



## Legislation Details (With Text)

**File #:** 2008-0074      **Version:** 2

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**File created:** 3/10/2008      **In control:** Growth Management and Natural Resources Committee

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**Enactment date:** 4/20/2008      **Enactment #:** 16056

**Title:** AN ORDINANCE ratifying for unincorporated King County an action by the Growth Management Planning Council to adopt the 2007 Buildable Lands Report; and amending Ordinance 10450, Section 3, as amended, and K.C.C. 20.10.030 and Ordinance 10450, Section 4, as amended, and K.C.C. 20.10.040.

**Sponsors:** Larry Gossett

**Indexes:** Annexations, Countywide Planning Policies

**Code sections:** 20.10.030 -, 20.10.040 -

**Attachments:** 1. 16056.pdf, 2. 2008-0074 Attach 2 (3-18).pdf, 3. 2008-0074 Attach 3 (3-18).pdf, 4. 2008-0074 Attach 4 (3-18).pdf, 5. 2008-0074 Attach 5 (3-18).pdf, 6. 2008-0074 Determination of Nonsignificance.doc, 7. 2008-0074 Environmental Checklist.doc, 8. 2008-0074 Handout.pdf, 9. 2008-0074 Revised Staff Report (3-18).doc, 10. 2008-0074 Staff report (3-18).doc, 11. 2008-0074 Transmittal Letter.doc, 12. A. Motion No. 07-3, 13. A. Motion No. 07-3, 14. A. Motion No. 07-1, 15. B. Motion No. 07-2, 16. C. Motion No. 07-3, 17. D. Motion No. 07-4

| Date      | Ver. | Action By   | Action                         | Result |
|-----------|------|---|--------------------------------|--------|
| 4/14/2008 | 2    | Metropolitan King County Council                  | Passed                         | Pass   |
| 4/7/2008  | 2    | Metropolitan King County Council                  | Deferred                       |        |
| 3/31/2008 | 2    | Metropolitan King County Council                  | Hearing Held                   |        |
| 3/31/2008 | 2    | Metropolitan King County Council                  | Deferred                       |        |
| 3/18/2008 | 1    | Growth Management and Natural Resources Committee | Amended                        | Pass   |
| 3/18/2008 | 2    | Growth Management and Natural Resources Committee | Recommended Do Pass Substitute | Pass   |
| 3/10/2008 | 1    | Metropolitan King County Council                  | Introduced and Referred        |        |

Clerk 03/21/2008

AN ORDINANCE ratifying for unincorporated King County an action by the Growth Management Planning Council to adopt the 2007 Buildable Lands Report; and amending Ordinance 10450, Section 3, as amended, and K.C.C. 20.10.030 and Ordinance 10450, Section 4, as amended, and K.C.C. 20.10.040.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

**SECTION 1. Findings:** The council makes the following findings:

A. The Growth Management Act ("GMA") requires King County and its cities to implement a review and evaluation program, commonly referred to as "Buildable Lands" and requires completion of an evaluation report every five years. The first King County Buildable Lands Report ("BLR") was submitted to the state in 2002.

B. RCW 36.70A.215 establishes the required elements of that program to include:

1. Annual data on land development; and
2. Periodic analyses to identify "land suitable for development" for anticipated residential, commercial, and industrial uses.

C. Based on the findings of the five-year evaluation, a county or city may be required to take remedial actions (i.e. reasonable measures) to ensure sufficient capacity for growth needs and to address inconsistencies between actual development and adopted policies and regulations.

D. The 2007 BLR contained data on:

1. Building permits and subdivision plats for the years 2001-2005;
2. Land supply and capacity as of 2006; and
3. Comparisons with growth targets established by the Growth Management Planning Council (GMPC) in 2002 for the planning period 2001-2022.

E. The major findings of the 2007 BLR include the following:

1. Housing growth has been on track with twenty-two-year growth targets;
2. Densities achieved in new housing have increased compared to the previous five years;
3. Commercial-industrial construction has continued despite the recession of 2001-2004; and
4. King County's Urban Growth Area, and each of four subareas of the county, has sufficient land capacity to accommodate the residential and employment growth forecasted by 2022.

F. While the GMA requires King County and its cities to implement a review and evaluation program,

as noted above, neither the GMA nor the Countywide Planning Policies ("CPPs") establishes a requirement or a process for adoption of the BLR as an amendment to the CPPs.

G. In August 2002, the King County BLR was submitted to the state prior to the statutory deadline of September 1 for "completion" of the five-year evaluation. However, in December, 2004, the Seattle-King County Association of Realtors filed a petition with the Central Puget Sound Growth Management Hearings Board ("the board") to appeal the 2002 BLR.

H. King County argued that the appeal of the BLR was untimely, falling outside the sixty-day appeal period for GMA actions. The board ruled that the appeal was in fact timely, since no legislative action had been taken to "adopt" the BLR that would have defined a start and ending point for a sixty-day appeal period.

I. The board went on to state ". . . to establish a timeframe for appeals to the Board, the completion of the BLR should be acknowledged through legislative action and the adoption of a resolution or ordinance finding that the review and evaluation has occurred and noting its major findings."

