



## Legislation Details (With Text)

**File #:** 2015-0398      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 10/5/2015      **In control:** Budget and Fiscal Management Committee

**On agenda:** 11/23/2015      **Final action:** 11/23/2015

**Enactment date:** 12/4/2015      **Enactment #:** 18183

**Title:** AN ORDINANCE relating to the adoption of school capital facility plans and the capital improvement plan; and amending Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030, Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060 and Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070.

**Sponsors:** Joe McDermott

**Indexes:** Schools

**Code sections:** 20.18.030 -, 20.18.060 -, 20.18.070 -

**Attachments:** 1. Ordinance 18183.pdf, 2. 2015-0398 legislative review form.pdf, 3. 2015-0398 Department of Commerce Notice.doc, 4. 2015-0398 Fiscal Note.xls, 5. 2015-0398 transmittal letter.docx, 6. Commerce AckLetter 9-24-15 school CFP adoption ord.pdf, 7. 2015-0398 Hearing Notice - Seattle Times - Publish Oct 21 (003) re school capital facility plans.doc, 8. 2015-0396-0398\_SR\_SchoollmpactFees\_10-28-15.docx, 9. 2015-0398 Affidavit of Pub - 10-21-15 Seattle Times.pdf, 10. 2015-0396-0398\_SR\_Dated\_11-12-15\_SchoollmpactFees.docx, 11. 2015-0398\_ATT3\_AmdtS1.docx, 12. 2015-0398\_ATT4\_AmdtT1.docx, 13. 2015-0396-0398\_RevisedSR\_SchoollmpactFees.docx, 14. 2015-0398 - Notice of Adoption re school capital facility plans 18183.doc, 15. 2015-0398 Affidavit of Pub - Adoption notice re school capital .pdf, 16. Ordinance 18183 acknowledgement letter from Dept of Commerce.pdf

| Date       | Ver. | Action By                              | Action                                 | Result |
|------------|------|--|--|--------|
| 11/23/2015 | 2    | Metropolitan King County Council       | Hearing Held                           |        |
| 11/23/2015 | 2    | Metropolitan King County Council       | Passed                                 | Pass   |
| 11/12/2015 | 1    | Budget and Fiscal Management Committee | Recommended Do Pass Substitute Consent | Pass   |
| 10/28/2015 | 1    | Budget and Fiscal Management Committee | Deferred                               |        |
| 10/5/2015  | 1    | Metropolitan King County Council       | Introduced and Referred                |        |

AN ORDINANCE relating to the adoption of school capital facility plans and the capital improvement plan; and amending Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030, Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060 and Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:**

A. Since 1998 the county has signed and implemented interlocal agreements with school districts that have unincorporated county areas within their district boundaries for the purpose of collecting school impact fees on behalf of the districts. As part of this process, the county has adopted school district capital facility plans as part of the capital facilities element of the county's Comprehensive Plan in conjunction with the annual adoption of the next year's budget.

B. The county's capital improvement plan is updated on an annual basis, to comply with state law requirements for annual programs, and to reflect changes to the plan due to completed construction and identified needs.

C. In 2013, the county adopted a biennial budget covering a two year cycle as well as the annual capital facility plans from the school districts and the capital improvement plan. In order to continue to implement the interlocal agreements with the school districts by adopting the districts' annual capital facility plans, and to make annual updates to the capital improvement plan, the council finds that the process for adoption of those plans in years when a county budget is not adopted warrant clarification and amendment.

**SECTION 2.** Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030 are each hereby amended to read as follows:

A. The King County Comprehensive Plan shall be amended in accordance with this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public participation program whereby amendments are considered by the council no more frequently than once a year as part of the amendment cycle established in this chapter, except that the council may consider amendments more frequently to address:

1. Emergencies;
2. An appeal of the plan filed with the Central Puget Sound Growth Management Hearings Board or with the court;
3. The initial adoption of a subarea plan, which may amend the urban growth area boundary only to

redesignate land within a joint planning area;

4. An amendment of the capital facilities element of the Comprehensive Plan that occurs in conjunction with the adoption of the county budget under K.C.C. 4A.100.010; or

5. The adoption or amendment of a shoreline master program under ~~((C))~~chapter 90.58 RCW.

B. Every year the Comprehensive Plan may be amended to address technical updates and corrections, and to consider amendments that do not require substantive changes to policy language, changes to the priority areas map, or changes to the urban growth area boundary, except as permitted in subsection B.5, 10. and 12. of this section. This review may be referred to as the annual cycle. The Comprehensive Plan, including subarea plans, may be amended in the annual cycle only to consider the following:

1. Technical amendments to policy, text, maps or shoreline designations;

2. The annual capital improvement plan;

3. The transportation needs report;

4. School capital facility plans;

5. Changes required to implement a mining site conversion demonstration project. The demonstration project shall evaluate and address:

a. potential options for the use of a reclaimed mine site, including the feasibility of residential use and/or long-term forestry on the demonstration project site;

b. the impacts to carbon sequestration as a result of reforestation, and for residential use, the impacts to carbon sequestration when implementing modified standards for lot clustering or transfer of development rights;

c. the need for a site design that compatibly integrates any proposed residential development on the demonstration project site with uses occurring on the adjacent rural or forest production district lands, especially if the proposed residential development utilizes modified standards for lot clustering and/or transfer of development rights;

d. the levels and standards for reclamation of mining sites that are appropriate to their use either for long-term forestry and/or for residential development; and

e. the need to ensure that the demonstration project provides an overall public benefit by providing permanent protection, as designated park or open space, of lands in the vicinity of the demonstration project site that form the headwaters of critical, high-valued habitat areas; or that remove the development potential from nonconforming legal parcels in the forest production district; or that provide linkages with other forest production district lands;

