



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19648

Proposed No. 2023-0099.3

Sponsors Balducci

1 AN ORDINANCE relating to the permit review processes;
2 and amending Ordinance 18230, as amended, and K.C.C.
3 4A.780.010, Ordinance 18754, Section 23, as amended,
4 and K.C.C.14.06.030, Ordinance 129, Section 1, as
5 amended, and K.C.C. 14.40.010, Ordinance 18420, Section
6 60, and K.C.C. 14.40.0102, Ordinance 18420, Section 61,
7 and K.C.C. 14.40.0104, Ordinance 18420, Section 62, and
8 K.C.C. 14.40.0106, Ordinance 8766, Section 3, as amended,
9 and K.C.C. 16.08.020, Ordinance 13694, Section 69, as
10 amended, and K.C.C. 19A.16.090, Ordinance 12196,
11 Section 9, as amended, and K.C.C. 20.20.020, Ordinance
12 12196, Section 17, as amended, and K.C.C. 20.20.100,
13 Ordinance 18230, Section 4, and K.C.C. 20.22.010,
14 Ordinance 263, Article 5, Section 2, as amended, and
15 K.C.C. 20.22.020, Ordinance 18230, Section 8, and K.C.C.
16 20.22.030, Ordinance 4461, Section 2, as amended, and
17 K.C.C. 20.22.040, Ordinance 4461, Section 1, as amended,
18 and K.C.C. 20.22.060, Ordinance 18230, Section 16, as
19 amended, and K.C.C. 20.22.070, Ordinance 4461, Section
20 3, as amended, and K.C.C. 20.22.080, Ordinance 11502,

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21 Section 12, as amended, and K.C.C. 20.22.090, Ordinance
22 18230, Section 21, and K.C.C. 20.22.100, Ordinance 4461,
23 Section 5, as amended, and K.C.C. 20.22.110, Ordinance
24 11502, Section 12, as amended, and K.C.C. 20.22.120,
25 Ordinance 263, Article 5, Section 11, as amended, and
26 K.C.C. 20.22.130, Ordinance 4461, Section 9, as amended,
27 and K.C.C. 20.22.140, Ordinance 4461, Section 10, as
28 amended and K.C.C. 20.22.150, Ordinance 13687, Section
29 7, as amended, and K.C.C. 20.22.160, Ordinance 13147,
30 Section 34, and K.C.C. 20.22.170, Ordinance 9544, Section
31 16, as amended, and K.C.C. 20.22.180, Ordinance 17287,
32 Section 4, and K.C.C. 20.22.190, Ordinance 18709, Section
33 4, as amended, and K.C.C. 20.22.195, Ordinance 9785,
34 Section 10, as amended, and K.C.C. 20.22.200, Ordinance
35 18754, Section 31, and K.C.C. 20.22.205, Ordinance
36 18230, Section 43, and K.C.C. 20.22.210, Ordinance 4461,
37 Section 11, as amended, and K.C.C. 20.22.220, Ordinance
38 18230, Section 46, and K.C.C. 20.22.230, Ordinance 4461,
39 Section 12, as amended, and K.C.C. 20.22.240, Ordinance
40 263, Article 5, Section 18, as amended, and K.C.C.
41 20.22.250, Ordinance 4461, Section 15, as amended, and
42 K.C.C. 20.22.270, Ordinance 4461, Section 14, as
43 amended, and K.C.C. 20.22.280, Ordinance 11502, Section

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44 17, as amended, and K.C.C. 20.22.290, Ordinance 11502,
45 Section 18, as amended, and K.C.C. 20.22.300, Ordinance
46 11502, Section 19, as amended, and K.C.C. 20.22.310,
47 Ordinance 11502, Section 20, as amended, and K.C.C.
48 20.22.320, Ordinance 263, Article 5, Section 13, as
49 amended, and K.C.C. 20.22.330, Ordinance 6949, Section
50 14, as amended, and K.C.C. 20.44.120, Ordinance 4828,
51 Section 11, and K.C.C. 20.62.110, Ordinance 10870, Section
52 101, and K.C.C. 21A.06.305, Ordinance 10870, Section 617,
53 as amended, and K.C.C. 21A.42.090, Ordinance 11621,
54 Section 118, and K.C.C. 21A.43.090, Ordinance 10870,
55 Section 632, as amended and K.C.C. 21A.50.040 and
56 Ordinance 3692, Section 2, as amended, and K.C.C.
57 20.12.200 and repealing Ordinance 12196, Section 25, as
58 amended, and K.C.C. 20.22.050.

59 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

60 SECTION 1. Ordinance 18230, as amended, and K.C.C. 4A.780.010 are hereby
61 amended as follows:

62 A. Except as otherwise provided in subsection B. of this section, the fee for filing
63 an appeal to the office of the hearing examiner under K.C.C. 20.22.080((;)) is two
64 hundred fifty dollars.

65 B.1. The fee for filing an appeal to the office of the hearing examiner under
66 K.C.C. 20.22.080, of a permit fee estimate and billing under K.C.C. ((chapter 27.50))

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67 27.02.040.D., is fifty dollars.

68 2. There is no fee for filing an appeal to the office of the hearing examiner of an
69 enforcement or penalty action under K.C.C. Title 6, K.C.C. Title 11, or K.C.C. Title 23,
70 ~~((or))~~ a transit rider suspension under K.C.C. 28.96.130~~((-~~

71 ~~C. The fee for filing))~~ or an appeal to the council under ~~((section))~~ K.C.C.

72 20.22.230.D. ~~((is two hundred fifty dollars.))~~

73 SECTION 2. Ordinance 18754, Section 23, as amended, and K.C.C. 14.06.030,
74 are hereby amended as follows:

75 A. The council has determined that after the county road engineer has conducted
76 an engineering and traffic investigation of a county road that establishes the maximum
77 speed permitted under state law is greater or less than is reasonable and safe under the
78 conditions found to exist thereon, the county road engineer is authorized to change the
79 maximum limit to:

- 80 1. Decrease the limit at intersections;
- 81 2. Increase the limit but not to more than sixty miles per hour; or
- 82 3. Decrease the limit but not to less than twenty miles per hour.

83 B. At the direction of the county road engineer, the traffic engineer shall perform
84 the engineering and traffic investigation to determine if the existing maximum speed limit
85 permitted is appropriate and safe under the conditions found to exist upon a county road.

86 A member of the public may request the county road engineer to direct that an
87 engineering and traffic investigation be conducted. An engineering and traffic
88 investigation shall be based upon the following factors:

- 89 1. Road surface characteristics, shoulder conditions, grade, alignment, and sight

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90 distance;

91 2. The eighty-fifth percentile speed and pace speed;

92 3. Roadside development and land use;

93 4. Safe speed for curves within the speed zone;

94 5. Parking practices and pedestrian activity; and

95 6. Most-recently reported collision history for the preceding thirty-six months.

96 C. If the traffic engineer, after consideration of the findings of the engineering
97 and traffic investigations, determines that a change in the existing speed limit is
98 appropriate, based on current engineering standards and guidelines, the traffic engineer
99 shall ~~((transmit an electronic notice of the proposed change to the clerk of the council,~~
100 ~~who shall retain the original and provide an electronic copy to all councilmembers, before~~
101 ~~initiating))~~ hold a public comment period of at least fourteen calendar days and may hold
102 a public meeting to solicit public input on the proposed change. The public may submit
103 its testimony to the traffic engineer by letter or email during the comment period. The
104 traffic engineer shall publish notice of the public comment period in a newspaper of
105 general circulation in the area where the change in the existing speed limit is proposed.

106 D. If the traffic engineer concludes that there should be a change in the speed
107 limit, based on the engineering and traffic investigations results and public comments, the
108 traffic engineer may propose the speed limit revision to the county road engineer.

109 E. If the county road engineer concurs with the traffic engineer's proposed
110 revision, a speed limit change shall be final unless ~~((within thirty business days from the~~
111 ~~date when signs giving notice of the speed limit change are erected, a person files a~~
112 ~~written appeal to the speed limit change, including why the engineering and traffic~~

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113 ~~investigations do not support the proposed speed limit change, with the clerk of the~~
114 ~~council))~~ appealed under subsection F. of this section.

115 F. ~~((The council designates the hearing examiner to hear on its behalf all appeals~~
116 ~~from d))~~Decisions of the county road engineer related to changes in speed limits ((and
117 ~~make a recommendation to the council whether the appeal should be granted))~~ may be
118 appealed to the hearing examiner. An appeal must be initiated in accordance with K.C.C.
119 20.22.080.

120 G. The county road engineer shall report all speed limit changes to the council by
121 electronically filing a report with the clerk of the council, who shall ~~((distribute copies of~~
122 ~~the report to))~~ retain the original and provide an electronic copy to all councilmembers.
123 The county road engineer shall also file a report of speed limit changes with the sheriff
124 and the records and licensing services division of the department of executive services.
125 The county road engineer shall also maintain a copy of the speed limit change report and
126 make the report electronically available to the public ~~((during regular business hours)).~~
127 Speed limit revisions take effect when signs with the new speed limit are erected.

128 SECTION 3. Ordinance 129, Section 1, as amended, and K.C.C. 14.40.010 are
129 hereby amended as follows:

130 Proposed vacation of a county right of way may be initiated:

131 A. By the council, which by ordinance declares its intent to vacate and abandon a
132 county right of way or portion thereof that is considered useless and directs the county road
133 engineer to prepare a report on such vacation and abandonment: or

134 B. By a petition for vacation of a county right of way filed with the ~~((clerk of the~~
135 ~~council))~~ department of local services, road services division.

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136 SECTION 4. Ordinance 18420, Section 60, and K.C.C. 14.40.0102 are hereby
137 amended as follows:

138 A. Property owners of the majority of the frontage on any county right of way or
139 portion of the right of way they seek to vacate may petition the ~~((council))~~ county to vacate
140 and abandon the right of way or portion of the right of way by submitting a vacation
141 petition to the ~~((clerk of the council))~~ department of local services, road services division.

142 B. The petition must include the name, address, and land owned for each
143 petitioner, and set forth that the right of way is useless as part of the county road system
144 and that the public will be benefited by its vacation. A county right of way may be
145 considered useless if it is not necessary to serve an essential role in the public road network
146 or if it would better serve the public interest in private ownership.

147 C. The petition must be signed by owners of a majority of the lineal footage of the
148 right of way the petition seeks to vacate.

149 D. The petition shall be accompanied by:

150 1. Payment of the administrative fee in the amount specified in K.C.C.

151 4A.700.770; and

152 2. A legal description of the right of way proposed to be vacated and of the
153 property owned by each petitioner, including the square footage of the area of vacation and
154 a drawing, for both the area of right of way proposed to be vacated and the property
155 adjacent to the proposed vacation owned by each petitioner. The county road engineer may
156 require a drawing prepared by a surveyor licensed by the state of Washington.

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157 ~~((E. After receipt of a petition and payment of the administrative fee, the clerk of~~
158 ~~the council shall transmit the petition to the county road engineer, who shall evaluate the~~
159 ~~proposed vacation for compliance with requirements of this section.))~~

160 SECTION 5. Ordinance 18420, Section 61, and K.C.C. 14.40.0104 are hereby
161 amended as follows:

162 A. Upon receipt of a petition, the county road engineer shall determine whether
163 owners of the majority of the lineal footage of the frontage of the right of way proposed for
164 vacation have signed the petition. If the county road engineer determines the signatories of
165 the petition own less than the majority of the lineal footage of the frontage of the right of
166 way proposed for vacation, the county road engineer shall notify the petitioners ~~((and the~~
167 ~~clerk of the council))~~ that the petition does not have sufficient signatories. The petitioners
168 shall have thirty days from the date of that notice to supplement the petition by filing with
169 the ~~((clerk of the council, with a copy of the county road engineer,))~~ department of local
170 services, road services division, a sufficient number of additional petition signatures to
171 establish that a majority of owners of the lineal footage of the frontage of the right of way
172 proposed for vacation support the petition. Failure to include the signature of a majority
173 the owners of the lineal footage of the frontage of the right of way proposed for vacation is
174 grounds for the county road engineer to ~~((report in writing to the council clerk))~~ find that
175 the petition is deficient. In that event, no further action will be taken on the petition and the
176 county road engineer shall inform the petitioners of the determination.