J. As a response to the board decision, GMPC staff recommended the GMPC consider legislative action to:

1. Establish a clear appeal period for the BLR; and
2. Emphasize the recognition and authority of the 2007 BLR as the technical basis for subsequent countywide policy decisions as well as local decisions that are consistent with the countywide policy direction.

K. As a coordinated countywide GMA document, the BLR falls within the purview of GMPC. FW1 Step 5(b) establishes the review and evaluation program pursuant to RCW 36.70A.215, but does not specify a procedure for formal adoption. The CPPs do set forth a process whereby GMPC takes formal action on CPPs through:

1. A motion to recommend a CPP amendment for adoption by the King County Council; and
2. Ratification by at least thirty percent of the cities containing at least seventy percent of the population.

L. While the BLR is not a policy action, following an equivalent track for countywide action on the BLR appears to be the best vehicle for formalizing the "adoption" of the report through legislative action that represents the endorsement of both the county and cities.

M. The GMPC met on December 12, 2007 and voted to recommend to the King County Council, a motion (GMPC Motion 07-3) to adopt the 2007 Buildable Lands Report.

SECTION 2. Ordinance 10450, Section 3, as amended, and K.C.C. 20.10.030 are each hereby amended to read as follows:

A. The Phase II Amendments to the King County 2012 Countywide Planning Policies attached to Ordinance 11446 are hereby approved and adopted.

B. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 12027.

C. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 12421.

D. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments 1 and 2 to Ordinance 13260.

E. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments 1 through 4 to Ordinance 13415.

F. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments 1 through 3 to Ordinance 13858.

G. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 14390.

H. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 14391.

I. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as

shown by Attachment 1 to Ordinance 14392.

J. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 14652.

K. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments 1 through 3 to Ordinance 14653.

L. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 14654.

M. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment 1 to Ordinance 14655.

N. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments 1 and 2 to Ordinance 14656.

O. The Phase II amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment A to Ordinance 14844.

P. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended as shown by Attachments A, B and C to Ordinance 15121.

Q. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment A to Ordinance 15122.

R. The Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachment A to Ordinance 15123.

S. Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments A and B to Ordinance 15426.

T. Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as shown by Attachments A, B and C to Ordinance 15709.

U. Phase II Amendments to the King County 2012 - Countywide Planning Policies are amended, as

shown by Attachments A to this ordinance.

SECTION 3. Ordinance 10450, Section 4, as amended, and K.C.C. 20.10.040 are each hereby amended to read as follows:

A. Countywide Planning Policies adopted by Ordinance 10450 for the purposes specified are hereby ratified on behalf of the population of unincorporated King County.

B. The amendments to the Countywide Planning Policies adopted by Ordinance 10840 are hereby ratified on behalf of the population of unincorporated King County.

C. The amendments to the Countywide Planning Policies adopted by Ordinance 11061 are hereby ratified on behalf of the population of unincorporated King County.

D. The Phase II amendments to the King County 2012 Countywide Planning Policies adopted by Ordinance 11446 are hereby ratified on behalf of the population of unincorporated King County.

E. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 12027 are hereby ratified on behalf of the population of unincorporated King County.

F. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 12421, are hereby ratified on behalf of the population of unincorporated King County.

G. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments 1 and 2 to Ordinance 13260, are hereby ratified on behalf of the population of unincorporated King County.

H. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 through 4 to Ordinance 13415, are hereby ratified on behalf of the population of unincorporated King County.

I. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments 1 through 3 to Ordinance 13858, are hereby ratified on behalf of the population of unincorporated King County.

J. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 14390, are hereby ratified on behalf of the population of unincorporated King County.

K. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 14391, are hereby ratified on behalf of the population of unincorporated King County.

L. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 14392, are hereby ratified on behalf of the population of unincorporated King County.

M. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 14652, are hereby ratified on behalf of the population of unincorporated King County.

N. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments 1 through 3 to Ordinance 14653, are hereby ratified on behalf of the population of unincorporated King County.

O. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 14654, are hereby ratified on behalf of the population of unincorporated King County.

P. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment 1 to Ordinance 14655, are hereby ratified on behalf of the population of unincorporated King County.

Q. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments 1 and 2 to Ordinance 14656, are hereby ratified on behalf of the population of unincorporated King County.

R. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment A to Ordinance 14844, are hereby ratified on behalf of the population of unincorporated King County.

S. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments A, B and C to Ordinance 15121, are hereby ratified on behalf of the population of unincorporated King County.

T. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment A to Ordinance 15122, are hereby ratified on behalf of the population of unincorporated King County.

U. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment A to Ordinance 15123, are hereby ratified on behalf of the population of unincorporated King County.

V. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments A and B to Ordinance 15426, are hereby ratified on behalf of the population of unincorporated King County.

W. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachments A, B and C to Ordinance 15709, are hereby ratified on behalf of the population of unincorporated King County.

X. The amendments to the King County 2012 - Countywide Planning Policies, as shown by Attachment A to this ordinance, are hereby ratified on behalf of the population of unincorporated King County.