



Signature Report

March 20, 2012

Ordinance 17287

Proposed No. 2011-0227.3

Sponsors von Reichbauer

1 AN ORDINANCE relating to the development of a  
2 regional motor sports facility; adopting provisions for  
3 approval of such a facility through a master planning  
4 demonstration project, as authorized under K.C.C. chapter  
5 21A.55; amending Ordinance 10870, Section 337, as  
6 amended, and K.C.C. 21A.08.100; adding a new section to  
7 K.C.C. chapter 21A.55; adding a new section to K.C.C.  
8 chapter 20.24; adding new sections to K.C.C. chapter  
9 21A.06; and adding a new section to K.C.C. chapter 27.02.

10 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

11 SECTION 1. Findings:

12 A. Pacific Raceways, formerly operated as Seattle International Raceways, is on  
13 a three-hundred-twenty-seven acre site located east of Kent and a quarter mile off of State  
14 Highway 18, and has historically consisted of a two and a quarter-mile road course, a  
15 drag strip, a dirt motocross track and a kart track.

16 B. A racetrack has operated on the Pacific Raceways property for over fifty  
17 years. Throughout the various iterations of King County land use planning and  
18 regulation, the existence and operation of the racetrack has been recognized. While no  
19 longer in effect, both the 1979 Soos Creek Community Plan and its 1991 update provide

20 valuable information about the racetrack. These past Soos Creek Community Plans  
21 acknowledged the challenges of the racetrack being located in a rural area. In 1998, King  
22 County re-adopted the Soos Creek Community Plan policy (F-18) pertaining to what was  
23 then referred to as Seattle International Raceway or "SIR." King County's current land  
24 use plans and regulations continue to recognize the historic racetrack use.

25 C. The Pacific Raceways property is located in the Growth Management Act-  
26 designated rural area. The property has a Rural land use designation and Industrial  
27 zoning. The property has a property-specific development condition (SC-P02), also  
28 known as a P-suffix, condition restricting the use of the property to racing and race  
29 related activities, consistent with comprehensive plan policy CP-1014. It is also subject  
30 to two Conditional Use Permits, File Nos. A-71-0-81 and L08CU006, which govern  
31 current development and operations.

32 D. This ordinance allows safety improvements and uses that are accessory to a  
33 racetrack. These uses are intended to be subordinate to the primary use of the facility as a  
34 racetrack and to primarily provide services to participants in events at the facility and not  
35 to provide services to the general public. Any accessory uses shall be limited as  
36 necessary to comply with the King County Comprehensive Plan and the zoning  
37 conditions that apply to the property. It is not the intent of the council through this  
38 ordinance to allow uses that are inconsistent with the spirit and intent of the Growth  
39 Management Act or the King County Comprehensive Plan.

40 E. The owners of Pacific Raceways have indicated that they have invested over  
41 five million dollars since 2002 for improvements and are now seeking to move forward

42 with a privately funded one hundred and thirty-five-million-dollar rehabilitation and  
43 expansion effort.

44 F. There are currently no specific zoning or land use provisions provided in the  
45 code that easily and efficiently allow for the processing of a complex, multi-year, multi-  
46 phased development proposals.

47 G. The numerous steps currently required for the review of large, complex and  
48 long-term development proposals, such as those proposed for Pacific Raceways, make it  
49 difficult for the county, the applicant and the public to understand and address the myriad  
50 issues that arise during review of these kinds of projects.

51 H. A demonstration project as provided in K.C.C. chapter 21A.55 is intended to  
52 be a mechanism to test and evaluate alternative development standards and processes  
53 before amending King County policies and regulations. The amended standards and  
54 processes could advance county efforts to support wide-scale economic development.

55 I. Specifically, K.C.C. 21A.55.010 states, "Alternative development standards  
56 might include standards affecting building and/or site design requirements. Alternative  
57 processes might include permit review prioritization, alternative review and revision  
58 scheduling, or staff and peer review practices."

59 J. During the council review of Proposed Ordinance 2010-0189, members of the  
60 public testified that the implementation and enforcement of the conditions of Conditional  
61 Use Permits File Nos. A-71-0-81 and L08CU006 has been inconsistent over the years.

62 K. A "master planning" demonstration project is an opportunity to:

63 1. Implement specific requirements governing the future design and operation of  
64 Pacific Raceways;

- 65           2. Test a multiphased process that will ensure public opportunity to provide  
66 input on the proposed future development and operating standards;
- 67           3. Allow the cumulative impacts of a proposed development to be considered  
68 and addressed;
- 69           4. Better guide the future development of the facility;
- 70           5. Institute an ongoing council review and monitoring process to ensure  
71 compliance with this ordinance and the executed development and operating agreement;  
72 and
- 73           6. Institute a process that increases long-term predictability.

74           L. The 1990 Soos Creek Basin Plan shows the raceway within a recommended  
75 one-quarter mile rural corridor recommended for major streams. The council recognizes  
76 the need to protect the water quality of salmon-bearing streams in the vicinity of the  
77 project site, such as Big Soos and Soosette creeks, as well as valuable facilities like the  
78 Soos Creek Hatchery that rely upon the maintenance of water quality in those water-  
79 bodies. In order to ensure that protection, this ordinance requires any proposed  
80 development of the site to comply with stringent surface water retention, infiltration and  
81 monitoring requirements, as well as, to establish a critical area buffer from Soosette  
82 creek.

83           M. The council determines, based on the potential uses that may be included in  
84 the master planning proposal, there is likely significant adverse environmental impact  
85 necessitating the preparation of an environmental impact statement, in accordance with  
86 chapter 43.21C RCW and chapter 197-11 WAC.

87 N. The property owner's participation in this demonstration project is voluntary.  
88 The county has had success with demonstration projects in the past. However, in  
89 deciding to initiate the master planning process, the property owner will be taking on  
90 risks associated with an untested process. The property owner has the option of pursuing  
91 development approval through a more traditional process.

92 SECTION 2. The King County executive shall conduct a demonstration project  
93 to create and evaluate a master planning process as provided for in, and consistent with,  
94 section 3 of this ordinance.

95 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.55  
96 a new section to read as follows.

97 A. The purpose of the master planning process demonstration project is to:

98 1. Create a comprehensive but streamlined process for the review of major land  
99 use proposals that will be developed over the course of several years by:

100 a. utilizing a concise timeline for project review that incorporates a process for  
101 public outreach and input during project review and facility operation;

102 b. executing a development and operating agreement, pursuant to RCW  
103 36.70B.170 that establishes:

104 (1) a clearly defined project through a master development plan, which shall  
105 include a master site plan;

106 (2) requirements that must be met before approval of each phase of  
107 development; and

108           (3) operating standards governing all aspects of the project's operation,  
109 including, but not limited to, noise and traffic, hours and days of operation for racing,  
110 nonracing uses and number and types of events; and

111           c. establishing a process that ensures timely and efficient review;

112           2. Utilize the hearing examiner, as authorized in section 4 of this ordinance, to  
113 function as a special master for the purpose of fact finding and reporting on compliance  
114 by the applicant with the executed development and operating agreement, as provided in  
115 subsection S. of this section; and

116           3. Provide for ongoing monitoring of the executed development and operating  
117 agreement by the council to ensure continued future compliance with the executed  
118 development and operating agreement.

