

1 October 1, 1991

INTRODUCED BY Sullivan

2 PROPOSED NO. 91-708

3
4 MOTION NO. 8496

5 A MOTION stipulating that King County has
6 completed the preliminary classifications,
7 designations and regulations for its critical
8 areas and resource lands, as required by the
9 Growth Management Acts.

10 WHEREAS, the State of Washington has enacted the Growth
11 Management Act of 1990 (RCW 36.70A), and the Growth Management
12 Act of 1991 (1991 1st ex. s. c 32) and

13 WHEREAS, King County is required to adopt comprehensive land
14 use plans and development regulations under RCW 36.70A.040 and

15 WHEREAS, King County, by virtue of RCW 36.70A.170, is
16 required, on or before September 1, 1991, to have designated
17 where appropriate (1) agricultural lands not already
18 characterized by urban growth that have long-term significance
19 for the commercial production of food or other agricultural
20 products; (2) forest lands not already characterized by urban
21 growth that have long-term significance for the commercial
22 production of timber; (3) mineral resource lands not already
23 characterized by urban growth that have long-term significance
24 for the extraction of minerals; and (4) critical areas, as
25 defined in RCW 36.70A.030 and

26 WHEREAS, King County, by virtue of RCW 36.70A.060 (as
27 amended by 1991 1st ex. s. c 32 section 21), is required, on or
28 before September 1, 1991, to have adopted development regulations
29 both to assure the conservation of agricultural, forest, and
30 mineral resource lands and to protect critical areas, as
31 designated under RCW 36.70A.170 and

32 WHEREAS, King County has carefully studied designations and
33 development regulations which exist within current county
ordinances and rules for agricultural, forest, and mineral

1 resource lands and critical areas, in order to thoroughly assess
 2 compliance with the September 1, 1991 requirements of the Growth
 3 Management Acts;

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

5 A. King County has made preliminary classifications and
 6 designations of its critical areas and natural resource lands and
 7 has adopted regulations for the protection of its critical areas
 8 and for the conservation of its resource lands, as required by
 9 the Growth Management Acts (see attachments).

10 B. King County, by virtue of RCW 36.70A.060, is required to
 11 review these measures to protect critical areas and conserve
 12 resource lands as defined in RCW 36.70A.30 and may incorporate
 13 new policies to guide protection of critical areas and
 14 conservation of resource lands into the comprehensive plan to be
 15 adopted by July 1, 1993 under RCW 36.70A.

16 C. King County, by virtue of RCW 36.70A.120, is required
 17 within one year of the adoption of the comprehensive plan and
 18 before July 1, 1994, to enact development regulations that are
 19 consistent with and implement the comprehensive plan.

20 PASSED this 27th day of January, 1992.

21 KING COUNTY COUNCIL
 22 KING COUNTY, WASHINGTON

23 Audrey Singer
 24 Chair
 25

26 ATTEST:

27
 28
 29 Jane Masuo
 30 DEPUTY clerk of the Council
 31
 32
 33

Designations and Regulations for King County Critical Areas

Critical Area	Designations	Regulations
Wetlands	Sensitive Areas Map Folio and Wetlands Inventory as adopted by KCC 21.54.090	Sensitive Areas Ordinance (KCC.21.54)
Aquifer Recharge Areas	<ol style="list-style-type: none"> 1) existing Ground Water Management Areas, 2) Cedar River as a (EPA) Sole Source Aquifer, 3) U. S. Soil Conservation Service soils, identified as excessively permeable (Type 1) 	<ol style="list-style-type: none"> 1) Sensitive Areas Ordinance (KCC 21.54) 2) the policies in the 1985 Comprehensive Plan and other community, basin nonpoint pollution and other functional plans, are used as a basis for King County's substantive authority under the State Environmental Policy Act (RCW 43.21C) to condition development proposals pursuant to WAC 197-11-660
Fish and Wildlife Habitat Conservation Areas	<ol style="list-style-type: none"> 1) the list of priority habitats and species, management recommendations and geographic location data for priority habitats and species, as developed by the Priority Habitat and Species Program of the Washington Department of Wildlife 2) Species of Concern list and National Heritage Database Information 3) Sensitive Areas Map Folio as adopted by KCC 21.54.090 	<ol style="list-style-type: none"> 1) Sensitive Areas Ordinance (KCC 21.54) 2) special conditions and area zoning 3) the policies in the 1985 Comprehensive Plan and other community, basin nonpoint pollution and other functional plans, are used as a basis for King County's substantive authority under the State Environmental Policy Act (RCW 43.21C) to condition development proposals pursuant to WAC 197-11-660
Frequently Flooded Areas	Sensitive Areas Map Folio as adopted by KCC 21.54.090	Sensitive Areas Ordinance (KCC 21.54)
Geologic Hazard Areas	Sensitive Areas Map Folio as adopted by KCC 21.54.090	Sensitive Areas Ordinance (KCC 21.54)

