Stores						((~~C14a~~)) C13a	((~~P14~~)) P13	P5	P	P		
54	Food Stores						((~~C15a~~)) C14a	((~~P15~~)) P14	P	P	P	C	P6
*	Agricultural Product Sales	((~~P7 C7~~))	P4		P3 ((~~P7 C7~~))	P3	P3	((~~P25~~)) P22	((~~P25~~)) P22	((~~P25~~)) P22	((~~P25~~)) P22	((~~P25~~)) P22	((~~P25~~)) P22
*	Farmers Market	((~~P24~~)) P21	((~~P24~~)) P21		((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21	((~~P24~~)) P21
*	Motor Vehicle and										((~~P8~~)) P7		P

	Boat Dealers												
553	Auto Supply Stores									((~~P9~~)) P8	((~~P9~~)) P8		P
554	Gasoline Service Stations								P	P	P		P
56	Apparel and Accessory Stores									P	P		
*	Furniture and Home Furnishings Stores									P	P		
58	Eating and Drinking Places				((~~P21 C19~~)) P18 C16		((~~P20 C16~~)) P17 C15	((~~P20 C16~~)) P17 C15	((~~P10~~)) P9	P	P	P	P
*	Drug Stores						((~~C15~~)) C14	((~~P15~~)) P14	P	P	P	C	
*	Recreational marijuana retailer									((~~P26 C27~~)) P23 C24	((~~P26 C27~~)) P23 C24		
592	Liquor Stores	((~~P13~~)) P12			((~~P13~~)) P12	((~~P13~~)) P12			((~~P13~~)) P12	P	P		
593	Used Goods: Antiques/ Secondhand Shops									P	P		
*	Sporting Goods and Related			((~~P22~~)) P19	((~~P22~~)) P19	((~~P22~~)) P19	((~~P22~~)) P19	((~~P22~~)) P19	((~~P22~~)) P19	P	P	((~~P22~~)) P19	((~~P22~~)) P19

	Stores												
*	Book, Stationery, Video and Art Supply Stores						((~~C15a~~)) C14a	((~~P15~~)) P14	P	P	P		
*	Jewelry Stores									P	P		
*	Monuments, Tombstones, and Gravestones										P		
*	Hobby, Toy, Game Shops								P	P	P		
*	Photographic and Electronic Shops								P	P	P		
*	Fabric Shops									P	P		
598	Fuel Dealers									((~~C11~~)) C10	P		P
*	Florist Shops						((~~C15a~~)) C14a	((~~P15~~)) P14	P	P	P	P	
*	Personal Medical Supply Stores									P	P		
*	Pet Shops								P	P	P		
*	Bulk Retail									P	P		
*	Auction Houses										((~~P12~~)) P11		P
*	Livestock Sales	((~~P17~~))	((~~P17~~))		((~~P17~~))	((~~P17~~))	((~~P17 and~~						P

							~~18~~))						
GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1.a. As a permitted use, covered sales areas shall not exceed a total area of two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three thousand five hundred square feet may be allowed. Greenhouses used for the display of merchandise other than plants shall be considered part of the covered sales area. Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not considered part of the covered sales area;

b. The site area shall be at least four and one-half acres;

c. Sales may include locally made arts and crafts; and

d. Outside lighting is permitted if no off-site glare is allowed.

2. Only hardware stores.

3.a. Limited to products grown on site.

b. Covered sales areas shall not exceed a total area of five hundred square feet.

4. No permanent structures or signs.

5. Limited to SIC Industry No. 5331-Variety Stores, and further limited to a maximum of two thousand square feet of gross floor area.

6. Limited to a maximum of five thousand square feet of gross floor area.

7.((~~a. As a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a historic resource under K.C.C.~~

~~chapter 20.62. As a conditional use, up to three thousand five hundred square feet of covered sales area may be allowed;~~

~~b. The site area shall be at least four and one-half acres;~~

~~c. Forty percent or more of the gross sales of agricultural product sold through the store must be sold by the producers of primary agricultural products;~~

~~d. Sixty percent or more of the gross sales of agricultural products sold through the store shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales;~~

~~e. Sales shall be limited to agricultural products and locally made arts and crafts;~~

~~f. Storage areas for agricultural products may be included in a farm store structure or in any accessory building; and~~

~~g. Outside lighting is permitted if no off-site glare is allowed.~~

~~8.~~)) Excluding retail sale of trucks exceeding one-ton capacity.

((~~9.~~)) 8. Only the sale of new or reconditioned automobile supplies is permitted.

((~~10.~~)) 9. Excluding SIC Industry No. 5813-Drinking Places.

((~~11.~~)) 10. No outside storage of fuel trucks and equipment.

((~~12.~~)) 11. Excluding vehicle and livestock auctions.

((~~13.~~)) 12. Only as accessory to a winery or SIC Industry No. 2082-Malt Beverages, and limited to sales of products produced on site and incidental items where the majority of sales are generated from products produced on site.

((~~14.~~)) 13.a. Not in R-1 and limited to SIC Industry No. 5331-Variety Stores, limited to a maximum of five thousand square feet of gross floor area, and subject to K.C.C. 21A.12.230; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

((~~15.~~)) 14.a. Not permitted in R-1 and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

((~~16.~~)) 15.a. Not permitted in R-1 and excluding SIC Industry No. 5813-Drinking Places, and limited to a maximum of five thousand square feet of gross floor area and subject to K.C.C. 21A.12.230, except as provided in subsection ((~~B.20.~~)) B.17. of this section; and

b. Before filing an application with the department, the applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

((~~17. Retail sale of livestock is permitted only as accessory to raising livestock.~~

~~18. Limited to the R-1 zone.~~

~~19.~~)) 16. Only as:

a. an accessory use to a permitted manufacturing or retail land use, limited to espresso stands to include sales of beverages and incidental food items, and not to include drive-through sales; or

b. an accessory use to a recreation or multiuse park, limited to a total floor area of three thousand five hundred square feet.

((~~20.~~)) 17. Only as:

a. an accessory use to a recreation or multiuse park; or

b. an accessory use to a park and limited to a total floor area of one thousand five hundred square feet.

((~~21.~~)) 18. Accessory to a park, limited to a total floor area of seven hundred fifty square feet.

((~~22.~~)) 19. Only as an accessory use to:

a. a large active recreation and multiuse park in the urban growth area; or

b. a park, or a recreation or multiuse park in the RA zones, and limited to a total floor area of seven hundred and fifty square feet.

((~~23.~~)) 20. Only as accessory to SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork and;

a. limited to lumber milled on site; and

b. the covered sales area is limited to two thousand square feet. The covered sales area does not include covered areas used to display only milled lumber.

((~~24.~~)) 21. Requires at least five farmers selling their own products at each market and the annual value of sales by farmers should exceed the annual sales value of nonfarmer vendors.

((~~25.~~)) 22. Limited to sites located within the urban growth area and:

a. The sales area shall be limited to three hundred square feet and must be removed each evening;

b. There must be legal parking that is easily available for customers; and

c. The site must be in an area that is easily accessible to the public, will accommodate multiple shoppers at one time and does not infringe on neighboring properties.

((~~26.~~)) 23. Per parcel, limited to a maximum aggregated total of two thousand square feet of gross floor area devoted to, and in support of, the retail sale of marijuana.

((~~27.~~)) 24. Per parcel, limited to a maximum aggregated total of five thousand square feet gross floor area devoted to, and in support of, the retail sale of marijuana.

SECTION 30. Ordinance 10870, Section 335, as amended, and K.C.C. 21A.08.080 are each hereby amended to read as follows:

A. Manufacturing land uses.

KEY			**RESOURCE**			**RURAL**	**RESIDENTIAL**				**COMMERCIAL/INDUSTRIAL**					
P-Permitted Use **C**-Conditional Use **S**-Special Use		ZONE	AGRICULTURE	FOREST	MINERAL	RURAL AREA	URBAN	RESERVE	URBAN	RESIDENTIAL	NEIGHBORHOOD	BUSINESS	COMMUNITY	BUSINESS	REGIONAL	BUSINESS	OFFICE	INDUSTRIAL
SIC #	**SPECIFIC LAND USE**		**A**	**F**	**M**	**RA**	**UR**		**R1-8**	**R12-48**	**NB**		**CB**		**RB**		**O**	**I (11)**
20	Food and Kindred Products		~~P1 C1~~	~~P1~~		~~P1 C1~~	~~P1~~				P2		P2		P2 C			P2 C
*/2082 /2085	Winery/Brewery /Distillery		~~P3 C1 2~~			P3 C12	P3				P17		P17		P			P

*	Materials Processing Facility		P13 C	P14 C15	P16 C								P
22	Textile Mill Products												C
23	Apparel and other Textile Products										C		P
24	Wood Products, except furniture	P4 P18	P4 P18 C5		P4 P18 C5	P4					C6		P
25	Furniture and Fixtures		P19		P19						C		P
26	Paper and Allied Products												C
27	Printing and Publishing								P7	P7	P7C	P7 C	P
*	Recreational marijuana Processor I	P20			P20					P21 C22	P21 C22		
*	Recreational marijuana Processor II									P23 C24	P23 C24		P25 C26
28	Chemicals and Allied Products												C
2911	Petroleum Refining and Related Industries												C
30	Rubber and Misc. Plastics Products												C
31	Leather and Leather Goods										C		P
32	Stone, Clay, Glass and Concrete Products									P6	P9		P
33	Primary Metal Industries												C
34	Fabricated Metal Products												P

35	Industrial and Commercial Machinery												P
351-55	Heavy Machinery and Equipment												C
357	Computer and Office Equipment										C	C	P
36	Electronic and other Electric Equipment										C		P
374	Railroad Equipment												C
376	Guided Missile and Space Vehicle Parts												C
379	Miscellaneous Transportation Vehicles												C
38	Measuring and Controlling Instruments										C	C	P
39	Miscellaneous Light Manufacturing										C		P
*	Motor Vehicle and Bicycle Manufacturing												C
*	Aircraft, Ship and Boat Building												P10 C
7534	Tire Retreading										C		P
781-82	Movie Production/Distribution										P		P
GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38 Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06												

B. Development conditions.

1.a. Excluding wineries and SIC Industry No. 2082-Malt Beverages;

b. In the A zone, only allowed on sites where the primary use is SIC industry Group No. 01-Growing Harvesting Crops or No. 02-Raising Livestock and Small Animals;

c. In the RA and UR zones, only allowed on lots of at least four and one-half acres and only when accessory to an agricultural use;

d.(1) Except as provided in subsection B.1.d.(2) and B.1.d.(3) of this section, the floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

(2) With a conditional use permit, up to five thousand square feet of floor area may be devoted to all processing; and

(3) In the A zone, on lots thirty-five acres or greater, the floor area devoted to all processing shall not exceed seven thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

e. Structures and areas used for processing shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

f. Processing is limited to agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

g. In the A zone, structures used for processing shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within

the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils; and

h. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.1.d. of this section.

2. Except slaughterhouses.

3.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

b. ((~~In the A zone, only allowed on sites where the primary use is SIC Industry Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small Animals.~~))

~~c.~~)) In the RA and UR zones, only allowed on lots of at least four and one-half acres;

((~~d.~~)) c. The floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

((~~e.~~)) d. Structures and areas used for processing shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

((~~f.~~)) e. Sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be produced; and

((~~g.~~)) f. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection ((~~B.3.c.~~)) B.3.b. of this section.

4. Limited to rough milling and planing of products grown on-site with portable equipment.

5. Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork. For RA zoned sites, if using lumber or timber grown off-site, the minimum site area is four and one-half acres.

6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and No. 2431-Millwork((~~,~~)) (excluding planing mills).

7. Limited to photocopying and printing services offered to the general public.

8. Only within enclosed buildings, and as an accessory use to retail sales.

9. Only within enclosed buildings.

10. Limited to boat building of craft not exceeding forty-eight feet in length.

11. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C. 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for rural industrial uses as set forth in K.C.C. chapter 21A.12.