119           B. The master planning process demonstration project shall be implemented only  
120 for a regional motor sports facility only on the Pacific Raceways property as described in  
121 Attachment A to this ordinance.

122           C. The master planning demonstration project shall be initiated by the applicant  
123 making a written request to the department for a preapplication meeting to identify the  
124 requirements necessary for a complete application under this section.

125           D. A master planning proposal application shall be considered complete when the  
126 following information and studies have been submitted and are adequate to review the  
127 proposal:

128           1. A proposed development plan that describes the nature, size and scope and  
129 phasing of all proposed activities;

- 130           2. A proposed site plan that identifies the location and dimensions of proposed  
131 racing surfaces, access roadways, parking areas, buildings, stormwater facilities, sewage  
132 treatment or holding facilities and any off-site traffic improvements;
- 133           3. A proposed master drainage plan under the surface water design manual;
- 134           4. A proposed grading plan that identifies or includes:
- 135               (a) land contours;
- 136               (b) soil types; and
- 137               (c) phasing;
- 138           5. Proposed development conditions relating to:
- 139               (a) on-site vehicle circulation and off-site traffic control measures;
- 140               (b) protection for critical areas, especially adjacent to Soosette creek;
- 141               (c) stormwater flow control and water quality treatment;
- 142               (d) visual screening from adjoining residential properties;
- 143               (e) ongoing monitoring and reporting to measure compliance with the  
144 development and operating agreements;
- 145               (f) fire protection; and
- 146               (g) water supply and service;
- 147           6. Proposed operating conditions that specify:
- 148               (a) days and hours of operation;
- 149               (b) frequency of events;
- 150               (c) types of activities, including types of motor vehicles; and
- 151               (d) maximum noise levels; and
- 152           7. Any necessary information identified through the preapplication process.

- 153        E. The development and operating agreement shall contain development  
154 standards and operating conditions related to the development and operation of the site  
155 and shall include, but shall not be limited to:
- 156            1. A master site plan and detailed conditions establishing the:
    - 157                    a. location and scope of proposed land uses;
    - 158                    b. location and size of buildings and structures such as grandstands;
    - 159                    c. layout and dimensions of racing surfaces and circulation roadways;
    - 160                    d. site elevations and contours established by a master grading plan;
    - 161                    e. excavation and processing of materials, including dust control, during  
162 construction of the facilities;
    - 163                    f. location and dimensions parking areas;
    - 164                    g. location of stormwater facilities, sewage treatment facilities, water, and  
165 related features; and
    - 166                    h. vegetative screening required in subsection F.1. of this section;
  - 167            2. A master drainage plan consistent with the surface water design manual;
  - 168            3. A project phasing plan, including threshold requirements that must be met  
169 before approval of the next phase of development;
  - 170            4. Specified types of racing and nonracing activities, and where on the site the  
171 activities can occur;
  - 172            5. Specified days and times for all racing and nonracing uses;
  - 173            6. Specified noise levels for racing and nonracing uses, including but not limited  
174 to, how noise levels will be measured and mitigated;

175           7. Specified on-site vehicle circulation and other traffic control measures to  
176 reduce the impact of congestion on roadways in the vicinity of Pacific Raceways;

177           8. Specified development conditions to ensure that permitted alterations  
178 provided for in subsection G. of this section achieve the appropriate level of protections;

179           9. Specified development conditions to ensure that stormwater flow control and  
180 water quality treatment provided for in subsection H. of this section is achieved;

181           10. Specified regular ongoing monitoring and reporting to measure compliance  
182 with the development and operating agreement requirements relating to noise, traffic, air  
183 quality, groundwater quality, stormwater flow control and water quality treatment and  
184 water volume and quality in Soosette creek;

185           11. Specified process for the receipt and evaluation by the department of  
186 inquiries and complaints relating to the operation of the facility, in order to allow for  
187 review by the hearing examiner as provided in subsection S. of this section; and

188           12. Specified enforcement mechanisms to address any violations of the  
189 conditions of the development agreement, including, but not limited to, the following:

190           a. a process for monitoring condition violations and for receipt of complaints;

191           b. a process for expedited review and remedy of possible violations; and

192           c. a penalty schedule that recognizes the nature and impact of the violation and  
193 is sufficient to deter violations that otherwise result in financial benefit to the facility,  
194 including, but not limited to, revocation of operating permit and loss of specific days of  
195 operation.

196           F. All development under the master plan shall be subject to the following  
197 standards relating to screening and building setbacks: as provided in K.C.C.

198 21A.16.030.F, to the maximum extent practical, buildings and other structures shall be  
199 constructed on the project to be shielded from view from adjoining residential properties  
200 using methods that may include, but are not limited to:

- 201 1. Retention of existing vegetation; and
- 202 2. Placement of new vegetation to augment existing vegetation.

203 G.1. Except as otherwise provided in this subsection G.2. of this section, all  
204 development under the master plan shall comply with K.C.C. chapter 21A.24.

205 2. The department may approve alterations to critical areas, critical areas buffers  
206 and critical area setbacks that are not otherwise allowed as an alteration exception under  
207 K.C.C. 21A.24.070 when the applicant demonstrates that:

208 a. the proposal does not pose an unreasonable threat to the public health, safety  
209 or welfare on or off the site;

210 b. the proposed impacts to critical areas, critical area buffers and critical area  
211 setbacks shall be controlled and compensated for in accordance with the requirements of  
212 K.C.C. 21A.24.125;

213 c. for proposed alterations within steep slope or landslide areas:

214 (1) the alterations are necessary to bring existing racing or access road  
215 surfaces into compliance with applicable racing association safety standards, or to  
216 construct noise barriers or for the placement of spectator seating on the interior portion of  
217 the road course; and

218 (2) the alterations can be constructed to maintain the stability of the hazard  
219 area through the use of structural mitigations identified through a geotechnical analysis  
220 by a licensed and qualified geotechnical professional; and

