



Legislation Text

File #: 2018-0153, **Version:** 3

AN ORDINANCE relating to comprehensive planning; amending Ordinance 263, Article 1 (part), as amended, and K.C.C. 20.08.060, Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010, Ordinance 12061, Section 4, as amended, and K.C.C. 20.12.325, Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030, and Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040, Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056, Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060, Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070, Ordinance 13147, Section 24, as amended, and K.C.C. 20.18.080, Ordinance 13147 Section 30, as amended, and K.C.C. 20.88.140, and Ordinance 14047, Section 9, as amended, and K.C.C. 20.18.170 and adding a new section to K.C.C. chapter 20.08.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The 2017-2018 Biennial Budget Ordinance, Ordinance 18409, Section 19, as amended by Ordinance 18602, Section 5, Proviso P2, required the executive to transmit a plan to restructure the Community Service Area subarea planning program, a motion to approve the plan, and an ordinance that implements changes recommended by the plan to the King County Comprehensive Plan and the King County Code.

B. The 2017-2018 Biennial Budget Ordinance, Ordinance 18409, Section 88, as amended by Ordinance 18602, Section 47, Proviso P3, required the executive to transmit a plan to restructure the Community Service Area subarea planning program, a motion to approve the plan, and an ordinance that implements changes

recommended by the plan to the King County Comprehensive Plan and the King County Code.

C. This ordinance implements the changes recommended by the plan by amending the King County Code and amending the King County Comprehensive Plan.

D. The plan calls for the Community Service Area subarea planning program to adopt one plan every year with the exception of the year in which a major update to the King County Comprehensive Plan is completed.

E. RCW 36.70A.130(5)(a) requires King County, and the cities within King County, to complete a review of its comprehensive plan on or before June 30, 2015, and every eight years thereafter. This means the next major review and update of the King County Comprehensive Plan is to be completed by June 30, 2023.

F. The major update of the King County Comprehensive Plan is shifted to an eight-year update cycle to expedite the subarea plans and to match the schedule established in RCW 36.70A.130(5)(a).

G. The shift to an eight-year update cycle allows the county to more closely collaborate with the cities in King County, to implement VISION 2050, with an expected approval date of May 2020, and to plan for growth in accordance with growth targets that will subsequently be established in the King County Countywide Planning Policies.

H. The King County Code allows annual amendments to the King County Comprehensive Plan in accordance with the Washington state Growth Management Act, chapter 36.70A RCW.

I. The 2016 King County Comprehensive Plan, adopted by King County Ordinance 18427, was a four-year update under the previous comprehensive planning structure. The 2016 King Comprehensive Plan was amended in 2017 by Ordinance 18623 adopting the Vashon-Maury Island Community Service Area Subarea Plan.

J. The amendment to the Vashon-Maury Island Community Service Area Subarea Plan in Attachment B to this ordinance shifts the transmittal date from December 31, 2018 to June 30, 2022 for Workplan Action 1, which involves the review of the property-specific development conditions and special district overlays on

Vashon-Maury Island.

K. The amendments to policies and text in Attachments A and B to this ordinance constitute the 2018 annual update to the King County Comprehensive Plan.

L. The restructure in this ordinance and its attachments recognizes the maturity of the Comprehensive Plan, that recent major updates have primarily focused on addressing emerging policy issues and that the number of docket requests have drastically reduced over time. The restructure will also aid the county's ability to be responsive to time-sensitive issues, address requests from residents, and to serve the needs of its unincorporated communities.

SECTION 2. A. Attachments A and B to this ordinance are hereby adopted as amendments to the 2016 King County Comprehensive Plan, as adopted by Ordinance 18427 and as amended in 2017 by Ordinance 18623.

B. The 2017 Vashon-Maury Island Community Service Area Subarea Plan as adopted in Attachment A to Ordinance 18623 and as amended by this ordinance is hereby adopted as an amendment to and an element of the 2016 King County Comprehensive Plan.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 20.08 a new section to read as follows:

"Area zoning and land use study" means a study that reviews the land use designations and zoning classifications for a specified set of properties. "Area zoning and land use studies" are focused on a broader set of policies than a subarea study, and do not look at the larger range of issues that a subarea plan would include. "Area zoning and land use studies" consider specific potential changes to land use or zoning, or both, and analyze such requests based on surrounding land use and zoning, current infrastructure and potential future needs, and consistency with the King County Comprehensive Plan, countywide planning policies and the Growth Management Act, chapter 36.70A RCW.