177 B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if
178 under subsection A. of this section the county road engineer determines that ~~((the))~~ a
179 petition is valid, then the county road engineer shall examine the right of way proposed to

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180 be vacated and abandoned and complete a report that complies with the requirements in
181 RCW 36.87.040, including the county road engineer's opinion of whether the right of way
182 should be vacated. The report should address:

- 183 1. Whether the county right of way should be vacated and abandoned;
- 184 2. Whether the county right of way is in use or has been in use;
- 185 3. The condition of the right of way;
- 186 4. Whether it is advisable to preserve all or a portion of the right of way for the
187 county transportation system of the future;
- 188 5. Whether the public will be benefited by the vacation of the county right of way;
- 189 6. The appraised value of the county right of way or portion thereof proposed for
190 vacation as well as the county road engineer's recommendation for compensation to be
191 determined in accordance with the factors listed in K.C.C. 14.40.020.A.;
- 192 7.a. Whether the proposed county right of way to be vacated serves as access to
193 property abutting the county right of way that is subject of the vacation request; and
194 b. a recommendation for requiring access easements for all abutting properties as
195 a condition of granting the vacation;
- 196 8.a. Whether the proposed county right of way to be vacated contains utilities; and
197 b. a recommendation for retaining an easement for the construction, repair, and
198 maintenance of public utilities and services that are authorized at the time the ordinance is
199 adopted or are physically located on a portion of the right of way being vacated;
- 200 9. Other matters that may be of interest, including any fees charged under K.C.C.
201 14.40.0106.B.;

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202 10. Whether the proposed area to be vacated abuts a body of salt or fresh water as
203 set forth in RCW 36.87.130;

204 11. A list of the property owners whose property abuts the county right of way or
205 any portion thereof proposed for vacation who are not petitioners; and

206 12. If not waived in accordance with K.C.C. 14.40.106.C. a list of all costs
207 incurred in preparing the report.

208 C. Upon completion of the report by the county road engineer, the executive shall
209 transmit the report, any petition, and a proposed ordinance to the council. The hearing
210 examiner is appointed by the council to conduct the public hearing of any proposed
211 vacation of a county right of way.

212 SECTION 6. Ordinance 18420, Section 62, and K.C.C. 14.40.0106 are hereby
213 amended as follows:

214 A. Petitioners shall pay to the ~~((clerk of the council))~~ road services division an
215 administrative fee set forth in K.C.C. 4A.700.770.

216 B. In addition to the administrative fee required in subsection A. of this section, the
217 county road engineer may charge petitioners additional fees for costs associated with the
218 petition, including costs for processing, investigation, determination of value, appraisals,
219 and the ~~((cost of the))~~ public hearing ~~((pertaining to the petition))~~. The county road
220 engineer shall provide petitioners with an estimate of these costs prior to the county road
221 engineer preparing the report on the proposed vacation.

222 C. The director of the road services division has the discretion to waive all or a
223 portion of any additional fee assessed under subsection B. of this section and required by

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224 this chapter. The waiver must be in writing and shall state a compelling need or public
225 purpose that is served by the waiver.

226 SECTION 7. Ordinance 8766, Section 3, as amended, and K.C.C. 16.08.020 are
227 hereby amended as follows:

228 A. Public or private roads shall be designated within the guidelines of the grid
229 system as determined by the department. Named roads can only be assigned when the
230 numbered grid is determined infeasible by the department. The department may
231 redesignate existing private and county roads if such roads are determined to be
232 inconsistent with the surrounding road designation system.

233 B. All roads shall carry a geographic suffix or prefix. Roads designated as avenues
234 shall carry a geographic suffix and be in a north-south direction, and roads designated as
235 streets shall carry a geographic prefix and be in an east-west direction. Diagonal roads are
236 treated as being either north-south or east-west roads. Names such as lane, place, way,
237 court, and drive may be used on a road running either direction.

238 C. Only entire street lengths or distinct major portions of streets, as defined in
239 K.C.C. 16.08.060, shall be separately (~~redesignated~~) redesignated.

240 D. In determining the need for redesignation, the department shall consider
241 consistency with the provisions of K.C.C. 16.08.020 A., the impact on existing businesses
242 and residences, and emergency services responsiveness.

243 E. Redesignations of county roads shall be accomplished by the adoption of an
244 ordinance directing such redesignation.

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245 F. Notice of county road redesignations shall be mailed by the department at least
246 twenty days prior to the public hearing on the ordinance to all property owners whose
247 addresses would be affected.

248 G. Appeals of designations and redesignations are limited to those initiated under
249 K.C.C. 14.40.0102, and shall be heard directly by the ((council)) hearing examiner. An
250 appeal must be initiated in accordance with K.C.C. 20.22.080.

251 SECTION 8. Ordinance 13694, Section 69, as amended, and K.C.C. 19A.16.090
252 are hereby amended as follows:

253 A. Plat ~~((and short plat))~~ vacations shall be processed as follows and in accordance
254 with RCW 58.17.212. ~~((B-))~~ All plat ~~((and short plat))~~ vacation applications shall be
255 ~~((referred to the hearing examiner for public hearing and consideration in accordance with~~
256 ~~K.C.C. 20.22.060. Following the public hearing the))~~ reviewed as Type 3 decisions in
257 accordance with K.C.C. 20.20.020. The hearing examiner ((shall)) must determine ((if))
258 that the proposed vacation is consistent with the required findings of K.C.C. 20.22.180((--If
259 the proposal is found to serve such purposes, the hearing examiner may recommend that
260 the county council)) to approve the ((application)) vacation.

261 B. Short plat vacations shall be processed in accordance with RCW 58.17.060. All
262 short plat vacation applications shall be reviewed as Type 2 decisions in accordance with
263 K.C.C. 20.20.020.

264 C. Applications for vacations of county roads may be processed under this chapter
265 only when such road vacations are proposed in conjunction with the vacation of the plat.
266 Vacations limited to county roads shall be processed in accordance with chapter 36.87
267 RCW and K.C.C. chapter 14.40.

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268 SECTION 9. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020, are
269 hereby amended as follows:

270 A. Land use permit decisions are classified into four types, based on who makes
271 the decision, whether public notice is required, whether a public hearing is required before
272 a decision is made, and whether administrative appeals are provided. The types of land use
273 decisions are listed in subsection E. of this section.

274 1. Type 1 decisions are made by the permitting division manager or designee
275 ("the director") of the department of local services ("the department"). Type 1 decisions
276 are nonappealable administrative decisions.

277 2. Type 2 decisions are made by the director. Type 2 decisions are discretionary
278 decisions that are subject to administrative appeal.

279 3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner
280 following an open record hearing. (~~Type 3 decisions may be appealed to the county~~
281 ~~council, based on the record established by the hearing examiner.~~)

282 4. Type 4 decisions are quasi-judicial decisions made by the council based on the
283 record established by the hearing examiner.

284 B. Except as provided in K.C.C. 20.44.120₂A.7. and 25.32.080₂, or unless otherwise
285 agreed to by the applicant, all Type 2, 3₂ and 4 decisions included in consolidated permit
286 applications that would require more than one type of land use decision process may be
287 processed and decided together, including any administrative appeals, using the highest-
288 numbered land use decision type applicable to the project application.

289 C. Certain development proposals are subject to additional procedural requirements
290 beyond the standard procedures established in this chapter.

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291 D. Land use permits that are categorically exempt from review under SEPA do not
 292 require a threshold determination (determination of nonsignificance ["DNS"] or
 293 determination of significance ["DS"]). For all other projects, the SEPA review procedures
 294 in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

295 E. Land use decision types are classified as follows:

TYPE 1	(Decision by director, no administrative appeal)	Temporary use permit for a homeless encampment under K.C.C. <u>chapter 21A.45</u> ((010, 21A.45.020, 21A.45.030, 21A.45.040, 21A.45.050, 21A.45.060, 21A.45.070, 21A.45.080 and 21A.45.090)) ; building permit, site development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance; boundary line adjustment; right of way; variance from K.C.C. chapter 9.04; shoreline exemption; decisions to require studies or to approve, condition, or deny a development proposal based on K.C.C. chapter 21A.24, except for decisions to approve, condition, or deny alteration exceptions; decisions to approve, condition, or deny nonresidential elevation
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		and dry floodproofing variances for agricultural buildings that do not equal or exceed a maximum assessed value of sixty-five thousand dollars under K.C.C. chapter 21A.24; approval of a conversion-option harvest plan; a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site; approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300; final short plat; final plat; <u>critical area determination</u> .
TYPE 2 ^{1,2}	(Decision by director appealable to hearing examiner, no further administrative appeal)	Short plat; short plat revision; short plat alteration; <u>short plat vacation</u> ; zoning variance; conditional use permit; temporary use permit under K.C.C. chapter 21A.32; temporary use permit for a homeless encampment under K.C.C. 21A.45.100; shoreline substantial development permit ³ ; building permit, site development permit ₂ , or clearing and grading permit for which the department has issued a determination of significance; reuse of public schools; reasonable use exceptions under K.C.C.

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		21A.24.070.B; preliminary determinations under K.C.C. 20.20.030.B; decisions to approve, condition, or deny alteration exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24; extractive operations under K.C.C. 21A.22.050; binding site plan; waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances; sea level rise risk area variance adopted in K.C.C. chapter 21A.23.
TYPE 3 ¹	(Recommendation by director, hearing and decision by hearing examiner, ((appealable to county council on the record)) <u>no further administrative appeal</u>)	Preliminary plat; plat alterations; preliminary plat revisions; <u>plat vacations; special use.</u>
TYPE 4 ^{1,4}	(Recommendation by director, hearing and recommendation by hearing examiner decision by county	Zone reclassifications; shoreline environment redesignation; urban planned development; ((special use;)) amendment or deletion of P suffix conditions; ((plat vacations; short plat vacations;)) deletion of special district overlay.

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	council on the record)	
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296 ¹ See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA
 297 appeals and appeals of Type 2, 3, and 4 decisions (~~(to the council)~~).

298 ² When an application for a Type 2 decision is combined with other permits requiring
 299 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes
 300 the decision.

301 ³ A shoreline permit, including a shoreline variance or conditional use, is appealable to
 302 the state Shorelines Hearings Board and not to the hearing examiner.

303 ⁴ Approvals that are consistent with the Comprehensive Plan may be considered by the
 304 council at any time. Zone reclassifications that are not consistent with the
 305 Comprehensive Plan require a site-specific land use map amendment and the council's
 306 hearing and consideration shall be scheduled with the amendment to the Comprehensive
 307 Plan under K.C.C. 20.18.040 and 20.18.060.

308 F. The definitions in K.C.C. 21A.45.020 apply to this section.

309 SECTION 10. Ordinance 12196, Section 17, as amended, and K.C.C. 20.20.100,
 310 are hereby amended as follows:

311 A. The department shall issue its Type 3 or Type 4 recommendation to the office
 312 of the hearing examiner within one hundred fifty days from the date the department
 313 notifies the applicant that the application is complete. The periods for action by ~~((an))~~ the
 314 examiner shall be governed by K.C.C. chapter 20.22 and the rules ~~((of the office of the~~
 315 ~~hearing examiner))~~ for conducting the examiner process adopted under K.C.C. 20.22.330.

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316 B.1. Except as otherwise provided in subsection B.2. of this section, the
317 department shall issue its final decision on a Type 1 or Type 2 decision within one
318 hundred twenty days from the date the department notified the applicant that the
319 application is complete.