- 221 d. for proposed alterations to wetlands or aquatic areas and their buffers:
- 222 (1) the alterations are necessary to comply with applicable racing association
- 223 safety standards either for existing racing surfaces or for providing to emergency vehicles
- 224 access roads to the existing racing surfaces;
- 225 (2) there is no feasible alternative to the development proposal with less
- 226 adverse impact on the critical area;
- 227 (3) the alteration is the minimum necessary to accommodate the development
- 228 proposal;
- 229 (4) the alternation has the least possible adverse impact on the critical area
- 230 and critical area buffer;
- 231 (5) the critical area is not used as a salmonid spawning area;
- 232 (6) the director may only approve an alteration in a category III or IV
- 233 wetland; and
- 234 (7) the alterations to any wetland shall be mitigated in accordance with an
- 235 approved mitigation plan by relocating the wetland into a new wetland, with equivalent
- 236 or greater functions, or into an existing wetland at the ratios specified in K.C.C.
- 237 21A.24.340 based on the type of mitigation measures proposed.
- 238 H. Uses proposed under the master planning proposal shall comply with the King
- 239 County surface water design manual and shall:
- 240 1. Use enhanced basic water quality measures to treat stormwater and use
- 241 stormwater infiltration facilities to manage stormwater to protect aquatic life in Big Soos
- 242 and Soosette creeks and operation of the Soos Creek Hatchery, while protecting
- 243 groundwater quality. The department shall consider the proposed use in determining

244 whether spill control or special oil control measures in excess of the King County surface  
245 water design manual requirements are necessary to achieve the required environmental  
246 protections;

247           2. Specify and require facilities and best management practices to insure that  
248 auto-related fluids, brake dust, and other products are properly managed and disposed of  
249 to avoid contamination of soils, surface water and groundwater;

250           3. Develop and implement a water quality monitoring plan to assure that copper,  
251 other metals, hydrocarbons and other contaminants are not elevated in ground and surface  
252 waters on- site and in Big Soos and Soosette creeks;

253           4. Conduct flow monitoring in Big and Soosette creeks before, during and after  
254 construction to ensure that normal or preexisting flows are being maintained.

255           5. Conduct biotic monitoring in Big Soos and Soosette creeks before, during  
256 and after construction;

257           6. If the department determines it to be environmentally beneficial and if it is in  
258 compliance with the surface water design manual requirements for discharge to the  
259 natural location and is approved through an adjustment, channel surface water from  
260 impervious surfaces, including buildings, structures, pit areas or raceways to drain away  
261 from Soosette creek and evaluate any impacts to Big Soos and Soosette creeks and to the  
262 alternative discharge location; and

263           7. Develop and implement an adaptive management program to correct any  
264 flow, surface or ground water quality, or biotic problem in Big Soos or Soosette creeks  
265 caused by the development.

266 I. Site development that entails extraction and grading of soils to achieve the final  
267 site contours for development shall be subject to the following limits:

268 1. The amount of materials that may be extracted during any specific phase of  
269 project construction shall be only as necessary to construct that phase of the project  
270 approved for construction; and

271 2. The on-site processing of the extracted materials shall be limited to the  
272 sorting of the material into separate dirt, sand and gravel components.

273 J. The master planning proposal shall include site designs and features to reduce  
274 the level of noise impacts upon nearby residential neighborhoods.

275 K. The department shall:

276 1. Schedule and conduct a preapplication meeting with applicant within thirty  
277 days of the request for such a meeting by the applicant in order to identify the full range  
278 of potential issues related to the proposed expansion of Pacific Raceways and to  
279 specifically list information or studies needed to adequately evaluate the listed issues.

280 2. Provide to the applicant a detailed listing of all project issues and necessary  
281 information or studies required under subsection D. of this section within thirty days after  
282 the date of the preapplication meeting;

283 3. Accept for filing a master planning proposal application submitted by the  
284 applicant only if it provides the information and studies required by subsection K.2. of  
285 this section;

286 4. Determine whether the master planning proposal is a complete application  
287 under this section and K.C.C. 20.20.050;

288           5. Provide a notice of a complete application under K.C.C. 20.20.060.B. In  
289 addition to notice required under K.C.C. 20.20.060.B, the department shall provide  
290 mailed notice to:

291           a. all parties of record, including community groups or organizations,  
292 established during the review of Conditional Use Permit File Nos. A-71-0-81 and  
293 L08CU006, Proposed Ordinance 2010-0189 or this ordinance;

294           b. persons requesting notification of any county land use action regarding  
295 Pacific Raceways; and

296           c. residents or property owners of parcels located within twenty-five hundred  
297 feet of the boundaries of the Pacific Raceways site;

298           6. Not later than seven days after the applicant has filed with the department its  
299 master planning proposal, issue a determination of significance and proceed with the  
300 environmental review of the master planning proposal under section 6 of this ordinance;

301           7. Conduct one or more public meetings on the master planning proposal  
302 application to gather information and public input on all aspects of the master planning  
303 proposal. The first meeting shall be held within thirty days after the applicant has filed  
304 its master planning proposal application with the department and may be combined with  
305 a public meeting required under section 5.D.4 of this ordinance. At that public meeting,  
306 the applicant shall present its master planning proposal. At each public meeting, the  
307 public shall be provided an opportunity to comment on the master planning proposal.  
308 The department shall record all public meetings and make a written summary of the  
309 meetings available on its website within fourteen days after the meeting. The department  
310 may hold additional public meetings as it conducts its review of the master planning

311 proposal application and shall provide an opportunity for the applicant to respond to  
312 questions at each public meeting;

313           8. Issue the final environmental impact statement within eighteen months of  
314 either issuing to the applicant a notice of complete application or the master planning  
315 proposal is deemed a complete application under K.C.C. 20.20.050B. The consultant  
316 may request additional time to prepare the final environmental impact statement;

317           9. Not later than thirty days after the final environmental impact state is issued,  
318 propose for public review and comment a development and operating agreement  
319 consistent with this section. The department shall provide notice of the proposed  
320 development and operating agreement in the same manner as it provided the notice of  
321 application under subsection K.5. of this section. The department shall present the  
322 proposed development and operating agreement at a public meeting within fourteen days  
323 after the notice is provided under this subsection K.9; and

324           10. Within sixty days after the public meeting required by subsection K.9. of  
325 this section:

326           a. transmit to the hearing examiner the department's recommended  
327 development and operating agreement, together with a proposed ordinance authorizing  
328 the executive to execute the development and operating agreement;

329           b. publish its recommended development and operating agreement on the  
330 department's website; and

331           c. provide notice of its recommended development and operating agreement in  
332 the same manner as it provided the notice of application under subsection K.5.a. through

333 c. of this section and to those governmental agencies listed in K.C.C. 20.20.090.A. The  
334 notice shall also advise :

335 (1) that the department's recommendation is subject to an open record public  
336 hearing before the hearing examiner;

337 (2) the date that the department's recommendation has been transmitted to the  
338 hearing examiner; and

339 (3) that interested persons may appear as parties at the open record public  
340 hearing by filing a notice of appearance with the hearing examiner within fourteen days  
341 of the date that the department's recommendation has been transmitted to the hearing  
342 examiner. The applicant will be presumed to be a party without having to file a notice of  
343 appearance.

344 L.1. Before the transmittal of the department's recommended development and  
345 operating agreement to the hearing examiner, the transportation, economy and  
346 environment committee or its applicable successor may request reports or briefings from  
347 the department and applicant regarding how the demonstration project is proceeding.  
348 The department shall solicit input from those identified in subsection K.5.a. through c. of  
349 section to inform the committee in the report and briefing.