12.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

b.(1) Except as provided in subsection B.12.b.(2) of this section, the floor area of structures for wineries, breweries and distilleries and any accessory uses shall not exceed a total of eight thousand square feet. The floor area may be increased by up to an

additional eight thousand square feet of underground storage that is constructed completely below natural grade, not including required exits and access points, if the underground storage is at least one foot below the surface and is not visible above ground; and

(2) On Vashon-Maury Island, the total floor area of structures for wineries, breweries and distilleries and any accessory uses may not exceed six thousand square feet, including underground storage;

c. Wineries, breweries and distilleries shall comply with Washington state Department of Ecology and King County board of health regulations for water usage and wastewater disposal. Wineries, breweries and distilleries using water from exempt wells shall install a water meter;

d. Off-street parking is limited to one hundred and fifty percent of the minimum requirement for wineries, breweries or distilleries specified in K.C.C. 21A.18.030;

e. Structures and areas used for processing shall be set back a minimum distance of seventy-five feet from property lines adjacent to rural area and residential zones, unless the processing is located in a building designated as historic resource under K.C.C. chapter 20.62;

f. The minimum site area is four and one-half acres. If the total floor area of structures for wineries, breweries and distilleries and any accessory uses exceed six thousand square feet, including underground storage:

(1) the minimum site area is ten acres; and

(2) a minimum of two and one-half acres of the site shall be used for the growing of agricultural products;

g. The facility shall be limited to processing agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be processed; and

h. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.12.b. of this section.

13. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

a. as accessory to a primary forestry use and at a scale appropriate to process the organic waste generated on the site; or

b. as a continuation of a sawmill or lumber manufacturing use only for that period to complete delivery of products or projects under contract at the end of the sawmill or lumber manufacturing activity.

14. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

a. as accessory to a primary mineral use; or

b. as a continuation of a mineral processing use only for that period to complete delivery of products or projects under contract at the end of mineral extraction.

15. Continuation of a materials processing facility after reclamation in accordance with an approved reclamation plan.

16. Only a site that is ten acres or greater and that does not use local access streets that abut lots developed for residential use.

17.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

b. The floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. Structures and areas used for processing shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62; and

d. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.18.b. of this section.

18. Limited to:

a. SIC Industry Group No. 242-Sawmills and SIC Industry No. 2431-Millwork, as follows:

(1) If using lumber or timber grown off-site, the minimum site area is four and one-half acres;

(2) The facility shall be limited to an annual production of no more than one hundred fifty thousand board feet;

(3) Structures housing equipment used in the operation shall be located at least one-hundred feet from adjacent properties with residential or rural area zoning;

(4) Deliveries and customer visits shall be limited to the hours of 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

(6) In the RA zone, the facility's driveway shall have adequate entering sight distance required by the 2007 King County Road Design and Construction Standards. An adequate turn around shall be provided on-site to prevent vehicles from backing out on to the roadway that the driveway accesses; and

(7) Outside lighting is limited to avoid off-site glare; and

b. SIC Industry No. 2411-Logging.

19. Limited to manufacture of custom made wood furniture or cabinets.

20.a. Only allowed on lots of at least four and one-half acres;

b. Only as an accessory use to a Washington state Liquor Control Board licensed marijuana production facility on the same lot; and

c. Accessory marijuana processing uses allowed under this section are subject to all limitations applicable to marijuana production uses under K.C.C. 21A.08.090.

21.a. Only in the CB and RB zones located outside the urban growth area; and

b. Per parcel, the aggregated total gross floor area devoted to the use of, and in support of, processing marijuana together with any separately authorized production of marijuana shall be limited to a maximum of two thousand square feet; and

c. If the two thousand square foot per parcel threshold is exceeded, each and every marijuana-related entity occupying space in addition to the two thousand square

foot threshold area on that parcel shall obtain a conditional use permit as set forth in subsection B.23. of this section.

22.a. Only in the CB and RB zones located outside the urban growth area; and

b. Per parcel, the aggregated total gross floor area devoted to the use of, and in support of, processing marijuana together with any separately authorized production of marijuana shall be limited to a maximum of thirty thousand square feet.

23.a. Only in the CB and RB zones located inside the urban growth area; and

b. Per parcel, the aggregated total gross floor area devoted to the use of, and in support of, processing marijuana together with any separately authorized production of marijuana shall be limited to a maximum of two thousand square feet; and

c. If the two thousand square foot per parcel threshold is exceeded, each and every marijuana-related entity occupying space in addition to the two thousand square foot threshold area on that parcel shall obtain a conditional use permit as set forth in subsection B.25. of this section.

24.a. Only in the CB and RB zones located inside the urban growth area; and

b. Per parcel, the aggregated total gross floor area devoted to the use of, and in support of, processing marijuana together with any separately authorized production of marijuana shall be limited to a maximum of thirty thousand square feet.

25. Per parcel, limited to a maximum aggregate total of two thousand square feet of gross floor area devoted to, and in support of, the processing of marijuana together with any separately authorized production of marijuana.

26. Per parcel, limited to a maximum aggregate total of thirty thousand square feet of gross floor area devoted to, and in support of, the processing of marijuana together with any separately authorized production of marijuana.

SECTION 31. Ordinance 10870, Section 336, as amended, and K.C.C. 21A.08.090 are each hereby amended to read as follows:

A. Resource land uses.

KEY			**RESOURCE**			**R U R A L**	**RESIDENTIAL**				**COMMERCIAL/INDUSTRIAL**							
P-Permitted Use **C**-Conditional Use **S**-Special Use		Z O N E	A G R I C U L T U R E	F O R E S T	M I N E R A L	R U R A L A R E A	U R B A N	R E S E R V E	U R B A N	R E S I D E N T I A L	N E I G H B O R H O O D	B U S I N E S S	C O M M U N I T Y	B U S I N E S S	R E G I O N A L	B U S I N E S S	O F F I C E	I N D U S T R I A L
SIC#	**SPECIFIC LAND USE**		**A**	**F**	**M**	**RA**	**UR**		**R1-8**	**R12-48**	**NB**		**CB**		**RB**		**O**	**I**
	AGRICULTURE:																	
01	Growing and Harvesting Crops		P	P		P	P		P									P
02	Raising Livestock and Small Animals (6)		P	P		P	P											P
01/02	Agricultural Activities		P24 C	P24 C		P24 C												
01/02	Agricultural Support Services		P25 C	P25 C		P26 C			P26 C									
01/02																		
01/02																		

*	Recreational marijuana producer	P15 C22			P16 C17					P18 C19	P18 C19		P20 C21
*	Agriculture Training Facility	C10											
*	Agriculture-related special needs camp	P12											
*	Agricultural Anaerobic Digester	P13											
	FORESTRY:												
08	Growing & Harvesting Forest Production	P	P	P7	P	P	P						P
*	Forest Research		P		P	P						P2	P
	FISH AND WILDLIFE MANAGEMENT:												
0921	Hatchery/Fish Preserve (1)	P	P		P	P	C						P
0273	Aquaculture (1)	P	P		P	P	C						P
*	Wildlife Shelters	P	P		P	P							
	MINERAL:												
10,12,14	Mineral Extraction and Processing		P9 C	P C11									
2951, 3271, 3273	Asphalt/Concrete Mixtures and Block		P8 C11	P8 C11									P
	ACCESSORY USES:												
*	Resource Accessory Uses	P3 P23 P27	P4	P5	P3	P3							P4
*	~~Temporary~~ Farm Worker Housing	P14	P14		P14								
GENERAL CROSS REFERENCES:	Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.												

B. Development conditions.

1. May be further subject to K.C.C. chapter 21A.25.

2. Only forest research conducted within an enclosed building.

3. ((~~Accessory dwelling units~~)) Farm houses: in accordance with K.C.C. 21A.08.030.

4. Excluding housing for agricultural workers.

5. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.

6. Allowed in accordance with K.C.C. chapter 21A.30.

7. Only in conjunction with a mineral extraction site plan approved in accordance with K.C.C. chapter 21A.22.

8. Only on the same lot or same group of lots under common ownership or documented legal control, which includes, but is not limited to, fee simple ownership, a long-term lease or an easement:

a. as accessory to a primary mineral extraction use;

b. as a continuation of a mineral processing only for that period to complete delivery of products or projects under contract at the end of a mineral extraction; or

c. for a public works project under a temporary grading permit issued in accordance with K.C.C. 16.82.152.

9. Limited to mineral extraction and processing:

a. on a lot or group of lots under common ownership or documented legal control, which includes but is not limited to, fee simple ownership, a long-term lease or an easement;

b. that are located greater than one-quarter mile from an established residence; and

c. that do not use local access streets that abut lots developed for residential use.

10. Agriculture training facilities are allowed only as an accessory to existing agricultural uses and are subject to the following conditions:

a. The impervious surface associated with the agriculture training facilities shall comprise not more than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

b. New or the expansion of existing structures, or other site improvements, shall not be located on class 1, 2 or 3 soils;

c. The director may require reuse of surplus structures to the maximum extent practical;

d. The director may require the clustering of new structures with existing structures;

e. New structures or other site improvements shall be set back a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones;

f. Bulk and design of structures shall be compatible with the architectural style of the surrounding agricultural community;

g. New sewers shall not be extended to the site;

h. Traffic generated shall not impede the safe and efficient movement of agricultural vehicles, nor shall it require capacity improvements to rural roads;

i. Agriculture training facilities may be used to provide educational services to the surrounding rural/agricultural community or for community events. Property owners

may be required to obtain a temporary use permit for community events in accordance with K.C.C. chapter 21A.32;

j. Use of lodging and food service facilities shall be limited only to activities conducted in conjunction with training and education programs or community events held on site;

k. Incidental uses, such as office and storage, shall be limited to those that directly support education and training activities or farm operations; and

l. The King County agriculture commission shall be notified of and have an opportunity to comment upon all proposed agriculture training facilities during the permit process in accordance with K.C.C. chapter 21A.40.

11. Continuation of mineral processing and asphalt/concrete mixtures and block uses after reclamation in accordance with an approved reclamation plan.

12.a. Activities at the camp shall be limited to agriculture and agriculture-oriented activities. In addition, activities that place minimal stress on the site's agricultural resources or activities that are compatible with agriculture are permitted.

(1) passive recreation;

(2) training of individuals who will work at the camp;

(3) special events for families of the campers; and

(4) agriculture education for youth.

b. Outside the camp center, as provided for in subsection B.12.e. of this section, camp activities shall not preclude the use of the site for agriculture and agricultural related activities, such as the processing of local food to create value-added products and the refrigeration and storage of local agricultural products. The camp shall

be managed to coexist with agriculture and agricultural activities both onsite and in the surrounding area.

c. A farm plan shall be required for commercial agricultural production to ensure adherence to best management practices and soil conservation.

d.(1) The minimum site area shall be five hundred acres. Unless the property owner has sold or transferred the development rights as provided in subsection B.12.c.(3) of this section, a minimum of five hundred acres of the site must be owned by a single individual, corporation, partnership or other legal entity and must remain under the ownership of a single individual, corporation, partnership or other legal entity for the duration of the operation of the camp.