320 2. The following periods apply to the type of land use permit indicated:

- a. New residential building permits 90 days
- b. Residential remodels 40 days
- c. Residential appurtenances, such as decks and garages 15 days
- d. Residential appurtenances, such as decks and garages that 40 days
require substantial review
- e. Clearing and grading 90 days
- f. Department of public health review 40 days
- g. Type 1 temporary use permit for a homeless encampment 30 days
- h. Type 2 temporary use permit for a homeless encampment 40 days

321 C. The following periods shall be excluded from the times specified in
322 subsections A., B., and H. of this section:

323 1. Any period during which the applicant has been requested by the department,
324 the examiner, or the council to correct plans, perform required studies or provide
325 additional information, including road variances and variances required under K.C.C.
326 chapter 9.04. The period shall be calculated from the date of notice to the applicant of
327 the need for additional information until the earlier of the date the county advises the
328 applicant that the additional information satisfies the county's request or fourteen days
329 after the date the information has been provided. If the county determines that

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330 corrections, studies, or other information submitted by the applicant is insufficient, it
331 shall notify the applicant of the deficiencies and the procedures of this section shall apply
332 as if a new request for information had been made.

333 a. The department shall set a reasonable deadline for the submittal of
334 corrections, studies, or other information, and shall provide written notification to the
335 applicant. The department may extend the deadline upon receipt of a written request
336 from an applicant providing satisfactory justification for an extension.

337 b. When granting a request for a deadline extension, the department shall give
338 consideration to the number of days between the department receiving the request for a
339 deadline extension and the department mailing its decision regarding that request;

340 2. The period during which an environmental impact statement is being
341 prepared following a determination of significance under chapter 43.21C RCW, as set
342 forth in K.C.C. 20.44.050;

343 3. The period during which an appeal is pending that prohibits issuing the
344 permit;

345 4. Any period during which an applicant fails to post the property, if required by
346 this chapter, following the date notice is required until an affidavit of posting is provided
347 to the department by the applicant;

348 5. Any time extension mutually agreed upon by the applicant and the
349 department; and

350 6. Any time during which there is an outstanding fee balance that is sixty days
351 or more past due.

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352 D. Failure by the applicant to submit corrections, studies, or other information
353 acceptable to the department after two written requests under subsection C. of this section
354 shall be cause for the department to cancel or deny the application.

355 E. The time limits established in this section shall not apply if a proposed
356 development:

357 1. Requires either: an amendment to the Comprehensive Plan or a development
358 regulation; or modification or waiver of a development regulation as part of a
359 demonstration project;

360 2. Requires approval of a new fully contained community as provided in RCW
361 36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of an
362 essential public facility as provided in RCW 36.70A.200; or

363 3. Is revised by the applicant, when the revisions will result in a substantial
364 change in a project's review requirements, as determined by the department, in which
365 case the period shall start from the date at which the revised project application is
366 determined to be complete.

367 F. The time limits established in this section may be exceeded on more complex
368 projects. If the department is unable to issue its Type 1 or Type 2 decision or its Type 3
369 or Type 4 recommendation within the time limits established by this section, it shall
370 provide written notice of this fact to the applicant. The notice shall include a statement of
371 reasons why the time limits have not been met and an estimated date for issuance of the
372 notice of a Type 1 or Type 2 decision or a Type 3 or Type 4 recommendation.

373 G. The department shall require that all plats, short plats, building permits,
374 clearing and grading permits, conditional use permits, special use permits, site

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375 development permits, shoreline substantial development permits, binding site plans,
376 urban planned development permits, or fully contained community permits, issued for
377 development activities on or within five hundred feet of designated agricultural lands,
378 forest lands, or mineral resource lands, contain a notice that the subject property is within
379 or near designated agricultural lands, forest lands, or mineral resource lands, on which a
380 variety of commercial activities may occur that are not compatible with residential
381 development for certain periods of limited duration.

382 H. To the greatest extent practicable, the department shall make a final
383 determination on all permits required for a Washington state Department of
384 Transportation project on a state highway as defined in RCW 46.04.560 with an
385 estimated cost of less than five hundred million dollars no later than ninety days after
386 receipt of a complete permit application.

387 SECTION 11. Ordinance 18230, Section 4, and K.C.C. 20.22.010 are hereby
388 amended to read as follows:

389 The definitions in this section apply throughout this chapter unless the context
390 clearly requires otherwise.

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

394 B. "Council" means the metropolitan King County council.

395 ~~((B-))~~ C. "Decision" means a ruling by an examiner that is ~~((appealable to the~~
396 ~~Council))~~ the county's final administrative action.

397 ~~((C-))~~ D. "Determination" means a ~~((final decision,))~~ decision or ~~((a))~~

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398 recommendation by an examiner.

399 ~~((D-))~~ E. "Examiner" means the hearing examiner, a deputy examiner, or an
400 examiner pro tempore.

401 ~~((D-))~~ F. "Filing" means submitting documents to the examiner ~~((or to the~~
402 ~~appropriate reviewing body))~~ by physical delivery, including first class, registered, or
403 certified mail, hand-delivery, or courier, or ~~((electronic means if))~~ electronically as
404 allowed by the rules for conducting the examiner process adopted under K.C.C. 20.22.330.

405 ~~((F. "Final decision" means a ruling by an examiner that is appealable only to the~~
406 ~~appropriate court or tribunal.))~~

407 G.1. "Interested person" means a person who is not a party but:

408 a. has requested in writing, including by email, from the ~~((department,~~
409 ~~division))~~ agency or examiner, notice of a proceeding or determination~~((, who))~~;

410 b. has submitted comments as referred to in K.C.C. 20.20.090.~~((A-))~~C.4. or the
411 rules ~~((of the office of the hearing examiner))~~ for conducting the examiner process
412 adopted under K.C.C. 20.22.330; or ~~((who))~~

413 c. has participate~~((s))~~d in a hearing by providing evidence, comment, or
414 argument, except as provided in the definition of party.

415 2. "Interested person" would not include a person:

416 ~~((1. A person))~~ a. whose only communication is a signature on a petition or a
417 mechanically or electronically reproduced form; or

418 ~~((2. A person))~~ b. who made a standing request for notices or documents
419 encompassing a type of case or ~~((hearing that relates to a))~~ geographic area.

420 H. "Party" means:

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- 421 1. An applicant, proponent, petitioner, or appellant;
- 422 2. The owner or owners of property subject to a hearing;
- 423 3. The responsible ~~((county department))~~ agency;
- 424 4. Another ~~((county department or division))~~ agency with jurisdiction or review
- 425 authority over a proposal or proceeding that has notified the office of the hearing
- 426 examiner in writing of its request to be a party ~~((to the proceeding))~~;
- 427 5. The entity issuing a ruling that is appealed to the examiner; ~~((and))~~
- 428 6. A person participating substantively in the hearing, by providing comment,
- 429 evidence, or argument, is considered a party only for purposes of a motion for
- 430 reconsideration to the examiner determination or appeal of the examiner
- 431 recommendation; and

432 7. Another entity to whom the examiner grants party status.

433 I. "Recommendation" means a ruling by an examiner that goes to the council for

434 final action.

435 J. "Transmit" refers to documents the examiner sends ~~((out))~~ to all parties and

436 interested persons by physical delivery, including first class, registered, or certified mail,

437 hand-delivery, or courier, or ~~((electronic means))~~ electronically.

438 SECTION 12. Ordinance 263, Article 5, Section 2, as amended, and K.C.C.

439 20.22.020 are hereby amended to read as follows:

440 A. The office of hearing examiner is created and shall act on behalf of the council

441 in considering and applying adopted county policies and regulations ~~((as provided in this~~

442 ~~chapter))~~. The ~~((hearing))~~ examiner shall separate the application of regulatory controls

443 from the legislative planning process, protect, and promote the public and private

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444 interests of the community, and expand the principles of fairness, ~~((and))~~ due process,
445 openness, and equity in public hearings.

446 B.1. The council shall appoint the hearing examiner to serve for a term of four
447 years.

448 2. The council may authorize the hearing examiner to hire a deputy examiner to
449 assist the hearing examiner with the powers and duties described in subsection D. of this
450 section.

451 3. The council may ~~((approve))~~ authorize the hearing examiner to create a roster
452 of qualified persons to serve as examiner pro tempore, with the powers and duties
453 described in subsection E. of this section.

454 C. Examiners shall be appointed solely based on their qualifications for the duties
455 of their offices and shall have such training or experience as will qualify them to conduct
456 administrative or quasi-judicial hearings on regulatory enactments and to discharge
457 ~~((the))~~ their other functions ~~((conferred upon them))~~. They shall not hold another
458 appointive or elective public office or position in county government except as authorized
459 by the council by motion.

460 D. A deputy examiner shall assist the hearing examiner in performing the duties
461 conferred upon the hearing examiner by ordinance and, in the event of the absence or the
462 inability of the hearing examiner to act, has all the duties and powers of the hearing
463 examiner.

464 E. The hearing examiner may appoint an examiner pro tempore to a case from the
465 roster ~~((approved under))~~ created in accordance with subsection B.3. of this section.

466 Once appointed to a case, an examiner pro tempore has the same duties and powers as the

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467 hearing examiner.

468 F. The hearing examiner may be removed from office for just cause at any time
469 by the affirmative vote of at least six members of the council.

470 G. Individual councilmembers, county officials, or any other persons, shall not
471 interfere with, or attempt to interfere with, the performance of the designated duties of
472 ~~((an))~~ the examiner.

473 SECTION 13. Ordinance 18230, Section 8, and K.C.C. 20.22.030 are hereby
474 amended to read as follows:

475 A. The examiner shall receive and examine available information, conduct open
476 record hearings, and prepare records and reports, including findings and conclusions, and,
477 based on the issues and evidence:

- 478 1. ~~((Issue final))~~ Make decisions, as set forth in K.C.C. 20.22.040;
479 2. ~~((Issue decisions, as set forth in K.C.C. 20.22.050;~~
480 3.)) ~~((Issue))~~ Make recommendations to the council, as set forth in K.C.C.
481 20.22.060;

482 ~~((4.))~~ 3. Take other actions as prescribed by this chapter; and

483 ~~((5.))~~ 4. Take other actions as directed by ordinance or council motion.

484 B. The examiner's determination may ~~((be to))~~ grant, remand, or deny the
485 application or appeal, and may include any conditions, modifications, and restrictions ~~((as~~
486 ~~the examiner finds))~~ necessary to carry out applicable laws, regulations, and adopted
487 policies.

488 C. For the purposes of proceedings identified in K.C.C. ~~((20.22.050 and~~
489 ~~20.24.060))~~ 20.22.060, the public hearing by the examiner shall constitute the hearing

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490 required by the King County Charter by the council.

491 D. The examiner shall have the power to issue a summons and subpoena to
492 compel the appearance of witnesses and production of documents and materials, to order
493 discovery, to administer oaths, and to preserve order.

494 E. To avoid unnecessary delay and to promote hearing process efficiency, the
495 examiner shall limit testimony, including cross-examination, to that which is relevant to
496 the matter being heard, in light of adopted county policies and regulations, and shall
497 exclude evidence and cross-examination that is irrelevant, cumulative, or unduly
498 repetitious. The examiner may establish reasonable time limits for presenting direct
499 testimony, cross examination, and argument.

500 F. ~~((Any w))~~Written submittals ~~((shall))~~ may only be admitted ~~((only))~~ when
501 authorized by the examiner.

502 G. The examiner shall use reasonable case management techniques, ~~((to the~~
503 ~~extent reasonable))~~ including:

- 504 1. Limiting testimony and argument to relevant issues and to matters identified
505 in the prehearing order or appeal;
- 506 2. Prehearing identification and submission of exhibits, if applicable;
- 507 3. Stipulated testimony or facts;
- 508 4. Prehearing dispositive motions, if applicable;
- 509 5. Prehearing conferences;
- 510 6. Voluntary mediation; and
- 511 7. Other methods to promote efficiency and to avoid delay.