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 20.08 a new section to read as

follows:

"Public review draft" means a draft of executive proposed Comprehensive Plan amendments, including proposed subarea plans, made available to the public for review and comment. A "public review draft" is published before transmittal of proposed Comprehensive Plan amendments to the council so as to provide the public an opportunity to record comments before the executive finalizes the recommended amendments.

SECTION 5. Ordinance 263, Article 1 (part), as amended, and K.C.C. 20.08.060 are hereby amended to read as follows:

"Subarea plan" means a detailed local land use plan ~~((which))~~ that implements, is consistent with and is an element of the ~~((e))~~Comprehensive ~~((p))~~Plan, containing specific policies, guidelines and criteria adopted by the council to guide development and capital improvement decisions within specific subareas of the county. ~~((The s))~~Subareas ~~((of the county shall consist of))~~ are distinct communities, specific geographic areas or other types of districts having unified interests or similar characteristics within the county. Subarea plans may include~~((:))~~ community plans, ~~((which have been prepared for large unincorporated areas; potential annexation area plans, which have been prepared for urban areas that are designated for future annexation to a city;))~~ community service area subarea plans, neighborhood plans, ~~((which have been prepared for small unincorporated areas;))~~ basin plans and plans addressing multiple areas having common interests. The relationship between the 1994 King County Comprehensive Plan and subarea plans is established by K.C.C. 20.12.015.

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 20.08 a new section to read as follows:

"Subarea study" means a study that is required by a policy in the Comprehensive Plan to evaluate a proposed land use change, such as the establishment of new community business centers, adjusting Rural Town boundaries or assessing the feasibility of zoning reclassifications in urban unincorporated areas. "Subarea studies" are focused on specific areas of the county, but do not look at the larger range of issues that a subarea

plan would include. "Subarea studies" are separate from area zoning and land use studies defined in Section 3 of this ordinance. The Comprehensive Plan policies and accompanying text shall guide the scope and content of the subarea study.

SECTION 7. Ordinance 263, Article 2, Section 1, as amended, and K.C.C. 20.12.010 are hereby amended to read as follows:

A. Under the King County Charter, the state Constitution and the Washington state Growth Management Act, chapter 36.70A RCW, King County adopted the 1994 King County Comprehensive Plan via Ordinance 11575 and declared it to be the Comprehensive Plan for King County until amended, repealed or superseded. The Comprehensive Plan has been reviewed and amended multiple times since its adoption in 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the 2016 King County Comprehensive Plan, as adopted in Ordinance 18427 and as amended by Ordinance 18623 and this ordinance. The Comprehensive Plan shall be the principal planning document for the orderly physical development of the county and shall be used to guide subarea plans, functional plans, provision of public facilities and services, review of proposed incorporations and annexations, development regulations and land development decisions.

SECTION 8. Ordinance 12061, Section 4, as amended, and K.C.C. 20.12.325 are hereby amended to read as follows:

The 2017 Vashon-Maury Island Community Service Area Subarea Plan, dated December 4, 2017, in Attachment A to Ordinance 18623 and as amended by Attachment B to this ordinance, is adopted as a subarea plan and an element of the 2016 King County Comprehensive Plan and, as such, constitutes official county policy for the geographic area of unincorporated King County defined plan.

SECTION 9. Ordinance 13147, Section 19, and K.C.C. 20.18.030 are hereby amended to read as follows:

A. The King County Comprehensive Plan shall be amended in accordance with this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public participation program whereby amendments are

considered by the council no more frequently than once a year as part of the ~~((amendment))~~ update cycle established in this chapter, except that the council may consider amendments more frequently to address:

1. Emergencies;
2. An appeal of the plan filed with the Central Puget Sound Growth Management Hearings Board or with the court;
3. The initial adoption of a subarea plan, which may amend the urban growth area boundary only to redesignate land within a joint planning area;
4. An amendment of the capital facilities element of the Comprehensive Plan that occurs in conjunction with the adoption of the county budget under K.C.C. 4A.100.010; or
5. The adoption or amendment of a shoreline master program under chapter 90.58 RCW.

