



City of SeaTac

Council Study Session Agenda

February 12, 2013
4:00 PM

City Hall
Council Chambers

CALL TO ORDER:

1. **Agenda Bill #3487 – An Ordinance amending SeaTac Municipal Code Chapter 2.10 related to the Municipal Court (10 minutes)**
By: Municipal Court Judge Elizabeth Cordi-Bejarno / Court Administrator Paulette Revoir
2. **Agenda Bill #3470 – A Motion authorizing final acceptance of the South 164th Street Sidewalk Project (10 minutes)**
By: Public Works Director Tom Gut / Civil Engineer 2 Toli Khlevnoy
3. **Agenda Bill #3471 – A Motion authorizing final acceptance of the South 154th Street Improvements (15 minutes)**
By: Assistant City Engineer Florendo Cabudol
4. **Agenda Bill #3485 – A Resolution amending the Planning Commission Bylaws (10 minutes)**
By: Senior Planner Mike Scarey / Planning Commission Chair Daryl Tapio
5. **Agenda Bill #3490 – A Resolution ratifying the 2012 Amendments to the King County Countywide Planning Policies (15 minutes)**
By: Senior Planner Mike Scarey
6. **Agenda Bill #3494 – A Motion amending the contract for architectural services for design of the new Fire Station 45 (10 minutes)**
By: Facilities Manager Pat Patterson
7. **Agenda Bill #3491 – An Ordinance amending SeaTac Municipal Code Chapter 2.75 related to Emergency Management (10 minutes)**
By: Assistant Fire Chief Brian Wiwel
8. **PRESENTATIONS:**
 - **SCORE Update (15 minutes)**
By: Jail Executive Director Penny Bartley, CJM
 - **Discussion on a proposed Carnival at the Hughes Property on July 4 – 7, 2013 (15 minutes)**
By: Parks and Recreation Director Kit Ledbetter / Police Chief Jim Graddon
 - **Public Safety Statistics (10 minutes)**
By: Fire Chief Jim Schneider

ADJOURN:



City of SeaTac

Regular Council Meeting Agenda

February 12, 2013
6:00 PM

City Hall
Council Chambers

(Note: The agenda numbering is continued from the Council Study Session [CSS].)

CALL TO ORDER:

ROLL CALL:

FLAG SALUTE:

PUBLIC COMMENTS: (Speakers must sign up prior to the meeting. Individual comments shall be limited to three minutes. A representative speaking for a group of four or more persons in attendance shall be limited to ten minutes. When recognized by the Mayor or his designee, walk to the podium, state and spell your name, and give your address [optional] for the record.)

9. PRESENTATION:

- **Council Consideration of Mayoral Appointments of Mark Blumenthal and Harry Higgins to the SeaTac Fire Department Contractual Steering Committee (5 minutes)**

By: Mayor Tony Anderson

10. CONSENT AGENDA:

- **Approval of claims vouchers** (check nos. 101763 - 101767) in the amount of \$40,698.56 for the period ended January 22, 2013.
- **Approval of claims vouchers** (check nos. 101768 - 101911) in the amount of \$672,708.73 for the period ended January 31, 2013.
- **Approval of claims vouchers** (check nos. 101912 - 101989) in the amount of \$276,985.18 for the period ended February 5, 2013.
- **Approval of payroll vouchers** (check nos. 51211 - 51243) in the amount of \$442,400.33 for the period ended February 7, 2013.
- **Approval of payroll electronic fund transfers** (check nos. 75695 - 75877) in the amount of \$363,939.62 for the period ended January 31, 2013.
- **Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$71,205.12 for the period ended January 31, 2013.
- **Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended February 5, 2012.

