



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 9, 2008

Ordinance 16263

Proposed No. 2008-0124.2

Sponsors Gossett

1 AN ORDINANCE relating to comprehensive planning and
2 permitting; and amending Ordinance 263, Article 2,
3 Section 1, as amended, and K.C.C. 20.12.010, Ordinance
4 13147, Section 19, as amended, and K.C.C. 20.18.030,
5 Ordinance 13147, Section 30, as amended, and K.C.C.
6 20.18.140, Ordinance 14047, Section 9, and K.C.C.
7 20.18.170, Ordinance 14047, Section 10, as amended, and
8 K.C.C. 20.18.180, Ordinance 12196, Section 9, as
9 amended, and K.C.C. 20.20.020, Ordinance 12196, Section
10 17, as amended, and K.C.C. 20.20.100, Ordinance 4461,
11 Section 10, as amended, and K.C.C. 20.24.190, Ordinance
12 6949, Section 6, as amended, and K.C.C. 20.44.040 and
13 Ordinance 6949, Section 10, as amended, and K.C.C.
14 20.44.080.

15
16 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

17 SECTION 1. Findings: For the purposes of effective land use planning and
18 regulation, the King County council makes the following legislative findings:

19 A. King County has adopted the 2004 King County Comprehensive Plan to meet
20 the requirements of the Washington State Growth Management Act ("GMA");

21 B. The King County Code authorizes a review of the Comprehensive Plan and
22 allows substantive amendments to the Comprehensive Plan once every four years and the
23 King County Comprehensive Plan 2008 amendments represent the third major review of
24 the Comprehensive Plan since 1994;

25 C. The GMA requires that the Comprehensive Plan and development regulations
26 be subject to continuing review and evaluation by the county;

27 D. The GMA requires that King County adopt development regulations to be
28 consistent with and implement the Comprehensive Plan; and

29 E. The changes to zoning contained in this ordinance are needed to maintain
30 conformity with the King County Comprehensive Plan, as required by the GMA. As
31 such, they bear a substantial relationship to, and are necessary for, the public health,
32 safety and general welfare of King County and its residents.

33 SECTION 2. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.
34 20.12.010, are each hereby amended to read as follows:

35 A. Under the King County Charter, the state Constitution and the Washington
36 state Growth Management Act, chapter 36.70A RCW, the 1994 King County
37 Comprehensive Plan is adopted and declared to be the Comprehensive Plan for King
38 County until amended, repealed or superseded. King County performed its first
39 comprehensive four-cycle review of the Comprehensive Plan. As a result of the review,
40 King County amended the 1994 Comprehensive Plan through passage of the King
41 County Comprehensive Plan 2000. King County performed its second comprehensive

42 four-cycle review of the Comprehensive Plan in 2004. As a result of the review, King
43 County amended the 2000 Comprehensive Plan through passage of the King County
44 Comprehensive Plan 2004. The Comprehensive Plan shall be the principal planning
45 document for the orderly physical development of the county and shall be used to guide
46 subarea plans, functional plans, provision of public facilities and services, review of
47 proposed incorporations and annexations, development regulations and land development
48 decisions.

49 B. The amendments to the 1994 King County Comprehensive Plan contained in
50 Appendix A to Ordinance 12061 (King County Comprehensive Plan 1995 amendments)
51 are hereby adopted.

52 C. The amendments to the 1994 King County Comprehensive Plan contained in
53 Attachment A to Ordinance 12170 are hereby adopted to comply with the Central Puget
54 Sound Growth Management Hearings Board Decision and Order in Vashon-Maury
55 Island, et. al. v. King County, Case No. 95-3-0008.

56 D. The Vashon Town Plan contained in Attachment 1 to Ordinance 12395 is
57 adopted as a subarea plan of the King County Comprehensive Plan and, as such,
58 constitutes official county policy for the geographic area of unincorporated King County
59 defined in the plan and amends the 1994 King County Comprehensive Plan Land Use
60 Map.

61 E. The amendments to the 1994 King County Comprehensive Plan contained in
62 Appendix A to Ordinance 12501 are hereby adopted to comply with the Order of the
63 Central Puget Sound Growth Management Hearings Board in Copac-Preston Mill, Inc., et

64 al, v. King County, Case No. 96-3-0013 as amendments to the King County
65 Comprehensive Plan.

66 F. The amendments to the 1994 King County Comprehensive Plan contained in
67 Appendix A to Ordinance 12531 (King County Comprehensive Plan 1996 amendments)
68 are hereby adopted as amendments to the King County Comprehensive Plan.

69 G. The Black Diamond Urban Growth Area contained in Appendix A to
70 Ordinance 12533 is hereby adopted as an amendment to the King County Comprehensive
71 Plan.

72 H. The 1994 King County Comprehensive Plan and Comprehensive Plan Land
73 Use Map are amended to include the area shown in Appendix A of Ordinance 12535 as
74 Rural City Urban Growth Area. The language from Section 1D of Ordinance 12535 shall
75 be placed on Comprehensive Plan Land Use Map page #32 with a reference marker on
76 the area affected by Ordinance 12535.

77 I. The amendments to the 1994 King County Comprehensive Plan contained in
78 Appendix A to Ordinance 12536 (1997 Transportation Need Report) are hereby adopted
79 as amendments to the King County Comprehensive Plan.

80 J. The amendments to the 1994 King County Comprehensive Plan contained in
81 Appendix A to Ordinance 12927 (King County Comprehensive Plan 1997 amendments)
82 are hereby adopted as amendments to the King County Comprehensive Plan.

83 K. The amendments to the 1994 King County Comprehensive Plan contained in
84 the 1998 Transportation Needs Report, contained in Appendices A and B to Ordinance
85 12931 and in the supporting text, are hereby adopted as amendments to the King County
86 Comprehensive Plan.

87 L. The amendments to the 1994 King County Comprehensive Plan contained in
88 Appendix A to Ordinance 13273 (King County Comprehensive Plan 1998 amendments)
89 are hereby adopted as amendments to the King County Comprehensive Plan.

90 M. The 1999 Transportation Needs Report contained in Attachment A to
91 Ordinance 13339 is hereby adopted as an amendment to the 1994 King County
92 Comprehensive Plan, Technical Appendix C, and the amendments to the 1994 King
93 County Comprehensive Plan contained in Attachment B to Ordinance 13339 are hereby
94 adopted as amendments to the King County Comprehensive Plan.

95 N. The amendments to the 1994 King County Comprehensive Plan contained in
96 Attachment A to Ordinance 13672 (King County Comprehensive Plan 1999
97 amendments) are hereby adopted as amendments to the King County Comprehensive
98 Plan.

99 O. The 2000 Transportation Needs Report contained in Attachment A to this
100 Ordinance 13674 is hereby adopted as an amendment to the 1994 King County
101 Comprehensive Plan, Technical Appendix C.

102 P. The Fall City Subarea Plan contained in Attachment A to Ordinance 13875 is
103 adopted as a subarea plan of the King County Comprehensive Plan and, as such,
104 constitutes official county policy for the geographic area of unincorporated King County
105 defined in the plan. The Fall City Subarea Plan amends the 1994 King County
106 Comprehensive Plan land use map by revising the Rural Town boundaries of Fall City.

