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Title:	AN ORDINANCE relating to zoning; creating a special district overlay entitled "Regional Motor Sports Facility"; amending Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, adding a new section to K.C.C. chapter 21A.38 and adding a new section to K.C.C. chapter 21A.06.		
Sponsors:	Pete von Reichbauer, Julia Patterson, Reagan Dunn		
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Attachments:	1. 2010-0189 Staff report - Pac Race, 2. 2010-0189 Attach 2 - striking amendment, 3. 2010-0189 - pacific raceways PRESENTATION (12-14-10).ppt, 4. 2010-0189 - Meeting handouts.pdf		

Date	Ver.	Action By	Action	Result
12/14/2010	1	Environment and Transportation Committee	Deferred	
3/22/2010	1	Metropolitan King County Council	Introduced and Referred	

Clerk 03/17/2010

AN ORDINANCE relating to zoning; creating a special district overlay entitled "Regional Motor Sports Facility"; amending Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100, adding a new section to K.C.C. chapter 21A.38 and adding a new section to K.C.C. chapter 21A.06.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. **Findings:**

A. Pacific Raceways is the only motor sports facility in King County. The facility was constructed in 1959 and the track began operation 1960 with a mission of providing a safe, controlled environment for racing. Before 2002, the facility was known as Seattle International Raceway.

B. In the 1960s and 1970s, the racing facility hosted many premier road racing events such as the Trans Am racing series which attracted some of the world's foremost professional race car drivers.

C. Over the years the sanctioning bodies for racing events have increased the standards for racing facilities in order to create a safer racing environment for spectators and participants.

D. In order to regain the ability to host significant racing events, Pacific Raceways must be upgraded to meet professional motor sports sanctioning body requirements.

E. Pacific Raceways is a leading promoter of motor sports activities in the Pacific Northwest and currently hosts more than three hundred events annually for a vast range of motor sports events including drag races, sport car races, motorcycle races, club races and vintage car races.

F. For the past twenty-three years, Pacific Raceways has been host to the National Hot Rod Association's Northwest National drag race event, which draws up to one hundred thousand spectators and generates over ten million dollars in new revenues to the local economy.

G. Pacific Raceways is on a three-hundred-twenty-seven-acre site located east of Kent, approximately one-quarter mile off of State Highway 18.

H. Pacific Raceways is a mixed-use road racing facility featuring a two and one-quarter mile road course used for automobile and motorcycle racing as well as a performance driving school which offers several curricula, including sanctioned race licensing courses, performance driving, lapping clinics and specialty driving instruction. The facility also features a drag strip used by local organizations and the National Hot Rod Association for both regional and national-level races. Other racing surfaces include a dirt motocross track and a shift kart track.

I. Pacific Raceways has recently completed a facility master plan to modernize the facility in order to host additional professional motor sports events, create hundreds of new jobs by the development of a motor sports business complex, provide new police and fire facilities and generate substantial new revenue to the local economy.

J. In order to meet strict professional racing safety standards and maximize economic development opportunities from the site, Pacific Raceways requires new development standards to meet the unique site

characteristics of the facility.

K. The Pacific Raceways property is zoned "Industrial" with a property-specific development, or "P-suffix," condition restricting the use of the property to racing and race-related activities.

L. A conditional use permit, CUP File No. A-71-0-81, governs current development and activities at Pacific Raceways.

M. The Soos Creek Community Plan included the following policy F-18 that specifically addresses the facility:

F-18 The operation of SIR is expected to continue through the life of this plan. Any future consideration of Conditional Use Permit should be consistent with the spirit and intent of the existing rules and conditions which regulate operation of the facility.

N. During the 1998 update to the King County Comprehensive Plan, the executive transmitted and council adopted an amendment to the policy, referred to as policy CP-1014 in this section, that makes reference to "1991 rules and conditions":

CP-1014 The operation of SIR is expected to continue indefinitely. The area authorized for racetrack use shall be confined to maximize protection of Little Soos Creek and its riparian area. Any future consideration of permits for its operation should be consistent with the spirit and intent of the 1991 rules and conditions which regulate operation of the facility.