(2) Nothing in subsection B.12.d.(1) of this section prohibits the property owner from selling or transferring the development rights for a portion or all of the site to the King County farmland preservation program or, if the development rights are extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

e. The impervious surface associated with the camp shall comprise not more than ten percent of the allowable impervious surface permitted under K.C.C. 21A.12.040;

f. Structures for living quarters, dining facilities, medical facilities and other nonagricultural camp activities shall be located in a camp center. The camp center shall be no more than fifty acres and shall depicted on a site plan. New structures for nonagricultural camp activities shall be clustered with existing structures;

g. To the extent practicable, existing structures shall be reused. The applicant shall demonstrate to the director that a new structure for nonagricultural camp activities

cannot be practicably accommodated within an existing structure on the site, though cabins for campers shall be permitted only if they do not already exist on site;

h. Camp facilities may be used to provide agricultural educational services to the surrounding rural and agricultural community or for community events. If required by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for community events;

i. Lodging and food service facilities shall only be used for activities related to the camp or for agricultural education programs or community events held on site;

j. Incidental uses, such as office and storage, shall be limited to those that directly support camp activities, farm operations or agricultural education programs;

k. New nonagricultural camp structures and site improvements shall maintain a minimum set-back of seventy-five feet from property lines adjoining rural area and residential zones;

l. Except for legal nonconforming structures existing as of January 1, 2007, camp facilities, such as a medical station, food service hall and activity rooms, shall be of a scale to serve overnight camp users;

m. Landscaping equivalent to a type III landscaping screen, as provided for in K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures and site improvements located within two hundred feet of an adjacent rural area and residential zoned property not associated with the camp;

n. New sewers shall not be extended to the site;

o. The total number of persons staying overnight shall not exceed three hundred;

p. The length of stay for any individual overnight camper, not including camp personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

q. Traffic generated by camp activities shall not impede the safe and efficient movement of agricultural vehicles nor shall it require capacity improvements to rural roads;

r. If the site is adjacent to an arterial roadway, access to the site shall be directly onto the arterial unless the county road engineer determines that direct access is unsafe;

s. If direct access to the site is via local access streets, transportation management measures shall be used to minimize adverse traffic impacts;

t. Camp recreational activities shall not involve the use of motor vehicles unless the motor vehicles are part of an agricultural activity or are being used for the transportation of campers, camp personnel or the families of campers. Camp personnel may use motor vehicles for the operation and maintenance of the facility. Client-specific motorized personal mobility devices are allowed; and

u. Lights to illuminate the camp or its structures shall be arranged to reflect the light away from any adjacent property.

13. Limited to digester receiving plant and animal and other organic waste from agricultural activities, <u>and including electrical generation,</u> as follows:

a. the digester must be included as part of a Washington state Department of Agriculture approved dairy nutrient plan;

b. the digester must process at least seventy percent livestock manure or other agricultural organic material from farms in the vicinity, by volume;

c. imported organic waste-derived material, such as food processing waste, may be processed in the digester for the purpose of increasing methane gas production for beneficial use, but not shall exceed thirty percent of volume processed by the digester; and

d. the use must be accessory to an operating dairy or livestock operation.

14. Farm worker housing. Either:

a. Temporary farm worker housing subject to the following conditions:

((~~a.~~)) (1) The housing must be licensed by the Washington state Department of Health under chapter 70.114A RCW and chapter 246-358 WAC;

((~~b.~~)) (2) Water supply and sewage disposal systems must be approved by the Seattle King County department of health;

((~~c.~~)) (3) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed and should not be located in the floodplain or in a critical area or critical area buffer; and

((~~d.~~)) (4) The property owner shall file with the department of executive services, records and licensing services division, a notice approved by the department identifying the housing as ((~~the~~)) temporary farm worker housing ((~~as accessory~~)) and that the housing shall ((~~only~~)) be occupied only by agricultural employees and their families while employed by the owner or operator or on a nearby farm. The notice shall run with the land((~~,~~)); or

b. Housing for agricultural employees who are employed by the owner or operator of the farm year-round as follows:

(1) Not more than:

(a) one agricultural employee dwelling unit on a site under twenty acres;

(b) two agricultural employee dwelling units on a site between twenty acres and fifty acres;

(c) three agricultural employee dwelling units on a site greater than fifty acres and less than one-hundred acres; and

(d) four agricultural employee dwelling units on sites one-hundred acres and larger and one additional agricultural employee dwelling unit for each additional one hundred acres thereafter;

(2) If the primary use of the site changes to a nonagricultural use, all agricultural employee dwelling units shall be removed;

(3) The applicant shall file with the department of executive services, records and licensing services division, a notice approved by the department that identifies the agricultural employee dwelling units as accessory and that the dwelling units shall only be occupied by agricultural employees who are employed by the owner or operator year-round. The notice shall run with the land. The applicant shall submit to the department proof that the notice was filed with the department of executive services, records and licensing services division, before the department approves any permit for the construction of agricultural employee dwelling units;

(4) An agricultural employee dwelling unit shall not exceed a floor area of one thousand square feet and may be occupied by no more than eight unrelated agricultural employees;

(5) To the maximum extent practical, the housing should be located on nonfarmable areas that are already disturbed;

(6) One off-street parking space shall be provided for each agricultural employee dwelling unit; and

(7) The agricultural employee dwelling units shall be constructed in compliance with K.C.C. Title 16.

15. Marijuana production by marijuana producers licensed by the Washington state Liquor Control Board is subject to the following standards:

a. Production is limited to outdoor, indoor within marijuana greenhouses, and within structures that are nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.15.b. of this section;

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and

c. Outdoor production area fencing as required by the Washington state Liquor Control Board and marijuana greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of thirty feet.

16. Marijuana production by marijuana producers licensed by the Washington state Liquor Control Board is subject to the following standards:

a. Production is limited to outdoor, indoor within marijuana greenhouses, and within nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.16.b. of this section;

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a fenced area or marijuana greenhouse, that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013;

c. Only allowed on lots of at least four and one-half acres; and

d. Outdoor production area fencing as required by the Washington state Liquor Control Board and marijuana greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of thirty feet; and

e. If the two thousand square foot per parcel threshold of plant canopy within fenced areas or marijuana greenhouses is exceeded, each and every marijuana-related entity occupying space in addition to the two thousand square foot threshold area on that parcel shall obtain a conditional use permit as set forth in subsection B.17. of this section.

17. Marijuana production by marijuana producers licensed by the Washington state Liquor Control Board is subject to the following standards:

a. Production is limited to outdoor and indoor within marijuana greenhouses subject to the size limitations in subsection B.17.b. of this section;

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area; and

c. Only allowed on lots of at least four and one-half acres.

18.a. Production is limited to indoor only; and

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area; and

c. If the two thousand square foot per parcel threshold is exceeded, each and every marijuana-related entity occupying space in addition to the two thousand square foot threshold area on that parcel shall obtain a conditional use permit as set forth in subsection B.19. of this section.

19.a. Production is limited to indoor only; and

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area.

20.a. Production is limited to indoor only;

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of two thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area.

21.a. Production is limited to indoor only;

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum aggregated total of thirty thousand square feet and shall be located within a building or tenant space that is no more than ten percent larger than the plant canopy and separately authorized processing area.

22. Marijuana production by marijuana producers licensed by the Washington state Liquor Control Board is subject to the following standards:

a. Production is limited to outdoor, indoor within marijuana greenhouses, and within structures that are nondwelling unit structures that exist as of October 1, 2013, subject to the size limitations in subsection B.15.b. of this section;

b. Per parcel, the plant canopy, as defined in WAC 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum aggregated total of ten thousand square feet and shall be located within a fenced area or marijuana greenhouse that is no more than ten percent larger than that combined area, or may occur in nondwelling unit structures that exist as of October 1, 2013; and

c. Outdoor production area fencing as required by the Washington state Liquor Control Board and marijuana greenhouses shall maintain a minimum street setback of fifty feet and a minimum interior setback of thirty feet.

23. The storage and processing of non-manufactured source separated organic waste that originates from agricultural operations and that does not originate from the site, if:

a. agricultural is the primary use of the site;

b. the storage and processing are in accordance with best management practices included in an approved farm plan; and

c. except for areas used for manure storage, the areas used for storage and processing do not exceed three acres and ten percent of the site.

24.a. For activities relating to the manufacturing or processing of crops or livestock for commercial purposes, including associated activities such as warehousing, storage, including refrigeration, and other similar activities and excluding wineries, SIC Industry No. 2085 - Distilled and Blended Liquors and SIC Industry No. 2082 - Malt Beverages:

(1) in the RA and UR zones, only allowed on lots of at least four and one-half acres;

(2) limited to agricultural products and sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

(3) structures and areas used for processing, warehousing, storage, including refrigeration, and other similar activities shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

(4) in the A zone, structures and areas used for processing, warehousing, refrigeration, storage and other similar activities shall be located on portions of agricultural lands that are unsuitable for other agricultural purposes, such as areas within the already developed portion of such agricultural lands that are not available for direct agricultural production, or areas without prime agricultural soils; and

(5)(a) as a permitted use, the floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as an historic resource under K.C.C. chapter 20.62. The department may review and approve, in accordance with the code compliance review process in section 33 of this ordinance, an increase in the processing floor area as follows: up to five thousand square feet of floor area may be devoted to all processing in the RA zones or on lots less than thirty-five acres located in the A zones or up to seven thousand square feet on lots greater than thirty-five acres in the A zone, unless located in a building designated as historic resource under K.C.C. chapter 20.62; and

(b) as a permitted use, the floor area devoted to all warehousing, refrigeration, storage or other similar activities shall not exceed two thousand square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62. The department may review and approve, in accordance with the code compliance process in section 33 of this ordinance, up to three thousand five hundred square feet of floor area devoted to all warehousing, storage, including refrigeration, or other similar activities in the RA zones or on lots less than thirty-five acres located in the A zones or up to seven thousand square feet on lots greater than thirty-five acres in the A zone, unless located in a building designated as historic resource under K.C.C. chapter 20.62.

b. For activities relating to the retail sale of agricultural products, except livestock:

(1) as a permitted use, the covered sales area shall not exceed two thousand square feet, unless located in a building designated as a historic resource under K.C.C. chapter 20.62. The department may review and approve, in accordance with the code

compliance review process in section 33 of this ordinance, up to three thousand five hundred square feet of covered sales area;

(2) in the RA and UR zones, only allowed on lots at least four and one-half acres;

(3) forty percent or more of the gross sales of agricultural product sold through the store must be sold by the producers of primary agricultural products;

(4) sixty percent or more of the gross sales of agricultural products sold through the store shall be derived from products grown or produced in the Puget Sound counties. At the time of the initial application, the applicant shall submit a reasonable projection of the source of product sales;

(5) sales shall be limited to agricultural products and locally made arts and crafts;

(6) tasting of products, in accordance with applicable health regulations, is allowed;

(7) storage areas for agricultural products may be included in a farm store structure or in any accessory building; and

(8) outside lighting is permitted if no off-site glare is allowed.

c. Retail sales of livestock is permitted only as accessory to raising livestock.

d. Farm operations, including equipment repair and related facilities, except that:

(1) in the RA zones, only allowed on lots of at least four and one-half acres;

(2) the repair of tools and machinery is limited to those necessary for the operation of a farm or forest; and

(3) the size of the total repair use is limited to one percent of the lot size up to a maximum of five thousand square feet unless located within an existing farm structure, including but not limited to barns, existing as of December 31, 2003.

e. Minimum lot sizes in the rural and residential zones and minimum setbacks from rural and residential properties may be reduced in accordance with the code compliance review process in section 33 of this ordinance.

25. The department may review and approve establishment of an agricultural support facility in accordance with the code compliance review process in section 34 of this ordinance only if:

a. project is sited on lands that are unsuitable for direct agricultural production based on size, soil conditions or other factors and cannot be returned to productivity by drainage maintenance, and

b. the proposed use is allowed under FPP conservation easement and/or zoning development standards.

26. The department may review and approve establishment of agricultural support services in accordance with the code compliance review process in section 34 of this ordinance only if:

a. the project site is located on properties that adjoin or are within six hundred sixty feet of the agricultural production district, has direct vehicular access to the agricultural production district and, except for farmworker housing, does not use local access streets that abut lots developed for residential use; and

b. Minimum lot size is four and one-half acres.

27.a. Limited to wineries, SIC Industry No. 2082-Malt Beverages and SIC Industry No. 2085-Distilled and Blended Liquors;

b. The floor area devoted to all processing shall not exceed three thousand five hundred square feet, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

c. Structures and areas used for processing shall maintain a minimum distance of seventy-five feet from property lines adjoining rural area and residential zones, unless located in a building designated as historic resource under K.C.C. chapter 20.62;

d. Sixty percent or more of the products processed must be grown in the Puget Sound counties. At the time of the initial application, the applicant shall submit a projection of the source of products to be produced; and

e. Tasting of products produced on site may be provided in accordance with state law. The area devoted to tasting shall be included in the floor area limitation in subsection B.3.c. of this section.

