



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda

Metropolitan King County Council

*Councilmembers: Sarah Perry, Chair;
Jorge Barón, Vice Chair of Policy Development and Review;
Reagan Dunn, Vice Chair of Regional Coordination;
Claudia Balducci, Rod Dembowski, Steffanie Fain,
Rhonda Lewis, Teresa Mosqueda, Pete von Reichbauer*

1:30 PM

Tuesday, March 24, 2026

Hybrid Meeting

REVISED AGENDA

Hybrid Meetings: Attend King County Council meetings in person in Council Chambers (Room 1001), 516 3rd Avenue in Seattle, or through remote access. Details on how to attend and/or provide comment remotely are listed below.

HOW TO PROVIDE PUBLIC TESTIMONY: The Council values community input and looks forward to hearing from you. Testimony must be limited to items listed on the agenda for council action, unless it's the fourth Tuesday of the month, when the Council will hear general comment on matters relating to county government. You are not required to sign up in advance.

There are three ways to provide public testimony:

1. In person: You may attend the meeting in person in Council Chambers.
2. By email: You may testify by submitting a COMMENT email. If your testimony is submitted before 10:00 a.m. on the day of the Council meeting, your email testimony will be distributed to the Councilmembers and appropriate staff prior to the meeting. Please submit your testimony by emailing clerk@kingcounty.gov.
3. Remote attendance on the Zoom Webinar: You may provide oral public testimony at the meeting by connecting to the meeting via phone or computer using the ZOOM application at <https://zoom.us/>, and entering the Webinar ID below.

	<p>Sign language and interpreter services can be arranged given sufficient notice (206-848-0355). TTY Number - TTY 711.</p> <p>Council Chambers is equipped with a hearing loop, which provides a wireless signal that is picked up by a hearing aid when it is set to 'T' (Telecoil) setting.</p>	
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CONNECTING TO THE WEBINAR

Webinar ID: 873 0459 1515

If you do not have access to the ZOOM application, you can connect to the meeting by calling 1 253 215 8782 and using the Webinar ID. Connecting in this manner, however, may impact your ability to be unmuted to speak.

You have the right to language access services at no cost to you. To request these services, please contact our Equity and Social Justice Coordinator, Tera Chea at (206) 477 9259 or Tera.Chea2@kingcounty.gov, three (3) days prior to the meeting.

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1. **Call to Order**

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

2. **Roll Call**

3. **Flag Salute and Pledge of Allegiance**

Councilmember von Reichbauer

4. **Approval of Minutes of March 17, 2026**

Pg. 9

Councilmember Barón

5. **Additions to the Council Agenda**

6. **Special Item**

Recognition of Shadley Van Schalkwyk for his performance as a USA National player at the T20 Cricket World Cup

Councilmember Balducci, Councilmember von Reichbauer, Councilmember Perry

Proclamation March 31, 2026, as Transgender Day of Visibility in King County

Councilmember Barón and Councilmember Balducci

7. **Public Comment**



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Hearing and Second Reading of Ordinances from Standing Committees and Regional Committees, and of Ordinances related to Collective Bargaining

There will be one public hearing on Items 6-13 & 21

Consent Item 8

Councilmember Barón

- 8. [Proposed Ordinance No. 2026-0037](#) **Pg. 15**

AN ORDINANCE approving South Link Connections Public Transportation Service Changes for King County.

Sponsors: Fain and von Reichbauer

On 3/10/2026, the Metropolitan King County Council Introduced and Referred to Transportation, Economy, and Environment Committee.

On 3/17/2026, the Transportation, Economy, and Environment Committee Recommended Do Pass Consent.

Committee of the Whole

Councilmember Barón

- 9. [Proposed Ordinance No. 2025-0329](#) **Pg. 84**

AN ORDINANCE relating to the development of a regional motor sports facility demonstration project; amending Ordinance 17287, Section 9, and K.C.C. 21A.06.973C, and Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105, and repealing Ordinance 17287, Section 5, and Ordinance 17287, Section 6.

Sponsors: von Reichbauer

On 10/7/2025, the Metropolitan King County Council Introduced and Referred to Committee of the Whole.

On 10/20/2025, the Committee of the Whole Recommended Do Pass.

Public Hearing Required

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Law and Justice

Councilmember Lewis

- 10. [Proposed Substitute Ordinance No. 2026-0027.2](#) **Pg. 134**

AN ORDINANCE limiting the use of King County-owned and controlled property; amending Ordinance 18665, Section 1, as amended, and K.C.C. 2.15.005 and Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 and adding a new section to K.C.C. chapter 2.15.

Sponsors: Mosqueda

On 2/17/2026, the Metropolitan King County Council Introduced and Referred to Law and Justice Committee.

On 3/4/2026, the Law and Justice Committee Recommended Do Pass Substitute.

On 3/17/2026, the Metropolitan King County Council Deferred.

Public Hearing Required

Motions, from Standing Committees and Regional Committees and Motions related to Collective Bargaining, for Council Action

Consent Items 11-12

Councilmember Barón

- 11. [Proposed Motion No. 2026-0019](#) **Pg. 155**

A MOTION confirming the executive's appointment of Trip Switzer, who resides in council district one, to the King County Airport Roundtable, as an at-large representative.

Sponsors: Dembowski

On 2/3/2026, the Metropolitan King County Council Introduced and Referred to Government Accountability and Oversight Committee.

On 3/10/2026, the Government Accountability and Oversight Committee Recommended Do Pass Consent.

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12. [Proposed Substitute Motion No. 2026-0021.2](#) Pg. 157

A MOTION related to the rules of procedure and mediation of the King County hearing examiner; and rescinding Motion 14876 and Motion 14876, Attachment A.

Sponsors: von Reichbauer

On 2/3/2026, the Metropolitan King County Council Introduced and Referred to Government Accountability and Oversight Committee.

On 3/10/2026, the Government Accountability and Oversight Committee Recommended Do Pass Substitute Consent.

Health, Housing, and Human Services

Councilmember Mosqueda

13. [Proposed Substitute Motion No. 2026-0017.2](#) Pg. 187

A MOTION stating the council's support for continued entheogen-related research for alternative treatment modalities, structured medical models, and full decriminalization of entheogen-related activities and requesting that the investigation, arrest, and prosecution of any adult engaging in certain entheogen-related activities be among King County's lowest criminal enforcement priorities.

Sponsors: Mosqueda and Dembowski

On 1/27/2026, the Metropolitan King County Council Introduced and Referred to Health, Housing, and Human Services Committee.

On 2/3/2026, the Health, Housing, and Human Services Committee Deferred.

On 3/3/2026, the Health, Housing, and Human Services Committee Recommended Do Pass Substitute Consent.

On 3/17/2026, the Metropolitan King County Council Deferred.

First Reading and Referral of Ordinances

14. [Proposed Ordinance No. 2026-0051](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Bradford Smith and Joshua Finto for property located at 15550 115th Avenue SW, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E25CT010.

Sponsors: Perry

First Reading and Referral to the Hearing Examiner

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15. [Proposed Ordinance No. 2026-0054](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Scott and Michelle Harvey for property located at 12216 SW Cove Road, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E25CT011.

Sponsors: Perry

First Reading and Referral to the Hearing Examiner

16. [Proposed Ordinance No. 2026-0055](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Penelope Clay for property located at 22747 Wax Orchard Road SW, Vashon, WA 98070, designated department of natural resources and parks, water and land resources division file no. E25CT014.

Sponsors: Perry

First Reading and Referral to the Hearing Examiner

17. [Proposed Ordinance No. 2026-0057](#)

AN ORDINANCE approving an application for current use assessment for public benefit rating system, submitted by Jeremy and Kristin Tinder for property located at 6505 282nd Avenue SE, Issaquah, WA 98027, designated department of natural resources and parks, water and land resources division file no. E25CT024.

Sponsors: Perry

First Reading and Referral to the Hearing Examiner

18. [Proposed Ordinance No. 2026-0061](#)

AN ORDINANCE relating to the 2025 levy of property taxes in King County for collection in the year 2026; and amending Ordinance 20030, Section 4.

Sponsors: Dembowski

First Reading and Referral to the Budget and Fiscal Management Committee

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First Reading and Referral of Motions

19. [Proposed Motion No. 2026-0059](#)

A MOTION confirming the executive's appointment of Eric Adman, who resides in council district one, to the conservation futures advisory committee, as a council district one representative.

Sponsors: Dembowski

First Reading and Referral to the Transportation, Economy, and Environment Committee

20. Reports on Special and Outside Committees

Other Business

Recognition Presented in the Community

21. Recognition of AmPowering’s sponsoring of the Seattle Color Festival (Holi) 2026

Councilmember Barón and Councilmember Balducci

Adjournment

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Meeting Minutes

Metropolitan King County Council

*Councilmembers: Sarah Perry, Chair;
Jorge Barón, Vice Chair of Policy Development and Review;
Reagan Dunn, Vice Chair of Regional Coordination;
Claudia Balducci, Rod Dembowski, Steffanie Fain,
Rhonda Lewis, Teresa Mosqueda, Pete von Reichbauer*

1:30 PM

Tuesday, March 17, 2026

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DRAFT MINUTES

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1. **Call to Order**

The meeting was called to order at 1:32 p.m.

2. **Roll Call**

Present: 9 - Balducci, Barón, Dembowski, Dunn, Fain, Lewis, Mosqueda, Perry and von Reichbauer

3. **Flag Salute and Pledge of Allegiance**

Councilmember Balducci led the flag salute and Pledge of Allegiance.

4. **Approval of Minutes of March 10, 2026**

Councilmember Barón moved to approve the minutes of the March 10, 2026, meeting as presented. Seeing no objection, the Chair so ordered.

5. **Additions to the Council Agenda**

There were no additions.

6. **Special Item**

Proclamation of March 22 to 28, 2026, as Transit Appreciation Week in King County.

Executive Zahilay, Councilmember Balducci, and Councilmember Fain, made remarks and presented the proclamation to Ernest Kandilige, Deputy General Manager, Metro Transit Department. Ernest Kandilige made remarks and thanked the Council.

Proclamation of March 2026 as Women’s History Month in King County.

Councilmembers Balducci, Fain, Lewis, Mosqueda, and Perry, made remarks and presented the proclamation to Nura Adam, Executive Director, Immigrant Women's Community Center (IWCC). Nura Adam made remarks and thanked the Council.

Hearing and Second Reading of Ordinances from Standing Committees and Regional Committees, and of Ordinances related to Collective Bargaining

There will be one public hearing on Items 6 & 9-13

The following people spoke:

Alex Tsimmerman

Jordan Crawley

Kody Zalewski

Greg Woodfield

Sarah Jett Rasor

Daniel Gilman

Matt Metzker

Joe Kunzler

Preston Anderson

Law and Justice

7. [Proposed Substitute Ordinance No. 2026-0027.2](#)

AN ORDINANCE limiting the use of King County-owned and controlled property; amending Ordinance 18665, Section 1, as amended, and K.C.C. 2.15.005 and Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 and adding a new section to K.C.C. chapter 2.15.

Sponsors: Mosqueda

The Chair announced Proposed Ordinance 2026-0027 would be deferred one week to the March 24, 2026, Council meeting.

This matter was Deferred

Hearing Examiner Consent Agenda - Item 8

8. [Proposed Substitute Ordinance No. 2025-0368.2](#)

AN ORDINANCE authorizing the vacation of a portion of a portion of 52nd Avenue South/Indiana Ave, file no. V-2735; Petitioner: Whispering Woods Estates, LLC.

Sponsors: Perry

The enacted number is 20045.

A motion was made by Councilmember Fain that this Ordinance be Passed on the Consent Agenda. The motion carried by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Fain, Lewis, Mosqueda, Perry, and von Reichbauer

Motions, from Standing Committees and Regional Committees and Motions related to Collective Bargaining, for Council Action

Consent Items 9-13

9. [Proposed Motion No. 2025-0228](#)

A MOTION confirming the executive's appointment of Crystal Goodwin, who resides in council district seven, to the King County board for developmental disabilities.

Sponsors: von Reichbauer

The enacted number is 16956.

A Public Hearing was held and closed. This matter passed on the Consent Agenda.

10. [Proposed Motion No. 2025-0253](#)

A MOTION confirming the executive's appointment of Dae Degrade, who resides in council district nine, to the King County behavioral health advisory board.

Sponsors: Dunn

The enacted number is 16957.

A Public Hearing was held and closed. This matter passed on the Consent Agenda.

11. [Proposed Motion No. 2025-0255](#)

A MOTION confirming the executive's appointment of Someireh Amirfaiz, who resides in council district nine, to the King County mental illness and drug dependency advisory committee, as a provider of culturally specific mental health services in King County.

Sponsors: Dunn

The enacted number is 16958.

A Public Hearing was held and closed. This matter passed on the Consent Agenda.

12. [Proposed Motion No. 2025-0337](#)

A MOTION confirming the executive's appointment of Carrol Stripling, who resides in council district seven, to the King County veterans advisory board.

Sponsors: von Reichbauer

The enacted number is 16959.

A Public Hearing was held and closed. This matter passed on the Consent Agenda.

Passed On The Consent Agenda

A motion was made by Councilmember Barón that the Consent Agenda be passed. The motion carried by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Fain, Lewis, Mosqueda, Perry, and von Reichbauer

13. [Proposed Substitute Motion No. 2026-0017.2](#)

A MOTION stating the council's support for continued entheogen-related research for alternative treatment modalities, structured medical models, and full decriminalization of entheogen-related activities and requesting that the investigation, arrest, and prosecution of any adult engaging in certain entheogen-related activities be among King County's lowest criminal enforcement priorities.

Sponsors: Mosqueda and Dembowski

The Chair announced that Proposed Motion 2026-0017 would be removed from the Consent Agenda and deferred one week to the March 24, 2026, Council meeting.

A Public Hearing was held and remains open. This matter was deferred.

14. **Reports on Special and Outside Committees**

No reports were given.

Other Business

Adjournment

The meeting was adjourned at 2:37 p.m.

Approved this _____ day of _____

Clerk's Signature



Signature Report

Ordinance

Proposed No. 2026-0037.1

Sponsors Fain and von Reichbauer

1 AN ORDINANCE approving South Link Connections
2 Public Transportation Service Changes for King County.

3 STATEMENT OF FACTS:

4 1. The changes in this ordinance to the Metro transit department's bus
5 network include revisions to bus service in the cities of Auburn, Burien,
6 Des Moines, Federal Way, Kent, Normandy Park, Pacific, SeaTac, and
7 Tukwila.

8 2. The changes in this ordinance are consistent with the policy direction
9 and priorities adopted in Ordinance 19367, enacted December 15, 2021, to
10 update the King County Metro Strategic Plan for Public Transportation
11 2021-2031 and Service Guidelines.

12 3. Implementation of the proposed changes over multiple service changes
13 is consistent with the Metro Service Recovery Plan approved via
14 Ordinance 19581.

15 4. The changes in this ordinance reinstate or reinvest the fully or partially
16 suspended service resources on routes 121, 122, 123, 154, 157, 162, 177,
17 178, 179, 190, and 197 within the South Link Connections project
18 consistent with the Metro Service Recovery Plan.

19 5. In 2024 and 2025, the Metro transit department conducted public
20 engagement concerning proposed changes to service in the south areas of

21 King County provided by routes 121, 122, 123, 154, 156, 157, 162, 165,
22 177, 178, 179, 181, 182, 183, 187, 190, 193, 197, 631, 901, 903, and
23 RapidRide A Line.

24 6. The service changes in this ordinance would eliminate routes 122, 123,
25 154, 157, 162, 165, 177, 178, 179, 190, 197, and 901, revise Route 121,
26 and reinvest service resources to create new routes 164, 166, and 902, and
27 expand service on routes 156, 181, 182, 183, 187, 631, and 903. Metro
28 would also make administrative changes to expand service on Route 168
29 and the RapidRide A Line and reduce service on Route 193.

30 7. The service changes in this ordinance would modify the routing of
31 routes 121, 156, 183 and 187.

32 8. Sound Transit opened three new light rail stations on the Link light rail
33 1 Line between Angle Lake and Federal Way on December 6, 2025.

34 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

35 SECTION 1. The service changes for King County, substantially as described in

36 Attachment A to this ordinance, are hereby approved. The Metro transit department may
37 implement the changes beginning with the fall 2026 service change.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Girmay Zahilay, County Executive

Attachments: A. South Link Connections Public Transportation Service Changes for King County, February 23, 2026

February 23, 2026

South Link Connections Public Transportation Service Changes for King County

Route: 121 (revise)

OBJECTIVES:

Revise service on Route 121 to serve Burien Transit Center, Boulevard Park, and Seattle during weekday peak periods and remove service south of Burien Transit Center in accordance with the Strategic Plan for Public Transportation, 2021-2031, and King County Metro Service Guidelines. Replacement service between Highline College and Burien Transit Center is provided by new Route 166. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.
 - Metro should consider transit access in defining a route or route segment as duplicative. Access should be based on the frequency of service.
- *Route Directness*
 - A route that operates directly between two locations is faster and more attractive to riders than one that takes a circuitous path. Circulators or looping routes do not have competitive travel times compared to walking or other modes of travel, so they tend to have low ridership and poor performance.
 - Directness should be considered in relation to the market for the service. Where a route deviates away from its major path to serve a specific destination, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation.
- *Operating Paths and Appropriate Vehicles*
 - Buses should be routed primarily on arterial streets and freeways, except where routing on local or collector streets is necessary to reach layover areas or turn buses around.

IMPACTED SERVICE AREA:
Des Moines, Normandy Park, Burien, Seattle

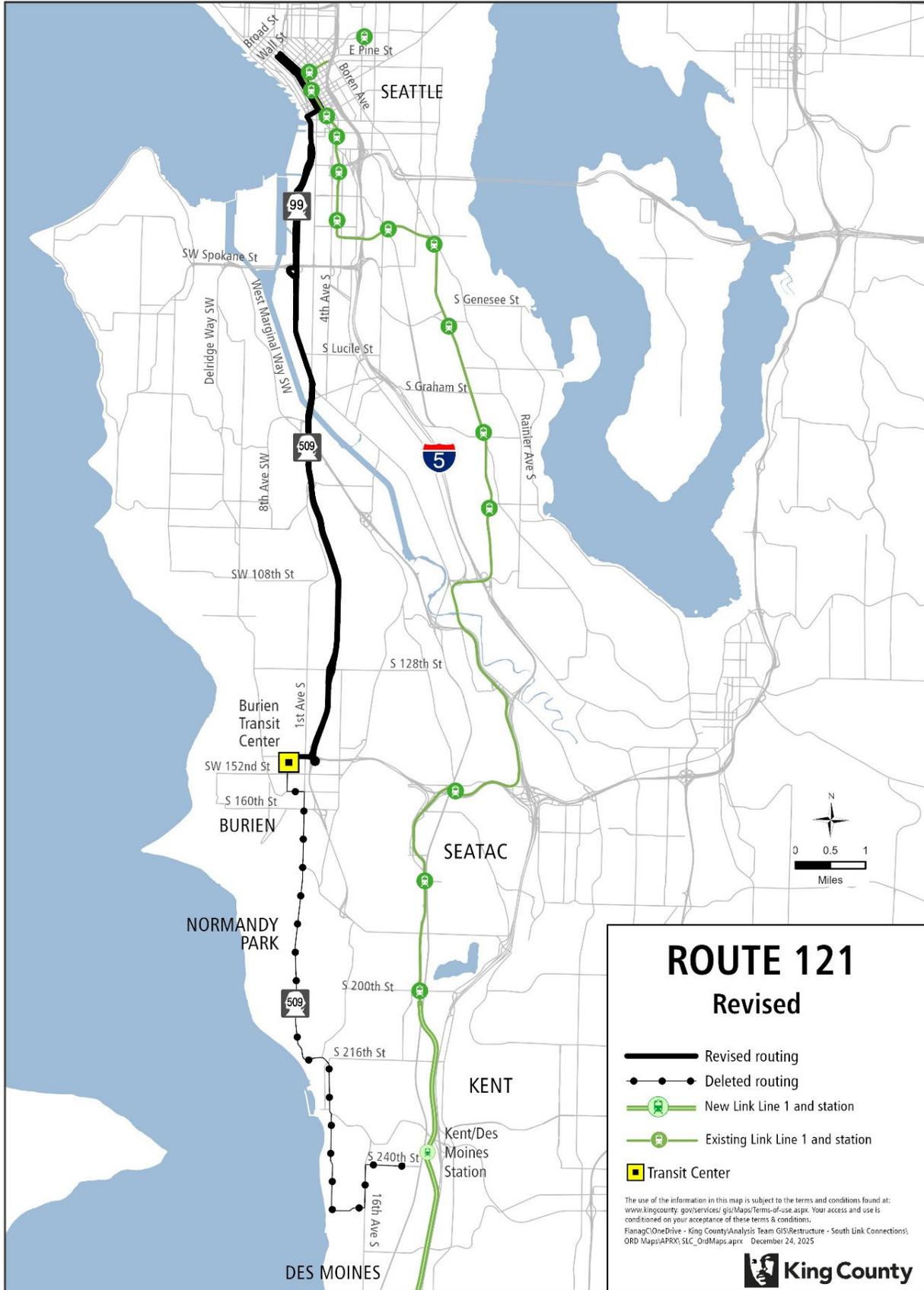
SERVICE CHANGE:
Revise Route 121 to serve Burien Transit Center, Boulevard Park, and Seattle and remove service south of Burien Transit Center. Replacement service between Highline College and Burien Transit Center is provided by new Route 166. Route 121 was suspended in 2020, partially restored in 2021, and suspended again in 2023.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	-	-	-	-	-	-	-
Proposed	30-60 min	-	-	-	-	-	-

Hours of Service:

	Weekday	Saturday	Sunday
Current	-	-	-
Proposed	6:00 AM–8:45 AM 3:45 PM–6:30 PM	-	-



Route: 122 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 122 will be provided by routes 121, 156, 166, RapidRide H Line, and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

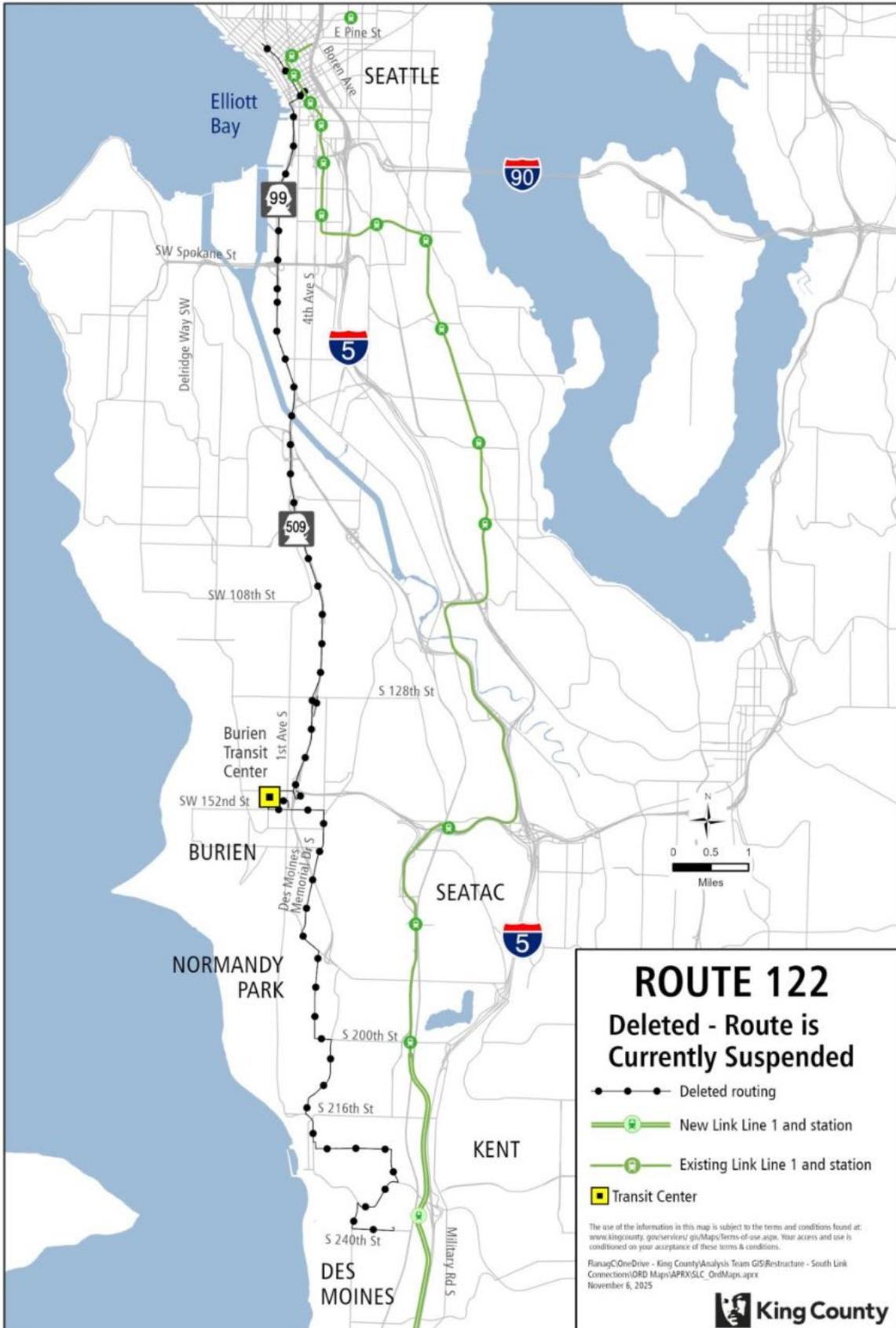
- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Des Moines, Normandy Park, Burien, Seattle

SERVICE CHANGE:

Delete Route 122. Replacement service for Route 122 will be provided by routes 121, 156, 166, RapidRide H Line, and Link light rail. Route 122 was suspended in 2020.



Route: 123 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 123 will be provided by routes 121, 631, and RapidRide H Line. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
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- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Burien, Seattle

SERVICE CHANGE:

Delete Route 123. Replacement service for Route 123 will be provided routes 121, 631, and RapidRide H Line. Route 123 was suspended in 2020.



Route: 154 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 154 will be provided by routes 113, 121, 124, 150, Metro Flex, and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

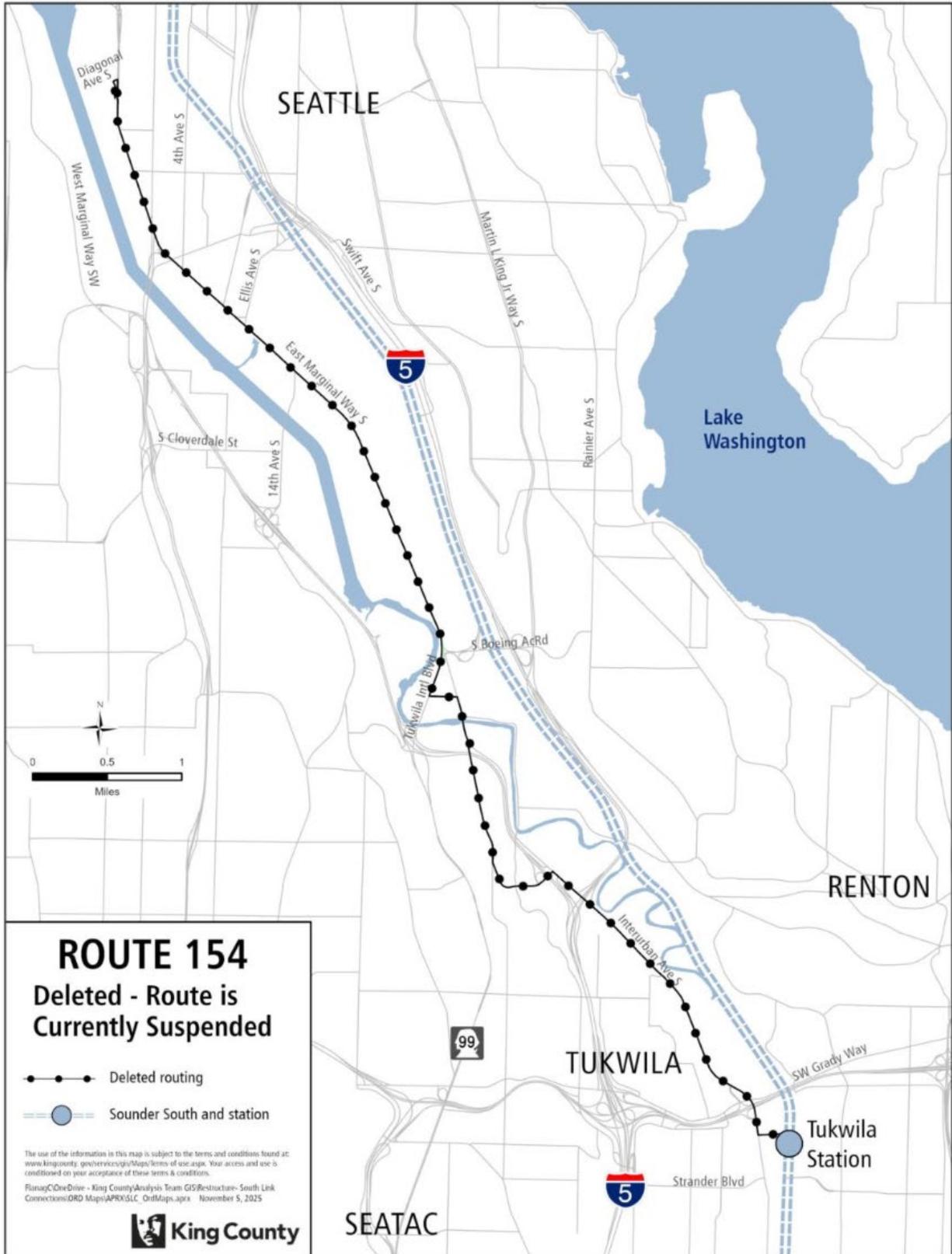
- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Tukwila, Seattle

SERVICE CHANGE:

Delete Route 154. Replacement service will be provided by routes 113, 121, 124, 150, Tukwila Metro Flex, and Link light rail. Route 154 was suspended in 2020.



Route: 156 (revise)

OBJECTIVES:

Revise Route 156 to serve Kent Des Moines Station, operate in both directions on South 164th Street in SeaTac, and provide earlier trips every day of the week and additional trips on weekends in accordance with the Strategic Plan for Public Transportation, 2021-2031, and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Easy to Understand*
 - A simple transit network is easier for riders to understand and use than a complex network.
 - Routes should have predictable and direct routings and should provide frequency and span appropriate to the market served.
 - Routes should serve connection points where riders can connect with frequent services, opening the widest possible range of travel options.
- *Operating Paths and Appropriate Vehicles*
 - Buses should be routed primarily on arterial streets and freeways, except where routing on local or collector streets is necessary to reach layover areas or turn buses around.