Designations and Regulations for King County Resource Lands

Resource Lands

Designations

Regulations

Agricultural

- 1) agricultural land development rights on 12,500 acres
- 2) Resource Lands Area Zoning (Ordinance No. 8848, adopted in 1989)
- 3) community plans adopted since 1985
- 4) 1985 Comprehensive Plan policies related to agricultural land

- 1) agricultural land development rights
- 2) A zoning (KCC 21.22)
- 3) AR zoning (KCC 21.23)
- 4) community plans adopted since 1985

Forest

- 1) Resource Lands Area Zoning (Ordinance No. 8848, adopted in 1989),
- 2) community plans adopted since 1985
- 3) 1985 Comprehensive Plan policies related to forest lands.

- 1) F zoning (KCC 21.37)
- 2) FR zoning (KCC 21.38)
- 3) community plans adopted since 1985

Mineral

- 1) Properties designated Quarrying-Mining on Community Plan land use maps
- 2) Existing mineral extraction sites operating pursuant to grading permits

- 1) OM zoning (KCC 21.42)
- 2) policies in current Comprehensive, community, basin, not-point pollution and other functional plans are used as a basis for King County's substantive authority under the State Environmental Policy Act (RCW 43.21C) to condition development proposals pursuant to WAC 197-11-060

KING COUNTY COUNCIL

RECEIVED

GROWTH MANAGEMENT, HOUSING AND ENVIRONMENT

92 JAN 22 AM 10:51

8496

COMMITTEE RECOMMENDATION

KING COUNTY COUNCIL

DATE: January 22, 1992

PROPOSED NO.: 91-708

Proposed Motion stipulating that King County has completed the preliminary classifications and designations and regulations for its critical areas and resources lands as required by GMC Act: **COMMITTEE RECOMMENDATION:** (RCW 36.70A)

- DO PASS
- R.V.N.* DO PASS SUBSTITUTE DATED *Oct. 7, 1991*
- DO NOT PASS
- POSTPONE INDEFINITELY
- PASS OUT OF COMMITTEE (WITH NO RECOMMENDATION)

Cynthia Sullivan
CYNTHIA SULLIVAN, CHAIR

PAUL BARDEN, VICE-CHAIR

Audrey Gruger
AUDREY GRUGER, MEMBER

Bruce Laing
BRUCE LAING, MEMBER

Larry Phillips
LARRY PHILLIPS, MEMBER

Kent Pullen
KENT PULLEN, MEMBER

DATE: _____

TO: COUNCIL CLERK

THE ATTACHED ORDINANCE/MOTION IS FOR INTRODUCTION ^{CLERK} ~~KING COUNTY COUNCIL~~

91-708

W
Cynthia Sullivan

CYNTHIA SULLIVAN
COUNTY COUNCILMEMBER

RECEIVED

8496

92 JAN 14 PM 2:32

CLERK
KING COUNTY COUNCIL

DATE: _____

TO: COUNCIL CLERK

THE ATTACHED ORDINANCE/MOTION IS FOR INTRODUCTION.

91-708

Audrey Gruyer

Cynthia Sullivan
CYNTHIA SULLIVAN
COUNTY COUNCILMEMBER

RECEIVED

8496

GMA
SEP -6 AM 9:56

CLERK
KING COUNTY COUNCIL



**King County Executive
TIM HILL**

400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-4040

8496

RECEIVED
AUG 28 AM 8:37
CLERK
COUNTY COUNCIL

August 27, 1991

*Norris
McFadden
Hogard Sullivan CPU*

The Honorable Lois North, Chair
King County Council
Room 402
C O U R T H O U S E

RE: Growth Management Act (GMA) Interim Requirements

Dear Councilmember North:

I am pleased to transmit a motion for consideration by the King County Council that stipulates that King County has completed the preliminary classifications and designations, and has adopted interim regulations for natural resource lands and critical areas, as required by the Growth Management Act (RCW 36.70A and 1991 1st ex. s. c32).

King County is required to adopt comprehensive land use plans and development regulations under RCW 36.70A.040. As an initial step in this process King County is required under RCW 36.70A.170 to designate critical areas and agricultural, forest and mineral resource lands that have long-term commercial significance. Under RCW 36.70A.060 (as amended by 1991 1st ex. s. c32 section 21), King County is also required to adopt interim development regulations both to assure the conservation of agricultural, forest and mineral resource lands, and to protect critical areas.