SECTION 32. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are each hereby amended to read as follows:

A. Regional land uses.

KEY		**RESOURCE**			**RURAL**	**RESIDENTIAL**			**COMMERCIAL/INDUSTRIAL**					
P-Permitted Use **C**-Conditional Use **S**-Special Use	**ZONE**	**AGRICU**	**FOREST**	**MINERA**	**RURAL**	**URBAN RESERV**	**URBAN**	**RESIDE**	**NEIGHB**	**BUSINE**	**COMMUN**	**BUSINE**	**REGION**	**BUSINE**	**OFFICE**	**INDUST**

		L T U R E		L		E		N T I A L	O S R S H O O D	I S T S Y	A S L S		R I A L
SIC#	**SPECIFIC LAND USE**	**A**	**F**	**M**	**RA**	**UR**	**R1-8**	**R12-48**	**NB**	**CB**	**RB**	**O**	**I (15)**
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S							
*	Work Release Facility				S19	S19	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S					S		P
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	((~~P25~~)) C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas Extraction	S	C	P	S	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Rural Public Infrastructure Maintenance Facility				C23								
*	Transit Bus Base						S	S	S	S	S	S	P

*	School Bus Base				C5 S20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S24
*	Regional Motor Sports Facility												P
*	County Fairgrounds Facility				P21 S22								
*	Fairground									S	S		S
8422	Zoo/Wildlife Exhibit(2)		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S
8221- 8222	College/University(1)	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal Breeding Facility	P16	P16		P16								
GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.											

B. Development conditions.

1. Except technical institutions. See vocational schools on general services land use table, K.C.C. 21A.08.050.

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

3. Except weapons armories and outdoor shooting ranges.

4. Except outdoor shooting range.

5. Only in conjunction with an existing or proposed school.

6.a. Limited to no more than three satellite dish ((~~antennae~~)) antennas.

b. Limited to one satellite dish antenna.

c. Limited to tower consolidations.

7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.

8. Except racing of motorized vehicles.

9. Limited to wildlife exhibit.

10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

12. Limited to cogeneration facilities for on-site use only.

13. Excluding impoundment of water using a dam.

14. Limited to facilities that comply with the following:

a. Any new diversion structure shall not:

(1) exceed a height of eight feet as measured from the streambed; or

(2) impound more than three surface acres of water at the normal maximum surface level;

b. There shall be no active storage;

c. The maximum water surface area at any existing dam or diversion shall not be increased;

d. An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;

e. Any transmission line shall be limited to a:

(1) right-of-way of five miles or less; and

(2) capacity of two hundred thirty KV or less;

f. Any new, permanent access road shall be limited to five miles or less; and

g. The facility shall only be located above any portion of the stream used by anadromous fish.

15. For I-zoned sites located outside the urban growth area designated by the King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C. 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be prohibited. All other uses, including waste water treatment facilities, shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

16. The operator of such a facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds the standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the accreditation guidelines of the American Zoo and Aquarium Association.

17. The following provisions of the table apply only to major communication facilities. Minor communication facilities shall be reviewed in accordance with the processes and standard outlined in K.C.C. chapter 21A.27.

18. Only for facilities related to resource-based research.

19. Limited to work release facilities associated with natural resource-based activities.

20. Limited to projects which do not require or result in an expansion of sewer service outside the urban growth area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base and serving only the school bus base may be used. Renovation, expansion, modernization or reconstruction of a school bus base is permitted but shall not require or result in an expansion of sewer service outside the urban growth

area, unless a finding is made that no cost-effective alternative technologies are feasible, in which case a tightline sewer sized only to meet the needs of the school bus base.

21. Only in conformance with the King County Site Development Plan Report, through modifications to the plan of up to ten percent are allowed for the following:

a. building square footage;

b. landscaping;

c. parking;

d. building height; or

e. impervious surface.

22. A special use permit shall be required for any modification or expansion of the King County fairgrounds facility that is not in conformance with the King County Site Development Plan Report or that exceeds the allowed modifications to the plan identified in subsection B.21. of this section.

23. The facility shall be primarily devoted to rural public infrastructure maintenance and is subject to the following conditions:

a. The minimum site area shall be ten acres, unless:

(1) the facility is a reuse of a public agency yard; or

(2) the site is separated from a county park by a street or utility right-of-way;

b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any stockpiling or grinding operations and adjacent residential zoned property;

c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided between any office and parking lots and adjacent residential zoned property;

d. Access to the site does not use local access streets that abut residential zoned property, unless the facility is a reuse of a public agency yard;

e. Structural setbacks from property lines shall be as follows:

(1) Buildings, structures and stockpiles used in the processing of materials shall be no closer than:

(a) one hundred feet from any residential zoned properties, except that the setback may be reduced to fifty feet when the grade where the building or structures are proposed is fifty feet or greater below the grade of the residential zoned property;

(b) fifty feet from any other zoned property, except when adjacent to a mineral extraction or materials processing site;

(c) the greater of fifty feet from the edge of any public street or the setback from residential zoned property on the far side of the street; and

(2) Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than fifty feet from any property line except when adjacent to M or F zoned property or when a reuse of an existing building. Facilities necessary to control access to the site, when demonstrated to have no practical alternative, may be located closer to the property line;

f. On-site clearing, grading or excavation, excluding that necessary for required access, roadway or storm drainage facility construction, shall not be permitted within fifty feet of any property line except along any portion of the perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary disturbance resulting from construction of noise attenuation features located closer than fifty feet shall be permitted; and

g. Sand and gravel extraction shall be limited to forty thousand yards per year.

24. The following accessory uses to a motor race track operation are allowed if approved as part of the special use permit:

a. motocross;

b. autocross;

c. skidpad;

d. garage;

e. driving school; and

f. fire station.

((~~25. Only as an accessory use of an agricultural anaerobic digester.~~))

SECTION 33. Ordinance 13274, Section 4, as amended, and K.C.C. 21A.37.020 are hereby amended to read as follows:

A. For the purpose of this chapter, "sending site" means the entire tax lot or lots qualified under subsection B. of this section. Sending sites may only be located within rural or resource lands or urban separator areas with R-1 zoning, as designated by the King County Comprehensive Plan, and shall meet the minimum lot area for construction requirements in K.C.C. 21A.12.100 for the zone in which the sending site is located. Except as provided in K.C.C. 21A.37.110.C., or for lands zoned RA that are managed by the Washington state Department of Natural Resources as state grant or state forest lands, land in public ownership may not be sending sites. If the sending site consists of more than one tax lot, the lots must be contiguous and the area of the combined lots must meet the minimum lot area for construction requirements in K.C.C. 21A.12.100 for the zone in which the sending site is located. For purposes of this section, lots divided by a street are

considered contiguous if the lots would share a common lot line if the street was removed; this provision may be waived by the interagency committee if the total acreage of a rural or resource sending site application exceeds one hundred acres. A sending site shall be maintained in a condition that is consistent with the criteria in this section under which the sending was qualified.

B. Qualification of a sending site shall demonstrate that the site contains a public benefit such that preservation of that benefit by transferring residential development rights to another site is in the public interest. A sending site must meet at least one of the following criteria:

1. Designation in the King County Comprehensive Plan or a functional plan as an agricultural production district or zoned A;

2. Designation in the King County Comprehensive Plan or a functional plan as forest production district or zoned F;

3. Designation in the King County Comprehensive Plan as rural residential, zoned RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open space, farm and agricultural land, or timber land;

4. Designation in the King County Comprehensive Plan, or a functional plan as a proposed rural or resource area regional trail or rural or resource area open space site, through either:

a. designation of a specific site; or

b. identification of proposed rural or resource area regional trails or rural or resource area open space sites which meet adopted standards and criteria, and for rural or

resource area open space sites, meet the definition of open space land, as defined in RCW 84.34.020;

5. Identification as habitat for federal listed endangered or threatened species in a written determination by the King County department of natural resources and parks, Washington state Department of Fish and Wildlife, United States Fish and Wildlife Services or a federally recognized tribe that the sending site is appropriate for preservation or acquisition; or

6. Designation in the King County Comprehensive Plan as urban separator and zoned R-1.

C. For the purposes of the TDR program, acquisition means obtaining fee simple rights in real property, or a less than a fee simple right in a form that preserves in perpetuity the public benefit supporting the designation or qualification of the property as a sending site.

D. If a sending site has any outstanding code violations, the person responsible for code compliance should resolve these violations, including any required abatement, restoration, or payment of civil penalties, before a TDR sending site may be qualified by the interagency review committee created under K.C.C. 21A.37.070. However, the interagency may qualify and certify a TDR sending site with outstanding code violations if the person responsible for code compliance has made a good faith effort to resolve the violations and the proposal is in the public interest.

E. For lots on which the entire lot or a portion of the lot has been cleared or graded in accordance with a Class II, III or IV special forest practice as defined in chapter 76.09 RCW within the six years prior to application as a TDR sending site, the applicant

must provide an affidavit of compliance with the reforestation requirements of the Forest Practices Act, and any additional reforestation conditions of their forest practice permit. Lots on which the entire lot or a portion of the lot has been cleared or graded without any required forest practices or county authorization, shall be not qualified or certified as a TDR sending site for six years unless the six-year moratorium on development applications has been lifted or waived or the landowner has a reforestation plan approved by the state Department of Natural Resources and King County.

SECTION 34. Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110 are hereby amended to read as follows:

A. The TDR bank may purchase development rights from qualified sending sites at prices not to exceed fair market value and to sell development rights at prices not less than fair market value. The TDR bank may accept donations of development rights from qualified TDR sending sites.

B. The TDR bank may purchase a conservation easement only if the property subject to the conservation easement is qualified as a sending site as evidenced by a TDR qualification report, the conservation easement restricts development of the sending site in the manner required by K.C.C. 21A.37.060 and the development rights generated by encumbering the sending site with the conservation easement are issued to the TDR bank at no additional cost.

C. ((~~If a conservation easement is acquired through a county park, open space, trail, agricultural, forestry or other natural resource acquisition program for a property that is qualified as a TDR sending site as evidenced by a TDR qualification report, any development rights generated by encumbering the sending site with the conservation~~

~~easement may be issued to the TDR bank so long as there is no additional cost for the development rights.~~)) Any development rights, generated by encumbering property with a conservation easement, may be issued to the TDR bank if:

1.a. The conservation easement is acquired through a county park, open space, trail, agricultural, forestry or other natural resource acquisition program for a property that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

b. the property is acquired by the county with the intent of conveying the property encumbered by a reserved conservation easement. The number of development rights generated by this reserved conservation easement shall be determined by the TDR qualification report; and

2. Under either subsection C.1.a. or b. of this section, there will be no additional cost to the county for acquiring the development rights.

D. The TDR bank may use funds to facilitate development rights transfers. These expenditures may include, but are not limited to, establishing and maintaining internet web pages, marketing TDR receiving sites, procuring title reports and appraisals and reimbursing the costs incurred by the department of natural resources and parks, water and land resources division, or its successor, for administering the TDR bank fund and executing development rights purchases and sales.

E. The TDR bank fund may be used to cover the cost of providing staff support for identifying and qualifying sending and receiving sites, and the costs of providing staff support for the TDR interagency review committee.

F. Upon approval of the TDR executive board, proceeds from the sale of TDR bank development rights shall be available for acquisition of additional development

rights and as amenity funds to facilitate interlocal TDR agreements with cities in King County. Amenity funds provided to a city from the sale of TDR bank development rights to that city are limited to one-third of the proceeds from the sale.

NEW SECTION. SECTION 35. There is hereby added to K.C.C. chapter 21A.42 a new section to read as follows:

Modifications and expansions of standards for agricultural activities as provided in K.C.C. 21A.08.090 may be authorized by the agricultural technical review team established by section 34 of this ordinance, subject to the following;

A. The proposed modification or expansion must be located on existing impervious surface or lands not otherwise suitable for direct agricultural production based upon soil conditions or other factors and cannot be returned to productivity by drainage maintenance;

B. The proposed modification or expansion must be allowed under Farmland Preservation Program conservation easement and/or zoning development standards;

C. The proposed modifications or expansion must be supported by adequate utilities, parking, internal circulation and other infrastructure;

D. The proposed modification or expansion must not interfere with neighborhood circulation or interfere with existing or permitted development or use on neighboring properties;

E. The proposed modification or expansion must be designed in a manner that is compatible with the character and appearance of existing, or proposed development in the vicinity of the subject property;

F. The proposed modification or expansion must not be in conflict with the health and safety of the community and is such that pedestrian and vehicular traffic associated with the use must not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

G. The proposed modification or expansion must be supported by adequate public facilities or services and must not adversely affect public services to the surrounding area; and

H. The expansion or modification must not be in conflict with the policies of the Comprehensive Plan or the basic purposes of K.C.C. Title 21A.