350 2. If the department or the applicant is unable to meet a timeline established by  
351 this section as part of the process for review of the master planning proposal, the  
352 department shall provide written notice to the council within fourteen days after the  
353 missed deadline in the form of a letter to the chair of transportation, economy and  
354 environment committee or its applicable successor describing the causes for the delay,

355 and the steps or actions needed to be taken by the department or the applicant to continue  
356 timely processing of the proposal.

357 M.1. No sooner than fourteen days after receiving the department's recommended  
358 development and operating agreement, the hearing examiner shall set the date for the  
359 prehearing conference and notify the parties of interest.

360 2. Unless otherwise agreed to by those that appear as parties, the hearing  
361 examiner shall conduct an open record public hearing within ninety days of the  
362 prehearing conference and, if necessary, shall hold the public hearing over consecutive  
363 days.

364 3. When the hearing examiner sets the department's recommended development  
365 and operating agreement for an open record public hearing, the department shall  
366 coordinate and assemble the reviews of other departments and governmental agencies  
367 having an interest in the application and shall prepare a report summarizing the factors  
368 involved and the department's recommendation. At least fourteen calendar days before  
369 the scheduled hearing, the department shall file the report with the hearing examiner and  
370 mail copies to those identified in subsection K.5.a. through c. of section.

371 4. The hearing examiner's recommendation may be to approve or reject the  
372 department's recommended development and operating agreement , or the examiner may  
373 recommend that the council adopt the department's recommended development and  
374 operating agreement with such conditions, modifications and restrictions as the examiner  
375 finds necessary to carry out applicable state laws and regulations and the regulations,  
376 including chapter 43.21C RCW, policies, objectives and goals of the Comprehensive

377 Plan, the zoning code K.C.C. Title 21A and other laws, policies and objectives of King  
378 County.

379           5. Within fourteen days after the conclusion of the open record public hearing,  
380 the hearing examiner shall issue a written recommendation and shall transmit a copy  
381 thereof to all persons who appeared as parties in the open record public hearing. The  
382 recommendation shall include findings of fact and conclusions from the record that  
383 support the decision and the findings and conclusions shall set forth and demonstrate the  
384 manner in which the recommendation is consistent with, carries out and helps implement  
385 applicable state laws and regulations, the regulations, policies, objectives and goals of the  
386 comprehensive plan and this ordinance.

387           6. To appeal the hearing examiner's recommendation, an aggrieved party must  
388 file a notice of appeal with the clerk of the council within fourteen days of the date of the  
389 mailing of the hearing examiner's recommendation. The clerk shall notify the hearing  
390 examiner and the parties of record to the hearing examiner's open record public hearing in  
391 writing of the council's receipt of the appeal. The clerk shall also cause to have posted on  
392 the council's web page the notice of the appeal. The appellant shall file a statement of  
393 appeal with the clerk within twenty-one days of filing its notice of appeal, together with  
394 proof of service of the statement of appeal to the other parties of record. The statement of  
395 appeal must specify the basis for the appeal and any arguments in support of the appeal.  
396 Failure to file a statement of appeal shall result in the dismissal of the appeal. The clerk  
397 shall cause to have the statement of appeal posted on the council's web page. Any  
398 written responsive statements or arguments to the appeal, together with proof of service  
399 on the other parties of record, must be filed with the clerk within fourteen days after the

400 filing of the statement of appeal. The clerk shall cause to have these responsive  
401 statements and arguments posted on the council's webpage.

402           7. At least fourteen days before the closed record hearing by the council of the  
403 appeal, the clerk will provide the parties of record with written notice of the hearing time  
404 and date. The council's consideration of the appeal shall be based upon the record as  
405 presented to the hearing examiner at the open record public hearing and upon written  
406 appeal statements and arguments submitted by the parties that are based on the open  
407 record public meeting. The council may allow the parties to the appeal a period of time  
408 for oral argument based on the record. Consistent with RCW 36.70B.020(1), before or at  
409 the appeal hearing and upon the request of the council, county staff may provide a written  
410 or oral summary, or both, of the appeal record, issues and arguments presented in an  
411 appeal and may provide answers, based on the record, to questions with respect to issues  
412 raised in an appeal asked by council members at the appeal hearing. Nothing in this  
413 subsection shall be construed as limiting the ability of the council to seek and receive  
414 legal advice regarding a pending appeal from the office of the prosecuting attorney or  
415 other county legal counsel either within or outside of the hearing.

416           8. If, after consideration of the record, written appeal statements and any oral  
417 argument the council determines that:

418           a. An error in fact or procedure may exist or additional information or  
419 clarification is desired, the council shall remand the matter to the hearing examiner for  
420 further hearing to receive additional information or further consideration; or

421           b. The recommendation of the hearing examiner is based on an error in  
422 judgment or conclusion, the council may modify or reverse the recommendation of the  
423 hearing examiner.

424           9. a. The council's final action on any recommendation of the hearing examiner  
425 shall be by ordinance, which shall include findings of fact and conclusions from the  
426 record of the hearing examiner's public hearings. The findings and conclusions shall set  
427 forth and demonstrate the manner in which the council's decision is consistent with,  
428 carries out and helps implement applicable state laws and regulations, the regulations,  
429 policies, objectives and goals of the comprehensive plan and this ordinance. The council  
430 may adopt as its own all or portions of the hearing examiner's findings and conclusions.

431           b. Any ordinance also may contain reasonable conditions, in accordance with  
432 state law and county ordinances, which must be satisfied before the ordinance becomes  
433 effective. The ordinance shall also designate the time period within which any such  
434 conditions must be satisfied. All authority pursuant to such ordinance shall expire if any  
435 of the conditions are not satisfied within the designated time period and the property shall  
436 continue to be subject to all laws, regulations and zoning as if the ordinance had not been  
437 adopted. The council may extend the period for satisfaction of the conditions if, after a  
438 public hearing by the examiner, the council finds an extension will be in the public  
439 interest and the extension was requested by the applicant within the initial time period.

440           N. If the hearing examiner's recommendation is not appealed pursuant to  
441 subsection M. of this section:

442 1. The clerk of the council shall place a proposed ordinance that implements the  
443 examiner's recommended action on the agenda of the next available council meeting for  
444 adoption;

445 2. No final action to amend or reverse the hearing examiner's recommendation  
446 shall be taken at that meeting and notice to parties shall be given before the adoption of a  
447 substitute or amended ordinance that amends or reverses the examiner's recommendation;

448 3. The council may either:

449 a. Refer the matter to the transportation, economy and environment or its  
450 successor for further consideration deemed necessary before the council takes final action  
451 on the matter or remand the matter to the hearing examiner for further hearing to receive  
452 additional information or further consideration; or

453 b. Adopt the hearing examiner's recommendation by an ordinance satisfying  
454 the requirements of subsection M.9. of this section.

455 4. Any final action by the county council may be reconsidered by the council  
456 pursuant to K.C.C. 20.24.250; and

457 5. Any appeal of the council's final action shall comply with the requirements of  
458 K.C.C 20.24.240.A.