O. A review of the legislative record has not been able to corroborate the existence of such rules and conditions dated 1991 and has not shed light on the reasoning for the executive-proposed amendment to the policy.

P. During the 2000 update to the King County Comprehensive Plan, the executive transmitted and council adopted an amendment to the policy CP-1014 that inserted a sentence highlighted in the following:

CP-1014 The operation of SIR is expected to continue indefinitely. ***The area authorized for***

racetrack use shall be confined to maximize protection of Little Soos Creek and its riparian area. *Any future consideration of permits for its operation should be consistent with the spirit and intent of the 1991 rules and conditions which regulate operation of the facility.*

Q. To ensure consistency with the 2000 amendment, the future development of the site must be designed to limit or eliminate direct flow of surface water into Little Soos creek and its riparian area. This would be best accomplished by the contouring of the development area to direct surface water away from Little Soos creek and its riparian areas and to infiltrate all surface water flows on-site.

R. The owners of Pacific Raceways seek to return it to the status of a premier motor sports facility and have invested over five million dollars since 2002 for improvements such as upgrades to restrooms and concessions, safety improvements to the road course, resurfacing of the drag strip and construction of a new eleven-thousand-person aluminum grandstand.

S. Pacific Raceways is now seeking to move forward with a major, privately-funded one-hundred-thirty-five-million-dollar rehabilitation and expansion effort designed to reestablish the facility as one of the premier racing facilities on the west coast.

T. These upgrades would enable Pacific Raceways to host new major professional racing events such as NASCAR, IRL, CHAMP Grand American and American LeMans and would include:

1. Improvements to the existing National Event Dragstrip;

2. Construction of a new five-sixteenth-mile paved oval for regional stock car racing;

3. Upgrades to the road course for driver safety and to gain certification to run NASCAR, CHAMP and IRL events;

4. Upgraded fan and racer amenities that include the construction of permanent garages, additional fan concessions such as full service restaurants and other basic services offered at professional racing venues; and

5. Creation of a motor sports business complex resulting in the creation of hundreds of new jobs and

allowing the centralization of racing-based industries and services that are currently scattered throughout the northwest and across the country.

U. Proposed upgrades to the facility will require site-specific modifications to existing development standards.

V. There are no specific zoning or land use provisions provided in the code to easily define the development and operating standards for this unique facility.

W. A special district overlay as provided in K.C.C. chapter 21A.38 is intended to "provide for alternative development standards to address unique site characteristics and to address development opportunities which can exceed the quality of standard development."

X. Specifically, K.C.C. 21A.38.040.D. states, "The special district overlays in this chapter may waive, modify and substitute for the range of permitted uses and development standards established by this title for any use or underlying zone."

Y. Given the unique attributes of Pacific Raceways and the proposed future development of the property, the special district overlay is a mechanism that would allow King County to better guide and monitor the future development plans for the facility.

Z. Pacific Raceways is a long-time and important civic asset to south King County. Although the facility was originally built in part as an alternative for young people who would otherwise test their racing skills on local roads, it has also grown to play a key economic role in south King County. A recent study shows that the annual three-day National Hot Rod Association events generates ten million dollars in spending in the local economy due to the infusion of hundreds of race participants and an average of one hundred thousand race fans.

AA. The motor sports business complex will create hundreds of new jobs and generate significant economic activity in King County and generate significant new tax revenues to local and state government.

BB. Proposed upgrades to Pacific Raceways will create a premier racing facility that will benefit the

entire community with competitive racing entertainment, and will also provide an economic catalyst for south King County.

CC. Proposed upgrades to Pacific Raceways will provide training facilities for public safety officers in the region.

DD. Proposed upgrades to Pacific Raceways will provide a venue, other than public streets, for young adults to race their cars in the evening.

EE. Proposed upgrades to Pacific Raceways will accommodate growing demand for club and regional racing events.