NEW SECTION. SECTION 36. There is hereby added to K.C.C. chapter 21A.42 a new section to read as follows:

The department shall establish an agricultural technical review committee consisting of representatives of the departments of permitting and environmental review, natural resources and parks and public health and the King Conservation District to review proposals to site agricultural support facilities allowed under K.C.C. 21A.08.090. The committee may authorize the siting of the facilities subject to the following:

A. The use must be limited to processing, warehousing, storage, including refrigeration, retail sales and other similar support services of locally produced agricultural products. Sixty percent or more of the products must be grown or raised in the agricultural production district. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

B. Limited to farmworker housing to support agricultural operations located in the agricultural production district;

C. The use must be limited to farm operations, including equipment repair, and other similar services primarily supporting agricultural operations located in the agricultural production district. Sixty percent or more of the services business must be to support agricultural operations in the agricultural production district. At the time of initial application, the applicant shall submit a projection of the source of products to be produced;

D. Structures and areas used for agricultural services, including walls, fences and screening vegetation, must meet the setback and size limitation in K.C.C. 21A.08.090.B.24. and not interfere with neighborhood circulation or interfere with existing or permitted development or use on neighboring properties;

E. The proposed use must be designed in a manner which is compatible with the character and appearance of existing, or proposed development in the vicinity of the subject property;

F. The use must not be in conflict with the health and safety of the community and must be such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

G. The use must be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area; and

H. The use must not be in conflict with the policies of the Comprehensive Plan or the basic purposes of K.C.C. Title 21A.

SECTION 37. Ordinance 7889, Section 4, as amended, and K.C.C. 26.08.010 are each hereby repealed.

SECTION 38. **Severability.** If any provision of this ordinance its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____

J. Joseph McDermott, Chair

ATTEST:

_____

Anne Noris, Clerk of the Council

APPROVED this _____ day of _____, _____.

_____

Dow Constantine, County Executive

Attachments: A. King County Comprehensive Plan - 2016 Update, B. Appendix - Land Use and Zoning Amendments, C. Technical Appendix A - Capital Facilities, D. Technical Appendix B - Housing, E. Technical Appendix C - Transportation, F. 2016 Transportation Needs Report, G. Technical Appendix C2 - Regional Trails Needs Report, H. Technical Appendix D - Growth Targets and the Urban Growth Area, I. Technical Appendix R - Public Outreach for the Development of the 2016 Comprehensive Plan, J. Skyway-West Hill Action Plan - January 22, 2016

King County Council
Schedule for 2016 King County Comprehensive Plan
(As of 3/29/16, Subject to change)

March 1	Transmittal of King County Executive's proposed 2016 King County Comprehensive Plan.
March 15 9:30 a.m.	**Briefing in Transportation, Economy and Environment Committee.** Anticipated topics (subject to change): • *Committee review process overview* • *Land use proposals/Area Zoning Studies* • *Chapter 11 Community Service Area Planning* • *Chapter 12 Implementation, Appendix D Growth Targets* **Opportunity for public comment, following the briefing**
April 5 9:30 a.m.	**Briefing in Transportation, Economy and Environment Committee.** Anticipated topics (subject to change): • *Chapter 1 Regional Planning* • *Chapter 3 Rural Area and Natural Resource Lands* • *Chapter 8 Transportation, Appendix C Transportation, C1 Transportation Needs Report* • *Chapter 10 Economic Development* • *Development code updates (Proposed Ordinance 2016-0155)* **Opportunity for public comment, following the briefing**
April 6 **6:30 p.m.**	**Committee of the Whole Town Hall - Special Evening Meeting** ***Location: Gracie Hansen Community Center at Ravensdale Park (Rock Creek Sports) - 27132 SE Ravensdale Way, Ravensdale WA*** **Opportunity for public comment on proposed 2016 Comprehensive Plan**
May 3 9:30 a.m.	**Briefing in Transportation, Economy and Environment Committee.** Anticipated topics (subject to change): • *Chapter 2 Urban Communities* • *Chapter 4 Housing and Human Services, Appendix B Housing* • *Equity and Social Justice (all chapters)* **Opportunity for public comment, following the briefing**
May 17 9:30 a.m.	**Briefing in Transportation, Economy and Environment Committee.** Anticipated topics (subject to change): • *Climate Change (all chapters)* • *Chapter 5 Environment* • *Chapter 6 Shoreline Master Program* • *Chapter 7 Parks, Open Space and Cultural Resources, Appendix C2 – Regional Trail Needs Report* • *Chapter 9 Services, Facilities and Utilities, Appendix A – Capital Facilities* • *Real Property Asset Management Plan (Proposed Ordinance 2016-0159)* **Opportunity for public comment, following the briefing**
June 7 9:30 a.m.	**Briefing in Transportation, Economy and Environment Committee.** Anticipated topics (subject to change): • *Follow up on identified issues* **Opportunity for public comment, following the briefing**
July 5 9:30 a.m.	**Possible briefing in Transportation, Economy and Environment Committee (due to the July 4 holiday, this meeting may be cancelled).** Anticipated topics (subject to change): • *Follow up on identified issues* **Potential opportunity for public comment, following the briefing**
July 19 9:30 a.m.	**Possible vote in Transportation, Economy and Environment Committee** • *Includes consideration of possible amendments* **Opportunity for public comment**
September 6 Time TBD	**Anticipated public hearing at full Council** **Opportunity for public comment**
September 12 Time TBD	**Possible vote at full Council** • *Includes consideration of possible amendments*

Unless otherwise noted, all meetings will take place in the Council Chambers on the 10th Floor of the King County Courthouse, at 516 3rd Ave, Seattle WA.

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2016 King County Comprehensive Plan
Frequently Used Acronyms

APD	Agricultural Production District
CIP	Capital Improvement Program
CPP	Countywide Planning Policy
ESA	Endangered Species Act
FCC	Fully Contained Community
FPD	Forest Production District
GMA	Growth Management Act
GMPC	Growth Management Planning Council
HOT	High Occupancy Toll
HOV	High Occupancy Vehicle
ITS	Intelligent Transportation Systems
KCCP	King County Comprehensive Plan
KCSP	King County Strategic Plan
LID	Low Impact Development
LOS	Level of Service
LSRA	Locally Significant Resource Area
MPP	Multi-county Planning Policies
MPS	Mitigation Payment System
PAA	Potential Annexation Area
PBRS	Public Benefit Rating System
PSRC	Puget Sound Regional Council
RSRA	Regionally Significant Resource Area
RWSP	Regional Wastewater Services Plan
SCAP	Strategic Climate Action Plan
SPPT	Strategic Plan for Public Transportation
SPRS	Strategic Plan for Road Services
SEPA	State Environmental Policy Act
TAM	Transportation Adequacy Measure
TDR	Transfer of Development Rights
TDM	Transportation Demand Management
TNR	Transportation Needs Report
TOD	Transit Oriented Development
UGA	Urban Growth Area
UGB	Urban Growth Boundary
UPD	Urban Planned Development
UTRC	Utilities Technical Review Committee

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King County

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

May 12, 2015

Motion 14351

Proposed No. 2015-0104.3 **Sponsors** Dembowski

A MOTION relating to comprehensive planning, specifying the scope of work for the proposed amendment to the King County Comprehensive Plan in 2016 in accordance with K.C.C. 20.18.060.

WHEREAS, King County enacted the 1994 King County Comprehensive Plan to meet the requirements of the Washington State Growth Management Act ("GMA"), and

WHEREAS, in RCW 36.70A.130, the GMA requires cities and counties to update their comprehensive plans once every eight years. The GMA authorizes, but does not require, cities and counties to amend their comprehensive plans annually. For King County, the next required GMA deadlines are in 2015 and 2023, and

WHEREAS, King County Comprehensive Plan policies and K.C.C. chapter 20.18 establish a process for amending the plan and a program for public participation. King County authorizes limited Comprehensive Plan changes annually and a more comprehensive review every four years, and

WHEREAS, in 2012, King County updated its Comprehensive Plan via Ordinance 17485 and thereby satisfied the GMA requirement to update its Comprehensive Plan by 2015, and

18 WHEREAS, 2016 marks the fifth four-year review of the Comprehensive Plan.
19 Under the county's policies and regulations, the 2016 review consitutes a four-year
20 amendment, and
21 WHEREAS, under GMA requirements, the county's 2016 review is subject to the
22 rules applicable to an annual amendment. The GMA does not require the county to
23 complete another comprehensive update until 2023. Under the county's current policies
24 and code, the county will complete this update in 2020, and
25 WHEREAS, K.C.C. 20.18.060 states that the executive must transmit a motion
26 specifying the scope of work proposed for a four-year amendment to the Comprehensive
27 Plan and the council has until April 30 to approve the motion either as transmitted or
28 amended. In the absence of council approval, the executive shall proceed to implement
29 the work program as proposed, and
30 WHEREAS, as in 2012, the council is approving the scope of work motion after
31 April 30; however, the executive has agreed to treat the scope as timely and proceed with
32 the work progam as established in the council-approved version of the motion, and
33 WHEREAS, King County and cities within the county have successfully focused
34 the vast majority of new residential growth into the Urban Growth Area, proceeding from
35 eighty-eight percent in 1994 to more than ninety-eight percent urban in 2013, and
36 WHEREAS, King County has worked hard to protect critical areas and
37 endangered species such as salmon, has promoted affordable housing and has committed
38 resources to enrich its less advantaged communities, and
39 WHEREAS, King County must build on these successes and ensure that they
40 continue into the future;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The scope of work for the 2016 King County Comprehensive Plan Update in Attachment A to this motion and the work program for public involvement in Attachment B to this motion are hereby approved as the basis for developing the amendments for the

King County Comprehensive Plan to be transmitted to the council by March 1, 2016, and for performing the associated environmental analysis.

Motion 14351 was introduced on 3/9/2015 and passed as amended by the Metropolitan King County Council on 5/11/2015, by the following vote:

Yes: 6 - Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Ms. Lambert, Mr. Dunn and Mr. Dembowski
No: 2 - Mr. Phillips and Mr. Upthegrove
Excused: 1 - Mr. McDermott

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Council

Attachments: A. 2016 King County Comprehensive Plan Update Topical Areas dated May 11, 2015, B. 2016 King County Comprehensive Plan Update Public Outreach Plan and SEPA Analysis dated May 5, 2015

2016 King County Comprehensive Plan
Topical Areas

In accordance with King County Code 20.18.060(A.1)

Updates related to All Chapters:

All chapters of the King County Comprehensive Plan (KCCP) will be reviewed and updated to advance the County's adopted Goals and Vision:[1] mobility; health and human services; economic vitality; safety and justice; accessible, affordable housing; healthy environment; and efficient, accountable regional and local government. Further, since the King County Countywide Planning Policies were substantially revised in the past four years, all chapters will be reviewed and updated to ensure consistency.

- Review and update the KCCP for consistency with current State, regional, and countywide growth management policy documents, such as the Growth Management Act, Vision 2040 and the multicounty planning policies (MPPs), Transportation 2040, and the Countywide Planning Policies (CPPs).
- Strengthen the link between the KCCP and the King County Strategic Plan through a set of metrics that will be based on measurable goal statements to be added to each chapter.
- Consider references, where appropriate, to adopted implementation plans and initiatives, such as the King County Health and Human Services Transformation Plan, King County Strategic Climate Action Plan, King County Cities Climate Collaboration (K4C), Youth Action Plan, and Rural Economic Strategies plan.
- Update and strengthen policies that call for better integration of land use and transportation to create sustainable communities by promoting walking and bicycling, greater transit use, access to a healthy food system, access to quality and affordable homes, reduced greenhouse gas emissions and improved environmental, health and economic outcomes.
- Review and update policies to support Low Impact Development (LID) and ensure language related to LID and stormwater management reflects current National Pollution Discharge Elimination System (NPDES) permit requirements.
- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities related to health, housing, and prosperity.
- Review and update policies to address inequities and disparities related to environmental justice and climate justice impacts.

