



Legislation Text

File #: 2010-0163, **Version:** 3

AN ORDINANCE relating to comprehensive planning and permitting; amending Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010.

SECTION 1. Findings: For the purposes of effective land use planning and regulation, the King County council makes the following legislative findings:

A. King County has adopted the 2008 King County Comprehensive Plan to meet the requirements of the Washington State Growth Management Act ("GMA");

B. The King County Code authorizes a review of the Comprehensive Plan and, with some limited exceptions, only allows substantive amendments to the Comprehensive Plan once every four years. Annual amendments are generally only allowed to address technical updates and corrections to the Comprehensive Plan;

C. The King County Comprehensive Plan and the King County Code authorize an annual amendment to the Comprehensive Plan to implement an amendment to a joint interlocal/development agreement in existence on January 1, 2008 between King County, another local government and one or more private parties, if the amendment contains specified conditions;

D. The GMA requires that the Comprehensive Plan and development regulations be subject to continuing review and evaluation by the county;

E. The GMA requires that King County adopt development regulations to be consistent with and implement the Comprehensive Plan; and

F. The changes to zoning contained in this ordinance are needed to maintain conformity with the King County Comprehensive Plan, as required by the GMA. As such, they bear a substantial relationship to, and are

necessary for, the public health, safety and general welfare of King County and its residents.

SECTION 2. Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010, are each hereby amended to read as follows:

A. Under the King County Charter, the state Constitution and the Washington state Growth Management Act, chapter 36.70A RCW, the 1994 King County Comprehensive Plan is adopted and declared to be the Comprehensive Plan for King County until amended, repealed or superseded. King County performed its first comprehensive four-cycle review of the Comprehensive Plan. As a result of the review, King County amended the 1994 Comprehensive Plan through passage of the King County Comprehensive Plan 2000. King County performed its second comprehensive four-cycle review of the Comprehensive Plan in 2004. As a result of the review, King County amended the 2000 Comprehensive Plan through passage of the King County Comprehensive Plan 2004. The Comprehensive Plan shall be the principal planning document for the orderly physical development of the county and shall be used to guide subarea plans, functional plans, provision of public facilities and services, review of proposed incorporations and annexations, development regulations and land development decisions.

B. The amendments to the 1994 King County Comprehensive Plan contained in Appendix A to Ordinance 12061 (King County Comprehensive Plan 1995 amendments) are hereby adopted.

C. The amendments to the 1994 King County Comprehensive Plan contained in Attachment A to Ordinance 12170 are hereby adopted to comply with the Central Puget Sound Growth Management Hearings Board Decision and Order in Vashon-Maury Island, et. al. v. King County, Case No. 95-3-0008.

D. The Vashon Town Plan contained in Attachment 1 to Ordinance 12395 is adopted as a subarea plan of the King County Comprehensive Plan and, as such, constitutes official county policy for the geographic area of unincorporated King County defined in the plan and amends the 1994 King County Comprehensive Plan Land Use Map.

E. The amendments to the 1994 King County Comprehensive Plan contained in Appendix A to

Ordinance 12501 are hereby adopted to comply with the Order of the Central Puget Sound Growth Management Hearings Board in Copac-Preston Mill, Inc., et al, v. King County, Case No. 96-3-0013 as amendments to the King County Comprehensive Plan.

F. The amendments to the 1994 King County Comprehensive Plan contained in Appendix A to Ordinance 12531 (King County Comprehensive Plan 1996 amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

G. The Black Diamond Urban Growth Area contained in Appendix A to Ordinance 12533 is hereby adopted as an amendment to the King County Comprehensive Plan.

H. The 1994 King County Comprehensive Plan and Comprehensive Plan Land Use Map are amended to include the area shown in Appendix A of Ordinance 12535 as Rural City Urban Growth Area. The language from Ordinance 12535, Section 1.D., shall be placed on Comprehensive Plan Land Use Map page #32 with a reference marker on the area affected by Ordinance 12535.

I. The amendments to the 1994 King County Comprehensive Plan contained in Appendix A to Ordinance 12536 (1997 Transportation Need Report) are hereby adopted as amendments to the King County Comprehensive Plan.