107 Q. The amendments to the King County Comprehensive Plan contained in
108 Attachment A to Ordinance 13875 are hereby adopted as amendments to the King
109 County Comprehensive Plan.

110 R. The Fall City area zoning amendments contained in Attachment A to
111 Ordinance 13875 are adopted as the zoning control for those portions of unincorporated
112 King County defined in the attachment. Existing property-specific development
113 standards (p-suffix conditions) on parcels affected by Attachment A to Ordinance 13875
114 do not change except as specifically provided in Attachment A to Ordinance 13875.

115 S. The amendments to the 1994 King County Comprehensive Plan Land Use
116 Map contained in Attachment A to Ordinance 13987 are hereby adopted to comply with
117 the Central Puget Sound Growth Management Hearings Board Decision and Order on
118 Supreme Court Remand in *Vashon-Maury Island, et. al. v. King County*, Case No. 95-3-
119 0008 (Bear Creek Portion).

120 T. The 2001 transportation needs report contained in Attachment A to Ordinance
121 14010 is hereby adopted as an amendment to the 1994 King County Comprehensive Plan,
122 technical appendix C.

123 U. The amendments to the 1994 King County Comprehensive Plan contained in
124 Attachments A, B and C to Ordinance 14044 (King County Comprehensive Plan 2000)
125 are hereby adopted as amendments to the King County Comprehensive Plan. Attachment
126 A to Ordinance 14044 amends the policies, text and maps of the Comprehensive Plan.
127 Amendments to the policies are shown with deleted language struck out and new
128 language underlined. The text and maps in Attachment A to Ordinance 14044 replace the
129 previous text and maps in the Comprehensive Plan. Attachment B to Ordinance 14044
130 contains technical appendix A (capital facilities), which replaces technical appendix A to
131 the King County Comprehensive Plan, technical appendix C (transportation), which
132 replaces technical appendix C to the King County Comprehensive Plan, and technical

133 appendix M (public participation), which is a new technical appendix that describes the
134 public participation process for the King County Comprehensive Plan 2000. Attachment
135 C to Ordinance 14044 includes amendments to the King County Comprehensive Plan
136 Land Use Map. The land use amendments contained in Attachment C to Ordinance
137 14044 are adopted as the official land use designations for those portions of
138 unincorporated King County defined in Attachment C to Ordinance 14044.

139 V. The Snoqualmie Urban Growth Area Subarea Plan contained in Attachment A
140 to Ordinance 14117 is adopted as a subarea plan of the King County Comprehensive Plan
141 and, as such, constitutes official county policy for the geographic area of unincorporated
142 King County defined in the plan. Attachment B to Ordinance 14117 amends the King
143 County Comprehensive Plan 2000 land use map by revising the Urban Growth Area for
144 the City of Snoqualmie. Attachment C to Ordinance 14117 amends the policies of the
145 Comprehensive Plan.

146 W. The Snoqualmie Urban Growth Area Subarea Plan area zoning amendments
147 in Attachment D to Ordinance 14117 are adopted as the zoning control for those portions
148 of unincorporated King County defined in the attachment. Existing property-specific
149 development standards (p-suffix conditions) on parcels affected by Attachment D to
150 Ordinance 14117 do not change

151 X. The amendments to the King County Comprehensive Plan 2000 contained in
152 Attachment B to Ordinance 14156 are hereby adopted as amendments to the King County
153 Comprehensive Plan.

154 Y. The amendments to the King County Comprehensive Plan 2000 contained in
155 Attachment A to Ordinance 14185 are hereby adopted as amendments to the King

156 County Comprehensive Plan in order to comply with the order of the Central Puget
157 Sound Growth Management Hearings Board in *Green Valley et al, v. King County*,
158 CPSGMHB Case No. 98-3-0008c, Final Decision and Order (1998) and the order of the
159 Washington Supreme Court in *King County v. Central Puget Sound Growth Management*
160 *Hearings Board*, 142 Wn.2d 543, 14 P.3d 133 (2000).

161 Z. The amendments to the King County Comprehensive Plan 2000 contained in
162 Attachment A to Ordinance 14241 (King County Comprehensive Plan 2001
163 Amendments) are hereby adopted as amendments to the King County Comprehensive
164 Plan.

165 AA. The amendment to the King County Comprehensive Plan 2000 contained in
166 Attachment A to Ordinance 14286 is hereby adopted as an amendment to the King
167 County Comprehensive Plan in order to comply with the Central Puget Sound Growth
168 Management Hearings Board's Final Decision and Order in *Forster Woods Homeowners'*
169 *Association and Friends and Neighbors of Forster Woods, et al. v. King County*, Case
170 No. 01-3-0008c (Forster Woods), dated November 6, 2001.

171 BB. The amendments to the King County Comprehensive Plan 2000 contained in
172 Attachment A to Ordinance 14448 (King County Comprehensive Plan 2002
173 Amendments) are hereby adopted as amendments to the King County Comprehensive
174 Plan.

175 CC. The amendments to the King County Comprehensive Plan 2000 contained in
176 Attachment A to Ordinance 14775 (King County Comprehensive Plan 2003
177 Amendments) are hereby adopted as amendments to the King County Comprehensive
178 Plan.

179 DD. The amendments to the King County Comprehensive Plan 2000 contained in
180 Attachments A, B, C, D and E to Ordinance 15028 (King County Comprehensive Plan
181 2004) are hereby adopted as amendments to the King County Comprehensive Plan.
182 Attachment A, Part I, to Ordinance 15028 amends the policies, text and maps of the
183 Comprehensive Plan. Attachment A, Part II, to Ordinance 15028 includes amendments
184 to the King County Comprehensive Plan Land Use Map. The land use amendments
185 contained in Attachment A, Part II, to Ordinance 15028 are adopted as the official land
186 use designations for those portions of unincorporated King County defined in Attachment
187 A, Part II, to Ordinance 15028. Attachment B to Ordinance 15028 contains Technical
188 Appendix A (Capital Facilities), which replaces technical appendix A to the King County
189 Comprehensive Plan. Attachment C to Ordinance 15028 contains Technical Appendix B
190 (Housing), which replaces Technical Appendix B to the King County Comprehensive
191 Plan. Attachment D to Ordinance 15028 contains Technical Appendix C
192 (Transportation), which replaces Technical Appendix C to the King County
193 Comprehensive Plan 2000. Attachment E to Ordinance 15028 contains Technical
194 Appendix D (Growth Targets and the Urban Growth Area 2004).

195 EE. The 2004 transportation needs report contained in Attachment A to
196 Ordinance 15077 is hereby adopted as an amendment to the 2004 King County
197 Comprehensive Plan, technical appendix C.

198 FF. The amendments to the King County Comprehensive Plan 2004 contained in
199 Attachment A to Ordinance 15244 (King County Comprehensive Plan 2005
200 Amendments) are hereby adopted as amendments to the King County Comprehensive
201 Plan.

202 GG. Attachment A to Ordinance 15326, which is the King County
203 Comprehensive Plan Sammamish Agricultural Production District Subarea Plan dated
204 November 7, 2005, is hereby adopted as an amendment to the 2004 King County
205 Comprehensive Plan, as amended, in order to comply with the Central Puget Sound
206 Growth Management Hearings Board's Final Decision and Order in *Maxine Keesling v.*
207 *King County*, Case No. 04-3-0024 (Keesling III), dated May 31, 2005.

