



## Legislation Text

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Clerk 07/23/2003

AN ORDINANCE revising the process for considering citizen-initiated road closure requests, establishing the procedures for determining road reopening requests, establishing the procedures for public outreach and notification; making technical corrections; amending Ordinance 10962, Sections 1 and 6, as amended, and K.C.C. 14.38.010 and Ordinance 10962, Sections 3 and 4, as amended, and K.C.C. 14.38.030 and adding new sections to K.C.C. chapter 14.38.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 10962, Sections 1 and 6, as amended, and K.C.C. 14.38.010 are each hereby amended to read as follows:

**Authority.** The department of transportation shall be responsible for receiving and processing all road closure and reopening petitions, and for recommending to the council whether or not the roads identified in the petition should be closed or reopened. The authority to make and issue (~~said~~) the recommendations shall be vested in the director, department of transportation. Nothing in this chapter shall be construed to abrogate or abridge the powers of the county road engineer or the council to temporarily or permanently close or open county roads, as may be authorized by law.

SECTION 2. Ordinance 10962, Sections 2 and 5, as amended, and K.C.C. 14.38.020 are each hereby amended to read as follows:

**Petitions for closure.**

A. Petitions to close King County roads shall be filed with the director, department of transportation.

B. ~~((Said))~~The petitions shall include: the names, signatures and legal addresses of the persons filing the petition; the location of the roads or streets ~~((which))~~ that the petitioners wish to have closed, including the intersections delineating the boundaries of the road or street sections to be closed; a map depicting the road or street sections requested to be closed; and the reasons for petitioning for closure of the street or road. Other information or documents as the petitioners deem pertinent may be included. Petitions for road closures shall include the names and signatures of at least a simple majority of the owners of property residing along the section~~((s))~~ or sections of road being petitioned for closure and the signatures of at least ten percent of the owners of property being served by arterial roads and neighborhood collector streets to which traffic would be diverted within a distance of ~~((660))~~ six hundred sixty feet with a minimum of twenty parcel owners or one thousand five hundred feet from the road section petitioned for closure.

C. Reasons for petitioning the county for the closure of a road shall be limited to safety hazards posed to pedestrians, contiguous real property~~((s))~~ and/or traffic such as, but not limited to, traffic speeds, volume, access or types of vehicles using the road or street, the adequacy of road signage~~((s))~~ and road design considerations.

D. Petitioners shall submit whatever quantitative or other analyses they may possess in support of their petition, such as traffic volumes or counts, or numbers of accidents ~~((which))~~ or incidents that have occurred on the road or street petitioned to be closed.

E. The director may consider a request for road closure ~~((which))~~ that is not in conformance with the petition provisions of this chapter from any person. The decision of the director on such a request shall not be subject to ~~((the provisions of))~~ K.C.C. 14.38.030.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 14.38 a new section to read as follows:

**Petitions for reopening.**

A. Petitions to reopen King County roads shall be filed with the director, department of transportation.

B. The petitions shall include: the names, signatures and legal addresses of the persons filing the petition; the location of the roads or streets which the petitioners wish to have reopened, including the intersections delineating the boundaries of the road or street sections to be reopened; a map depicting the road or street sections requested to be reopened; and the reasons for petitioning for reopening of the street or road. Other information or documents as the petitioners deem pertinent may be included. Petitions for road reopenings shall include the names and signatures of at least a simple majority of the owners of property residing along the section or sections of road being petitioned for reopening and the signatures of at least ten percent of the owners of property being served by arterial roads and neighborhood collector streets to which traffic has been diverted within a distance of six hundred sixty feet with a minimum of twenty parcel owners or one thousand five hundred feet from the road section petitioned for reopening.

C. Reasons for petitioning the county for the reopening of a road shall be limited to the removal or alleviation of safety hazards, continuity and/or efficiency of the roadway system, neighborhood circulation, accessibility including emergency vehicles, community livability or hardship, and maintenance and public safety.

D. Petitioners shall submit whatever quantitative or other analyses they may possess in support of their petition, such as improved road design considerations, installation of traffic calming devices, improved safety conditions for the road or street that was the subject of the users' petition to be reopened, removal of hazards, continuity and efficiency of the roadway system, neighborhood circulation, accessibility, including emergency vehicles, community livability or hardship, maintenance and public safety.

E. The director may consider a request for road reopening which is not in conformance with the petition provisions of this chapter from any person. The decision of the director on such a request shall not be subject to K.C.C. 14.38.030.