B. Every year the Comprehensive Plan may be amended to address technical updates and corrections, to adopt community service area subarea plans and to consider amendments that do not require substantive changes to policy language ~~((, changes to the priority areas map,))~~ or do not require changes to the urban growth area boundary, except as permitted in subsection B.9. and 11. of this section. ~~((This))~~ The review may be referred to as the annual ~~((eyele))~~ update. The Comprehensive Plan, including subarea plans, may be amended in the annual ~~((eyele))~~ update only to consider the following:

1. Technical amendments to policy, text, maps or shoreline designations;
2. The annual capital improvement plan;
3. The transportation needs report;
4. School capital facility plans;
5. Changes required by existing Comprehensive Plan policies;
6. Changes to the technical appendices and any amendments required thereby;
7. Comprehensive updates of subarea plans initiated by motion;
8. Changes required by amendments to the ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies or state law;

9. Redesignation proposals under the four-to-one program as provided for in this chapter;
10. Amendments necessary for the conservation of threatened and endangered species;
11. Site-specific land use map amendments that do not require substantive change to ~~((e))~~C
omprehensive ~~((p))~~Plan policy language and that do not alter the urban growth area boundary, except to correct
mapping errors;
12. Amendments resulting from subarea studies required by ~~((e))~~C Comprehensive ~~((p))~~Plan policy that
do not require substantive change to ~~((e))~~C Comprehensive ~~((p))~~Plan policy language and that do not alter the
urban growth area boundary, except to correct mapping errors;
13. Changes required to implement a study regarding the provision of wastewater services to a Rural
Town. The amendments shall be limited to policy amendments and adjustment to the boundaries of the Rural
Town as needed to implement the preferred option identified in the study; ~~((o))~~
14. Adoption of community service area subarea plans;
15. Amendments to the Comprehensive Plan update schedule that respond to adopted ordinances and
improve alignment with the timing requirements in the Washington state Growth Management Act, RCW
chapter 36.70A, and alignment with multicounty and countywide planning activities; or
16. Amendments to the Comprehensive Workplan, only as part of the 2018 subarea planning
restructure adopted by this ordinance.

C. Every ~~((fourth))~~ eighth year beginning in ~~((2000))~~ 2023, the county shall complete a comprehensive review of the Comprehensive Plan in order to update it as appropriate and to ensure continued compliance with the GMA. This review may provide for a cumulative analysis of the twenty-year plan based upon official population growth forecasts, benchmarks and other relevant data in order to consider substantive changes to policy language and changes to the urban growth area. ~~((This))~~ The comprehensive review shall begin one year in advance of the transmittal and may be referred to as the ~~((four))~~ eight-year ~~((eyele))~~ update. The urban growth area boundaries shall be reviewed in the context of the ~~((four))~~ eight-year ~~((eyele))~~ update and in

accordance with countywide planning policy G-1 and RCW 36.70A.130.

D.1. If ~~((the county determines that the purposes of the Comprehensive Plan are not being achieved as evidenced by official population growth forecasts, benchmarks, trends and other relevant data))~~ there is a scope of work adopted by motion to perform a limited update to the Comprehensive Plan to address time-sensitive issues prior to the next eight-year update, substantive changes to the Comprehensive Plan and amendments to the urban growth area boundary may also be considered ~~((on even calendar years. This determination shall be authorized by motion))~~ at the midpoint of the eight-year update cycle. This update that can include substantive changes and amendments as authorized by motion may be referred to as the midpoint update.

2. The motion shall specify the scope of the midpoint update, and identify that the resources necessary to accomplish the work are available. ~~((An analysis of the motion's fiscal impact))~~ A fiscal note for the scope of the midpoint update shall be provided to the council ~~((before to adoption))~~ by the executive within fifteen business days of introduction of the proposed motion. ~~If ~~((F))~~the executive ~~((shall))~~ determines ~~((if))~~ an additional ~~((funds are))~~ appropriation is necessary to complete the midpoint update, ~~((and))~~ the executive may transmit an ordinance requesting the additional appropriation ~~((of supplemental funds))~~.~~

3. If the executive proposes a midpoint update, the executive shall transmit to the council by the last business day in June two years before the midpoint year of the eight-year update cycle a proposed motion specifying the scope of work for the midpoint update. The council shall have until September 15 of that year, to adopt a motion specifying the scope of work initiating a midpoint update, either as transmitted or amended, or as introduced or amended. If the motion is approved by September 15, the scope shall proceed as established by the approved motion. In the absence of council approval by September 15, the executive shall proceed to implement the scope as transmitted. If such a motion is adopted, the executive shall transmit a midpoint update by the last business day of June of the following year after adoption of the motion. The council shall have until June 30 of the following year after transmittal to adopt a midpoint update.