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 21A.38 a new section to read as follows:

A. The purpose of the regional motor sports facility special district overlay is to provide for the development of a regional motor sports facility that can accommodate and attract all the business necessary to support a nationally-recognized motor sports facility.

B. A regional motor sports facility special district shall only be established in areas:

1. Designated "Rural" within a comprehensive plan and zoned "Industrial"; and

2. Subject to a conditional use permit governing development and activities for a racing facility, that was approved before the effective date of this ordinance.

C. The following racing surfaces shall be the primary uses within the regional motor sports facility special district:

1. A road course;

2. A shift kart course;

3. A motocross course;

4. Five-sixteenth-mile oval track; and

5. Up to two drag strips.

D. In addition to the primary uses listed in subsection C. of this section, the following uses are permitted in conjunction with the regional motor sports facility:

1. Both retail and wholesale sales;

2. Automotive repair; service and storage

3. Fire station;

4. Service station, including sale of fuel;

5. Driving school;

6. Daycare;

7. Manufacturing;

8. Restaurant and concessions;

9. Extraction of dirt, sand and gravel in conjunction with the construction of racing surfaces and the motor sports racing facility including the prescreening, sorting or processing of such materials to be transported off-site or utilized on-site;

10. Short-term accommodations such as a hotel and recreational vehicle parking, for race participants and viewers; and

11. Public safety, such as police and fire, training.

E. Notwithstanding the development standards applicable to the underlying zone and CUP File No. A-71-0-81, development within a regional motor sports facility special district shall be permitted with the following modifications to those standards:

1. Landscaping shall not be required under K.C.C. chapter 21A.16, and buildings may be constructed in vegetative buffers but only if the buildings are shielded from view from adjoining residential properties to the maximum feasible extent. This may be achieved through methods that could include, but are not limited to, the:

a. retention of existing vegetative buffers;

b. placement of new landscaping materials to augment existing vegetation; and

c. placement of buildings below existing grade and, creation of public open space and park amenities using green roof technology;

2. Encroachments on steep slopes, but only if:

a. such encroachments are necessary to bring racing surfaces into compliance with applicable racing association safety standards; and

b. the county is provided geotechnical data and approves structural mitigations that ensure the stability of the slope;

3. Encroachments on wetlands and aquatic areas and their buffers, but only if such encroachments are:

a. necessary to bring racing surfaces into compliance with applicable racing association safety standards;

b. mitigated through methods that include, but are not limited to:

(1) buffer averaging or increased buffering; and

(2) creation of new or enhancement of existing critical areas;

4. Placement of impervious surfaces, including buildings, structures, pit areas or raceways, up to the top of slope adjacent to Little Soos creek, but only if:

a. for buildings or structures, the county is provided geotechnical data and approves structural mitigations that ensure the stability of the slope; and

b. for pit areas or racing surfaces, such surfaces shall be graded to channel surface water away from Little Soos creek unless such surface water is needed to enhance or create wetlands; and

5. Placement of spectator seating on the steep slopes located inside the road course.

F. Only if proposed building, clearing and grading permits are consistent with the standards of the regional motor sports facility special district overlay:

1. No additional land use permits or approvals shall be required; and

2. For ten years after the effective date of this ordinance, the environmental review for building, clearing and grading permits shall consist of adopting the threshold determination and environmental review conducted for the implementation of the regional motor sports facility special overlay through the Comprehensive Plan amendment process.

G. Development shall generally be consistent with the site plan adopted during the implementation of this ordinance as part of a Comprehensive Plan update.