Approval of Council Meeting Minutes:

- **Council Study Session** held January 8, 2013
- **Council Study Session** held January 22, 2013
- **Regular Council Meeting** held January 22, 2013

Agenda Items reviewed at the January 22, 2013 Council Study Session and recommended for placement on this Consent Agenda:

Agenda Bill #3488; A Motion authorizing the purchase of a Regenerative Air Sweeper

Agenda Bill #3483; A Motion authorizing the City Manager to execute an Amended and Restated Interlocal Agreement with King County for cooperative solid waste management

PUBLIC COMMENTS (related to the Consent Agenda): (Individual comments shall be limited to one minute and group comments shall be limited to three minutes.)

ACTION ITEMS:

11. **Agenda Bill #3480 - A Motion authorizing the City Manager to execute a contract with Henderson Partners, LLC the low bidder for Angle Lake Park Phase II construction (10 minutes)**

By: Parks and Recreation Director Kit Ledbetter

ACTION ITEMS (Continued):

- 12. Agenda Bill #3481 – A Motion authorizing the City Manager to approve the purchase of the water spray area equipment for the Angle Lake Park project from Waterplay Solutions (10 minutes)**
By: Parks and Recreation Director Kit Ledbetter
- 13. Agenda Bill #3489 – A Motion authorizing the City Manager to execute an agreement with Angle Lake Hotel, LLC for a proposed access easement at Angle Lake Park (15 minutes)**
By: Senior Planner Al Torrico

UNFINISHED BUSINESS:

NEW BUSINESS:

CITY MANAGER'S COMMENTS:

COUNCIL COMMENTS:


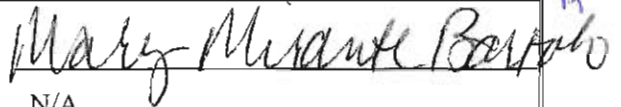
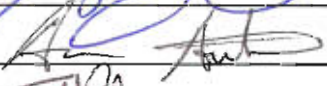

EXECUTIVE SESSION:

ADJOURN:

SeaTac City Council
REQUEST FOR COUNCIL ACTION
 Department Prepared by: Legal and Municipal Court

Agenda Bill #: 3487

TITLE: An Ordinance amending Chapter 2.10 of the SeaTac Municipal Code related to the Municipal Court.

January 15, 2013	
<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested: <u>RCM 02/26/2013</u>	
Ord/Res Exhibits: _____	
Review Dates: <u>CSS: 02/12/2013</u>	
Prepared By: <u>Elizabeth Cordi-Bejarano, Municipal Court Judge; Paulette Revoir, Court Administrator; Mark S. Johnsen, Senior Assistant City Attorney</u>	
Director: 	City Attorney: 
Finance: 	BARS #: <u>N/A</u>
City Manager: 	Applicable Fund Name: <u>N/A</u>

SUMMARY: The proposed Ordinance amends Chapter 2.10 of the SeaTac Municipal Code pertaining to the Municipal Court.

DISCUSSION / ANALYSIS / ISSUES: In 2012, the Municipal Court and Legal Department conducted a thorough review of Chapter 2.10 of the SeaTac Municipal Code related to the Municipal Court. This Chapter had not been thoroughly reviewed and updated since adoption in 1990 and there are many provisions that are no longer applicable or do not reflect current practice. In addition, both the Municipal Court and the Legal Department felt that it was appropriate for the City Council to address standards for the public defense of indigent defendants, as such standards are now required pursuant to RCW 10.101.030 and by Court Rules adopted by the Washington State Supreme Court.

The proposed Ordinance deletes Sections 2.10.010, 2.10.020, 2.10.040, 2.10.050, 2.10.140, 2.10.150, and 2.10.190 as those Sections are no longer necessary or are duplicative. The proposed Ordinance adds a new Section 2.10.185 that addresses public defense standards by stating the importance of quality public defense representation and requiring that public defense standards be adopted pursuant to RCW 10.101.030. These public defense standards will be adopted either by the City Manager or by the Municipal Court Judge, depending on whether the standard is handled through the executive or judicial branch of the City.

In addition, the proposed Ordinance also makes other housekeeping corrections to the Chapter.