459 O.1. The design and operating conditions specified in any agreement adopted and  
460 executed pursuant to the process established in this section shall prospectively control the  
461 operations and design for the site and supersede the design and operating conditions  
462 established under Conditional Use Permit File Nos. A-71-0-81 and L08CU006.

463 However, any such development and operating agreement will not have retroactive  
464 effect. Any enforcement actions relating to compliance with the design and operating

465 conditions established under Conditional Use Permit File Nos. A-71-0-81 and L08CU006  
466 regarding activities that occurred before the execution of a development agreement shall  
467 not be affected.

468           2. A master plan development and operating agreement approved by the council  
469 shall be in effect for a period of ten years from the effective date of the ordinance  
470 approving the master plan development and operating agreement and authorizing the  
471 executive to execute the development and operating agreement;

472           3.a. An approved master plan development and operating agreement may be  
473 renewed one time for not more than ten years.

474           b. The applicant shall apply to the department for renewal of the development  
475 and operating agreement at least twelve months before the agreement expires. The  
476 department shall provide a notice of the renewal request under subsection K.5.a. through  
477 c. of this section and shall conduct at least one public meeting on the request as provided  
478 in subsection K.7. of this section.

479           c. The department shall make its recommendation to the council on the  
480 proposed renewal together with any recommended changes to the agreement not later  
481 than ninety days before the development and operating agreement expires.

482           d. If the agreement is not renewed by the council:

483               (1) the operating conditions established in the agreement shall remain in  
484 effect; and

485               (2) any subsequent development permit application shall be subject to laws in  
486 effect at the time the subsequent application is filed.

487 P. During the period a development and operating agreement is in effect, any  
488 subsequent development on the site shall be consistent with the approved development  
489 and operating agreement.

490 Q.1. Except as otherwise provided in subsection Q.2. of this section, the laws in  
491 effect on the date the council adopts the ordinance authorizing the execution of the  
492 development and operating agreement shall apply to subsequent permits necessary for the  
493 uses authorized by the development and operating agreement.

494 2. The following regulations in effect on the date of a complete application for  
495 any permits necessary for a use authorized by the development and operating agreement  
496 shall apply:

- 497 a. surface water management standards under K.C.C. Title 9;
- 498 b. public health and safety codes under K.C.C. Title 13;
- 499 c. road standards under K.C.C. Title 14;
- 500 c. building codes under K.C.C. Title 16; and
- 501 d. fire codes under K.C.C. Title 17.

502 R. During the effective period of the development and operating agreement, the  
503 applicant may request in writing and the department may propose a modification of the  
504 development and operating agreement. The applicant's request and the department  
505 initiated proposal shall be made by June 1 of each year for implementation in the  
506 following year. The department shall provide notice of the request or proposed  
507 modification as provided in subsection K.5.a. through c. of this section. The department  
508 shall submit to the hearing examiner its recommendation on the request not later than  
509 August 1.

510 S. The hearing examiner shall conduct the following annual monitoring and  
511 reporting activities for the council:

512 1. No later than October 15 of each year, the hearing examiner shall conduct a  
513 public meeting in the vicinity of the project site for the purpose of gathering community  
514 input on the operation of facility during the preceding year and on any modifications to  
515 the development and operating agreement. The department shall provide a notice of the  
516 meeting as provided in subsection K.5.a. through c. of this section.

517 2. Beginning on December 31 of the year after the effective date of the ordinance  
518 authorizing the execution of the development and operating agreement, and for each  
519 subsequent year, the hearing examiner shall prepare and submit to the council a report  
520 that:

521 a. describes the current status of the phases of the development;

522 b. evaluates compliance with development and operation agreement conditions  
523 during the preceding year;

524 c. identifies issues and concerns that have been brought forward by the  
525 community, Pacific Raceways and the department;

526 d. evaluates proposed modifications to the development and operating  
527 agreement; and

528 e. outlines potential steps to ensure compliance with the development and  
529 operating agreement.

530 3. The report shall be presented in a briefing by the hearing examiner to the  
531 transportation, economy and environment committee, or its applicable successor, at  
532 which the department and project operator shall be present.

533 T. The director shall submit a report on the master planning demonstration  
534 project to the council within sixty days of the council's adoption of the ordinance  
535 approving the development and operating agreement. The report shall evaluate the  
536 efficacy of the master planning process and may include recommended changes to the  
537 master planning process to address problems or deficiencies in the process identified by  
538 the department. The department shall solicit comments from the applicant, the hearing  
539 examiner, and the public, identified in subsection K.5.a. through c. of this section, on the  
540 master planning process and include a synopsis of those comments in the report. A paper  
541 copy and an electronic copy of the report shall be filed with the clerk of the council, who  
542 shall retain the paper original and shall forward electronic copies to each councilmember.

543 NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 20.24 a  
544 new section to read as follows:

545 The hearing examiner shall receive and examine available information, conduct  
546 public meetings and prepare records and reports thereof for transmittal to the council, as  
547 provided in section 3.M. and S. of this ordinance.

548 SECTION 5. A. As authorized by WAC 197-11-420, the department and the  
549 applicant shall utilize the process in this subsection to select a consultant who will be  
550 responsible for preparing the environmental impact statement required by section 6 of  
551 this ordinance.

552 1. Within sixty days after the effective date of this ordinance, the department  
553 shall develop a list of selected consultants, determined by the department to be qualified  
554 to prepare the environmental impact statement for a project of the scope and complexity  
555 that is allowed under section 3 of this ordinance. As part of that qualification process, the

556 department shall advise the potential consultant candidates of the special circumstances  
557 of this demonstration project, including the unique selection and contracting procedures.

558           2. Within seventy-five days after the effective date of this ordinance, the  
559 department shall post on its webpage the names of candidates the department has  
560 prequalified in accordance with subsection 5.A.1 of this section.

561           3. By the latter of either fourteen days of the webpage posting, as required by  
562 subsection A.2. of this section, or by the date of the preapplication meeting, the applicant  
563 shall notify the department in writing of its selection of a consultant from the posted list.  
564 Failure to choose a consultant in accordance with this section shall authorize the  
565 department to choose a consultant from the list.

566           4. The department shall choose a consultant within seven days of receiving  
567 authority from the applicant.

568           5. Within seven days of the consultant selection, the department shall initiate  
569 contract negotiations with the selected consultant. If the applicant advises the department  
570 that it wants to participate in the contract negotiations, the department shall coordinate  
571 with the applicant to ensure that the applicant may have meaningful participation in the  
572 contract negotiations. A contract for services with the selected consultant shall include a  
573 termination for convenience clause that allows the consultant to terminate the agreement  
574 if a notice to proceed is not issued by either the applicant or the department within thirty  
575 days of contract execution by the department; provided however, the department is not  
576 authorized to execute the services contract if there is an appeal of a code enforcement  
577 complaint that is pending before the hearing examiner. Within five days of its execution,

578 the department shall provide the applicant with a copy of the fully executed consultant  
579 contract.