IMPACTED SERVICE AREA:

Kent, Des Moines, SeaTac, Tukwila

SERVICE CHANGE:

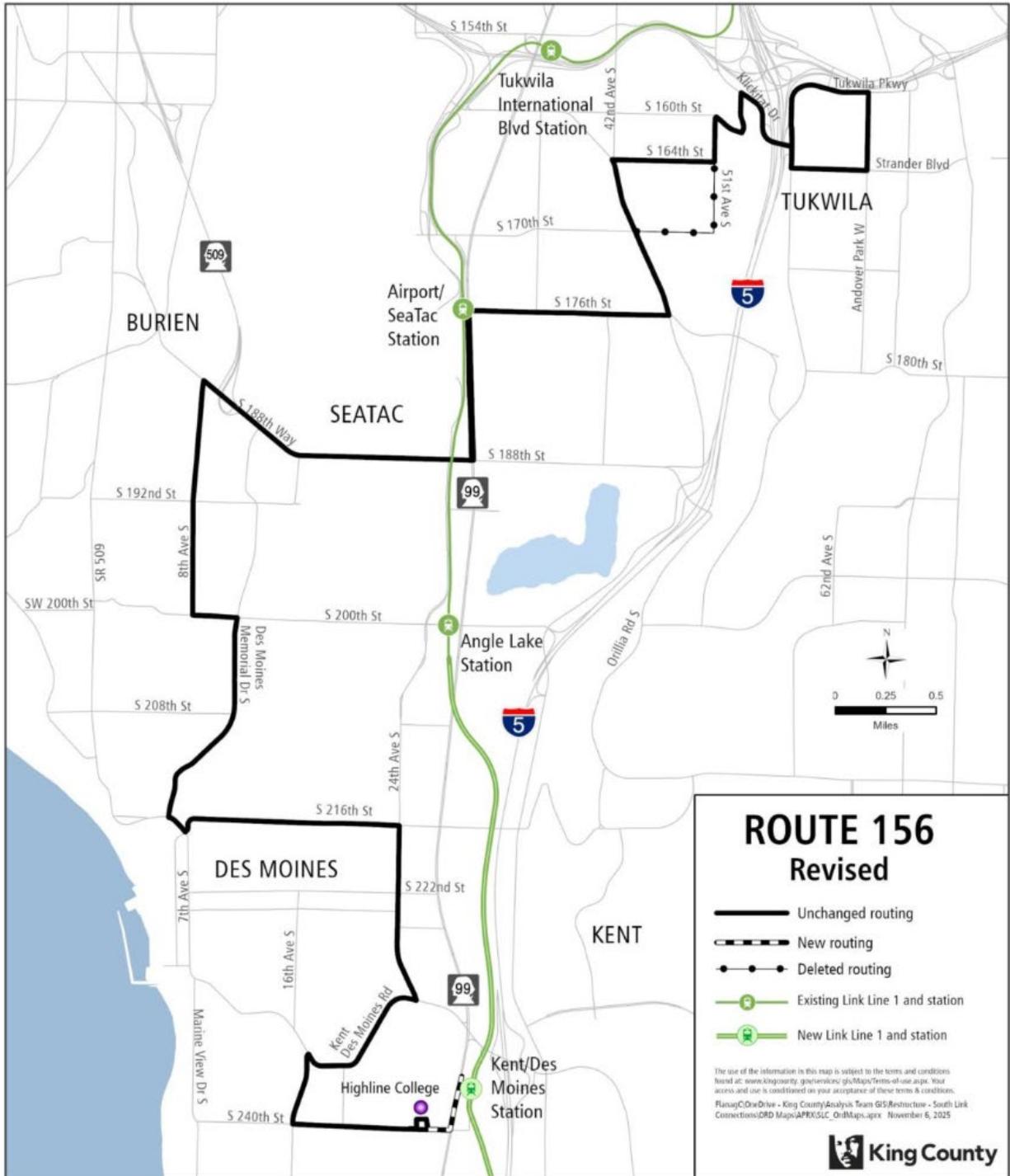
Revise Route 156 to directly serve Kent Des Moines Station with a simpler path through McMicken Heights and increase frequency to 30 minutes most of the day on weekends.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	15-30 min	30 min	30-60 min	60 min	60 min	60 min	60 min
Proposed	15-30 min	15-30 min	30-60 min	30-60 min	60 min	30-60 min	60 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:00 AM–10:45 PM	5:30 AM–10:30 PM	5:30 AM–10:15 PM
Proposed	4:30 AM–11:00 PM	4:30 AM–10:00 PM	4:30 AM–10:00 PM



Route: 157 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 157 will be provided by routes 161, 164, 168, Sounder, Metro Flex, and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

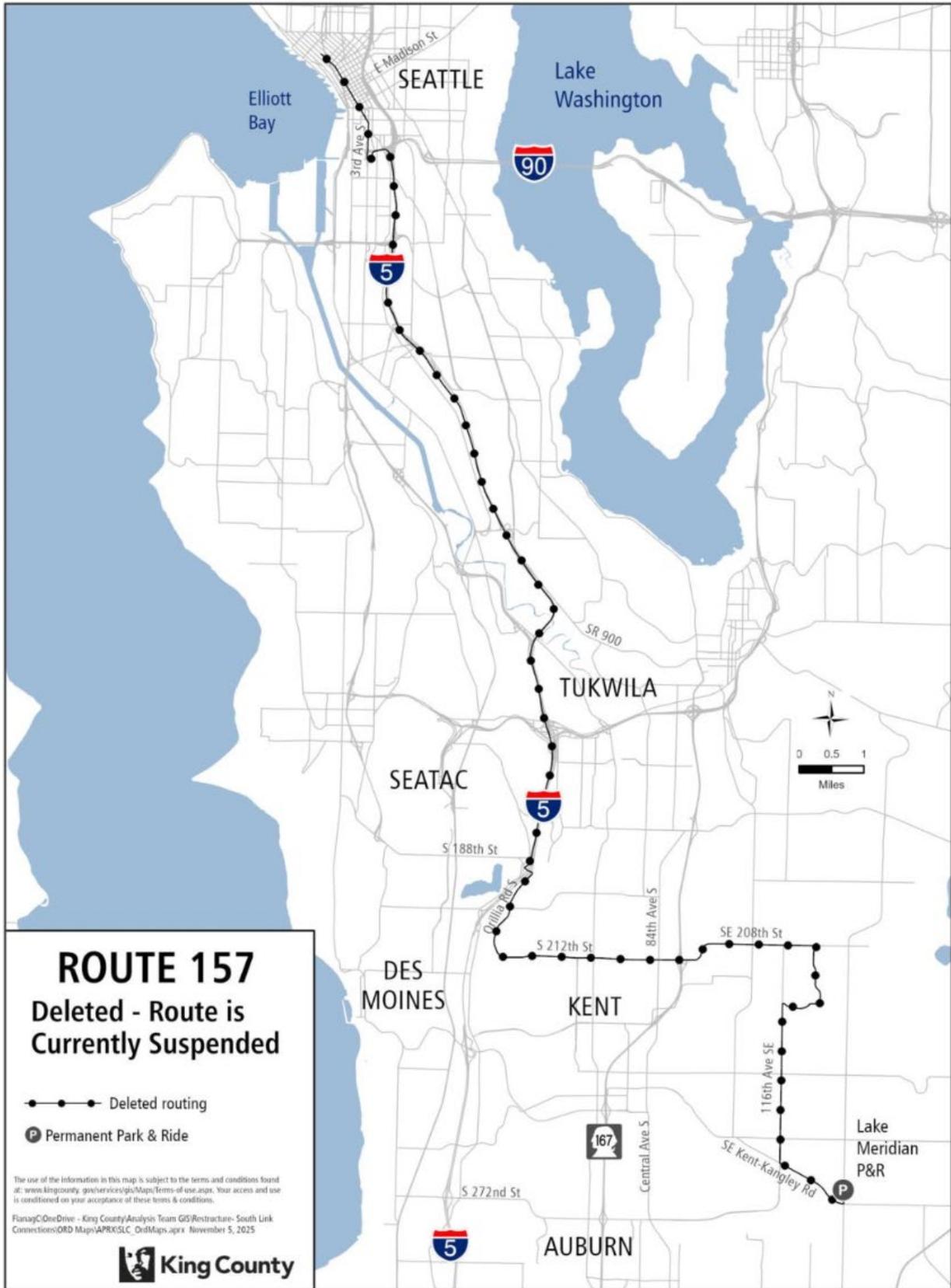
- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Kent, Seattle

SERVICE CHANGE:

Delete Route 157. Replacement service for Route 157 will be provided by routes 161, 164, 168, Sounder, Kent Metro Flex, and Link light rail. Route 157 was suspended in 2020.



Route: 162 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 162 will be provided by routes 150, 168, and 183, Sounder, and Link light rail.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Kent, Seattle

SERVICE CHANGE:

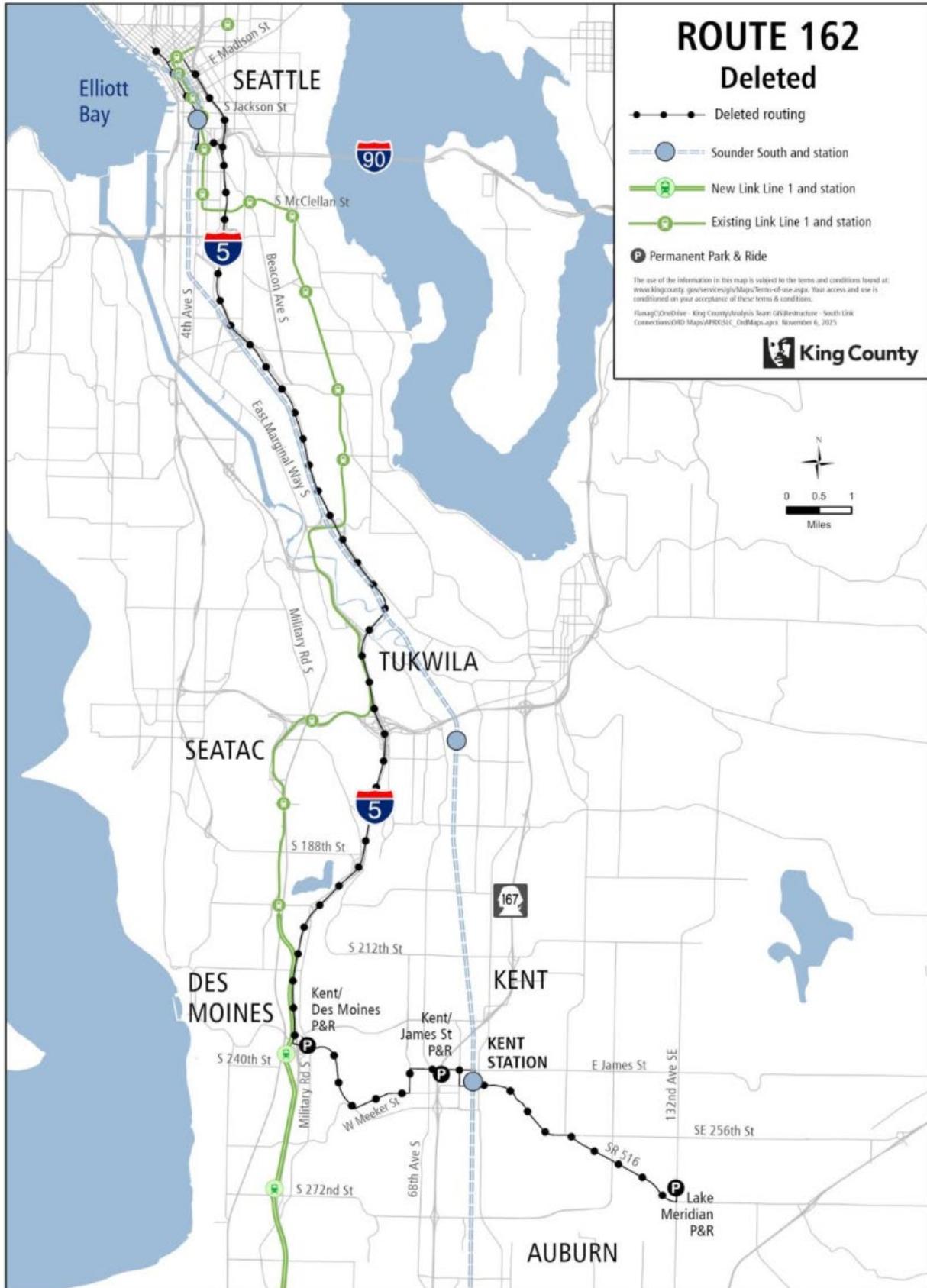
Delete Route 162. Replacement service for Route 162 will be provided by routes 150, 168, and 183, Sounder, and Link light rail. Route 162 was implemented in 2020 and partially suspended in 2022.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	20-30 min	-	-	-	-	-	-
Proposed	-	-	-	-	-	-	-

Hours of Service:

	Weekday	Saturday	Sunday
Current	4:50 AM–7:40 AM 3:30 PM–6:00 PM	-	-
Proposed	-	-	-



Route: 164 (new)

OBJECTIVES:

Create new route that serves Green River College, Kent East Hill, Kent Station, and Kent Des Moines Station to provide better all-day transit service levels and leverage high-capacity transit investments in accordance with the Strategic Plan for Public Transportation, 2021-2031, and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Directness*
 - A route that operates directly between two locations is faster and more attractive to riders than one that takes a circuitous path. Circulators or looping routes do not have competitive travel times compared to walking or other modes of travel, so they tend to have low ridership and poor performance.
 - Directness should be considered in relation to the market for the service. Where a route deviates away from its major path to serve a specific destination, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation.
- *Route Terminals*
 - Metro carefully selects the locations where bus routes end and buses wait before starting the next trip (layover). Maintaining existing layover spaces at route terminals is a critical priority to support continued and future service, and expanding layover may be required to support service expansion.
 - Terminals should be in areas where restroom facilities are available for operators, considering the times of day when the facilities would be needed.

IMPACTED SERVICE AREA:
 Auburn, Kent, Des Moines

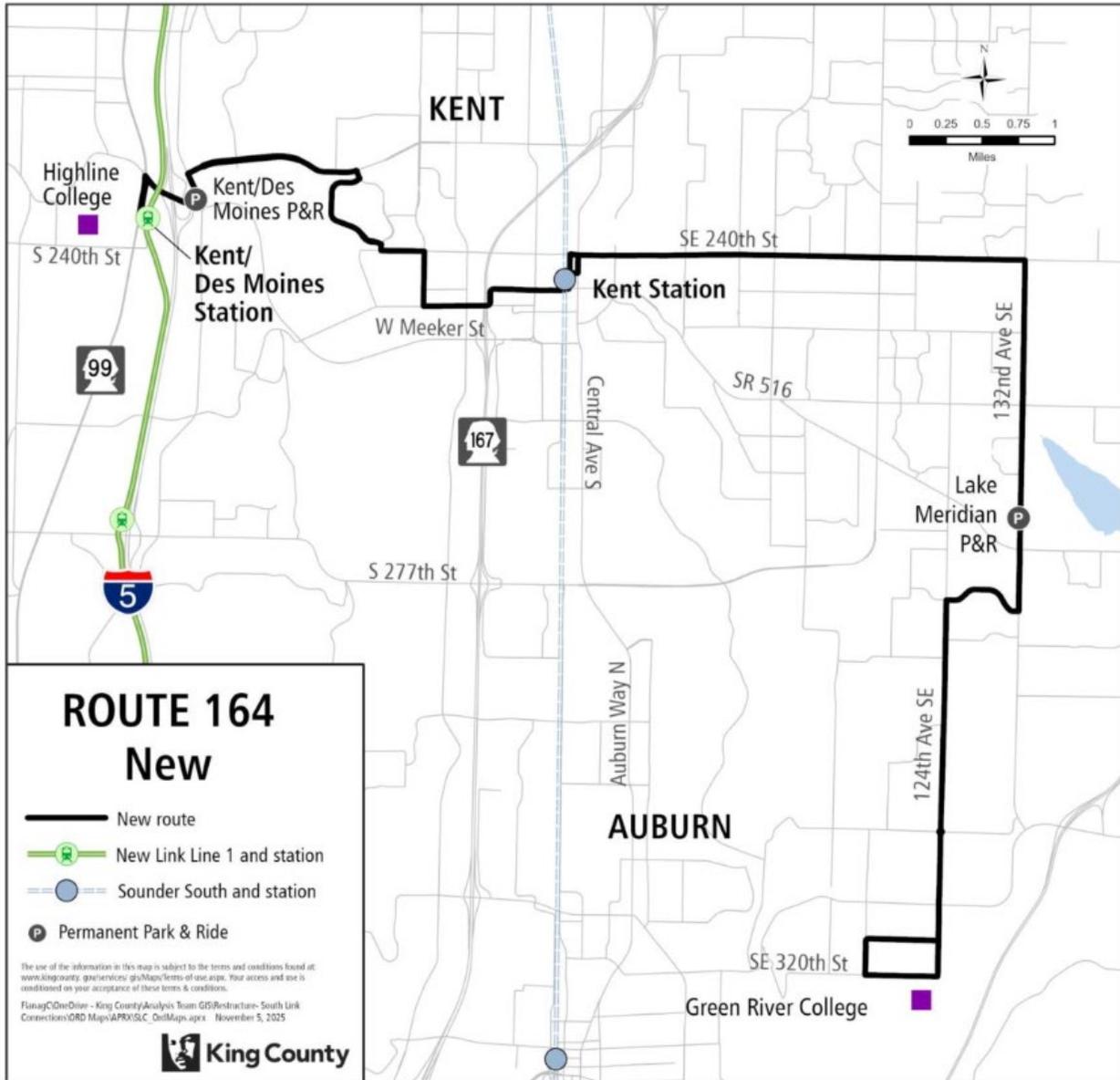
SERVICE CHANGE:
 Implement new Route 164 which provides service between Green River College and Kent Des Moines Station.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	-	-	-	-	-	-	-
Proposed	15 min	15 min	30 min	15 min	30 min	15 min	30 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	-	-	-
Proposed	4:15 AM–11:30 PM	4:45 AM–11:30 PM	4:45 AM–11:30 PM



Route: 165 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 165 will be provided by new routes 164 and 166.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro’s Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.

IMPACTED SERVICE AREA:

Burien, Normandy Park, Des Moines, Kent, Auburn

SERVICE CHANGE:

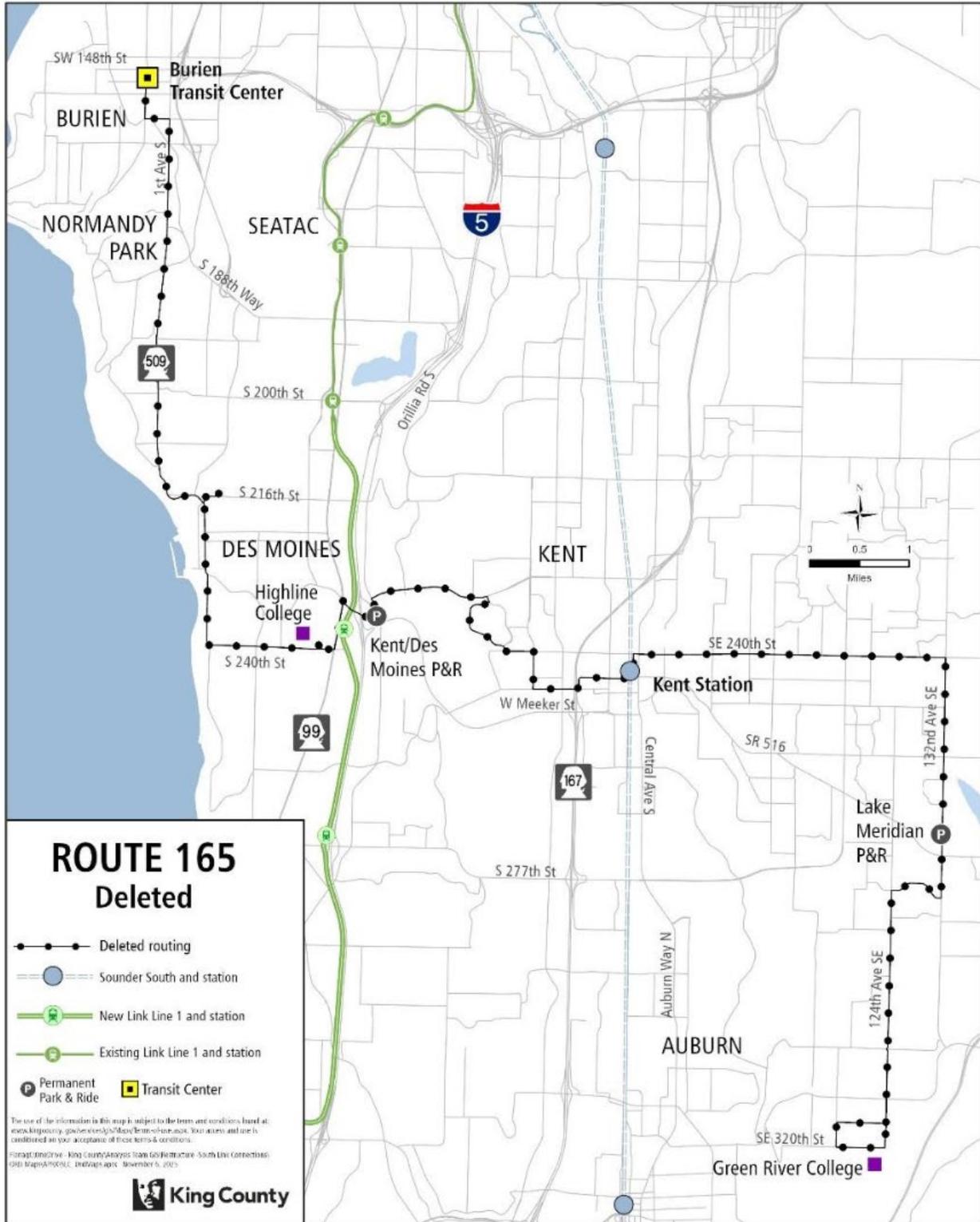
Delete Route 165. Replacement service will be provided by new routes 164 and 166.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	20-30 min	20-30 min	30-60 min	30 min	30-60 min	45-60 min	60 min
Proposed	-	-	-	-	-	-	-

Hours of Service:

	Weekday	Saturday	Sunday
Current	4:45 AM–11:30 PM	6:00 AM–11:45 PM	5:45 AM–10:15 PM
Proposed	-	-	-



Route: 166 (new)

OBJECTIVES:

Create new route that serves Burien, Normandy Park, Highline College, and Kent Des Moines Station to provide better all-day transit service levels and leverage high-capacity transit investments in accordance with the Strategic Plan for Public Transportation, 2021-2031, and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Directness*
 - A route that operates directly between two locations is faster and more attractive to riders than one that takes a circuitous path. Circulators or looping routes do not have competitive travel times compared to walking or other modes of travel, so they tend to have low ridership and poor performance.
 - Directness should be considered in relation to the market for the service. Where a route deviates away from its major path to serve a specific destination, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation.

IMPACTED SERVICE AREA:

Burien, Normandy Park, Des Moines, Kent

SERVICE CHANGE:

Implement new Route 166 which provides service between Burien Transit Center and Kent Des Moines Station.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	-	-	-	-	-	-	-
Proposed	15 min	30 min	30-60 min	30 min	30-60 min	30 min	30-60 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	-	-	-
Proposed	4:15 AM–11:30 PM	5:15 AM–11:30 PM	5:15 AM–11:30 PM



Route: 177 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 177 will be provided by routes 182, 903, and Link light rail.

Strategic Plan Strategies:

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Federal Way, Kent, Seattle

SERVICE CHANGE:

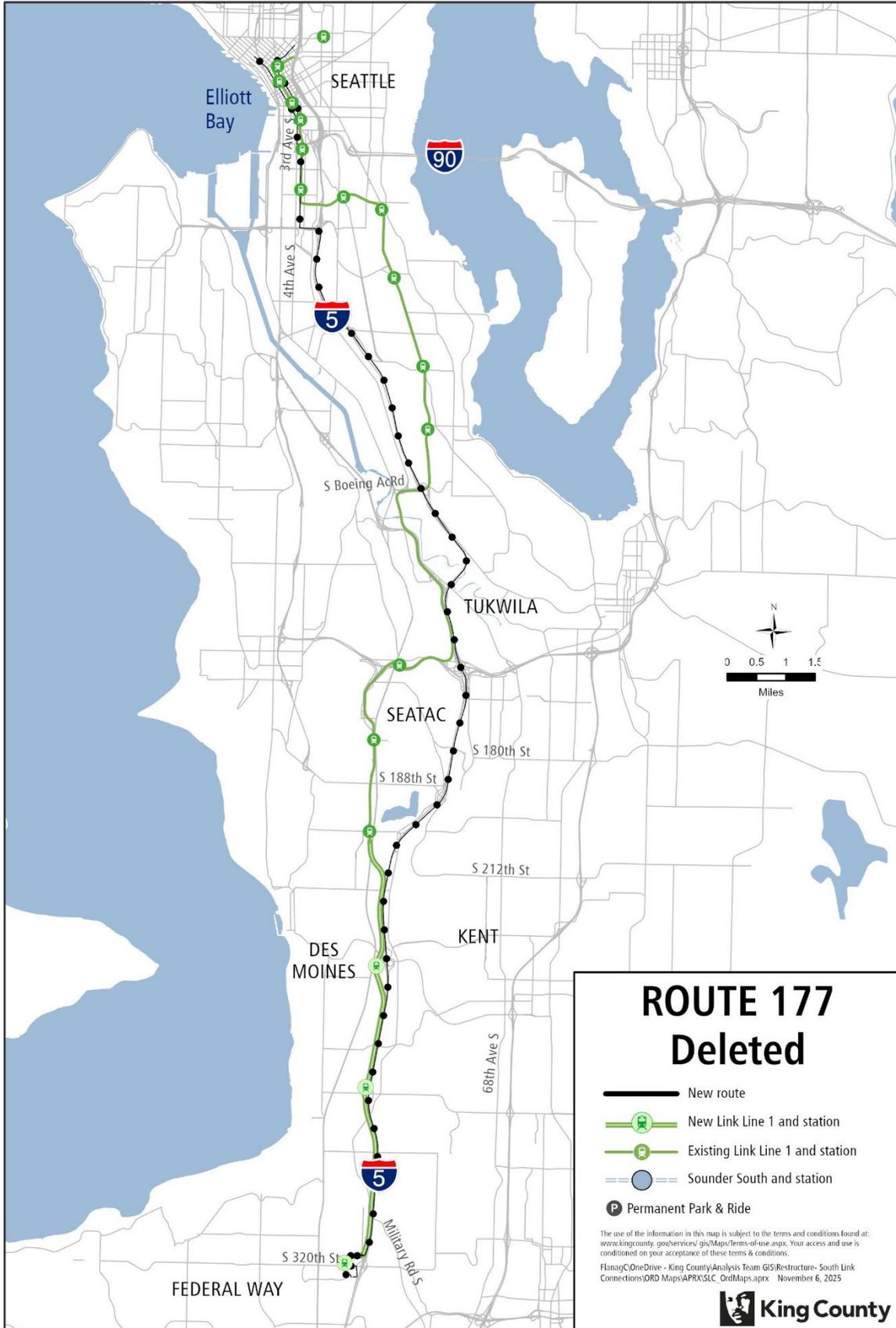
Delete Route 177. Replacement service for Route 177 will be provided by routes 182, 903, and Link light rail. Route 177 was suspended in 2020 and partially restored in 2021.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	20-60 min	-	-	-	-	-	-
Proposed	-	-	-	-	-	-	-

Hours of Service:

	Weekday	Saturday	Sunday
Current	4:45 AM–7:35 AM 3:10 PM–5:45 PM	-	-
Proposed	-	-	-



Route: 178 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 178 will be provided by routes 182 and 903, Pierce Transit Route 500, and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
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 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Federal Way, Kent, Seattle

SERVICE CHANGE:

Delete Route 178. Replacement service for Route 178 will be provided by routes 182 and 903, Pierce Transit Route 500, and Link light rail. Route 178 was suspended in 2020.



Route: 179 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 179 will be provided by routes 181 and 187 and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

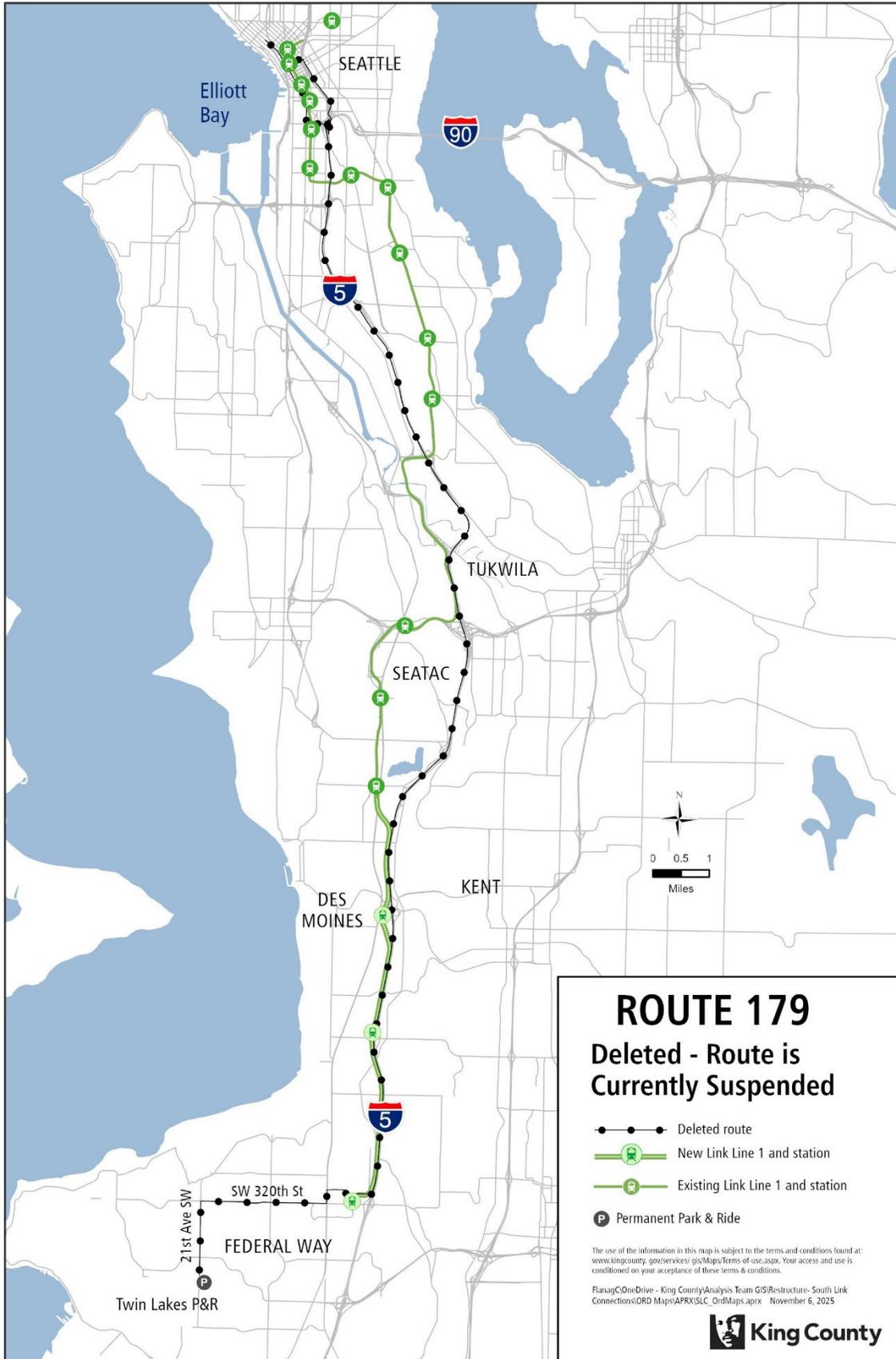
- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
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 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
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IMPACTED SERVICE AREA:

Federal Way, Seattle

SERVICE CHANGE:

Delete Route 179. Replacement service will be provided by routes 181 and 187 and Link light rail. Route 179 was suspended in 2020.



Route: 181 (revise)

OBJECTIVES:

Revise service on Route 181 to provide better all-day transit service levels and leverage high-capacity transit investments in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Easy to Understand*
 - A simple transit network is easier for riders to understand and use than a complex network.
 - Routes should have predictable and direct routings and should provide frequency and span appropriate to the market served.
 - Routes should serve connection points where riders can connect with frequent services, opening the widest possible range of travel options.

IMPACTED SERVICE AREA:

Federal Way, Auburn

SERVICE CHANGE:

Revise Route 181 to provide more frequent all-day, all-week service.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	15-30 min	20-30 min	30-60 min	30 min	30-60 min	30 min	30 min
Proposed	15 min	15 min	15-30 min	30 min	30-60 min	30 min	30-60 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:00 AM–10:45 PM	6:45 AM–11:15 PM	7:45 AM–8:15 PM
Proposed	5:00 AM–12:00 AM	6:00 AM–12:00 AM	6:00 AM–12:00 AM

Route: 182 (revise)

OBJECTIVES:

Revise service on Route 182 to provide better all-day transit service levels, service that starts earlier and ends later every day of the week, and the ability for riders to continue traveling onto Route 187 without switching buses in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Directness*
 - A route that operates directly between two locations is faster and more attractive to riders than one that takes a circuitous path. Circulators or looping routes do not have competitive travel times compared to walking or other modes of travel, so they tend to have low ridership and poor performance.
 - Directness should be considered in relation to the market for the service. Where a route deviates away from its major path to serve a specific destination, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation.

IMPACTED SERVICE AREA:

Federal Way

SERVICE CHANGE:

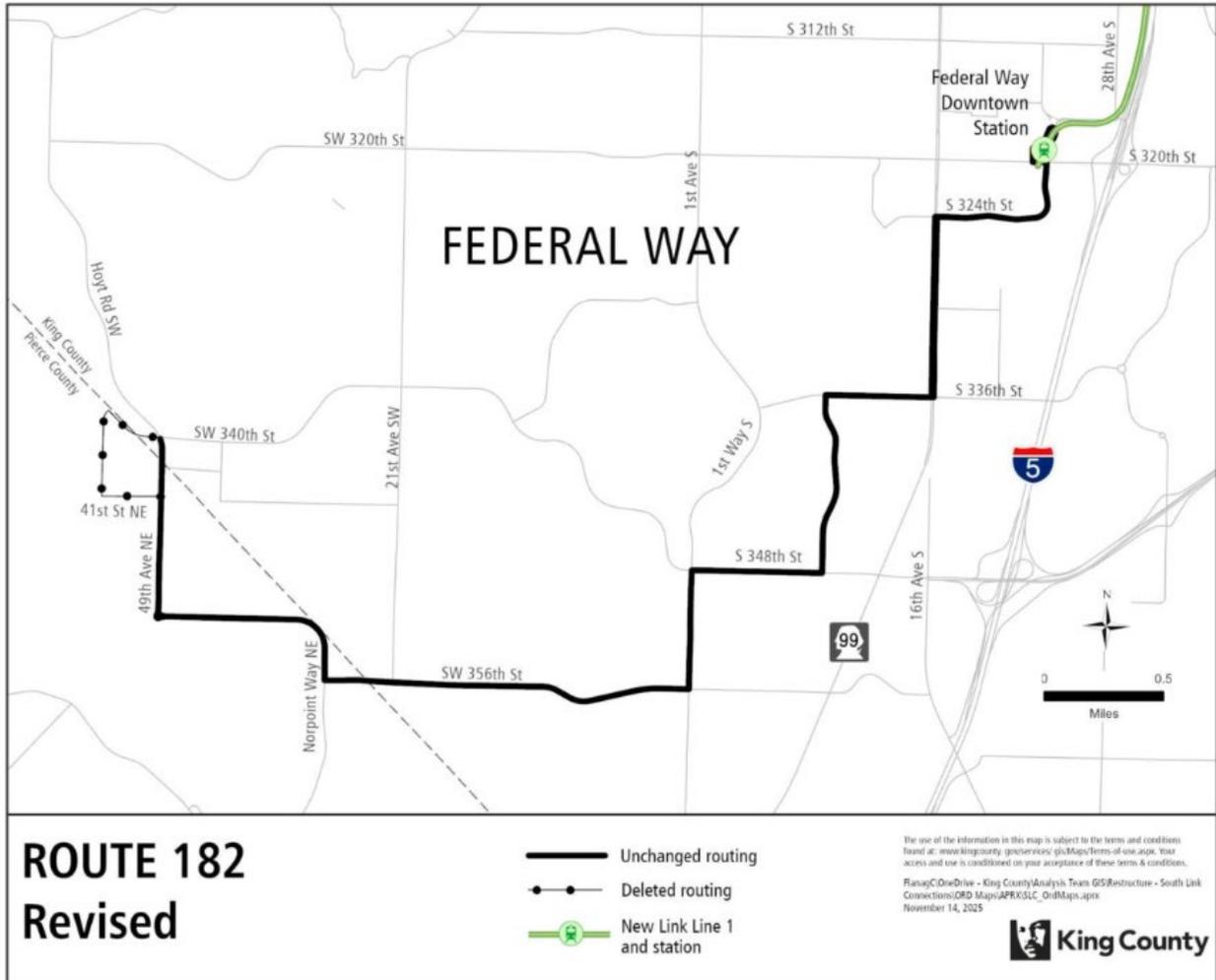
Revise Route 182 to provide more frequent all-day, all-week service. Riders can continue traveling on Route 187 without switching buses.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	30-60 min	30-60 min	45 min	45-60 min	-	60 min	-
Proposed	30-60 min	30 min	30 min	30 min	30-60 min	30 min	30-60 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:30 AM–8:00 PM	7:30 AM–6:30 PM	7:30 AM–6:30 PM
Proposed	5:00 AM–10:15 PM	7:00 AM–9:15 PM	7:00 AM–9:15 PM



Route: 183 (revise)

OBJECTIVES:

Revise Route 183 to serve Star Lake Station and Federal Way Downtown Station with new Sunday service and earlier and later service every day of the week in accordance with the Strategic Plan for Public Transportation, 2021-2031, and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

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 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Easy to Understand*
 - A simple transit network is easier for riders to understand and use than a complex network.
 - Routes should have predictable and direct routing and should provide frequency and span appropriate to the market served.
 - Routes should serve connection points where riders can connect with frequent services, opening the widest possible range of travel options.

