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ORDINANCE NO. 7178

AN ORDINANCE relating to comprehensive planning; adopting the King County Comprehensive Plan--1985 as the countywide comprehensive land use plan for King County; amending Ordinance 3669, Section 4, and Ordinance 263, Article 2, Section 3, and KCC 20.12.030; amending Ordinance 4305, Section 2, and Ordinance 4472, Section 1 and KCC 20.12.050; amending Ordinance 3813, Section 1, and Ordinance 1096, Sections 1 and 2, and KCC 20.12.090; amending Ordinance 2555, Section 1, and KCC 20.12.150; amending Ordinance 4035, Sections 1 through 3, and Ordinance 2707, Section 1, and KCC 20.12.160; amending Ordinance 3064, Section 1, and KCC 20.54.010; adding new sections to KCC 20.12; repealing Ordinance 5319 in its entirety, Ordinance 4686 in its entirety, Ordinance 4305, Section 1, Ordinance 263, Article 2, Section 1, and KCC 20.12.010; repealing Ordinance 1285 in its entirety; repealing Ordinance 1435 in its entirety; repealing Ordinance 2429 in its entirety; repealing Ordinance 1683, Section 1, and KCC 20.12.100; repealing Ordinance 1838, Section 1, and KCC 20.12.110; repealing Ordinance 1839, Section 1, and KCC 20.12.120; repealing Ordinance 1840, Section 1, and KCC 20.12.130; repealing Ordinance 2991, Section 1, and KCC 20.12.140; repealing Ordinance 3345, Section 1, and KCC 20.12.220; repealing Ordinance 3384, Section 1, and KCC 20.12.230; repealing Ordinance 3649, Section 1, and KCC 20.12.260; repealing Ordinance 4688, Section 2, and KCC 20.12.280; repealing Ordinance 4688, Section 3, and KCC 20.12.290; repealing Ordinance 5136 in its entirety, and KCC 20.12.310;

PREAMBLE:

For the purpose of effective comprehensive land use planning and regulation, the King County Council makes the following legislative findings:

1. Unincorporated King County has experienced and will continue to experience population and employment growth, resulting in competing demands for public facilities and services and land uses, and requires county-wide land use planning and regulations.
2. Since adoption of the 1964 Comprehensive Plan, King County has adopted over 30 plan amendments, including policies on open space, environmental protection, housing, energy, and transportation, as well as many community plans and plan revisions.
3. Since 1978, the King County Council and County Executive have been working, through the growth management program, to update the 1964 Comprehensive Plan and its amendments, to explore the planning issues facing King County, and to make King County's land use policies internally consistent and capable of effective implementation. The result of that effort is the King County Comprehensive Plan--1985.
4. King County, with the assistance of the Executive Task Force on Growth Management, and the King County Council Advisory Committee on the King County Comprehensive Plan--1985, the incorporated cities and towns and other public agencies, and many members of the general public, has studied and considered alternative policies for the overall growth and development of King County, and has considered the environmental impacts of the King County Comprehensive Plan--1985 and its initial implementing

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measures (these measures will be considered and adopted separately from the plan). King County has prepared and distributed an environmental impact statement for the King County Comprehensive Plan--1985 and its initial implementation.

- 5. The King County Comprehensive Plan--1985 and its initial implementation provide for the coordination and regulation of public and private development and bear a substantial relationship to, and are necessary for, the public health, safety, and general welfare of King County and its residents.

BE IT ORDAINED BY THE KING COUNTY COUNCIL

NEW SECTION. SECTION 1. Ordinance 5319 in its entirety, Ordinance 4686 in its entirety, and Ordinance 4305, Section 1, and Ordinance 263, Article 2, Section 1, and KCC 20.12.010 are each hereby repealed, and the following is substituted:

Comprehensive Plan Adopted. Under the provisions of Article 990 of the King County Charter the King County Comprehensive Plan--1985, attached to this ordinance, is adopted and declared to be the comprehensive plan for King County until amended, repealed or superceded. The comprehensive plan shall be the principal planning document for the orderly physical development of the county and shall be used to guide community plans, functional plans, provision of public facilities and services, review of proposed incorporations and annexations, official controls, and land development decisions.