[1] Motion 14317

- Review and update policies to advance the 14 Determinants of Equity in each chapter, and especially regarding the built environment, transportation, parks, housing, food systems, and economic development.
- Review four-to-one policies, including consideration of: the efficacy of the program to encourage permanent conservation of open space along the Urban Growth Boundary, potential policy changes to allow flexibility for smaller parcels while still achieving similar conservation goals, and identification of possible associated CPP changes.
- Consider consolidating health and equity policies into a new, stand-alone chapter.
- Update rural areas definitions (e.g. rural area, rural land, rural zoning, and rural cities) and usage in plan for clarity and consistency.
- Update policies and related code sections to reflect court rulings, current case law, and federal regulations.
- Update demographic and economic information.

Chapter One – Regional Growth Management Planning

Our region's prosperity and sustainability rely on local governments working in partnership to plan for the future. The 2016 update to the Regional Growth Management Planning chapter will seek to strengthen the county's commitment to regional partnerships and public engagement in order to support efficient and effective use of public funds and a high quality of life for all residents in King County.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Review and update policies to strengthen the County's commitment to regional partnerships – including examples such as the Growing Transit Communities Compact, Regional Code Collaboration, and the King County Cities Climate Collaboration (K4C) – and public engagement.
- Review policies to express support for the multi-use vision for the public asset currently known as the "Eastside Rail Corridor" and associated multi-jurisdictional collaboration.

Chapter Two – Urban Communities

The 2016 update to the Urban Communities chapter will focus on sustainability and health, racial, economic and social equity of all King County's unincorporated urban communities by strengthening the nexus of land use and housing with health, public transportation, jobs, education, and social services.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Advance the Communities of Opportunity initiative. Consider vehicles for communities to engage in innovative healthy place-making work.
- Identify prospects for partnerships with cities, especially within identified Potential Annexation Areas (PAAs).

- Review and update annexation policies to promote timely annexation of the remaining urban unincorporated area, including consideration of utilizing zoning and/or development regulations of the city identified for the PAA.
- Update PAA map, as needed.
- Address lingering service delivery issues in urban unincorporated areas likely to remain in King County governance for the foreseeable future.
- Address the Regional Code Collaboration for opportunities to support Green Building provisions.
- Review and update policies to support healthy, affordable housing, including additional strategies to incentivize increased affordable housing and development.
- Consider adding policies that identify regional and/or unincorporated county targets for affordable housing.
- Review and update policies to support appropriate housing for aging demographics, including expanded use of cottage housing.
- Consider adding policies that address the historic distribution of benefits and burdens of infrastructure and services.
- Extend the growth targets that were adopted in the 2012 CPPs to provide a 20-year planning horizon.
- Update data consistent with the 2014 Buildable Lands Report and address any identified shortfall in employment capacity in urban unincorporated King County.
- Review and update policies to ensure that there is robust provision for public/community benefits and consider whether there should be heightened public/community benefits requirements in new developments, especially in areas that may be susceptible to displacement of lower income people and community-based businesses.
- Update the data in the housing section and consider streamlining and/or moving to an appendix.
- Evaluate Housing and Land Use Section to ensure that potential innovative new housing models in urban unincorporated King County, in consideration of land uses in adjacent jurisdictions, can be permitted and move forward, including homeless housing models.
- Address land use/zoning needs in urban unincorporated King County, in consideration of land uses in adjacent jurisdictions, for transit-oriented communities that will include high quality/healthy affordable housing at high capacity transit stations and access areas.
- Explore addition of multifamily tax exemption and other affordable housing strategies.
- Consider inclusion of policies to support urban to urban TDRs and incentives for use of TDRs in economically disadvantaged communities.

Chapter Three – Rural Area and Natural Resource Lands

Rural and resource lands in King County contribute to the region's economic and environmental prosperity. The 2016 update to the Rural Area and Natural Resource Lands chapter will incorporate new information regarding the Local Food Economy Initiative and the Farm, Fish, Flood watershed planning process, as well as ongoing sustainability.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Review the King County Local Food Economy Initiative recommendations for policy implications and consider incorporating into policies, as appropriate.
- Review and update the Transfer of Development Rights (TDR) policies, including consideration of policies to support urban to urban TDRs, incentives for use of TDRs in economically disadvantaged communities, and expanded options for rural to rural TDRs.
- Strengthen policies related to improving productivity of farmland by addressing drainage, flood impacts, irrigation needs and other farmland issues to facilitate farming in King County.
- Update policies related to farm, fish, and flood conflicts, including consideration of the findings of the Farm, Fish, Flood watershed planning process, which is scheduled to conclude in Spring 2015.
- Evaluate and add policies to promote Green Building and energy reduction, where feasible, in rural unincorporated areas.
- Update policies on landslide hazard identification, mapping, and mitigation countywide.
- Review and update policies to support appropriate housing for aging demographics, including expanded use of cottage housing.
- Evaluate policies to the extent they address the needs of residents living in unincorporated rural King County.
- Review and update policies to advance the Rural Economic Strategies plan and promote rural economic development.
- Address issues related to resource-based home businesses.
- Address impacts related to resource-based businesses.
- Evaluate possibilities for streamlining home-based businesses.
- Consider adding policies to match rural densities with water resources.
- Update 2012 Agriculture and Forest Lands map, as needed.
- Update 2012 Mineral Resources map and property information, and ensure resources within unincorporated King County meet Growth Management Act planning requirements.

Chapter Four – Environment

The sustainability of King County's natural environment requires a long-term commitment to environmental monitoring and adaptive management that highlights changing environmental conditions, evaluates the effectiveness of county actions, and influences policy decisions and investments. Since the 2012 update, the Strategic Climate Action Plan was adopted and is currently under review to be updated in 2015 and the K4C was formed to collaborate on reducing greenhouse gas emissions. The 2016 update to the Environment chapter will advance King County's commitment to environmental protection and further address climate change.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities, specifically including those related to environmental justice and climate justice impacts.

- Review and update climate policies to reflect changes in federal and state requirements, climate inventories, the 2012 CPPs, and joint work with other cities and counties to reduce greenhouse gas emissions and prepare for climate change impacts.
- Review and revise emissions reductions targets for consistency with State requirements and adopted updates to the CPPs, including establishing short term goals to achieve the 2050 goal.
- Review and update policies to strengthen relationship between climate impacts and solutions with health, equity, and social justice.
- Review and update policies concerning regional plans, such as those related to salmon recovery, to better reflect the county's expectations for the effective life of the plan, the relative significance of such plans for the region, and/or priority for implementation.
- Consider adding new policies regarding beaver management in King County to explore the benefit to maximize stream restoration efforts, climate change benefits, and reduce flood risk associated with beaver dams.
- Review and update policies to encourage and support a more integrated approach to achieving improved outcomes for water quality, health, and habitat.
- Review and update policies as needed to reflect most recent Puget Sound Action Agenda and its focus on habitat, stormwater, and shellfish beds.
- Update policies as needed for consistency with new requirements for municipal stormwater discharge permits.

Chapter Five – Shoreline Master Program
This chapter is adopted in accordance with RCW 90.58.020.

- Update policies to reflect an emphasis on the importance of outreach/education to shoreline property owners.

Chapter Six– Parks, Open Space and Cultural Resources
The 2016 update to the Parks, Open Space and Cultural Resources chapter will further reflect the priority for developing and maintaining regional and local parks, open space, and the regional trails based on the voter-approved 2013 Parks, Trails & Open Space Replacement Levy.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Review and update policies to facilitate the recreation element of the multi-use vision for the public asset currently known as the "Eastside Rail Corridor."
- Review and update policies relating to climate change/sustainability, forest stewardship, and public engagement/partnerships.
- Create a brief policy subsection for the Regional Trails System (RTS).
- Update the Regional Trails Needs Report (RTNR) and the RTNR Map.
- Update the 2012 King County's Open Space System Map.

Chapter Seven – Transportation

The 2016 update to the Transportation chapter will further refine the policy framework that guides efficient provision of vital transportation infrastructure and services that support thriving communities and the county's participation in critical regional transportation issues. The 2016 update will also reflect the county's continuing transition to becoming a road service provider for a primarily rural roads system.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Review and update policies to reflect adopted transportation functional plans such as agency strategic plans, service guidelines, long-range plans, and master plans.
- Review and update policies and programs related to transportation level of service and impact mitigation. Update the Transportation Concurrency Management program and Mitigation Payment System to reflect insufficient funding to address roadway capacity improvements for the foreseeable future. The Concurrency program update should address collaboration with other jurisdictions regarding infrastructure improvement strategies to help prevent travel shed failure caused by unfunded city and state projects and traffic generated outside the unincorporated area.
- Review and update policies to address unmet roadway infrastructure needs in the rural area.
- Review and update policies to facilitate the transportation element of the multi-use vision for the public asset currently known as the "Eastside Rail Corridor."
- Review and update policies to guide and potentially expand public and private partnerships to advance regional transportation services.
- Review and update policies related to local and regional transportation funding, pricing, and demand management.
- Review and update policies to promote active transportation, as appropriate.
- Review and update transportation policies promoting sustainability issues, such as greenhouse gas emissions reduction goals and performance and operation of the HOV/HOT lane system to support efficiencies for transit and other vehicles.
- Review and update policies to strengthen coordinated planning to increase connectivity between transportation modes.
- Review and update environmental and stormwater management policies to facilitate efficient and cost-effective maintenance and preservation of transportation infrastructure and respond to emergency situations. Consider adding policies to prioritize replacement of culverts that function as fish barriers on county roadways.
- Address the importance of high quality/healthy housing, including sufficient housing that is affordable, near transit stations as part of a strategy to increase the use of public transportation, reduce vehicle trips and vehicle miles traveled, and improve equity outcomes.
- Consider policies to incorporate health and equity assessments as part of transportation planning and project analysis.
- Review and update policies to address the importance of regional collaboration to provide and site infrastructure supportive of freight mobility, including truck stops.

- Review and update policies to support and advance the King County International Airport Master Plan.

Chapter Eight – Services, Facilities and Utilities

The 2016 update to the Services, Facilities and Utilities chapter will focus on strengthening regional cooperation and coordination around critical community infrastructure including water supply, wastewater treatment, flood management, and solid waste. Policies will be updated to reflect new and innovative approaches to energy efficiency, green building and environmental sustainability, and will reinforce the important social and economic role King County's facilities, services, and utilities play in the region.

- Review and update policies to reflect environmental justice, equity, and social justice, including consideration of historic trends in the distribution of benefits and burdens.
- Review and update policies to facilitate the utilities element of the multi-use vision for the public asset currently known as the "Eastside Rail Corridor."
- Review policies to reflect that the Wastewater Treatment Division (WTD) uses planning horizons that exceed the 20-year growth target and land use plan when developing capital facility plans.
- Update policies in the Capital Facility Planning section to reflect that WTD uses an alternative to LEED, Envision Sustainable Infrastructure Rating System, to rate WTD infrastructure.
- Update policies to reflect Consent Decree requiring completion of Combined Sewer Overflow projects by 2030.
- Review and update policies as needed to ensure compliance with state and federal laws and treaty obligations related to monitoring, inspection, and correction of failing onsite septic systems.
- Review policies for consistency with adopted updates to Solid Waste Division facilities/transfer plans. Update policies to reflect goals for zero waste/70% recycling rates.
- Review and update the Regional Services section to reflect the Health and Human Services Transformation Plan , Communities of Opportunity, and Youth Action Plan.

Chapter Nine – Economic Development

The 2016 update to the Economic Development chapter will recognize that sustainable economic development benefiting all people in King County requires visionary policies and strong partnerships to grow and attract businesses, educate and train workers, and maintain and expand infrastructure while supporting the health of the natural and built environment.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Update economic data.
- Review and update policies to advance the Rural Economic Strategies plan.
- Explore including policies to address growing income inequality.