208 HH. The amendments to the King County Comprehensive Plan 2004 contained in
209 Attachments A, B, C and D to Ordinance 15607 are hereby adopted as amendments to the
210 King County Comprehensive Plan. Attachment A to Ordinance 15607 (Amendment to
211 the King County Comprehensive Plan 2004) amends the policies and maps of the King
212 County Comprehensive Plan. Attachment B to Ordinance 15607 contains technical
213 appendix O (Regional Trail Needs Report). Attachment C to Ordinance 15607 amends
214 King County Comprehensive Plan, Technical Appendix C (Transportation), by replacing
215 the transportation needs report. Attachment D to Ordinance 15607 amends King County
216 Comprehensive Plan, Technical Appendix C (Transportation), by replacing the arterial
217 functional classification map.

218 II. Attachment A to Ordinance 15772, which is the King County Comprehensive
219 Plan Juanita Firs Subarea Plan, dated February 20, 2007, is hereby adopted as an
220 amendment to the King County Comprehensive Plan as amended.

221 JJ. The amendments to the King County Comprehensive Plan 2004 contained in
222 Attachments A, B, C, D, E and F to this ordinance are hereby adopted as amendments to
223 the King County Comprehensive Plan. Attachment A to this ordinance amends the
224 policies, text and maps of the Comprehensive Plan and amends King County

225 Comprehensive Plan Land Use Zoning. The land use amendments contained in
226 Attachment A to this ordinance are adopted as the official land use designations for those
227 portions of unincorporated King County defined in Attachment A to this ordinance.
228 Attachment B to this ordinance contains Technical Appendix A (Capital Facilities),
229 which replaces Technical Appendix A to the King County Comprehensive Plan 2004.
230 Attachment C to this ordinance contains Technical Appendix B (Housing), which
231 replaces Technical Appendix B to the King County Comprehensive Plan 2004.
232 Attachment D to this ordinance contains Technical Appendix C (Transportation), which
233 replaces Technical Appendix C to the King County Comprehensive Plan 2004.
234 Attachment E to this ordinance contains the transportation needs report, which replaces
235 the transportation needs report in Technical Appendix C to the King County
236 Comprehensive Plan 2004. Attachment F to this ordinance contains Technical Appendix
237 D (Growth Targets and the Urban Growth Area 2008).

238 SECTION 3. Ordinance 13147, Section 19, and K.C.C. 20.18.030 are each
239 hereby amended to read as follows:

240 A. The King County Comprehensive Plan shall be amended pursuant to this
241 chapter, which, in compliance with RCW 36.70A.130(2), establishes a public
242 participation program whereby amendments are considered by the council no more
243 frequently than once a year as part of the amendment cycle established in this chapter,
244 except that the council may consider amendments more frequently to address:

- 245 1. Emergencies;
- 246 2. An appeal of the plan filed with the Central Puget Sound Growth
247 Management Hearings Board or with the court;

248 3. The initial adoption of a subarea plan, which may amend the urban growth
249 area boundary only to redesignate land within a joint planning area;

250 4. The adoption or amendment of a shoreline master program under chapter
251 90.58 RCW; or

252 5. An amendment of the capital facilities element of the Comprehensive Plan
253 that occurs in conjunction with the adoption of the county budget.

254 B. Every year the Comprehensive Plan may be amended to address technical
255 updates and corrections((;)) and to consider amendments that do not require substantive
256 changes to policy language((, changes to the priority areas map,)) or changes to the urban
257 growth area boundary, except as permitted in subsection B.5, 10 and 12 of this section.

258 This review may be referred to as the annual cycle. The Comprehensive Plan, including
259 subarea plans, may be amended in the annual cycle only to consider the following:

260 1. Technical amendments to policy, text, or maps;

261 2. The annual capital improvement plan;

262 3. The transportation needs report;

263 4. School capital facility plans;

264 5. Changes ~~((to the priority areas map that are required by annexations and~~
265 ~~incorporations))~~ required to implement an amendment to a joint interlocal/development
266 agreement in existence on January 1, 2008, between King County, another local
267 government and one or more private parties, only if the amendment to the joint
268 interlocal/development agreement includes a provision to alter the urban growth area
269 boundary to add areas to the urban growth area, requires that an area four times the area

270 that is added to the urban growth area be permanently designated as park or open space
271 and requires the transfer of development rights on terms as provided in the amendment;

272 6. Changes required by existing Comprehensive Plan policies;

273 7. Changes to the technical appendices and any amendments required thereby;

274 8. Comprehensive updates of subarea plans initiated by motion;

275 9. Changes required by amendments to the countywide planning policies or
276 state law;

277 10. Redesignation proposals under the four to one program as provided for in
278 this chapter;

279 11. Amendments necessary for the conservation of threatened and endangered
280 species; and

281 12. Site-specific comprehensive land use map amendments that do not require
282 substantive change to comprehensive plan policy language and that do not alter the urban
283 growth area boundary, except to correct mapping errors.

284 C. Every fourth year beginning in 2000, the county shall complete a
285 comprehensive review of the Comprehensive Plan in order to update it as appropriate and
286 to ensure continued compliance with the GMA. This review may provide for a
287 cumulative analysis of the twenty-year plan based upon official population growth
288 forecasts, benchmarks and other relevant data in order to consider substantive changes to
289 policy language and changes to the urban growth area (UGA). This comprehensive
290 review shall begin one year in advance of the transmittal and may be referred to as the
291 four-year cycle. The urban growth area boundaries shall be reviewed in the context of
292 the four-year cycle and in accordance with countywide planning policy FW-1 and RCW

293 36.70A.130. If the county determines that the purposes of the Comprehensive Plan are
294 not being achieved as evidenced by official population growth forecasts, benchmarks,
295 trends and other relevant data, substantive changes to the Comprehensive Plan may also
296 be considered on even calendar years. This determination shall be authorized by motion.
297 The motion shall specify the scope of the even-year amendment, and identify that the
298 resources necessary to accomplish the work are available. An analysis of the motion's
299 fiscal impact shall be provided to the council before to adoption. The executive shall
300 determine if additional funds are necessary to complete the even-year amendment, and
301 may transmit an ordinance requesting the appropriation of supplemental funds.

302 D. The executive shall seek public comment on the comprehensive plan and any
303 proposed comprehensive plan amendments in accordance with the procedures in K.C.C.
304 20.18.160 before making a recommendation, in addition to conducting the public review
305 and comment procedures required by SEPA. The public, including unincorporated area
306 councils, shall be afforded at least one official opportunity to record public comment
307 before to the transmittal of a recommendation by the executive to the council. County-
308 sponsored councils and commissions may submit written position statements that shall be
309 considered by the executive before transmittal and by the council before adoption, if they
310 are received in a timely manner. The executive's recommendations for changes to
311 policies, text, and maps shall include the elements listed in comprehensive plan policy
312 RP-307 and analysis of their financial costs and public benefits, any of which may be
313 included in environmental review documents. Proposed amendments to the
314 comprehensive plan shall be accompanied by any development regulations or

315 amendments to development regulations, including area zoning, necessary to implement
316 the proposed amendments.