IMPACTED SERVICE AREA:

Federal Way, Kent

SERVICE CHANGE:

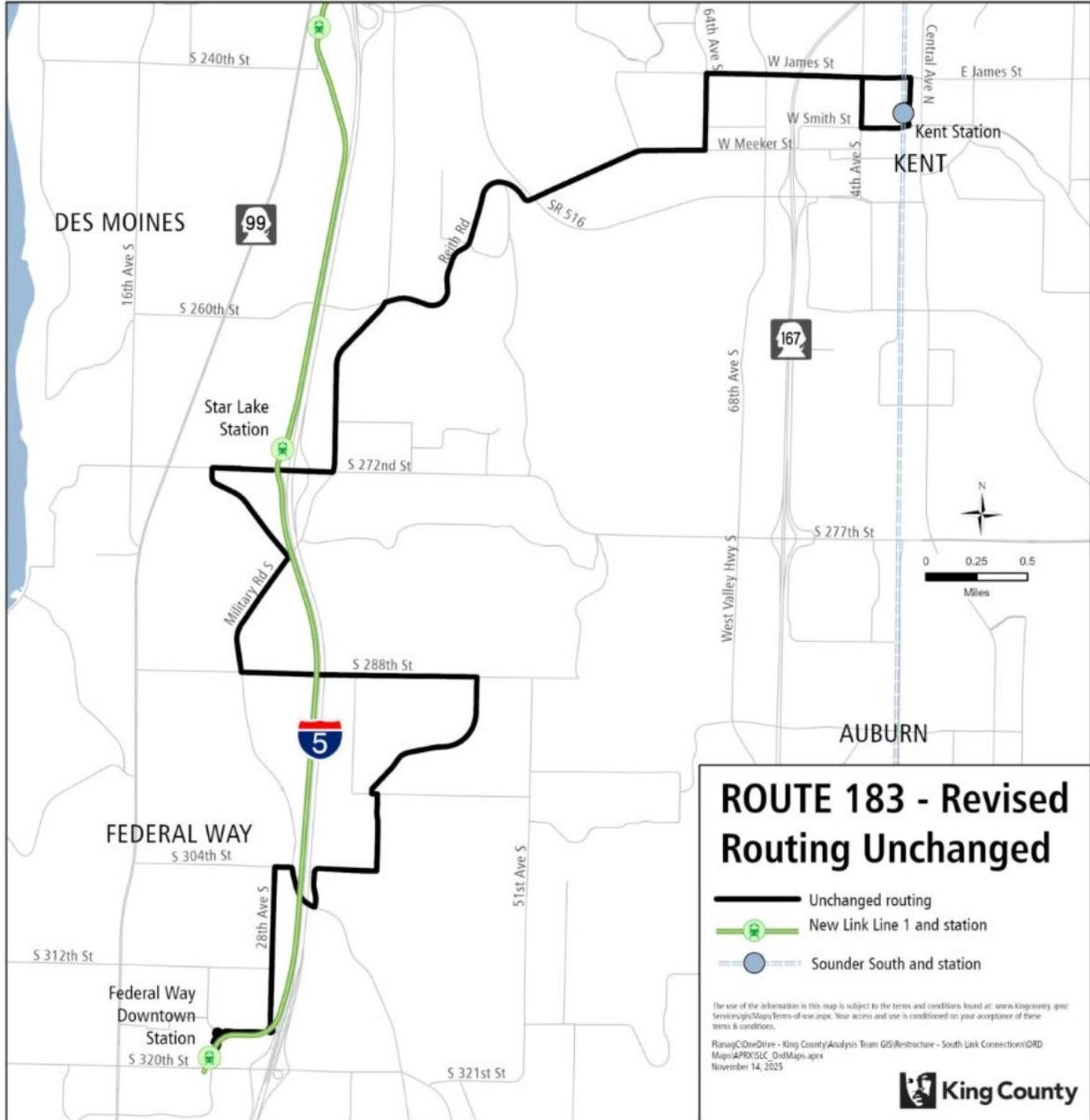
Revise Route 183 to directly serve Star Lake Station with new Sunday service and earlier and later service every day of the week.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	20-45 min	20-30 min	60 min	30 min	-	-	-
Proposed	30 min	30 min	30-60 min	30 min	30 min	30 min	30 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:15 AM–10:15 PM	8:15 AM–6:15 PM	-
Proposed	5:00 AM–10:00 PM	7:00 AM–10:00 PM	7:00 AM–10:00 PM



Route: 187 (revise)

OBJECTIVES:

Revise service on Route 187 to provide better all-day transit service levels, service that starts earlier and ends later, and the ability for riders to continue traveling onto Route 182 without switching buses in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
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 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Easy to Understand*
 - A simple transit network is easier for riders to understand and use than a complex network.
 - Routes should have predictable and direct routing and should provide frequency and span appropriate to the market served.
 - Routes should serve connection points where riders can connect with frequent services, opening the widest possible range of travel options.

IMPACTED SERVICE AREA:

Federal Way

SERVICE CHANGE:

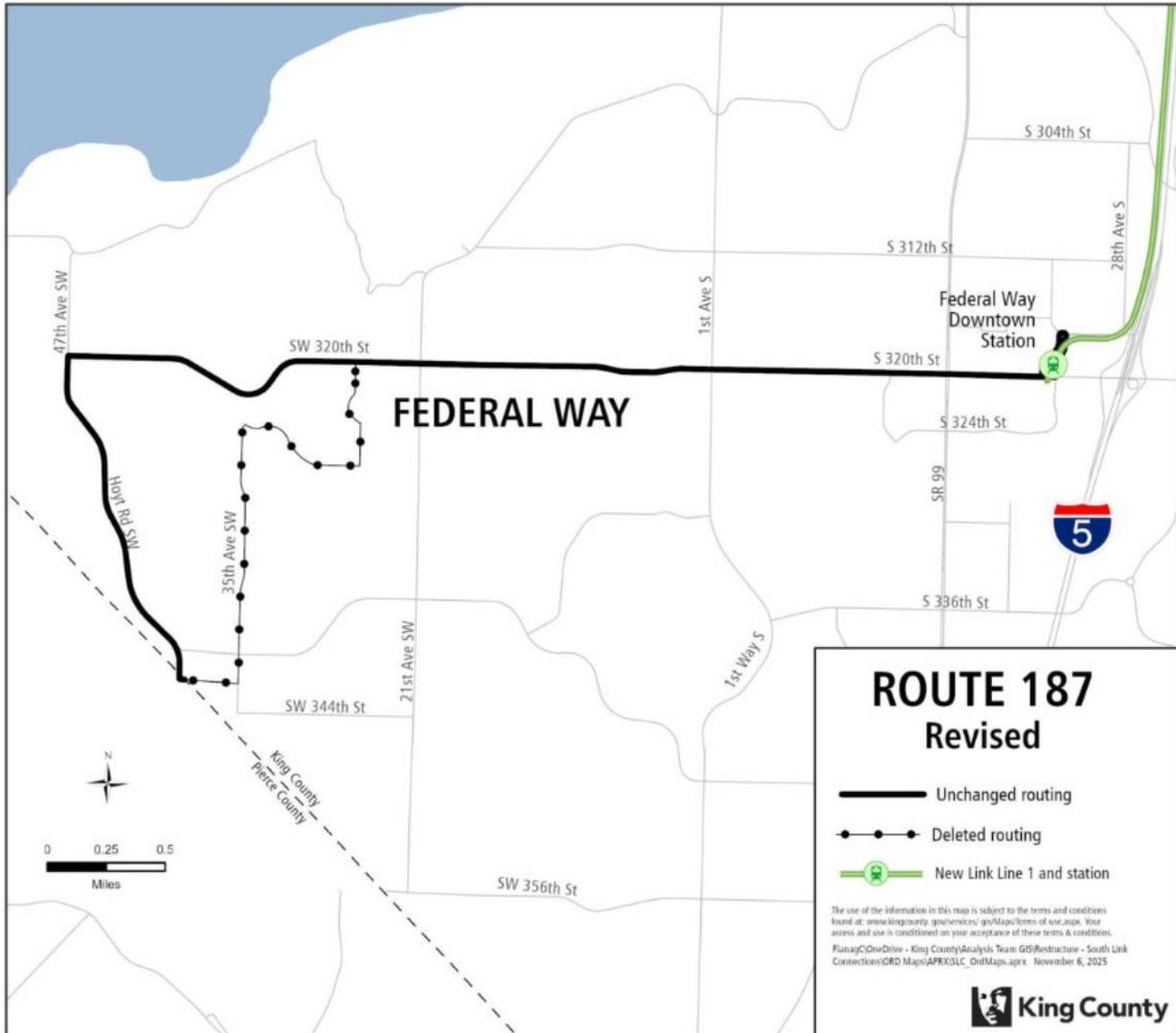
Revise Route 187 to provide more frequent all-day, all-week service. Riders can continue traveling on Route 182 without switching buses. The deleted portion of Route 187 will be served by new Route 902.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	30-60 min	60 min	30-60 min	60 min	60 min	60 min	-
Proposed	30-60 min	30 min	30 min	30 min	30-60 min	30 min	30-60 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:00 AM–9:45 PM	8:00 AM–9:15 PM	9:00 AM–7:15 PM
Proposed	5:00 AM–10:15 PM	7:00 AM–9:15 PM	7:00 AM–9:15 PM



Route: 190 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 190 will be provided by RapidRide A Line, Route 183, and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

- *Network Connections*
 - Services should be designed in the context of the entire transit system, which includes local and regional bus routes, Link light rail lines, commuter rail lines, and other modes.
 - Metro strives to make transfers easy. Network design should consider locations where transfer opportunities could be provided to improve mobility and efficiency.
 - Where many transfers are expected between services of different frequencies, timed transfers should be maintained to reduce wait times.
- *Multiple Purposes and Destinations*
 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Spacing and Duplication*
 - Routes should be designed to avoid competing for the same riders. In general, routes should be no closer than 1/2 mile.
 - Services may overlap or be more closely spaced where urban and physical geography makes it necessary, where services in a common segment serve different destinations, or where routes converge to serve regional growth centers. Where services do overlap, they should be scheduled together, if possible, to provide shorter waits along the common routing.

IMPACTED SERVICE AREA:

Federal Way, Kent, Seattle

SERVICE CHANGE:

Delete Route 190. Replacement service will be provided by RapidRide A Line, Route 183, and Link light rail. Route 190 was suspended in 2020.



Route: 197 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 197 will be provided by routes 181 and 187 and Link light rail. This route is currently suspended.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
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IMPACTED SERVICE AREA:

Federal Way, Kent, Seattle

SERVICE CHANGE:

Delete Route 197. Replacement service will be provided by routes 181 and 187 and Link light rail. Route 197 was suspended in 2020.



Route: 631 (revise)

OBJECTIVES:

Revise service on Route 631 to provide new Saturday and Sunday service in accordance with the Strategic Plan for Public Transportation, 2021-2031, and King County Metro Service Guidelines.

Strategic Plan Strategies

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
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 - Routes are more efficient and successful when designed to serve multiple purposes and destinations rather than specialized travel demands.
 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Easy to Understand*
 - A simple transit network is easier for riders to understand and use than a complex network.
 - Routes should have predictable and direct routings and should provide frequency and span appropriate to the market served.
 - Routes should serve connection points where riders can connect with frequent services, opening the widest possible range of travel options.

IMPACTED SERVICE AREA:

Burien

SERVICE CHANGE:

Revise Route 631 to add Saturday and Sunday service.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	30 min	30 min	30 min	-	-	-	-
Proposed	35 min	35 min	35 min	35 min	35 min	35 min	35 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	6:30 AM–8:00 PM	-	-
Proposed	6:30 AM–8:00 PM	6:30 AM–8:00 PM	6:30 AM–8:00 PM

Route: 901 (delete)

OBJECTIVES:

Restructure service to provide better all-day transit service levels in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines. Replacement service for Route 901 will be provided by Route 902, which will provide two-way, all-day transit service levels.

Strategic Plan Strategies:

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Be flexible and responsive to changes in demand for service and community engagement.
- Use Metro's Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

Service Guidelines

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 - Specialized service should be considered when there is sizeable and demonstrated demand that cannot be adequately met by more generalized service.
- *Route Directness*
 - A route that operates directly between two locations is faster and more attractive to riders than one that takes a circuitous path. Circulators or looping routes do not have competitive travel times compared to walking or other modes of travel, so they tend to have low ridership and poor performance.
 - Directness should be considered in relation to the market for the service. Where a route deviates away from its major path to serve a specific destination, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation.

IMPACTED SERVICE AREA:

Federal Way

SERVICE CHANGE:

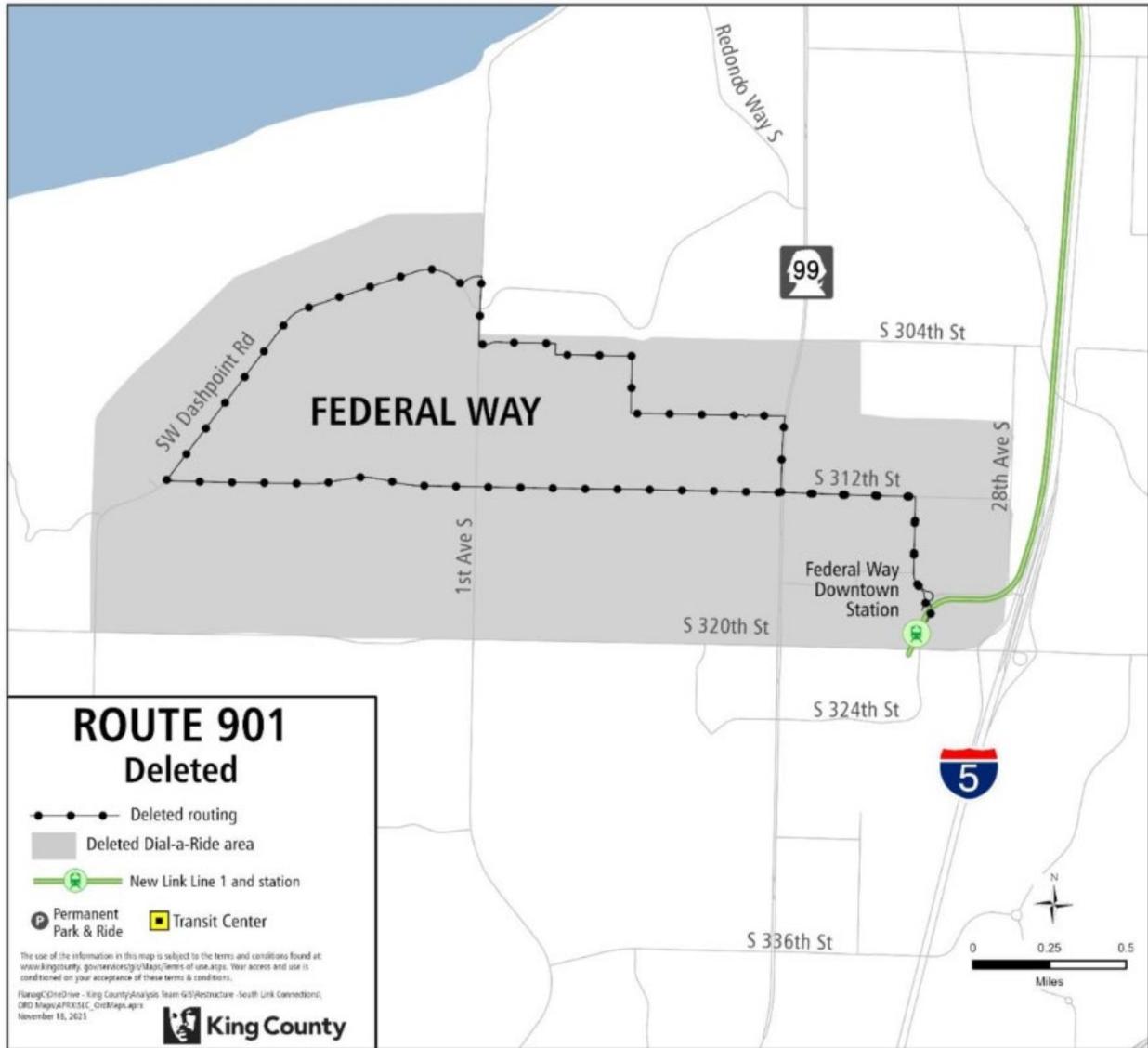
Delete Route 901. Replacement service will be provided by Route 902.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	30 min	30-60 min	60 min	30-60 min	60 min	30 min	-
Proposed	-	-	-	-	-	-	-

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:05 AM–9:15 PM	9:05 AM–8:35 PM	10:10 AM–5:45 PM
Proposed	-	-	-



Route: 902 (new)

OBJECTIVES:

Create new route that serves Federal Way Downtown Station, Mirror Lake, and Twin Lakes to provide better all-day transit service levels, service that starts earlier and ends later, and the ability for riders to continue traveling onto Route 903 without switching buses in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines.

Strategic Plan Strategies:

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
- Develop, evaluate, and adjust products, services, and programs that address barriers and increase mobility, especially among priority populations.
- Deliver mobility services that connect people to jobs and job centers, opportunities, and activities of daily living. Improve service during non-peak periods.
- Use Metro’s Service Guidelines and performance measures to ensure service investments align with needs and values and build toward Metro Connects.

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- *Route Directness*
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IMPACTED SERVICE AREA:

Federal Way

SERVICE CHANGE:

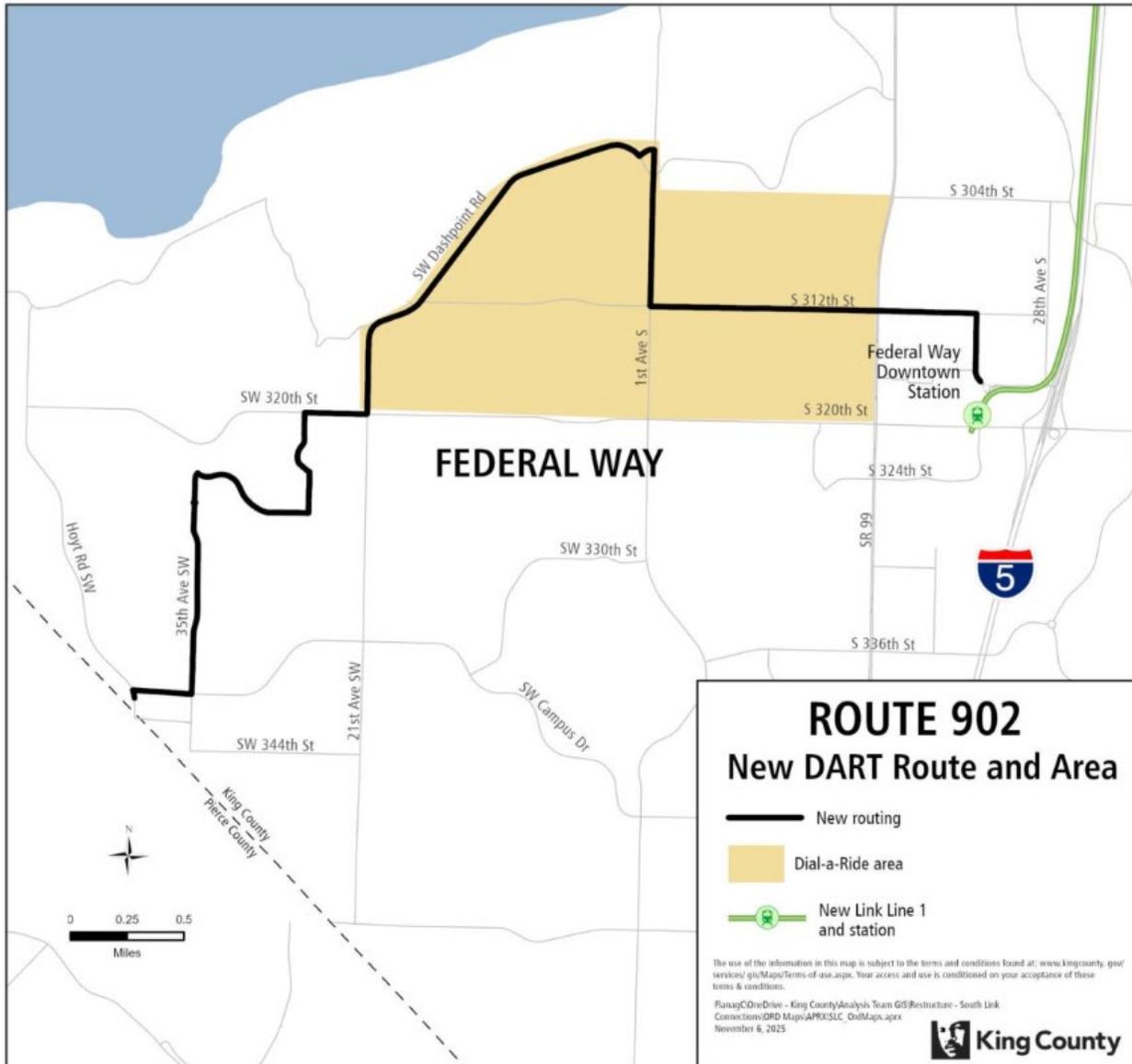
Implement new Route 902 which provides two-way service for more hours of the day throughout the week between Federal Way Downtown Station and Twin Lakes. Riders can continue traveling on Route 903 without switching buses.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	-	-	-	-	-	-	-
Proposed	30 min	30 min	-	60 min	-	60 min	-

Hours of Service:

	Weekday	Saturday	Sunday
Current	-	-	-
Proposed	5:00 AM–10:30 PM	9:00 AM–8:15 PM	9:00 AM–8:15 PM



Route: 903 (revise)

OBJECTIVES:

Revise Route 903 to provide better all-day transit service levels, service that starts earlier and ends later, and the ability for riders to continue traveling onto Route 902 without switching buses in accordance with the Strategic Plan for Public Transportation, 2021-2031 and King County Metro Service Guidelines.

Strategic Plan Strategies:

- Prioritize service in geographic areas that have highly dense, transit-supportive development; a high proportion of priority populations; and limited midday and evening service.
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 - Directness should be considered in relation to the market for the service. Where a route deviates away from its major path to serve a specific destination, the delay to riders on board the bus should be considered in relation to the ridership gained on a deviation.

IMPACTED SERVICE AREA:

Federal Way

SERVICE CHANGE:

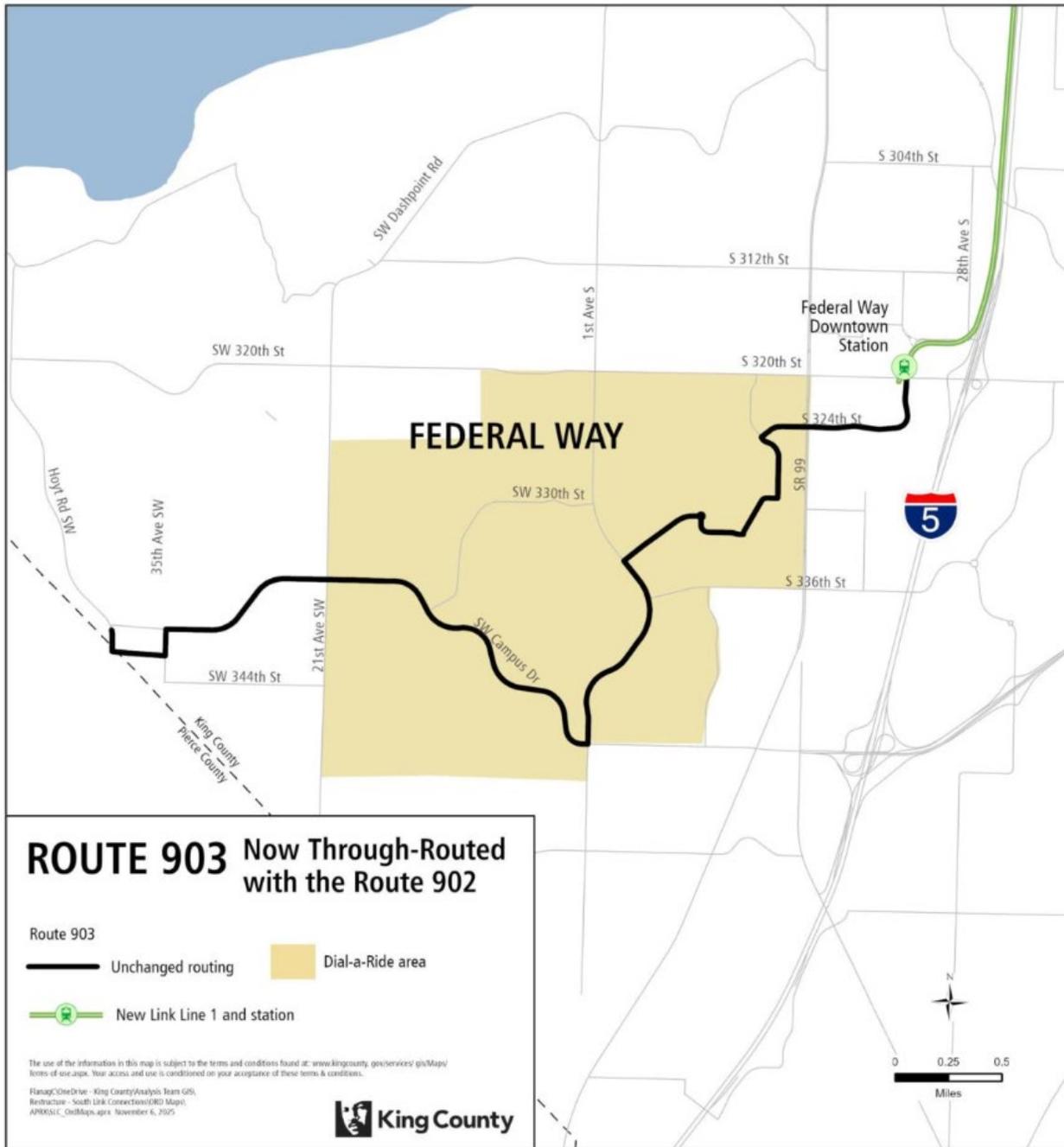
Revise Route 903 to provide more frequent all-day, all-week service. Riders can continue traveling on Route 902 without switching buses.

Frequency:

	Weekday			Saturday		Sunday	
	Peak	Midday	Night	Daytime	Night	Daytime	Night
Current	20-60 min	60 min	-	60 min	-	60 min	-
Proposed	30 min	30 min	45 min	60 min	60 min	60 min	60 min

Hours of Service:

	Weekday	Saturday	Sunday
Current	5:00 AM–7:45 PM	9:30 AM–7:00 PM	10:00 AM–6:00 PM
Proposed	5:00 AM–10:00 PM	8:45 AM–8:30 PM	8:45 AM–8:30 PM





King County

**Metropolitan King County Council
Transportation, Economy, and Environment Committee**

STAFF REPORT

Agenda Item:	6	Name:	Mary Bourguignon
Proposed No.:	2026-0037	Date:	March 17, 2026

SUBJECT

Proposed Ordinance 2026-0037 would approve a Metro service restructure that would create three new bus routes, revise eight routes, and delete 12 routes in South King County to coordinate with the extension of Link light rail to Federal Way.

SUMMARY

Sound Transit’s Link light rail extension to Federal Way, which opened for service on December 6, 2025, added 7.8 miles of track and three stations (Kent Des Moines, Star Lake, and Federal Way Downtown) to extend the 1 Line south from Angle Lake Station.

Proposed Ordinance 2026-0037 would approve changes to 23 Metro bus routes in South King County to coordinate with the light rail extension. The proposal would create three new bus routes, revise eight routes, and delete 12 routes.

The proposal would add a total of 95,000 annual transit service hours: 80,000 to restore service suspended during the pandemic (some of these hours were restored in 2024 and 2025); and 15,000 to expand service. The cost of the proposed service restructure is estimated at \$27.2 million in 2026-2027 and is covered in the adopted budget.

In addition to the legislation proposed to be adopted, the transmitted legislative package also includes supplemental information, including a network development and equity analysis report; a public engagement report; and the federally required Title VI analysis, which states that the proposed service change would not result in a disproportionate burden on low-income populations or a disparate impact on minority populations.

The legislation authorizes Metro to launch the proposed service restructure at the Fall 2026 service change, and to implement the restructure incrementally as needed.¹

Metro has requested Council action on Proposed Ordinance 2026-0037 by April 7, 2026, to provide time to prepare for the service restructure.

¹ Metro notes that it also plans to implement smaller, administrative-level changes (which do not require Council action) at the Spring 2026 service change on March 28, 2026.

BACKGROUND

Metro service change procedures. Metro’s General Manager is authorized to make changes to Metro’s services without Council review either in the case of an emergency or for administrative-level changes.²

All other (non-emergency, non-administrative) changes are considered major service changes and require review and approval by the Council³ following the procedures outlined in the adopted King County Metro Service Guidelines.⁴ In recent years, Metro has typically implemented two major service changes each year, in Spring and Fall.

Metro’s adopted Service Guidelines also outline the procedures Metro must follow when implementing service restructures, which are service changes that affect transit service over a large geographic area.⁵ Metro has implemented several service restructures in recent years to coordinate bus service with the expansion of Link light rail.

South Link Connections. In December 2025, Sound Transit opened an extension of the Link light rail 1 Line to Federal Way, adding 7.8 miles of track and three stations (Kent Des Moines, Star Lake, and Federal Way Downtown) south of Angle Lake.

In preparation for the Federal Way light rail extension, Metro began planning in 2024 for a restructure of bus service in the area, which it named the South Link Connections Mobility Project.

Metro coordinated planning and community engagement with Sound Transit and focused on two dozen Metro routes in a study area of 495,900 residents that included portions of unincorporated King County, as well as portions of Algona, Auburn, Burien, Des Moines, Federal Way, Kent, Normandy Park, Pacific, SeaTac, and Tukwila.

This planning effort included a three-phase engagement process during 2024 and 2025 that included work with a Partner Review Board and a Mobility Board, as well as engagement with local residents, transit riders, and community-based organizations.

- **Phase 1** (March to May 2024) assessed transit service needs in the project area.
- **Phase 2** (December 2024 to February 2025) shared and refined preliminary concepts for a restructured bus network.
- **Phase 3** (July to August 2025) presented and sought feedback on a restructured bus network prior to transmitting a proposal to the Council.

Metro then finalized its service restructure proposal and the Executive transmitted it to the Council as Proposed Ordinance 2026-0037 on February 23, 2026.

² Administrative service changes are defined as those that affect a route’s weekly service hours by 25% or less, move the location of a bus stop by ½ mile or less, or only change route numbers.

³ KCC 28.94.020.B

⁴ Ordinance 19367

⁵ Ordinance 19367, Attachment B, Service Guidelines, p. 18.

ANALYSIS

Changes to transit service.

Proposed Ordinance 2026-0037 would approve a Metro service restructure that would affect bus service in Auburn, Burien, Des Moines, Federal Way, Kent, Normandy Park, Pacific, SeaTac, and Tukwila to coordinate with the Federal Way Link extension.

The proposed restructure would:

- Create three new bus routes,
- Revise eight routes, and
- Delete 12 routes.

In addition to these fixed-route bus service changes, Metro states that it plans to add Metro Flex⁶ service in Auburn and Federal Way to provide additional connections to Link light rail and other frequent transit services.

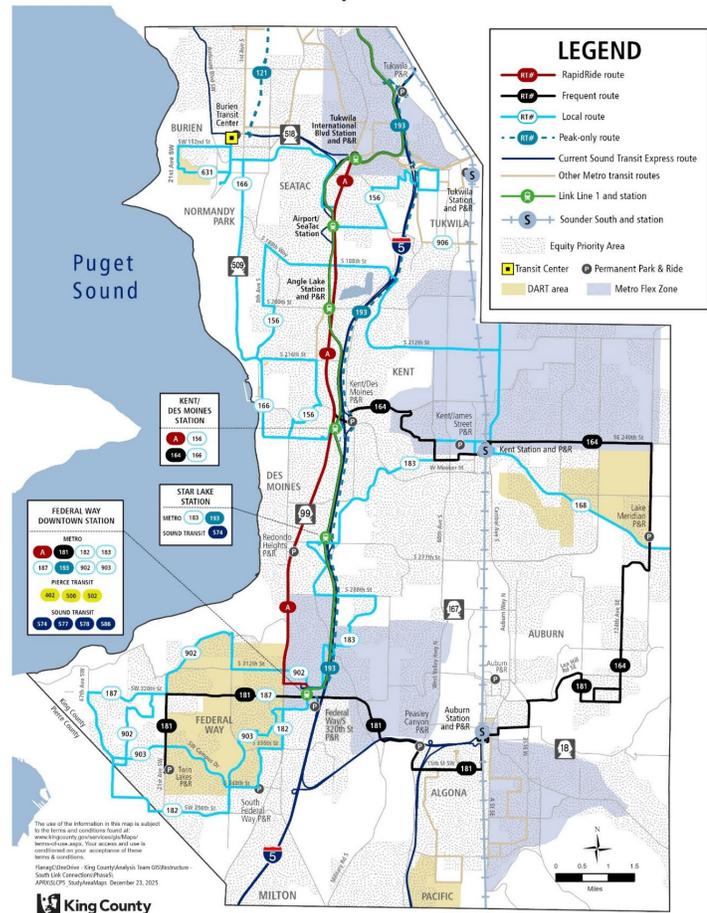
This Metro Flex service would be implemented administratively as a pilot project and does not require Council approval.