The motion stipulates that King County has met the minimum guidelines as given in WAC 365-190. County staff has documented relevant existing County ordinances, rules, plans and policies and the further work that should be considered to bring the County into full compliance with the GMA consistency requirements.

I look forward to your consideration of the motion.



If you have further questions about the motion, please contact Lois Schwennesen, Director of the Parks, Planning and Resources Department, at 296-7503.

Sincerely,



Tim Hill
King County Executive

TH:JSC:DP

Enclosures

cc: King County Councilmembers

ATTN: Cal Hoggard, Program Director
Jerry Peterson, Administrator

Michele McFadden, Council Staff

Lois Schwennesen, Director, Parks, Planning and Resources
Department

ATTN: Miriam Greenbaum, Manager, Planning and Community
Development Division

Clint Lank, Administrator, Environmental Division

Pat Steel, Chief Financial Officer

Paul Tanaka, Director, Department of Public Works

David Lurie, Director, Department of Public Health

Chuck Maduell, Deputy Prosecuting Attorney

AUDREY GRUGER
RON SIMS

INTRODUCED BY **CYNTHIA SULLIVAN**

PROPOSED NO. **917708**

August 23, 1991

MOTION NO. _____

A MOTION stipulating that King County has completed the preliminary classifications and designations and has adopted interim regulations for natural resource lands and critical areas, as required by Growth Management Act (RCW 36.70A).

WHEREAS the State of Washington has enacted the Growth Management Act of 1990 (RCW 36.70A), and the Growth Management Act of 1991 (1991 1st ex. s. c 32); and

WHEREAS King County is required to adopt comprehensive land use plans and development regulations under RCW 36.70A.040; and

WHEREAS King County, by virtue of RCW 36.70A.170, is required, on or before September 1, 1991, to designate where appropriate (1) agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products; (2) forest lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber; (3) mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals; and (4) critical areas; and

WHEREAS King County, by virtue of RCW 36.70A.060 (as amended by 1991 1st ex. s. c 32 section 21), is required, on or before September 1, 1991, to adopt development regulations both to assure the conservation of agricultural, forest, and mineral resource lands and to protect critical areas, all designated under RCW 36.70A.170; and

WHEREAS, under RCW 36.70A.030, "agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, or livestock, and that has long-term commercial significance for agricultural production; and

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1 WHEREAS, under RCW 36.70A.030, "forest lands" means land primarily
2 useful for growing trees, including Christmas trees subject to the excise
3 tax imposed by RCW 84.33.100 through 84.33.140, for commercial purposes,
4 and that has long-term commercial significance for growing trees commer-
5 cially; and

6 WHEREAS, under RCW 36.70A.030, "minerals" include gravel, sand, and
7 valuable metallic substances; and

8 WHEREAS, under RCW 36.70A.030, "critical areas" include the following
9 areas and ecosystems: (a) wetlands; (b) areas with a critical recharging
10 effect on aquifers used for potable water; (c) fish and wildlife habitat
11 conservation areas; (d) frequently flooded areas; and (e) geologically haz-
12 ardous areas;

13 WHEREAS King County has carefully studied designations and
14 development regulations which exist within current county ordinances and
15 rules for agricultural, forest, and mineral resource lands and critical
16 areas, in order to thoroughly assess compliance with the September 1, 1991
17 requirements of the Growth Management Act;

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

19 Section 1. King County meets the minimum guidelines for classifying,
20 designating and regulating agricultural resource lands which have long-term
21 commercial significance, as established by the Washington State Department
22 of Community Development (WAC 365-190), through purchase of agricultural
23 land development rights on 12,500 acres, the adoption of the Resource Lands
24 Area Zoning (Ordinance No. 8848, adopted in 1989), community plans adopted
25 since 1985 and the 1985 Comprehensive Plan policies related to agricultural
26 land;

27 Section 2. King County meets the minimum guidelines for classifying,
28 designating and regulating forest resource lands which have long-term com-
29 mercial significance, as established by the Washington State Department of
30 Community Development (WAC 365-190), through the adoption of the Resource
31 Lands Area Zoning (Ordinance No. 8848, adopted in 1989), community plans
32 adopted since 1985 and the 1985 Comprehensive Plan policies related to for-
33 est lands. The level of protection for the forest lands zoned as Forest-

1 Recreation (F-R) in the portions of the Forest Production Districts in the
2 Tahoma/Raven Heights community planning area is not as adequate as the
3 areas of King County zoned as Forest (F).