J. The amendments to the 1994 King County Comprehensive Plan contained in Appendix A to Ordinance 12927 (King County Comprehensive Plan 1997 amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

K. The amendments to the 1994 King County Comprehensive Plan contained in the 1998 Transportation Needs Report, contained in Appendices A and B to Ordinance 12931 and in the supporting text, are hereby adopted as amendments to the King County Comprehensive Plan.

L. The amendments to the 1994 King County Comprehensive Plan contained in Appendix A to Ordinance 13273 (King County Comprehensive Plan 1998 amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

M. The 1999 Transportation Needs Report contained in Attachment A to Ordinance 13339 is hereby adopted as an amendment to the 1994 King County Comprehensive Plan, Technical Appendix C, and the amendments to the 1994 King County Comprehensive Plan contained in Attachment B to Ordinance 13339 are hereby adopted as amendments to the King County Comprehensive Plan.

N. The amendments to the 1994 King County Comprehensive Plan contained in Attachment A to Ordinance 13672 (King County Comprehensive Plan 1999 amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

O. The 2000 Transportation Needs Report contained in Attachment A to Ordinance 13674 is hereby adopted as an amendment to the 1994 King County Comprehensive Plan, Technical Appendix C.

P. The Fall City Subarea Plan contained in Attachment A to Ordinance 13875 is adopted as a subarea plan of the King County Comprehensive Plan and, as such, constitutes official county policy for the geographic area of unincorporated King County defined in the plan. The Fall City Subarea Plan amends the 1994 King County Comprehensive Plan land use map by revising the Rural Town boundaries of Fall City.

Q. The amendments to the King County Comprehensive Plan contained in Attachment A to Ordinance 13875 are hereby adopted as amendments to the King County Comprehensive Plan.

R. The Fall City area zoning amendments contained in Attachment A to Ordinance 13875 are adopted as the zoning control for those portions of unincorporated King County defined in the attachment. Existing property-specific development standards (p-suffix conditions) on parcels affected by Attachment A to Ordinance 13875 do not change except as specifically provided in Attachment A to Ordinance 13875.

S. The amendments to the 1994 King County Comprehensive Plan Land Use Map contained in Attachment A to Ordinance 13987 are hereby adopted to comply with the Central Puget Sound Growth Management Hearings Board Decision and Order on Supreme Court Remand in *Vashon-Maury Island, et. al. v. King County*, Case No. 95-3-0008 (Bear Creek Portion).

T. The 2001 transportation needs report contained in Attachment A to Ordinance 14010 is hereby

adopted as an amendment to the 1994 King County Comprehensive Plan, technical appendix C.

U. The amendments to the 1994 King County Comprehensive Plan contained in Attachments A, B and C to Ordinance 14044 (King County Comprehensive Plan 2000) are hereby adopted as amendments to the King County Comprehensive Plan. Attachment A to Ordinance 14044 amends the policies, text and maps of the Comprehensive Plan. Amendments to the policies are shown with deleted language struck out and new language underlined. The text and maps in Attachment A to Ordinance 14044 replace the previous text and maps in the Comprehensive Plan. Attachment B to Ordinance 14044 contains technical appendix A (capital facilities), which replaces technical appendix A to the King County Comprehensive Plan, technical appendix C (transportation), which replaces technical appendix C to the King County Comprehensive Plan, and technical appendix M (public participation), which is a new technical appendix that describes the public participation process for the King County Comprehensive Plan 2000. Attachment C to Ordinance 14044 includes amendments to the King County Comprehensive Plan Land Use Map. The land use amendments contained in Attachment C to Ordinance 14044 are adopted as the official land use designations for those portions of unincorporated King County defined in Attachment C to Ordinance 14044.

V. The Snoqualmie Urban Growth Area Subarea Plan contained in Attachment A to Ordinance 14117 is adopted as a subarea plan of the King County Comprehensive Plan and, as such, constitutes official county policy for the geographic area of unincorporated King County defined in the plan. Attachment B to Ordinance 14117 amends the King County Comprehensive Plan 2000 land use map by revising the Urban Growth Area for the City of Snoqualmie. Attachment C to Ordinance 14117 amends the policies of the Comprehensive Plan.

