



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19445

Proposed No. 2022-0155.1

Sponsors Perry

1 AN ORDINANCE relating to code changes to establish
 2 appropriate timelines necessary to complete the 2024
 3 update to the King County Comprehensive Plan; and
 4 amending Ordinance 13147, Section 22, as amended, and
 5 K.C.C. 20.18.060 and Ordinance 6949, Section 7, as
 6 amended, and K.C.C. 20.44.050.

7 **SECTION 1. Findings:**

8 A. The Washington State Growth Management Act ("the GMA") requires local
 9 jurisdictions to periodically review and, if needed, revise their comprehensive plans and
 10 development regulations to ensure the plan and regulations comply with the requirements
 11 of the GMA. The next periodic review for the King County Comprehensive Plan is
 12 required to occur in 2024 ("the 2024 update").

13 B. In 2022, the Washington state Legislature adopted Engrossed 2nd Substitute
 14 House Bill 1241 ("E2SHB 1241"), which extended the deadline for the 2024 update from
 15 June 30, 2024, to December 31, 2024.

16 C. The county is beginning work on the 2024 update in 2022 and anticipates
 17 concluding the review and update process by December 31, 2024.

18 D. As part of the process, the county will prepare an Environmental Impact
 19 Statement to evaluate environmental impacts of the plan update under the State

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20 Environmental Policy Act. This review requires establishing the scope of work for the
21 2024 update sooner than currently established in the King County Code.

22 E. Amendments to the King County Code are needed to accommodate the new
23 state deadline and the planned environmental review for the 2024 update.

24 F. E2SHB 1241 also extended the future comprehensive plan periodic review
25 cycle from eight years to ten years. The county intends to align with this new ten-year
26 statutory review cycle. However, the necessary amendments will be substantive and will
27 need more time to be developed. Therefore, the code amendments in this ordinance do
28 not reflect the ten-year cycle. The Comprehensive Plan and King County Code
29 amendments needed to align with the ten-year cycle will be addressed as part of the 2024
30 update.

31 SECTION 2. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060
32 are hereby amended to read as follows:

33 A. Beginning in 2022, and every eighth year thereafter, the executive shall
34 transmit to the council (~~(by the last business day of June)~~) a proposed motion specifying
35 the scope of work for the proposed update to the Comprehensive Plan that will occur in
36 the following year(~~(, which)~~) under subsection B. of this section.

37 1. The scoping motion shall include the following:

38 ~~((+))~~ a. ~~((F))~~topical areas relating to amendments to policies, the land use
39 map, implementing development regulations(~~((;))~~) or any combination of those
40 amendments that the executive intends to consider for recommendation to the council;
41 and

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42 ~~((2-))~~ b. ((A))an attachment to the motion advising the council of the work
43 program the executive intends to follow to accomplish State Environmental Policy Act
44 review and public participation.

45 ~~((B-))~~ 2.a. For the eight-year update required by RCW 36.70A.130 to be
46 completed in 2024, the executive shall transmit to the council the scoping motion
47 required in subsection A. of this section by March 31, 2022. The council shall have until
48 June 15, 2022, to approve the motion.

49 b. Beginning in 2030 and every eight years thereafter, the executive shall
50 transmit to the council the scoping motion required in subsection A. of this section by the
51 last business day of June. The council shall have until September 15 to approve the
52 motion.

53 3. In the absence of council approval, the executive shall proceed to implement
54 the scope of work ((program)) as proposed in the motion transmitted by the executive. If
55 the motion is approved, the scope of work ((program)) shall proceed as established by the
56 approved motion.

57 B. Except as otherwise provided in subsection C. of this section:

58 1. For the eight-year update required by RCW 36.70A.130 to be completed in
59 2024, the executive shall transmit to the council by December 29, 2023, a proposed
60 ordinance updating the Comprehensive Plan. The transmittal shall be accompanied by a
61 public participation note, identifying the methods used by the executive to ensure early
62 and continuous public participation in the preparation of amendments. The council shall
63 have until December 31, 2024, to adopt the update to the Comprehensive Plan, in
64 accordance with RCW 36.70A.130; and

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65 2. Beginning in ~~((2023))~~ 2030 and every eighth year thereafter, the executive
66 shall transmit to the council by the last business day of June a proposed ordinance
67 updating the Comprehensive Plan(~~(, except that the capital improvement program and the~~
68 ~~ordinances adopting updates to the transportation needs report and the school capital~~
69 ~~facility plans shall be transmitted no later than the biennial budget transmittal and shall be~~
70 ~~adopted in conjunction with the budget. However, in those years when there is only a~~
71 ~~midbiennium review of the budget, the ordinances adopting the capital improvement plan~~
72 ~~and the school capital facility plans shall be transmitted by October 1 and adopted no~~
73 ~~later than the midbiennium review under K.C.C. 4A.100.010)). All transmittals shall be~~
74 accompanied by a public participation note, identifying the methods used by the
75 executive to ensure early and continuous public participation in the preparation of
76 amendments. The council shall have until June 30 of the following year to adopt an
77 update to the Comprehensive Plan, in accordance with RCW 36.70A.130.

78 C. Separate from the eight-year Comprehensive Plan updates required in
79 subsection B. of this section:

80 1. In years where there is a biennial budget proposed, the capital improvement
81 program, transportation needs report and the school capital facility plans shall be:

82 a. transmitted by the executive to the council no later than transmittal of the
83 biennial budget; and

84 b. adopted by the council in conjunction with the biennial budget; and

85 2. In years when there is only a midbiennium review of the budget under K.C.C.
86 4A.100.010, the capital improvement program and the school capital facility plans shall
87 be:

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88 a. transmitted by the executive to the council by October 1; and

89 b. adopted by the council no later than adoption of the midbiennium review.