NEW SECTION. SECTION 2. Relationship of comprehensive plan to previously adopted plans, policies and land use regulations. King County recognizes the need for time to implement the comprehensive plan, and the need for specifying which prevails if the adopted comprehensive plan conflicts with any previously adopted plans, policies and land use regulations, until any conflicting portions of those plans, policies and regulations are amended to conform to the comprehensive plan. When adopted, the King County Comprehensive Plan--1985 shall relate to previously adopted plans, policies and land use regulations as follows:

- A. Previously adopted community plans and area zoning shall continue in effect until revised to be consistent with the comprehensive plan, and until such revisions are adopted shall govern in accordance with the pro-

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visions of subsection C.

B. Pending or proposed community plans, community plan revisions, amendments to the Sewerage General Plan and its local service areas, and amendments to adopted land use regulations, which are adopted on or after the effective date of this ordinance, shall conform to all applicable policies of the comprehensive plan.

C. Unclassified use permits and zone reclassifications, which are pending or proposed on or after the effective date of this ordinance, shall conform to the comprehensive plan and applicable adopted community plans as follows:

1. For aspects of proposals where both the comprehensive plan and a previously adopted community plan have applicable policies or plan map designations which do not conflict, both the comprehensive plan and community plan shall govern.

2. For aspects of proposals where both the comprehensive plan and a previously adopted community plan have applicable policies or plan map designations which conflict, the community plan shall govern until revised to conform to the comprehensive plan.

3. For aspects of proposals where either the comprehensive plan or a previously adopted community plan, but not both, has applicable policies or plan map designations, the plan with the applicable policies or designations shall govern.

D. Proposed subdivisions, and short subdivisions, conditional uses for which significant adverse environmental impacts have not been identified, may rely on existing zoning to govern proposed uses and densities; subdivisions, short subdivisions and conditional uses also may rely on specific facility improvement standards adopted by ordinance (including but not limited to street improvement, sewage disposal, and water supply standards) which conflict with the comprehensive plan, but shall be conditioned to conform to all applicable comprehensive plan policies on environmental protection, open space, design, site planning, and adequacy of on-site and off-site public facilities and services, in cases where specific standards have not been adopted.

1 E. Permit applications for proposed buildings and grading, and
 2 applications for variances, when categorically exempt from the procedural
 3 requirements of the State Environmental Policy Act, may rely on existing
 4 zoning and specific facility improvement standards adopted by ordinance.

5 F. Nothing in this section shall limit the county's authority to
 6 approve, deny or condition proposals in accordance with the State Environ-
 7 mental Policy Act.

8 SECTION 3. Ordinance 3669, Section 4, and Ordinance 263, Article 2,
 9 Section 3, and KCC 20.12.030 are each amended to read as follows:

10 Amplification of elements. A. The comprehensive plan may thereafter
 11 be progressively amplified and augmented in scope by expanding and
 12 increasing the general provisions and proposals for all or any one of the
 13 elements set forth herein and by adding provisions and proposals for the
 14 optional elements set forth in Section 20.12.040. The comprehensive plan
 15 may also be amplified ((and)), augmented and implemented by progressively
 16 developing community plans. The ((comprehensive plan goals,
 17 ~~guidelines and -policies~~ and)) community plan goals, guidelines, ((and))
 18 policies and area zoning shall be consistent with ((each other.)) the compre-
 19 hensive plan.

20 B. The comprehensive plan map and policies shall be reviewed and
 21 evaluated five years from the effective date of this ordinance and every
 22 five years thereafter, to determine whether the plan's key concepts are
 23 being implemented effectively, to reflect new community goals, and to
 24 respond to changing conditions. The review and evaluation shall be in
 25 the form of a report from the county executive to the council, with public
 26 input, findings and recommendations.

27 D. The comprehensive plan map may be amended through either the
 28 community plan process or in response to individual public or private pro-
 29 posals through the processes set forth in this chapter.

