

17287

0.1

03/19/12 Council Meeting

BE moved

Sponsor: Ferguson

Proposed No.: 2011-0227

PASSED 9-0

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 9, delete lines 183 through 184 and insert:

4 “12. Specified enforcement mechanisms to address any violations of the
5 conditions of the development agreement, including, but not limited to, the following:
6 a. a process for monitoring condition violations and for receipt of complaints;
7 b. a process for expedited review and remedy of possible violations; and
8 c. a penalty schedule that recognizes the nature and impact of the violation and
9 is sufficient to deter violations that otherwise result in financial benefit to the facility,
10 including, but not limited to, revocation of operating permit and loss of specific days of
11 operation.”

12
13 **EFFECT: Enhances the enforcement provisions of the development agreement**
14 **requiring meaningful penalties and an expedited review and remedy of possible**
15 **violations.**

03/19/12 Council Meeting

Sponsor: FergusonProposed No.: 2011-0227BF moved
PASSED: 9-01 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**2 **2011-0227, VERSION 2**

3 On page 9, delete lines 185 through 196 and insert:

4 "F. All development under the master plan shall be subject to the following
5 standards relating to screening and building setbacks: as provided in K.C.C.
6 21A.16.030.F, to the maximum extent practical, buildings and other structures shall be
7 constructed on the project to be shielded from view from adjoining residential properties
8 using methods that may include, but are not limited to:

- 9 1. Retention of existing vegetation; and
- 10 2. Placement of new vegetation to augment existing vegetation."

11

12 **EFFECT: Eliminates allowance for buffers and building setbacks.**

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1

March 19, 2012 Council Meeting

[khm]

Sponsor: Phillips

Proposed No.: 2011-0227

*LP moved
PASSED 9-0*

1 **AMENDMENT TO STRIKING AMENDMENT 1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 10, at line 218, after "access roads to the existing racing surfaces;" insert the
4 word "and"

5 On page 11, at line 222, after "21A.24.340 based on the type of mitigation measures
6 proposed;" delete "and"

7 (3) the alterations under this subsection are not within a buffer averaging not
8 less than three hundred feet of the ordinary high water mark of Soosette creek".

9

10 **EFFECT: Removes the reference to a 300 foot average buffer.**

11

03/19/12 Council Meeting

Sponsor: Ferguson

Proposed No.: 2011-0227

BF moved
PASSED: 9-0

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 10, after line 218, insert:

4 “(2) there is no feasible alternative to the development proposal with less
5 adverse impact on the critical area;

6 (3) the alteration is the minimum necessary to accommodate the development
7 proposal;

8 (4) the alternation has the least possible adverse impact on the critical area
9 and critical area buffer;

10 (5) the critical area is not used as a salmonid spawning area;

11 (6) the director may only approve an alteration in a category III or IV
12 wetland;”

13 Renumber the remaining subsections consecutively and correct any internal references
14 accordingly

15

16 **EFFECT: Creates tighter restrictions around alternations to wetland or aquatic**
17 **areas and their buffers.**

March 19, 2012 Council Meeting

Sponsor: Ferguson

[rb]

Proposed No.: 2011-0227

BF moved
PASSED: 9-0

1 **AMENDMENT TO STRIKING AMENDMENT 1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 22, starting at line 484, after the phrase " surface water management standards
4 under K.C.C. Title 9" delete ", but only to the extent required by federal or state legal
5 requirements, including the county's NPDES permit in effect on the date of the subject
6 permit application. Absent such a federal or state requirement, the county's surface water
7 management standards shall be applied pursuant to the provision of subsection Q.1. of
8 this section"

9

10 **EFFECT: Amendment would apply the stormwater regulations in effect at the time**
11 **that a development or "building" permit application is deemed complete. This**
12 **amendment would treat stormwater regulations application the same as the**
13 **ordinance does for public health and safety provisions, roads standards, and**
14 **building and fire codes. Removes the qualifying language that could have allowed**
15 **stormwater regulations in effect at the time the Council adopts the ordinance**
16 **authorizing the executive to execute the development and operating agreement be**
17 **applied for future building permits for the development.**

2.1a

03/19/12 Council Meeting

Sponsor: Ferguson

Proposed No.: 2011-0227

BE moved
Failed 3-6 BE/DeMCP/Lg "yes"