4. Before initiation of the first eight-year update in 2023, substantive changes to the Comprehensive

Plan and amendments to the urban growth area boundary may be considered. The amendments shall be considered in the 2020 Comprehensive Plan update and shall be subject to the midpoint update process and requirements. The executive shall transmit to the council by the first business day of January 2019 a proposed motion specifying the scope of work for the proposed amendments consistent with K.C.C. 20.18.030.D.1. The council shall have until the last business day of February 2019, to adopt the motion, either as transmitted or amended. In the absence of council approval by the last business day of February 2019, the executive shall proceed to implement the scope as proposed. If the motion is approved the last business day of February 2019, the scope shall proceed as established by the approved motion. The executive shall transmit to the council any proposed amendments for the 2020 Comprehensive Plan update the by the last business day of September 2019. The council shall have until the last business day of June 2020 to adopt the 2020 Comprehensive Plan update.

~~((D-))~~ E. The executive shall seek public comment on the ~~((e))~~Comprehensive ~~((p))~~Plan and any proposed ~~((e))~~Comprehensive ~~((p))~~Plan amendments in accordance with the procedures in K.C.C. 20.18.160 before making a recommendation, which shall include publishing a public review draft of the proposed Comprehensive Plan amendments, in addition to conducting the public review and comment procedures required by SEPA. The public shall be afforded at least one official opportunity to record public comment before the transmittal of a recommendation by the executive to the council. County-sponsored councils and commissions may submit written position statements that shall be considered by the executive before transmittal and by the council before adoption, if they are received in a timely manner. The executive's recommendations for changes to policies, text and maps shall include the elements listed in Comprehensive Plan policy I-207 and analysis of their financial costs and public benefits, any of which may be included in environmental review documents. Proposed amendments to the Comprehensive Plan shall be accompanied by any development regulations or amendments to development regulations, including area zoning, necessary to implement the proposed amendments.

SECTION 10. Ordinance 13147, Section 20, and K.C.C. 20.18.040 are hereby amended to read as follows:

A. Site-specific land use map or shoreline master program map amendments may be considered (~~annually or during the four-year review cycle~~) during the annual update, midpoint update or eight-year update, depending on the degree of change proposed.

B. The following categories of site-specific land use map amendments or shoreline master program map may be initiated by either the county or a property owner for consideration in the annual (~~review cycle~~) update:

1. Amendments that do not require substantive change to (~~the~~) Comprehensive (~~the~~) Plan policy language and that do not alter the urban growth area boundary, except to correct mapping errors; and
2. Four-to-one-proposals.

C. The following categories of site-specific land use map and shoreline master program amendments may be initiated by either the county or a property owner for consideration in (~~four~~) the eight-year (~~review cycle~~) update or midpoint update:

1. Amendments that could be considered in the annual (~~review cycle~~) update;
2. Amendments that require substantive change to Comprehensive Plan policy language; and
3. Amendments to the urban growth area boundary.

SECTION 11. Ordinance 3688, Section 813, and K.C.C. 20.18.056 are hereby amended to read as follows:

A. Shoreline environments designated by the master program may be considered for redesignation during the (~~four~~) eight-year (~~review cycle~~) update or midpoint update.

B. A redesignation shall follow the process in K.C.C. 20.18.050.

SECTION 12. Ordinance 13147, Section 22, and K.C.C. 20.18.060 are hereby amended to read as follows:

A. Beginning in ~~((1999))~~ 2021, and every ~~((fourth))~~ eighth year thereafter the executive shall transmit to the council by the ~~((first))~~ last business day of ~~((March))~~ June a proposed motion specifying the scope of work for proposed amendments to the Comprehensive Plan that will occur in the following year, which motion shall include the following:

1. Topical areas relating to amendments to policies, the land use map ~~((and/or))~~, implementing development regulations, or any combination of those amendments that the executive intends to consider for recommendation to the council; and

2. An attachment to the motion advising the council of the work program the executive intends to follow to accomplish state Environmental Policy Act review and public participation.