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512 SECTION 14. Ordinance 4461, Section 2, as amended, and K.C.C. 20.22.040, are
513 hereby amended to read as follows:

514 The examiner shall ~~((issue final))~~ make decisions ~~((in the following cases))~~ on:

515 A. Appeals of orders of the ombuds under the lobbyist disclosure code~~((;))~~ under
516 K.C.C. chapter 1.07;

517 B. Appeals of sanctions of the finance and business operations division in the
518 department of executive services ~~((imposed))~~ under K.C.C. chapter 2.97;

519 C. Appeals of career service review committee conversion decisions for part-time
520 and temporary employees under K.C.C. chapter 3.12A;

521 D. Appeals of electric vehicle recharging station penalties ~~((of))~~ by the Metro
522 transit department under K.C.C. 4A.700.700;

523 E. Appeals of notice and orders of the manager of records and licensing services or
524 the department of local services permitting division manager under K.C.C. chapter 6.01;

525 F. Appeals of adult entertainment license denials, suspensions, and revocations
526 under K.C.C. chapter 6.09;

527 G. Appeals of the fire marshal's decisions on fireworks permits under K.C.C.
528 chapter 6.26;

529 H. Appeals of cable franchise nonrenewals under K.C.C. 6.27A.060 and notices
530 and orders under K.C.C. 6.27A.240;

531 I. Appeals of notice~~((s))~~ and orders of the department of natural resources and
532 parks under K.C.C. chapter 7.09;

533 J. Appeals of decisions of the director of the department of natural resources and
534 parks on surface water drainage enforcement under K.C.C. chapter 9.04;

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535 K. Appeals of decisions of the director of the department of natural resources and
536 parks on surface and stormwater management rate adjustments to surface and storm water
537 management rates and charges under K.C.C. chapter 9.08;

538 L. Appeals of decisions on water quality enforcement under K.C.C. chapter 9.12;

539 M. Appeals of notice((s)) and orders of the manager of ((~~animal control~~)) regional
540 animal services under K.C.C. chapter 11.04;

541 N. Certifications by the finance and business operations division of the department
542 of executive services ((~~involving~~)) under K.C.C. chapter 12.16;

543 O. Appeals of orders of the office of equity and racial and social justice under
544 K.C.C. chapter 12.17, K.C.C. chapter 12.18, K.C.C chapter 12.20, and K.C.C. chapter
545 12.22;

546 P. Appeals of noise-related orders and citations of the department of local services,
547 permitting division, under K.C.C. chapter 12.86;

548 Q. A decision on a request for exemption under K.C.C. 12.xx.xxx.F. (Ordinance
549 19639, Section 4.F.).

550 R. Appeals of utilities technical review committee determinations on water service
551 availability under K.C.C. 13.24.090;

552 ((~~R~~)) S. Appeals of decisions regarding mitigation payment system, commute trip
553 reduction, and intersection standards under K.C.C. Title 14;

554 ((~~S~~)) T. Appeals of changes to speed limits under K.C.C. chapter 14.06;

555 U. Appeals related to road designations and redesignations under K.C.C. chapter
556 16.08;

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557 V. Appeals of suspensions, revocations, or limitations of plumbing permits under
558 K.C.C. chapter 16.32;

559 ~~((F.))~~ W. Appeals from denials of C-PACER applications under K.C.C. chapter
560 18.19;

561 ~~((U.))~~ X. Appeals of all Type 2 decisions under K.C.C. chapter 20.20, with the
562 exception of appeals of shoreline permits, including shoreline substantial development
563 permits, shoreline variances, and shoreline conditional uses, which are appealable to the
564 state Shoreline Hearings Board;

565 ~~((V.))~~ Y. Type 3 decisions under K.C.C. chapter 20.20;

566 Z. Appeals of SEPA decisions ~~((, in accordance with))~~ under K.C.C. 20.44.120 and
567 public rules adopted under K.C.C. 20.44.075;

568 ~~((W.))~~ AA. Appeals of completed farm management plans under K.C.C.
569 21A.30.045;

570 ~~((X.))~~ BB. Appeals of decisions of the interagency review committee created under
571 K.C.C. 21A.37.070 regarding sending site applications for certification under K.C.C.
572 chapter 21A.37;

573 ~~((Y.))~~ CC. Appeals of citations, notices and orders, notices of noncompliance, and
574 stop work orders issued ~~((in accordance with))~~ under K.C.C. Title 23 or ~~((Title))~~ chapter
575 1.08 of the ~~((rules and regulations of the King County))~~ code of the King County board of
576 health;

577 ~~((Z.))~~ DD. Appeals of notices and certifications of junk vehicles to be removed as a
578 public nuisance ~~((in accordance with))~~ under K.C.C. Title 21A and K.C.C. chapter 23.10;

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579 ~~((AA.))~~ EE. Appeals of decisions not to issue a citation or a notice and order under
580 K.C.C. 23.36.010~~((A.2))~~;

581 ~~((BB.))~~ FF. Appeals of fee waiver decisions by the department of local services,
582 permitting division~~((, in accordance with))~~ under K.C.C. 27.02.040;

583 ~~((CC.))~~ GG. Appeals from decisions of the department of natural resources and
584 parks related to permits, discharge authorizations, violations, and penalties under K.C.C.
585 28.84.050 and 28.84.060;

586 ~~((DD.))~~ HH. Appeals of transit rider suspensions under K.C.C. 28.96.430;

587 ~~((EE.))~~ II. Appeals of department of public safety seizures and intended forfeitures,
588 when properly designated by the chief law enforcement officer of the department of public
589 safety ~~((in accordance with))~~ under RCW 69.50.505; ~~((and))~~

590 ~~((FF.))~~ JJ. Other applications or appeals ~~((that are))~~ prescribed by ordinance.

591 SECTION 15. Ordinance 12196, Section 25, as amended, and K.C.C. 20.22.050
592 are hereby repealed.

593 SECTION 16. Ordinance 4461, Section 1, as amended, and K.C.C. 20.22.060 are
594 hereby amended to read as follows:

595 The examiner shall ~~((issue))~~ make recommendations~~((, in the following cases))~~
596 on:

597 A. Proposals for establishment or modification of cable system rates under
598 K.C.C. 6.27A.140;

599 B. Vacation of county roads under K.C.C. chapter 14.40;

600 C. ~~((AH))~~ Type 4 decisions under K.C.C. chapter 20.20;

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601 D. Applications for public benefit rating system assessed valuation on open space
602 land under K.C.C. chapter 20.36;

603 E. Appeals of decisions to designate or reject a nomination for designation for a
604 landmark or issuing or denying a certificate of appropriateness under K.C.C. chapter
605 20.62;

606 F. Creation of a lake or beach management district and a special assessment roll
607 under chapter 36.61 RCW; and

608 G. ~~((Appeals from decisions of the county road engineer in the road services
609 division of the department of local services related to changes in speed limits under
610 K.C.C. 14.06.030; and~~

611 H.)) Other applications or appeals ~~((that are))~~ prescribed by ordinance.

612 SECTION 17. Ordinance 18230, Section 16, as amended, and K.C.C. 20.22.070,
613 are hereby amended as follows:

614 A. K.C.C. 20.22.080 applies to all appeals to the office of the hearing examiner.
615 If there is a direct conflict between the appeal provisions in K.C.C. 20.22.080((;)) and the
616 appeal provisions found in subsection B. of this section, the appeal provisions found in
617 subsection B. of this section shall control.

618 B. The provisions for appealing the following decisions are found in the
619 following chapters of the King County Code:

620 1. Career service review, K.C.C. chapter 3.12A;

621 2. Appeals under K.C.C. Title 6, except for for-hire transportation, K.C.C.
622 chapter 6.64, shall follow ~~((this chapter))~~ K.C.C. 20.22.080;

623 3. Discrimination and equal employment opportunity in employment by

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- 624 contractors, subcontractors, and vendors, K.C.C. chapter 12.16;
- 625 4. Unfair housing practices, K.C.C. chapter 12.20;
- 626 5. Denial of C-PACER applications, K.C.C. chapter 18.19;
- 627 6. Regional motor sports facility, K.C.C. 21A.55.105;
- 628 7. Abandoned, wrecked, dismantled, or inoperative vehicles, K.C.C. chapter
- 629 23.10;
- 630 8. Citations, K.C.C. chapter 23.20;
- 631 9. Penalty appeals, K.C.C. chapter 23.32;
- 632 10. Transit ((R))rider suspension appeals, K.C.C. 28.96.430;
- 633 11. Other appeals ((that are)) prescribed by ordinance.

634 SECTION 18. Ordinance 4461, Section 3, as amended, and K.C.C. 20.22.080,

635 are hereby amended as follows:

636 A. Unless K.C.C. 20.22.070 applies, a person initiates an appeal from a decision of

637 an ((department or division)) agency by delivering an appeal ((statement)) to the issuing

638 ((department or division)) agency.

639 B. The appeal ((statement)) must be received by the ((department or division))

640 agency within twenty-four days of the date of issuance of the decision by the ((department

641 or division)) agency.

642 C. The ((statement appealing the decision of a department or division to the office

643 of the hearing examiner)) appeal shall:

- 644 1. Include a copy of, or clearly identify, the decision being appealed;
- 645 2. Identify the location of the property subject to the appeal, if any;
- 646 3. Identify the legal interest of the appellant;

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- 647 4. Identify the alleged errors in the decision;
- 648 5. State specific reasons why the decision should be reversed or modified;
- 649 6. State the harm suffered or anticipated by the appellant; and
- 650 7. Identify the relief sought.
- 651 D. The appellant shall pay a fee as provided in K.C.C. 4A.780.010.A. The fee
- 652 shall be paid at the time the appeal (~~(statement)~~) is delivered and is not refundable.
- 653 E. In order that a person contemplating an appeal has the necessary information on
- 654 which to base the appeal, during the time between the issuance of the decision and the
- 655 deadline for delivering an appeal, the (~~(department or division)~~) agency shall:
- 656 1. Respond to inquiries concerning the facts and process of the decision; and
- 657 2. Make available any files that detail the facts on which the (~~(department or~~
- 658 ~~division)~~) agency based its ruling.
- 659 F. If an (~~(department or division)~~) agency is unable to comply with subsection E. of
- 660 this section, the examiner (~~(may)~~) shall authorize an amendment to (~~(an)~~) a timely initial
- 661 appeal (~~(statement)~~) to reflect information subsequently made available to the appellant.
- 662 G. The scope of an appeal shall be limited to matters or issues raised in the initial
- 663 appeal (~~(statement)~~) and any amendment(~~(s)~~) to the appeal (~~(statement)~~) the examiner may
- 664 authorize.
- 665 H. If a person fails to timely deliver the appeal (~~(statement)~~) or pay the appeal fee,
- 666 the office of the hearing examiner does not have jurisdiction to consider the appeal and the
- 667 decision of the (~~(department or division)~~) agency becomes final and unreviewable.
- 668 SECTION 19. Ordinance 11502, Section 12, as amended, and K.C.C. 20.22.090,
- 669 are hereby amended to read as follows:
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670 ~~((A. For appeals of agency actions to the office of the hearing examiner, t))~~The
671 examiner, on the examiner's own motion or on the motion of a party~~((s))~~;

672 A. Shall dismiss an appeal if the appellant lacks standing or if the appeal is
673 untimely, frivolous on its face, or beyond the examiner's jurisdiction~~((-))~~; and

674 B. ~~((The examiner m))~~May dismiss an appeal that is not sufficiently specific to
675 apprise the parties of the factual basis upon which relief is sought or if the grounds stated
676 do not constitute a legally adequate basis for the appeal. Alternatively, the examiner may
677 clarify the issues on appeal or may require any party with the burden of proof to clarify the
678 issues on appeal.

679 SECTION 20. Ordinance 18230, Section 21, and K.C.C. 20.22.100, are hereby
680 amended to read as follows:

681 A. The examiner shall process all appeals and applications as expeditiously as
682 possible, giving appropriate consideration to ~~((the))~~ procedural due process rights ~~((of the~~
683 ~~parties))~~.

