

1 October 9, 1978

Introduced by: Bernice Stern

2
3 ORDINANCE NO. 3918

78-1029

4 AN ORDINANCE relating to the protection and retention
5 of farm and open space lands in King County, making
6 certain clarifications and technical amendments to
7 the acquisition ordinance, and amending Ordinance
8 3872, Sections 1, 3, 6, 9 and 10.

9 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10 SECTION 1. Section 1, paragraph 12, of Ordinance 3872
11 is amended to read as follows:

12 King County should afford permanent protection
13 to open space land suitable for agricultural uses by acquiring
14 interests in such land (~~((and-in-adjacent-properties))~~) sufficient
15 to encourage the use of those lands for agricultural and open
16 space purposes and to prevent the development of such land for
17 other purposes.

18 SECTION 2. Section 3(1) of Ordinance 3872 is amended
19 to read as follows:

20 1. The Executive is hereby authorized, pursuant to
21 the provisions of this ordinance, subject also to the approval of
22 the Council, to acquire and offer to acquire by purchase, gift,
23 grant, bequest, devise, lease, covenant, contract or otherwise,
24 upon the request of the owner, the fee simple or any lesser
25 interest, development right, easement, covenant or other con-
26 tractual right in eligible agricultural lands in incorporated
27 and unincorporated King County in order to carry out the purposes
28 of this ordinance.

29 SECTION 3. Section 6(1) of Ordinance 3872 is amended
30 to read as follows:
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1. After King County has acquired the development rights to eligible agricultural land, the Executive is authorized to purchase, upon application by the owner, the remaining agricultural rights in such land subject to the provisions of this section if the Executive determines that such land cannot reasonably be used for its intended agricultural use.

SECTION 4. Section 9(2) of Ordinance 3872 is amended to read as follows:

2. The Executive shall adopt rules or regulations concerning all matters necessary to implement this ordinance, including:

(a) detailed criteria for the acquisition of eligible lands consistent with the following priorities:

First Priority - food-producing horticultural lands threatened by urban development;

Second Priority - food-producing livestock lands threatened by urban development;

Third Priority - all other food-producing horticultural lands;

Fourth Priority - lands capable of horticultural food production and threatened by urban development;

Fifth Priority - then, if bond funds remain available after the Council determines that 60% of the lands eligible for acquisition by priorities 1, 2, 3 and 4 have been acquired or found impractical to acquire, all other food producing livestock lands and other eligible lands.

Criteria for selection of offered lands to be acquired within each priority level may include but not be limited to current use, pressure for development to nonagricultural uses, parcel size, topography, soil classification, type of agricultural

1 products for which the property is suitable, current zoning classification,
2 availability of urban services, proximity to other eligible agricultural
3 lands, consistency with the applicable comprehensive land use plan, and such
4 other criteria as the Executive deems appropriate.

5 (b) the development of covenants, instruments of conveyance to
6 King County and contracts for the purchase of the development rights, remain-
7 ing agricultural rights, fee simple or other interests in eligible agricultural
8 lands acquired pursuant to this ordinance.

9 (c) allocation of selling costs, such as for title search,
10 appraisals, recording, taxes and other items between the owner and King County.

11 SECTION 5. Section 10 of Ordinance 3872 is amended to read as
12 follows:

13 If the Council should find after retirement of ~~((any))~~ all bonds
14 issued in furtherance of this program that the public purposes described in
15 section 1 of this ordinance can no longer reasonably be fulfilled, the
16 Council shall submit to the voters of King County a proposition to approve
17 of the disposition of ~~((the))~~ interests acquired pursuant to this program.

18 A new section to Ordinance 3872 to read as follows:

19 SECTION 6. The County Executive is hereby required to prepare
20 and submit to the County Council and the general public progress reports on
21 program implementation. Said reports shall be presented quarterly during
22 the first two years of the program and annually thereafter.

23 INTRODUCED AND READ for the first time this 9th day of
24 October, 1978.

25 PASSED this 16th day of October, 1978.

26 KING COUNTY COUNCIL
27 KING COUNTY, WASHINGTON

28 Bernice Stern
29

30 ATTEST:

31 [Signature]
32 Clerk of the Council

33 APPROVED this 20th day of October, 1978.

[Signature]
King County Executive