

September 20, 1989
1063H:SM:mls

INTRODUCED BY: Barden

PROPOSED NO.: 89-773

ORDINANCE NO. 9154

AN ORDINANCE establishing interim controls on properties in the Federal Way Incorporated Area until incorporation and declaring an emergency.

PREAMBLE:

For the purpose of effective comprehensive land use planning and regulation, and to facilitate the orderly transition to city jurisdiction of the City of Federal Way, the King County council makes these findings:

1. In 1986 the Washington State Legislature adopted revisions to the incorporation process to allow for and encourage the orderly transition from county to city jurisdiction. Pursuant to the provisions of RCW 35.02.130, an interim period exists between the time the newly elected officials of the incorporated city have been elected and the official date of incorporation. During this interim period the newly elected officials are authorized to adopt ordinances and resolutions which become effective on or after the official date of incorporation. The creation of this interim period was to allow for a relatively smooth and deliberate period of consideration policy issues prior to the city assuming affective legal control.
2. All members of the Federal Way city council have signed a letter attached as Exhibit A stating they will immediately undertake a proposed study to adopt comprehensive plan and area zoning to provide more detailed policy guidelines for land use, transportation and environment that will be implemented through the adoption by the city of areawide zoning. The policy options for the new city may differ from the existing Federal Way Community Plan. Particular attention will be given to insuring the effective planning and implementation of commercial, industrial and multi-family zoning. Continued acceptance of building permits under existing zoning in advance of the city of Federal Way's effective adoption of the new comprehensive plan and area zoning would preclude consideration of significant potentially desirable land use alternatives by the city council during its review process. Such a development pattern may not be within the city's capacity to provide the desired level of facilities and services and may be inconsistent with the choices the city of Federal Way may undertake. Based upon information now available to the county, inaction of the county could lead to very difficult issues for the new city in its ability to coordinate the provision of public services and facilities with the land use. Inaction by the county could lead to significant conflict with the city.

1 3. King County adopted 1985 Comprehensive Plan establishes as
2 the county's policy to work with the cities as they assume
3 responsibility for urban areas in King County. The
4 failure of King County to enact interim controls will add
5 pressure on the city to incorporate as soon as possible.
6 It is not in the interest of the citizens of Federal Way
7 or King County to proceed with undue haste in the
8 transition. The imposition of controls until
9 incorporation but no longer is a responsible and necessary
10 measure for King County.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. Interim Controls in the City of Federal Way Area.

13 The properties as shown on the attached map are rezoned to the
14 land use and zoning as shown on the attached zoning maps included
15 as Attachment B.

16 SECTION 2. Limit of Interim Controls. The interim controls
17 applied in Section 1 shall be in effect until the effective date
18 of incorporation.

19 SECTION 3. Application of Interim Controls.

20 A. All existing P-suffix conditions regarding environmental
21 impacts or traffic shall remain as in effect under interim
22 controls.

23 B. This ordinance shall not be construed to derogate the
24 rights of those projects which are vested under state law.
25 Further, in consultation with the King County prosecuting
26 attorney, the manager of BALD shall consider as vested, projects
27 which meet all of the following criteria:

28 1. Environmental Review under S.E.P.A. has been completed
29 through the appeal process.

30 2. A valid approval of a site plan for the entire project
31 has been issued.

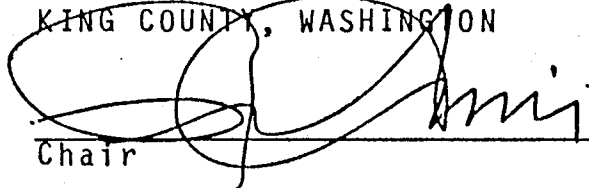
32 3. The applicant has made significant expenditure of funds
33 in direct reliance on the county approval or approvals.

SECTION 4. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

INTRODUCED AND READ for the first time this 25th day of September, 19 89.

PASSED this 25th day of September, 19 89.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chair 10:39

ATTEST: 
Clerk of the Council

APPROVED this _____ day of _____, 19 _____

King County Executive

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CLERK
KING COUNTY COUNCIL.

September 20, 1989

King County Councilmembers
402 King County Courthouse
Seattle, Washington 98104

Dear King County Councilmembers:

We the undersigned, the newly elected members of the Federal Way City Council, urgently request the King County Council cooperate with us on establishing interim controls on land use during the relatively short period until the incorporation becomes effective.

We, in good faith, are committed to conducting a full study of alternative land uses before adopting a comprehensive plan. In order to have the time to conduct the study which we believe was mandated by our city electorate, we must have the opportunity to conduct the review without the pressure of a rush of new high impact construction which might defeat in whole or in part the execution of land-use alternatives we may desire to enact.

We call upon you to enact interim zoning controls by enacting zoning which would restrict ^{all zones ~~new~~ *RES*} development to single family residential ^{*RES*} development during the few months until the effective date of incorporation. ^{*clear zone ordinance RES*} We also call upon you to enact a comprehensive and strict ^{*and grad*} ordinance. We are concerned that the failure of the County Council to act on our requests will create difficult issues for the new city in its ability to coordinate provision of public services and facilities with land use.

While this proposal is simple, we believe it will prevent complication of our planning function by a new rush of potentially high impact projects and allow us the time to examine the issues.

We ask your cooperation and assistance.

Sincerely,

Debra Ertel
Debra Ertel

Mary E. Gates
Mary E. Gates

James Handmacher
James Handmacher

Joel Marks
Joel Marks

Robert E. Stead
Robert E. (Bob) Stead

Lynn J. Templeton
Lynn J. Templeton

Jim Webster RES

[Signature]

Federal Way Community Plan

Areas shaded in refer to those areas in the Federal Way Community Plan with non-single family residential zoning to be rezoned to RS 9600 by interim zoning. This map does not purport to show actual boundaries of properties. The official Federal Way area zoning map shall be used for boundaries.



King County
Planning Division
February, 1984