The route changes that would be approved by the proposed legislation are shown in the map above, described in Attachment A to Proposed Ordinance 2026-0037 (which can be found as Attachment 1 to this staff report), and summarized in Table 1 on the next page of this staff report.

Restructuring Metro bus service to coordinate with Link light rail service is consistent with Metro's adopted Service Guidelines,⁷ as well as with Council action around bus restructures for past Link light rail openings.⁸

Proposed Ordinance 2026-0037 provides flexibility for Metro to implement bus service changes incrementally over time, beginning with the Fall 2026 service change, to match operational capacity.

South Link Connections: Proposed Transit Network



⁶ Metro Flex is an app-based on-demand neighborhood transit service that costs the same as bus fare to ride. Metro Flex currently operates in Delridge/South Park, Issaquah/Sammamish, Juanita, Kent, Northshore, Othello, Rainier Beach/Skyway, Renton Highlands, and Tukwila ([link](#)).

⁷ Ordinance 19367, Attachment B

⁸ Ordinances 16520, 18133, 19012, 19751, 19899

Table 1. Routes affected by Proposed Ordinance 2026-0037

✓ = New route | ~ = Revised route | ✗ = Deleted route

Route	Proposed Pathway (Former Pathway for deleted routes)	Description of Proposal
~ 121	Downtown Seattle to Burien Transit Center via Hwy 99/509 (Suspended*)	Remove service S of Burien Transit Center 30-60 min service weekday peak times
✗ 122	Federal Way - Burien TC - Des Moines (Suspended)	Replace with 121, 156, 166, H, Link
✗ 123	SODO to Burien Transit Center (Suspended)	Replace with 121, 631, H
✗ 154	South Seattle to Tukwila Station (Suspended)	Replace with 113, 121, 134, Metro Flex, Link
~ 156	Tukwila Parkway to Kent Des Moines Station via SeaTac/Airport Station	Add connection to Kent Des Moines Station Increase frequency to 30 minutes
✗ 157	Lk Meridian P&R to Downtown Seattle (Suspended)	Replace with 161, 164, 168, Metro Flex, Link, Sounder
✗ 162	Lk Meridian - Kent - Downtown Seattle	Replace with 150, 168, 183, Link, Sounder
✓ 164	Highline College to Green River College via Kent Des Moines Station, Kent Station	New route with 15 min service daytime 30 min service nighttime (till 11:30 pm)
✗ 165	Burien TC to Green River College via Highline College, Kent Station, Lk Meridian P&R	Replace with 164, 166
✓ 166	Burien TC to Kent Des Moines Station	New route with 15 min service peak, 30 min service midday, 30-60 min service nighttime
✗ 177	Downtown Seattle to Federal Way	Replace with 182, 903, Link
✗ 178	Downtown Seattle to S Federal Way P&R (Suspended)	Replace with 182, 903 Link, Pierce Trnst 500
✗ 179	Downtown Seattle to Twin Lakes P&R (Suspended)	Replace with 181, 187, Link
~ 181	Burien Transit Ctr to Kent Des Moines Station via Hwy 509	Increase to 15 min service daytime, 15-30 min service nighttime on weekdays
~ 182	Federal Way Downtown Stn to Hoyt Rd SW	Through-route with 187 30-60 min service seven days/week
~ 183	Kent Station to Federal Way Downtown Station via Star Lake Station	Add Sunday service 30 min service seven days/week
~ 187	Hoyt Rd SW to Federal Way Downtown Stn	Through-route with 182 30-60 min service seven days/week
✗ 190	Downtown Seattle to Redondo Hts P&R via Tukwila P&R, Kent Des Moines P&R (Suspended)	Replace with A, 183, Link
✗ 197	U District to Twin Lakes (Suspended)	Replace with 181, 187, Link
~ 631	Burien TC to Highline Medical Ctr to Gregory Heights	Add weekend service 35 minute service 7 days/week
✗ 901	Federal Way to Mirror Lake	Replace with 902
✓ 902	DART: Federal Way Downtown Station to Hoyt Rd SW via Mirror Lake, Twin Lakes	New route through-routed with 903: 30 min service weekdays, 60 min weekends
~ 903	DART: Federal Way to Mirror Lake	Through-route with 902 Increase frequency and span of service

*Suspended = Service on this route was suspended during the pandemic and remains suspended

Fiscal impact. Metro states that the proposal includes 95,000 annual County-funded service hours: 80,000 to restore service that was suspended during the pandemic and 15,000 to expand service.⁹ As the fiscal note submitted with the proposed legislation indicates, for 2026-2027 total cost is estimated at \$27.2 million, to be partially offset by an estimated \$2.3 million in fare revenue. The cost of the proposal was assumed within the adopted 2026-2027 biennial budget.¹⁰ (See Attachment 3 to this staff report.)

Network development and equity analysis. The legislative packet includes a Network Development & Equity Analysis Report that outlines the approach Metro took to the proposed service restructure. (See Attachment 4 to this staff report.) The report identifies equity priority areas within the project area, a total of 166 of the 261 Census block groups in the study area (63.6%)¹¹ and indicates that 19,000 people living in equity priority areas would gain access to transit under the proposal.

The report states that, compared to the baseline network, the final network proposal would add earlier and later service and provide an overall 55% increase in trips across the week: 1,900 weekday trips, 300 Saturday trips, and 400 Sunday trips. In terms of people living in the area, the report notes that the proposed service change would improve access to transit for 22,600 people (7.3% increase) and improve access to frequent transit for 44,600 people (70.2% increase). The report also states that the proposed transit network would better match service levels with customer demand, by more evenly distributing transit trips across midday, night, and weekend service, aligning with the priority to provide more service throughout the day.

Public Engagement Report. The legislative package includes a Public Engagement Report. (See Attachment 5 to this staff report.) The Public Engagement Report describes Metro's three-phase engagement process, summarizing engagement goals, outreach and engagement methods, community-based organization partnerships, and feedback findings.

Title VI analysis. The required Title VI analysis¹² for the South Link Connections Mobility Project was completed and included as part of the legislative package. (See Attachment 6 to this staff report.)

⁹ Note that some of the restored service was already put back into service during 2024 and 2025 and therefore is not reflected in the fiscal note. This includes service restorations on DART routes in the project area, service hours to transition routes from the Federal Way Transit Center to the new Federal Way Downtown Station, overnight trip adds on RapidRide A, and schedule adjustments to improve route reliability. The fiscal note covers only the service to be added or restored beginning Fall 2026.

¹⁰ Ordinance 20023

¹¹ Equity priority areas are Census block groups that have the highest proportion of priority populations relative to King County as a whole. Metro's Mobility Framework (Motion 15618) defines priority populations as communities of color, low- or no-income population, disabled population, foreign born population, and population with limited English proficiency. The Service Guidelines (Ordinance 19367) define the methodology Metro uses to identify equity priority areas. A description of that methodology can be found [here](#).

¹² Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin, including people with limited English proficiency. The Federal Transit Administration (FTA) requires all transit agencies that receive federal funding to report every three years on how they have complied with Title VI. In addition, transit agencies must prepare a Title VI equity analysis for any major service change and for all fare changes.

For the purposes of the Title VI analysis, Metro analyzed system-wide impacts to a total of 495 census tracts with a total population of approximately 2,262,713 residents. Of those 495 census tracts, 145 tracts are minority and low-income, 98 tracts are minority only, 49 tracts are low-income only, and 203 tracts are neither minority nor low-income.

The Title VI analysis concludes that there would not be a disproportionate burden¹³ on low-income populations and there would not be a disparate impact¹⁴ on minority populations.

Letters of Support. The legislative packet includes letters of support for the proposed restructure from the Seattle Department of Transportation, Latino Civic Alliance, Multi-Service Center, Iraqi Community Center of Washington, International Rescue Committee, Federal Way Black Collective, Burien Collaborative, Alimentando al Pueblo, City of Auburn, and members of the South Link Connections Mobility Board. (See Attachment 7 to this staff report.)

Timing of implementation. The ordinance, as transmitted, would allow Metro to implement the service restructure beginning with the Fall 2026 service change. The ordinance allows Metro to add service incrementally over time.

Metro has requested Council action on the proposed service change by early April, so that Metro can complete the scheduling and staffing changes needed to implement the new service beginning August 29, 2026, the start of Metro's Fall service change.

ATTACHMENTS

1. Proposed Ordinance 2026-0037 (and Attachment A)
2. Transmittal Letter
3. Fiscal Note
4. Network Development & Equity Analysis Report
5. Public Engagement Report
6. Title VI Report
7. Letters of Support

INVITED

- Katie Chalmers, Service Development Managing Director, Metro
- Nicole Aguirre, South Link Connections Service Planning Lead, Metro
- Cristina González, Senior Community Engagement Planner, Metro

¹³ A disproportionate burden is found if Title VI-protected populations based on household income are more burdened by a service change than non-protected populations. Metro's threshold for determining disproportionate burden is when the percentage of routes or tracts adversely affected by a major service change and classified as low-income is 10 or more percentage points higher than the percentage of routes or tracts classified as low-income in the system as a whole.

¹⁴ A disparate impact is found if Title VI-protected populations based on race/ethnicity are more impacted by the service change than non-protected populations. Metro's threshold for determining disparate impacts is when the percentage of routes or tracts adversely affected by a major service change and classified as minority is 10 or more percentage points higher than the percentage of routes or tracts classified as minority in the system as a whole.



Signature Report

Ordinance

Proposed No. 2025-0329.1

Sponsors von Reichbauer

1 AN ORDINANCE relating to the development of a
 2 regional motor sports facility demonstration project;
 3 amending Ordinance 17287, Section 9, and K.C.C.
 4 21A.06.973C, and Ordinance 17287, Section 3, as
 5 amended, and K.C.C. 21A.55.105, and repealing Ordinance
 6 17287, Section 5, and Ordinance 17287, Section 6.

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. Findings:

9 A. Pacific Raceways, formerly operated as Seattle International Raceways, is on
 10 a three-hundred-twenty-seven-acre site located east of Kent and a quarter mile off of
 11 State Highway 18, and has historically served as a racetrack, consisting of a two and a
 12 quarter-mile road course, a drag strip, a dirt motocross track, and a kart track.

13 B. A racetrack has operated on the Pacific Raceways property for over fifty
 14 years. Throughout the various iterations of King County land use planning and
 15 regulation, the existence and operation of the racetrack has been recognized. While no
 16 longer in effect, both the 1979 Soos Creek Community Plan and its 1991 update provide
 17 valuable information about the racetrack. These past Soos Creek Community Plans
 18 acknowledged the challenges of the racetrack being located in a rural area. In 1998, King
 19 County readopted the Soos Creek Community Plan policy F-18, pertaining to what was
 20 then referred to as Seattle International Raceway, or "SIR," in Comprehensive Plan

21 policy CP-314. King County's current land use plans and regulations continue to
22 recognize the historic racetrack use.

23 C. The Pacific Raceways property is located in the rural area. The property has a
24 Rural land use designation and Industrial zoning. The property has a property-specific
25 development condition, also known as a P-suffix, SC-P02, which restricts the use of the
26 property to racetrack and related uses, consistent with Comprehensive Plan policy CP-
27 314. It is also subject to a conditional use permit, File No. A-71-0-81, which governs, in
28 part, current development and operations.

29 D. The Pacific Raceways property is served by an interchange on State Route 18,
30 which allows traffic entering and leaving the Pacific Raceways site to travel only a short
31 distance on local access street SE 304th Street.

32 E. Ordinance 17761 authorized the transmittal of a letter from King County
33 supporting the designation of Pacific Raceways as a project of statewide significance.

34 F. The letter sent to the Washington state Department of Commerce by the
35 Metropolitan King County council supporting the designation of Pacific Raceways as a
36 project of statewide significance noted the potential for legislative changes to K.C.C.
37 21A.55.105 governing development of Pacific Raceways.

38 G. Pacific Raceways has been designated by the Washington state Department of
39 Commerce as a project of statewide significance in accordance with chapter 43.157
40 RCW.

41 H. As a project of statewide significance, the county is authorized to expedite
42 permit processing and environmental review for the project. As a way to expedite permit
43 processing and facilitate open communication between the county and the property

44 owner, project management for review of permits related to a project of statewide
45 significance is proposed to be completed through the director's office of the department
46 of local services and with the use of a special project manager to facilitate permit review.

47 I. A demonstration project as provided in K.C.C. chapter 21A.55 is intended to
48 be a mechanism to test and evaluate alternative development standards and processes
49 before the adoption of broadly applicable amendments to King County policies and
50 regulations. The amended standards and processes could advance county efforts to
51 support streamlined project review and regional economic development.

52 J. Specifically, K.C.C. 21A.55.010 states, "Alternative development standards
53 might include standards affecting building and/or site design requirements. Alternative
54 processes might include permit review prioritization, alternative review and revision
55 scheduling, or staff and peer review practices."

56 K. The county and the property owner have realized that the master planning
57 demonstration project is a large undertaking that will not occur without interim measures.
58 The project of statewide significance designation provides an opportunity to evaluate
59 expedited review mechanisms for discrete activities within the master planning project.

60 L. Ordinance 18184 allowed an interim use permit as an opportunity to test the
61 master planning process on a smaller scale, to provide a predictable, expeditious permit
62 review process for a discrete portion of the overall master planning project that stands on
63 its own, and that is otherwise permitted by the underlying zoning and P-suffix condition,
64 while also providing consistency with adopted laws and regulations.

65 M. The property owner has obtained an interim use permit from the county for a
66 portion of the square footage allowed. It is expected that a modification to the interim use

67 permit will be completed to allow construction up to the total square footage allowed
68 under the interim use permit, prior to the master planning demonstration project
69 commencing. As part of the review process for the interim use permit, the county and
70 property owner identified areas where the larger master planning demonstration project
71 could be clarified to provide further direction in establishing the development agreement
72 and operating agreement for the master planning demonstration project.

73 N. One success of the interim use permit review process was the use of a special
74 project manager to aid in review and coordination of the permit process. This ordinance
75 would continue the work of the special project manager for the entire master planning
76 demonstration project.

77 O. As part of this ordinance, additional allowances for alterations within
78 specified critical areas are adopted. These are limited to the interior road course.

79 P. As part of Ordinance 19146, which adopted the 2020 Comprehensive Plan
80 update to the 2016 Comprehensive Plan, the P-suffix for the Pacific Raceways property
81 was revised. This revision allows additional uses on the site. This ordinance updates the
82 demonstration project to reflect those changes. The council further intends that the p-
83 suffix language regarding "uses that could benefit from colocation with the existing
84 racetrack for testing of [innovative] technologies" includes uses that showcase or
85 collaborate with the technologies.

86 Q. The revisions to the P-suffix in 2020 also included requirements for a
87 permanent conservation easement to include Soosette Creek and its associated buffers,
88 landslide hazard areas and steep slope hazard areas, and the RA-5 property that is part of
89 the same ownership. This permanent conservation easement was recorded against the

90 property in February 2021. In addition to the permanent conservation easement, on-site
91 revegetation with native tree and shrub species was required, within six months of the
92 effective date of Ordinance 19146. The revegetation was completed to the satisfaction of
93 the permitting division of the department of local services within the six-month
94 timeframe. With the recording of the permanent conservation easement and the
95 revegetation of the site, as well as updates to the regulations since Ordinance 17287 was
96 first adopted, some of the need for on-site monitoring of water quality is no longer
97 necessary, and this ordinance reflects that the standard critical area and surface water
98 regulations will apply to the site.

99 R. The property owner's participation in this demonstration project is voluntary.
100 The county has had success with demonstration projects in the past. However, in
101 deciding to initiate the master planning process, the property owner will be taking on
102 risks associated with an untested process. The property owner has the option of pursuing
103 development approval through a more traditional process.

104 S. The county recognizes that the property's ongoing racetrack use and
105 associated impacts on the site predate the Growth Management Act and it is the Council's
106 intent for the existing impacts to be acknowledged as part of any State Environmental
107 Policy Act analysis and subsequent threshold determination associated with proposed
108 new development.

109 T. The council intends that the conditions imposed through the master planning
110 process be no more restrictive than what is allowed under the current conditional use
111 permit and interim use permit, and intends that conditions not further restrict what is
112 allowed on-site.

113 SECTION 2. Ordinance 17287, Section 9, and K.C.C. 21A.06.973C, are hereby
114 amended to read as follows:

115 Regional motor sports facility. A racetrack established through a master planning
116 demonstration project that may include only the following uses:

117 A. Motor vehicle racing and driving including, but not limited to, two-stroke
118 engine vehicles, four-stroke engine vehicles, and drifting, subject to the conditions
119 established by the master planning demonstration project or K.C.C. 21A.55.105.U., and
120 shall not exceed the following racing surfaces:

- 121 1. A road course;
- 122 2. A kart course;
- 123 3. A motocross course;
- 124 4. Five-sixteenth-mile oval track; and
- 125 5. Up to two drag strips;

126 B. The following accessory uses, if authorized by the master planning
127 demonstration project, shall be subject to the conditions established in the development
128 agreement and operating agreement:

- 129 1. Fire station;
- 130 2. Driving school; and
- 131 3. Police and fire safety training; and

132 C. Limited uses accessory to racing activities may be allowed. ~~((Any accessory~~
133 ~~uses shall be limited to racing and racing-related vehicle uses and shall be appurtenant to~~
134 ~~the facility by providing either a service or product only to the facility or require use of~~
135 ~~the facility in connection with the use.)) Assembly-line or mass production, including,~~

136 but not limited to, vehicles and vehicle parts(~~(,)~~) and permanent lodging facilities (~~and~~
137 ~~general commercial, industrial and manufacturing uses~~) are not permitted, except as may
138 be allowed by subsection D. of this section. Accessory uses are limited to the following,
139 and those allowed by subsection D. of this section:

- 140 1. On-site sale of racing- or event-related items;
- 141 2. Repair, service, modification, or storage of motor vehicles (~~used primarily at~~
142 ~~the facility~~);
- 143 3. Custom fabrication of racing motor vehicles, or vehicle parts to be
144 incorporated into those vehicles(~~, that will be used primarily at the facility~~);
- 145 4. Motor vehicle fuel sales for event participants;
- 146 5. Daycare for people employed at the facility and event participants and
147 spectators;
- 148 6. Food service and concessions for event participants and spectators; (~~and~~)
- 149 7. Short-term recreational vehicle parking for persons attending or participating
150 in events at the facility; and
- 151 8. Recreational cycling and running events.

152 D. Uses consistent with a designation as a project of statewide significance under
153 chapter 43.157 RCW, including:

- 154 1. Uses that are related to racetrack uses;
 - 155 2. Uses that research, develop, test, manufacture, and distribute new technology
156 in the transportation industry, such as those with an emphasis on projects and innovative
157 technology development, testing, and production that reduce greenhouse gas emissions in
158 the automotive and combustion engine sectors;
-

- 159 3. Automotive educational institutions; and
160 4. Uses that could benefit from colocation with the existing racetrack for testing
161 of such technologies.

162 SECTION 3. Ordinance 17287, Section 3, as amended, and K.C.C. 21A.55.105
163 are hereby amended to read as follows:

164 A. The purpose of the master planning (~~(process)~~) demonstration project is
165 to:

166 1. Create a comprehensive but streamlined process for the review of major
167 land use proposals that will be developed over the course of several years by:

168 a. utilizing a concise timeline for project review that incorporates a
169 process for public outreach and input during project review and facility operation to
170 ensure a timely and efficient review;

171 b. executing a development (~~(and operating)~~) agreement, pursuant to RCW
172 36.70B.170 that establishes:

173 (1) a clearly defined project through a master development plan, which
174 shall include a master site plan; and

175 (2) requirements that must be met before approval of each phase of
176 development; (~~and~~)

177 (~~(3)~~) c. executing an operating agreement that establishes operating
178 standards governing all aspects of the project's operation(~~(, including, but not limited to,~~
179 ~~noise and traffic, hours and days of operation for racing, nonracing uses and number and~~
180 ~~types of events; and~~

181 ~~e. establishing a process that ensures timely and efficient review;))~~

182 2. Utilize a special project manager to oversee the master planning
183 demonstration process from negotiation of the development agreement and operating
184 agreements through monitoring of and reporting on the executed agreements;

185 3. Utilize the hearing examiner, as authorized in K.C.C. 20.22.190, to
186 conduct fact finding and make recommendations on the development agreement and
187 operating agreement to the council (~~reporting on compliance by the applicant with the~~
188 ~~executed development and operating agreement, as provided in subsection S. of this~~
189 ~~section~~)); and

190 ~~((3-))~~ 4. Provide for ongoing monitoring of the executed development
191 agreement and operating agreement by the council to ensure continued future compliance
192 with the executed development agreement and operating agreement.

193 B.1. The master planning process demonstration project shall be
194 implemented only for a regional motor sports facility only on the Pacific Raceways
195 property as described in Attachment A to Ordinance 17287.

196 2. The department of local services, permitting division, shall administer the
197 demonstration project.

198 3.a The executive shall appoint a special project manager for the master
199 planning demonstration project, who shall be agreed to by the county and the applicant,
200 and could be a consultant hired by the director's office of the department of local services
201 or the permitting division's managed accounts team project manager or equivalent.

202 b. The special project manager will lead the negotiation of the
203 development agreement and operating agreement, coordinate reviews of the agreements
204 and subsequent land use and construction permit application review with the permitting

205 division and other agencies, be the primary point of contact for the applicant and
206 interested parties, ensure that the timelines established for review in this section are met;
207 and oversee monitoring of the executed development agreement and operating agreement
208 over time.

209 4. The hearing examiner assigned to the master planning demonstration
210 project shall have experience reviewing development agreements and large, complex
211 projects developed over several phases.

212 C. The master planning demonstration project shall be initiated by the
213 applicant making a written request to the ((~~department~~)) permitting division for a
214 preapplication meeting to identify the requirements necessary for a complete application
215 under this section. The applicant shall submit the following information to the permitting
216 division with a request to schedule a preapplication meeting:

217 1. A preapplication request form, on a form approved by the permitting
218 division;

219 2. Project narrative and questions for county review staff;

220 3. Preliminary proposed development agreement that incorporates the
221 requirements for the development agreement outlined in this section; and

222 4. Preliminary proposed operating agreement that incorporates the
223 requirements for the operating agreement outlined in this section.

224 D. An ((~~master planning proposal~~)) application for a master planning
225 demonstration project shall be considered complete when the following information and
226 studies have been submitted and are adequate to review the proposal:

227 1. A proposed development ((~~plan~~)) agreement that incorporates the

228 requirements for the development agreement outlined in this section and describes the
229 nature, size, and scope and phasing of all proposed activities;

230 2. A proposed site plan that identifies the location and dimensions of
231 proposed racing surfaces, access roadways, parking areas, buildings, stormwater
232 facilities, sewage treatment or holding facilities, and any off-site traffic improvements;

233 3. A proposed master drainage plan under the surface water design manual;

234 4. A proposed grading plan that identifies or includes:

235 a. existing and proposed land contours;

236 b. soil types; and

237 c. phasing, including proposed contours by phase;

238 5. Proposed development conditions relating to:

239 a. on-site vehicle circulation and off-site traffic control measures;

240 b. protection for critical areas, especially adjacent to Soosette creek;

241 c. stormwater flow control and water quality treatment;

242 d. visual screening from adjoining residential properties;

243 e. ongoing monitoring and reporting to measure compliance with the

244 development agreement and operating agreement(~~(s)~~);

245 f. fire protection; and

246 g. water supply and service;

247 6. A ((P))proposed operating agreement that includes conditions that

248 specify:

249 a. days and hours of operation;

250 b. frequency of events;

- 251 c. types of activities, including types of motor vehicles; ~~((and))~~
- 252 d. maximum noise levels that are no more restrictive than noise levels
- 253 permitted by Conditional Use Permit Files Nos. A-71-0-81 and Interim Use Permit File
- 254 No. LUT417-0003;
- 255 7. A State Environmental Policy Act Checklist; and
- 256 8. Any necessary information identified through the preapplication process.
- 257 E.1. The development ~~((and operating))~~ agreement shall contain
- 258 development standards ~~((and operating conditions))~~ related to the development ~~((and~~
- 259 ~~operation))~~ of the site. The development standards included in the development
- 260 agreement shall not be more restrictive than the current permits for the site, and shall
- 261 include, but shall not be limited to:
- 262 ~~((1-))~~ a. A master site plan and detailed conditions establishing the:
- 263 ~~((a-))~~ (1) location and scope of proposed land uses;
- 264 ~~((b-))~~ (2) location and size of buildings and structures such as
- 265 grandstands;
- 266 ~~((c-))~~ (3) layout and dimensions of racing surfaces and circulation
- 267 roadways;
- 268 ~~((d-))~~ (4) site elevations and contours established by a master grading
- 269 plan;
- 270 ~~((e-))~~ (5) excavation and processing of materials, including dust control,
- 271 during construction of the facilities;
- 272 ~~((f-))~~ (6) location and dimensions parking areas;
- 273 ~~((g-))~~ (7) location of stormwater facilities, sewage treatment facilities,

274 water, and related features; and

275 ~~((h-))~~ (8) vegetative screening required in subsection F.1. of this section;

276 ~~((2-A))~~ b. a master drainage plan consistent with the surface water design

277 manual. However, the lower part of the road course, specifically turn 2 through turn 7,

278 which has been in place since 1959, shall be allowed to operate with the existing surface

279 water drainage facilities, as long as no improvements are made to this portion of the road

280 course, unless required by federal or state law;

281 ~~((3-A))~~ c. a project phasing plan, including threshold requirements that

282 must be met before approval of the next phase of development;

283 d. specified development conditions to ensure that alterations provided for

284 in subsection G. of this section achieve the appropriate level of protections;

285 e. specified development conditions to ensure that stormwater flow control

286 and water quality treatment provided for in subsection H. of this section is achieved;

287 f. specified enforcement mechanisms to address any violations of the

288 conditions of the development agreement, including, but not limited to, the following:

289 (1) a process for monitoring conditions and for review of complaints;

290 (2) a process for expedited review and remedy of possible violations; and

291 (3) a penalty schedule for violations that recognizes the nature and

292 impact of the violation and is sufficient to deter violations that otherwise result in

293 financial benefit to the facility, including, but not limited to, revocation of the operating

294 agreement and right to operate or loss of specific days of operation; and

295 g. a process to approve modifications to the development agreement

296 requested by the applicant, that includes criteria for when modifications are considered

297 minor and require approval by the permitting division, and when modifications are
298 considered major and require approval by ordinance by the council following a public
299 hearing by the hearing examiner. The process shall also specify any required public
300 notice for modifications, and an option for the applicant to ask the council to make
301 decisions on minor modifications proposed by the applicant.

302 2. The operating agreement shall contain operating conditions related to the
303 operation of the site. The operating conditions included in the operating agreement shall
304 not be more restrictive than the current permit restrictions for the site, shall consider
305 flexibility to adapt as the racing industry and other on-site activities evolve in the future,
306 and shall include, but shall not be limited to:

307 ~~((4. Specified))~~ a. types of racing and nonracing activities, and where on
308 the site the activities can occur;

309 ~~((5. Specified))~~ b. days and times for all racing and nonracing uses;

310 ~~((6.))~~ c. Specified noise levels for racing and nonracing uses, including but
311 not limited to, how noise levels will be measured and mitigated that are no more
312 restrictive than noise levels permitted by Conditional Use Permit Files No. A-71-0-81
313 and Interim Use Permit File No. LUT417-0003; and

314 ~~((7. S))~~ d. specified on-site vehicle circulation and other traffic control
315 measures to reduce the impact of congestion on roadways in the vicinity of Pacific
316 Raceways((;

317 ~~8. Specified development conditions to ensure that permitted alterations~~
318 ~~provided for in subsection G. of this section achieve the appropriate level of protections;~~

319 ~~9. Specified development conditions to ensure that stormwater flow control~~

320 ~~and water quality treatment provided for in subsection H. of this section is achieved;~~
321 ~~((10. S)) e. specified regular ongoing monitoring and reporting to measure~~
322 ~~compliance with the development agreement and operating agreement requirements~~
323 ~~((relating to noise, traffic, air quality, groundwater quality, stormwater flow control and~~
324 ~~water quality treatment and water volume and quality in Soosette creek)); and~~
325 ~~((11. S)) f. specified process for the receipt and evaluation by the~~
326 ~~((department)) permitting division of inquiries and complaints relating to the operation of~~
327 ~~the facility, in order to allow for review by the hearing examiner as provided in~~
328 ~~subsection S. of this section; ((and~~
329 ~~12. Specified enforcement mechanisms to address any violations of the~~
330 ~~conditions of the development agreement, including, but not limited to, the following:~~
331 ~~a. a process for monitoring condition violations and for receipt of~~
332 ~~complaints;~~
333 ~~b. a process for expedited review and remedy of possible violations; and~~
334 ~~c. a penalty schedule that recognizes the nature and impact of the violation~~
335 ~~and is sufficient to deter violations that otherwise result in financial benefit to the facility,~~
336 ~~including, but not limited to, revocation of operating permit and loss of specific days of~~
337 ~~operation)).~~
338 3. Uses, activities, or conditions that the permitting division determine are
339 development and operational in nature may be placed in both the development agreement
340 and operating agreement.
341 4. The special project manager shall take the lead to negotiate the
342 development agreement and operating agreement between the county and the applicant.

343 This includes drafting proposals, coordinating the review of the permitting division and
344 other agencies, facilitating all meetings between the county and the applicant,
345 coordinating the development and review of the State Environmental Policy Act process,
346 attending and participating in public meetings and public hearings, ensuring all timelines
347 identified in this section are met, and shall be the point of contact for the applicant and
348 interested parties.

349 F. All development under the master plan shall be subject to the following
350 standards relating to screening and building setbacks: as provided in K.C.C.
351 21A.16.030.F., to the maximum extent practical, buildings and other structures shall be
352 constructed on the project to be shielded from view from adjoining residential properties
353 using methods that may include, but are not limited to:

- 354 1. Retention of existing vegetation; and
- 355 2. Placement of new vegetation to augment existing vegetation.

356 G.1. Except as otherwise provided in this subsection G.2. of this section, all
357 development under the master plan shall comply with K.C.C. chapter 21A.24.

358 2. The ~~((department))~~ permitting division may approve alterations to critical
359 areas, critical areas buffers, and critical area setbacks that are not otherwise allowed as an
360 alteration ~~((exception))~~ under K.C.C. ~~((21A.24.070))~~ 21A.24.045 when the applicant
361 demonstrates that:

- 362 a. the proposal does not pose an unreasonable threat to the public health,
363 safety, or welfare on or off the site;
- 364 b. ~~((the proposed impacts to critical areas, critical area buffers and critical~~
365 ~~area setbacks shall be controlled and compensated for in accordance with the~~

366 requirements of K.C.C. 21A.24.125;

367 e.) for proposed alterations within steep slope or landslide hazard areas:

368 (1) the alterations are necessary to bring existing racing or access road
369 surfaces into compliance with applicable racing association safety standards, ~~((e))~~ to
370 construct noise barriers, ~~((e))~~ for the terracing and placement of spectator seating, or to
371 create or improve sight lines on the interior portion of the road course; and

372 (2) the alterations can be constructed to maintain the stability of the
373 hazard area through the use of structural mitigations identified through a geotechnical
374 analysis by a licensed and qualified geotechnical professional; and

375 ~~((d))~~ c. for proposed alterations to wetlands, ~~((e))~~ aquatic areas, wetland
376 ~~((and their))~~ buffers, and riparian areas:

377 (1) the alterations are necessary to comply with applicable racing
378 association safety standards either for existing racing surfaces, ~~((e))~~ for providing ~~((e))~~
379 access for emergency vehicles ~~((access roads))~~ to the existing racing surfaces, for the
380 terracing and placement of spectator seating, or to create or improve sight lines on the
381 interior portion of the road course;

382 (2) ~~((there is no feasible alternative to the development proposal with less~~
383 ~~adverse impact on the critical area;~~

384 ~~((3))~~ the alteration is the minimum necessary to accommodate the
385 development proposal;

386 ~~((4))~~ (3) the ~~((alternation))~~ alteration has the least ~~((possible))~~ adverse
387 impact on the critical area and critical area buffer;

388 ~~((5))~~ (4) the critical area is not used as a salmonid spawning area;

389 ~~((6))~~ (5) ~~((the director may only approve an alteration in a category III~~
390 ~~or IV))~~ alterations to a category I or II wetland shall not be allowed; and

391 ~~((7))~~ (6) the alterations to any wetland shall be mitigated in accordance
392 with an approved mitigation plan ~~((by relocating the wetland into a new wetland, with~~
393 ~~equivalent or greater functions, or into an existing wetland at the ratios specified))~~ in
394 accordance with K.C.C. 21A.24.340 based on the type of mitigation measures proposed.