W. The Snoqualmie Urban Growth Area Subarea Plan area zoning amendments in Attachment D to Ordinance 14117 are adopted as the zoning control for those portions of unincorporated King County defined in the attachment. Existing property-specific development standards (p-suffix conditions) on parcels affected by Attachment D to Ordinance 14117 do not change

X. The amendments to the King County Comprehensive Plan 2000 contained in Attachment B to

Ordinance 14156 are hereby adopted as amendments to the King County Comprehensive Plan.

Y. The amendments to the King County Comprehensive Plan 2000 contained in Attachment A to Ordinance 14185 are hereby adopted as amendments to the King County Comprehensive Plan in order to comply with the order of the Central Puget Sound Growth Management Hearings Board in *Green Valley et al, v. King County*, CPSGMHB Case No. 98-3-0008c, Final Decision and Order (1998) and the order of the Washington Supreme Court in *King County v. Central Puget Sound Growth Management Hearings Board*, 142 Wn.2d 543, 14 P.3d 133 (2000).

Z. The amendments to the King County Comprehensive Plan 2000 contained in Attachment A to Ordinance 14241 (King County Comprehensive Plan 2001 Amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

AA. The amendment to the King County Comprehensive Plan 2000 contained in Attachment A to Ordinance 14286 is hereby adopted as an amendment to the King County Comprehensive Plan in order to comply with the Central Puget Sound Growth Management Hearings Board's Final Decision and Order in *Forster Woods Homeowners' Association and Friends and Neighbors of Forster Woods, et al. v. King County*, Case No. 01-3-0008c (Forster Woods), dated November 6, 2001.

BB. The amendments to the King County Comprehensive Plan 2000 contained in Attachment A to Ordinance 14448 (King County Comprehensive Plan 2002 Amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

CC. The amendments to the King County Comprehensive Plan 2000 contained in Attachment A to Ordinance 14775 (King County Comprehensive Plan 2003 Amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

DD. The amendments to the King County Comprehensive Plan 2000 contained in Attachments A, B, C, D and E to Ordinance 15028 (King County Comprehensive Plan 2004) are hereby adopted as amendments to the King County Comprehensive Plan. Attachment A, Part I, to Ordinance 15028 amends the policies, text and

maps of the Comprehensive Plan. Attachment A, Part II, to Ordinance 15028 includes amendments to the King County Comprehensive Plan Land Use Map. The land use amendments contained in Attachment A, Part II, to Ordinance 15028 are adopted as the official land use designations for those portions of unincorporated King County defined in Attachment A, Part II, to Ordinance 15028. Attachment B to Ordinance 15028 contains Technical Appendix A (Capital Facilities), which replaces technical appendix A to the King County Comprehensive Plan. Attachment C to Ordinance 15028 contains Technical Appendix B (Housing), which replaces Technical Appendix B to the King County Comprehensive Plan. Attachment D to Ordinance 15028 contains Technical Appendix C (Transportation), which replaces Technical Appendix C to the King County Comprehensive Plan 2000. Attachment E to Ordinance 15028 contains Technical Appendix D (Growth Targets and the Urban Growth Area 2004).

EE. The 2004 transportation needs report contained in Attachment A to Ordinance 15077 is hereby adopted as an amendment to the 2004 King County Comprehensive Plan, technical appendix C.

FF. The amendments to the King County Comprehensive Plan 2004 contained in Attachment A to Ordinance 15244 (King County Comprehensive Plan 2005 Amendments) are hereby adopted as amendments to the King County Comprehensive Plan.

GG. Attachment A to Ordinance 15326, which is the King County Comprehensive Plan Sammamish Agricultural Production District Subarea Plan dated November 7, 2005, is hereby adopted as an amendment to the 2004 King County Comprehensive Plan, as amended, in order to comply with the Central Puget Sound Growth Management Hearings Board's Final Decision and Order in *Maxine Keesling v. King County*, Case No. 04-3-0024 (Keesling III), dated May 31, 2005.