B. The council shall have until ~~((April 30))~~ September 15 to approve the motion. In the absence of council approval, the executive shall proceed to implement the work program as proposed. If the motion is approved, the work program shall proceed as established by the approved motion.

C. Beginning in ~~((2000))~~ 2022 and every ~~((fourth))~~ eighth year thereafter, the executive shall transmit to the council by the ~~((first))~~ last business day of ~~((March))~~ June a proposed ordinance amending the Comprehensive Plan, except that the capital improvement program and the ordinances adopting updates to the transportation needs report and the school capital facility plans shall be transmitted no later than the biennial budget transmittal and shall be adopted in conjunction with the budget. However, in those years when there is only a midbiennium review of the budget, the ordinances adopting the capital improvement plan and the school capital facility plans shall be transmitted by October 1 and adopted no later than the midbiennium review under K.C.C. 4A.100.010. All transmittals shall be accompanied by a public participation note, identifying the methods used by the executive to ensure early and continuous public participation in the preparation of amendments. The council shall have until June 30 of the following year to adopt the amendments to the Comprehensive Plan, in accordance with RCW 36.70A.130.

SECTION 13. Ordinance 13147, Section 23, and K.C.C. 20.18.070 are hereby amended to read as follows:

A. The executive shall transmit to the council any proposed amendments for the annual ~~((eyele))~~ update by the ~~((first))~~ last business day of ~~((March))~~ June, except that the capital improvement program and the ordinances adopting updates to the transportation needs report and the school capital facility plans shall be transmitted no later than the biennial budget transmittal and shall be adopted in conjunction with the budget. However, in those years when there is only a midbiennium review of the budget, the ordinances adopting the capital improvement plan and the school capital facility plans shall be transmitted by October 1, and adopted no later than the midbiennium review under K.C.C. 4A.100.010.

B. All transmittals shall be accompanied by a public participation note, identifying the methods used by the executive to assure early and continuous public participation in the preparation of amendments.

C. Proposed amendments, including site-specific land use map amendments, that are found to require preparation of an environmental impact statement, shall be considered for inclusion in the next ~~((amendment eyele))~~ annual, midpoint or eight-year update following completion of the appropriate environmental documents.

SECTION 14. Ordinance 13147, Section 24, and K.C.C. 20.18.080 are hereby amended to read as follows:

A. Initial subarea plans may be adopted by ordinance at any time.

B. The schedule for adoption of or comprehensive updates to Community Service Area subarea plans is established in the Comprehensive Plan.

C. Adoption of comprehensive updates of existing, non-Community Service Area ~~((S))~~subarea plans may ~~((be))~~ occur during annual updates, as allowed in K.C.C. 20.18.030, if initiated by motion ~~((or by council action which preceded the adoption of Ordinance 13147))~~. If initiated by motion, the motion shall specify the scope of the plan, identify the completion date, and identify that the resources necessary to accomplish the

work are available. The executive ~~((will))~~ shall determine if an additional ~~((funds are))~~ appropriation is necessary to complete the subarea plan, and may transmit an ordinance requesting the additional appropriation ~~((of supplemental funds))~~. Amendments to or comprehensive updates not initiated by motion of existing, non-Community Service Area subarea plans shall be considered in the same manner as amendments to the ~~((e))~~C omprehensive ~~((p))~~Plan and shall be classified ~~((pursuant to))~~ in accordance with K.C.C. ~~((20.18.040, except that comprehensive updates of subarea plans may be initiated by motion and the resulting amendments may be considered in the annual cycle))~~ 20.18.030.

SECTION 15. Ordinance 13147, Section 30, and K.C.C. 20.18.140 are hereby amended to read as follows:

A. In accordance with RCW 36.70A.470, a docket containing written comments on suggested plan or development regulation amendments shall be coordinated by the department. The docket is the means either to suggest a change or to identify a deficiency, or both, in the Comprehensive Plan or development regulation. For the purposes of this section, "deficiency" refers to the absence of required or potentially desirable contents of the Comprehensive Plan or development regulation and does not refer to whether a development regulation addressed a project's probable specific adverse environmental impacts that could be mitigated in the project review process. Any interested party, including applicants, citizens and government agencies, may submit items to the docket.