395 H. ~~((Uses proposed under the master planning))~~ The proposal shall comply
396 with the King County surface water design manual, including allowed adjustments,
397 deviations, or waivers from the requirements, and shall~~((:~~

398 1. ~~Use enhanced basic water quality measures to treat stormwater and use~~
399 ~~stormwater infiltration facilities to manage stormwater to protect aquatic life in Big Soos~~
400 ~~and Soosette creeks and operation of the Soos Creek Hatchery, while protecting~~
401 ~~groundwater quality. The department shall consider the proposed use in determining~~
402 ~~whether spill control or special oil control measures in excess of the King County surface~~
403 ~~water design manual requirements are necessary to achieve the required environmental~~
404 ~~protections;~~

405 2. ~~Specify and require facilities and best management practices to ensure~~
406 ~~that auto-related fluids, brake dust, and other products are properly managed and~~
407 ~~disposed of to avoid contamination of soils, surface water and groundwater;~~

408 3. ~~Develop and implement a water quality monitoring plan to assure that~~
409 ~~copper, other metals, hydrocarbons, and other contaminants are not elevated in ground~~
410 ~~and surface waters on site and in Big Soos and Soosette creeks;~~

411 4. ~~Conduct flow monitoring in Big and Soosette creeks before, during and~~

412 after construction to ensure that normal or preexisting flows are being maintained.

413 ~~5. Conduct biotic monitoring in Big Soos and Soosette creeks before,~~

414 ~~during and after construction;~~

415 ~~6. If the department determines it to be environmentally beneficial and if it~~

416 ~~is in compliance with the surface water design manual requirements for discharge to the~~

417 ~~natural location and is approved through an adjustment, channel surface water from~~

418 ~~impervious surfaces, including buildings, structures, pit areas, or raceways to drain away~~

419 ~~from Soosette creek and evaluate any impacts to Big Soos and Soosette creeks and to the~~

420 ~~alternative discharge location; and~~

421 ~~7. Develop and implement an adaptive management program to correct any~~

422 ~~flow, surface or ground water quality, or biotic problem in Big Soos or Soosette creeks~~

423 ~~caused by the development)) develop and implement a water quality monitoring plan for~~

424 ~~the points of discharge for on-site surface water drainage, groundwater discharges, and~~

425 ~~infiltration points to determine that copper, other metals, hydrocarbons, and other~~

426 ~~contaminants are not elevated in down gradient groundwater on-site and in Big Soos and~~

427 ~~Soosette creeks.~~

428 I. Site development that entails extraction and grading of soils to achieve the

429 final site contours for development shall be subject to the following limits:

430 1. The amount of materials that may be extracted during any specific phase

431 of project construction shall be ~~((only as))~~ the minimum necessary to ~~((construct))~~

432 achieve final grades for that phase of the project approved for construction; and

433 2. The on-site processing of the extracted materials shall be limited to the

434 sorting and crushing of the material into separate dirt, sand, and gravel components.

435 J. The master planning proposal shall include site designs and features to
436 reduce the level of noise impacts upon nearby residential neighborhoods.

437 K. The ~~((department))~~ permitting division shall, in close coordination with
438 the special project manager:

439 1. ~~((Schedule and conduct a))~~ Complete the preapplication ~~((meeting))~~
440 conference with applicant within thirty days of the request for such a meeting by the
441 applicant in order to identify the full range of potential issues related to the proposed
442 ~~((expansion))~~ modernization of Pacific Raceways and to specifically list information or
443 studies needed to adequately evaluate the listed issues. At the preapplication conference,
444 the permitting division shall:

445 ~~((2. P))~~ provide to the applicant a detailed listing of all project issues and
446 necessary information or studies required under subsection D. of this section ~~((within~~
447 ~~thirty days after the date of the preapplication meeting))~~;

448 3. Accept for filing a master planning proposal application submitted by the
449 applicant only if it provides the information and studies required by subsection K.2. of
450 this section;

451 4. Determine whether the master planning proposal is a complete
452 application under this section and K.C.C. ~~((20.20.050))~~ 20.20.033;

453 5. Provide a notice of a complete application under K.C.C. 20.20.060.B. In
454 addition to notice of application required under K.C.C. 20.20.060.B., the ~~((department))~~
455 permitting division shall provide mailed notice to:

456 a. all parties of record, including community groups or organizations,
457 established during the review of Conditional Use Permit File No~~((s))~~. A-71-0-81 ~~((and~~

458 ~~L08CU006~~)), Interim Use Permit File No. LUT417-0003, Proposed Ordinance 2010-
459 0189, ~~((or))~~ Ordinance 17287, Ordinance 18184, or this ordinance;

460 b. persons requesting notification of any county land use action regarding
461 Pacific Raceways; and

462 c. residents or property owners of parcels located within twenty-five
463 hundred feet of the boundaries of the Pacific Raceways site;

464 6. ~~((Not later than seven days after the applicant has filed with the
465 department its master planning proposal, issue a determination of significance and
466 proceed with the environmental review of the master planning proposal under Ordinance
467 17287, Section 6))~~ Not later than sixty days after notice of a complete application is sent,
468 issue a threshold determination under WAC 197-11-310. If a determination of
469 nonsignificance or a mitigated determination of nonsignificance is to be issued, the
470 Optional DNS process in WAC 197-11-355 shall be used as provided in WAC 197-11-
471 310(6)(d). Subject to the requirements and limitations of chapter 197-11 WAC, the State
472 Environmental Policy Act review shall analyze the potential new impacts that may occur
473 over and above those impacts currently allowed under the conditions of CUP File No. A-
474 71-0-81 and Interim Use Permit File No. LUT417-0003 and potential cumulative
475 impacts;

476 7. Conduct ~~((one or more))~~ two public meetings on the master planning
477 proposal application to gather information and public input on all aspects of the master
478 planning proposal. The first meeting shall be held within thirty days after the applicant
479 has filed its complete master planning proposal application with the ~~((department and
480 may be combined with a public meeting required under Ordinance 17287, Section 5.D.4))~~

481 permitting division. At that public meeting, the applicant shall present its master
482 planning proposal. At ~~((each))~~ the public meeting, the public shall be provided an
483 opportunity to comment on the master planning proposal. The ~~((department))~~ permitting
484 division shall record ~~((all))~~ the public meeting~~((s))~~ and make a written summary of the
485 meeting~~((s))~~ available on its website within fourteen days after the meeting. The
486 ~~((department))~~ permitting division may hold an additional public meeting~~((s))~~ as it
487 conducts its review of the master planning proposal application and shall provide an
488 opportunity for the applicant to respond to questions at each public meeting;

489 8. If a determination of significance is ~~((I))~~ issued, issue the final
490 environmental impact statement within eighteen months of either issuing to the applicant
491 a notice of complete application or the master planning proposal is deemed a complete
492 application under K.C.C. ~~((20.20.050.B))~~ 20.20.033. The consultant for the EIS may
493 request up to three months of additional time to prepare the final environmental impact
494 statement;

495 9. Within one hundred twenty days after issuance of a determination of
496 nonsignificance or mitigated determination of nonsignificance or ~~((N))~~ not later than thirty
497 days after issuance of the final environmental impact ~~((state is issued))~~ statement,
498 depending upon the threshold determination, propose for public review and comment a
499 development agreement and operating agreement consistent with this section. The
500 ~~((department))~~ permitting division shall provide notice of the proposed development
501 agreement and operating agreement in the same manner as it provided the notice of
502 application under subsection K.5.a. through c. of this section. The ~~((department))~~
503 permitting division shall present the proposed development agreement and operating

504 agreement at a public meeting within fourteen days after the notice is provided under this
505 subsection K.9.; and

506 10. Within sixty days after the public meeting required by subsection K.9.
507 of this section:

508 a. transmit to the hearing examiner the ~~((department's))~~ permitting
509 division's recommended development agreement and operating agreement, together with
510 a proposed ordinance authorizing the executive to execute the development agreement
511 and operating agreement;

512 b. publish its recommended development agreement and operating
513 agreement on the ~~((department's))~~ permitting division's website. As part of the
514 recommended development agreement and operating agreement, the permitting division
515 shall coordinate and assemble the reviews of other departments and governmental
516 agencies having an interest in the application and shall prepare a report summarizing the
517 factors involved and the permitting division's recommendation; and

518 c. provide notice of its recommended development agreement and
519 operating agreement in the same manner as it provided the notice of application under
520 subsection K.5.a. through c. of this section and to those governmental agencies listed in
521 K.C.C. 20.20.090.A. The notice shall also advise:

522 (1) that the ~~((department's))~~ permitting division's recommendation is
523 subject to an open record public hearing before the hearing examiner;

524 (2) the date that the ~~((department's))~~ permitting division's recommendation
525 has been transmitted to the hearing examiner; and

526 (3) that interested persons may appear as parties at the open record public

527 hearing by filing a notice of appearance with the hearing examiner within fourteen days
528 of the date that the ~~((department's))~~ permitting division's recommendation has been
529 transmitted to the hearing examiner. The applicant will be presumed to be a party
530 without having to file a notice of appearance.

531 L.1. Before the transmittal of the ~~((department's))~~ permitting division's
532 recommended development agreement and operating agreement to the hearing examiner,
533 the ~~((transportation, economy and environment))~~ local services and land use committee or
534 its ~~((applicable))~~ successor may request reports or briefings from the ~~((department))~~
535 permitting division and applicant regarding how the demonstration project is proceeding.
536 The ~~((department))~~ permitting division shall solicit input from those identified in
537 subsection K.5.a. through c. of section to inform the committee in the report and briefing.

538 2. If the ~~((department))~~ permitting division or the applicant is unable to
539 meet a timeline established by this section as part of the process for review of the master
540 planning proposal, the ~~((department))~~ permitting division shall provide written notice to
541 the council within fourteen days after the missed deadline in the form of a letter to the
542 chair of ~~((transportation, economy and environment))~~ local services and land use
543 committee or its ~~((applicable))~~ successor describing the causes for the delay, and the steps
544 or actions needed to be taken by the ~~((department))~~ permitting division or the applicant to
545 continue timely processing of the proposal.

546 M.1. ~~((No sooner than fourteen days after receiving the department's~~
547 ~~recommended development and operating agreement, the hearing examiner shall set the~~
548 ~~date for the prehearing conference and notify the parties of interest.~~

549 ~~2.))~~ Unless otherwise agreed to by those that appear as parties, the hearing

550 examiner shall conduct an open record public hearing within ninety days of issuance of
551 the ~~((prehearing conference))~~ permitting division's recommended development agreement
552 and operating agreement and, if necessary, shall hold the public hearing over consecutive
553 days.

554 ~~((3. When the hearing examiner sets the department's recommended~~
555 ~~development and operating agreement for an open record public hearing, the department~~
556 ~~shall coordinate and assemble the reviews of other departments and governmental~~
557 ~~agencies having an interest in the application and shall prepare a report summarizing the~~
558 ~~factors involved and the department's recommendation. At least fourteen calendar days~~
559 ~~before the scheduled hearing, the department shall file the report with the hearing~~
560 ~~examiner and mail copies to those identified in subsection K.5.a. through c. of section.~~

561 4.) 2. The hearing examiner's recommendation may be to approve or reject
562 the ~~((department's))~~ permitting division's recommended development agreement and
563 operating agreement, or the examiner may recommend that the council adopt the
564 ~~((department's))~~ permitting division's recommended development agreement and
565 operating agreement with such conditions, modifications, and restrictions as the examiner
566 finds necessary to carry out applicable state laws and regulations and the regulations,
567 including chapter 43.21C RCW, ~~((policies, objectives, and goals of the Comprehensive~~
568 ~~Plan, the zoning code))~~ K.C.C. Title 21A, and other laws~~((, policies, and objectives))~~ of
569 King County.

570 ~~((5.))~~ 3. Within fourteen days after the conclusion of the open record public
571 hearing, the hearing examiner shall issue a written recommendation and shall, consistent
572 with K.C.C. 20.20.220, transmit a copy thereof to the council and to all persons who

573 appeared as parties in the open record public hearing. The recommendation shall include
574 findings of fact and conclusions from the record that support the decision and the findings
575 and conclusions shall set forth and demonstrate the manner in which the recommendation
576 is consistent with, carries out, and helps implement applicable state laws and regulations,
577 the regulations(~~(, policies, objectives))~~ of King County, and (~~(goals of the comprehensive~~
578 ~~plan and Ordinance 17287))~~ this section.

579 ~~((6.))~~ 4. To appeal the hearing examiner's recommendation, an aggrieved
580 party (~~(must))~~ shall file an appeal (~~(notice of))~~ with the clerk of the council within
581 fourteen days of the date (~~(of the mailing of))~~ the hearing examiner's recommendation
582 (~~(.The clerk shall notify the hearing examiner and the parties of record to the hearing~~
583 ~~examiner's open record public hearing in writing of the council's receipt of the appeal.~~
584 ~~The clerk shall also cause to have posted on the council's web page the notice of the~~
585 ~~appeal. The appellant shall file a statement of appeal with the clerk within twenty one~~
586 ~~days of filing its notice of appeal, together with proof of service of the statement of~~
587 ~~appeal to the other parties of record. The statement of appeal must specify the basis for~~
588 ~~the appeal and any arguments in support of the appeal. Failure to file a statement of~~
589 ~~appeal shall result in the dismissal of the appeal. The clerk shall cause to have the~~
590 ~~statement of appeal) posted on the council's web page. A))~~ is transmitted to the council
591 in conformance with K.C.C. 20.20.230, except that any written responsive statements or
592 arguments to the appeal, together with proof of service on the other parties (~~(of record))~~,
593 must be filed with the clerk of the council within fourteen days after the filing of the
594 appeal statement (~~(of appeal))~~. The clerk of the council shall cause to have these
595 responsive statements and arguments posted on the council's webpage.

596 ~~((7-))~~ 5. At least fourteen days before the closed record hearing by the
597 council of the appeal, the clerk of the council will provide the parties of record with
598 written notice of the hearing time and date. The council's consideration of the appeal
599 shall be based upon the record as presented to the hearing examiner at the open record
600 public hearing and upon written appeal statements and arguments submitted by the
601 parties that are based on the open record public meeting. The council may allow the
602 parties to the appeal a period of time for oral argument based on the record. Consistent
603 with RCW 36.70B.020(1), before or at the appeal hearing and upon the request of the
604 council, county staff may provide a written or oral summary, or both, of the appeal
605 record, issues, and arguments presented in an appeal and may provide answers, based on
606 the record, to questions with respect to issues raised in an appeal asked by council
607 members at the appeal hearing. Nothing in this subsection shall be construed as limiting
608 the ability of the council to seek and receive legal advice regarding a pending appeal
609 from the office of the prosecuting attorney or other county legal counsel either within or
610 outside of the hearing.

611 ~~((8-))~~ 6. If, after consideration of the record, written appeal statements, and
612 any oral argument the council determines that:

613 a. ~~((A))~~ an error in fact or procedure may exist or additional information or
614 clarification is desired, the council shall remand the matter to the hearing examiner for
615 further hearing to receive additional information or further consideration; or

616 b. ~~((F))~~ the recommendation of the hearing examiner is based on an error in
617 judgment or conclusion, the council may modify or reverse the recommendation of the
618 hearing examiner.

619 ~~((9-))~~7. a. The council's final action on any recommendation of the hearing
620 examiner shall be by ordinance, which shall include findings of fact and conclusions from
621 the record of the hearing examiner's public hearings. The findings and conclusions shall
622 set forth and demonstrate the manner in which the council's decision is consistent with,
623 carries out, and helps implement applicable state laws, the regulations~~((, the policies,~~
624 ~~objectives, and goals of the comprehensive plan))~~ of King County, and ~~((Ordinance~~
625 ~~17287))~~ this section. The council may adopt as its own all or portions of the hearing
626 examiner's findings and conclusions.

627 b. Any ordinance also may contain reasonable conditions, in accordance
628 with state law and county ordinances, which must be satisfied before the ordinance
629 becomes effective. The ordinance shall also designate the time period within which any
630 such conditions must be satisfied. All authority pursuant to such ordinance shall expire if
631 any of the conditions are not satisfied within the designated time period and the property
632 shall continue to be subject to all laws, regulations, and zoning as if the ordinance had not
633 been adopted. The council may extend the period for satisfaction of the conditions if,
634 after a public hearing by the examiner, the council finds an extension will be in the public
635 interest and the extension was requested by the applicant within the initial time period.

636 N. If the hearing examiner's recommendation is not appealed pursuant to
637 subsection M. of this section:

638 1. The clerk of the council shall place a proposed ordinance that implements
639 the examiner's recommended action on the agenda of the next available council meeting
640 for adoption;

641 2. No final action to amend or reverse the hearing examiner's

642 recommendation shall be taken at that meeting and notice to parties shall be given before
643 the adoption of a substitute or amended ordinance that amends or reverses the examiner's
644 recommendation;

645 3. The council may either:

646 a. Refer the matter to the ~~((transportation, economy and environment))~~
647 local services and land use committee or its successor for further consideration deemed
648 necessary before the council takes final action on the matter or remand the matter to the
649 hearing examiner for further hearing to receive additional information or further
650 consideration; or

651 b. Adopt the hearing examiner's recommendation by an ordinance
652 satisfying the requirements of subsection M.9. of this section.

653 4. Any final action by the county council may be reconsidered by the
654 council pursuant to K.C.C. 20.22.280; and

655 5. Any appeal of the council's final action shall comply with the
656 requirements of K.C.C 20.22.270.A.

657 O.1. The ~~((design))~~ development and operating conditions specified in any
658 development agreement or operating agreement adopted and executed pursuant to the
659 process established in this section shall ~~((prospectively))~~ control the development and
660 operations ~~((and design))~~ for the site and supersede the ~~((design))~~ development and
661 operating conditions established under Conditional Use Permit File No((s)). A-71-0-81
662 ~~((and L08CU006))~~ and Interim Use Permit File No. LUT417-0003. However, any such
663 development agreement and operating agreement ~~((will not have retroactive effect. Any~~
664 ~~enforcement actions relating to compliance with))~~ shall not contain any condition or

665 requirement that is more restrictive than the ((design and operating)) conditions
666 ((established under)) and requirements for Conditional Use Permit File No((s)). A-71-0-
667 81 ((and L08CU006 regarding activities that occurred before the execution of a
668 development agreement shall not be affected)) and Interim Use Permit File No. LUT417-
669 0003.

670 2.a. A master plan development ((and operating)) agreement approved by
671 the council shall be in effect for a period of ten years from the effective date of the
672 ordinance approving the master plan development ((and operating)) agreement and
673 authorizing the executive to execute the development ((and operating)) agreement~~((;))~~.

674 b. A master plan operating agreement approved by the council shall govern
675 on-site operations, so long as the operating conditions have been met by the applicant,
676 property owner, and operator.

677 3.a. An approved master plan development ((and operating)) agreement
678 may be renewed one time for not more than ten years.

679 b. The applicant shall apply to the ((department)) permitting division for
680 renewal of the development ((and operating)) agreement at least twelve months before
681 the agreement expires. The ((department)) permitting division shall provide a notice of
682 the renewal request under subsection K.5.a. through c. of this section and shall conduct at
683 least one public meeting on the request as provided in subsection K.7. of this section.

684 c. The ((department)) permitting division shall make its recommendation
685 to the council on the proposed renewal together with any recommended changes to the
686 development agreement not later than ninety days before the development ((and
687 operating)) agreement expires.

688 d. If the development agreement is not renewed by the council(~~(:~~
689 ~~(1) the operating conditions established in the agreement shall remain in~~
690 ~~effect; and~~
691 ~~(2))~~) any subsequent development permit application shall be subject to
692 laws in effect at the time the subsequent application is filed.

693 P. During the period a development (~~(and operating)~~) agreement is in effect,
694 any subsequent development on the site shall be consistent with the approved
695 development (~~(and operating)~~) agreement.

696 Q.1. Except as otherwise provided in subsection Q.2. of this section, the laws
697 in effect on the date the council adopts the ordinance authorizing the execution of the
698 development (~~(and operating)~~) agreement shall apply to subsequent permits necessary for
699 the uses authorized by the development (~~(and operating)~~) agreement.

700 2. The following regulations in effect on the date of a complete application
701 for any permits necessary for a use authorized by the development (~~(and operating)~~)
702 agreement shall apply:

- 703 a. surface water management standards under K.C.C. Title 9;
- 704 b. public health and safety codes under K.C.C. Title 13;
- 705 c. road standards under K.C.C. Title 14;
- 706 c. building codes under K.C.C. Title 16; and
- 707 d. fire codes under K.C.C. Title 17.

708 R.1. During the effective period of the development (~~(and operating)~~)
709 agreement, the applicant may request in writing (~~(and the department may propose a)~~)
710 one or more modifications (~~(of)~~) to the development (~~(and operating)~~) agreement. (~~(The~~

711 ~~applicant's request and the department initiated proposal shall be made by June 1 of each~~
712 ~~year for implementation in the following year. The department))~~ For those requests
713 where the permitting division determines the modification is a major modification to the
714 development agreement that requires council approval, they shall be considered no more
715 than once per year, starting one year after the effective date of this ordinance. On June 1
716 of each year, the permitting division shall consolidate all of the major modification
717 requests into a single proposed modification and within fourteen days shall provide notice
718 of the ((request or)) proposed modification as provided in subsection K.5.a. through c. of
719 this section. The ((department)) permitting division shall submit to the hearing examiner
720 its recommendation on the proposed modification requests not later than August 1 of that
721 same year. The hearing examiner shall conduct a public hearing on the proposed
722 modification no later than October 15 of that same year, and make a recommendation to
723 council no later than December 31 of that same year.

724 2. The applicant may request in writing modifications to the operating
725 agreement. For those requests where the permitting division determines it is a major
726 modification to the operating agreement that requires council approval, they shall be
727 considered no more than once per year, starting one year after the effective date of this
728 ordinance. On June 1 of each year, the permitting division shall consolidate all of the
729 major modification requests into a single proposed modification and within fourteen days
730 provide notice of the proposed modification as provided in subsection K.5.a. through c.
731 of this section. The permitting division shall submit to the hearing examiner its
732 recommendation on the proposed modification not later than August 1 of that same year.
733 The hearing examiner shall conduct a public hearing on the proposed modification no

734 later than October 15 of that same year, and make a recommendation to council no later
735 than December 31 of that same year.

736 3. The proposed modifications to the development agreement and operating
737 agreement described in this subsection R. may be considered as part of one ordinance or
738 as multiple ordinances.

739 S. The hearing examiner shall conduct the following annual monitoring and
740 reporting activities for the council:

741 1. No later than October 15 of each year, the hearing examiner shall
742 conduct a public meeting in the vicinity of the project site for the purpose of gathering
743 community input on the operation of facility during the preceding year (~~and on any~~
744 ~~modifications to the development and operating agreement~~). The ~~((department))~~
745 permitting division shall provide a notice of the meeting as provided in subsection K.5.a.
746 through c. of this section.

747 2. Beginning on December 31 of the year after the effective date of the
748 ordinance authorizing the execution of the development agreement and operating
749 agreement, and for each subsequent year, the hearing examiner shall prepare and submit
750 to the council a report that:

- 751 a. describes the current status of the phases of the development;
- 752 b. evaluates compliance with development agreement and operation
753 agreement conditions during the preceding year;
- 754 c. identifies issues and concerns that have been brought forward by the
755 community, ~~((Pacific Raceways))~~ applicant, and the ~~((department))~~ permitting division;
- 756 d. evaluates proposed modifications to the development agreement and

757 operating agreement; and

758 e. outlines potential steps to ensure compliance with the development

759 agreement and operating agreement.

760 3. The report shall be presented in a briefing by the hearing examiner to the

761 ~~((transportation, economy, and environment))~~ local services and land use committee~~((s))~~

762 or its ~~((applicable))~~ successor, at which the ~~((department))~~ permitting division and project

763 operator shall be present.

764 T. The director shall submit a report on the master planning demonstration

765 project to the council within sixty days of the council's adoption of the ordinance

766 approving the development agreement and operating agreement. The report shall

767 evaluate the efficacy of the master planning process and may include recommended

768 changes to the master planning process to address problems or deficiencies in the process

769 identified by the ~~((department))~~ permitting division. The ~~((department))~~ permitting

770 division shall solicit comments from the applicant, the hearing examiner, and the public,

771 identified in subsection K.5.a. through c. of this section, on the master planning process

772 and include a synopsis of those comments in the report. The report shall be filed

773 electronically with the clerk of the council, who shall retain an electronic copy and

774 provide an electronic copy to each councilmember, the council chief of staff, and the lead

775 staff for the local services and land use committee or its successor.

776 U.1 Before the application for a master planning proposal application, the

777 applicant shall be permitted to undertake the following activities, subject to an interim

778 use permit:

779 a. construct up to four hundred thousand square feet of buildings, including

780 required excavation and processing of materials, for uses allowed for a regional motor
781 sports facility as set forth in K.C.C. 21A.06.973.C., and associated required site
782 improvements;

783 b. add paved impervious surface area, including, but not limited to,
784 parking, a new vehicular access point to SE 304th Street, modifications to the road
785 course, and internal access roads, with total impervious surface area not to exceed thirty-
786 three and one-third percent of the site that is subject to the property-specific development
787 condition known as P-suffix SC-P02; ~~((and))~~

788 c. add grandstands to accommodate up to twenty-five thousand persons,
789 and replace existing grandstand seating; and

790 d. conduct any of the uses allowed under KCC 21A.06.973C, including
791 that nonracing driving schools may operate on Mondays and Tuesdays.

792 2. Excavation and processing of materials under an interim use permit shall
793 be subject to the following limits:

794 a. The amount of materials shall be only as is necessary to undertake the
795 activities allowed by subsection U.1. of this section, subject to review by the
796 ~~((department))~~ permitting division;

797 b. The on-site processing of the extracted materials shall be limited to the
798 sorting of the materials into separate dirt, sand, and gravel components, and crushing and
799 washing of those components that will be used for on-site construction and required site
800 improvements; and

801 c. The on-site processing shall be limited to 9:00 a.m. to 5:00 p.m.
802 Monday through Friday.

803 V. A preapplication meeting shall be required for the interim use permit.

804 The applicant shall submit the following information to the ((department)) permitting

805 division with a request to schedule a preapplication meeting:

806 1. Affidavit of application, on a form approved by the ((department))

807 permitting division;

808 2. Project narrative and questions for ((department)) permitting division

809 staff;

810 3. Preliminary site plan, which shall include:

811 a. location of the property, with a vicinity map showing cross street;

812 b. address, if an address has been assigned;

813 c. parcel number or numbers;

814 d. zoning of parcel or parcels and adjacent parcel or parcels;

815 e. north arrow and scaled dimensions;

816 f. existing and proposed building footprints, with overhangs and

817 projections;

818 g. existing and proposed grade contours;

819 h. site area in square feet or acres of the project site;

820 i. area of either disturbance or development, or both, including utilities,

821 septic, and internal circulation, as needed;

822 j. existing and proposed easements, including ingress, egress, utilities, or

823 drainage; and

824 k. critical areas and their buffers; and

825 4. Preliminary building plan.

826 W. An interim use permit application shall be considered complete when the
827 following information and studies have been submitted and are adequate to review the
828 proposal:

829 1. A proposed site plan that identifies the location and dimensions of the
830 proposed buildings, structures, and paving, vehicular circulation and parking areas,
831 critical areas and buffers, landscaping, stormwater facilities, utilities, and fire protection;

832 2. A proposed drainage plan under the surface water design manual for the
833 improvements proposed under the interim use permit;

834 3. A proposed grading plan that complies with the submittal, operating, and
835 performance requirements in K.C.C. chapter 16.82;

836 4. A proposed restoration plan that complies with this section;

837 5. A deposit as required by K.C.C. 27.02.210 for review of the interim use
838 permit; and

839 6. Any necessary information identified through the preapplication process.

840 X. The interim use permit shall contain development conditions related to the
841 grading activities and buildings and shall include, but not be limited to:

842 1. An approved site plan and conditions that establish:

843 a. location, size, and proposed uses of the buildings;

844 b. location and dimensions of vehicular circulation and parking, including
845 required parking for the existing uses;

846 c. location of stormwater facilities, sewage treatment facilities, water, and
847 related features;

848 d. landscaping requirements, as required by K.C.C. chapter 21A.16;

849 e. location of on-site critical areas. Development or operations are not
850 allowed within critical areas or their buffers, and alterations of critical areas or their
851 buffers are not permitted, as part of the activities allowed with the interim use permit or
852 related construction permits; and

853 f. necessary on-site and off-site traffic control for construction impacts on
854 vehicular circulation and on roadways in the vicinity of the project site;

855 2. An approved grading plan in compliance with the requirements of K.C.C.
856 chapter 16.82;

857 3. A preliminary drainage plan in compliance with the surface water design
858 manual; and

859 4. A restoration plan in compliance with the following requirements:

860 a. Final grades shall generally conform to standards in K.C.C. 16.82.100
861 and the following:

862 (1) be such so as to encourage the uses permitted within the primarily
863 surrounding zone or, if applicable, the underlying or potential zone classification; and

864 (2) result in drainage patterns that reestablish natural conditions of
865 aquifer recharge, water velocity, volume, and turbidity within six months of restoration
866 and that precludes water from collecting or becoming stagnant. Suitable drainage
867 systems approved by the ~~((department))~~ permitting division shall be constructed or
868 installed where natural drainage conditions are not possible or where necessary to control
869 erosion. All constructed drainage systems shall be designed consistent with the Surface
870 Water Design Manual; and

871 b. All areas subject to clearing, grading, or backfilling shall:

872 (1) be planted with a variety of trees, shrubs, legumes, and grasses
873 indigenous to the surrounding area and appropriate for the soil, moisture, and exposure
874 conditions; and

875 (2) except for roads and areas incorporated into drainage facilities, be
876 surfaced with soil of a quality at least equal to the topsoil of the land areas immediately
877 surrounding, and to a depth of the topsoil of land area immediately surrounding six
878 inches, whichever is greater.

879 Y. For the interim use permit, the executive shall appoint a special project
880 manager.

881 1. ((F)) For the initial interim use permit, the special project manager shall
882 either be an employee of, or hired as a consultant by, the regional planning unit of the
883 office of performance, strategy, and budget. For any modifications to the interim use
884 permit, the special project manager, shall be agreed to by the county and the applicant
885 and could either be a consultant hired by the director's office of the department of local
886 services or the permitting division's managed account team project manager or
887 equivalent.

888 2. The Pacific Raceways property has been designated as a project of
889 statewide significance under chapter 43.157 RCW.

890 3. The special project manager will coordinate the reviews within the
891 ~~((department))~~ permitting division and other agencies, be the primary point of contact for
892 the applicant and interested parties, and ensure that the timelines established for review of
893 the interim use permit in this section are met.

894 4. The special project manager shall evaluate, and provide a

895 recommendation to the executive, regarding the efficacy of options, such as review by
896 another jurisdiction or using outside staff to complete the substantive review, for
897 expediting the permit review process. As part of this review, the special project manager
898 shall ensure that any recommended option will produce a review that complies with this
899 chapter and other applicable laws, regulations, and adopted policies.

900 Z.1. In reviewing the interim use permit, the ~~((department))~~ permitting
901 division shall:

902 a. process the interim use permit as a Type 3 land use permit, except as
903 provided in subsection DD. of this section. K.C.C. chapter 20.20 shall apply, except as
904 modified by this section;

905 b. conduct a mandatory preapplication meeting within fourteen days of the
906 applicant's request for a preapplication meeting;

907 c. within twenty one days of the preapplication meeting, provide a detailed
908 listing of the required information or studies required for review of the interim permit, in
909 conformance with this section, the other building, construction, and environmental
910 permits that will be required, and an estimate of cost for review of the interim use permit;

911 d. accept the interim use permit application if the applicant provides the
912 information and studies required by the detailed listing provided in subsection Z.1.c. of
913 this section;

914 e. determine whether the interim use permit application is complete within
915 seven days of filing by the applicant, pursuant to K.C.C. ~~((20.20-050))~~ 20.20.033, and
916 subject to the application requirements in subsection W. of this section;

917 f. provide a notice of complete application under K.C.C. ~~((20.20-050))~~

918 20.20.033, within seven days of determining that the application is complete;

919 g. provide a notice of application under K.C.C. 20.20.060 within fourteen
920 days of providing the notice of complete application. In addition to the notice required by
921 these two sections, the ~~((department))~~ permitting division shall provide mailed notice to:

922 (1) all parties of record, including community groups or organizations,
923 established during the review of Conditional Use Permit File Nos. A-71-0-81 ~~((and~~
924 ~~L08CU006))~~, Interim Use Permit File No. LUT417-0003, Proposed Ordinance 2010-
925 0189, ~~((or))~~ Ordinance 17287, Ordinance 18184, and this ordinance;

926 (2) persons requesting notification of any county land use action
927 regarding Pacific Raceways; and

928 (3) residents or property owners of parcels located within twenty-five
929 hundred feet of the boundaries of the Pacific Raceways site;

930 h. complete environmental review on the interim use and activities
931 authorized by the interim use permit;

932 i. transmit to the hearing examiner the ~~((department's))~~ permitting
933 division's recommendation on the interim use permit and provide notice of the
934 recommendation under K.C.C. 20.20.090. The recommendation shall be based on the
935 conformance of the proposal with the requirements of this section; and:

936 (1) for a determination of nonsignificance or mitigated determination of
937 nonsignificance, transmit the recommendation within forty-five days of the end of the
938 comment period on threshold determination;

939 (2) for a determination of significance, transmit the recommendation
940 within forty-five days of the end of the appeal period for the final environmental impact

941 statement; and

942 j. coordinate and assemble the reviews of other departments and
943 governmental agencies having an interest in the application and shall prepare a report
944 summarizing the factors involved and the ~~((department's))~~ permitting division's
945 recommendation. At least seven calendar days before the scheduled hearing, the
946 ~~((department))~~ permitting division shall file the report with the hearing examiner and mail
947 copies to those identified in subsection Z.1.g. of this section.

948 2. The exceptions to permit review timelines described in K.C.C.
949 20.20.100.C. shall apply to the review period deadlines outlined in subsection Z. of this
950 section. If the ~~((department))~~ permitting division is unable to meet the time limits
951 established by this section, it shall provide written notice of this fact to the applicant. The
952 notice shall include a statement of reasons why the time limits have not been met and an
953 estimated date for issuance of the notice of recommendation to the hearing examiner. In
954 no case shall the review of the interim use permit, from the date a complete application is
955 filed through the date the ~~((department))~~ permitting division issues the recommendation
956 to the hearing examiner, excluding the timeframes outlined in K.C.C. 20.20.100.C.,
957 exceed one hundred twenty days, unless the parties agree to an extension.