6. Changes required by existing Comprehensive Plan policies;

7. Changes to the technical appendices and any amendments required thereby;

8. Comprehensive updates of subarea plans initiated by motion;

9. Changes required by amendments to the countywide planning policies or state law;

10. Redesignation proposals under the four-to-one program as provided for in this chapter;

11. Amendments necessary for the conservation of threatened and endangered species; and

12. Site-specific comprehensive land use map amendments that do not require substantive change to comprehensive plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors.

C. Every fourth year beginning in 2000, the county shall complete a comprehensive review of the Comprehensive Plan in order to update it as appropriate and to ensure continued compliance with the GMA. This review may provide for a cumulative analysis of the twenty-year plan based upon official population growth forecasts, benchmarks and other relevant data in order to consider substantive changes to policy language and changes to the urban growth area (UGA). This comprehensive review shall begin one year in advance of the transmittal and may be referred to as the four-year cycle. The urban growth area boundaries shall be reviewed in the context of the four-year cycle and in accordance with countywide planning policy FW-1 and RCW 36.70A.130. If the county determines that the purposes of the Comprehensive Plan are not being

achieved as evidenced by official population growth forecasts, benchmarks, trends and other relevant data, substantive changes to the Comprehensive Plan may also be considered on even calendar years. This determination shall be authorized by motion. The motion shall specify the scope of the even-year amendment, and identify that the resources necessary to accomplish the work are available. An analysis of the motion's fiscal impact shall be provided to the council before to adoption. The executive shall determine if additional funds are necessary to complete the even-year amendment, and may transmit an ordinance requesting the appropriation of supplemental funds.

D. The executive shall seek public comment on the comprehensive plan and any proposed comprehensive plan amendments in accordance with the procedures in K.C.C. 20.18.160 before making a recommendation, in addition to conducting the public review and comment procedures required by SEPA. The public shall be afforded at least one official opportunity to record public comment before to the transmittal of a recommendation by the executive to the council. County-sponsored councils and commissions may submit written position statements that shall be considered by the executive before transmittal and by the council before adoption, if they are received in a timely manner. The executive's recommendations for changes to policies, text and maps shall include the elements listed in Comprehensive Plan policy RP-307 and analysis of their financial costs and public benefits, any of which may be included in environmental review documents. Proposed amendments to the Comprehensive Plan shall be accompanied by any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

SECTION 3. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060 are each hereby amended to read as follows:

A. Beginning in 1999, and every fourth year thereafter the executive shall transmit to the council by the first business day of March a proposed motion specifying the scope of work for proposed amendments to the Comprehensive Plan that will occur in the following year, which motion shall include the following:

1. Topical areas relating to amendments to policies, the land use map and/or implementing development regulations that the executive intends to consider for recommendation to the council; and

2. An attachment to the motion advising the council of the work program the executive intends to follow to accomplish state Environmental Policy Act review and public participation.

B. The council shall have until April 30 to approve the motion. In the absence of council approval, the executive shall proceed to implement the work program as proposed. If the motion is approved, the work program shall proceed as established by the approved motion.

C. Beginning in 2000 and every fourth year thereafter, the executive shall transmit to the council by the first business day of March a proposed ordinance amending the Comprehensive Plan, except that the capital improvement program and the ordinances adopting updates to the transportation needs report and the school capital facility plans shall be transmitted no later than the (~~annual~~) biennial budget transmittal and shall be adopted in conjunction with the budget. However, in those years when there is only a midbiennium review of the budget, the ordinances adopting the capital improvement plan and the school capital facility plans shall be transmitted by October 1 and adopted no later than the midbiennium review under K.C.C. 4A.100.010. All transmittals shall be accompanied by a public participation note, identifying the methods used by the executive to ensure early and continuous public participation in the preparation of amendments.

SECTION 4. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070 are each hereby amended to read as follows:

A. The executive shall transmit to the council any proposed amendments for the annual cycle by the first business day of March, except that the capital improvement program and the ordinances adopting updates to the transportation needs report and the school capital facility plans shall be transmitted no later than the (~~annual~~) biennial budget transmittal and shall be adopted in conjunction with the budget. However, in those years when there is only a midbiennium review of the budget, the ordinances adopting the capital improvement plan and the school capital facility plans shall be transmitted by October 1 and adopted no later than the

midbiennium review under K.C.C. 4A.100.010.

B. All transmittals shall be accompanied by a public participation note, identifying the methods used by the executive to assure early and continuous public participation in the preparation of amendments.

C. Proposed amendments, including site-specific land use map amendments, that are found to require preparation of an environmental impact statement shall be considered for inclusion in the next amendment cycle following completion of the appropriate environmental documents.