30 SECTION 4. Ordinance 4305, Section 2, Ordinance 4472, Section 1,
 31 and KCC 20.12.050 are each amended to read as follows:
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1 A. The purposes of having a specific ((community)) plan amendment
2 process are:

3 1. To insure that the comprehensive plan and community plans are
4 modified as the result of an area-wide or comprehensive planning process
5 based on sound planning principles and involving citizens and elected
6 officials rather than a piece-meal, lot-by-lot basis;

7 2. To insure consistency between the comprehensive plan and,
8 adopted community plans; and to ensure that individual zone classifications,
9 subdivisions and other development permits, and public projects conform
10 to the comprehensive plan and community plans;

11 3. To insure that plans are updated to meet changing circum-
12 stances;

13 4. To allow for more frequent changes in plans to address un-
14 anticipated changes, policy conflicts, or new issues not addressed in an
15 original plan.

16 B. Community plans are designed to guide private development and
17 public projects within a community planning area for approximately six
18 years from date of adoption. Determination of the need for revision shall
19 be based on how growth and development have occurred compared with
20 projections and past levels of activity for the planning area and on how the
21 plan addresses issues of current concern to area residents and the county.

22 C. The comprehensive plan is designed to guide community plans,
23 private development and public projects over a long-term period. It will
24 be reviewed and evaluated every five years, pursuant to KCC 20.12.030.

25 SECTION 5. Ordinance 4305, Section 3, Ordinance 4472, Section 2,
26 and KCC 20.12.060 are each amended to read as follows:

27 ((Community plan)) Plan amendments - Council procedure. The
28 council may determine that it is in the public interest to consider revising
29 the comprehensive plan before its five-year review and evaluation, or a
30 community plan ((within the)) before its expected six-year ((period))
31 revision by finding that one or more of the circumstances applicable to the
32 comprehensive plan or a community plan set forth in Section 20.12.070 is

1 present. The council shall make such a finding by adopting a motion
 2 containing the finding, after adequate public notification. For the purpose
 3 of this section, "adequate public notification" means legal notice in a news-
 4 paper of general circulation within the community planning area or areas
 5 affected for two weeks prior to adoption of the motion, plus written notifica-
 6 tion to appropriate community groups and other interested parties within
 7 the affected community planning area or areas. Adequate public notification
 8 as defined herein shall not be construed to require mailing of written notice
 9 to all property owners within the community planning area or areas
 10 affected.

11 SECTION 6. Ordinance 3813, Section 1, and Ordinance 1096, Sections
 12 1 and 2, and KCC 20.12.090 are each amended to read as follows:

13 ((Open space element.)) Park development policies. (("The OpenSpace
 14 Element of the Comprehensive Plan, Section 4," attached to Ordinance 1096,
 15 is adopted as an addendum to the comprehensive plan for King County.

16 As an -amplification and augmentation of the comprehensive plan,
 17 the open space element shall supplement Chapter E, Open Space
 18 Development Policies, and shall prevail where conflicts if any, may occur.))

19 "King County Park Development Policies," attached to Ordinance 3813
 20 are adopted ((and supercede -Policies E-44 through E-54 of Chapter E of
 21 the comprehensive plan for King County, as authorized by Section-
 22 20:12:030.)) and serve as a general basis for a park and recreation facili-
 23 ty development, except that the comprehensive plan shall prevail where
 24 conflicts, if any, occur.

25 SECTION 7. Ordinance 1285, in its entirety, is hereby repealed.
 26 Ordinance 1435, in its entirety, is hereby repealed. Ordinance 2429, in its
 27 entirety, is hereby repealed.

28 SECTION 8. Ordinance 1683, Section 1, and KCC 20.12.100 are each
 29 hereby repealed.

30 SECTION 9. Ordinance 1838, Section 1, and KCC 20.12.110 are each
 31 hereby repealed.

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1 SECTION 10. Ordinance 1839, Section 1, and KCC 20.12.120 are each
2 hereby repealed.