317 SECTION 4. Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140,
318 are each hereby amended to read as follows:

319 A. In accordance with RCW 36.70A.470, a docket containing written comments
320 on suggested plan or development regulation amendments shall be coordinated by the
321 department. The docket is the means either to suggest a change or to identify a
322 deficiency, or both, in the comprehensive plan or development regulation. For the
323 purposes of this section, "deficiency" refers to the absence of required or potentially
324 desirable contents of the comprehensive plan or development regulation and does not
325 refer to whether a development regulation addressed a project's probable specific adverse
326 environmental impacts that could be mitigated in the project review process. Any
327 interested party, including applicants, citizens and government agencies, may submit
328 items to the docket.

329 B. All agencies of county government having responsibility for elements of the
330 comprehensive plan or implementing development regulations shall provide a means by
331 which citizens may docket written comments on the plan or on development regulations.
332 The department shall use public participation methods identified in K.C.C. 20.18.160 to
333 solicit public use of the docket. The department shall provide a mechanism for docketing
334 amendments through the Internet.

335 1. All docketed comments relating to the comprehensive plan shall be reviewed
336 by the department and considered for an amendment to the comprehensive plan.

337 2. The deadline for submitting docketed comments is ((September)) June 30 for
338 consideration in the amendment cycle process for the following year.

339 3. By the first business day of December, the department shall issue an
340 executive response to all docketed comments. Responses shall include a classification of
341 the recommended changes as appropriate for either the annual or four-year cycle, and an
342 executive recommendation indicating whether or not the docketed ((item(s))) items are to
343 be included in the next year's executive recommended comprehensive plan update. If the
344 docketed changes will not be included in the next executive transmittal, the department
345 shall indicate the ((reason(s))) reasons why, and shall inform the proponent that they may
346 petition the council during the legislative review process.

347 4. By the first business day of December, the department shall forward to the
348 council a report including all docketed amendments and comments with an executive
349 response. The report shall include a statement indicating that the department has
350 complied with the notification requirements contained in this section.

351 5. Upon receipt of the docket report, the council shall include all proponents of
352 docketed requests in the mailing list for agendas to all committee meetings in which the
353 Comprehensive Plan will be reviewed during the next available update. At the beginning
354 of the committee review process, the council shall develop a committee review schedule
355 with dates for committee meetings and any other opportunities for public testimony and
356 for proponents to petition the council to consider docket changes that were not
357 recommended by the executive and shall attach the review schedule to the agenda
358 whenever the Comprehensive Plan is to be reviewed.

359 6 Docketed comments relating to development regulations shall be reviewed by
360 the appropriate county agency. Those requiring a comprehensive plan amendment shall
361 be forwarded to the department and considered for an amendment to the comprehensive
362 plan. Those not requiring a comprehensive plan amendment shall be considered by the
363 responsible county agency for amendments to the development regulations.

364 7. The docket report shall be made available through the internet. The
365 department shall endeavor to make the docket report available within one week of
366 transmittal to the council.

367 C. In addition to the docket, the department shall provide opportunities for
368 general public comments both before the docketing deadline each year, and during the
369 executive's review periods before transmittal to the council. The opportunities may
370 include, but are not limited to, the use of the following: comment cards, electronic or
371 posted mail, Internet, public meetings with opportunities for discussion and feedback,
372 printed summaries of comments received and twenty-four-hour telephone hotlines. The
373 executive shall assure that the opportunities for public comment are provided as early as
374 possible for each stage of the process, to assure timely opportunity for public input.

375 SECTION 5. Ordinance 14047, Section 9, and K.C.C. 20.18.170, are each hereby
376 amended to read as follows:

377 A. Proposals for open space dedication and redesignation to the urban growth
378 area must be received before December 31, ((2006)) 2011.

379 B. The total area added to the urban growth area as a result of this program shall
380 not exceed four thousand acres. The department shall keep a cumulative total for all

381 parcels added under this section. The total shall be updated annually through the plan
382 amendment process.

383 C. Proposals shall be processed as land use amendments to the Comprehensive
384 Plan and may be considered in either the annual or four-year cycle. Site suitability and
385 development conditions for both the urban and rural portions of the proposal shall be
386 established through the preliminary formal plat approval process.

387 D. A term conservation easement shall be placed on the open space at the time
388 the four to one proposal is approved by the council. Upon final plat approval, the open
389 space shall be permanently dedicated in fee simple to King County.

390 E. Proposals adjacent to incorporated area or potential annexation areas shall be
391 referred to the affected city and special purpose districts for recommendations.

392 SECTION 6. Ordinance 14047, Section 10, as amended, and K.C.C. 20.18.180,
393 are each hereby amended to read as follows:

394 Rural area land may be added to the urban growth area in accordance with the
395 following criteria:

396 A. A proposal to add land to the urban growth area under this program shall meet
397 the following criteria:

398 1. A permanent dedication to the King County open space system of four acres
399 of open space is required for every one acre of land added to the urban growth area;

400 2. The land shall not be zoned agriculture (A);

401 3. The land added to the urban growth area shall:

402 a. be physically contiguous to urban growth area as adopted in 1994, unless the
403 director determines that the land directly adjacent to the urban growth area contains

404 critical areas that would be substantially harmed by development directly adjacent to the
405 urban growth area and that all other criteria can be met; and

406 b. not be in an area where a contiguous band of public open space, parks or
407 watersheds already exists along the urban growth area boundary;

408 4. The land added to the urban growth area shall be able to be served by sewers
409 and other urban services;

410 5. A road serving the land added to the urban area shall not be counted as part of
411 the required open space;

412 6. All urban facilities shall be provided directly from the urban area and shall
413 not cross the open space or rural area and be located in the urban area except as permitted
414 in subsection E of this section;

415 7. Open space areas shall retain a rural designation;

416 8. The minimum depth of the open space buffer shall be one half of the property
417 width, unless the director determines that a smaller buffer of no less than two hundred
418 feet is warranted due to the topography and critical areas on the site, shall generally
419 parallel the urban growth area boundary and shall be configured in such a way as to
420 connect with open space on adjacent properties;

421 9. The minimum size of the property to be considered is twenty acres. Smaller
422 parcels may be combined to meet the twenty-acre minimum; ~~((and))~~

423 10. Urban development under this section shall be limited to residential
424 development and shall be at a minimum density of four dwelling units per acre; and

425 B. A proposal that adds two hundred acres or more to the urban growth
426 area shall also meet the following criteria:

427 1. The proposal shall include a mix of housing types including thirty percent
428 below-market-rate units affordable to low, moderate and median income households;

429 2. In a proposal in which the thirty-percent requirement in subsection B.1 of this
430 section is exceeded, the required open space dedication shall be reduced to three and one-
431 half acres of open space for every one acre added to the urban growth area;

432 C. A proposal that adds less than two hundred acres to the urban growth area and
433 that meets the affordable housing criteria in subsection B.1. of this section shall be
434 subject to a reduced open space dedication requirement of three and one-half acres of
435 open space for every one acre added to the urban growth area;

436 D. Requests for redesignation shall be evaluated to determine those that are the
437 highest quality, including, but not limited to, consideration of the following:

438 1. Preservation of fish and wildlife habitat, including wildlife habitat networks,
439 and habitat for endangered and threatened species;

440 2. Provision of regional open space connections;

441 3. Protection of wetlands, stream corridors, ground water and water bodies;

442 4. Preservation of unique natural, biological, cultural, historical or archeological
443 resources;

444 5. The size of open space dedication and connection to other open space
445 dedications along the urban growth area boundary; and

446 6. The ability to provide extensions of urban services to the redesignated urban
447 areas; and

448 E. The open space acquired through this program shall be preserved primarily as
449 natural areas, passive recreation sites or resource lands for farming and forestry. The

450 following additional uses may be allowed only if located on a small portion of the open
451 space and provided that these uses are found to be compatible with the site's natural open
452 space values and functions:

- 453 1. Trails;
- 454 2. Natural appearing stormwater facilities;
- 455 3. Compensatory mitigation of wetland losses on the urban designated portion
456 of the project, consistent with the King County Comprehensive Plan and K.C.C. chapter
457 21A.24; and
- 458 4. Active recreation uses not to exceed five percent of the total open space area.

459 The support services and facilities for the active recreation uses may locate within the
460 active recreation area only, and shall not exceed five percent of the total acreage of the
461 active recreation area. The entire open space area, including any active recreation site, is
462 a regional resource. It shall not be used to satisfy the on-site active recreation space
463 requirements in K.C.C. 21A.14.180 for the urban portion of the four to one property.

464 SECTION 7. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020,
465 are each hereby amended to read as follows:

466 A. Land use permit decisions are classified into four types, based on who makes
467 the decision, whether public notice is required, whether a public hearing is required
468 before a decision is made and whether administrative appeals are provided. The types of
469 land use decisions are listed in subsection E. of this section.

- 470 1. Type 1 decisions are made by the director, or his or her designee, ("director")
471 of the department of development and environmental services ("department"). Type 1
472 decisions are nonappealable administrative decisions.

473 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary
474 decisions that are subject to administrative appeal.

475 3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner
476 following an open record hearing. Type 3 decisions may be appealed to the county
477 council, based on the record established by the hearing examiner.

478 4. Type 4 decisions are quasi-judicial decisions made by the council based on
479 the record established by the hearing examiner.

480 B. Except as provided in K.C.C. 20.44.120A.7. and 25.32.080 or unless
481 otherwise agreed to by the applicant, all Type 2, 3 and 4 decisions included in
482 consolidated permit applications that would require more than one type of land use
483 decision process may be processed and decided together, including any administrative
484 appeals, using the highest-numbered land use decision type applicable to the project
485 application.

486 C. Certain development proposals are subject to additional procedural
487 requirements beyond the standard procedures established in this chapter.

488 D. Land use permits that are categorically exempt from review under SEPA do
489 not require a threshold determination (determination of nonsignificance ["DNS"] or
490 determination of significance ["DS"]). For all other projects, the SEPA review
491 procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

492 E. Land use decision types are classified as follow:

TYPE 1	(Decision by director, no administrative appeal)	Temporary use permit for a homeless encampment under K.C.C. 21A.45.010, 21A.45.020, 21A.45.030, 21A.45.040, 24A.45.050, 21A.45.060, 21A.45.070,
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		<p>21A.45.080 and 21A.45.090; building permit, site development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance; boundary line adjustment; right of way; variance from K.C.C. chapter 9.04; shoreline exemption; <u>decisions to require studies or to approve, condition or deny a development proposal based on K.C.C. chapter 21A.24, except for decisions to approve, condition or deny alteration exceptions</u>; approval of a conversion-option harvest plan; a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site.</p>
<p>TYPE 2^{1,2}</p>	<p>(Decision by director appealable to hearing examiner, no further administrative appeal)</p>	<p>Short plat; short plat revision; short plat alteration; zoning variance; conditional use permit; temporary use permit under K.C.C. chapter 21A.32; temporary use permit for a homeless encampment under K.C.C. 21A.45.100; shoreline substantial development permit⁽²⁾ ³; building permit, site development permit or clearing and grading permit for which the department has issued a</p>

		determination of significance; reuse of public schools; reasonable use exceptions under K.C.C. 21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; ((alteration exceptions and)) decisions to ((require studies or to)) approve, condition or deny ((a development proposal based on)) <u>alteration exceptions under K.C.C. chapter 21A.24</u> ; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances.
TYPE 3 ¹	(Recommendation by director, hearing and decision by hearing examiner, appealable to county council on the record)	Preliminary plat; plat alterations; preliminary plat revisions.
TYPE 4 ^{1, (3) 4}	(Recommendation by director, hearing and recommendation by hearing examiner decision by county council on the record)	Zone reclassifications; shoreline environment redesignation; urban planned development; special use; amendment or deletion of P suffix conditions; plat vacations; short plat vacations; deletion of special district overlay.

493 ¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA
494 appeals and appeals of Type 3 and 4 decisions to the council.

495 ² When an application for a ~~((shoreline permit))~~ Type 2 decision is combined with other
496 permits requiring Type 3 or 4 land use decisions under this chapter or under K.C.C.
497 25.32.080, the examiner, not the director, makes the decision.

498 ³ A shoreline permit, including a shoreline variance or conditional use, is appealable to
499 the state Shorelines Hearings Board and not to the hearing examiner.

500 ~~((3))~~⁴ Approvals that are consistent with the Comprehensive Plan may be considered by
501 the council at any time. Zone reclassifications that are not consistent with the
502 ~~((e))~~Comprehensive ~~((p))~~Plan require a site-specific land use map amendment and the
503 council's hearing and consideration shall be scheduled with the amendment to the
504 ~~((e))~~Comprehensive ~~((p))~~Plan under K.C.C. 20.18.040 and 20.18.060.

505 F. The definitions in K.C.C. 21A.45.020 apply to this section.

506 SECTION 8. Ordinance 12196, Section 17, as amended, and K.C.C. 20.20.100,
507 are each hereby amended to read as follows:

508 A. The department shall issue its recommendation to the hearing examiner on a
509 Type 3 or Type 4 land use decision within one hundred fifty days from the date the
510 applicant is notified by the department pursuant to this chapter that the application is
511 complete. The time periods for action by the hearing examiner on a Type 3 or Type 4
512 land use decision shall be governed by the hearing examiner's rules.

513 B.1. Except as otherwise provided in subsection B.2 of this section, the
514 department shall issue its final decision on a Type 1 or Type 2 land use decision within

515 one hundred twenty days from the date the applicant is notified by the department
516 pursuant to this chapter that the application is complete.

517 2. The following shorter time periods apply to the type of land use permit
518 indicated:

New residential building permits	90 days
Residential remodels	40 days
Residential appurtenances, such as decks and garages	15 days, or 40 days residential appurtenances that require substantial review.
Clearing and grading	90 days
Health Department review (for projects pending a final department review or permit or review and permit).	40 days
Type 1 temporary use permit for a homeless encampment:	30 days
Type 2 temporary use permit for a homeless encampment:	40 days

519 C. The following periods shall be excluded from the times specified in
520 subsections A and B of this section:

521 1. Any period of time during which the applicant has been requested by the
522 department, hearing examiner or council to correct plans, perform required studies or
523 provide additional information, including road variances and variances required under
524 K.C.C. chapter 9.04. The period shall be calculated from the date of notice to the

525 applicant of the need for additional information until the earlier of the date the county
526 advises the applicant that the additional information satisfies the county's request, or
527 fourteen days after the date the information has been provided. If the county determines
528 that the correction, study or other information submitted by the applicant is insufficient, it
529 shall notify the applicant of the deficiencies and the procedures of this section shall apply
530 as if a new request for information had been made.