684 B.1. For appeals initiated by delivering the appeal ~~((statement))~~ to the responsible
685 ~~((department or division))~~ agency, the responsible ~~((department or division))~~ agency shall
686 file with the office of the hearing examiner the decision or decisions being appealed, the
687 appeal, ~~((statement))~~ and a current list of parties and interested persons, within seventeen
688 days of the date the responsible ~~((department or division))~~ agency receives the appeal
689 ~~((statement))~~. The examiner shall hold a prehearing conference or a hearing within forty-
690 five days, and shall complete the appeal process, including issuing a determination,
691 within ninety days of ~~((the date the office of the hearing examiner receives))~~ receiving
692 those materials.

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693 2. For ~~((any))~~ appeals that require ~~((s))~~ the appeal ~~((statement))~~ to be delivered
694 directly to the office of the hearing examiner, the examiner shall hold a prehearing
695 conference or a hearing within forty-five days, and shall complete the appeal process,
696 including issuing a determination, within ninety days ~~((;))~~ of receiving the appeal
697 ~~((statement))~~.

698 C. For applications for which the responsible ~~((department or division))~~ agency
699 issues a recommendation and ~~((an))~~ the examiner holds a public hearing and issues a
700 decision or recommendation, the examiner shall complete the application review,
701 including holding a public hearing and transmitting ~~((the report required by K.C.C.~~
702 ~~20.22.220))~~ a determination, within ninety days from the date the council refers the
703 application to the office of the hearing examiner. Any time required ~~((by))~~ for the
704 applicant or the responsible ~~((department or division))~~ agency to obtain and provide
705 additional information requested by the examiner ~~((and))~~ that is necessary for the
706 examiner's determination ~~((on the application))~~ and consistent with applicable laws,
707 regulations, and adopted policies, is excluded from the ninety-day calculation.

708 D. At least fourteen days before a scheduled hearing, the examiner shall transmit
709 notice of the time of, and ~~((place of))~~ how to participate in, the hearing.

710 E. If for any reason testimony cannot be completed on the date set for a hearing,
711 the examiner shall continue the matter ~~((shall be continued))~~ to the soonest available date.
712 To the extent practicable, a matter should be heard on consecutive days until it is
713 concluded.

714 F. The examiner may, upon notice to the parties, extend the deadlines in this
715 section for up to thirty days. ~~((Extensions of over thirty days are permissible with the~~

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716 ~~consent of all parties. When an extension is made, the examiner shall state in writing the~~
717 ~~reason for the extension))~~ The examiner may extend the deadlines in this section for over
718 thirty days, either with the consent of all parties or where the examiner details why good
719 cause supports such an extension or stay.

720 G. Failure to complete the hearing process within the times stated in this section
721 shall not terminate the jurisdiction of the office of the hearing examiner.

722 SECTION 21. Ordinance 4461, Section 5, as amended, and K.C.C. 20.22.110,
723 are hereby amended as follows:

724 Whenever an appeal or application includes more than one county (~~permit,~~
725 ~~approval or determination for which))~~ decision, when a public hearing is required, or (~~for~~
726 ~~which))~~ when an appeal is provided under this chapter, the hearings and any appeals may
727 be consolidated by the examiner into a single proceeding ((before the examiner)).

728 SECTION 22. Ordinance 11502, Section 12, as amended, and K.C.C. 20.22.120,
729 are hereby amended to read as follows:

730 ~~((A.))~~ On the examiner's own initiative, or at the request of a party, the examiner
731 may set a prehearing conference.

732 ~~((B. If a prehearing conference is set, it shall be held not less than fourteen days~~
733 ~~before the scheduled hearing.))~~ At least seven days before the prehearing conference, the
734 examiner shall transmit notice of the date of, and (~~location of~~) how to participate in, the
735 prehearing conference.

736 SECTION 23. Ordinance 263, Article 5, Section 11, as amended, and K.C.C.
737 20.22.130, are hereby amended to read as follows:

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738 When an application or appeal has been set for hearing, the responsible
739 ~~((department))~~ agency shall coordinate and assemble the reviews of other ~~((departments~~
740 ~~and governmental))~~ agencies having an interest in the application or appeal and shall
741 prepare a report summarizing the ~~((department's))~~ responsible agency's findings and
742 recommendation or decision. At least fourteen days before the scheduled hearing, the
743 responsible ~~((department))~~ agency shall file the report with the office of the hearing
744 examiner and shall send the report to all parties and interested persons. This section does
745 not apply to citation or motion hearings.

746 SECTION 24. Ordinance 4461, Section 9, as amended, and K.C.C. 20.22.140,
747 are hereby amended to read as follows.

748 ~~((When the e))~~Examiner ~~((renders a))~~ determinations~~((, the examiner))~~ shall ~~((make~~
749 ~~and enter))~~ include findings of fact and conclusions from the record ~~((which))~~ that support
750 the determination and shall set forth how the determination is consistent with applicable
751 laws, regulations, and adopted policies.

752 SECTION 25. Ordinance 4461, Section 10, as amended and K.C.C. 20.22.150 are
753 hereby amended as follows:

754 ~~((When the e))~~Examiner ~~((issues a))~~ recommendations ~~((regarding))~~ on an
755 application for a zone reclassification ~~((of property, the recommendation))~~ shall include
756 findings on whether the application meets both of the following:

- 757 A. The proposed rezone is consistent with the King County Comprehensive Plan;
758 and
759 B.1. The property is potentially zoned for the reclassification being requested;

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760 2. An adopted subarea plan, subarea study, or area zoning specifies that the
761 property shall be subsequently considered through an individual reclassification
762 application; or

763 3. The requested reclassification is based on changed conditions.

764 SECTION 26. Ordinance 13687, Section 7, as amended, and K.C.C. 20.22.160,
765 are hereby amended as follows:

766 (~~When an e~~)Examiner (~~(issues a)~~) recommendations on a shoreline
767 redesignation application(~~(, the examiner)~~) shall include findings on whether the
768 shoreline redesignation complies with the following:

769 A. The King County Comprehensive Plan policies, state and county shorelines
770 management goals and objectives, and the designation criteria of the proposed shoreline
771 designation;

772 B. The impacts of development allowed by the proposed change do not
773 permanently impair any habitat critical to endangered or threatened species;

774 C. The impacts of development allowed by the proposed change are adequately
775 addressed in a mitigation plan providing significant enhancement of the first one hundred
776 feet adjacent to the stream and improved habitat for species declared as endangered or
777 threatened under the Endangered Species Act, to the extent those impacts may be
778 determinable at the time of the shoreline(~~(s)~~) redesignation. A full mitigation plan shall
779 accompany each application, as provided in K.C.C. 20.18.057 and 20.18.058; and

780 D. If the shoreline redesignation results in greater density of development, the
781 proposal utilizes clustering or a multistory design to pursue minimum densities while
782 minimizing lot coverage adjacent to the shoreline setback area.

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783 SECTION 27. Ordinance 13147, Section 34, and K.C.C. 20.22.170, are hereby
784 amended as follows:

785 A. ~~((Upon initiation of))~~ For a site-specific land use map amendment to the
786 Comprehensive Plan under K.C.C. 20.18.050, the examiner shall conduct a public hearing
787 to consider the ~~((department's))~~ agency's written recommendation, ~~((and to))~~ take
788 testimony, and receive additional evidence relating to the proposed amendment. The
789 examiner may consolidate hearings in accordance with K.C.C. 20.22.110 to the extent
790 practicable. No later than thirty days after closing the public hearing on the site-specific
791 land use map amendment, the examiner shall ~~((prepare))~~ make a recommendation that
792 contains written findings and conclusions regarding whether:

793 1. Under K.C.C. 20.18.040, a proposed site-specific land use map amendment
794 may be considered as part of the annual update; and

795 2. A site-specific land use map amendment is consistent with the applicable
796 review criteria.

797 B. The office of the hearing examiner shall compile the written recommendations
798 on all site-specific land use map amendments made in a year into a single report. The
799 report shall be electronically filed by January 15 ~~((in the form of a paper original and an
800 electronic copy))~~ with the clerk of the council, who shall retain the original and provide an
801 electronic copy to all councilmembers, the council chief of staff, and the lead staff for the
802 council committee charged with the review of the Comprehensive Plan.

803 SECTION 28. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180,
804 are hereby amended as follows:

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805 ~~((When the examiner makes a decision regarding an application f))~~For a proposed
806 preliminary plat, the examiner decision shall include ~~((additional))~~ findings as to whether:

807 A. Appropriate provisions are made for the public health, safety, and general
808 welfare, and for such open spaces, drainage ways, streets or roads, alleys, other public
809 ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,
810 playgrounds, schools, and school grounds, and all other relevant facts, including sidewalks
811 and other planning features that assure safe walking conditions for students who ~~((only))~~
812 walk to and from school; and

813 B. The public use and interest will be served by platting the subdivision and
814 dedication.

815 SECTION 29. Ordinance 17287, Section 4, and K.C.C. 20.22.190, are hereby
816 amended as follows:

817 The ~~((hearing))~~ examiner shall receive and examine available information,
818 conduct public meetings, and prepare records and reports thereof for transmittal to the
819 council, as provided in K.C.C. 21A.55.105.M. and S.

820 SECTION 30. Ordinance 18709, Section 4, as amended, and K.C.C. 20.22.195,
821 are hereby amended as follows:

822 For rider suspension appeals under K.C.C. 28.96.430:

823 A. The examiner shall review the facts and the legal basis for the suspension.
824 The Metro transit department shall bear the burden of proving, by a preponderance of the
825 evidence, both the violation and ~~((that))~~ the sanction ~~((it has))~~ imposed is consistent with
826 King County ordinances and department policy. Absent contrary evidence, the Metro
827 transit officer's report is sufficient to fulfill the requirements of K.C.C. 20.22.130 and

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828 meet the department's burden of proof. A criminal conviction for the same conduct
829 underlying the suspension will be dispositive of any factual challenge to the suspension.
830 A criminal conviction shall not be dispositive of any other challenge, such as a
831 jurisdictional challenge, to the suspension. Exoneration or a finding of "not guilty" on a
832 criminal charge for the same conduct underlying the suspension shall result in the
833 examiner finding that the suspension lacks a sufficient factual basis and vacating the
834 suspension. Dispositional continuances or deferred prosecutions shall have no bearing on
835 the examiner's factual findings.

836 B. Individuals appealing their suspensions may not challenge the constitutionality
837 of the suspension process through ~~((an))~~ the examiner appeal.

838 SECTION 31. Ordinance 9785, Section 10, as amended, and K.C.C. 20.22.200,
839 are hereby amended as follows:

840 A. If the examiner determines that the public schools in the district where the
841 development is proposed would not meet the standards in K.C.C. 21A.28.160 if the
842 development were approved, the examiner ~~((either))~~ shall:

843 1. ~~((¶))~~ Remand the matter to the department of local services, permitting
844 division ~~((, or shall))~~;

845 2. ~~((¶))~~ Require or recommend phasing for provision of the needed facilities and
846 sites as appropriate to address the deficiency; ~~((shall))~~

847 3. ~~((¶))~~ Deny the proposal.

848 B. The examiner shall prepare findings ~~((to document the facts))~~ and conclusions
849 that support the action taken. Payment of a school impact fee as required by K.C.C.
850 chapter 27.44 is not a substitute for phasing. The examiner shall recommend a fee

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851 payment schedule to coordinate that payment with any phasing, if the provision or
852 payment satisfies the district and any deferral requirements. The examiner must
853 determine independently that the conditions of approval and assessable fees will provide
854 for adequate schools.

855 SECTION 32. Ordinance 18754, Section 31, and K.C.C. 20.22.205, are hereby
856 amended as follows:

857 ~~((When an e))~~Examiner ~~((issues a))~~ recommendations ~~((regarding))~~ on an appeal
858 of a change to a speed limit~~((, the examiner))~~ shall include findings on whether the
859 change in the speed limit is supported by an engineering and traffic investigation based
860 on the following factors:

- 861 A. Road surface characteristics, shoulder conditions, grade, alignment, and sight
862 distance;
- 863 B. The eighty-fifth percentile speed and pace speed;
- 864 C. Roadside development and land use;
- 865 D. Safe speed for curves within the speed zone;
- 866 E. Parking practices and pedestrian activity; and
- 867 F. Most-recently reported collision history for the preceding thirty-six months.