90 SECTION 3. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are
91 hereby amended to read as follows:

92 The procedures and standards for preparation of environmental impact statements
93 and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and
94 197-11-600 through 197-11-640 are adopted, subject to the following:

95 A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of
96 significance and scoping notices shall be in writing, except where a public meeting on EIS
97 scoping occurs pursuant to WAC 197-11-410(1)(b).

98 B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county
99 department acting as lead agency shall be responsible for preparation and content of
100 ~~((EIS's))~~ an EIS and other environmental documents. The department shall contract with
101 consultants as necessary for the preparation of environmental documents. The department
102 may consider the opinion of the applicant regarding the qualifications of the consultant but
103 the department shall retain sole authority for selecting persons or firms to author, co-author,
104 provide special services or otherwise participate in the preparation of required
105 environmental documents.

106 C. Consultants or subconsultants selected by King County to prepare
107 environmental documents for a private development project proposal shall not: act as
108 agents for the applicant in preparation or acquisition of associated underlying permits; have
109 a financial interest in the proposal for which the environmental document is being

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110 prepared; or perform any work or provide any services for the applicant in connection with
111 or related to the proposal.

112 D. The department shall establish and maintain one or more lists of qualified
113 consultants who are eligible to receive contracts for preparation of environmental
114 documents for project proposals. Separate lists may be maintained to reflect specialized
115 qualifications or expertise. When the department requires consultant services to prepare
116 environmental documents for project proposals, the department shall select a consultant
117 from the lists and negotiate a contract for such services. The department director may
118 waive these requirements as provided for in rules adopted to implement this section.
119 Subject to K.C.C. 20.44.145 and pursuant to K.C.C. chapter 2.98, the department of local
120 services shall adopt public rules that establish processes to: create and maintain a qualified
121 consultant list; select consultants from the list; remove consultants from the list; provide a
122 method by which applicants may request a reconsideration of selected consultants based
123 upon costs, qualifications((;)) or timely production of the environmental document; and
124 waive the consultant selection requirements of this chapter on any basis provided by
125 K.C.C. chapter 2.93.

126 E. All costs of preparing the environment document shall be borne by the
127 applicant. Subject to K.C.C. 20.44.145 and pursuant to K.C.C. chapter 2.98, the
128 department of local services shall promulgate administrative rules ((~~which~~)) that establish a
129 trust fund for consultant payment purposes, define consultant payment schedules, prescribe
130 procedures for treating interest from deposited funds((;)) and develop other procedures
131 necessary to implement this chapter.

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132 F. In the event an applicant decides to suspend or abandon the project, the
133 applicant must provide formal written notice to the department and consultant. The
134 applicant shall continue to be responsible for all monies expended by the division or
135 consultants to the point of receipt of notification to suspend or abandon, or other
136 obligations or penalties under the terms of any contract let for preparation of the
137 environmental documents.

138 G. The department shall only publish an ~~((environmental impact statement~~
139 ~~))EIS((+)) when it believes that the EIS adequately disclose: the significant direct, indirect,
140 and cumulative adverse impacts of the proposal and its alternatives; mitigation measures
141 proposed and committed to by the applicant, and their effectiveness in significantly
142 mitigating impacts; mitigation measures that could be implemented or required; and
143 unavoidable significant adverse impacts. Unless otherwise agreed to by the applicant, a
144 final environmental impact statement shall be issued by the department within two hundred
145 seventy days following the issuance of a DS for the proposal, except for public projects and
146 nonproject actions, unless the department determines at the time of issuance of the DS that
147 a longer ~~((time))~~ period will be required because of the extraordinary size of the proposal or
148 the scope of the environmental impacts resulting therefrom; provided that the additional
149 time shall not exceed ninety days unless agreed to by the applicant.~~

150 H. The following periods shall be excluded from the two_hundred_seventy_day
151 ~~((time))~~ period for issuing a final environmental impact statement:

152 1. Any ~~((time))~~ period during which the applicant has failed to pay required
153 environmental review fees to the department;

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154 2. Any period (~~(of time)~~) during which the applicant has been requested to
155 provide additional information required for preparation of the environmental impact
156 statement, and

157 3. Any period (~~(of time)~~) during which the applicant has not authorized the
158 department to proceed with preparation of the environmental impact statement.

159 SECTION 3. Severability. If any provision of this ordinance or its application to

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- 160 any person or circumstance is held invalid, the remainder of the ordinance or the
161 application of the provision to other persons or circumstances is not affected.

Ordinance 19445 was introduced on 4/5/2022 and passed by the Metropolitan King County Council on 6/7/2022, by the following vote:


Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

7E1C273CE9994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 6/15/2022, _____.

DocuSigned by:

4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: None

Certificate Of Completion

Envelope Id: 2AE0C571797C4697817190BE6DE031F6

Status: Completed

Subject: Please DocuSign: Ordinance 19445.docx

Source Envelope:

Document Pages: 9

Signatures: 3

Envelope Originator:

Certificate Pages: 5

Initials: 0

Cherie Camp

AutoNav: Enabled

401 5th Ave

Enveloped Stamping: Enabled

Suite 100

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Seattle, WA 98104

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IP Address: 198.49.222.20

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Claudia Balducci

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King County General (ITD)

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Clerk of the Council

King County Council

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Security Level: Email, Account Authentication (None)

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Agent Delivery Events	Status	Timestamp
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Intermediary Delivery Events	Status	Timestamp
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Electronic Record and Signature Disclosure:
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Witness Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	6/15/2022 5:16:04 PM
Signing Complete	Security Checked	6/15/2022 5:16:18 PM
Completed	Security Checked	6/15/2022 5:16:18 PM

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Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum

Enabled Security Settings:	Allow per session cookies
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