- Consider including policies for place-based workforce training strategies in communities with education and opportunity challenges.
- Review and update policies to promote economies and industries of opportunity for low and moderate income residents in "places of opportunity," including in transit-served job centers and in communities with high concentrations of unemployment and poverty.
- Review the King County Local Food Economy Initiative recommendations for policy implications and incorporate into policies as appropriate.
- Assess current fragmented economic development activities across the county and update policies to improve regional coordination and achieve agreed-upon results in job and wage growth and in economic diversity.

Chapter Ten – Community Plans

The 2016 updates to Community Plans will enhance the applicability of the community plan policies by focusing on specific community issues and eliminating those policies that relate to areas that have annexed to cities.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Update policies to remove site specific references to areas that have been annexed to cities.
- Review policies for broader applicability and consider incorporating into other chapters of the Comprehensive plan rather than being site specific.

Chapter Eleven – Implementation, Amendments and Evaluation

The 2016 update to the Implementation, Amendments and Evaluation chapter will strengthen the link between the KCCP and the King County Strategic Plan through a set of metrics that will be based on measurable goal statements to be added to each chapter.

- Update and strengthen policies to provide increased attention to areas with low income communities and people of color to address inequities and disparities.
- Review and update metrics to monitor the progress of the KCCP toward achieving the Regional Growth Strategy.
- Consider adding metrics to monitor the performance of the KCCP in meeting the goals of the Growth Management Act.[2]
- Work with the State Department of Commerce and, as necessary, the Growth Management Planning Council (GMPC) on possible changes to Buildable Lands Reports, including establishing measurable targets for each type of residential housing (e.g. single family, multifamily, and affordable housing).
- Work with the State Department of Commerce and, as necessary, the GMPC to ensure accuracy of Buildable Lands Reports by considering all factors that may prevent achieving growth targets.

[2] RCW 36.70A.020

Glossary

- Update rural areas definitions (e.g. rural area, rural land, rural zoning, and rural cities).

Area Zoning and Land Use Proposals

- **West Hill** (Motion 14221): Incorporate the updated subarea plan (expected to be completed by June 30, 2015), which should include zoning and regulations that: address the historic wide gaps in equity of infrastructure investments and services; facilitate the revitalization of its neighborhoods, local economy, and quality of life of its residents; and have included outreach with the local community in their development.
- **Fairwood** (Motion 14276): Review land use designations and implementing zoning on parcels 3423059035, 3423059061, 3423059031, and 3423059034 and the surrounding area.
- **Federal Way** (Motion 14276): Review land use designations and implementing zoning on parcel 2821049171 and the surrounding area.
- **Allison Docket request:** Review land use designation and implementing zoning on parcel 3224079134 and the surrounding area, and consider whether to remove Special District Overlay.
- **Timmerman Docket request:** Review land use designation and implementing zoning on parcel 2625069041 and the surrounding area, and consider whether to change designation and/or zoning, pending the outcome of a review by the City of Sammamish in their 2015 Comprehensive Plan update.
- **Snoqualmie Interchange:** Review land use designations and implementing zoning on the north side of I-90 and SR-18 interchange, and consider whether to convert land from rural to urban. Consider whether any conversion from rural to urban should be done in conjunction with a dedication of lands as open space and/or farmland, on terms and conditions equal to or better than the County's four-to-one program.
- **Duthie Hill:** Review land use designations and implementing zoning within the Duthie Hill Notch in unincorporated Sammamish and the surrounding area, and consider whether to convert land from rural to urban.
- **Fall City:** Review and update the Fall City Subarea Plan including: review land use designations and implementing zoning on parcels 0943100020, 2475900865, and 1524079003 and the surrounding area, and consider including the parcels in the Fall City Business District and the Special District Overlay; and update policies to facilitate increased assistance from King County, as the local government provider, in the formation and management of a local alternative wastewater system.
- **Snoqualmie Pass:** Initiate a subarea plan for Snoqualmie Pass rural town and ski area. The subarea plan should developed in collaboration with Kittitas County and should evaluate and address the current and future housing and economic development needs of this growing community.
- **Vashon:** Initiate an update to the Vashon Town Plan, and incorporate the updated subarea plan into the Comprehensive Plan. The updated subarea plan should include zoning and regulations that: address community and business needs, improve economic

vitality and quality of life of its residents, and have included the outreach with the local community in their development.

- **Highline:** Initiate an update to the Highline Community Plan, and incorporate the updated subarea plan into the Comprehensive Plan. The updated subarea plan should include zoning and regulations that: address the historic wide gaps in equity of infrastructure investments and services; facilitate the revitalization of its neighborhoods, local economy, and quality of life of its residents; and have included outreach with the local community in their development.
- **Carnation:** Review land use designations and implementing zoning on parcels 1525079049, 1525079005, and 1525079010 and the surrounding area, and consider whether to convert the parcels from rural to urban. The proposal should be evaluated in conjunction with dedication of lands as open space and/or farmland preservation that is four times the acreage of the land added to the Urban Growth Area.
- **North Bend:** Review land use designations and implementing zoning on parcels 2223089049, 2223089019, 2223089002, 2223089026, 2223089055, 1523089018, 1523089147, 1523089039, 1523089132, 1523089194, 1523089170, 1523089019, 1523089124, and 1523089133 and the surrounding area, and consider whether to convert the parcels from rural to urban. The proposal should be evaluated in conjunction with dedication of lands as open space that is four times the acreage of the land added to the Urban Growth Area.
- **Cedar Hills/Maple Valley:** Initiate a subarea plan for the "Cedar Hills/Maple Valley" area. Review land use designations and implementing zoning on parcels 2823069009, 2923069019, 2923069080, 2923069082, 2923069083, 2923069084, 3223069001, 3223069003, 3223069068, 3323069027, 3323069030, and 3323069042 and the surrounding area, which has long-standing industrial and resource material processing uses. Study and make recommendations on the potential long-term land uses for this area, including coordination with the County's planning on future closure of the adjacent Cedar Hills landfill. Include evaluation of options for land uses other than mining, including residential uses, non-residential uses, and whether a four-to-one proposal is appropriate for this area.
- **Maple Valley Industrial:** Review land use designations and implementing zoning on parcels 1622069091, 1522069034, and 1522069036 and the surrounding area, and consider whether to change designation and/or zoning, including whether to revise or eliminate the development conditions placed by Ordinance 12824 in 1997.
- **Fairwood**: Review land use designations and implementing zoning on parcels 2473300010, 2473300020, 2473300030, 2473300040, 2473300070, 2473300080, 2473300090, 2473300100, 2473300110, 2473300120, and 5479300000, and the surrounding area, and consider whether to change the designation and/or zoning. Consider the current uses, potential for redevelopment, consistency between the comprehensive plan designation and the zoning classification. Consider including incentives to encourage redevelopment of these parcels, such as only allowing realization of any new zoning when the parcels are redeveloped.

Identify any changes to generally applicable policies and codes that would be necessary to adopt any proposed UGA change.

Technical Appendices

- Update technical appendices as needed.

Development Code

- Consider code amendments and comprehensive plan policies for agriculture supportive and dependent uses to support viable and sustainable agricultural production districts.
- Consider code flexibility for alternative temporary lodging, such as treehouses and structures associated with re-creations of historic communities.
- Consider code flexibility for alternative housing models, such as micro housing.
- Consider code changes to regarding ingress/egress for new plat proposals, including space needed for traffic queuing.
- Update and consolidate code sections related to agriculture lands, including KCC 20.54, while still maintaining and/or memorializing relevant policy statements and findings.
- Evaluate and consider code changes to expand use of and/or timelines for extensions of plat approvals.

2016 King County Comprehensive Plan
Public Outreach Plan and SEPA Analysis

In accordance with King County Code 20.18.060(A.1)

I. Public Outreach Plan

King County Regional Planning staff, along with staff from the Executive Departments, will conduct a two-phased approach to public outreach for the 2016 King County Comprehensive Plan. The first phase will take place during the spring and summer to get input into the issues to be addressed in the update. King County staff will have information on the update process at the Community Service Area open houses during the period April through June. The 2nd phase will take place in the fall and early winter once the Public Review Draft has been released. Throughout the entire process, the 2016 King County Comprehensive Plan website will be updated and the email address for comments will be monitored. The following community and stakeholder groups will be notified of the update process and will receive an invitation for Regional Planning staff to meet with communities and organizations to gather feedback.

A. Community Councils
- Four Creeks Unincorporated Area Council (UAC)
- Greater Maple Valley Area Council
- North Highline UAC
- Upper Bear Creek Community Council
- Vashon-Murray Island Community Council
- West Hill Community Association
- White Center Community Development Association
- Skyway Solutions
- Fall City Community Association
- Green Valley Lake Holm Association

B. King County Commissions and Advisory Committees
- Agriculture Commission
- Rural Forestry Commission
- Historic Preservation Commission
- Transportation Concurrency Expert Review Panel

C. Stakeholder Groups *(partial list)*
- Master Builders Association of King and Snohomish Counties
- Seattle-King County Realtors
- Futurewise
- Housing Development Consortium
- Puget Sound Sage
- Transportation Choices Collation
- Sound Cities Association
- King Conservation District

- Seattle Tilth
- Tulalip Tribe
- Snoqualmie Tribe
- Muckleshoot Tribe
- Forterra
- Mountains to Sound Greenway
- Stewardship Partners
- Audubon Society
- Wild Fish Conservancy
- Partnership for Rural King County
- King County Flood District
- El centro de la raza
- Eastside Community Network
- Hopelink
- Cascade Bicycle Club
- School Districts
- Port of Seattle
- Healthy King County Coalition
- Got Green

Outreach activities will include particular attention to low income and traditionally disadvantaged groups and communities, including engagement with community-based groups and offering interpretation services and translation of materials. Outreach efforts will include Regional Planning staff:

- being on hand to attend community meetings,
- inquiring into the best ways communities would like to be engaged, and
- requesting names of additional organizations and communities that should be included in the outreach process.

II. SEPA Analysis

SEPA analysis for the 2016 King County Comprehensive Plan amendment will commence with the release of the public review draft in the fall, 2015 and continue through review by the King County Council committee. SEPA will be concluded in advance of action by the full King County Council, expected in the fall of 2016.

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Executive Request to Add to Proposed Ordinance 2016-0155

Two sections of K.C.C. Chapter 21A.37, Transfer of Development Rights (TDRs), code amendments were inadvertently omitted of the transmitted version of Proposed Ordinance 2016-0155. The Executive has subsequently requested that these amendments be added to the Ordinance.

Section of Ordinance	Code Citation	Description of Executive Addition
NEW	21A.37.030	Limit use of TDRs in urban unincorporated areas. Short subdivisions would be allowed to be receiving sites TDRs, while long subdivisions would be limited to becoming receiving sites until a subarea study is completed.
34	21A.37.110	Allows urban amenity funding to be used in urban unincorporated area receiving sites.
NEW	21A.37.150	Requires amenity funding in urban unincorporated area receiving sites should be roughly proportionate to the value and number of development rights accepted in that area.

SECTION ##. Ordinance 13274, Section 5, as amended, and K.C.C. 21A.37.030, are each hereby amended to read as follows:

A. Receiving sites shall be:

1. King County unincorporated urban sites, except as limited in subsections C and D. of this section, zoned R-4 through R-48, NB, CB, RB or O, or any combination thereof. The sites may also be within potential annexation areas established under the countywide planning policies; or

2. Cities where new growth is or will be encouraged under the Growth Management Act and the countywide planning policies and where facilities and services exist or where public investments in facilities and services will be made, or

3. RA-2.5 zoned parcels, except as limited in subsection E. of this section, that meet the criteria listed in this subsection A.3. may receive development rights transferred from rural forest focus areas, and accordingly may be subdivided and developed at a maximum density of one dwelling per two and one-half acres. Increased density allowed through the designation of rural receiving areas:

a. must be eligible to be served by domestic Group A public water service;

b. must be located within one-quarter mile of an existing predominant pattern of rural lots smaller than five acres in size;

c. must not adversely impact regionally or locally significant resource areas or critical areas;

d. must not require public services and facilities to be extended to create or encourage a new pattern of smaller lots;

e. must not be located within rural forest focus areas; and

f. must not be located on Vashon Island or Maury Island.

