



King County

Metropolitan King County Council Growth Management and Natural Resources Committee

Agenda Item No.: 3 **Date:** April 15, 2008

Briefing No.: 2008-B0088 **Prepared by:** Rick Bautista
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Attending: Harry Reinert, DDES
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SUBJECT

Briefing on Executive's 2008 recommended King County Code revisions intended to implement executive-proposed amendments to the King County Comprehensive Plan ("KCCP").

SYNOPSIS OF KEY PROPOSED CODE REVISIONS

The executive-proposed revisions to the King County Code consist of a packet of five proposed ordinances that amend seven titles or chapters of the Code. The proposed ordinances are:

1. 2008-0124 (KCC Title 20 - Planning)
2. 2008-0125 (KCC Title 9 - Surface Water Management)
3. 2008-0126 (KCC Chapter 13.24 - Water and Sewer Comprehensive Plans)
4. 2008-0127 (KCC Title 14 - Roads and Bridges)
5. 2008-0128 (KCC Chapters 16.82 - Clearing and Grading)
(KCC Title 19A – Land Segregation)
(KCC Title 21.A - Zoning)

NOTE: Many of the proposed code revisions proposed in the executive packet are not tied (directly or indirectly) to a specific current or proposed policy. In the following tables, proposed code changes that are linked to any specific policy will be called out.

TABLE 1

PROPOSED ORDINANCE 2008-0124 (TITLE 20 – PLANNING)

Ordinance Section	Code Section (Page/Line)	Revision Summary	Related Policy	Council Staff Comment
1.	(1/15)	Findings		
2.	20.12.010 (10/219)	Adopt the 2008 King County Comprehensive Plan		
3.	20.18.140 (12/256)	Modify deadline for submitting docket requests to June 30 of each year		
4.	20.18.170 (14/297)	Extend the Four-to-One program to December 31, 2010		
5.	20.18.180 (15/321) (15/335) (16/343)	Amends Four-to-One standards to: 1. Allow director to consider need to protect critical areas in determining location of the new urban area 2. Allow reduction of open space buffer to no less than 200 feet if warranted by topography or critical areas 3. Require at least 50% of the lots to result from purchase of TDR credits	U-186 R-219	Could have most immediate application to a 4-to-1 proposal east of Redmond @ Union Hill Road Intended to create more demand for TDR credits
6.	20.20.020 (19/413) (21/416)	1. Change critical area decisions, except for alteration exceptions, from a Type II to a Type 1 land use decision 2. Clarify that Type 2 land use decisions made in context of a Type 3 or Type 4 land use decision are combined into a single review and appeal process		1. See analysis below 2. Ongoing discussions with Hearing Examiner to ensure this works the way intended
7.	20.20.100 (24/476)	Exclude from permit time periods, any period for which there is an outstanding fee balance due past 60 days of invoice		Permit review period "Clock" stopped while outstanding fees (60 days late) unpaid
8.	20.24.190 (27/536)	Urban rezone applications to increase density require the purchase of TDR credits for the additional units	U-124 U-124a	Intended to create more demand for TDR credits but could be barrier to future higher density in the urban areas
9.	20.44.040 (28/563)	Clarify the critical areas to which a lower categorical exemption threshold for grading would apply		See analysis below
10.	20.44.080 (31/622)	Add King County's Surface Water Regulations, Road Standards, and Clearing and Grading regulations to the regulations that King County has determined provide adequate mitigation under SEPA for development impacts in the urban growth area		

ANALYSIS

In regards to Section 6, #1, this would have the effect of removing the opportunity for an administrative appeal for decisions such as critical area determinations.

In regards to Section 9, the SEPA categorical exemption for filling or excavating in all critical areas is currently 100 cubic yards. The revision applies a 500 cubic-yard categorical exemption for critical areas that are not aquatic areas, wetlands, steep slopes or landslide hazard areas.