3 SECTION 11. Ordinance 1840, Section 1, and KCC 20.12.130 are each
4 hereby repealed.

5 SECTION 12. Ordinance 2991, Section 1, and KCC 20.12.140 are each
6 hereby repealed.

7 SECTION 13. Ordinance 2555, Section 1, and KCC 20.12.150 are each
8 amended to read as follows:

9 Housing report. The policy statements of the housing report attached
10 to Ordinance 2555 are adopted ((as an addendum to the comprehensive
11 plan for King County. As an -amplification)) and ((augmentation of the
12 comprehensive plan, such policy statements)) constitute official county
13 policy for King County ((regulations and)) programs which affect housing
14 supply, condition, occupancy, cost, design, mix and location.

15 SECTION 14. Ordinance 4035, Sections 1, 2 and 3, and Ordinance
16 2707, Section 1, and KCC 20.12.160 are each amended to read as follows:

17 Sewerage general plan. ((A. "Sewerage General Plan Trend
18 County Sewer Service Area," attached to Ordinance 2707, is adopted as an
19 addendum and element to the comprehensive plan for King County under
20 the provisions of Section 20:42:030. The "Sewerage General Plan Trend
21 County Sewer Service Area" is an -amplification and augmentation of the
22 county comprehensive plan, as provided in Section 20:42:040 G.

23 B. A -declaration of no -significant environmental impact has
24 been prepared and -circulated in accordance with the provisions of Chapter
25 20:44.))

26 ((G.)) The "King County Sewerage General Plan" attached to Ordi-
27 nance 4035, is adopted as ((an addendum to)) a functional plan, implement-
28 ing the King County comprehensive plan ((under the provisions of
29 KCC 20:42:030)).

30 ((D.)) As ((an-amplification and augmentation of the comprehensive))
31 a functional plan, the sewerage general plan shall ((supplement Chapter G,
32 Utilities--Development-Policies, and)) implement the comprehensive plan,

1 which shall prevail where conflicts, if any, may occur. Boundary changes
 2 and expansions of local service areas shall conform to the criteria set forth
 3 in the comprehensive plan, which shall replace those set forth in
 4 sections 6.2(A) and 6.5 of the "King County Sewerage General Plan."

5 ((E. Policy D-26 of the King County comprehensive plan, Chapter D,
 6 is amended to read as follows:

7 "In areas where the allowed average residential density is not over
 8 one housing unit per gross acre, development should include the
 9 following improvements:

- 10 1. type of street improvement dependent upon type of street
 11 and amount of potential traffic;
- 12 2. improved walkways desirable at least on one side of the street;
- 13 3. publicly approved water supply (may be privately owned);
- 14 4. provision for adequate drainage (primarily surface
 15 drainage except for problem areas); and
- 16 5. sanitary sewers or suitable alternative."))

17 SECTION 15. Ordinance 3345, Section 1, and KCC 20.12.220 are each
 18 hereby repealed.

19 SECTION 16. Ordinance 3384, Section 1, and KCC 20.12.230 are each
 20 hereby repealed.

21 SECTION 17. Ordinance 3649, Section 1, and KCC 20.12.260 are each
 22 hereby repealed.

23 SECTION 18. Ordinance 4688, Section 2, and KCC 20.12.280 are each
 24 hereby repealed.

25 SECTION 19. Ordinance 4688, Section 3, and KCC 20.12.290 are each
 26 hereby repealed.

27 SECTION 20. Ordinance 5136, in its entirety, and KCC 20.12.310 are
 28 each hereby repealed.

29 SECTION 21. Ordinance 3064, Section 1, and KCC 20.54.010 are each
 30 amended to read as follows:

31 Findings and declaration of purpose.
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1 A. The council finds that:

2 1. King County presently contains approximately fifty-five thousand
3 acres of land which are being actively farmed.

4 2. King County's land in active agricultural use has declined by an
5 average of three thousand five hundred acres per year since 1945.

6 3. The existence of agricultural lands in an urban county such as
7 King County also provides citizens of King County opportunities to pursue
8 livelihoods dependent upon this specialized land resource.

9 4. The existence of land in agricultural uses in an urban county
10 such as King County provides unique open space and educational benefits
11 and contributes to the quality of the life enjoyed by the citizens of the
12 county.