958 AA.1. The hearing examiner shall:

959 a. within fourteen days of receiving the ~~((department's))~~ permitting
960 division's recommendation on the interim use permit, set the date for the prehearing
961 conference and notify the interested parties.

962 b. within seven days of the prehearing conference, issue a prehearing order
963 that includes a tentative schedule and order of proceedings for the hearing required under

964 this subsection.

965 c. conduct an open record public hearing within thirty days of the
966 prehearing conference.

967 d. within ten days of the public hearing, issue a decision on the interim use
968 permit. The examiner's determination may be to grant or deny the application, and may
969 include any conditions, modifications, and restrictions as the examiner finds necessary to
970 carry out the provisions of this section. The examiner's decision may be appealed to the
971 council according to K.C.C. 20.22.220.

972 2. When reasonably required to enable the attendance of all necessary
973 parties at the hearing, or the production of evidence or to otherwise assure that due
974 process is afforded and the objectives of this chapter are met, the periods in subsection
975 AA.1. of this section may be extended by the examiner at the examiner's discretion for an
976 additional thirty days. With the consent of all parties, the periods may be extended
977 indefinitely. The reason for the deferral shall be stated in the examiner's decision.
978 Failure to complete the hearing process within the stated time shall not terminate the
979 jurisdiction of the examiner.

980 BB. Issuance of the interim use permit by the county under this section does
981 not relieve the applicant of its obligations to obtain other approvals required under state
982 and federal law.

983 CC. The applicant shall pay fees to the county to cover the actual cost of
984 providing project management, review, and inspection services for the interim use
985 permits and including environmental review, in accordance with K.C.C. 27.02.100.

986 DD. Upon issuance of an interim use permit, the ~~((department))~~ permitting

987 division may review and approve, in accordance with the code compliance process in
988 K.C.C. chapter 21A.42, an expansion of, modification to, or addition to the development
989 authorized by the interim use permit. If the proposed development, taken together with
990 any previously approved development under the interim use permit, is within the
991 limitations of subsection U.1. of this section, the development proposal shall be
992 processed as a Type 1 land use decision, subject to all other applicable state and local
993 standards. Subject to the requirements and limitations of chapter 197-11 WAC, the State
994 Environmental Policy Act review shall analyze the potential new impacts that may occur
995 over and above those impacts currently allowed under the conditions of CUP File No. A-
996 71-0-81 and Interim Use Permit File No. LUT417-0003 and potential cumulative
997 impacts.

998 EE. Establishment of the use or activity authorized by an interim use permit shall
999 occur within ten years of the effective date of the decision for the interim use permit or
1000 subsequent amendment to the interim use permit under subsection DD. of this section.
1001 Upon written request to the ~~((department))~~ permitting division made by the applicant
1002 before the expiration of an interim use permit or subsequent amendment, the
1003 ~~((department))~~ permitting division shall extend the permit for one or more one-year
1004 period, up to a total of five consecutive years, if site conditions have not significantly
1005 changed in a manner that would have affected the original permit approval and the
1006 applicant pays applicable permit extension fees. Any use or structure established during
1007 the term of the interim use permit or an extension of the term may continue to operate
1008 after the expiration of the interim use permit, in accordance with K.C.C. chapter 21A.32
1009 and any applicable p-suffix conditions.

1010 FF. The additional uses allowed by the P-suffix condition, in K.C.C.
1011 21A.06.973C, and this section may be allowed in areas over the square footage
1012 limitations in LUT417-0003 if approved via the permit process and environmental review
1013 required by K.C.C. 21A.55.105.

1014 SECTION 4. The following are hereby repealed:

1015 A. Ordinance 17287, Section 5; and

1016 B. Ordinance 17287, Section 6.

1017 SECTION 5. Severability. If any provision of this ordinance or its application to

1018 any person or circumstance is held invalid, the remainder of the ordinance or the
1019 application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Girmay Zahilay, County Executive

Attachments: None



King County

**Metropolitan King County Council
Committee of the Whole**

STAFF REPORT

Agenda Item:	9	Name:	Erin Auzins
Proposed No.:	2025-0329	Date:	October 20, 2025

SUBJECT

Proposed Ordinance 2025-0329 would change the demonstration project for a Regional Motor Sports Facility.

SUMMARY

Pacific Raceways operates as an automobile racetrack on a 327-acre site in unincorporated King County, east of State Route 18, near the City of Auburn. The current development and activities at Pacific Raceways are governed by a conditional use permit (CUP), File Nos. A-71-0-81. The CUP was issued in 1984 and governs the operations of the facility. Ordinance 17287, adopted in 2012, established a master planning process demonstration project, utilizing Pacific Raceways as the regional motor sports facility project for the demonstration. Ordinance 18184, adopted in 2015, allowed certain activities to occur on the site prior to the applicant completing the master planning process demonstration project, as part of an interim use permit (IUP). In 2019, the Hearing Examiner approved an IUP for the Pacific Raceways site, and just over 120,000 square feet was constructed by 2022.

The Proposed Ordinance would modify provisions for the demonstration project and the IUP. Proposed code changes fall into two general categories: updating the range of specific uses encompassed by a racetrack facility, and streamlining some of the review processes for the demonstration project.

BACKGROUND

Pacific Raceways operates as an automobile racetrack on a 327-acre site in unincorporated King County, east of State Route 18, near the City of Auburn. The current development and activities at Pacific Raceways are governed by a conditional use permit (CUP), File Nos. A-71-0-81. The CUP was issued in 1984, and governs the operations of the facility.

In 2012, the Council adopted Ordinance 17287, which established a master planning process demonstration project, utilizing Pacific Raceways as the regional motor sports facility project for the demonstration. The existing code required a special use permit for racetracks and many other types of complex projects. The underlying purpose of the

demonstration project was to test alternative processes and standards for review of complex projects. Ordinance 17287 established a process, review criteria, and general permitted uses for an expansion of the raceway. The ordinance outlined the process by which the County would review and approve a development and operating agreement, including: review by the Department of Permitting and Environmental Review (DPER, now called the Permitting Division), a recommendation by the Hearing Examiner, and a final decision by the Council. The ordinance established application requirements, shortened timelines to complete the development agreement, the criteria under which the agreement would be reviewed, and operating conditions that could be applied. It also provided for ongoing public and Council review of the demonstration project for the life of the agreement. After Ordinance 17287 was adopted, DPER went through the process required by the Ordinance to choose consultants for the anticipated Environmental Impact Statement (EIS). The property owner has not initiated the master planning process.

The Pacific Raceways project, as defined by Ordinance 17287, is zoned Industrial with a property-specific development, or "P-suffix," condition restricting the use of the property to racetrack uses.

In 2014, the Council adopted Ordinance 17761, which authorized a letter for the Council Chair to sign in support of Pacific Raceways being designated as a project of statewide significance, under RCW chapter 43.157. The state Department of Commerce granted the designation in April 2014, for the expansion and improvement of the racing facilities, and a "Pacific Innovation Center", which would include facilities for green technology and testing facilities for the development of renewable energy driven vehicles. As part of a project of statewide significance, the County is authorized to expedite review of proposed projects on this site, including permitting and environmental review processing, and to coordinate with staff with state Office of Regulatory Assistance to meet the needs of the project.

In 2015, the Council adopted Ordinance 18184, which allowed certain activities to occur on the site prior to the applicant initiating the master planning process demonstration project. These activities included: 1) construction and use of up to 400,000 square feet of buildings associated with the Regional Motor Sports Facility Use, and 2) excavation and processing of materials necessary for the construction of the buildings. The ordinance specified that these activities would be authorized through an interim land use permit (IUP), and set out application requirements and development conditions that must be met in order for the interim use permit to be approved.

The Ordinance specified that the IUP would be processed as a Type 3 land use permit, meaning that it was subject to a recommendation by the Permitting Division and a final decision by the Hearing Examiner. It set out special provisions and timelines for review by both parties.

In 2019, the Hearing Examiner approved an IUP for the Pacific Raceways site for up to 205,000 square feet,¹ and the property owner has constructed 120,000 square feet of warehousing/garage structures.

¹ Permit No. LUT417-0003

In 2020, the Council adopted Ordinance 19146, which, in part, approved a change to the P-suffix condition for the Pacific Raceways site to allow additional uses as part of a racetrack use. This includes uses approved by the IUP or the demonstration project, including:

- regional motor sports facility;
- uses consistent with the project of statewide significance designation on the property and that are related to racetrack uses;
- uses that research, develop, test, manufacture, and distribute new technology in the automotive industry, such as those with an emphasis on projects and innovative technology development, testing, and production that reduce greenhouse gas emissions in the automotive and combustion engine sectors;
- automotive educational institutions; and
- uses that could benefit from colocation with the existing racetrack for testing of such technologies.

In 2023, the Council adopted Ordinance 19691, which modified the allowances for the IUP, to change the type and amount of development allowed under an interim use permit (to allow for additional paved impervious surface area and new grandstands) and change the process for approval of modifications to an existing interim use permit.

ANALYSIS

Proposed Ordinance 2025-0329 would modify provisions for the demonstration project and the IUP. Proposed code changes fall into two general categories: updating the range of specific uses encompassed by a racetrack facility, and streamlining some of the review processes for the demonstration project.

Demonstration Project Changes. The Proposed Ordinance would make the following substantive changes to the Demonstration Project:

- Modify the definition of Regional Motor Sports Facility to specify that "motor vehicle racing and driving" will include "two-stroke engine vehicles, four-stroke engine vehicles, and driving;" and to add accessory uses, including "recreational cycling and running events," and "uses related to projects of statewide significance" which reflect language adopted in 2020 in the P-suffix condition.
- Specifying the use of a "special project manager" which was used for the initial IUP and would be required for the demonstration project.
- Adding provisions that the development standards in the development agreement and operating agreement, including for noise, be no more restrictive than those allowed by the existing permits.
- Clarifying that if the lower part of the existing road course is not modified, then it will not be required to comply with current stormwater drainage requirements.
- Modifying provisions for critical area alterations, to: allow certain activities as allowed alterations, rather than through the critical area alteration exception process; to remove redundant language regarding mitigation of impacts; and to allow alterations for terracing for spectator seating, and to create or improve sight lines for the road course.

- Removing specifications on water quality measures, and rely on the King County Surface Water Design Manual requirements. Language on implementing a monitoring plan is maintained.
- Allowing for removal of materials by phase that is the minimum necessary to achieve final grade for that phase, and to allow crushing of materials on-site if the material is used on-site.
- Removing a pre-determined requirement to complete an Environmental Impact Statement for the development agreement, and require compliance with the standard threshold determination process under the State Environmental Policy Act (SEPA). Adding language that the SEPA review analyze cumulative and new impacts over what is allowed by the existing permits. Modifying timelines for development and public release of the development agreement and operating agreement depending on the type of SEPA review completed.
- Streamlining process language related to the hearing examiner and council review processes.
- Separating the development agreement, which will be in place for 10 years, from the operating agreement, which would be in place as long as the conditions are met by the applicant.
- Specifying allowances for modification of the development agreement and operating agreement.

IUP Changes. The Proposed Ordinance would make the following substantive changes to the IUP:

- Allowing modifications to the road course.
- Allowing uses under the definition of regional motor sports facility, including that nonracing driving schools may operate on Mondays and Tuesdays.
- Adding an allowance for the special project manager to be a county employee or a consultant, hired by the Department of Local Services, for the IUP.
- Adding language on continued operation of the uses and structures established under the IUP as nonconforming uses and in conformance with the P-suffix condition.

INVITED

- Leon Richardson, Director, Department of Local Services

ATTACHMENTS

1. Proposed Ordinance 2025-0329



Signature Report

Ordinance

Proposed No. 2026-0027.2

Sponsors Mosqueda

1 AN ORDINANCE limiting the use of King County-owned
 2 and controlled property; amending Ordinance 18665,
 3 Section 1, as amended, and K.C.C. 2.15.005 and Ordinance
 4 17706, Section 2, as amended, and K.C.C. 2.15.020 and
 5 adding a new section to K.C.C. chapter 2.15.

6 STATEMENT OF FACTS: The Preamble of the King County Charter
 7 states that its purpose is "to form a more just, equitable and orderly
 8 government for all, . . . enable effective public participation, preserve,
 9 protect and enhance a healthy rural and urban environment and economy,
 10 promote a superior quality of life and secure the benefits of home rule and
 11 self-government."

12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. Ordinance 18665, Section 1, as amended, and K.C.C. 2.15.005 are
 14 hereby amended to read as follows:

15 The definitions in this section apply throughout this chapter unless the context
 16 clearly requires otherwise.

17 A. "Administrative warrant" means a noncriminal immigration warrant of arrest,
 18 order to detain or release aliens, notice of custody determination, notice to appear,
 19 removal order, warrant of removal, or any other document, issued by ICE, CBP, USCIS,
 20 or any other federal agency that can form the basis for a person's arrest or detention for a

21 civil immigration enforcement purpose. ICE administrative warrant forms include the
22 U.S. DHS form I-200 (Rev. 09/16) "Warrant for Arrest of Alien" and Form I-205
23 "Warrant Of Removal/Deportation," as well as predecessor and successor versions.
24 "Administrative warrant" does not include any criminal warrants issued upon a judicial
25 determination of probable cause and in compliance with the Fourth Amendment to the
26 United States Constitution.

27 B. "Agency" means a King County department, agency, division, commission,
28 council, committee, board, other body, or person, established by authority of an
29 ordinance, executive order, or charter.

30 C. "Agent" means a person acting within the scope of employment by or acting
31 on behalf of an agency.

32 D. "CBP" means the United States Customs and Border Protection agency of the
33 United States Department of Homeland Security and shall include any successor federal
34 agency charged with border enforcement.

35 E. "Citizenship or immigration status" means a person's recorded citizenship or
36 immigration status, as such status is defined in the Immigration and Nationality Act, at
37 the time an agent or agency receives the information.

38 F. "Civil immigration enforcement operation" means an operation that has as one
39 of its objectives the identification or apprehension of a person or persons in order to
40 investigate them for a violation of the immigration laws and subject them to one or more
41 of the following:

- 42 1. Civil immigration detention;
- 43 2. Removal proceedings; and

44 3. Removal from the United States.

45 G. "Coerce" means to use express or implied threats towards a person or any
46 family member of a person that attempts to put the person in immediate fear of the
47 consequences in order to compel that person to act against the person's will.

48 H. "Commitment" means confinement in secure detention for a specified amount
49 of time following a determination of guilt. "Commitment" does not include pretrial
50 detention of any persons such as those who are unable to post bail.

51 I. "Contractor" means a regional coalition or authority, state or local government,
52 tribe, person, firm, corporation, or partnership providing health, housing, or human
53 services in accordance with a contract with King County and including any
54 subcontractor, employee, and agent thereof.

55 J. "County-owned and controlled property" means real property owned and
56 controlled by King County, including nonpublic areas of buildings or a county facility,
57 parking lots, garages, and vacant lots, not including the public right-of-way used for
58 pedestrian and vehicular traffic or the King County International Airport.

59 K. "Employee" means a person who is appointed as an employee by the
60 appointing authority of a county agency, office, department, council, board, commission
61 or other separate unit or division of county government, however designated, acting
62 within the scope of employment by or acting on behalf of the county. "County
63 employee" also includes a county elected official and a member of a county board,
64 commission, committee or other multimember body, but does not include an official or
65 employee of the county's judicial branch, though it does include an employee of the
66 department of judicial administration.

67 ~~((K-))~~ L. "ICE" means the United States Immigration and Customs Enforcement
68 agency including Enforcement and Removal Operations and Homeland Security
69 Investigations and shall include any successor federal agency charged with the
70 enforcement of immigration laws.

71 ~~((L-))~~ M. "Immigration detainer" means a request by ICE to a federal, state or
72 local law enforcement agency, such as the King County department of adult and juvenile
73 detention, to provide notice of release or maintain custody of a person based on an
74 alleged violation of a civil immigration law. "Immigration detainer" includes a detainer
75 issued under Sections 236 or 287 of the Immigration and Nationality Act or 287.7 or
76 236.1 of Title 8 of the Code of Federal Regulations. "Immigration detainer" includes a
77 detainer issued under DHS form I-274A entitled Immigration Detainer- Notice of Action,
78 as well as predecessor and successor versions.

79 ~~((M-))~~ N. "Interpretation" means the transfer of an oral communication from one
80 language to another.

81 ~~((N-))~~ O. "Limited-English-proficient" means a person who does not speak
82 English as the person's primary language, who has a limited ability to read, speak, write,
83 or understand English.

84 ~~((O-))~~ P. "Nonpublic" means any area of a county facility, including the secure
85 detention facilities of the department of adult and juvenile detention that is not generally
86 open and accessible to the general public, but instead requires special permission for
87 admittance by a county employee on an individual basis. "Nonpublic" also means any
88 area of a contractor's facility, used to provide services under the county contract, that is

89 not generally open and accessible to the general public, but instead requires the
90 contractor's permission for admittance to that area.

91 ~~((P-))~~ Q. "Operation base" means an area that is used to plan, coordinate, and
92 execute civil immigration enforcement activities.

93 R. "Personal information" means one or more of the following, when the
94 information is linked with or is reasonably linkable, including via analytic technology, to
95 the person's first name or first initial and last name:

- 96 1. Home address;
- 97 2. Work address;
- 98 3. Telephone number;
- 99 4. Electronic mail address;
- 100 5. Social media handle or other identifying social media information;
- 101 6. Any other means of contacting a person;
- 102 7. Social security number;
- 103 8. Driver's license number or Washington identification card number;
- 104 9. Bank account number or credit or debit card number;
- 105 10. Information or data collected through the use or operation of an automated
106 license plate recognition system;
- 107 11. User name that, in combination with a password or security question and
108 answer, would permit access to an online account; and
- 109 12. Date of birth.

110 ~~((Q-))~~ S. "Processing location" means an area that is used for activities such as
111 the identification, intake, or processing of documentation for people who have been

112 arrested, detained, or temporarily held in connection with civil immigration enforcement
113 operations.

114 T. "Public communication materials" means materials that are intended for broad
115 distribution to inform or educate people served by King County. For the purpose of
116 translation, "public communication materials" refers only to printed media such as
117 brochures, posters, booklets, pamphlets, billboards, and advertisements in printed
118 publications.

119 ~~((R.))~~ U. "Staging area" means an area that is used to assemble, mobilize, and
120 deploy vehicles, equipment, or materials, and related personnel, for the purpose of
121 carrying out civil immigration enforcement operations.

122 V. "Translation" means the transfer of a written communication from one
123 language to another while preserving the intent and essential meaning of the original text.

124 ~~((S.))~~ W. "USCIS" shall mean the United States Citizenship and Immigration
125 Services and any successor agency charged with overseeing United States immigration
126 laws.

127 ~~((F.))~~ X. "Verbal abuse" means the use of a remark which is overtly insulting,
128 mocking, or belittling directed at a person based upon the actual or perceived:

129 1. One or more of the protected classes as defined in K.C.C. chapter 3.12D or
130 English proficiency; or

131 2. Citizenship or immigration status of the person or the person's family
132 member.

133 ~~((U.))~~ Y. "Vital documents" are materials that provide essential information for
134 accessing basic county services and benefits and for which serious consequences would
135 result if the information were not provided.

136 SECTION 2. Ordinance 17706, Section 2, as amended, and K.C.C. 2.15.020 are
137 hereby amended to read as follows:

138 A. An agent of King County or county employee shall not expend any time,
139 moneys, real property assets, or other resources on facilitating the civil enforcement of
140 federal immigration law or participating in civil immigration enforcement operations,
141 except where state or federal law, regulation, or court order or rule shall so require.
142 However, a county agency, employee, or agent is not prohibited from sending to, or
143 receiving from, federal immigration authorities, the citizenship or immigration status of a
144 person. Also, nothing in this section prohibits any county agency from sending to,
145 receiving from, requesting from or exchanging with any federal, state, or local
146 government agency information regarding the immigration status of a person or from
147 maintaining such information.

148 B. King County and its agents and departments and county employees shall not:

149 1. Enter into any contract, agreement, or arrangement, whether written or oral,
150 that would grant federal civil immigration enforcement authority or powers to King
151 County or its agents or law enforcement officers, including but not limited to agreements
152 created under 8 U.S.C. Sec. 1357(g) or Intergovernmental Service Agreements;

153 2. Honor immigration detainer requests or administrative warrants issued by
154 ICE, CBP, USCIS, or any other federal agency, or hold any person upon the basis of an
155 ICE, CBP, USCIS, or any other federal agency detainer request or administrative warrant

156 unless such request or warrant is accompanied by a criminal warrant issued by a United
157 States District Court judge or magistrate. The sheriff's office or the department of adult
158 and juvenile detention personnel shall not carry out a civil arrest, detain a person after the
159 release date set by a court, or refuse to accept a bond based on an administrative warrant
160 separately or in combination with an ICE, CBP, USCIS, or any other federal agency
161 detainer request;

162 3. For purposes of execution of federal civil immigration enforcement, permit
163 ICE, CBP, USCIS, or any other federal agency officers, agents, or representatives access
164 to nonpublic areas of King County's facilities, property, equipment or nonpublic
165 databases, or nonpublic portions of otherwise public databases, or people in King
166 County's custody, absent a judicial criminal warrant specifying the information or
167 persons sought unless otherwise required by state or federal law. Any warrantless
168 attempts or requests for access to those facilities, property, equipment, or nonpublic
169 databases shall be immediately sent to the department or agency director or their designee
170 responsible for the operation of the facility, property, database, or equipment. Permission
171 to access any such a facility, property, equipment, or nonpublic database without a
172 judicial criminal warrant may only be provided with the express, written approval of the
173 appropriate person. Any detention facilities, including secure detention facilities, prisons,
174 and halfway houses, that King County contracts with or leases land to for the purposes of
175 criminal or civil detention must include the requirement in this subsection B.3. in any
176 contract with King County; ~~((and))~~

177 4. Authorize the use of any county-owned and controlled property for civil
178 immigration enforcement operations, including as a staging area, processing location, or

179 operation base, except where state or federal law, regulation, or court order or rule shall
180 so require as those actions do not comply with the King County Charter, the King County
181 Code, and policies; and

182 5. Provide personal information to federal immigration authorities for purpose
183 of civil immigration enforcement, except as required by state or federal law, about any
184 person, including place of birth or household members, the services received by the
185 person or the person's next court date or release date, absent a warrant signed by a judge
186 or a law requiring disclosure.

187 C.1. If permission to access a King County detention facility without a judicial
188 criminal warrant is granted to ICE, CBP, USCIS, or any other federal agency in
189 accordance with subsection B.3. of this section for the purpose of conducting an
190 interview that does not relate to civil immigration enforcement with a person who is in
191 the custody of the department of adult and juvenile detention, the department of adult and
192 juvenile detention shall provide the person with an oral explanation and a written consent
193 form that explains the purpose of the interview, that the interview is voluntary, and that
194 the person may decline to be interviewed or may choose to be interviewed only with the
195 person's attorney present. The form shall state explicitly that the person will not be
196 punished or suffer retaliation for declining to be interviewed. The form shall be available
197 in English, Spanish, and any other language identified by the county's language
198 assistance plan as established in K.C.C. 2.15.030.B. and explained orally to a person who
199 is unable to read the form. The requesting officials shall only be permitted to interview
200 persons who have consented in writing to be interviewed, absent a judicial criminal
201 warrant.

202 2. Upon receiving a civil or criminal immigration warrant, detainer, hold,
203 notification, or transfer request, the department of adult and juvenile detention personnel
204 shall provide a copy of the request to the person and inform the person whether the
205 department intends to comply with the request.

206 3. Consistent with Article 36 of the Vienna Convention on Consular Relations,
207 any person in custody or detention shall be informed through the person's attorney of the
208 right to communicate with the consular post of a country of which the person is a
209 national, if other than the United States, and informed that the person's consular officers
210 have the right to visit, converse, or correspond with the person, if the person wishes the
211 communication. If a person chooses to disclose that the person is a foreign national and
212 requests consular notification, the custodian shall contact the appropriate consulate. The
213 informed consent requirements of the Vienna Convention on Consular Relations shall
214 apply to all such inquiries. The same requirements shall apply to inquiries into
215 nationality status for the purpose of complying with mandatory consular notification
216 under any bilateral consular convention. In all cases, identification as a foreign national
217 shall be voluntary and based on informed consent by the person.

218 4. King County shall consider all records relating to ICE, CBP, USCIS, or any
219 other federal agency access to facilities and information, including all communications
220 with ICE, CBP, USCIS, or any other federal agency to be public records for purposes of
221 chapter 42.56 RCW, the state Public Records Act, and King County shall handle all such
222 requests in accordance with the usual procedures for receipt of public records requests.

223 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.15 a
224 new section to read as follows:

225 A.1. The executive shall design clear signage or templates for agencies to
226 produce and post on their applicable county properties stating: "This property is owned
227 and controlled by King County. It shall not be used for civil immigration enforcement
228 operations, including as a staging area, processing location, or operations base."

229 2. The executive shall work with county agencies to classify property that is
230 both county-owned and county-controlled that could be used as a staging area, processing
231 location, or operations base, for civil enforcement operations. The executive shall confer
232 with agencies regarding properties at high risk of improper enforcement uses and develop
233 strategies to increase security measures for such properties.

234 3. County agencies shall ensure that, wherever appropriate and as resources
235 allow, physical barriers such as locked gates are used to limit access to county-owned and
236 county-controlled properties.

237 B. Within thirty days of the date of enactment of this ordinance, county
238 departments and agencies shall develop the procedures necessary to implement this
239 ordinance. The implementing procedures shall provide that any county employee who
240 becomes aware of the attempted or actual use of a county-owned and county-controlled
241 property as a staging area, processing location, or operations base for the purpose of civil
242 immigration enforcement operations shall immediately report the attempted or actual use
243 to the department or agency director or their designee responsible for the operation of the
244 property who shall report it to the executive. The executive shall electronically transmit a
245 report bi-annually to the clerk of the council, who shall retain a copy, and provide a copy
246 to all councilmembers and the council's chief of staff.

247 C.1. The executive shall design a signage template that private property owners
248 and leaseholders, including but not limited to businesses, nonprofit organizations, and
249 faith institutions, can use, if they choose that clearly states: "This property is a Stand
250 Together King County partner. No agent of the federal government, including
251 Immigration and Customs Enforcement (ICE), may enter these premises for purposes of
252 civil immigration enforcement, absent a valid judicial warrant or court order. This
253 property may not be used for civil immigration enforcement operations, including as a
254 staging area, processing location, or operations base."

255 2. Property owners and leaseholders that use the signage do so at their own
256 discretion and assume any legal risk associated with its usage. The executive will also
257 make available to the public "know your rights" materials regarding entry by federal
258 immigration enforcement officials.

259 D. This section does not apply to property that is subject to an existing lease or
260 concession agreement to which the county is a party. This section is not intended to, and
261 shall not be interpreted to, interfere with any such lease or agreement.

262 E. Nothing in this section shall be construed as restricting or interfering with the
263 execution of lawful judicial warrants, court orders, or the enforcement of criminal law,
264 nor as limiting the rights of any person or entity under state or federal law. This section
265 does not prohibit the lawful use of county-owned and controlled property for purposes
266 other than a staging area, processing location, or operations base for civil law
267 enforcement, nor does it restrict any person or entity from carrying out functions
268 unrelated to those purposes on such property.

269 **SECTION 4. Severability.** If any provision of this ordinance or its application to
270 any person or circumstance is held invalid, the remainder of the ordinance or the
271 application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Girmay Zahilay, County Executive

Attachments: None



King County

**Metropolitan King County Council
Law and Justice Committee**

REVISED STAFF REPORT

Agenda Item:	5	Name:	Gene Paul
Proposed No.:	2026-0027	Date:	March 4, 2026

COMMITTEE ACTION

Proposed Substitute Ordinance 2026-0027.2, which would limit the use of county-owned and controlled property as a staging area, processing location, or operations base, for civil immigration enforcement operations, passed out of committee on March 4, 2026, with a “Do Pass” recommendation. The Proposed Ordinance was amended in committee with Striking Amendment 1 to make the following changes:

- *Add a statement of fact with language from the Preamble to the King County Charter;*
- *Update the definition of "county-owned and controlled property" to specify the term does not include the public right-of-way used for pedestrian and vehicular traffic or the King County International Airport;*
- *Update the definition of "processing location" to clarify that it means an area that is used for activities such as the identification, intake, or processing of documentation for people who have been arrested, detained, or temporarily held in connection with civil immigration enforcement operations;*
- *Update K.C.C. 2.15.020.A. to include "real property" in the list of resources that an agent of King County or County employee shall not use to facilitate or participate in civil immigration enforcement operations, except as required by state or federal law or court order;*
- *Add a new subsection to K.C.C. 2.15.020.B. that states that County agents, departments, and employees shall not authorize the use of any county-owned and controlled property for civil immigration enforcement operations, including as a staging area, processing location, or operation base, except where state or federal law, regulation, or court order or rule shall so require;*
- *Remove the language that previously specified that county-owned and controlled property shall not be commandeered by federal authorities for use as staging area, processing location, or operation for civil immigration enforcement; and*
- *Make technical edits to renumber subsections where necessary.*

SUBJECT

Proposed Ordinance 2026-0027 would limit the use of county-owned and controlled property as a staging area, processing location, or operations base, for civil immigration enforcement operations.

SUMMARY

Proposed Ordinance 2026-0027 would codify the limitations from County Executive Order ACO-8-32-EO and restrict the use of county-owned and controlled property as a staging area, processing location, or operations base, for civil immigration enforcement operations. It would also require the Executive to develop signage templates; take steps to identify and physically secure county-owned and controlled property that could be used as a staging area, processing location or operations base; and develop reporting procedures for implementation.

BACKGROUND

King County Code Chapter 2.15. In 2009, the Council adopted an ordinance, codified as King County Code (K.C.C.) Chapter 2.15, relating to the ascertainment of a person's citizenship or immigration status.¹ Over the years, the Council has adopted several ordinances to amend and expand K.C.C. Chapter 2.15 with the most recent changes occurring in 2025 and the most comprehensive set of changes occurring in 2018.² The ordinances have noted that the enforcement of civil immigration laws are a federal responsibility, that King County is dedicated to providing all of its residents fair and equal access to services, opportunities, and protection, and that the chapter is meant to help:

- Foster trust and cooperation between law enforcement officials and immigrant communities to heighten crime prevention and public safety;
- Promote the public health of county residents; and
- Ensure all county residents have access to necessary services and benefits essential for upholding the county's commitment to fair and equal access for all residents.³

There are currently eight sections within the chapter:

1. K.C.C. 2.15.005 is a definitions section, defining words or phrases including those specifically related to federal civil immigration enforcement such as “administrative warrant” and “civil immigration enforcement operation”.
2. K.C.C. 2.15.010 prohibits conditioning the provision of county services on the citizenship or immigration status of any person (except where otherwise required by law). Relatedly, this section limits what information the county may request or

¹ Ordinance 16692

² In 2018, Ordinance 18665 clarified, reordered, and expanded K.C.C. Chapter 2.15. Other ordinances amending this chapter include Ordinances 17706, 17886, 18635, 19026, 19541, 19772, 19977, and 19892.

³ Findings Section for Ordinance 16692, Statement of Facts for Ordinances 17706 and 17886, and Preamble for Ordinance 18665.

collect regarding citizenship, immigration status, or national origin⁴; requires county employees to accept certain types of identification⁵; and prohibits employees from coercing responses, verbally abusing persons, or threatening to take immigration-related action against a person or their family members, including reporting them to U.S. Immigration and Customs Enforcement (ICE).

3. K.C.C. 2.15.015 prohibits the Sheriff's Office from doing certain things such as requesting specific documents related to a person's civil immigration status for the sole purpose of determining whether the person has violated federal civil immigration laws (these include but are not limited to passports, alien registration cards, or work permits) or using stops for minor offenses or requests for voluntary information as a pretext for discovering a person's immigration status.
4. K.C.C. 2.15.020 prohibits county employees from expending any time, moneys, or other resources on facilitating the civil enforcement of federal immigration law or participating in civil immigration enforcement operations, except where state or federal law, regulation, or court order requires it.
5. K.C.C. 2.15.030 requires King County and all its contractors to provide free interpretation and translation services to limited-English proficient (LEP) persons. It also requires county agencies to develop language assistance plans.
6. K.C.C. 2.15.050 extends some of the county's existing restrictions on facilitating or participating in civil immigration enforcement (K.C.C. 2.15.020) to certain contractors of King County.
7. K.C.C. 2.15.100 states that a person who has been injured or otherwise sustained damages as a result of a violation of this chapter may file a complaint with the Office of Equity and Racial and Social Justice.
8. K.C.C. 2.15.110 acknowledges the county's intent to fully comply with federal law. Federal law – specifically, 8 U.S.C. § 1373 – limits the ability of state and local governments to ban the sharing of certain types of information with federal immigration authorities. Per this section of the County Code: *"...nothing in this chapter prohibits any county agency, agent or employee from sending to, or receiving from, federal immigration authorities, the citizenship or immigration status of a person. Also, nothing in this chapter prohibits any county agency from sending to, receiving from, requesting from or exchanging with any federal, state*

⁴ K.C.C. 2.15.010.G. prohibits county agencies from obtaining, maintaining, or sharing information about a person's protected class (as defined in K.C.C. 3.12D), language proficiency, housing status, financial status, status as a victim of domestic violence, criminal history, release date from incarceration or confinement in a secure detention or other custody with the following exceptions: where necessary to provide county services, for performance measurement purposes to ensure services are being provided in an equitable and nondiscriminatory manner, or where otherwise required by state or federal law or regulation or directive or court order.

⁵ County agencies must accept state-issued documents marked as not valid for federal purposes or photo identity documents issued by the person's nation of origin (such as a driver's license, passport, or other consul-issued document). This subsection does not apply to documentation required to complete a federal I-9 employment eligibility verification form.

or local government agency information regarding the immigration status of a person or from maintaining such information."