H. After implementation of the regional motor sports facility special district overlay through the Comprehensive Plan amendment process, any prior conditional use permits or special use permits shall no longer apply to the development or operation of the regional motor sports facility.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.06 a new section to read as follows:

Racetrack: an establishment offering services and uses located in:

A. SIC Industry No. 7948; or

B. The Regional Motor Sports Facility special district overlay outlined in section 2 of this ordinance.

SECTION 4. Ordinance 10870, Section 337, as amended, and K.C.C. 21A.08.100 are each amended to read as follows:

A. Regional land uses.

KEY		**RESOURCE**			**RESIDENTIAL**					**COMMERCIAL/INDUSTRIAL**							
P-Permitted Use **C**-Conditional Use **S**-Special Use	ZONE	AGRICULTURE	FOREST	MINERAL	RURAL	URBAN RESERVE		URBAN RESIDENTIAL		NEIGHBORHOOD	BUSINESS	COMMUNITY BUSINESS		REGIONAL BUSINESS		OFFICE	INDUSTRIAL

SIC#	SPECIFIC LAND USE	A	F	M	RA	UR	R 1-8	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	C 4
*	Hydroelectric Generation Facility		C14 S		C14 S	C14 S	C 14 S						
*	Non-hydroelectric Generation Facility	C12 S	C12 S	C12 S	C12 S	C12 S	C 12 S	C12 S	C12 S	C12 S	C12 S	C 12 S	P12 S
*	Communication Facility (17)	C6c S	P		C6c S	C6c S	C 6c S	C6c S	C6c S	P	P	P	P
*	Earth Station	P6b C	P		C6a S	C6a S	C 6a 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

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*	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 P25
*	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	P10 C11	P	P	P	P
*	Zoo Animal Breeding Facility	P16	P16		P16								
GENERAL CROSS REFERENCES:		Land Use Table Instructions, see K.C.C. 21A.08.020 and 21A.02.070; Development see K.C.C. chapters 21A.12 through 21A.30; General Provisions, see K.C.C. chapter through 21A.38; Application and Review Procedures, see K.C.C. chapters 21A.40 th 21A.44; (*)Definition of this specific land use, see K.C.C. chapter 21A.06.											

B. Development conditions.

1. Except technical institutions. See vocational schools on general services land use table, K.C.C. 21A.08.050.

2. Except arboretum. See K.C.C. 21A.08.040, recreation/cultural land use table.

3. Except weapons armories and outdoor shooting ranges.

4. Except outdoor shooting range.

5. Only in conjunction with an existing or proposed school.

6.a. Limited to no more than three satellite dish antennae.

b. Limited to one satellite dish antenna.

c. Limited to tower consolidations.

7. Limited to landing field for aircraft involved in forestry or agricultural practices or for emergency landing sites.

8. Except racing of motorized vehicles.

9. Limited to wildlife exhibit.

10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.

11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.

12. Limited to cogeneration facilities for on-site use only.

13. Excluding impoundment of water using a dam.

14. Limited to facilities that comply with the following:

a. Any new diversion structure shall not:

(1) exceed a height of eight feet as measured from the streambed; or

(2) impound more than three surface acres of water at the normal maximum surface level;

b. There shall be no active storage;

c. The maximum water surface area at any existing dam or diversion shall not be increased;

d. An exceedance flow of no greater than fifty percent in mainstream reach shall be maintained;

e. Any transmission line shall be limited to a:

(1) right-of-way of five miles or less; and

(2) capacity of two hundred thirty KV or less;

f. Any new, permanent access road shall be limited to five miles or less; and

g. The facility shall only be located above any portion of the stream used by anadromous fish.

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

facilities, shall be subject to the provisions for rural industrial uses in K.C.C. chapter 21A.12.

16. The operator of such a facility shall provide verification to the department of natural resources and parks or its successor organization that the facility meets or exceeds the standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture and the accreditation guidelines of the American Zoo and Aquarium Association.

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

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

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

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

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

a. building square footage;

b. landscaping;

c. parking;

d. building height; or

e. impervious surface.

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

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

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

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

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

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

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

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

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

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

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

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

line;

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

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

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

a. motocross;

b. autocross;

c. skidpad;

d. garage;

e. driving school; and

f. fire station.

25. Limited to a regional motor sports facility established under section 2 of this ordinance.

30 days prior, official paper