18 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

19 **2011-0227, VERSION 2**

20 On page 25, delete lines 539 through 570 and insert:

21 SECTION 5. A. The department shall select a consultant in accordance with
22 K.C.C. 20.44.050 who will be responsible for preparing the environmental impact
23 statement required by section 6 of this ordinance."
24

25 **EFFECT: Deletes special EIS consultant selection process. With this amendment,**
26 **DDES would engage in their standard practice to select a qualified EIS consultant to**
27 **perform the EIS.**

28

03/19/12 Council Meeting

Sponsor: Ferguson

Proposed No.: 2011-0227

BF withdrawn

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 25, line 544 after "shall" insert ", as an exercise of its sole discretion,"

4 On page 25, line 544 after "list of" insert "at least three"

5

6 **EFFECT: Clarifies that DDES does not need to provide an exhaustive list of**

7 **qualified consultants for the EIS, but must provide at least three.**

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2.2

03/19/12

Sponsor: Ferguson

Proposed No.: 2011-0227

*BF Moved
PASSED: 9-0*

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 28, delete line 617 and insert:

4 "B. In addition to any other studies, a comprehensive noise study shall be required
5 as part of the SEPA review. The noise study shall identify the significant adverse
6 impacts, mitigation measures, and any unavoidable impacts;"

7

8 **EFFECT: Adds additional details to requirements of the noise study completed as**
9 **part of the EIS.**

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3

March 19, 2012

[rb]

Sponsor: McDermott

Proposed No.: 2011-0227

Joe McDermott Moved
PASSED: 9-0

1 **AMENDMENT TO STRIKING AMENDMENT 1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 28, delete lines 618 through 621.

4 The clerk shall renumber the remainder of this section.

5

6 **EFFECT: Removes a provision that appears to duplicate the purpose of another**
7 **paragraph within the same section. Its inclusion could potentially create an**
8 **ambiguity with that other paragraph. Amendment would delete text stating that the**
9 **environmental impact statement would review the potential new impacts that may**
10 **occur over and above those impacts currently allowed pursuant to the conditions of**
11 **current CUP.**

12

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3.2a

03/19/12 Council Meeting

Sponsor: Ferguson

Proposed No.: 2011-0227

BF moved
PASSED: 9-0

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 28, after line 623, insert

4 "E. The environmental impact statement shall review the kart track relocation at
5 the Pacific Raceways site and shall analyze the effectiveness of mitigations and other
6 conditions imposed by the approval, including, but not limited to, mitigations for noise
7 and environmental protection. The effectiveness of this regulatory decision shall be
8 considered in determining the appropriate mitigations and their potential effectiveness
9 with regard to any new proposal;"

10 Renumber the remaining subsections consecutively and correct any internal references
11 accordingly.

12

13 **EFFECT: Requires the EIS to study the effectiveness of past noise, environmental,**
14 **and other mitigation efforts and conditions to inform future development and**
15 **mitigation efforts at the site.**

March 19, 2012 - Council Meeting

[rb]

Sponsor: Gossett/McDermott

Proposed No.: 2011-0227

*See MD moved
PASSED: 9-0*

1 **AMENDMENT TO STRIKING AMENDMENT 1 TO PROPOSED ORDINANCE**

2 **2011-0227, VERSION 2**

3 On page 31, delete lines 685 and 686 and insert

4 " 3. Custom fabrication of racing motor vehicles, or vehicle parts to be
5 incorporated into those vehicles, that will be used primarily at the facility;"

6 **EFFECT: Limits fabrication of racing motor vehicles and their parts to those used**
7 **primarily at Pacific Raceways.**
8

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T1

February 21, 2012

3/19/12 Council Meeting

Sponsor: von Reichbauer

khm

PUR Moved
PASSED: 9-0

Proposed No.: 2011-0227

1 **TITLE AMENDMENT TO PROPOSED ORDINANCE 2011-0227, VERSION 2**

2 On page 1, beginning on line 1, strike everything through line 18, and insert:

3 AN ORDINANCE relating to the development of a
 4 regional motor sports facility; adopting provisions for
 5 approval of such a facility through a master planning
 6 demonstration project, as authorized under K.C.C. chapter
 7 21A.55; amending Ordinance 10870, Section 337, as
 8 amended, and K.C.C. 21A.08.100; adding a new section to
 9 K.C.C. chapter 21A.55; adding a new section to K.C.C.
 10 chapter 20.24; adding new sections to K.C.C. chapter
 11 21A.06; and adding a new section to K.C.C. chapter 27.02.

12