Keep Washington Working Act. In 2019, the Washington State Legislature passed the Keep Washington Working Act (KWWA).⁶ The legislation included provisions similar to what is in K.C.C. Chapter 2.15. For example, it requires state employees to serve all Washington residents without regard to citizenship or immigration status, directs state agencies to limit the information they collect to what is minimally necessary, and prohibits state and local law enforcement agencies from providing nonpublic personal information about an individual to federal immigration authorities in noncriminal matters unless required by law.

Additionally, the legislation directed the Office of the Attorney General (AGO) to develop model policies, which it did in 2020. As required by the KWWA, the AGO published model policies for "limiting immigration enforcement to the fullest extent possible consistent with federal and state law at public schools, health facilities operated by the state or a political subdivision of the state, courthouses, and shelters, to ensure they remain safe and accessible to all Washington residents, regardless of immigration or citizenship status." The KWWA encourages "all other organizations and entities that provide services related to physical or mental health and wellness, education, or access to justice" to adopt the model policy.

The model policies can be found on the AGO's website and, according to the website, are still applicable as of March 18, 2025.⁷ The website notes that, while the federal processes or policies referenced in the AGO's 2020 guidance may have changed, the law still protects against local and state agencies from being compelled to engage in federal immigration enforcement.

County Executive Order. On February 12, 2026, Executive Zahilay signed Executive Order ACO-8-32-EO, or "the Executive Order," establishing key protections for immigrants and refugees in the county, including directives for departments and limitations on civil immigration enforcement in county-owned and county-controlled buildings.⁸ The Executive Order contained seven substantive sections:

1. Section 1. Established a Welcoming County Subcabinet to develop policy, budget, and administrative action proposals that support and protect residents impacted by civil immigration enforcement. The subcabinet, composed of representatives from at least 13 county departments, was also tasked to work with the Council on exploring "an ordinance to create a moratorium on development of new detention facilities in unincorporated King County and establish additional limitations on county-owned and controlled properties."⁹

⁶ E2SB 5497; Section 10, Chapter 440, Laws of Washington 2019. [[LINK](#)]

⁷ Washington State Attorney General's Office website [[LINK](#)]; last accessed February 24, 2026].

⁸ Document Code No.: ACO-8-32-EO [[LINK](#)]

⁹ ACO-8-32-EO, Section 1. [[LINK](#)]

2. Section 2. Allocated \$2 million to meet the emerging needs, such as rental assistance, legal aid support, or food assistance for immigrant, refugee, and asylee communities in the county.
3. Section 3. Directed the Sheriff's Office to develop guidance by March 16, 2026, about the planned response to potential unlawful action by federal law enforcement officers. This could include clear protocols for verifying law enforcement personnel who are not displaying credentials, creating documentation including body camera recordings, and how to respond to conflicts involving residents and federal law enforcement. The order also directed KCSO to produce publicly available materials about the roles and responsibilities of the Sheriff's Office and how to differentiate deputies from federal officers.
4. Section 4. Directed all departments to review policies and procedures to ensure adherence to the KWWA, the Courts Open to All Act,¹⁰ and K.C.C. 2.15. Also directed departments to support community education and "Know Your Rights" initiatives.
5. Section 5. Affirmed Executive Order PFC-7-1-1-EO and transparency at King County International Airport. The order further directed KCIA to upgrade and install additional cameras to provide greater transparency and submit a plan within 30 days to provide an improved observation space that would be available at all times during airport operations.
6. Section 6. Directed Executive departments to implement the following restriction on county-owned and county-controlled properties:
 - a. No civil immigration enforcement activities in the non-public areas of county-owned and controlled buildings or on other fixed-properties unless required by federal law. This restriction only applies to parking lots, vacant lots, buildings, and garages. These areas shall not be used for staging areas, processing locations, or operations bases for immigration enforcement activities.¹¹ This restriction specifically does not apply to public right-of-way used for pedestrian and vehicular traffic or the King County International Airport.

Section 6 also directed the Welcoming County Subcabinet to determine within 60 days if there are other county-owned and controlled properties where limitations on civil immigration enforcement would also be feasible.

¹⁰ The "Courts Open to All Act," found in RCW 2.28.300-2.28.340 generally prohibits warrantless civil immigration arrests inside or near courthouses. It also prohibits court staff and prosecutors from collecting immigration information and sharing immigration information to federal immigration officials except where required by state or federal law. [\[LINK\]](#)

¹¹ The Executive Order states "For purposes of this policy, "staging area" means an area that is used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out civil immigration enforcement operations. ACO-8-32-EO, Section 6. [\[LINK\]](#)

7. Section 7. Expressed that the Executive will work with the state's federal Congressional delegation "to advocate for no additional funding for ICE until they change their current dangerous and potentially illegal policies and procedures."¹²

The Executive Order was similar to executive actions taken both locally by City of Seattle's Mayor Katie Wilson, as well as in cities across the nation like Minneapolis, Chicago, and Oakland.¹³ There have also been similar legislative actions taken by city and county legislative bodies such as the Santa Clara County (California) Board of Supervisors and the City of San Jose (California) City Council.¹⁴

ANALYSIS

Proposed Ordinance 2026-0027 would limit the use of county-owned and controlled property as a staging area, processing location, or operations base, for civil immigration enforcement operations. To do this, the proposed ordinance would add to the definitions section of K.C.C. Chapter 2.15 along with a new section to the chapter outlining the limitations and steps for implementation.

New Definitions. Section 1 of the proposed ordinance would add the following definitions to K.C.C. 2.15.005:

- "County-owned and controlled property" includes:
 1. Nonpublic areas of buildings;
 2. Parking lots;
 3. Garages; and
 4. Vacant lots.
- "Operation base" means an area that is used to plan, coordinate, and execute civil immigration enforcement activities.
- "Processing location" means an area that is used for activities such as the identification, intake, processing of documentation, detention, arrest, or temporary holding of individuals in connection with civil immigration enforcement operations.
- "Staging area" means an area that is used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out civil immigration enforcement operations.

Limitation on county-owned and controlled property. Section 2 of the proposed ordinance would add a new section to K.C.C. Chapter 2.15. The new section would:

¹² ACO-8-32-EO, Section 7. [\[LINK\]](#)

¹³ Seattle Executive Order 2026-03 [\[LINK\]](#), Minneapolis Executive Order 2025-02 [\[LINK\]](#), Chicago Executive Order 2025-8 [\[LINK\]](#), and Oakland Executive Order [\[LINK\]](#)

¹⁴ The Santa Clara Board of Supervisors directed the county administration on October 21, 2025, to report to the Board with a draft ordinance that restricts the use of county-owned and county-controlled properties for immigration enforcement. [\[LINK\]](#) The San Jose City Council adopted a resolution on January 13, 2026, prohibiting the use of city parking lots, vacant lots, and garages for immigration enforcement staging areas, processing locations, or operation bases. [\[LINK\]](#)

- Establish that except where state or federal law require, property that is both county-owned and controlled shall not be commandeered by federal authorities for use as a staging area, processing area, or operations base for civil immigration enforcement.
- Require the Executive to design signage templates for county agencies to use stating the limitation from the above bullet.
- Require the Executive to work with county agencies to classify property that could be used as a staging area, processing location, or operations base for civil immigration enforcement and also develop strategies to increase security for use properties
- Require county agencies to use physical barriers, where appropriate and resources allow, to limit access to county-owned and controlled properties.
- Require implementation procedures within 30 days of enactment. Those procedures would provide that any county employee who becomes aware of use of county property as a staging area, processing location, or operations base shall immediately report that to the department director and that director shall report it to the Executive. The Executive shall also provide a report bi-annually to the Council of these uses of county property.
- Require the Executive to design a signage template for private property owners to use, if they choose, that states "This property is a Stand Together King County partner. No agent of the federal government, including Immigration and Customs Enforcement (ICE), may enter these premises for purposes of civil immigration enforcement, absent a valid judicial warrant or court order. This property may not be used for civil immigration enforcement operations, including as a staging area, processing location, or operations base." The ordinance further provides that the Executive will make available "know your rights" materials regarding entry of federal immigration officials but that property owners would use signage at their own risk.
- Clarify that the section does not apply to property that is subject to an existing lease.
- Clarify that nothing in the section would restrict or interfere with execution of lawful judicial warrants, court orders, or the enforcement of criminal law.

Comparison to the Executive Order. The proposed ordinance would codify the limitation on county-owned and controlled property found in Section 6 of the Executive Order. In terms of differences, the proposed ordinance would provide definitions for both processing location and operations base, which are not contained in the Executive Order. The Executive Order does clearly state that the limitation "only applies to County-owned and County-controlled parking lots, vacant lots, buildings, and garages" and specifically excludes public right of way and the Airport. The proposed ordinance lists what county-owned and controlled includes but does not specifically exclude the public right of way or the Airport. Finally, the proposed ordinance requires implementation procedures within 30 days while the Executive Order provides 60 days for the Welcoming County Subcabinet to determine if there are additional properties where limitations on immigration enforcement would be feasible.

Legal. Legal Counsel has reviewed the proposed ordinance and will be available for an executive session, if requested.



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2026-0019.1

Sponsors Dembowski

1 A MOTION confirming the executive's appointment of
2 Trip Switzer, who resides in council district one, to the
3 King County Airport Roundtable, as an at-large
4 representative.

5 BE IT MOVED by the Council of King County:

6 The county executive's appointment of Trip Switzer, who resides in council
7 district one, to the King County Airport Roundtable, as an at-large representative, for the

Motion

8 remainder of a three-year term to expire on August 31, 2028, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: None



Signature Report

Motion

Proposed No. 2026-0021.2

Sponsors von Reichbauer

1 A MOTION related to the rules of procedure and mediation
2 of the King County hearing examiner; and rescinding
3 Motion 14876 and Motion 14876, Attachment A.

4 WHEREAS, the adopted rules of procedure and mediation under which the
5 hearing examiner currently conducts hearings were first adopted by Motion 14876 in
6 2017 and have not been updated to reflect procedural changes made by subsequent
7 ordinances, and

8 WHEREAS, all proceedings are now conducted remotely and all filings are now
9 made electronically, and

10 WHEREAS, to better align the rules with existing practices and King County
11 code provisions, as well as to increase the public's understanding of the hearing examiner
12 process, the hearing examiner proposes to the council new rules for conducting the
13 hearing examiner process that will replace the current rules, and

14 WHEREAS, the hearing examiner has complied with the notice requirements in
15 K.C.C. 20.22.330 and the comment period has passed, and

16 WHEREAS, under K.C.C. 20.22.330, the King County council must approve any
17 rule or amendment by motion;

18 NOW, THEREFORE, BE IT MOVED by the Council of King County:

19 A. The Rules of Procedure and Mediation, Hearing Examiner's Office,
20 Attachment A to this motion, are hereby adopted.

- 21 B. The following are hereby rescinded:
- 22 1. Motion 14876; and
- 23 2. Attachment A to Motion 14876.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: A. Rules of Procedure and Mediation, Hearing Examiner's Office, Updated March 10, 2026



King County

Rules of Procedure and Mediation

Updated March 10, 2026

Hearing Examiner's Office

(206) 477-0860

hearingexaminer@kingcounty.gov

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I. INTRODUCTION

A. Purpose

The examiner acts on behalf of the Council in considering and applying adopted county policies and regulations. The examiner separates regulatory controls from legislative planning, protects and promotes the community's public and private interests, and expands the principles of fairness, due process, openness, and equity in public hearings. These Rules further those purposes by reducing delays through active case management and efficient use of hearing time, minimizing costs to hearing participants, and facilitating adherence to codified time limits. These Rules replace the Rules of Procedure and Mediation (effective June 7, 2017).

B. Interpretation

These Rules are applied to accomplish the above-stated purposes. Their jurisdictional framework derives principally from KCC chapter 20.22. They are interpreted consistently with relevant KCC provisions. Examiners may be guided by provisions and interpretations of the Washington Administrative Procedure Act (chapter 34.05 RCW), the Rules of Civil Procedure, and the Rules of Evidence. If two Rules appear to conflict, or when the need for interpretation arises, the more specific statement governs, and headings may be considered in determining a Rule's applicability.

C. Special Exceptions

These Rules are designed to address most normal circumstances. An examiner may exercise reasonable flexibility and discretion when applying these Rules to unusual circumstances.

II. DEFINITIONS

A. "Agency" means the executive branch, including departments, divisions, sections, and offices, the assessor, the King County board of health, and any board, commission, or other body subject to examiner determinations.

B. "Burden of proof" means a party has the responsibility to persuade the examiner of a certain fact or issue.

C. "Council" means the metropolitan King County council.

D. "Decision" means a ruling by an examiner that is the county's final administrative action.

E. "Determination" means a decision or recommendation by an examiner.

F. "Examiner" means the hearing examiner, a deputy examiner, or an examiner pro tempore.

G. "Ex parte communication" means a direct or indirect communication between a proponent, opponent, party (or their designee) and the examiner, made outside a hearing or a scheduled conference or outside the presence of all other parties, and regarding the merits of a matter pending before the examiner. See [XVI.B.](#)

H. "Filing" means submitting documents to the examiner by physical delivery, including first class, registered, or certified mail, hand-delivery, or courier, or electronically as allowed by the rules for conducting the examiner process adopted under K.C.C. 20.22.330.

I. "Interested Person" means a person who is not a party but:

1. has requested in writing, including by email, from the agency or examiner, notice of a proceeding or determination;
2. has submitted comments as referred to in K.C.C. 20.20.090.C.4. or the rules for conducting the examiner process adopted under K.C.C. 20.22.330; or
3. has participated in a hearing by providing evidence, comment, or argument, except as provided in the definition of “party”.

The term does not include a person whose only communication is a signature on a petition or on a mechanically or electronically reproduced form, or who has made a standing request for notices or documents encompassing a case type or geographic area.

- J. “Intervenor” means a person who has been granted party status in a proceeding by specific examiner order. See [X.B.](#)
- K. “KCC” refers to the King County Code.
- L. “Motion” means a request—presented either orally during a proceeding or in writing—that an examiner take some action.
- M. “Named Party” is a party listed within the heading of an examiner-issued document.
- N. “Party” means the applicant, proponent, petitioner, or appellant; the owner or owners of property subject to a hearing; the responsible agency; another agency with jurisdiction or review authority over a proposal or proceeding notifying the examiner in writing of its request to be a party; the entity issuing a ruling that is appealed to the examiner; a person participating substantively in the hearing, by providing comment, evidence, or argument, is considered a party only for purposes of a motion for reconsideration to an examiner determination or appeal of the examiner recommendation; or another person to whom the examiner grants party status.
- O. “Person” includes individuals, corporations, partnerships, other formal associations, and governmental agencies.
- P. “Recommendation” means a ruling by an examiner that goes to the council for final action.
- Q. “Responsible Agency” means the agency that has the primary responsibility for coordinating the review of an application or appeal, that issued the decision or recommendation or took the action that is the subject of the examiner proceeding, or that prepares the report required by KCC 20.22.130.
- R. “Rules” means these Rules of Procedure and Mediation, unless the context clearly indicates otherwise.
- S. “Serve” or “Service” means submitting documents to other named parties. See [IV.E.](#)
- T. “Transmit” refers to documents the examiner sends to all parties and interested persons.

III. JURISDICTION AND INITIATION OF PROCEEDINGS

A. Jurisdiction

1. Dependent upon Specific Delegation

The examiner’s jurisdiction is limited to matters specifically identified in the KCC, assigned to the examiner by County ordinance or Council motion, or where the

examiner has implied authority to act and doing so is necessary to carry out a delegated authority. Equitable or constitutional defenses are generally beyond the examiner's jurisdiction to decide, and claims challenging the constitutionality of County regulations are always beyond the examiner's jurisdiction to decide. Such items may be raised to exhaust administrative remedies, and the examiner may allow the parties to make a record to facilitate judicial review.

2. When Jurisdictional Issues can be Raised

At any time the examiner may consider the office's jurisdiction to hear a matter. A party or interested person raises jurisdictional issues promptly upon becoming aware of facts giving rise to the issue.

B. Commencing Proceedings

1. Examiner proceedings begin, in accordance with the applicable KCC, by:

- a. For applications or other matters where an agency issues a recommendation and an examiner holds a public hearing and issues a determination, the responsible agency following [III.C.1. & .2.](#);
- b. Submitting an appeal to the responsible agency; the agency then files with the examiner the information described in [III.C.1. & .3.](#);
- c. Only if a KCC section mandates submitting an appeal directly to the examiner, filing an appeal with the examiner;
- d. The Council enacting an ordinance or adopting a motion that refers a specific matter to the examiner; or
- e. The King County Executive finalizing an interlocal agreement that calls for the examiner to act.

2. The examiner will not schedule or consolidate hearings, adjudicate motions or requests, provide advisory opinions, or take other action before a matter is appropriately commenced.

C. Information Responsible Agency Provides to Initiate Review

1. For each new case, the responsible agency sends the examiner:

- a. A list containing names and contact information for the agency representative, the applicant (and any representative), appellant (and any representative), interested persons, and possible witnesses.
- b. Information on whether an interpreter is needed, and if so in what language(s).
- c. Whether a pre-hearing conference is desired.
- d. The number of hours likely required to conduct the hearing.
- e. Any threshold motions, such as a motion to dismiss an appeal as untimely.

2. For applications and other matters heard pursuant to KCC 20.22.060, the responsible agency adds a description of the proposal, a property description (if applicable), the expected number of hearing attendees, and a desired range of hearing dates.

3. For appeals and other matters heard pursuant to KCC 20.22.040, the responsible agency adds the decision being appealed and the appeal, and sends that to the examiner within seventeen (17) days of the agency receiving the appeal.
 4. The examiner may request additional information or materials.
- D. Scheduling and Notice of Hearings and Pre-Hearing Conferences
1. Scheduling

The examiner schedules hearings in consultation with the responsible agency. Unless a pre-hearing conference is scheduled, or all parties agree to a later date, the examiner typically schedules *application* hearings so the examiner can complete the hearing and issue a determination within ninety (90) days of receiving the Council's referral or receiving the agency's materials as described in [III.C.](#), and typically schedules *appeal* hearings for within forty-five (45) days of receiving the agency's materials as described in [III.C.](#) materials.
 2. Notice of Pre-hearing Conferences
 - a. If the examiner decides to conduct a pre-hearing conference, at least seven (7) days before the conference the examiner transmits notice to all parties and interested persons.
 - b. If a hearing has already been set when the examiner decides to conduct a pre-hearing conference a pending hearing date may be converted to a pre-hearing conference upon notice to all parties and interested persons.
 3. Notice of Hearings
 - a. For applications and other matters heard pursuant to KCC 20.22.060, the responsible agency prepares a proposed ordinance (title only) to transmit to the Clerk of the Council. Once the examiner sets a hearing date, the agency and applicant provide any publication, notice by mail, and property posting required by the KCC and agency rules.
 - b. For all scheduled hearings, at least fourteen (14) days before the hearing the examiner transmits notice to all parties and interested persons. The examiner's notice advises the parties of the opportunity to request a conference.

IV. FILING REQUIREMENTS

A. General Filing

In this section IV., subsections B., C., and D. outline specific rules related to appeals. Subsection E. covers both appeals and applications.

B. Appeal: Procedure

1. The appeal, together with any fees required by KCC 4A.780.010, is submitted in accordance with applicable provisions of the KCC or other governing statutes, ordinances, or regulations.
2. Unless the KCC expressly indicates something to the contrary, the appeal is submitted directly to the agency that took the action or made the decision being appealed.

3. KCC 20.22.070 and .080 set general requirements for appealing an agency decision, but neither those sections nor these Rules dictate how agencies issue appealable decisions or accept appeals. An agency decision appealable to the examiner should provide a would-be appellant with information on when and how to appeal, including how to pay an appeal fee (if applicable), the actual appeal deadline (i.e., “by January 10, 20xx”), where to send the appeal (including an email option), and a copy of these Rules and the relevant examiner’s guide. If that information is unclear, a would-be appellant should contact the agency or the examiner well before the deadline to ensure that any appeal is timely and properly submitted.
4. Timely submittal of the appeal and appeal fee (if a fee is required under KCC 4A.780.010) are jurisdictional requirements. The examiner cannot consider appeals that do not meet these requirements.
5. No specific *form* of the appeal (i.e., email, letter, pleading, pre-printed form) is required, unless the KCC expressly requires it; the *content* of the appeal is detailed in [IV.C.](#)

C. Appeal: Content

The following are default requirements for appeals governed by KCC 20.22.080; for other types of appeals, such as those listed in KCC 20.22.070, consult the pertinent code as referenced in KCC 20.22.070.

1. Include a copy of the decision you are appealing, or clearly identify that decision, including the agency making the decision and the decision’s date;
2. Provide your name, mailing and email addresses, and telephone number; it is your responsibility to update the examiner if your contact information later changes;
3. If you have an attorney or other representative, provide the representative’s name, mailing and email addresses, and telephone number, and have them file a notice of appearance with the examiner;
4. If two or more persons join in a single appeal, name one person as the representative;
5. Identify your legal interest in the decision (such as owning the property or animal in dispute, a neighbor impacted by the agency decision, etc.);
6. Identify the errors you see in the decision;
7. State the specific reasons why you think the decision should be reversed or modified;
8. State the harm you have suffered or anticipate suffering because of the decision; if a group or organization, state the harm to one or more members; and
9. Identify the relief you want the examiner to grant.

D. Amending Appeals

1. Unless the examiner authorizes an appeal amendment, matters or issues raised in the appeal define and limit the issues the examiner considers.

2. If, at least seventy-two (72) hours before the appeal deadline, an appellant requested from the County relevant information and has not timely received such, the appellant may include with the appeal a notice that such appeal is incomplete, the matters subject to the outstanding information request, the date of the request, the County employee to whom the request was directed, and the nature and relevance of the information solicited. Under such circumstances, the examiner authorizes an appeal amendment, consistent with the deadlines for timely appeal processing.
3. Beyond subsection [IV.D.2.](#), there is no right to amend an appeal after the appeal deadline, but the examiner has discretion to allow such. Where a pre-hearing conference is scheduled, any motion to amend should be offered by no later than the conference. Where a hearing is scheduled without a conference, a motion to amend is filed by any deadline the hearing notice sets.

E. Filing and Service

1. Overview

- a. The following default rules apply after the agency submits an application or appeal to the examiner (as described in [III.C.](#)).
- b. Unless the examiner sets alternative requirements for a particular case, all documents are emailed to the examiner and to the other named parties. Limited, technical assistance is available by emailing hearingexaminer@kingcounty.gov or by calling (206) 477-0860 well in advance of a filing deadline.
- c. In certain circumstances, the examiner may accept documents by mail. It is the person’s responsibility to call or email well in advance of a filing deadline to notify the examiner and request a special accommodation.
- d. Information provided orally or by voice mail or a similar medium does not constitute filing or service, nor does it preserve any rights. A document is deemed filed only upon actual receipt. When delivery occurs after 4:00 p.m. or on a weekend or holiday, the document is deemed received on the next business day.

2. Filing and Serving Documents

- a. Responsibility: It is the sender’s responsibility to confirm the examiner’s receipt and that the examiner can read, view, and/or listen to a filing, or else the submission may be excluded from the record. Requesting a confirmation receipt email is recommended.
- b. Format: Email attachments should be in the following readable formats:

<i>File type</i>	<i>Format</i>
Documents	.pdf, .docx (preferred); .jpeg, and .xlsx (acceptable)
Audio	.mp3
Video	.mp4

- c. Naming: Emails and any attachments reference the case number, party name, and document title, and should clearly reflect the intended order (like exhibit A1, A2, etc.).
- d. Multiple Emails Discouraged: Size permitting, a submission (such as a motion and its supporting evidence, including any images) should be organized as a single email.
- e. Size: Emails are generally limited to ten (10) megabytes (MB) per email. Participants may break electronic documents into smaller pieces and send multiple emails to meet the MB limit. A shareable link containing the documents is acceptable, if the link is easily opened and can be downloaded by the deadline. Emails larger than ten (10) MB will likely bounce back and will not be considered filed.
- f. Signatures: Digital signatures are not required, but emails should reference the sender's name, address, and phone number.
- g. Copy Other Parties: Except for emails related to clarifying simple procedural matters (and not to the merits of a dispute), senders copy the other named parties on emails to the examiner.

V. MEDIATION

A. Introduction

Mediation is a voluntary and confidential dispute settlement process in which a trained, neutral individual called a mediator helps people work together to resolve disagreements and find mutually acceptable solutions. Mediation can save time and money, protect participants' privacy, allow participants to retain control over the process and outcome, allow consideration of options beyond those an examiner would have authority to address, and generally create more satisfactory results than what an examiner might otherwise impose. The examiner encourages using mediation to reach voluntary and mutually acceptable resolutions.

B. Initiation

1. Mediation may be requested at any time by any party or interested person, or it may be suggested by the examiner or Council.
2. Mediation does not automatically stay examiner timelines. If all parties agree to mediate and to extend the deadlines, the examiner continues the proceedings. In the absence of uniform agreement, the examiner may stay the case or extend deadlines where the examiner details why good cause supports such action.

C. Process

1. The examiner may provide information on mediation resources, including *pro bono* or low-cost mediation services, but the examiner does not warrant or represent the fitness or suitability of any such resource.
2. Mediators are generally responsible for the mediation process and conduct, such as: communicating with mediation participants; determining whether parties or interested persons other than those who had previously requested or agreed to pursue mediation should participate; and the terms, sequence, timing, cost, cost

share, and other components of the mediation. Absent an explicit agreement to the contrary, mediations are conducted pursuant to the Uniform Mediation Act, chapter 7.07 RCW.

D. Conclusion

1. When the mediator determines the mediation process is complete, the mediator (consistent with RCW 7.07.060) reports to the examiner, attaching any signed agreement(s).
2. If no agreement was reached, the examiner process proceeds as if no mediation had occurred.
3. If an agreement is reached, the examiner may accord it substantial deference in determining a subsequent examiner action, but an agreement does not necessarily obviate the need for (nor limit the scope of) a public process otherwise required by law. The settlement's impact depends on several factors, such as: whether the case is an application (where the examiner has a duty to issue a determination) or an appeal (where the examiner's only jurisdiction is the appeal); whether the mediation resolved all issues for all parties and interested persons; and what the examiner is being requested to do (grant a motion withdrawing an order or appeal, versus issue an order on the merits).

VI. AGENCY FILES, REPORTS, AND RESPONSES

A. Agency File

The responsible agency maintains a file that includes all applications, reports, studies, reviews, responses, correspondence, memorandums, and other documents concerning a matter within the examiner's jurisdiction.

B. Timeliness of Staff Report

Failure of the responsible agency to timely issue the KCC 20.22.130 report does not void the examiner's jurisdiction, but it may be grounds for a continuance, if a party or interested person can demonstrate that the failure has resulted in prejudice to the movant that cannot be otherwise mitigated. In egregious circumstances, the examiner may apply the sanctions of [IX.E](#).

C. Optional Written Responses

For applications, parties and interested persons may file written responses to issues raised by appeals, reports, and studies. For appeals, only parties may generally file. See [X.A](#). The examiner may set requirements and deadlines. Unless otherwise ordered, responses is filed at least three (3) business days before a hearing, copying all named parties. The examiner may exclude responses not timely served.

VII. PRE-HEARING MOTIONS AND PROCEEDINGS

A. Consolidation or Concurrent Hearings

1. If a proposal requires more than one County permit or appeal hearing, or if multiple proceedings involve a significant, common issue of fact, law, or policy, any party may, at least twenty-one (21) days before the first hearing, request consolidated or concurrent hearings. The motion shall identify common issues, as

well as major issues (if known) unique to each proceeding. The motion shall state whether the other parties consent.

2. The examiner considers whether consolidation or concurrent hearings will achieve greater efficiency of time and effort, and the extent to which issues unique to each proceeding likely require separate treatment. The examiner may also order consolidation or concurrent hearings without a motion.

B. Dispositive Motions

1. A party may move to dismiss an appeal, in whole or in part, if:
 - a. The appellant lacks standing to appeal the decision or action challenged;
 - b. The appeal or any required fee was not filed by the relevant deadline;
 - c. The examiner lacks jurisdiction, in whole or in part, over the subject matter;
 - d. The appeal is frivolous on its face; or
 - e. The appeal is not sufficiently specific to inform the other parties of the appeal's factual basis
 - f. The grounds stated are not a legally adequate basis for appeal.
2. Motions to dismiss an appeal that do not meet these requirements are reviewed as motions for summary judgment.
3. In lieu of dismissal, the examiner may clarify the appeal issues or may require the appellant to file a clarification.
4. Due to the efficiency and user-friendliness of the hearing process (relative to court trials) and tight KCC deadlines for completing the examiner process, summary judgment motions are disfavored. Summary judgment motions may be entertained when the moving party demonstrates that:
 - a. The relevant matters primarily involve legal interpretations based on facts that are either uncontested or can be easily determined;
 - b. The parties against whom the motion is made will not be unduly inconvenienced or prejudiced by participating in a more legally-complex proceeding; and
 - c. The motion can be decided without rescheduling previously established procedural deadlines and hearing dates, or the other parties consent to an extension.
5. A party intending to file a dispositive motion (other than a threshold motion discussed in [III.C.1.](#)) requests a pre-hearing conference, if one has not been previously scheduled; failure to do so is grounds for motion denial.

C. Requests to Postpone or Continue

1. A party files a motion to postpone a proceeding as soon as the need becomes known, detailing the reasons for the request. The examiner may act on the motion alone, may request comment, or may schedule a motion hearing. The examiner considers the applicable KCC deadlines, the proceeding type (for example, a public hearing with published notice versus a status conference),

reasonable alternatives to a continuance, and prejudice or undue inconvenience to other parties or interested persons.

2. Motions to postpone a hearing received less than seven (7) days prior to the hearing normally are granted only if the need was not reasonably foreseeable, all parties consent, or for an emergency.
3. A proceeding may be rescheduled (with or without a motion) at the examiner's discretion for safety or welfare reasons, to assure due process, or for other purposes consistent with these Rules.

D. Procedural Requirements

Except as otherwise provided by these Rules or by examiner order, pre-hearing motions conform to the following requirements:

1. All written pre-hearing motions are presented in a separate document labeled to clearly identify the motion.
2. Unless otherwise provided, or unless good cause is shown, pre-hearing motions are filed and served at least twenty-one (21) days before the hearing.
3. All parties are afforded a reasonable opportunity to respond to a dispositive motion.
4. Any pre-hearing motion requiring findings of fact are accompanied by competent declarations, unless such facts are already established in the record. The need for lengthy affidavits usually indicates the motion is inappropriate.
5. Declarations should state, "I certify under penalty of perjury pursuant to the laws of the State of Washington that the foregoing is true and correct" above the declarant's signature, and list the date and place signed.

VIII. PRE-HEARING CONFERENCES

A. Purpose

Pre-hearing conferences promote efficient case management by identifying issues and information needs early, resolving procedural matters in complex cases, and determining next steps. Evidence is not received at a pre-hearing conference, unless necessary to rule on a motion.

B. Initiation

A party requests a pre-hearing conference as soon as the need becomes known, stating the reasons for the request. The examiner, with or without a party motion, may convene a pre-hearing conference to:

1. Determine whether to proceed to hearing or whether the parties jointly wish to pursue an alternative track;
2. Identify, clarify, or limit the issues;
3. Discuss pre-hearing disclosures and motions and set pre-hearing deadlines;
4. Discuss potential witnesses and likely testimony length;
5. Schedule the hearing date, time, and approximate duration; and
6. Address other matters to make the hearing process more efficient.

- C. Settlement
The examiner may inquire about the *status* of settlement discussions, and future prospects for resolution. Participants should not, however, share with the examiner any substantive settlement offer *details*.
- D. Future Motions
At the conference, parties, or interested persons who wish to become parties, identify any pre-hearing motions they intend to offer, if not already submitted. Failure to make or disclose a motion at conference is grounds for motion denial.
- E. Pre-hearing Order
Following a pre-hearing conference, the examiner issues an order specifying the items determined at the conference and other requirements.

IX. DISCOVERY

- A. Purpose
Discovery (gathering information prior to a hearing) in the examiner process is not designed to duplicate the robust pre-trial discovery common to the courts. And the KCC sets tight deadlines for the examiner to complete the entire hearing process. Thus, the primary means of discovery is through reviewing the agency’s case file, reviewing the parties’ exhibits and witness lists prior to hearing, and cross examining witnesses at hearing. Limited discovery beyond that is available only in compelling circumstances.
- B. Agency File
Access to the County file for the application or appeal under review is presumptively available, either informally from the agency, pursuant to a public records request, or via examiner order.
- C. Routine Disclosures Required
If no pre-hearing conference is held, the examiner’s hearing notice will contain instructions and deadlines (typically starting two weeks before a hearing) for submitting exhibits, exhibit list, and fact and expert witness lists.
- D. Discretionary Discovery
 1. Unlike the courts, where the default is greater pre-trial discovery, outside of [IX.B.](#) and [IX.C.](#), in examiner proceedings the default is limited pre-hearing discovery.
 2. Requests for discovery beyond those in [IX.B.](#) and [IX.C.](#) are made at a pre-hearing conference or as set forward in the hearing notice. The examiner may grant these requests upon finding that (a) the moving party or person has demonstrated a compelling need; and (b) the party or interested person to whom the request is directed will not be unreasonably inconvenienced or incur unreasonable cost complying.
 3. Discretionary discovery requests target clearly identified, specific, relevant information. Requests to depose or interview individuals otherwise available to testify at hearing, requests for blanket production of documents (beyond the County file for the application or appeal under review), or interrogatories are disfavored and, in the absence of compelling circumstances, will not be granted.

4. An interested person seeking discretionary discovery concurrently files a petition to intervene. See [X.B.](#)
5. The examiner, with or without a motion, may order discovery necessary for the record's fair and complete development.