580 B. The selected consultant shall be retained by the department, and all costs for  
581 the services of the consultant and subconsultants shall be paid by the applicant.

582 C. The consultant shall not initiate the state Environmental Policy Act scoping  
583 process until the hearing examiner has rendered a decision on any appeal of a code  
584 enforcement complaint involving the site.

585 D. The consultant shall have the following responsibilities:

586 1. Initiate the scoping process of the state Environmental Policy Act review  
587 based on the consultant's determination that the master planning proposal application  
588 filed with the department under section 3.D. of this ordinance addresses each of the  
589 elements required in section 3.D. of this ordinance with sufficient information upon  
590 which the principal features of the master planning proposal and their environmental  
591 impacts can be reasonably identified;

592 2. Coordinate the scoping process, as provided in WAC 197-11-410(1)(c), and  
593 prepare the scoping documents in consultation with the department and the applicant in  
594 accordance with WAC 197-11-408. The consultant shall hold at least one public meeting  
595 as required by subsection D.4. of this section;

596 3. Select and retain sub-consultants to assist in the preparation of the  
597 environmental impact statement;

598 4. Conduct one or more public meetings on the environmental impact of the  
599 master planning proposal, pursuant to WAC 197-11-535. The first meeting shall be held  
600 within thirty days after the consultant initiates the scoping process under subsection D.1.

601 of this section. The first meeting may be held jointly with the department's first meeting  
602 as required by section 3.K.7. of this ordinance. The consultant shall coordinate with the  
603 department to ensure that those persons identified in section 3.K.5.a. through c. of this  
604 ordinance receive notice of any public meeting on the environmental impacts of the  
605 master planning proposal;

606           5. Coordinate with the department to ensure that the consultant receives the  
607 applicant's master planning proposal submittals in a timely manner;

608           6. Coordinate with the department to ensure that the consultant receives all  
609 public comments in a timely manner;

610           7. Maintain a log of all oral and written comments received and provide them  
611 periodically to the department and applicant;

612           8. Coordinate with the department in providing any public notice required under  
613 the applicable provisions of section 3 of this ordinance, section 6 of this ordinance, this  
614 section, chapter 197-11 WAC and K.C.C. chapter 20.44;

615           9. Present the draft environmental impact statement to the department and the  
616 applicant no later than nine months after the first public meeting on the environmental  
617 impact of the master planning proposal has been held; and

618           10. Present the final environmental impact statement to the department and the  
619 applicant no later than sixty days after the close of the applicable comment period on the  
620 draft environmental impact statement, unless the consultant determines that additional  
621 time is needed, based upon the nature and extent of comments received.

622           SECTION 6. An environmental impact statement shall be prepared for the  
623 proposed expansion of Pacific Raceways, subject to the following:

624 A. The department shall be the lead agency with the responsibility of determining  
625 the adequacy of and issuing the draft and final environmental impact statement;

626 B. In addition to any other studies, a comprehensive noise study shall be required  
627 as part of the SEPA review. The noise study shall identify the significant adverse  
628 impacts, mitigation measures, and any unavoidable impacts;

629 C. The "No Action" alternative of the environmental impact statement shall  
630 reflect the existing development of the Pacific Raceways site;

631 D. The environmental impact statement shall review the kart track relocation at  
632 the Pacific Raceways site and shall analyze the effectiveness of mitigations and other  
633 conditions imposed by the approval, including, but not limited to, mitigations for noise  
634 and environmental protection. The effectiveness of this regulatory decision shall be  
635 considered in determining the appropriate mitigations and their potential effectiveness  
636 with regard to any new proposal;

637 E. The public comment period for the draft environmental impact statement shall  
638 be limited to thirty days, unless the consultant recommends an extension; and

639 F. The department and the applicant shall submit only one set of comments to the  
640 consultant during the public comment period.

641 NEW SECTION. SECTION 7. A new section is hereby added to K.C.C. chapter  
642 27.02 to read as follows:

643 A. The application for a master planning demonstration project under section 3 of  
644 this ordinance shall be subject to the provisions of this title applicable to the project  
645 management program. King County shall be compensated at the hourly rate in effect  
646 when the work is performed and for all costs incurred by King County related to the

647 review and monitoring of the demonstration project, including, but not limited to, costs  
648 for the:

- 649 1. Review of the master planning application;
- 650 2. Review of environmental documents submitted to the department by the  
651 consultant selected in accordance with section 5 of this ordinance;
- 652 3. Preparation and issuance of the department-recommended development and  
653 operating agreement;
- 654 4. Issuance of public notices;
- 655 5. Conduct of meetings;
- 656 6. Response to public inquiries related specifically to such notices and meetings;
- 657 and
- 658 7. Monitoring of the approved development and operating agreement.

659 B. The review costs for permit applications and studies related to specific  
660 development proposals consistent with the development and operating agreement shall be  
661 governed by this title.

662 C. The costs from the consultant selected in accordance with section 5 of this  
663 ordinance and billed to the department shall be paid by the applicant and shall be  
664 governed by this title.

665 NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 21A.06  
666 a new section to read as follows:

667 Racetrack: an establishment offering services and uses located in:

- 668 A. SIC Industry No. 7948; or
- 669 B. A regional motor sports facility.

670           NEW SECTION. SECTION 9. There is hereby added to K.C.C. chapter 21A.06  
671 a new section to read as follows:

672           Regional motor sports facility. A racetrack established through a master planning  
673 demonstration project that may include only the following uses:

674           A. Motor vehicle racing and driving, subject to the conditions established by the  
675 master planning demonstration project, and shall not exceed the following racing  
676 surfaces:

- 677           1. A road course;
- 678           2. A kart course;
- 679           3. A motocross course;
- 680           4. Five-sixteenth-mile oval track; and
- 681           5. Up to two drag strips;

682           B. The following accessory uses, if authorized by the master planning  
683 demonstration project, shall be subject to the conditions established in the development  
684 and operating agreement:

- 685           1. Fire station;
- 686           2. Driving school; and
- 687           3. Police and fire safety training; and

688           C. Limited uses accessory to racing activities may be allowed. Any accessory  
689 uses shall be limited to racing and racing-related vehicle uses and shall be appurtenant to  
690 the facility by providing either a service or product only to the facility or require use of  
691 the facility in connection with the use. Assembly-line or mass production, including but  
692 not limited to vehicles and vehicle parts, permanent lodging facilities and general

693 commercial, industrial and manufacturing uses are not permitted. Accessory uses are  
 694 limited to the following:

- 695 1. On-site sale of racing- or event-related items;
- 696 2. Repair, service, modification or storage of motor vehicles used primarily at  
 697 the facility;
- 698 3. Custom fabrication of racing motor vehicles, or vehicle parts to be  
 699 incorporated into those vehicles, that will be used primarily at the facility;
- 700 4. Motor vehicle fuel sales for event participants;
- 701 5. Daycare for people employed at the facility and event participants and  
 702 spectators;
- 703 6. Food service and concessions for event participants and spectators; and
- 704 7. Short-term recreational vehicle parking for persons attending or participating  
 705 in events at the facility.