4 Section 3. King County meets the minimum guidelines for regulating
5 mineral resource lands which have long-term commercial significance, as
6 established by the Washington State Department of Community Development
7 (WAC 365-190), through the King County zoning code (especially, the Quarry-
8 ing - Mining zone classification) and through its authority under the State
9 Environmental Policy Act (RCW 43.21C) to condition development proposals
10 consistent with the mineral policies in current Comprehensive, community,
11 basin, non-point pollution and other functional plans.

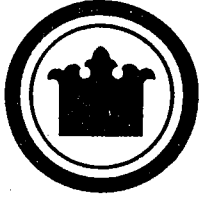
12 Section 4. King County meets the minimum guidelines for classifying,
13 designating and regulating the following critical areas and ecosystems: (1)
14 wetlands; (2) frequently flooded areas; and (3) geologically hazardous
15 areas, as established by the Washington State Department of Community
16 Development (WAC 365-190) through its adoption of the Sensitive Areas Ordinance
17 (Ordinance No. 9614, King County Code 21.54);

18 Section 5. To meet the minimum guidelines for classifying, designat-
19 ing and regulating fish and wildlife habitat conservation areas, as estab-
20 lished by the Washington State Department of Community Development (WAC
21 365-190), King County uses 1) the list of priority habitats and species,
22 management recommendations and geographic location data for priority habi-
23 tats and species, as developed by the Priority Habitat and Species Program
24 of the Washington Department of Wildlife, 2) Species of Concern list and
25 National Heritage Database information and 3) other relevant documents, as
26 the interim designation for fish and wildlife habitat conservation areas.
27 King County additionally uses 1) the provisions of the Sensitive Areas
28 Ordinance (Ordinance No. 9614, King County Code 21.54), 2) special condi-
29 tions and area zoning and 3) the policies in the 1985 Comprehensive Plan
30 and other community, basin nonpoint pollution and other functional plans,
31 as a basis for its substantive authority under the State Environmental
32 Policy Act (RCW 43.21C) to condition development proposals pursuant to WAC
33

1 197-11-660 for the protection of fish and wildlife habitat conservation
2 areas.

3 Section 6. To meet the minimum guidelines for classifying, designat-
4 ing and regulating aquifer recharge areas, as established by the Washington
5 State Department of Community Development (WAC 365-190), King County, as
6 the lead agency for the development of Ground Water Management Programs
7 which are authorized by RCW 90.44 (Regulation of Public Ground Water) and
8 WAC 173-100 (Ground Water Management Areas and Programs) uses the existing
9 Ground Water Management Areas, the Cedar River as a (EPA) Sole Source
10 Aquifer and the U. S. Soil Conservation Service soils, as identified as
11 excessively permeable (Type 1), as the interim designation for areas with a
12 critical recharging effect upon aquifers used for potable water. King
13 County additionally uses 1) the provisions of the Sensitive Areas Ordinance
14 (Ordinance No. 9614, King County Code 21.54) and 2) the policies in the
15 1985 Comprehensive Plan and other community, basin nonpoint pollution and
16 other functional plans, as a basis for its substantive authority under the
17 State Environmental Policy Act (RCW 43.21C) to condition development pro-
18 posals pursuant to WAC 197-11-660 for the protection of areas with a criti-
19 cal recharging effect upon aquifers used for potable water.

20 Section 7. King County, by virtue of RCW 36.70A.060, is required to
21 review these interim measures to protect critical areas and conserve
22 resource lands as defined in RCW 36.70A.30 and may incorporate new policies
23 to guide protection of critical areas and conservation of resource lands
24 into the comprehensive plan to be adopted by July 1, 1993 under RCW 36.70A.
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King County Council

Audrey Gruger, *Chair*

Gerald A. Peterson, *Clerk of the Council*
Room 403, King County Courthouse
Seattle, Washington 98104
(206) 296-1010

February 17, 1992

Tim Hill
King County Executive
400 Courthouse

Dear Mr. Hill:

Motion 8496 was passed by the King County Council on January 27, 1992. Attached please find a copy for your file. The motion has been sent to the following:

Parks, Planning & Resources 11ST
Mari Eng

Planning & Community Development 7ST

Environmental Division 11ST
Clint Lank, Administrator

Budget Office

Finance Office 6A
George Olson

Public Works
Judie Moses

Health Department 6B
Yvonne Larsen

~~Planning & Community Development 7ST~~

Public Works
Judie Moses

Surface Water Management 6B

Sincerely,

Gerald A. Peterson
Clerk of the Council

GAP:jc

Attachment

Audrey Gruger
Larry Phillips
Paul Barden

District 1
District 4
District 7

Cynthia Sullivan
Ron Sims
Greg Nickels

District 2
District 5
District 8

Brian Dardowski
Bruce Laing
Kent Pullen

District 3
District 6
District 9

