



King County

Metropolitan King County Council

STAFF REPORT

Proposed No.:	2022-0009	Name:	Erin Auzins
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SUBJECT

Proposed Ordinance 2022-0009 would modify the regulations regarding extensions of interim use permit approvals.

SUMMARY

The Proposed Ordinance would authorize the Permitting Division to extend interim use permits for one or more one-year periods, up to a total of five years.

BACKGROUND

Pacific Raceways operates as an automobile racetrack on a 327-acre site in unincorporated King County, east of State Route 18 and near the City of Auburn. The current development and activities at Pacific Raceways are governed by a conditional use permit (CUP), File No. 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. 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 Permitting Division of the Department of Local Services, 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, 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, Permitting went through the process required by the Ordinance to choose consultants for the anticipated Environmental Impact Statement (EIS).

The Pacific Raceways project site, 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, 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 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 for the development of renewable energy powered 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 for certain activities on the site before the applicant initiates the master planning process demonstration project. These activities include: 1) up to 400,000 square feet of automobile racing garages and required site improvements, and 2) excavation and processing of materials necessary for the construction of the garages. These activities were authorized through an *interim use permit*, and the applicant was required to obtain permits required by the County's construction codes. The ordinance set out application requirements, development conditions that must be considered, and responsibilities for the Permitting Division and the Hearing Examiner to review and make a decision on the application. Pacific Raceways applied for and received an interim use permit,¹ and has started construction on a project that includes excavation of 1,000,000 cubic yards of gravel and construction of approximately 205,000 square feet of commercial/industrial space in six buildings ranging in size from 5,000 square feet to 40,000 square feet.

As approved, the interim use permit will expire February 27, 2022, unless an additional extension under King County Code (K.C.C.) 20.20.105 is authorized.

ANALYSIS

K.C.C. 20.20.105 currently allows for certain types of permit approvals² to be extended for one year, if the following criteria are met:

1. Regulations governing the approval of the land use decision have not changed;
2. Site conditions have not significantly changed in a manner that would have affected the original permit approval; and
3. The applicant pays applicable permit extension fees.

Proposed Ordinance 2022-0009 would authorize interim use permit approvals to be extended administratively, by the Permitting Division, under these same criteria. If adopted, the Proposed Ordinance would allow Permitting to extend an interim use permit for one or more one-year periods, up to a total of five consecutive years.

Pacific Raceways is the only known project to have an active interim use permit. Pacific Raceways has requested an additional extension for the interim use permit in order to complete the on-site work, construction for which had been put on hold, partially due to the COVID-19 pandemic.

¹ [Hearing Examiner decision issued April 17, 2019](#)

² These permits include conditional use permits, variances, alteration exceptions or reasonable use exceptions.