B. All agencies of county government having responsibility for elements of the Comprehensive Plan or implementing development regulations shall provide a means by which citizens may docket written comments on the plan or on development regulations. The department shall use public participation methods identified in K.C.C. 20.18.160 to solicit public use of the docket. The department shall provide a mechanism for docketing amendments through the Internet.

1. All docketed comments relating to the Comprehensive Plan shall be reviewed by the department and considered for an amendment to the Comprehensive Plan.

2. The deadline for submitting docketed comments is ~~((June 30))~~ December 31 for consideration in the ~~((amendment cycle))~~ update process for the following year.

3. By the ~~((first))~~ last business day of ~~((December))~~ April, the department shall issue an executive response to all docketed comments. Responses shall include a classification of the recommended changes as appropriate for ~~((either))~~ the annual update, midpoint update or ~~((four))~~ eight-year ~~((cycle))~~ update, and an executive recommendation indicating whether or not the docketed items are to be included in the next ~~((year's))~~ executive-recommended ~~((e))~~Comprehensive ~~((p))~~Plan update. If the docketed changes will not be included in the next executive transmittal, the department shall indicate the reasons why, and shall inform the proponent that they may petition the council during the legislative review process.

4. By the ~~((first))~~ last business day of ~~((December))~~ April, the department shall forward to the council a report including all docketed amendments and comments with an executive response. The report shall include a statement indicating that the department has complied with the notification requirements ~~((contained))~~ in this section. The executive shall attach to the report copies of the docket requests and supporting materials submitted by the proponents and copies of the executive response that was issued to the proponents.

5. Upon receipt of the docket report, the council shall include all proponents of docketed requests in the mailing list for agendas to all committee meetings in which the Comprehensive Plan will be reviewed during the next available update. At the beginning of the committee review process, the council shall develop a committee review schedule with dates for committee meetings and any other opportunities for public testimony and for proponents to petition the council to consider docket changes that were not recommended by the executive and shall attach the review schedule to the agenda whenever the Comprehensive Plan is to be reviewed.

6 Docketed comments relating to development regulations shall be reviewed by the appropriate county agency. Those requiring a Comprehensive Plan amendment shall be forwarded to the department and considered for an amendment to the Comprehensive Plan. Those not requiring a Comprehensive Plan

amendment shall be considered by the responsible county agency for amendments to the development regulations.

7. The docket report shall be made available through the Internet. The department shall endeavor to make the docket report available within one week of transmittal to the council.

C. In addition to the docket, the department shall provide opportunities for general public comments both before the docketing deadline each year, and during the executive's review periods before transmittal to the council. The opportunities may include, but are not limited to, the use of the following: comment cards, electronic or posted mail, Internet, public meetings with opportunities for discussion and feedback, printed summaries of comments received and twenty-four-hour telephone hotlines. The executive shall assure that the opportunities for public comment are provided as early as possible for each stage of the process, to assure timely opportunity for public input.

SECTION 16. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby amended to read as follows:

A. The total area added to the urban growth area as a result of this program shall not exceed four thousand acres. The department shall keep a cumulative total for all parcels added under this section. The total shall be updated annually through the plan amendment process.

B. Proposals shall be processed as land use amendments to the Comprehensive Plan and may be considered in ~~((either))~~ the annual update, midpoint update or ~~((four))~~ eight-year ~~((eyele))~~ update. Site suitability and development conditions for both the urban and rural portions of the proposal shall be established through the preliminary formal plat approval process.

C. A term conservation easement shall be placed on the open space at the time the four to one proposal is approved by the council. Upon final plat approval, the open space shall be permanently dedicated in fee simple to King County.

D. Proposals adjacent to incorporated area or potential annexation areas shall be referred to the affected

city and special purpose districts for recommendations.

SECTION 17. In accordance with K.C.C. 20.12.200, the executive shall submit this ordinance to the state Department of Ecology for its approval of the standards in sections 10 and 11 of this ordinance, as provided in RCW 90.58.090.

SECTION 18. Sections 10 and 11 of this ordinance take effect within the shoreline jurisdiction fourteen days after the Department of Ecology provides written notice of final action stating that the proposal is approved, in accordance with RCW 90.58.909. The executive shall provide the written notice of final action to the clerk of the council.

SECTION 19. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.