RECOMMENDATION(S): It is recommended that the proposed Ordinance be adopted.

FISCAL IMPACT: None.

ALTERNATIVE(S): Do not adopt the proposed Ordinance.

ATTACHMENTS: None.

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 2.10 of the SeaTac Municipal Code related to the Municipal Court.

WHEREAS, the Municipal Court and the Legal Department have reviewed Chapter 2.10 of the SeaTac Municipal Code related to the Municipal Court; and

WHEREAS, it is recommended that SMC 2.10 be amended to delete provisions that are no longer applicable or are not necessary; and

WHEREAS, it is appropriate for the City Council to address the need for Public Defense standards, and authorize the Municipal Court Judge to adopt standards for the provision of Public Defense;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. Chapter 2.10 of the SeaTac Municipal Court is hereby amended to read as follows:

**Chapter 2.10
MUNICIPAL COURT**

Sections:

- ~~2.10.010—Creation of a Traffic Violations Bureau.~~
- ~~2.10.020—Processing of citations.~~
- ~~2.10.030—Deleted.~~
- ~~2.10.040—Forfeited moneys to general fund.~~
- ~~2.10.050—Administration of the Traffic Violations Bureau.~~
- 2.10.060 Municipal Court established.
- 2.10.070 Court seal.
- 2.10.080 Jurisdiction.
- 2.10.090 Judges – Appointment – Qualifications.

2.10.100 Salaries – Costs.

2.10.110 Removal of judge.

2.10.120 Municipal Court employees.

2.10.130 Judges pro tem.

~~2.10.140 Judicial vacancy.~~

~~2.10.150 Municipal Court hours.~~

2.10.160 Revenue deposits.

2.10.170 Rules of pleading, practice and procedure.

2.10.180 Public defender – Appointment.

2.10.185 Public defender – Standards.

~~2.10.190 Public defender – Statement for services.~~

2.10.200 Public defender – Payment.

2.10.210 Use of credit cards.

2.10.220 Use of collection agencies and attorneys for collection of unpaid penalties.

~~2.10.010 Creation of a Traffic Violations Bureau.~~

~~There is hereby created and established a City Traffic Violations Bureau which shall be located at the City offices.~~

~~2.10.020 Processing of citations.~~

~~The Traffic Violations Bureau shall initially receive all citations charging violations of City ordinances. The Traffic Violations Bureau shall receive and post bail and penalties and shall issue receipts therefor. Forfeitures of bail and penalties on forfeitable misdemeanor charges and traffic infractions shall be accepted by the Traffic Violations Bureau.~~

~~2.10.030 Transfer of citations to district court.~~

~~Deleted by Ord. 91-1040.~~

~~2.10.040 Forfeited moneys to general fund.~~

~~All moneys paid as bail or penalties and forfeited to the Traffic Violations Bureau for violations of ordinances of the City shall be placed in the general fund of the City.~~

~~**2.10.050 Administration of the Traffic Violations Bureau.**~~

~~The Traffic Violations Bureau shall be administered by the City's Court Administrator~~

2.10.060 Municipal Court established.

Effective on January 1, 1991, there is re-established a "Municipal Court of the City of SeaTac," hereinafter referred to as the "Municipal Court," which court shall have jurisdiction and shall exercise all powers enumerated herein and in Chapter 3.50 RCW, together with all such other powers and jurisdiction as are generally conferred upon courts of limited jurisdiction in the State of Washington either by common law, the general law, or by express statute.

2.10.070 Court seal.

The Municipal Court shall have a seal which shall be the vignette of George Washington, with the words "Seal of the Municipal Court of SeaTac, State of Washington", surrounding the vignette.