868 SECTION 33. Ordinance 18230, Section 43, and K.C.C. 20.22.210, are hereby
869 amended as follows:

- 870 A. Enforcement of any notice and order under K.C.C. chapter 6.64 or K.C.C.
871 Title 11 shall be stayed during the pendency of an appeal therefrom which is properly and
872 timely filed, except impoundment of an animal that is vicious or cruelly treated, or where
873 the records and licensing services division manager or the permitting division manager of
-

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874 the department of local services states in the notice and order that a clear, substantial, and
875 imminent hazard to life, safety, or property exists.

876 B. In proceedings before the examiner for an appeal from a notice and order
877 under K.C.C. chapter 6.64 or K.C.C. Title 11, the records and licensing services division
878 shall bear the burden of proving by a preponderance of the evidence both the violation
879 and the appropriateness of the remedy it has imposed.

880 SECTION 34. Ordinance 4461, Section 11, as amended, and K.C.C. 20.22.220,
881 are hereby amended as follows:

882 A.1. Except as otherwise provided in K.C.C. 20.22.170, within ten business days of
883 concluding a hearing or rehearing, the examiner shall ~~((render))~~ make and transmit a
884 written determination ~~((and shall transmit a copy of that determination))~~. The examiner's
885 determination shall identify the ~~((applicant or the owner, or both,))~~ parties by names and
886 ~~((addresses))~~ contact information.

887 2. Before the expiration of the applicable appeal period of subsection B.~~((;))~~ or C.
888 ~~((or D.))~~ of this section, a party may file with the examiner a motion requesting that the
889 examiner reconsider a determination. A timely motion stays the timelines in subsections
890 B.~~((;))~~ or C. ~~((or D.))~~ of this section until the examiner rules on the motion. The examiner
891 may grant the motion if the person making the motion shows that the determination was
892 based in whole or in part on erroneous information or failed to comply with existing laws,
893 regulations, or adopted policies, or ~~((if))~~ that an error of procedure occurred that prevented
894 consideration of the interests of persons directly affected by the action.

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895 B.1. Examiner recommendations in cases identified in K.C.C. 20.22.060 may be
896 appealed to the council by a party by filing an appeal ~~((statement))~~ in accordance with
897 K.C.C. 20.22.230.

898 2. If an appeal ~~((statement))~~ is not timely filed, the clerk of the council shall place
899 a proposed ordinance that adopts the examiner's recommended action ~~((of the examiner))~~
900 on the agenda of the next available council meeting for adoption, except that:

901 a. the council shall not take final action to amend or reverse the recommendation
902 of the examiner ~~((shall not be taken))~~ at that meeting ~~((and))~~. The council chair shall
903 establish the process for amending or reversing the examiner's recommendation, and
904 electronic notice to parties shall be given a minimum of seven days before the council
905 ~~((adoption of))~~ adopts an ordinance that amends or reverses the examiner's
906 recommendation; and

907 b. when the council determines it is necessary before taking final action, the
908 council ~~((by motion))~~ may refer the matter to a council committee or remand to the
909 examiner for the purpose of further hearing, receipt of additional information, or further
910 consideration ~~((when determined necessary before the council takes final action))~~.

911 C. ~~((Decisions of the examiner that are appealable to the council as provided in~~
912 ~~K.C.C. 20.22.050 are final unless appealed to the council by filing an appeal statement in~~
913 ~~accordance with K.C.C. 20.22.230.~~

914 ~~D. Final d))~~ Decisions of the examiner in cases identified in K.C.C. 20.22.040
915 ~~((shall be))~~ are final and reviewable under K.C.C. 20.22.270.B.

916 SECTION 35. Ordinance 18230, Section 46, and K.C.C. 20.22.230, are hereby
917 amended as follows:

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918 A. A ~~((person))~~ party initiates an appeal to the council from ~~((an))~~ the examiner
919 recommendation ~~((or decision))~~ by filing an appeal ~~((statement))~~ with the clerk of the
920 council and providing copies of the appeal ~~((statement))~~ to the examiner and to all other
921 parties.

922 B. The appeal ~~((statement))~~ must be received within twenty-four days of the date
923 of the examiner's transmittal of the recommendation ~~((or decision))~~.

924 C. The appeal ~~((statement))~~ shall:

- 925 1. Include a copy of the ~~((decision))~~ recommendation being appealed;
- 926 2. Identify the location of the property subject to the appeal, if any;
- 927 3. Identify the legal interest of the appellant;
- 928 4. Identify the alleged errors in the ~~((decision))~~ recommendation;
- 929 5. State specific reasons why the ~~((decision))~~ recommendation should be
930 reversed or modified;
- 931 6. State the harm suffered or anticipated by the ~~((party filing the appeal))~~
932 appellant; and
- 933 7. Identify the relief sought.

934 D. ~~((The person filing an appeal shall pay a fee as prescribed in K.C.C.
935 4A.780.010. The fee shall be paid at the time the appeal is filed and is not refundable.~~

936 ~~E.))~~ The scope of an appeal shall be limited to matters or issues raised in the
937 initial appeal ~~((statement))~~.

938 ~~((F.))~~ E. If a ~~((person))~~ party fails to timely file the appeal ~~((statement or pay the
939 appeal fee,))~~ the council does not have jurisdiction to consider the appeal.

940 ~~((G.))~~ F. Within three days of receiving the appeal ~~((statement))~~, the examiner

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941 shall notify all interested persons and parties of the appeal filing and of the opportunity to
942 respond and shall post a copy of the examiner recommendation ~~((or decision))~~ and ~~((of~~
943 ~~the))~~ appeal ~~((statement))~~ on the ~~((internet))~~ examiner's website.

944 ~~((H-))~~ G. Within seventeen days of the date the appeal ~~((statement))~~ is filed, a
945 respondent shall file a response with the clerk of the council and provide electronic
946 copies of the response to the examiner, to all other parties, and to the appellant.

947 ~~((F-))~~ H. Within ten days of the date the response is filed, an appellant may file a
948 reply with the clerk of the council, and ~~((providing))~~ provide copies of the reply to the
949 examiner, to all other parties, and to the respondent.

950 ~~((J-))~~ I. For purposes of this section, "file" means ~~((submitting a paper copy and~~
951 ~~an electronic copy to))~~ emailing the clerk of the council.

952 SECTION 36. Ordinance 4461, Section 12, as amended, and K.C.C. 20.22.240,
953 are hereby amended as follows:

954 A. The council shall process appeals as expeditiously as possible, giving
955 appropriate consideration to ~~((the))~~ procedural due process rights ~~((of the parties))~~. The
956 council should schedule consideration of the appeal within sixty days of the filing of the
957 response to the appeal ~~((statement))~~. Failure of the council to consider the appeal within
958 the time limit does not terminate the council's jurisdiction.

959 B. The council's consideration of an appeal from ~~((either))~~ a ~~((decision or))~~
960 recommendation of the examiner shall be based upon the record as presented to the
961 examiner at the public hearing and upon the arguments presented in the written appeal,
962 ~~((statement based upon the record))~~ appeal response, and appeal reply. The council also
963 may allow parties a period for oral argument based on the record. Consistent with RCW

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964 36.70B.020(1) and upon the request of a councilmember, the examiner may provide a
965 written or oral summary, or both, of the record, issues, and arguments presented in an
966 appeal, and may provide answers, based on the record, to questions with respect to issues
967 raised in the appeal. Nothing in this subsection shall be construed as limiting the ability
968 of the council to seek and receive legal advice regarding a pending appeal from the office
969 of the prosecuting attorney or other county legal counsel either within or outside of the
970 hearing.

971 C. An examiner may conduct a conference with all parties (~~for the purpose of~~
972 ~~clarifying or attempting~~) to clarify or resolve issues on appeal, but the examiner who
973 conducted the public hearing on the proposal (~~may~~) shall not conduct the conference.
974 The conference shall be informal and shall not be part of the public record.

975 D. If, after consideration of the record, written appeal, (~~statements~~) appeal
976 response, appeal reply, and any oral argument, the council determines that:

977 1. An error in fact or procedure exists, or additional information or clarification
978 is desired, the council shall remand the matter to the examiner; or

979 2. The examiner's (~~decision or~~) recommendation is based on an error in
980 judgment or conclusion, the council may modify or reverse the examiner's
981 recommendation, or the council may retain the matter, refer it to a council committee, or
982 remand to the examiner for further hearing, receipt of additional information, or further
983 consideration, before the council takes final action on the matter.

984 SECTION 37. Ordinance 263, Article 5, Section 18, as amended, and K.C.C.
985 20.22.250, are hereby amended as follows:

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986 A. The council shall take final action on ~~((any))~~ an examiner recommendation
987 ~~((or appeal from an examiner decision))~~ by ordinance and, when so doing, shall make
988 findings and conclusions from the record of the public hearing conducted by the
989 examiner~~((The findings and conclusions shall))~~ to set forth and demonstrate the manner
990 in which the action is consistent with applicable laws, regulations, and adopted policies.
991 The council's findings and conclusions may adopt as its own all or portions of the
992 examiner's findings and conclusions.

993 B. The ordinance may contain conditions regarding the manner of development or
994 ~~((other aspects regarding))~~ use of the property including, but not limited to, dedicating land,
995 providing public improvements, or requiring impact fees authorized by chapter 82.02
996 RCW, or any combination thereof.

997 C. The ordinance also may contain reasonable conditions, in accordance with
998 applicable laws, regulations, and adopted policies, that must be satisfied. The ordinance
999 shall designate the time within which any such conditions must be satisfied and the official
1000 zoning maps shall not be amended until the conditions have been satisfied. If any of the
1001 conditions are not satisfied within the designated time, the property shall continue to be
1002 subject to all laws, regulations, and adopted policies as if the ordinance had not been
1003 adopted. If, before the expiration of the time within which the conditions must be satisfied,
1004 the applicant submits a written request to the examiner for an extension of the time, the
1005 examiner shall hold a hearing and ~~((issue))~~ make a recommendation on whether the
1006 extension is in the public interest and whether to grant or deny all or any part of the
1007 requested time extension. The examiner's recommendation may be appealed using the
1008 procedures in K.C.C. 20.22.220.B.

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1009 SECTION 38. Ordinance 4461, Section 15, as amended, and K.C.C. 20.22.270,
1010 are hereby amended as follows:

1011 A. Council action on examiner recommendations in cases identified in K.C.C.
1012 20.22.060 ~~((or on examiner decisions appealed to the council as provided in K.C.C.~~
1013 ~~20.22.220.C. shall be))~~ is final and conclusive ~~((action))~~ unless an appeal is timely filed
1014 with the appropriate court or tribunal. However, development or related action ~~((may))~~
1015 shall not occur until the applicable ~~((day))~~ appeal period has ~~((run))~~ expired.

1016 B. ~~((Final d))~~Decisions of the examiner in cases identified in K.C.C. 20.22.040
1017 ~~((shall be))~~ are final and conclusive ~~((action))~~ unless an appeal is timely filed with the
1018 appropriate court or tribunal. However, development or related action ~~((may))~~ shall not
1019 occur until the applicable appeal period has ~~((run, and the))~~ expired. The appeal period
1020 from examiner decisions on appeals of threshold determinations or the adequacy of a final
1021 environmental impact statement shall not commence until final action on the underlying
1022 proposal.