531 a. The department shall set a reasonable deadline for the submittal of
532 corrections, studies or other information when requested, and shall provide written
533 notification to the applicant. An extension of such deadline may be granted upon
534 submittal by an applicant of a written request providing satisfactory justification of an
535 extension.

536 b. Failure by the applicant to meet such deadline shall be cause for the
537 department to cancel/deny the application.

538 c. When granting a request for a deadline extension, the department shall give
539 consideration to the number of days between receipt by the department of a written
540 request for a deadline extension and the mailing to the applicant of the department's
541 decision regarding that request;

542 2. The period of time, as set forth in K.C.C. 20.44.050, during which an
543 environmental impact statement is being prepared following a determination of
544 significance pursuant to chapter 43.21C RCW;

545 3. A period of no more than ninety days for an open record appeal hearing by
546 the hearing examiner on a Type 2 land use decision, and no more than sixty days for a
547 closed record appeal by the county council on a Type 3 land use decision appealable to

548 the county council, except when the parties to an appeal agree to extend these time
549 periods;

550 4. Any period of time during which an applicant fails to post the property, if
551 required by this chapter, following the date notice is required until an affidavit of posting
552 is provided to the department by the applicant; ~~((and))~~

553 5. Any time extension mutually agreed upon by the applicant and the
554 department; and

555 6. Any time during which there is an outstanding fee balance that is sixty days
556 or more past due.

557 D. The time limits established in this section shall not apply if a proposed
558 development:

559 1. Requires an amendment to the comprehensive plan or a development
560 regulation, or modification or waiver of a development regulation as part of a
561 demonstration project;

562 2. Requires approval of a new fully contained community as provided in RCW
563 36.70A.350 master planned resort as provided in RCW 36.70A.360 or the siting of an
564 essential public facility as provided for RCW 36.70A.200; or

565 3. Is substantially revised by the applicant, when such revisions will result in a
566 substantial change in a project's review requirements, as determined by the department, in
567 which case the time period shall start from the date at which the revised project
568 application is determined to be complete.

569 E. The time limits established in this section may be exceeded on more complex
570 projects. If the department is unable to issue its final decision on a Type 1 or Type 2 land

571 use decision or its recommendation to the hearing examiner on a Type 3 or Type 4 land
572 use decision within the time limits established by this section, it shall provide written
573 notice of this fact to the project applicant. The notice shall include a statement of reasons
574 why the time limits have not been met and an estimated date for issuance of the notice of
575 final decision on a Type 1 or Type 2 land use decision or notice of recommendation on a
576 Type 3 or Type 4 land use decision.

577 F. The department shall require that all plats, short plats, building permits,
578 clearing and grading permits, conditional use permits, special use permits, site
579 development permits, shoreline substantial development permits, binding site plans,
580 urban planned development permits or fully contained community permits issued for
581 development activities on or within five hundred feet of designated agricultural lands,
582 forest lands or mineral resource lands shall contain a notice that the subject property is
583 within or near designated agricultural lands, forest lands or mineral resource lands on
584 which a variety of commercial activities may occur that are not compatible with
585 residential development for certain periods of limited duration.

586 SECTION 9. Ordinance 4461, Section 10, as amended, and K.C.C. 20.24.190,
587 are each hereby amended to read as follows:

588 When the examiner issues a recommendation regarding an application for a
589 reclassification of property or for a shoreline environment redesignation, the
590 recommendation shall include additional findings that support the conclusion that at least
591 one of the following circumstances applies:

592 A. The property is potentially zoned for the reclassification being requested and
593 conditions have been met that indicate the reclassification is appropriate;

594 B. An adopted subarea plan or area zoning specifies that the property shall be
595 subsequently considered through an individual reclassification application;

596 C. Where a subarea plan has been adopted but subsequent area zoning has not
597 been adopted, that the proposed reclassification or shoreline redesignation is consistent
598 with the adopted subarea plan; or

599 D. The applicant has demonstrated with substantial evidence that:

600 1. Since the last previous area zoning or shoreline environment designation of
601 the subject property, authorized public improvements, permitted private development or
602 other conditions or circumstances affecting the subject property have undergone
603 substantial and material change not anticipated or contemplated in the subarea plan or
604 area zoning;

605 2. The impacts from the changed conditions or circumstances affect the subject
606 property in a manner and to a degree different than other properties in the vicinity such
607 that area rezoning or redesignation is not appropriate. For the purposes of this
608 subsection, "changed conditions or circumstances" does not include actions taken by the
609 current or former property owners to facilitate a more intense development of the
610 property including but not limited to changing tax limitations, adjusting property lines,
611 extending services or changing property ownership;

612 3. For proposals to increase rural residential density, that the proposal meets the
613 criteria in Comprehensive Plan policies (~~(R-205 through R-209)~~)R-305 through R-309;

614 4. For proposals to increase urban residential density, that the proposal meets
615 the criteria in Comprehensive Plan policies (~~(U-120 through U-125)~~)U-122 through U-
616 126; and

617 5. The requested reclassification or redesignation is in the public interest.

618 SECTION 10. Ordinance 6949, Section 6, as amended, and K.C.C. 20.44.040,
619 are each hereby amended to read as follows:

620 A. King County adopts the standards and procedures specified in WAC
621 197-11-300 through 197-11-390 and 197-11-800 through 197-11-890 for determining
622 categorical exemptions and making threshold determinations subject to the following:

623 1. The following exempt threshold levels are hereby established in accordance
624 with WAC 197-11-800(1)(c) for the exemptions in WAC 197-11-800(1)(b):

625 a. The construction or location of any residential structures of twenty dwelling
626 units within the boundaries of an urban growth area, or of any residential structures of
627 eight dwelling units outside of the boundaries of an urban growth area;

628 b. The construction of a barn, loafing shed, farm equipment storage building,
629 produce storage or packing structure, or similar agricultural structure, covering thirty
630 thousand square feet on land zoned agricultural, or fifteen thousand square feet in all
631 other zones, and to be used only by the property owner or his or her agent in the conduct
632 of farming the property. This exemption shall not apply to feed lots;

633 c. The construction of an office, school, commercial, recreational, service or
634 storage building with twelve thousand square feet of gross floor area, and with associated
635 parking facilities designed for forty automobiles;

636 d. The construction of a parking lot designed for forty automobiles;

637 e. Any fill or excavation of five hundred cubic yards throughout the total
638 lifetime of the fill or excavation and any fill or excavation classified as a class I, II, or III
639 forest practice under RCW 76.09.050 or regulation thereunder: The categorical

640 exemption threshold shall be one hundred cubic yards for any fill or excavation that is in
641 an ~~((sensitive))~~ aquatic area, wetland, steep slope or landslide hazard area. If the
642 proposed action is to remove from or replace fill in an ~~((sensitive))~~ aquatic area, wetland,
643 steep slope or landslide hazard area to correct a violation, the threshold shall be five
644 hundred cubic yards.