706 SECTION 10. Ordinance 10870, Section 337, as amended, and K.C.C.

707 21A.08.100 are each amended to read as follows:

708 A. Regional land uses.

KEY		RESOURCE			RESIDENTIAL				COMMERCIAL/INDUSTRIAL								
P-Permitted Use		A	F	M	R	U	R	U	R	N	B	C	B	R	B	O	I
C-Conditional Use		G	O	I	U	R	E	R	E	E	U	O	U	E	U	F	N
S-Special Use	Z	R	R	N	R	B	S	B	S	I	S	M	S	G	S	F	D
	O	I	E	E	A	A	E	A	I	G	I	M	I	I	I	I	U
	N	C	S	R	L	N	R	N	D	H	N	U	N	O	N	C	S
	E	U	T	A			V		E	B	E	N	E	N	E	E	T
	L			L			E		N	O	S	I	S	A	S		R
	T								T	R	S	T	S	L	S		I

		U R E						I A L	H O D	Y —			A L
SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R1-8	R12-48	NB	CB	RB	O	I (15)
*	Jail						S	S	S	S	S	S	S
*	Jail Farm/Camp	S —	S		S	S							
*	Work Release Facility				S19	S19	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S					S		P
*	Public Agency Training Facility		S		S3					S3	S3	S3	C4
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C14 S						
*	Non-hydroelectric Generation Facility	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	C12 S	P12 S
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C6a S	C6a S	P6b C	P	P	P	P
13	Oil and Gas Extraction	S	C	P	S	S	S	S	S	S	S	S	C
*	Energy Resource Recovery Facility		S	S	S	S	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S								C
*	Landfill		S	S	S	S	S	S	S	S	S	S	S

*	Transfer Station			S	S	S	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	S	S	S	S	S	S	S
*	Airport/Heliport	S7	S7		S	S	S	S	S	S	S	S	S
*	Rural Public Infrastructure Maintenance Facility				C23								
*	Transit Bus Base						S	S	S	S	S	S	P
*	School Bus Base				C5 S20	C5 S	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	S8	S8	S8	S8	S8	S8	S24
*	<u>Regional Motor Sports Facility</u>												P
*	County Fairgrounds Facility				P21 S22								
*	Fairground									S	S		S
8422	Zoo/Wildlife Exhibit(2)		S9		S9	S	S	S		S	S		
7941	Stadium/Arena										S		S
8221- 8222	College/University(1)	P10	P10		P10 C11 S18	P10 C11 S18	P10 C11 S	P10 C11 S	P10 C11 S	P	P	P	P
*	Zoo Animal Breeding Facility	P16	P16		P16								
<b>GENERAL CROSS</b>		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development											
<b>REFERENCES:</b>		Standards, see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C.											

chapters 21A.32 through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 through 21A.44; (\*)Definition of this specific land use, see K.C.C. chapter 21A.06.

- 709 B. Development conditions.
- 710 1. Except technical institutions. See vocational schools on general services land
- 711 use table, K.C.C. 21A.08.050.
- 712 2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.
- 713 3. Except weapons armories and outdoor shooting ranges.
- 714 4. Except outdoor shooting range.
- 715 5. Only in conjunction with an existing or proposed school.
- 716 6.a. Limited to no more than three satellite dish antennae.
- 717 b. Limited to one satellite dish antenna.
- 718 c. Limited to tower consolidations.
- 719 7. Limited to landing field for aircraft involved in forestry or agricultural
- 720 practices or for emergency landing sites.
- 721 8. Except racing of motorized vehicles.
- 722 9. Limited to wildlife exhibit.
- 723 10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
- 724 11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
- 725 21A.32.
- 726 12. Limited to cogeneration facilities for on-site use only.
- 727 13. Excluding impoundment of water using a dam.
- 728 14. Limited to facilities that comply with the following:
- 729 a. Any new diversion structure shall not:

- 730 (1) exceed a height of eight feet as measured from the streambed; or  
731 (2) impound more than three surface acres of water at the normal maximum  
732 surface level;
- 733 b. There shall be no active storage;
- 734 c. The maximum water surface area at any existing dam or diversion shall not  
735 be increased;
- 736 d. An exceedance flow of no greater than fifty percent in mainstream reach  
737 shall be maintained;
- 738 e. Any transmission line shall be limited to a:
- 739 (1) right-of-way of five miles or less; and  
740 (2) capacity of two hundred thirty KV or less;
- 741 f. Any new, permanent access road shall be limited to five miles or less; and  
742 g. The facility shall only be located above any portion of the stream used by  
743 anadromous fish.

744 15. For I-zoned sites located outside the urban growth area designated by the  
745 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.  
746 21A.08.100.A, except for waste water treatment facilities and racetracks, shall be  
747 prohibited. All other uses, including waste water treatment facilities, shall be subject to  
748 the provisions for rural industrial uses in K.C.C. chapter 21A.12.

749 16. The operator of such a facility shall provide verification to the department of  
750 natural resources and parks or its successor organization that the facility meets or exceeds  
751 the standards of the Animal and Plant Health Inspection Service of the United States

752 Department of Agriculture and the accreditation guidelines of the American Zoo and  
753 Aquarium Association.

754 17. The following provisions of the table apply only to major communication  
755 facilities minor communication facilities shall be reviewed in accordance with the  
756 processes and standard outlined in K.C.C. chapter 21A.26.

757 18. Only for facilities related to resource-based research.

758 19. Limited to work release facilities associated with natural resource-based  
759 activities.

760 20. Limited to projects which do not require or result in an expansion of sewer  
761 service outside the urban growth area, unless a finding is made that no cost-effective  
762 alternative technologies are feasible, in which case a tightline sewer sized only to meet  
763 the needs of the school bus base and serving only the school bus base may be used.  
764 Renovation, expansion, modernization or reconstruction of a school bus base is permitted  
765 but shall not require or result in an expansion of sewer service outside the urban growth  
766 area, unless a finding is made that no cost-effective alternative technologies are feasible,  
767 in which case a tightline sewer sized only to meet the needs of the school bus base.

768 21. Only in conformance with the King County Site Development Plan Report,  
769 through modifications to the plan of up to ten percent are allowed for the following:

- 770 a. building square footage;
- 771 b. landscaping;
- 772 c. parking;
- 773 d. building height; or
- 774 e. impervious surface.

775           22. A special use permit shall be required for any modification or expansion of  
776 the King County fairgrounds facility that is not in conformance with the King County  
777 Site Development Plan Report or that exceeds the allowed modifications to the plan  
778 identified in subsection B.21 of this section.