SECTION 4. Ordinance 10962, Sections 3 and 4, as amended, and K.C.C. 14.38.030 are each hereby amended to read as follows:

**Determination.**

A. The director, department of transportation, shall do the following upon the receipt of a petition for road closure or reopening:

1. Acknowledge in writing within ten calendar days the receipt of the petition;
2. Refer the petition to the county road engineer (~~((for investigation, determination, and for the making of a recommendation on road closure to the director))~~) to review for completeness. If additional information is required to complete the petition, a final response from the county road engineer may be delayed. In cases here the petition requires extensive research and review, the county road engineer may, upon notifying the petitioners before the expiration of the response period, extend the response period for another thirty days;
3. Once the completed petition has been received, the county road engineer will begin an investigation, determination and develop a recommendation on road closure or reopening to the director. The county road engineer shall first consider alternative measures designed, or recommended, to mitigate the specifically stated reasons for the road closure or reopening petition;
4. The county road engineer shall hold a public meeting, as described in section 6 of this ordinance, for the purposes of providing opportunities for open discussion and addressing public comment, within ninety days of the completed petition submittal.

B. The county road engineer's recommendation shall be submitted to the director in writing no later than (~~(sixty))~~ ninety days after the receipt of the completed petition.

C. The director shall provide his or her written recommendation to the petitioners within ten days of the receipt of the county road engineer's recommendation on the road closure or reopening petition. (~~(Said))~~ The notification shall also indicate the process for council consideration of the director's recommendation on a petition to close or reopen a county road.

D. The director may:

1. Oppose the petition for road closure or reopening with basis for the (~~(closure))~~ opposition;

2. Identify alternative measures to address the issues cited in the petition for the area defined by the road closure or reopening petition; or

3. Determine that the portion of the road specified in the petition should be:

- a. fully closed or reopened;
- b. closed or reopened to through traffic only;
- c. open to emergency vehicles only;
- d. closed or reopened in one direction only;
- e. closed or reopened to certain types of vehicles; or
- f. closed or reopened in one of the ways specified for an identified and limited (~~period of~~) time.

E. The recommendation of the director to close or reopen a county road shall be forwarded to the council for consideration and adoption by ordinance.

F. The recommendation of the director to reject a petition to close or reopen a county road shall be conveyed by letter to the council (~~which~~) that reserves the option, following (~~such~~) the notification, of closing or reopening all or a portion of the road that is the subject of the petition.

NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 14.38 a new section to read as follows:

**Public notice.**

A. A notice of consideration by the county for road closure and reopening requests shall be provided by the department of transportation and placed in an area pertinent to the affected community.

B. All required notice of proposed actions shall contain the following information:

1. The description of the requested action and the proposed change to the function of the road in question;
2. A vicinity map and general location description in nontechnical terms;
3. The procedures and deadlines for filing comments;

4. The time, place and content of a public meeting; and
5. Identification of the responsible county official or officials.

C. A notice shall consist of one or more notice boards to be posted by the department of transportation as follows.

1. Placed in an area pertinent to the affected community
2. Placed for maximum visibility by drivers and pedestrians
3. Maintained in good condition during the notice period;
4. In place within twenty days of receiving the completed petition; and
5. Removed within fifteen days after the public meeting.

D. The department may provide additional notice or may expand the area of notice to inform the affected community of a proposed action.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 14.38 a new section to read as follows:

**Public meeting.**

A. The department shall hold a public meeting to obtain comments from the public or other agencies on a requested action for road closure or reopening. For the purpose of this section “public meeting” means an informal meeting, workshop or other public gathering of people for the purpose of obtaining public comments from interested citizens and other agencies, and providing opportunities for open discussion. A public meeting associated with the review of the requested action shall provide a means for the public to submit comments. A record of each public meeting should be maintained to include documentation of attendance, record of any mailed notice and a summary of public comments.

B. Notice of the time, place and purpose of a public meeting for the department to consider a requested change to the status of a road shall, at a minimum, include a notice board installed in accordance with the provisions of Section 5 of this chapter. The department shall endeavor to provide the notice in nontechnical

language. The notice shall indicate how the detailed description of the requested action can be obtained by a member of the public.

C. The department shall provide mechanisms to enable public access to additional information. The department shall make available to the public printed and electronic information of the range of options under consideration by the county. The

department shall provide records of all petitions, requests and related background information during normal business hours.