2.10.080 Jurisdiction.

The Municipal Court shall have exclusive original jurisdiction over traffic infractions arising under City ordinances, exclusive original criminal jurisdiction of all violations of City ordinances duly adopted by the City, and concurrent jurisdiction over all misdemeanors and gross misdemeanors whether cited under State law or City ordinances. The Municipal Court shall have original jurisdiction of all other actions brought to enforce or recover license, permit or code enforcement penalties or forfeitures declared or given by such ordinances or by State statutes. The Municipal Court is empowered to forfeit cash bail or bail bonds and issue execution thereon; and in general to hear and determine all causes, including traffic and civil infractions, arising under such ordinances or statutes and to pronounce judgment in accordance therewith.

2.10.090 Judges – Appointment – Qualifications.

A. The term of the Municipal Court Judge who was appointed prior to the effective date of the ordinance codified in this section shall expire on December 31, 2009. The term of a successor shall commence on January 1st of the year thereafter and shall continue until December 31st of the fourth year thereafter, pursuant to appointment as provided below.

B. The Municipal Court Judge shall be appointed by the City Manager, subject to confirmation by the City Council, for a term of four (4) years. Appointments shall be made on or before December 1st of the year next preceding the year in which the term is to commence.

C. A person appointed as Municipal Court Judge shall be a citizen of the United States of America and of the State of Washington, and an attorney admitted to practice law before the courts of record of the State of Washington.

2.10.100 Salaries – Costs.

The salary of the Municipal Court Judge shall be fixed by ordinance upon adoption of the City's ~~annual~~ budget. All costs of operation of the Municipal Court, including but not limited to salaries of judges and court employees, dockets, books of records, forms, furnishings and supplies~~d~~ shall be paid wholly out of the funds of the City. Jurors shall be paid a fee of twenty dollars (\$20.00) per day and mileage allowance pursuant to RCW 43.03.060. The City shall provide a suitable place for holding court and pay all expenses of maintaining it.

2.10.110 Removal of judge.

~~A~~ ~~The~~ Municipal Court Judge shall be removed only upon action of the Commission on Judicial Conduct or the Supreme Court as provided in Article IV, Section 31 of the Washington State Constitution. ~~conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering the judge incapable of performing the duties of the office.~~ Any vacancy in the Municipal Court due to removal, death, disability or resignation of the Municipal Court Judge shall be filled by the City Manager, subject to confirmation by the City Council, for the remainder of the unexpired term. The appointed judge shall be qualified to hold the position of judge of the Municipal Court as provided in this chapter.

2.10.120 Municipal Court employees.

All employees of the Municipal Court shall be employees of the City and all applicable personnel practices and procedures and/or collective bargaining agreements with respect to hiring and termination, and personnel administration shall be followed; provided, that the Municipal Court Judge shall have the responsibility for and authority over judicial functions and Court administration duties with which Municipal Court employees are involved in accordance with GR 29.

2.10.130 Judges pro tem.

The Municipal Court Judge shall, in writing, appoint judges pro tem who shall serve in the absence or disability of the ~~regular Judge of the Municipal Court Judge~~, subsequent to the filing of an affidavit of prejudice, or when the administration of justice and the accomplishment of the work of the court make it necessary. The judges pro tem shall be qualified to hold the position of ~~judge of the Municipal Court Judge~~ as provided ~~herein~~ in SMC 2.10.090. Before entering upon judicial duties, each judge pro tem shall take, subscribe, and file an oath in the same form as that of the duly appointed Municipal Court Judge, and thereafter shall have all of the powers of the appointed Municipal Court Judge. The judges pro tem shall receive such compensation as is

received, on an hourly basis, by the Municipal Court Judge, or as otherwise fixed by resolution or ordinance.

~~2.10.140 Judicial vacancy.~~

~~Any vacancy in the Municipal Court due to a death, disability, or resignation of a Municipal Judge shall be filled by the City Manager, subject to confirmation by the City Council, for the remainder of the unexpired term. The appointed Municipal Judge shall be qualified to hold the position of Judge of the Municipal Court as provided in this chapter.~~

~~2.10.150 Municipal Court hours.~~

~~The Municipal Court shall be open during all regular business days and hours as the other offices of the City shall be open, but the dates and times of open court shall be as set by the Municipal Judge; provided, that the sessions of the open court shall not be on nonjudicial days.~~

2.10.160 Revenue deposits.

All fees, costs, fines, forfeitures and other moneys imposed or revenues collected by the Municipal Court for the violation of any City ordinance, together with any other revenue received by the Municipal Court, shall be deposited with in the City Treasurer as part of the General Fund of the City.