645 2. The determination of whether a proposal is categorically exempt shall be
646 made by the county department that serves as lead agency for that proposal.

647 B. The mitigated DNS provision of WAC 197-11-350 shall be enforced as
648 follows:

649 1. If the department issues a mitigated DNS, conditions requiring compliance
650 with the mitigation measures which were specified in the application and environmental
651 checklist shall be deemed conditions of any decision or recommendation of approval of
652 the action.

653 2. If at any time the proposed mitigation measures are withdrawn or
654 substantially changed, the responsible official shall review the threshold determination
655 and, if necessary, may withdraw the mitigated DNS and issue a DS.

656 SECTION 11. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080,
657 are each hereby amended to read as follows:

658 A. The procedures and standards of WAC 197-11-650 through 197-11-660
659 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance
660 on existing plans, laws and regulations, are adopted.

661 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following
662 policies, plans, rules and regulations, and all amendments thereto, are designated as

663 potential bases for the exercise of King County's substantive authority under SEPA,
664 subject to RCW 43.21C.240 and subsection C of this section:

- 665 1. The policies of the state Environmental Policy Act, RCW 43.21C.020.
- 666 2. As specified in K.C.C. chapter 20.12, the King County Comprehensive Plan,
667 its addenda and revisions and community and subarea plans and housing report, and as
668 specified in K.C.C. chapter 20.14, surface water management program basin plans.
- 669 3. The King County Zoning Code, as adopted in K.C.C. Title 21A.
- 670 4. The King County Agricultural Lands Policy, as adopted in K.C.C. chapter
671 20.54 and K.C.C. Title 26.
- 672 5. The King County Landmarks Preservation Code, as adopted in K.C.C.
673 chapter 20.62.
- 674 6. The King County Shoreline Management Master Plan, as adopted in K.C.C.
675 Title 25.
- 676 7. The King County Surface Water Runoff Policy, as adopted in K.C.C. chapter
677 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14.
- 678 8. The King County Road Standards, ((1993 Update,)) as adopted in K.C.C.
679 chapter 14.42.
- 680 9. The Comprehensive Plan for Transportation adopted by Resolution No. 6617
681 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by
682 the county council in K.C.C. 28.01.030.
- 683 10. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23
684 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by
685 the county council in K.C.C. 28.01.030.

686 11. The rules and regulations for construction and use of local sewage facilities
687 set forth in K.C.C. chapters 28.81 through 28.84.

688 12. The rules and regulations on the consistency of sewer projects with local
689 land use plans and policies set forth in Ordinance 11034, as amended.

690 13. The rules and regulations for the disposal of industrial waste into the
691 sewerage system set forth in Ordinance 11034, as amended.

692 14. The Duwamish Clean Water Plan adopted by the council of the Municipality
693 of Metropolitan Seattle and readopted and ratified by the county council by Ordinance
694 11032, Section 28, as amended.

695 15. The Washington Department of Ecology's Best Management Practices for
696 the Use of Municipal Sludge.

697 C. Within the urban growth area, substantive SEPA authority to condition or
698 deny new development proposals or other actions shall be used only in cases where
699 specific adverse environmental impacts are not addressed by regulations as set forth
700 below or unusual circumstances exist. In cases where the county has adopted the
701 following regulations to systematically avoid or mitigate adverse impacts, those standards
702 and regulations will normally constitute adequate mitigation of the impacts of new
703 development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,
704 Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.
705 chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and
706 Grading, K.C.C. chapter 21A.12, Development Standards - Density and Dimensions,
707 K.C.C. chapter 21A.14, Development Standards - Design Requirements, K.C.C. chapter
708 21A.16, Development Standards - Landscaping and Water Use, K.C.C. chapter 21A.18,

709 Development Standards - Parking and Circulation, K.C.C. chapter 21A.20, Development
710 Standards - Signs, K.C.C. chapter 21A.22, Development Standards - Mineral Extraction,
711 K.C.C. chapter 21A.24, (~~Environmentally Sensitive~~) Critical Areas, K.C.C. chapter
712 21A.26, Development Standards - Communication Facilities, K.C.C. chapter 21A.28,
713 Development Standards - Adequacy of Public Facilities and Services(~~, these standards~~
714 ~~and regulations will normally constitute adequate mitigation of the impacts of new~~
715 ~~development~~)). Unusual circumstances related to a site or to a proposal, as well as
716 environmental impacts not mitigated by the regulations listed in this subsection, will be
717 subject to site-specific or project-specific SEPA mitigation.

718 This subsection shall not apply if the county's development regulations cited in
719 this subsection are amended after April 22, 1996, unless the amending ordinance contains
720 a finding, supported by documentation, that the requirements for environmental analysis,
721 protections and mitigation measures in this chapter, provide adequate analysis of and
722 mitigation for the specific adverse environmental impacts to which the requirements
723 apply.

724 D. Outside the urban growth area, in the course of project review, including any
725 required environmental analysis, the responsible official may determine that requirements
726 for environmental analysis, protection and mitigation measures in the county's
727 development regulations or comprehensive plans adopted under chapter 36.70A RCW
728 and in other applicable local, state or federal laws and rules provide adequate analysis
729 and mitigation for specific adverse environmental impacts of the project, if the following
730 criteria are met:

731 1. In the course of project review, the responsible official shall identify and
732 consider the specific probable adverse environmental impacts of the proposed action and
733 then make a determination whether these specific impacts are adequately addressed by
734 the development regulations. If they are not, the responsible official shall apply
735 mitigation consistent with the applicable requirements of the comprehensive plan,
736 subarea plan element of the comprehensive plan or other local, state or federal rules or
737 laws; and

738 2. The responsible official bases or conditions its approval on compliance with
739 these requirements or mitigation measures.

740 E. Any decision to approve, deny or approve with conditions pursuant to RCW
741 43.21C.060 shall be contained in the responsible official's decision document. The
742 written decision shall contain facts and conclusions based on the proposal's specific
743 adverse environmental impacts, or lack thereof, as identified in an environmental
744 checklist, EIS, threshold determination, other environmental document including an
745 executive department's staff report and recommendation to a decision maker, or findings
746 made pursuant to a public hearing authorized or required by law or ordinance. The
747 decision document shall state the specific plan, policy or regulation that supports the
748 SEPA decision and, if mitigation beyond existing development regulations is required,
749 the specific adverse environmental impacts and the reasons why additional mitigation is
750 needed to comply with SEPA.

751 F. This chapter shall not be construed as a limitation on the authority of King
752 County to approve, deny or condition a proposal for reasons based upon other statutes,
753 ordinances or regulations.

754 SECTION 12. If any provision of this ordinance or its application to any person
755 or circumstance is held invalid, the remainder of the ordinance or the application of the
756 provision to other persons or circumstances is not affected.