E. Sanctions

1. The examiner may impose the following sanctions for failing to fully and timely respond to discovery:
 - a. Continue a scheduled hearing to enable obtaining the information. A person who fails to respond waives KCC chapter 20.22's time limits;
 - b. Exclude evidence concerning matters within the failure to respond's scope, or place terms and conditions on introducing that evidence;
 - c. Modify the applicable burden of proof or make adverse evidentiary inferences;
 - d. Order specific facts as admitted by the person who failed to respond;
 - e. Require that the person who failed to respond pay the costs incurred by other persons to establish discoverable facts;
 - f. Dismiss the order, application, or appeal of a person who failed to respond to a discovery request;
 - g. Require or recommend future reconsideration of a decision if facts subject to the discovery request emerge; and/or
 - h. Other relief the examiner determines appropriate.
2. To the extent feasible, the relief provided should not penalize or inconvenience other persons or unduly delay the proceedings. When determining appropriate sanctions, the examiner weighs the private and public interests affected by the failure to provide discovery and a sanction's impact on those interests.

F. Subpoenas

1. A party may move the examiner to issue a subpoena, a document compelling the attendance of—or documents from—a person. The party explains why the witness or documents are necessary, and why the witness or documents would be unavailable without a subpoena.
2. If the examiner decides to issue a subpoena, it becomes the party's responsibility to serve that subpoena on the person subpoenaed, according to the court's civil rule 45. Parties can enforce an examiner-issued subpoena under RCW 34.05.588(1). The party requesting a subpoena pays the cost of producing records and the witness fees and allowances as provided in King County superior courts by chapter 2.40 RCW and by RCW 5.56.010.

X. PARTIES AND REPRESENTATION

A. General Principles

1. For applications or other approvals over which the examiner has original jurisdiction (such as preliminary plats, road vacations, or public benefit ratings),

any member of the public may offer exhibits or testimony, subject to these Rules or a specific examiner order.

2. For appeals, absent a specific examiner order participation is limited to the parties. Only parties may offer exhibits, and non-parties may only offer testimony if called as a witness by a party. Non-parties with a substantial interest in an appeal proceeding should file a petition for intervention, described below.
3. The standard for intervention as a matter of right is substantially higher in examiner proceeding than in the courts; while the standard for discretionary intervention is substantially lower in examiner proceeding than in the courts.

B. Intervention

1. Purpose

a. Intervention as a Matter of Right

The examiner allows intervention when the law confers an unconditional right to intervene, or:

- (i) when a non-party demonstrates a substantial interest in the proceeding's subject matter;
- (ii) that such interest is likely to be directly affected by the proceeding's result, that interest is not otherwise addressable or will not be adequately represented by existing parties; and
- (iii) that intervention will not impair the orderly and prompt conduct of proceedings.

b. Discretionary Intervention

The examiner may allow intervention where the law confers a conditional right to intervene or when the intervenor's participation as a party would advance the public interest, and where intervention will not impair the orderly and prompt conduct of proceedings.

2. Procedure

A petition to intervene may be made orally or in writing. Every petition is supported by facts sufficient to justify the request. (A petition accompanied by a request for information is subject to the time limits of [IX.](#))

a. Time Limits for Petition

1. A petition to intervene as a matter of right is submitted before or at the pre-hearing conference. If no pre-hearing conference is scheduled, a petition to intervene as a matter of right is submitted at least twenty-one (21) days before the hearing. Failure to timely petition to intervene waives that right.
2. A petition for discretionary intervention is submitted at the earliest point the petitioner knows facts giving rise to the need for intervention. Petitions submitted after substantial evidence is introduced are normally denied.

b. Petition Content

A written petition to intervene should state:

1. The name, mailing and email addresses, and telephone number of the person seeking to intervene;
2. The name, mailing and email addresses, and telephone number of petitioner's attorney or other representative, if any;
3. The specific nature and extent of the petitioner's interests affected by the proceeding, or the specific reasons why intervention would advance the public interest;
4. Why the petitioner's interests will not be adequately represented by the existing parties; and
5. Petitioner's claim, concern, or other statement regarding the dispute, including the desired outcome.

c. Petition Processing

1. Existing parties are afforded a reasonable opportunity to provide written or oral response. Petitions to intervene may be resolved by written order or at a proceeding.
2. Upon approval, the petitioner becomes an intervenor with most procedural rights of a party, subject to limitations the examiner may impose, such as:
 - (i) Limiting the intervenor's participation to certain issues;
 - (ii) Requiring or limiting the intervenor's use of discovery, cross examination, and other procedures;
 - (iii) Requiring two or more intervenors and/or parties with similar interests to combine their efforts; and
 - (iv) Such other terms as the examiner determines appropriate.
3. The examiner may amend the intervention order at any time.
4. An intervenor typically can fully participate *if* a case proceeds to a determination of the merits, but an intervenor typically does not control *whether* a case proceeds to a determination of the merits.
5. Granting a petition to intervene does not confer or imply standing to bring an action in a court or other tribunal.

C. Representation Optional

1. Representation by an attorney is not required for full participation. The examiner may make reasonable allowances to enable persons unfamiliar with proceedings to participate effectively.
2. Any person, group, or organization may authorize another person (attorney or not) to present arguments, enter exhibits, or otherwise participate as a designated representative.
3. Any person (attorney or not) representing a party or parties promptly files a notice of appearance.

D. Use of Representative Parties

Multiple parties and interested persons with similar interests should select one or two persons (who need not be attorneys) as representatives to accept document service, schedule proceedings, and otherwise facilitate efficient case management. Absent voluntary selection, the examiner may designate someone.

XI. ORDER AND CONDUCT OF PROCEEDINGS

To the extent practicable and consistent with legal requirements, hearings are conducted expeditiously. The examiner and all participants avoid unnecessary delay. Unless otherwise communicated, proceedings are held virtually. Hearings generally progress as follows:

A. Applications and Petitions

1. The responsible agency introduces the matter and may provide its written report, a summary, staff exhibits, and a preliminary recommendation.
2. The applicant or petitioner presents evidence.
3. Any party (such as an intervenor) generally aligned *with* the applicant or petitioner presents evidence.
4. The agency presents evidence (to the extent not provided during the agency's introduction.)
5. Any party (such as an intervenor) generally aligned *against* the applicant or petitioner presents evidence.
6. Members of the public present evidence and argument.
7. After the initial presentations, parties may present rebuttal evidence. The examiner may allow rebuttal by non-parties.
8. Parties' closing arguments.

B. Appeals Where Appellant Bears the Burden of Proof (See [XIV.E.](#))

1. The responsible agency introduces the matter and may provide its written report, a summary, staff exhibits, and a preliminary recommendation.
2. Appellant presents evidence.
3. Any party (such as an intervenor, applicant, or property owner) generally aligned *with* appellant presents evidence.
4. The agency presents evidence (to the extent not provided during the agency's introduction).
5. Any party (such as an intervenor, applicant, or property owner) generally aligned *against* appellant presents evidence.
6. Rebuttal evidence, in the same order as initial presentation.
7. Parties' closing arguments.

C. Appeals Where Agency Bears the Burden of Proof (See [XIV.E.](#))

1. The responsible agency presents evidence.
2. Any party (such as an intervenor, applicant, or property owner) generally aligned *against* appellant presents evidence.

3. Appellant presents evidence.
 4. Any party (such as an intervenor, applicant, or property owner) generally aligned *with* appellant presents evidence.
 5. Rebuttal evidence, in the same order as initial presentation.
 6. Parties' closing arguments.
- D. Alternate Order of Proceedings
- The examiner may modify proceeding order to produce a clear, fair, and efficient hearing. Where a hearing combines applications and appeals, or combines enforcement and non-enforcement appeals, the order of proceedings may necessarily involve some adjustments. Additionally, the parties may agree to a different order of proceedings than proscribed above and present to the examiner for consideration. Modifying the order of proceeding does not alter any applicable burdens.
- E. Decorum, Recording, and Safety
1. All persons either physically or virtually attending an examiner proceeding conduct themselves with the decorum and courtesy appropriate to a court-like setting. If not, the examiner may mute or remove persons from a proceeding. The examiner may also recess a hearing and reconvene it, pursuant to oral or written notice, under conditions reasonable to prevent a repeat violation, including excluding identified persons from further participation.
 2. No weapons are permitted in the hearing room, except when in the possession of a law enforcement officer.

XII. PRESENTATION AND RECEIPT OF EVIDENCE AT HEARINGS

- A. Oath or Affirmation
1. All testimony before the examiner is given under oath or affirmation.
 2. Any interpreter swears to make a true interpretation to the best of the interpreter's skill and judgment.
 3. Statements made by an unsworn attorney or other representative are not evidence.
- B. Admissibility of Evidence
1. Except as otherwise provided by these Rules, admissibility is not controlled by the Washington Rules of Evidence (ER). The examiner excludes unreliable, unduly repetitive, irrelevant, immaterial, privileged, or unconstitutionally obtained evidence, and may use the ER as a guide in evidentiary rulings.
 2. There is no outright bar to hearsay. Any trustworthy oral or documentary evidence may be offered, including hearsay. Out-of-court written statements are typically admitted, but usually accorded less weight, than under-oath, cross-examinable testimony.
 3. There is no formal process for admitting expert witness testimony, but the examiner considers an expert's knowledge, skill, experience, training, and education when weighing opinion testimony on scientific, technical, and other specialized subjects. The examiner usually admits lay witness opinions, even on

matters normally within the purview of qualified experts, but considers lack of qualification when weighing such testimony.

4. The examiner may admit excerpts from public documents or from books, studies, or reports when the remainder of such material is either irrelevant or unnecessary.
5. In proceedings when King County seeks a significant penalty, forfeiture, or similar divestiture of legally cognizable rights, the examiner may more strictly apply the ER and may require adherence to other rules applied in superior court.
6. The examiner may admit evidence but limit its scope or probative value.

C. Objections

An objection to admitting evidence briefly states the ground for objection. Any evidence entered into the record without objection is deemed admissible.

D. Cross Examination

1. In addition to questions the examiner asks, cross examination of any witness is generally permitted.
2. Cross examination is generally limited to the subject matter of the direct testimony and to witness credibility.
3. Parties have the right to cross examine, although an examiner may limit intervenors' right to cross examine. Interested persons do not have a right to cross examine, although an examiner may permit it to create a complete record and enhance public confidence.
4. The examiner prohibits irrelevant, cumulative, unduly repetitious, argumentative, or abusive cross examination.
5. To achieve efficiency, the examiner may:
 1. Require consolidated cross examination by parties and interested persons sharing a common position or objective;
 2. Require or permit parties and interested persons to state their questions for the examiner to ask;
 3. Limit cross examination of opinion testimony offered by interested persons who do not claim to be experts;
 4. Establish reasonable time limits for cross examination, consistent with the requirements of due process; and
 5. Allow concurrent cross examination of two or more witnesses who have testified on the same subject matter.
6. If a witness refuses to answer any question the examiner rules proper, the examiner may strike some or all of that witness's testimony.

E. Limits on Testimony and Argument

1. While appropriate latitude may be provided for public testimony, testimony and argument is generally limited to matters material to the examiner's decision.

2. The examiner admits and excludes evidence, as provided in [XII.B. & .C.](#) and [XV.B.1.](#)
3. The examiner may establish reasonable time limits on testimony and argument. The examiner also may provide an opportunity to submit written supplementary testimony, allowing opposing parties a reasonable opportunity to respond.
4. Legal opinions are argument, not evidence.

XIII. EXAMINER RECORD

A. General Standards

The examiner bases factual findings on evidence admitted into the record and on matters subject to official notice. Examiners may conduct site inspections for the purpose of understanding the hearing testimony and documentary evidence, but site inspection observations themselves are not evidence.

B. Official Notice

1. The examiner may take official notice of the following:
 - a. The published regulations, rules, and adopted policies of a public agency;
 - b. Decisions of other tribunals;
 - c. Generally known facts or data beyond reasonable dispute; and
 - d. Matters susceptible to judicial or official notice in administrative tribunals.
2. No advance statement of intent to take official notice is required before an examiner incorporates official notice into a finding. No fact may be officially noticed if there is a reasonable dispute as to its accuracy.

C. Information Received after Close of Hearing

Unless the examiner explicitly keeps the record open, material submitted after a hearing is not considered or included in the hearing record. The examiner may issue a discretionary order reopening the hearing to permit its introduction and to afford a reasonable opportunity for response.

XIV. HEARING OUTCOME

A. Continuances

1. If a hearing cannot be completed on the date set, the examiner may announce, before adjourning, the next hearing. No further notice is required.
2. The examiner may continue or postpone a hearing upon finding good cause or to prevent manifest injustice.
3. Unless waived by the parties or required by law, continuances are scheduled to meet KCC 20.22.100's time limits. Any party who requests or consents to a continuance beyond these time limits waives those limits. Unless otherwise specified, the waiver includes the date the hearing record closes, plus an additional ten (10) business days.

4. As an alternative to continuing a hearing to receive further oral testimony, the examiner may leave the record open to allow written argument or specified additional evidence and may allow for a period of response or reply.

B. Inadequate Legal Notice

Lack of required legal notice may be raised before the hearing closes. To the extent possible and consistent with due process, the deficient notice is cured by providing (through continuances and other mechanisms) persons a reasonable opportunity to effectively participate. Receipt of actual timely notice generally cures a deficiency. If other available corrective actions are inadequate, the examiner may adjourn the hearing and order new notice issued. The examiner may waive KCC chapter 20.22's time limits to cure deficient notice.

C. Remand

The examiner may remand any matter to an applicant or agency for additional information, analysis, review, or modification.

D. Default

An examiner may enter an order of default against any party who fails to appear at a proceeding. Failure of a party to present evidence or argument in support of the application, petition, order, or appeal is cause for dismissal. Prior to entering a dismissal, the examiner ascertains whether the party has received legal notice.

E. Burden of Proof

1. Except as otherwise specified by law, the moving party (the applicant, appellant, or petitioner) bears the burden of proof.
2. Except as otherwise specified by law, in enforcement actions the agency bears the burden of proof on those matters or issues raised in the appeal or in any appeal amendment the examiner authorizes.
3. If the burdened party fails to introduce sufficient evidence, the examiner may deny the application, petition, order, or appeal without taking evidence or hearing argument in opposition.

F. Standard of Proof

1. Unless otherwise provided by law, the standard of proof is a preponderance of the evidence, meaning that something is more-likely-than-not.
2. For appeals from threshold determinations made pursuant to the State Environmental Policy Act, the appellant demonstrates that the determination was clearly erroneous based on the record as a whole.
3. The examiner only grants substantial weight or otherwise accords deference when directed to by an ordinance, statute, or pertinent case law.

G. Determination

Unless the examiner requests additional information or briefing or otherwise re-opens the record, the examiner transmits a determination within ten (10) business days of a hearing's close.

XV. POST-HEARING PROCEEDINGS

A. Reconsideration

1. Upon a party's timely filing of a motion for reconsideration on the examiner's own ruling, an examiner may reconsider a determination based on the existing evidential record. A motion for reconsideration is not timely if filed after the appeal deadline.
2. A motion for reconsideration is not a prerequisite to appealing an examiner determination. However, a motion filed by the appeal deadline stays the appeal period until the examiner rules on the motion.
3. The examiner may grant the motion if the movant shows that the examiner's determination was based in whole or in part on erroneous information or failed to comply with existing laws, regulations, or adopted policies, or shows that a procedural error prevented consideration of directly affected persons' interests.

B. Reopened Hearing

1. Prior to Examiner Determination or on a Motion for Reconsideration
Upon notice to the parties and interested persons, and consistent with [XIII.C.](#), the examiner may reopen a hearing to permit additional consideration or to receive additional information.
2. Upon Remand
The examiner may reopen a hearing to address an issue remanded by the Council or another tribunal. If the examiner reopens the hearing for testimony, the examiner provides reasonable notice of the reopened hearing. If the examiner reopens a hearing for written submittals, the examiner provides at least seven (7) days for such filings. The examiner's notice sets forth the issues to be addressed in the reopened hearing.

C. Retained Jurisdiction

Examiner determinations may expressly retain jurisdiction over a matter.

D. Minor Corrections

Examiner determinations may be revised to correct textural errors. Unless otherwise specifically provided, such revisions do not alter or extend applicable appeal deadlines or the effective date of the examiner determination.

XVI. FAIRNESS

A. Disqualification

1. An examiner disqualifies from a proceeding in which that examiner's impartiality might reasonably be questioned.
2. Disqualification is mandatory whenever the examiner:
 - a. Has a personal bias or prejudice concerning a party;
 - b. Has served in a professional or business relationship with respect to the matter in issue, or is currently associated with a person who is or was so engaged; or
 - c. Has directly, or through a family member or fiduciary relationship, a financial or personal interest in the outcome of the matter or issue.

3. An examiner's previous ruling on the same or a similar issue, or for or against a party, are not bases for disqualification.
4. The examiner is guided by the provisions and interpretations of Rule 2.11 of the Code of Judicial Conduct.

B. *Ex Parte* Contacts

1. Examiner proceedings are subject to the appearance of fairness doctrine. No person may contact an examiner off the record to discuss the merits of a case or to influence the examiner's determination.
2. *Ex parte* contacts limited strictly to the clarification of simple procedural matters (and not to the merits of a dispute) are permitted. A deliberate *ex parte* contact in violation of this section may be deemed an attempt to interfere with examiner duties in violation of KCC 20.22.020. If a substantive *ex parte* communication is made to or by the examiner, the examiner publicly discloses it.



King County

**Metropolitan King County Council
Government Accountability and Oversight Committee**

REVISED STAFF REPORT

Agenda Item:	5	Name:	Erin Auzins
Proposed No.:	2026-0021	Date:	March 10, 2026

COMMITTEE ACTION

Proposed Substitute Motion 2026-0021.2, which updates the Hearing Examiners Rules of Procedure and Mediation , passed out of committee on March 10, 2026, with a “Do Pass” recommendation. The Proposed Motion was amended in committee with Amendment 1 to make clarifying edits to the Rules.

SUBJECT

Proposed Motion 2026-0021 would adopt updated Rules of Procedure and Mediation for the King County Hearing Examiner.

SUMMARY

Proposed Motion 2026-0021 would update the Rules of Procedure and Mediation, which were last updated in 2017. The updated rules reflect changes made by Ordinance 19648, which modified the Council's role in permit review process, by removing an option for an appeal to Council for many permit types, including preliminary plat and special use permits; the Ordinance also made changes to the Hearing Examiner's section of code to reflect current practice and address known issues.

BACKGROUND

The office of the Hearing Examiner was created in 1969.¹ Since the office was first created, some of the code provisions have been updated, most notably in the 1990s as a result of HB 1724, also known as Regulatory Reform, to create a more standard permit review process across Washington State.

Ordinance 19648, adopted in 2023, made substantive changes to the Council's role in permit review process. Prior to Ordinance 19648, the Hearing Examiner made recommendations on many permit types to the Council, and Council made the final

¹ Ordinance 263.

decision. Most notably, Ordinance 19648 removed the Council from approval of preliminary plat and special use permits. This followed a string of preliminary plat appeals where the Council uniformly approved the plat based on the Hearing Examiner's recommendation.

Ordinance 19648 also made changes to the Hearing Examiner's section of code to reflect current practice and address known issues.

ANALYSIS

Proposed Motion 2026-0021 would approve the Hearing Examiner's proposed revisions to the Hearing Examiner's Rules of Procedure and Mediation, to bring the Rules in line with Ordinance 19648, as well as updates made by other Ordinances, and to reflect changes in practice such as remote hearings that started during the COVID-19 pandemic.

The substantive changes include:

- Adding definitions to include those already in the Code, to update definitions to match those made in Ordinance 19648, and to reflect the elimination of one type of decision (for preliminary plats and special use permits);
- Updating the rule on jurisdiction to state that the Hearing Examiner's jurisdiction includes areas where the authority is implied and necessary to carry out a delegated authority, and to state that constitutionality challenges are beyond the Hearing Examiner's jurisdiction;
- Adding requirements for agencies to send materials to the Hearing Examiner for each new case, and start the timeline for the Hearing Examiner's review at the time the agency's materials are received;
- Removing a specific requirement for a pre-hearing conference to be scheduled fourteen days before a previously scheduled public hearing;
- Removing a provision for hearings in a community and evening hearings, and stating that all hearings are conducted virtually;
- Removes a specified allowance for an appeal statement to include process errors;
- Stating that information submitted orally does not meet the requirements for filing materials;
- Removing allowances for submittal by hard copy;
- Removing a requirement for parties to agree to stay a case during mediation, instead allowing the Hearing Examiner to decide on a stay or extension of deadlines;
- Removing a specific two-week timeline for continuance in the case where an agency misses a deadline for a report;
- Removing a statement that postponements of proceedings do not extend discovery deadlines;
- Removing an allowance for the Hearing Examiner to accept pre-hearing exhibits;
- Adding language to allow the Hearing Examiner to inquire on the status, but not the substance, of any settlement agreement;
- Adding language that the agency's file is presumed to be available to parties;

- Requiring requests for intervention to be submitted twenty-one days before a hearing, instead of fourteen;
- Adding language that an intervenor does not have rights over whether a case proceeds to a determination on the merits;
- Specifying when intervenors present evidence during a hearing;
- Adding an allowance for the Hearing Examiner to remove people from hearings if they are disruptive;
- Clarifying how hearsay and out-of-court written statements are included in evidence;
- Removing language on exhibits offered during a hearing, what is included in an agency's "basic record," written materials requested by the Hearing Examiner; and
- Removing special proceedings language for complainant appeals related to code enforcement cases, mineral extraction periodic review, critical area alteration exception appeals, conditional use and variances, civil rights, and site-specific land use map amendments.

In order to provide for comments on the proposed Rules, K.C.C. 20.22.330 requires that the Hearing Examiner file a draft of the rules with the Clerk of the Council, provide notice to parties that have appeared before the Examiner in the previous year, and post the draft rules to the Hearing Examiner's website. The code then requires a 60-day comment period. This comment period ended July 22, 2024. Two comments were received, which are attached in Attachment 2 to this staff report.

AMENDMENT

There may be an amendment to update the rules, available at Committee.



Signature Report

Motion

Proposed No. 2026-0017.2

Sponsors Mosqueda and Dembowski

1 A MOTION stating the council's support for continued
2 entheogen-related research for alternative treatment
3 modalities, structured medical models, and full
4 decriminalization of entheogen-related activities and
5 requesting that the investigation, arrest, and prosecution of
6 any adult engaging in certain entheogen-related activities
7 be among King County's lowest criminal enforcement
8 priorities.

9 WHEREAS, entheogen is a term that encompasses any living, fresh, dried, or
10 processed plant or fungal material, including teas or powders, that may contain currently
11 scheduled or analog psychoactive indolamines, tryptamines, or phenethylamines,
12 including, but not limited to, psilocybin mushrooms, ayahuasca tea, mescaline, and iboga,
13 and does not include synthetic, chemically modified, isolated, concentrated, or analog
14 derivatives thereof, and

15 WHEREAS, depression, severe anxiety, problematic substance use, post-
16 traumatic stress, end-of-life anxiety, grief, isolation, intergenerational trauma, and other
17 physical and mental conditions are plaguing many communities, and scientific and
18 clinical studies show the benefits of entheogens in treating these conditions, and

19 WHEREAS, communities face unprecedented mental health crisis, unprecedented
20 suicide rates, especially among veterans and marginalized groups, and a deepening opioid

21 addiction crisis and the Washington state Legislature can contribute to removing stigmas
22 through public education and supporting community mental health efforts, and

23 WHEREAS, the United States Food and Drug Administration-sanctioned clinical
24 trials show positive results that demonstrate the safety and efficacy of psilocybin assisted
25 therapy, and

26 WHEREAS, the United States Food and Drug Administration designated
27 psilocybin-assisted therapy as a breakthrough therapy for treatment-resistant depression
28 in 2018 and major depressive disorder in 2019, and

29 WHEREAS, human cultures around the world recognize entheogens as sacred
30 and have used them as part of their cultural, spiritual, and religious practices for
31 generations, and

32 WHEREAS, a variety of jurisdictions in the United States, including the cities of
33 Olympia, Port Townsend, Seattle, and Tacoma and Jefferson County, have supported
34 decriminalization of entheogens, and Colorado, Oregon, and Washington, D.C., have
35 decriminalized some or all entheogens through successful ballot initiatives, and

36 WHEREAS, decriminalization of entheogens does not undermine the seriousness
37 of the opioid epidemic and impact of harmful substances on the lives of individuals,
38 families, and communities;

39 NOW, THEREFORE, BE IT MOVED by the Council of King County:

40 A. The council states its support for continued research for entheogen-related
41 alternative treatment modalities and structured medical models. The council further
42 states its support for the full decriminalization of the limited, personal, noncommercial

43 use and possession of naturally occurring entheogens by persons twenty-one years old or
44 older in nonpublic places at the state and federal level.

45 B.1. The council requests that investigation, arrest, and prosecution of any
46 persons twenty-one years old or older engaging in the limited, noncommercial cultivation
47 and possession of naturally occurring entheogens for religious, spiritual or individual
48 personal use be designated as among King County's lowest criminal enforcement
49 priorities, and further requests that county funds or resources not be used for
50 investigation, prosecution, or arrest of persons twenty-one years old or older possessing
51 or using entheogenic plants or fungi for religious, spiritual, healing, or personal use
52 practices.

53 2. For the purposes of this section B., "personal use" and "cultivation" shall be
54 limited to quantities and methods reasonably consistent with small-scale, individual,
55 noncommercial use and shall not include distribution, remuneration, repeated provision to
56 third parties, or the operation of organized production or supply networks.

57 3. The request is only intended to request King County sheriff's office designate
58 entheogen cultivation for the aforementioned purposes as among the lowest law
59 enforcement priorities in unincorporated areas. The request does not reflect any intent on
60 the part of the council for King County sheriff's office deputies in the Muckleshoot tribe
61 or contract cities to deviate from the tribe or contract cities' laws, procedures, or
62 priorities.

63 4. This section B. reflects the intent on the part of the council only to request the
64 King County prosecuting attorney designate cases under its jurisdiction for the
65 aforementioned purposes related to entheogens as among the lowest prosecution

66 priorities. This section B. does not reflect any intent on the part of the council to request
67 the King County prosecuting attorney decline to prosecute cases for this offense which
68 involve other substances or where the conduct has put public safety at risk. Further, this
69 section B. does not reflect any intent on the part of the council to limit the authority or
70 obligation of King County law enforcement, prosecutors, or emergency responders to act
71 when conduct presents an immediate risk to public health or safety, involving impaired
72 driving, violence, child welfare concerns, medical emergencies, or otherwise constitutes a
73 violation of state or federal law.

74 C. The council's passage of this motion does not reflect any intent on the part of
75 the council to support or encourage:

- 76 1. Driving under the influence of entheogenic plants or fungi;
- 77 2. Possession or distribution of entheogens in schools;
- 78 3. Use of entheogenic plants or fungi on any form of public transit or in public
79 places;
- 80 4. Possession, distribution, or sale of entheogenic plants or fungi by or to
81 persons under twenty-one years old;
- 82 5. Commercial manufacturing or sales of entheogenic plants or fungi; or
- 83 6. Conduct that puts public safety at risk.

84 D. Nothing in this motion shall be interpreted to alter, supersede, or limit the

Motion

- 85 application of state or federal law, or to confer any legal right, defense, or immunity
86 under such law, nor shall it be construed to create any private cause of action.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Sarah Perry, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: None



King County

**Metropolitan King County Council
Health, Housing, and Human Services Committee**

REVISED STAFF REPORT

Agenda Item:	9	Name:	Nick Bowman
Proposed No.:	2026-0017	Date:	March 3, 2026

COMMITTEE ACTION

Proposed Substitute Motion 2026-0017.2 stating the Council's support for entheogen related research passed out of committee on March 3, 2026 with a "Do Pass" recommendation. The Proposed Motion was amended in committee with Striking Amendment S1 to:

- **Change the definition of "entheogen" to include only naturally occurring plant or fungal substances;**
- **Clarify the term "personal use" to mean limited, non-commercial purposes;**
- **Clarify the motion does not reflect the intent of the Council to limit law enforcement personnel or first responders from acting to address entheogen related conduct which is harmful or otherwise illegal;**
- **Clarify that the Council's support for certain entheogen related uses is limited to persons 21 years and older and that the Council does not support entheogen use in public places; and**
- **Add a new section D. limiting the legal effect of the proposed motion.**

SUBJECT

A motion stating the Council's support for entheogen related research and the decriminalization of entheogen related activities, as well as requesting that County law enforcement actions toward certain entheogen-related activities be among the County's lowest priorities.

SUMMARY

Proposed Motion 2026-0017 would state the Council's support for continued research for entheogen-related treatments and for full decriminalization of the personal use of entheogens at the state and federal level. The proposed motion would also request that criminal enforcement actions against adults engaging in the cultivation of entheogens for certain uses and personal practices be designated among the County's lowest priorities.

BACKGROUND

Entheogen is a term that encompasses any living, fresh, dried, or processed plant or fungal material, including teas or powders, that may contain currently scheduled or analog psychoactive indolamines, tryptamines, or phenethylamines, including, but not limited to, psilocybin mushrooms, ayahuasca tea, mescaline, and iboga. There is well documented historical and cultural evidence that many entheogens have been used for religious, spiritual, and ceremonial purposes in various societies around the world.¹

In the United States, entheogens are generally classified as Schedule 1 substances making their possession and use illegal under federal law.²

Despite their illegality at the federal level, there is a growing body of scientific evidence showing potential medical and therapeutic benefits from the controlled, clinical use of entheogens for certain mental health conditions. The United States Food and Drug Administration designated psilocybin-assisted therapy as a breakthrough therapy for treatment-resistant depression in 2018 and major depressive disorder in 2019.³ More recently, a 2024 systematic review found that psychedelic substances, including psilocybin, LSD, ayahuasca, and MDMA, demonstrated therapeutic benefits for mental health conditions such as depression and anxiety, with psilocybin supported by the greatest number of studies.⁴

The potential therapeutic and medicinal benefits of entheogens has been cited by number of jurisdictions in Washington State which have passed resolutions supporting the decriminalization of entheogens for therapeutic and personal use, including the cities of Olympia, Seattle, and Tacoma and Jefferson County.⁵ Nationally, the states of Colorado, Oregon, and New Mexico have either decriminalized entheogen use or legalized entheogen use with a therapist or licensed facilitator.⁶

ANALYSIS

Proposed Motion 2026-0017 would state the Council's support for continued research for entheogen-related alternative treatment modalities and structured medical models and its support for the full decriminalization of the personal use of entheogens at the state and federal level.

The proposed motion also requests that the investigation, arrest, and prosecution of any adult engaging in the cultivation of entheogens for use in religious, spiritual, healing, or personal growth practices be designated among King County's lowest criminal enforcement priorities, and that County resources not be expended for such law enforcement actions. The proposed motion clarifies that these requests are limited to unincorporated areas and are not intended for the Prosecuting Attorney's Office (PAO)

¹ [Sayin, H.U. \(2014\)](#), [Bouayad, A. \(2019\)](#), [Malcolm, B. J., & Lee, K. C. \(2018\)](#).

² 21 USC 812: Schedules of controlled substances

³ <https://pubmed.ncbi.nlm.nih.gov/37247807/>

⁴ <https://www.sciencedirect.com/science/article/abs/pii/S0165178124001719?via%3Dihub>

⁵ [Olympia Resolution M-2549](#), [Seattle Resolution 32021](#), [Jefferson County Resolution 1923](#), [Tacoma Resolution 41609](#)

⁶ <https://psychedelicalpha.com/data/psychedelic-laws>

to decline the prosecution of cases for entheogen-related offenses which involve other substances or where public safety is put at risk.

The proposed motion further states that passage of the motion does not reflect any intent on the part of the Council to support or encourage:

- Driving under the influence of entheogens;
- Possession or distribution of entheogens in schools;
- Use of entheogens on any form of public transit;
- Possession, distribution, or sale of entheogens by or to minor children;
- Commercial manufacturing or sales of entheogens; or
- Conduct that puts public safety at risk.

In response to staff's inquiries regarding the proposed motion the PAO provided the following information:

"Drug possession cases have not been felony crimes since 2021 (when the State Supreme Court's Blake decision ruled felony drug possession unconstitutional; this was followed by a 2023 state law (SB 5536) which made drug possession and use a gross misdemeanor statewide). As a result, drug possession cases - street use cases - are handled at the city level by law. Law enforcement would only refer possession cases to [the PAO] if they occurred on state roadways or in unincorporated areas of King County. [The PAO's] focus is going after drug trafficking and drug dealing, particularly fentanyl and meth."

The King County Sheriff's Office responded with the following information:

"KCSO prioritizes its investigations on behaviors and circumstances that are unsafe for a person and/or other people in community and/or criminal in nature. If while interacting with someone [and] one of these substances are mentioned or encountered, deputies will typically note them in a report. If the substances are present, deputies will usually take possession of them for disposal. KCSO does not typically focus on the possession or use of entheogens as a sole reason for investigating or enforcing laws on someone."

KCSO conducted a search of its Mark 43 Offense database using the terms entheogen, psilocybin, and mushrooms for 3 years beginning January 1, 2023 and found 125 responsive cases where there was mention of these substances. Of the 125 cases there were 11 cases with enforcement[,] of which 10 were controlled substances cases where other narcotics or cannabis was involved and 1 was a DUI. In the remaining cases, if these substances were encountered, deputies typically confiscated them for disposal without further action."

AMENDMENT

Striking amendment S1 makes a series of changes to the underlying motion including:

- Changing the definition of "entheogen" to include only naturally occurring plant or fungal substances;

- Clarifying the term "personal use" means limited, non-commercial purposes;
- Clarifying the motion does not reflect the intent of the Council to limit law enforcement personnel or first responders from acting to address entheogen related conduct which is harmful or otherwise illegal;
- Clarifying that the Council's support for certain entheogen related uses is limited to persons 21 years and older and that the Council does not support entheogen use in public places; and
- Adding a new section D. limiting the legal effect of the proposed motion.