



## Legislation Text

---

File #: 2020-0322, Version: 1

---

Clerk 09/22/2020

AN ORDINANCE related to reorganization of two technical review committees; and amending Ordinance 4307, Section 2, as amended, and K.C.C. 13.24.020, Ordinance 11481, Section 7, as amended, and K.C.C. 13.24.075, Ordinance 1709, Section 6, as amended, and K.C.C. 13.24.080, Ordinance 1709, Section 8, as amended, and K.C.C. 13.24.100, and Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 4307, Section 2, as amended, and K.C.C. 13.24.020 are hereby amended to read as follows:

The director of the department of (~~natural resources and parks~~) local services, or (~~the director's authorized~~) designee, shall be the official designated by King County for the approvals required by RCW 57.16.010. Director approval shall be based on recommendations provided by department staff and the utilities technical review committee.

SECTION 2. Ordinance 11481, Section 7, as amended, and K.C.C. 13.24.075 are hereby amended as follows:

The department of (~~natural resources and parks~~) local services may evaluate measures proposed in utility comprehensive plans and recommend measures to the utilities technical review committee to implement, as appropriate, ground water management plans and wellhead protection programs to further protect ground water resources.

SECTION 3. Ordinance 1709, Section 6, as amended, and K.C.C. 13.24.080 are hereby amended as follows:

A utilities technical review committee is created consisting of the following representatives:

A. ~~((Two))~~ Three representatives from the department of ~~((natural resources and parks))~~ local services, one to be appointed by the department's director ~~((and))~~, one to be the director of the road services division, or designee, and one to be the director of the permitting division, or designee;

B. The director of the ~~((Metro transit))~~ department of natural resources and parks, or designee;

C. ~~((The department of local services road services division manager or designee;~~

~~The department of local services permitting division manager or designee;~~

~~E.))~~ The director of ~~((the))~~ public health - Seattle((-) & King County ~~((department of public health))~~, or designee;

~~((F.))~~ D. The manager of the facilities management division of the department of executive services, or designee;

~~((G.))~~ E. One representative from the King County council staff; and

~~((H.))~~ F. The county demographer.

SECTION 4. Ordinance 1709, Section 8, as amended, and K.C.C. 13.24.100 are hereby amended as follows:

A. The director of the department of ~~((natural resources and parks))~~ local services shall designate a representative of the department of ~~((natural resources and parks))~~ local services as the chair of the utilities and technical review committee.

B. Required copies of all sewer and water comprehensive plans shall be submitted to the King County department of ~~((natural resources and parks))~~ local services. The department of ~~((natural resources and parks))~~ local services shall have the major responsibility for coordination and support for the utilities technical review committee.

C. Notice of the time and place of the utilities technical review committee meeting shall be provided to the applicant for comprehensive plan approval prior to the meeting.

D. The applicant shall have the right to attend or be represented at any and all meetings upon request.

E. The chair may invite the participation of representatives from the Washington state Department of Health and the Washington state Department of Ecology on an ex officio basis as appropriate.

SECTION 5. Ordinance 11621, Section 90, as amended, and K.C.C. 21A.28.154 are hereby amended as follows:

A. There is hereby created a school technical review committee within King County. The committee shall consist of three county staff persons, one each from the department of local services, (~~permitted division,~~) the office of (~~financial management~~) performance, strategy and budget and the county council.

B. The committee shall be charged with reviewing each school district's capital facilities plan, enrollment projections, standard of service, the district's overall capacity for the next six years to ensure consistency with the Growth Management Act, King County Comprehensive Plan and adopted community plans, and the district's calculation and rationale for proposed impact fees.

C. Notice of the time and place of the committee meeting where the district's documents will be considered shall be provided to the district.

D. At the meeting where the committee will review or act upon the district's documents, the district shall have the right to attend or to be represented, and shall be permitted to present testimony to the committee. Meetings shall also be open to the public.

E. In its review, the committee shall consider the following factors:

1. Whether the district's forecasting system for enrollment projections has been demonstrated to be reliable and reasonable.
2. The historic levels of funding and voter support for bond issues in the district;
3. The inability of the district to obtain the anticipated state funding or to receive voter approval for

district bond issues;

4. An emergency or emergencies in the district which required the closing of a school facility or facilities resulting in a sudden and unanticipated decline in districtwide capacity; and

5. The standards of service set by school districts in similar types of communities. While community differences will be permitted, the standard established by the district should be reasonably consistent with the standards set by other school districts in communities of similar socioeconomic profile; and

6. The standards identified by the state concerning the ratios of certificated instructional staff to students.

F. In the event that the district's standard of service reveals a deficiency in its current facilities, the committee shall review the district's capital facilities plan to determine whether the district has identified all sources of funding necessary to achieve the standard of service.

G. The district in developing the financing plan component of the capital facilities plan shall plan on a six-year horizon and shall demonstrate its best efforts by taking the following steps:

1. Establish a six-year financing plan, and propose the necessary bond issues and levies required by and consistent with that plan and as approved by the school board and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

2. Apply to the state for funding, and comply with the state requirement for eligibility to the best of the district's ability.

H. The committee is authorized to request the school district to review and to resubmit its capital facilities plan, or to establish a different standard of service, or to review its capacity for accommodating new students, under the following circumstances:

1. The standard of service established by the district is not reasonable in light of the factors set forth in subsection E. of this section.

2. The committee finds that the district's standard of service cannot reasonably be achieved in light of

the secured financial commitments and the historic levels of support in the district; or

3. Any other basis that is consistent with this section.

I. If a school district fails to submit its capital facilities plan for review by the committee, King County shall assume the district has adequate capacity to accommodate growth for the following six years.

J. The committee shall submit copies of its recommendation of concurrency for each school district to the director, to the hearing examiner and to the district.

K. The committee shall recommend to the council a Comprehensive Plan amendment adopting the district's capital facilities plan as part of the Comprehensive Plan, for any plan which the committee concludes accurately reflects the district's facilities status.

L. In the event that after reviewing the district's capital facilities plan and other documents, the committee is unable to recommend certifying concurrency in a school district, the committee shall submit a statement to the council, the director and the hearing examiner stating that the committee is unable to recommend certifying concurrency in a specific school district. The committee shall recommend to the executive that the executive propose to the council, amendments to the land use element of the King County Comprehensive Plan or amendments to the development regulations implementing the plan to more closely conform county land use plans and school facilities plans, including but not limited to requiring mandatory phasing of plats, UPDs or multifamily development located within the district's boundary. The necessary draft amendments shall accompany such recommendations.

**SECTION 6. Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.