1023 SECTION 39. Ordinance 4461, Section 14, as amended, and K.C.C. 20.22.280,
1024 are hereby amended as follows:

1025 ~~((A.))~~ The ordinance implementing the council's final action on ~~((an))~~ the
1026 examiner's recommendation ~~((or decision))~~ shall take effect ten days after its ~~((enactment,~~
1027 ~~unless a request for reconsideration is filed according to this section.~~

1028 ~~B.1. A final action by the council may be reconsidered by the council if:~~
1029 ~~a. the action was based in whole or in part on erroneous facts or information;~~
1030 ~~b. the action failed to comply with existing laws, regulations or adopted policies;~~
1031 ~~or~~

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1032 ~~e. an error of procedure occurred that prevented consideration of the interests of~~
1033 ~~persons directly affected by the action.~~

1034 ~~2. A request for reconsideration must be made within ten days of the council's~~
1035 ~~final action by filing a paper copy and an electronic copy with the clerk of the council and~~
1036 ~~providing copies to the examiner and department or division issuing the original decision,~~
1037 ~~all parties and all interested persons.~~

1038 ~~3. The effective date of an ordinance adopted under this chapter and any time~~
1039 ~~limits for filing appeals are stayed during the pendency of the request for reconsideration.~~

1040 ~~C. A request for reconsideration shall be referred to the appropriate committee for~~
1041 ~~an initial determination whether the request meets the criteria in subsection B. of this~~
1042 ~~section. Within ten days of filing the request or at the next regular meeting of the~~
1043 ~~committee, whichever is later, the committee may either refer the request to the council for~~
1044 ~~its consideration or deny the request. The committee's denial of the request shall be~~
1045 ~~considered the council's final action, and the ordinance shall be effective immediately.~~

1046 ~~D. The authority of the council to reconsider does not affect the finality of a~~
1047 ~~decision when made)) adoption.~~

1048 SECTION 40. Ordinance 11502, Section 17, as amended, and K.C.C. 20.22.290,
1049 are hereby amended as follows:

1050 The office of the hearing examiner shall maintain and publish on its website a
1051 quarterly ((basis a)) digest of all ((decisions, final decisions and recommendations of the
1052 office)) examiner determinations. ((Decisions)) Determinations reported in the digest shall
1053 not be construed to establish legal precedent.

1054 SECTION 41. Ordinance 11502, Section 18, as amended, and K.C.C. 20.22.300,

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1055 are hereby amended as follows:

1056 The office of the hearing examiner shall ~~((issue a citizen's guide that describes))~~
1057 produce guides describing the examiner process, including making an appeal or
1058 participating in a hearing. The office shall make them available to the public in printed and
1059 electronic forms and shall post them to its website.

1060 SECTION 42. Ordinance 11502, Section 19, as amended, and K.C.C. 20.22.310,
1061 are hereby amended as follows:

1062 The office of the hearing examiner shall prepare an annual report to the council
1063 detailing the length of time required for hearings in the previous year, categorized both on
1064 average and by type of proceeding. The report shall provide commentary on office
1065 operations and identify any need for clarification of county policy or ~~((development))~~
1066 regulations. The office shall electronically file the report by March 1 of each year~~((, in the~~
1067 ~~form of a paper original and an electronic copy))~~ with the clerk of the council, who shall
1068 retain the original and provide an electronic copy to all councilmembers.

1069 SECTION 43. Ordinance 11502, Section 20, as amended, and K.C.C. 20.22.320,
1070 are hereby amended as follows:

1071 ~~((As to))~~ For any application or appeal decided under this chapter ~~((that is or could~~
1072 ~~become the subject of a public hearing))~~, the responsible ~~((county department))~~ agency, the
1073 council, or the examiner may, at the responsible ~~((department))~~ agency, council, or
1074 examiner's own discretion, or at the request of ~~((the applicant or any person with standing~~
1075 ~~to the application or appeal))~~ any party or interested person, initiate a mediation process to
1076 resolve disputes as to the application or appeal at any state of the proceedings on the
1077 application or appeal. The mediation process shall be conducted in accordance with the

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1078 rules (~~(prepared by the hearing)~~) for conducting the examiner process adopted under
1079 K.C.C. 20.22.330.

1080 SECTION 44. Ordinance 263, Article 5, Section 13, as amended, and K.C.C.
1081 20.22.330, are hereby amended as follows:

1082 A.~~(1.)~~) The council shall, by motion, adopt rules and amendments to the rules for
1083 conducting the examiner process, including prehearing conferences and mediation.

1084 ~~(2.)~~) B.1. The hearing examiner may propose rules or amendments to the rules
1085 by electronically filing a draft of the rules or amendments with the clerk of the council,
1086 for distribution to all councilmembers for review.

1087 2. At the same time as the filing of the draft rules or amendments, the hearing
1088 examiner shall also:

1089 a. electronically distribute a copy of the draft rules to any county
1090 ~~((department))~~ agency that has appeared before the examiner in the ~~((year before filing the~~
1091 ~~proposed amendments and to any other person who requested to be notified of proposed~~
1092 ~~amendments to the rules))~~ preceding twelve months;

1093 b. make best efforts to electronically distribute a copy of the draft rules to any
1094 party that has appeared before the examiner in the preceding twelve months; and ~~((shall))~~

1095 c. post a copy on the ~~((Internet))~~ examiner's website.

1096 3. Comments may be electronically filed with the clerk of the council, for
1097 distribution to all councilmembers, for sixty days after the proposed rules or amendments
1098 are distributed for comment.

1099 4. The rules or amendments shall take effect when they have been approved by
1100 the council by motion.

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1101 ~~((3-))~~ C. The office of the hearing examiner shall publish the rules and any
1102 amendments to the rules and make them available to the public in printed and electronic
1103 forms and shall post the rules and any amendments to the ~~((Internet))~~ examiner's website.

1104 SECTION 45. Ordinance 6949, Section 14, as amended, and K.C.C. 20.44.120 are
1105 hereby amended as follows:

1106 A. The administrative appeal of a threshold determination or of the adequacy of a
1107 final environmental impact statement is a procedural SEPA appeal that is conducted by the
1108 hearing examiner under K.C.C. 20.22.040 and is subject to the following:

1109 1. A procedural SEPA appeal to the hearing examiner is authorized only for an
1110 action classified as a Type 2, 3, or 4 land use decision in K.C.C. 20.20.020, or as provided
1111 for by public rule adopted under K.C.C. 20.44.075;

1112 2. Only one appeal of each threshold determination shall be allowed on a
1113 proposal;

1114 3. As provided in RCW 43.21C.075(3)(d), the decision of the responsible official
1115 shall be entitled to substantial weight;

1116 4. An appeal of a determination of significance must be filed with the department
1117 issuing the determination of significance as provided in K.C.C. 20.22.080;

1118 5. An appeal of a determination of nonsignificance or of the adequacy of an
1119 environmental impact statement must be filed with the department issuing the
1120 determination of nonsignificance or environmental impact statement as provided in K.C.C.
1121 20.22.080. The appeal period for a determination of nonsignificance shall be extended for
1122 an additional seven calendar days if WAC 197-11-340(2)(a) applies;

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1123 6. Except as otherwise provided in this section, SEPA appeals are subject to
1124 K.C.C. 20.22.080.C.; and

1125 7. The hearing examiner shall make a final decision on all procedural SEPA
1126 appeals.

1127 B. Except for a procedural SEPA appeal authorized under K.C.C. 20.44.075, the
1128 hearing examiner's consideration of a procedural SEPA appeal shall be consolidated in all
1129 cases with the substantive SEPA appeal, if any, involving a decision to condition or deny
1130 an application under RCW 43.21C.060 and with the public hearing or appeal, if any, on the
1131 proposal, except for an appeal of a determination of significance.

1132 C. A procedural or substantive SEPA appeal authorized by subsection A. of this
1133 section on a Type 2, 3, or 4 land use decision shall be consolidated with any administrative
1134 appeal on the merits of that decision, as provided in K.C.C. chapter 20.22 and this section.
1135 A procedural SEPA appeal authorized by a public rule adopted under K.C.C. 20.44.075
1136 shall not be consolidated with the administrative appeal on the merits of the decision. If a
1137 Type ~~((3-07))~~ 4 land use decision is appealed to the county council as provided in K.C.C.
1138 20.22.220.B. ~~((07-C-))~~, the appeal of the recommendation ~~((or decision))~~ of the examiner to
1139 condition or deny the proposal under RCW 43.21C.060 shall be made to the council, which
1140 shall make a final decision.

1141 D. Notwithstanding subsections A. through C. of this section, a department may
1142 adopt procedures in accordance with K.C.C. chapter 2.98 under which an administrative
1143 appeal shall not be provided if the director of that department finds that consideration of an
1144 appeal would likely cause the department to violate a compliance, enforcement, or other
1145 specific mandatory order or specific legal obligation. The director's determination shall be

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1146 included in the notice of the SEPA determination, and the director shall provide a written
1147 summary upon which the determination is based within five days of receiving a written
1148 request.

1149 SECTION 46. Ordinance 4828, Section 11, and K.C.C. 20.62.110 are hereby
1150 amended as follows:

1151 ~~((Any person aggrieved by a d))~~Decisions of the commission designating or
1152 rejecting a nomination for designation of a landmark or issuing or denying a certificate of
1153 appropriateness may file an appeal with the historic preservation officer, under K.C.C.
1154 20.22.080.

1155 SECTION 47. Ordinance 10870, Section 101, and K.C.C. 21A.06.305 are hereby
1156 amended as follows:

1157 Development agreement:

1158 A. ~~((a))~~A recorded agreement between a UPD applicant and King County which
1159 incorporates the site plans, development standards, and other features of an Urban Plan
1160 Development as described in K.C.C. chapter 21A.39; or

1161 B. An agreement authorized under RCW 36.70B.170 through 36.70B.210.

1162 SECTION 48. Ordinance 10870, Section 617, as amended, and K.C.C. 21A.42.090
1163 are hereby amended as follows:

1164 A.1. The decision of the director ~~((shall be final unless the applicant or an~~
1165 ~~aggrieved party files an appeal to the hearing examiner under K.C.C. chapter 20.24~~
1166 ~~20.22.080))~~ under this chapter, except for those in subsection A.2. of this section, is a Type
1167 2 decision under K.C.C. 20.20.020; and

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1168 2. The decision of the director made under K.C.C. chapter 21A.32 shall be final
1169 unless appealed following the appeal process for the underlying permit.

1170 B. ~~((The examiner shall review and make decisions based upon information~~
1171 ~~contained in the written appeal and the record.~~

1172 C. ~~The examiner's decision may affirm, modify or reverse the decision of the~~
1173 ~~director.~~

1174 D. ~~As provided by K.C.C. 20.22.220.A. and C.:~~

1175 1. ~~The examiner shall render a decision within ten days of the closing of hearing;~~
1176 ~~and~~

1177 2. ~~The decision shall be final unless appealed under the provisions of K.C.C.~~
1178 ~~20.24.240.B 20.22.220.B.~~

1179 E.) Establishment of any use or activity authorized under K.C.C. 21A.24.070₂ or
1180 in accordance with a conditional use permit or variance₂ shall occur within four years of the
1181 effective date of the decision for ((such)) the permit or variance, except that for schools the
1182 period shall be five years. ~~((This))~~ The period may be extended for one additional year by
1183 the director if the applicant has submitted the applications necessary to establish the use or
1184 activity and has provided written justification for the extension.

1185 ~~((F-))~~ C. For the purpose of this section, "establishment" shall occur upon the
1186 issuance of all local permits or approvals for on-site improvements needed to begin the
1187 authorized use or activity, if the conditions or improvements required by the permits or
1188 approvals are completed within the required timeframes.

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1189 (~~G.~~) D. Once a use, activity, or improvement allowed under K.C.C. 21A.24.070
1190 by a conditional use permit or variance, has been established, it may continue as long as all
1191 conditions of permit issuance are met.

1192 SECTION 49. Ordinance 11621, Section 118, and K.C.C. 21A.43.090 are hereby
1193 amended as follows:

1194 A. Impact fee receipts shall be earmarked specifically and retained in a special
1195 interest-bearing account established by the county solely for the district's school impact
1196 fees. All interest shall be retained in the account and expended for the purpose or purposes
1197 identified in subsection B. of this section. Annually, the county, based in part on the report
1198 submitted by the district under K.C.C. 21A.28.152, shall prepare a report on each impact
1199 fee account showing the source and amount of all moneys collected, earned, or received,
1200 and capital or system improvements that were financed in whole or in part by impact fees.