HH. The amendments to the King County Comprehensive Plan 2004 contained in Attachments A, B, C and D to Ordinance 15607 are hereby adopted as amendments to the King County Comprehensive Plan. Attachment A to Ordinance 15607 (Amendment to the King County Comprehensive Plan 2004) amends the policies and maps of the King County Comprehensive Plan. Attachment B to Ordinance 15607 contains

technical appendix O (Regional Trail Needs Report). Attachment C to Ordinance 15607 amends King County Comprehensive Plan, Technical Appendix C (Transportation), by replacing the transportation needs report. Attachment D to Ordinance 15607 amends King County Comprehensive Plan, Technical Appendix C (Transportation), by replacing the arterial functional classification map.

II. Attachment A to Ordinance 15772, which is the King County Comprehensive Plan Juanita Firs Subarea Plan, dated February 20, 2007, is hereby adopted as an amendment to the King County Comprehensive Plan as amended.

JJ. The amendments to the King County Comprehensive Plan 2004 contained in Attachments A, B, C, D, E and F to Ordinance 16263 are hereby adopted as amendments to the King County Comprehensive Plan. Attachment A to Ordinance 16263 amends the policies, text and maps of the Comprehensive Plan and amends King County Comprehensive Plan Land Use Zoning. The land use amendments contained in Attachment A to Ordinance 16263 are adopted as the official land use designations for those portions of unincorporated King County defined in Attachment A to Ordinance 16263. Attachment B to Ordinance 16263 contains Technical Appendix A (Capital Facilities), which replaces Technical Appendix A to the King County Comprehensive Plan 2004. Attachment C to Ordinance 16263 contains Technical Appendix B (Housing), which replaces Technical Appendix B to the King County Comprehensive Plan 2004. Attachment D to Ordinance 16263 contains Technical Appendix C (Transportation), which replaces Technical Appendix C to the King County Comprehensive Plan 2004. Attachment E to Ordinance 16263 contains the transportation needs report, which replaces the transportation needs report in Technical Appendix C to the King County Comprehensive Plan 2004. Attachment F to Ordinance 16263 contains Technical Appendix D (Growth Targets and the Urban Growth Area 2008).

KK. The amendments to the 2008 King County Comprehensive Plan, contained in Attachments A, B and C to this ordinance are hereby adopted as amendments to the King County Comprehensive Plan. Attachment A to this ordinance is Technical and Editorial Corrections, dated March 1, 2010. Attachment B to

this ordinance is the King County Issaquah Highlands Area Zoning Study, dated September 13, 2010.

Attachments A and B to this ordinance amend policies, text and maps of the Comprehensive Plan and amend King County Comprehensive Plan Land Use Zoning. The land use amendments contained in Attachment B to this ordinance are adopted as the official land use designations for those portions of unincorporated King County defined in Attachment B to this ordinance. Attachment C to this ordinance is the 2010 update of the Transportation Needs Report and amends the 2008 King County Comprehensive Plan, Technical Appendix C.

SECTION 3. Work program. The council hereby adopts the following work program item as part of the 2010 King County Comprehensive Plan update:

A. As part of the 2012 Growth Management Comprehensive Plan update process, the executive shall undertake a review of both Policy R-648 and K.C.C. 21A.24.381 and recommend appropriate revisions to both the policy and code provision that will properly balance the county's federal obligations with regard to salmon recovery efforts and the goal of preserving productive agricultural soils the maximum extent possible. As of the effective date of this section, both the policy and regulation do not explicitly recognize the need for that balance. Proposed changes shall be included as part of the executive's proposed 2012 Comprehensive Plan update.

B. As part of the 2012 Growth Management Comprehensive Plan update process, the executive shall undertake an area zoning study regarding the application of form-based code to parcels within the Rural Area that are zoned Neighborhood Business (NB). The executive should consider, as part of that area zoning study, the potential piloting of form-based codes for selected Neighborhood Business zoned parcels. The area zoning study and any the pilot program shall be included as part of the executive's proposed 2012 Comprehensive Plan update.

SECTION 4. 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.

30 days prior to hearing

Official and area papers

Newspapers:

Woodinville Weekly - publish Monday, August 9

Voice of the Valley - publish Tuesday, August 10

Seattle Times/Enumclaw Courier Herald/West Seattle Herald/Issaquah Press/Snoqualmie Valley Record -
publish Wednesday, August 11

Covington-Maple Valley/Kent Reporter/Redmond Reporter/Renton Reporter - publish: Friday, August 13

Public hearing: September 20, 2010