779           23. The facility shall be primarily devoted to rural public infrastructure  
780 maintenance and is subject to the following conditions:

781           a. The minimum site area shall be ten acres, unless the facility is a reuse of a  
782 public agency yard;

783           b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
784 between any stockpiling or grinding operations and adjacent residential zoned property;

785           c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
786 between any office and parking lots and adjacent residential zoned property;

787           d. Access to the site does not use local access streets that abut residential zoned  
788 property, unless the facility is a reuse of a public agency yard;

789           e. Structural setbacks from property lines shall be as follows:

790           (1) Buildings, structures and stockpiles used in the processing of materials  
791 shall be no closer than:

792           (a) one hundred feet from any residential zoned properties, except that the  
793 setback may be reduced to fifty feet when the grade where the building or structures are  
794 proposed is fifty feet or greater below the grade of the residential zoned property;

795           (b) fifty feet from any other zoned property, except when adjacent to a  
796 mineral extraction or materials processing site;

797 (c) the greater of fifty feet from the edge of any public street or the setback  
798 from residential zoned property on the far side of the street; and

799 (2) Offices, scale facilities, equipment storage buildings and stockpiles shall  
800 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
801 property. Facilities necessary to control access to the site, when demonstrated to have no  
802 practical alternative, may be located closer to the property line;

803 f. On-site clearing, grading or excavation, excluding that necessary for  
804 required access, roadway or storm drainage facility construction, shall not be permitted  
805 within fifty feet of any property line except along any portion of the perimeter adjacent to  
806 M or F zoned property. If native vegetation is restored, temporary disturbance resulting  
807 from construction of noise attenuation features located closer than fifty feet shall be  
808 permitted; and

809 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

810 24. The following accessory uses to a motor race track operation are allowed if  
811 approved as part of the special use permit:

812 a. motocross;

813 b. autocross;

814 c. skidpad;

815 d. garage;

816 e. driving school; and

817 f. fire station.

818

Ordinance 17287 was introduced on 5/16/2011 and passed as amended by the Metropolitan King County Council on 3/19/2012, by the following vote:

Yes: 7 - Mr. Phillips, Mr. von Reichbauer, Ms. Hague, Ms. Patterson, Ms. Lambert, Mr. Ferguson and Mr. Dunn  
No: 2 - Mr. Gossett and Mr. McDermott  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

*Larry Gossett*  
Larry Gossett, Chair

ATTEST:

*Anne Noris*  
Anne Noris, Clerk of the Council

RECEIVED  
2012 APR -2 PM 4:02  
CLERK  
KING COUNTY COUNCIL

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

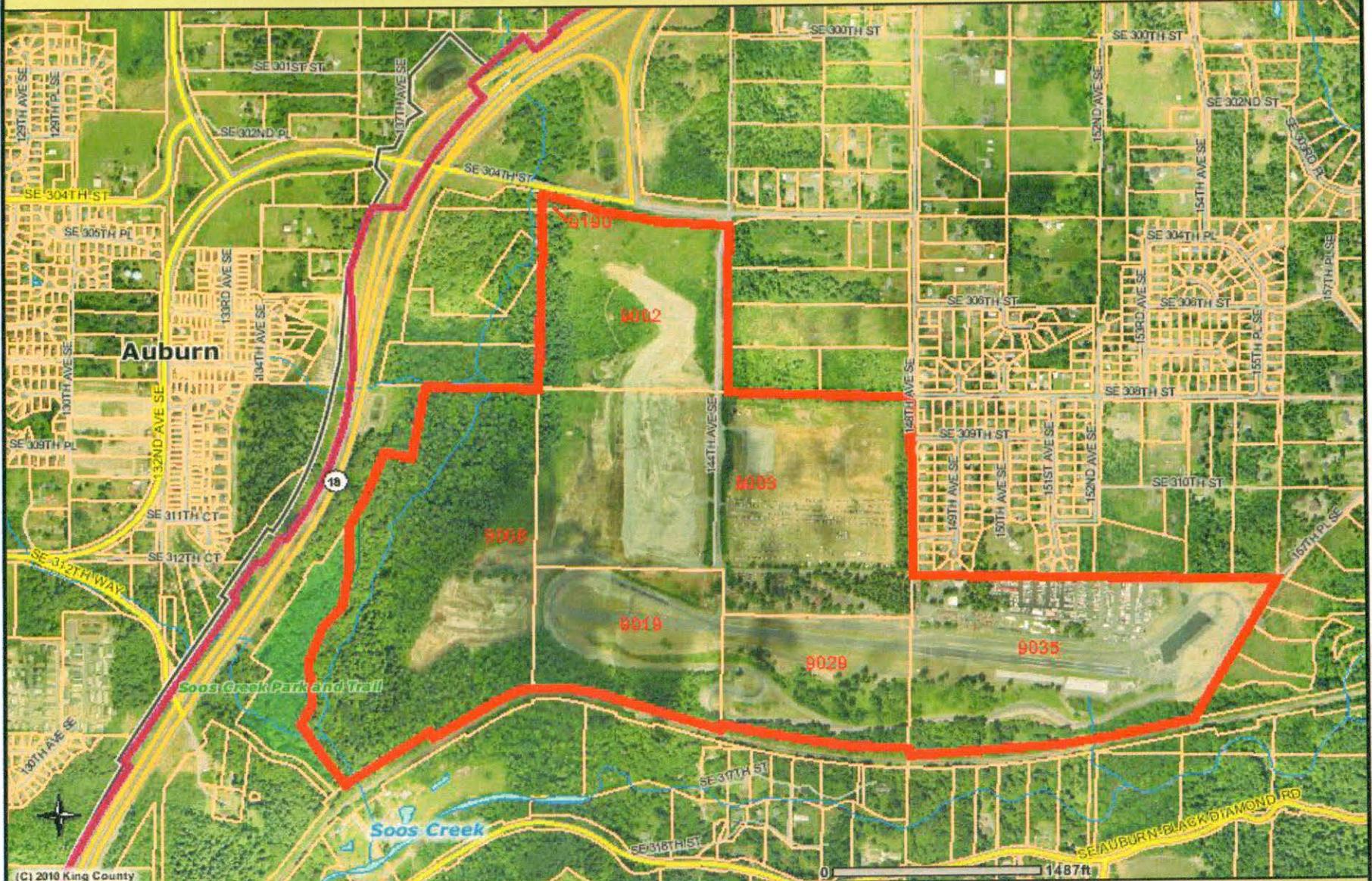
~~DEEMED ENACTED~~ WITHOUT  
COUNTY EXECUTIVE'S SIGNATURE.

DATED: 4/2/12

Dow Constantine, County Executive

Attachments: Attachment A - Pacific Raceways Project Site

# Attachment A - Pacific Raceways Project Site



(C) 2010 King County

COMMENTS: Project Site Parcels: 102105-9002, -9003, -9008, -9019 and -9029, 112105-9035 and 032105-9190

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Date: 9/19/2011 Source: King County iMAP - Property Information (<http://www.metrokc.gov/GIS/iMAP>)