1201 B. Impact fees for the district's system improvements shall be expended by the
1202 district for capital improvements including but not limited to school planning, land
1203 acquisition, site improvements, necessary off-site improvements, construction, engineering,
1204 architectural, permitting, financing, and administrative expenses, relocatable facilities,
1205 capital equipment pertaining to educational facilities, and any other expenses which could
1206 be capitalized, and which are consistent with the school district's capital facilities plan.

1207 C. In the event that bonds or similar debt instruments are issued for the advanced
1208 provision of capital facilities for which impact fees may be expended and where consistent
1209 with the bond covenants, impact fees may be used to pay debt service on such bonds or
1210 similar debt instruments to the extent that the facilities or improvements provided are
1211 consistent with the requirements of this section.

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1212 D. Impact fees shall be expended or encumbered, which means being committed as
1213 part of the funding for a facility for which the publicly funded share has been assured,
1214 building permits applied for, or construction contracts let, by the district for a permissible
1215 use within ten years of receipt by the county, unless there exists an extraordinary and
1216 compelling reason for fees to be held longer than ten years. Such extraordinary or
1217 compelling reasons shall be identified to the county by the district. The county must
1218 prepare written findings concurring with the district's reasons, and authorizing the later
1219 encumbrance or expenditure of the fees prior to the district so encumbering or expending
1220 the funds, or directing a refund of the fees.

1221 E. The current owner of property on which an impact fee has been paid may
1222 receive a refund of such fees if the impact fees have not been expended or encumbered
1223 within ten years of receipt of the funds by the county. In determining whether impact fees
1224 have been encumbered, impact fees shall be considered encumbered on a first in, first out
1225 basis. The county shall notify potential claimants by first-class mail deposited with the
1226 United States Postal Service addressed to the owner of the property as shown in the county
1227 tax records.

1228 F. An owner's request for a refund must be submitted to the ~~((county council))~~
1229 permitting division in writing within one year of the date the right to claim the refund arises
1230 or the date that notice is given, whichever date is later. Any impact fees that are not
1231 expended or encumbered within these time limitations, and for which no application for a
1232 refund has been made within this one-year period, shall be retained and expended
1233 consistent with this section. Refunds of impact fees shall include any interest earned on the
1234 impact fees.

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1235 G. Should the county seek to terminate any or all school impact fee requirements,
1236 all unexpended or unencumbered funds, including interest earned, shall be refunded to the
1237 current owner of the property for which a school impact fee was paid. Upon the finding
1238 that any or all fee requirements are to be terminated, the county shall place notice of the
1239 termination and the availability of refunds in a newspaper of general circulation at least two
1240 times and shall notify all potential claimants by first-class mail addressed to the owner of
1241 the property as shown in the county tax records. All funds available for refund shall be
1242 retained for a period of one year. At the end of one year, any remaining funds shall be
1243 retained by the county, but must be expended for the district, consistent with this section.
1244 The notice requirement in this subsection shall not apply if there are no unexpended or
1245 unencumbered balances within the account or accounts being terminated.

1246 H. A developer may request and shall receive a refund, including interest earned on
1247 the impact fees, when:

1248 1. The developer does not proceed to finalize the development activity as required
1249 by statute or county code; and

1250 2. No impact on the district has resulted. "Impact" shall be deemed to include
1251 cases where the district has expended or encumbered the impact fees in good faith prior to
1252 the application for a refund. In the event that the district has expended or encumbered the
1253 fees in good faith, no refund shall be forthcoming. However, if within a period of three
1254 years, the same or subsequent owner of the property proceeds with the same or
1255 substantially similar development activity, the owner shall be eligible for a credit. The
1256 owner must petition the county and provide receipts of impact fees paid by the owner for a
1257 development of the same or substantially similar nature on the same property or some

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1258 portion thereof. The county shall determine whether to grant a credit, and such
1259 determinations may be appealed by following the procedures set forth in K.C.C.
1260 21A.43.070.

1261 I. Interest due upon the refund of impact fees required by this section shall be
1262 calculated according to the average rate received by the county or the district on invested
1263 funds throughout the period during which the fees were retained.

1264 SECTION 50. Ordinance 10870, Section 632, as amended and K.C.C. 21A.50.040
1265 are hereby amended as follows:

1266 A. Permit suspension, revocation, or modification shall be carried out through the
1267 procedures set forth in K.C.C. Title 23. Any permit, variance, or other land use approval
1268 issued by King County pursuant to this title may be suspended, revoked, or modified on
1269 one or more of the following grounds:

- 1270 1. The approval was obtained by fraud;
- 1271 2. The approval was based on inadequate or inaccurate information;
- 1272 3. The approval, when given, conflicted with existing laws or regulations
1273 applicable thereto;
- 1274 4. An error of procedure occurred which prevented consideration of the interests
1275 of persons directly affected by the approval;
- 1276 5. The approval or permit granted is being exercised contrary to the terms or
1277 conditions of such approval or in violation of any statute, law, or regulation;
- 1278 6. The use for which the approval was granted is being exercised in a manner
1279 detrimental to the public health or safety;

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1280 7. The holder of the permit or approval interferes with the director or any
1281 authorized representative in the performance of the director or any authorized
1282 representative's duties; or

1283 8. The holder of the permit or approval fails to comply with any notice and order
1284 issued pursuant to K.C.C. Title 23.

1285 B. Authority to revoke or modify a permit or land use approval shall be exercised
1286 by the issuer(~~(, as follows:~~

1287 ~~1. The council may, after a recommendation from the examiner, revoke or modify~~
1288 ~~any residential density incentive approval, transfer of development credit, Urban Planned~~
1289 ~~Development, preliminary subdivision, zone reclassification or special use permit;~~

1290 ~~2. The adjustor may revoke or modify any variance or conditional use permit,~~
1291 ~~provided that if it was reviewed through a public hearing, a new public hearing shall be~~
1292 ~~held on its revocation or modification; and~~

1293 ~~3. The director may revoke or modify any permit or other land use approval~~
1294 ~~issued by the director)).~~

1295 SECTION 51. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are
1296 hereby amended as follows:

1297 A. The King County shoreline master program consists of the following elements,
1298 enacted on or before (~~March 25, 2021~~) the date of enactment of this ordinance:

1299 1. The King county Comprehensive Plan chapter six;

1300 2. K.C.C. chapter 21A.25;

1301 3. The following sections of K.C.C. chapter 21A.24:

1302 a. K.C.C. 21A.24.045;

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- 1303 b. K.C.C. 21A.24.051;
- 1304 c. K.C.C. 21A.24.055;
- 1305 d. K.C.C. 21A.24.070.A., D.₂ and E.;
- 1306 e. K.C.C. 21A.24.125;
- 1307 f. K.C.C. 21A.24.130;
- 1308 g. K.C.C. 21A.24.133;
- 1309 h. K.C.C. 21A.24.200;
- 1310 i. K.C.C. 21A.24.210;
- 1311 j. K.C.C. 21A.24.220;
- 1312 k. K.C.C. 21A.24.275;
- 1313 l. K.C.C. 21A.24.280;
- 1314 m. K.C.C. 21A.24.290;
- 1315 n. K.C.C. 21A.24.300;
- 1316 o. K.C.C. 21A.24.310;
- 1317 p. K.C.C. 21A.24.316;
- 1318 q. K.C.C. 21A.24.318;
- 1319 r. K.C.C. 21A.24.325;
- 1320 s. K.C.C. 21A.24.335;
- 1321 t. K.C.C. 21A.24.340;
- 1322 u. K.C.C. 21A.24.355;
- 1323 v. K.C.C. 21A.24.358;
- 1324 w. K.C.C. 21A.24.365;
- 1325 x. K.C.C. 21A.24.380;

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- 1326 y. K.C.C. 21A.24.382;
- 1327 z. K.C.C. 21A.24.386; and
- 1328 aa. K.C.C. 21A.24.388;
- 1329 4. The following:
- 1330 a. K.C.C. 20.18.040;
- 1331 b. K.C.C. 20.18.050;
- 1332 c. K.C.C. 20.18.056;
- 1333 d. K.C.C. 20.18.057;
- 1334 e. K.C.C. 20.18.058;
- 1335 f. K.C.C. 20.22.160;
- 1336 g. ~~((K.C.C. 20.24.510;~~
- 1337 ~~h.))~~ K.C.C. 21A.32.045;
- 1338 ~~((i.))~~ h. K.C.C. 21A.44.090;
- 1339 ~~((j.))~~ i. K.C.C. 21A.44.100; and
- 1340 ~~((k.))~~ j. K.C.C. 21A.50.030.

1341 B. The shoreline management goals and policies constitute the official policy of
1342 King County regarding areas of the county subject to shoreline management jurisdiction
1343 under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King County's local
1344 administrative, enforcement, and permit review procedures shall conform to chapter 90.58
1345 RCW but shall not be a part of the master program.

1346 C. Amendments to the shoreline master program do not apply to the shoreline
1347 jurisdiction until approved by the Washington state Department of Ecology as provided in
1348 RCW 90.58.090. The department of local services, permitting division, shall, within ten

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1349 days after the date of the Department of Ecology's approval, file a copy of the Department
1350 of Ecology's approval, in the form of ~~((a paper copy and))~~ an electronic copy, with the clerk
1351 of the council, who shall retain the ~~((paper copy))~~ original and ~~((forward))~~ provide
1352 electronic copies to all councilmembers, the chief of staff, ~~((policy staff director))~~ and the
1353 lead staff of the ~~((mobility and environment))~~ local services and land use committee, or its
1354 successor.

1355 SECTION 52. The executive shall submit sections 26 and 51 of this ordinance to
1356 the state Department of Ecology for its approval, as provided in RCW 90.58.090.

1357 SECTION 53. Sections 26 and 51 of this ordinance takes effect within the
1358 shoreline jurisdiction fourteen days after the state Department of Ecology provides
1359 written notice of final action stating that the proposal is approved, in accordance with
1360 RCW 90.58.090. The executive shall provide the written notice of final action to the
1361 clerk of the council.

1362 SECTION 54. Severability. If any provision of this ordinance or its application

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1363 to any person or circumstance is held invalid, the remainder of the ordinance or the
1364 application of the provision to other persons or circumstances is not affected.

Ordinance 19648 was introduced on 3/14/2023 and passed as amended by the Metropolitan King County Council on 7/11/2023, by the following vote:

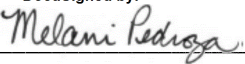
Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


DocuSigned by:

E76CE01F07B14EF...
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 7/20/2023, _____.

DocuSigned by:

4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: None

Certificate Of Completion

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Source Envelope:	
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Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Cherie Camp
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	Cherie.Camp@kingcounty.gov
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Signer Events

Dave Upthegrove
dave.upthegrove@kingcounty.gov
Chair
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

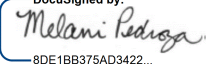
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Melani Pedroza
melani.pedroza@kingcounty.gov
Clerk of the Council
King County Council
Security Level: Email, Account Authentication (None)

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Dow Constantine
Dow.Constantine@kingcounty.gov
King County Executive
Security Level: Email, Account Authentication (None)

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Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Kaitlyn Wiggins kwiggins@kingcounty.gov Executive Legislative Coordinator King County Executive Office Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 7/12/2023 1:21:41 PM Viewed: 7/12/2023 3:35:51 PM
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cherie camp cherie.camp@kingcounty.gov Legislative Clerk - Ccl King County Council Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign	COPIED	Sent: 7/20/2023 1:53:21 PM
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	7/20/2023 1:53:19 PM
Completed	Security Checked	7/20/2023 1:53:21 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact King County-Department of 02:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cipriano.dacanay@kingcounty.gov

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To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at cipriano.dacanay@kingcounty.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

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To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.