B. Except as provided in this chapter, development of an unincorporated King County receiving site shall remain subject to all zoning code provisions for the base zone, except TDR receiving site developments shall comply with dimensional standards of the zone with a base density most closely comparable to the total approved density of the TDR receiving site development.

C. ((~~An~~))Urban unincorporated King County receiving sites may accept development rights from one or more sending sites, ((~~up to the maximum density permitted under K.C.C. 21A.12.030 and 21A.12.040.~~)) as follows:

1. For short subdivisions, up to the maximum density permitted under K.C.C. 21A.12.030 and 21A.12.040, and

2. For formal subdivisions, only as authorized in a subarea study that includes a comprehensive analysis of the impacts of receiving development rights.

D. Property located within the outer boundaries of the Noise Remedy Areas as identified by the Seattle-Tacoma International Airport may not accept development rights.

E. Property located within the shoreline jurisdiction or located on Vashon Island or Maury Island may not accept development rights.

SECTION 34. Ordinance 13733, Section 10, as amended, and K.C.C. 21A.37.110 are hereby amended to read as follows:

A. The TDR bank may purchase development rights from qualified sending sites at prices not to exceed fair market value and to sell development rights at prices not less than fair market value. The TDR bank may accept donations of development rights from qualified TDR sending sites.

B. The TDR bank may purchase a conservation easement only if the property subject to the conservation easement is qualified as a sending site as evidenced by a TDR qualification report, the conservation easement restricts development of the sending site in the manner required by K.C.C. 21A.37.060 and the development rights generated by encumbering the sending site with the conservation easement are issued to the TDR bank at no additional cost.

C. ((~~If a conservation easement is acquired through a county park, open space, trail, agricultural, forestry or other natural resource acquisition program for a property that is qualified as a TDR sending site as evidenced by a TDR qualification report, any development rights generated by encumbering the sending site with the conservation easement may be issued to the TDR bank so long as there is no additional cost for the development rights.~~)) Any development rights, generated by encumbering property with a conservation easement, may be issued to the TDR bank if:

1.a. The conservation easement is acquired through a county park, open space, trail, agricultural, forestry or other natural resource acquisition program for a property that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

b. the property is acquired by the county with the intent of conveying the property encumbered by a reserved conservation easement. The number of development rights generated by this reserved conservation easement shall be determined by the TDR qualification report; and

2. Under either subsection C.1.a. or b. of this section, there will be no additional cost to the county for acquiring the development rights.

D. The TDR bank may use funds to facilitate development rights transfers. These expenditures may include, but are not limited to, establishing and maintaining internet web pages, marketing TDR receiving sites, procuring title reports and appraisals and reimbursing the

costs incurred by the department of natural resources and parks, water and land resources division, or its successor, for administering the TDR bank fund and executing development rights purchases and sales.

E. The TDR bank fund may be used to cover the cost of providing staff support for identifying and qualifying sending and receiving sites, and the costs of providing staff support for the TDR interagency review committee.

F. Upon approval of the TDR executive board, proceeds from the sale of TDR bank development rights shall be available for acquisition of additional development rights and as amenity funds to facilitate interlocal TDR agreements with cities in King County and for projects in receiving areas located in urban unincorporated King County. Amenity funds provided to a city from the sale of TDR bank development rights to that city are limited to one-third of the proceeds from the sale.

SECTION ##. Ordinance 13733, Section 14, as amended, and K.C.C. 21A.37.150 are each hereby amended to read as follows:

A. Expenditures by the county for amenities to facilitate development rights sales in cities shall be authorized by the TDR executive board during review of proposed interlocal agreements, and should be roughly proportionate to the value and number of development rights anticipated to be accepted in an incorporated receiving site pursuant to the controlling interlocal agreement, ((~~or in the unincorporated urban area,~~)) in accordance with K.C.C. 21A.37.040. Expenditures by the county to fund projects in receiving areas located in urban unincorporated King County shall be authorized by the TDR executive board and should be roughly proportionate to the value and number of development rights accepted in the unincorporated urban area.

B. The county shall not expend funds on TDR amenities in a city before execution of an interlocal agreement, except that:

1. The executive board may authorize up to twelve thousand dollars be spent by the county on TDR amenities before a development rights transfer for use at a receiving site or for the execution of an interlocal agreement if the TDR executive board recommends that the funds be spent based on a finding that the expenditure will expedite a proposed transfer of development rights or facilitate acceptance of a proposed transfer of development rights by the community around a proposed or established receiving site area;

2. King County may distribute the funds directly to a city if a scope of work, schedule and budget governing the use of the funds is mutually agreed to in writing by King County and the affected city. Such an agreement need not be in the form of an interlocal agreement; and

3. The funds may be used for project design renderings, engineering or other professional services performed by persons or entities selected from the King County approved architecture and engineering roster maintained by the department of finance or an affected city's approved architecture and engineering roster, or selected by an affected city through its procurements processes consistent with state law and city ordinances.

C. TDR amenities may include the acquisition, design or construction of public art, cultural and community facilities, parks, open space, trails, roads, parking, landscaping, sidewalks, other streetscape improvements, transit-related improvements or other improvements or programs that facilitate increased densities on or near receiving sites.

D. When King County funds amenities in whole or in part, the funding shall not commit the county to funding any additional amenities or improvements to existing or uncompleted amenities.

E. King County funding of amenities shall not exceed appropriations adopted by the council or funding authorized in interlocal agreements, whichever is less.

F. Public transportation amenities shall enhance the transportation system. These amenities may include capital improvements such as passenger and layover facilities, if the improvements are within a designated receiving area or within one thousand five hundred feet of a receiving site. These amenities may also include programs such as the provision of security at passenger and layover facilities and programs that reduce the use of single occupant vehicles, including car sharing and bus pass programs.

G. Road fund amenities shall enhance the transportation system. These amenities may include capital improvements, such as streets, traffic signals, sidewalks, street landscaping, bicycle lanes and pedestrian overpasses, if the improvements are within a designated receiving site area or within one thousand five hundred feet of a receiving site. These amenities may also include programs that enhance the transportation system.

H. All amenity funding provided by King County to cities <u>or to urban unincorporated receiving areas</u> to facilitate the transfer of development rights shall be consistent with federal, state and local laws.

I. The timing and amounts of funds for amenities paid by King County to each participating city shall be determined in an adopted interlocal agreement. The interlocal agreement shall set forth the amount of funding to be provided by the county, an anticipated scope of work, work schedule and budget governing the use of the amenity funds. Except for the amount of funding to be provided by the county, these terms may be modified by written agreement between King County and the city. Such an agreement need not be in the form of an interlocal agreement. Such an agreement must be authorized by the TDR executive board. If

amenity funds are paid to a city to operate a program, the interlocal agreement shall set the period during which the program is to be funded by King County.

J. A city that receives amenity funds from the county is responsible for using the funds for the purposes and according to the terms of the governing interlocal agreement.

K. To facilitate timely implementation of capital improvements or programs at the lowest possible cost, King County may make amenity payments as authorized in an interlocal agreement to a city before completion of the required improvements or implementation programs, as applicable. If all or part of the required improvements or implementation programs in an interlocal agreement to be paid for from King County funds are not completed by a city within five years from the date of the transfer of amenity funds, then, unless the funds have been used for substitute amenities by agreement of the city and King County, those funds, plus interest, shall be returned to King County and deposited into the originating amenity fund for reallocation to other TDR projects.

L. King County is not responsible for maintenance, operating and replacement costs associated with amenity capital improvements inside cities, unless expressly agreed to in an interlocal agreement.

Comments on the Comprehensive Plan from the Council Web Site

Upated April 1, 2016

Salut	First Name	Last Name	District	Comment
Mr.	Donald	Kupillas	9	Hello, Unfortunately I am unable to attend the meeting in person. I would like to propose that the council focuses on resolving the traffic congestion on Issaquah-Hobart Road. I have attended meetings with Issaquah's traffic task force, however they did not address I-H Road as it is in Unincorporated King County. The idea that was proposed was to add a 3rd lane that is interchangeable between Northbound and Southbound directions. In the mornings, the additional lane can lessen the Northbound congestion. In the afternoon / evenings the additional lane can lessen the Southbound congestion. Having the 3rd lane between Cedar Grove Road and 2nd Ave. SE in Issaquah would alleviate the majority of the traffic issues. Thanks for your consideration. Don Kupillas

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16-018

King County
Office of Performance, Strategy and Budget
Chinook Building
401 Fifth Avenue, Suite 810
Seattle, WA 98104

RECEIVED
2016 MAR 22 PM 2:08
CLERK
KING COUNTY COUNCIL

March 14, 2016

MEMORANDUM

TO: Joe McDermott, Chair, King County Council

FM: Jonathan Swift, Deputy Director, Office of Performance, Strategy and Budget

RE: CWM – Boise Creek Design

Enclosed is a King County Grant Alert, advising Council of the department's intent to apply for the above-entitled Grant. This grant application is due to grantor on February 26, 2016, with a potential award of $75,000. If you have any questions, please contact Josh Kahan, at 206-477-4271.

cc: King County Councilmembers
Beth Mountsier, Council Committee Staff
Patrick Hamacher, Senior Principal Legislative Analyst, BFM Staff
Anne Noris, Clerk of the Council
Jillian Andrews, Budget Analyst, Office of Performance, Strategy and Budget (PSB)
Lynn McKiernan Ngarl, Grant Financial Officer, FBOD
Ayesha Kelly, Administrator, PSB
Jo Anne Fox, Budget Analyst, PSB

King County Grant Alert

Department	DNRP
Division	WLRD
Program	RRS
Contact	Josh Kahan
Phone	477-4721

CWM - Boise Creek Design
Preliminary project title

MAR 9 2016

REVIEW/APPROVAL

	Date Rec'vd	Date Appr'vd	Initials
Dept		3-3-16	
Budget	2/25/16	2/26/16	
PSB Control No.	16-018 JW		JW 3/11/16

BASIC GRANT INFORMATION

Grantor (list branch of government or private foundation)
King County Flood Control District - Cooperative Watershed Manag

Is this an ARRA Grant? ☐ Yes ☒ No

CFDA # TBD
(For Federal awards)

Application due date: February 26, 2016

Date award will be announced: June 30, 2016

Grantor's statement of intent in letting RFP
The King County FCD provides CWM funding for habitat restoration projects in the White River Watershed, including Boise Creek.

Potential King County budget impact

	2014	2015	2016	2017	2018
Potential award amount			75,000		-
Required CX cash match					-
Required other match			-		-
Total potential value	$ -	$ -	$ 75,000	$ -	$ -
% of Fund approp:	0.0%	0.0%	0.3%	0.0%	0.0%
Possible FTE additions	-	-	-	-	-

Award Maximums
Range of years covered: 2016-17
$'s 75,000

Does this grant replace currently appropriated funds? ☐ YES ☒ NO
If yes, **Amount** displaced: $
Source:

PRELIMINARY DESCRIPTION OF KING COUNTY PROPOSAL
See guidelines on reverse -- **summarize, then attach separate sheets if more detail is appropriate**

Project deliverables: complete design of a stream restoration project on the Vanwierengen property downstream of the 268th St. Bridge to facilitate a future habitat restoration project.

Future Funding Liabilities (including sunsetting costs, if applicable -- see instructions): None.

EXISTING POLICY/PLAN ENABLING THIS GRANT

King County Comp. Plan (KCCP) Policy E-132 says: River and stream channels, stream outlets, headwater areas, and riparian corridors should be preserved, protected and enhanced for their hydraulic, hydrologic, ecological and aesthetic functions in providing woody debris sources to salmonid-bearing streams. KCCP Policy E-150 says: The existing flood storage and conveyance functions and ecological values of floodplains, wetlands, and riparian corridors shal be protected, and should, where possible, be enhanced or restored. KCCP Policy E-151 states: King County's floodplain land use and floodplain management activities shall be carried out in accordance with the King County Flood Hazard Reduction Plan.

IS COUNCIL ACTION DESIRED OR REQUIRED?

☐ Implementation of this grant will require execution of an Interlocal Agreement.

☐ Either the application or implementation would benefit from Council pre-authorization. (a transmittal of proposed legislation is forthcoming)

CWM - Boise - 2016.xlsx by ds as of 2/25/2016 4:44 PM