13 5. King County's agricultural lands are a unique land resource
14 which serve as an essential factor contributing to the viability of the agri-
15 cultural industry in King County as well as provide open space benefits for
16 the citizens of the county.

17 6. The continued viability of agriculture in King County is depen-
18 dent upon combined agricultural land protection programs and agricultural
19 support programs.

20 7. For certain areas within King County, an agricultural land
21 protection program based upon both land-use regulations and compensation
22 to property owners is the most effective means of protecting existing agri-
23 cultural lands and private property rights.

24 8. The council declares that the purpose of this chapter is to
25 protect specific agricultural lands in unincorporated King County by apply-
26 ing the open space and development policies of the King County compre-
27 hensive plan.

28 B. The council further finds that:

29 1. The ((open space)) policies of the King County comprehensive
30 plan, ((as adopted by Ordinance 1096,)) support the protection of existing
31 agricultural lands in King County. ((Open space policies including the
32 following:

1 a. Open space should be distributed throughout the urban and
2 rural areas to insure variety within the environment, to provide
3 sufficient space for passive and active recreation, and to help curb the
4 spread of urban blight and deterioration."

5 b. "Open space resources should be combined, where possible,
6 to form visual and physical separation between major sectors and urban
7 ization, to discourage continuous urban sprawl, and to preserve the
8 natural land features."

9 c. "Farmlands must be included in the open space system be
10 cause they provide products for consumption; serve as
11 buffers between urbanizing areas, and provide beautiful and natural
12 scenery."

13 2. One of the major development policies of the King County com
14 prehensive plan, the "urban center development concept," supports the
15 protection of the county's existing agricultural lands. This policy states
16 as goals: the "separation and identification between major portions of
17 the urban area" and the "protect(ion-) of certain agricultural, floodplain,
18 forest and mineral resource areas from urban type development."))

19 C. The council further finds, based upon a study completed by King
20 County, that:

21 1. The input, market, and production sectors of the agricultural
22 industry in King County currently provide approximately six thousand two
23 hundred full-time jobs, one thousand four hundred part-time jobs, and
24 seventeen thousand seasonal jobs annually.

25 2. The production sector of the agricultural industry in King
26 County currently provides gross receipts in excess of forty million dollars
27 annually.

28 3. Sewer and water local improvement district assessments on agri-
29 cultural land are frequently detrimental to the operation of farms in King
30 County.

31 4. There is a limited amount of land which is well-suited for horti-
32 cultural or livestock-related agricultural uses and this land suitability is

1 determined by specific factors which include, but are not limited to, soil
2 capability, parcel size and the level of utility assessments.

3 5. More than sixty-five percent of Class II and Class III agricul-
4 tural capability soils, approximately ninety percent of the lands in King
5 County which are under the State Current Use Taxation Program, and
6 approximately eighty percent of the lands currently in active farming, are
7 located in four specific areas of the county: Snoqualmie Valley/Patterson
8 Creek, Sammamish Valley/Bear Creek, Lower Green River Valley, and the
9 Enumclaw Plateau/Green Valley.

10 6. Horticultural farming is the primary type of agricultural activity
11 in the Sammamish Valley/Bear Creek area and the Lower Green River Valley
12 area and viable horticultural farm operation in these areas utilize land
13 parcels which have an average size of approximately ten acres. Livestock
14 operations are the primary type of agricultural activity in the Snoqualmie
15 Valley/Patterson Creek area and the Enumclaw/Green Valley area and viable
16 livestock operations in these areas utilize land parcels which are forty acres
17 or larger.

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7. King County contains sufficient land to accommodate existing and projected commercial, residential and industrial development as well as to maintain existing agricultural land uses. In 1990, if all undeveloped land containing Class II and Class III soils remains undeveloped and urban development occurs at currently projected rates, more than one hundred forty-five thousand acres of land zoned for urban uses will remain available for development.

SECTION 22. Severability. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance.

INTRODUCED AND READ for the first time this 23rd day of April, 19 84.

PASSED this 8th day of April, 19 85.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Gary Grant
Chairman

ATTEST:

Dorothy M. Owens
Clerk of the Council

APPROVED this 15th day of April, 19 85

Randy Ruess
King County Executive