757 SECTION 13. Work program. The council hereby adopts the following work
758 program items as part of the King County Comprehensive Plan 2008:

759 A. By November 1, 2008, the executive shall form a work group for the purpose
760 of developing: (a) performance measures related to the county's Comprehensive Plan
761 policies as well as the countywide planning policies; and (b) a coordinated and
762 comprehensive assessment and review process to ensure that health, equity, social and
763 environmental justice impacts are considered in the development, implementation and
764 funding of county projects and programs.

765 1. The work group shall develop and transmit to the council performance
766 measures to: (a) assess agency performance; and (b) achieve the goals of the countywide
767 planning policies and the comprehensive plan. Performance measures shall be developed
768 based on best management practices and monitoring of performance measures are
769 intended to provide information needed to improve future compliance.

770 2. The work group shall also develop a coordinated and comprehensive
771 assessment and review process to ensure that health, equity, social and environmental
772 justice impacts are considered in the development, implementation and funding of county
773 projects and programs. The tools used to perform this assessment and review shall be
774 developed using best management practices.

775 3. The work group shall include representatives from the various departments
776 and divisions and council policy staff, as designated by the policy staff director.

777 4. The work group shall report to council on or before September 1, 2009.
778 Fifteen copies of the report shall be filed with the clerk of the council, for distribution to
779 all councilmembers and to the lead staff for the growth management and natural
780 resources committee, or its successor.

781 B. The executive shall direct the department of natural resources and parks to
782 take the necessary steps to ensure make King County water quality monitoring data upon
783 which the county will rely to enforce policy E-111 shall be available via published maps
784 and/or the county web page. This data shall be made available no later than December
785 31, 2008.

786 C. The executive shall develop a work plan detailing how the county will fund
787 the adaptive management approach envisioned by Chapter 4 (Environment), as well as
788 the comprehensive and coordinated program and the publicly accessible, geo-spatial
789 database envisioned by policies E-702 and E-703 respectively. The work plan shall be
790 transmitted to the council no later than September 1, 2009, and must be filed in the form
791 of fifteen copies with the clerk of the council, who shall retain the original and shall
792 forward copies to each councilmember and to the lead staff for the growth management
793 and natural resources committee, or its successor.

794 D. King County shall convene and participate in a food policy council, which
795 shall include representatives of local cities and health agencies, as well as, area farmers
796 and consumer groups. The food policy council is to identify and recommend ways to:

797 1. Reduce market and regulatory barriers faced by local food producers in
798 accessing local urban consumers;

799 2. Increase the number of farmer's markets, particularly in areas with a
800 substantial number of low income residents, in order to improve access to locally grown
801 or value-added products; and

802 3. Facilitate the access of large institutional uses to locally grown or value-
803 added foods.

804 E. As part of the 2009 update to the King County Comprehensive Plan, the
805 executive shall transmit a revised regional Trail System Priority List which shall
806 prioritize trail needs based on criteria that includes consideration of equity, and social and
807 environmental justice.

808 F. As provided for in comprehensive plan policy U-208 and because annexation
809 is not occurring at a pace consistent with the intent of the annexation policies of the
810 comprehensive plan, the executive shall complete a subarea planning process for the city
811 of Kirkland potential annexation area to explore new options for revenue generation that
812 would make the provision of services to that urban unincorporated area financially
813 sustainable. The subarea plan shall be transmitted to the council by September 1, 2008,
814 and must be filed in the form of fifteen copies with the clerk of the council, who shall
815 retain the original and shall forward copies to each councilmember and to the lead staff
816 for the growth management and natural resources committee, or its successor.

817 G. The executive shall commence a subarea planning process, for an area
818 encompassing the Cedar Hills landfill and neighboring lands having long-standing
819 industrial and resource material processing uses, to study and make recommendations on
820 potential long-term land uses for that area after closure of the Cedar Hills landfill. One of
821 the options to be evaluated is the potential creation and implementation of a Special

822 District Overlay for a limited area of more intensive rural development, which is
823 provided for in the state Growth Management Act. In order to allow for council review
824 in conjunction with the 2012 King County Comprehensive Plan Update, the subarea plan
825 shall be transmitted to the council no later than March 1, 2011, and must be filed in the
826 form of fifteen copies with the clerk of the council, who shall retain the original and shall
827 forward copies to each councilmember and to the lead staff for the growth management
828 and natural resources committee, or its successor.

829 H. The executive shall conduct an inventory of county-owned or –managed
830 facilities and properties for the purpose of evaluating their feasibility for use in programs
831 such as pea patches and community gardens. The evaluation shall include a review of
832 costs, safety and liability to the county, as well as, consistency with the primary use of
833 the facility or property. The executive shall provide inventories of appropriate facilities
834 or properties to groups that may be interested in partnering with King County to create
835 and maintain pea patches and community gardens, including but not limited to the
836 unincorporated area councils, neighborhood organizations, other municipalities and
837 community groups, as well as housing or service organizations serving residents that
838 would benefit from such programs. The initial inventory shall be transmitted to the
839 council no later than March 1, 2009, and update annually thereafter by March 1 of each
840 year to reflect additions or deletions to county-owned or –managed facilities or
841 properties. The inventory must be filed in the form of fifteen copies with the clerk of the
842 council, who shall retain the original and shall forward copies to each councilmember and
843 to the lead staff for the growth management and natural resources committee, or its
844 successor.

845 I. The executive shall commence a sub-area plan encompassing the entirety of the
846 May Creek drainage basin that provides appropriate structure and emphasis for the
847 valley's rural character and economics. This sub-area plan shall, at a minimum, consider
848 upstream stormwater and drainage impacts, availability of current and projected near-
849 term construction of public facilities, appropriate zoning and recommended future
850 infrastructure requirements to support the goal of improving the rural character of the
851 May valley. This sub-area area plan may consider the development of a Special District
852 Overlay which supports equestrian and other agriculture activities within the valley.

853 J. The executive shall commence discussions with cities that border the Rural
854

855 Area in order to identify lands that will accommodate the needs of residents of those
856 cities for new or expanded schools.

857

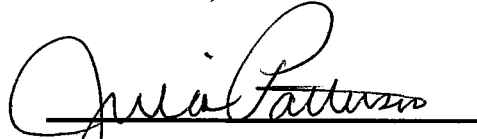
Ordinance 16263 was introduced on 3/10/2008 and passed as amended by the Metropolitan King County Council on 10/6/2008, by the following vote:

Yes: 8 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague

No: 0

Excused: 1 - Ms. Lambert

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Julia Patterson, Chair

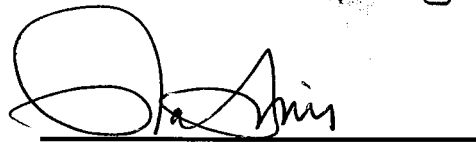
ATTEST:



Anne Noris, Clerk of the Council

RECEIVED
2008 OCT 20 PM 4:00
CLERK
KING COUNTY COUNCIL

APPROVED this 20 day of OCTOBER 2008.



Ron Sims, County Executive

Attachments A. 2008 King County Comprehensive Plan--October 6, 2008, B. Technical Appendix A--Capital Facilities--March 1, 2008, C. Technical Appendix B--Housing--March 1, 2008, D. Technical Appendix C--Transportation--March 1, 2008, E. Transportation Needs Report 2008--March 1, 2008, F. Technical Appendix D--Growth Targets and the Urban Growth Area--March 1, 2008