2.10.170 Rules of pleading, practice and procedure.

The rules of pleading, practice and procedure before the Municipal Court shall be in accordance with the Rules for Courts of Limited Jurisdiction, as published by the Washington Supreme Court, as currently in effect, as may be subsequently amended. In addition, the Municipal Court Judge may adopt Local Court Rules as appropriate.

2.10.180 Public defender – Appointment.

The Municipal Court Judge is authorized to appoint, on a case to case basis, as may be required, an attorney licensed to practice before the courts of the State of Washington, to act as public defender in representing indigent persons charged with criminal offenses triable in the Municipal Court and cases appealed therefrom.

2.10.185 Public defender – Standards.

A. It is imperative that quality representation shall be afforded in the provision of public defense to indigent defendants. “Quality Representation” describes the minimum level of attention, care, and skill that should be expected of the criminal justice system.

B. Standards for the delivery of public defense services for the City shall be adopted. Pursuant to RCW 10.101.030, standards shall include the following: Compensation of counsel, duties and

responsibilities of counsel, case load limits and types of cases, responsibility for expert witness fees and other costs associated with representation, administrative expenses, support services, reports of attorney activity and vouchers, training, supervision, monitoring and evaluation of attorneys, substitution of attorneys or assignment of contracts, limitations on private practice of contract attorneys, qualifications of attorneys, disposition of client complaints, cause for termination of contract or removal of attorney, and nondiscrimination. Standards endorsed or adopted by the Washington State Bar Association and the Washington State Supreme Court for the provision of public defense services should serve as guidelines in adopting standards.

~~2.10.190 Public defender – Statement for services.~~

~~The attorney appointed to act as public defender shall present his statement for services to the City, and the same shall be paid in the same manner as the other obligations of the City.~~

2.10.200 Public defender – Payment.

The charges submitted by the public defender ~~and approved by the City Council~~ shall be paid from the ~~current~~ General Fund.

2.10.210 Use of credit cards.

The Municipal Court may permit the use of credit cards for purposes of billing and collecting unpaid penalties, fines, costs, assessments, and forfeitures imposed. Pursuant to the contracting provisions of the City, ~~t~~The Municipal Court may enter into agreements with one or more financial institutions for the purpose of such collections. The said agreements may specify conditions, remuneration for services, and other charges deemed appropriate, ~~upon confirmation by the City Council.~~

2.10.220 Use of collection agencies and attorneys for collection of unpaid penalties.

A. The Municipal Court may use collection agencies as defined by Chapter 19.16 RCW for purposes of collecting unpaid penalties on infractions, criminal fines, costs, assessments, civil judgments, or forfeitures that have been imposed by the Court. Pursuant to the contracting provisions of the City, ~~t~~The Municipal Court may enter into agreements, ~~with the confirmation of the City Council,~~ with one (1) or more attorneys or collection agencies for collection of outstanding penalties, fines, costs, assessments, and forfeitures. These agreements may specify the scope of work, remuneration for services, and other charges deemed appropriate.

B. Servicing of delinquencies by collection agencies or by collecting attorneys in which the Municipal Court retains control of its delinquencies shall not constitute assignment of debt.

C. The term “debt” shall include any penalties, fines, costs, assessments, or forfeitures imposed by the Municipal Court.

D. The Municipal Court may assess, as court costs, the moneys paid for remuneration for services or charges paid to collecting attorneys, to collection agencies, or, in the case of credit cards, to financial institutions.

ADOPTED this _____ day of _____, 2013, and signed in authentication thereof on this _____ day of _____, 2013.

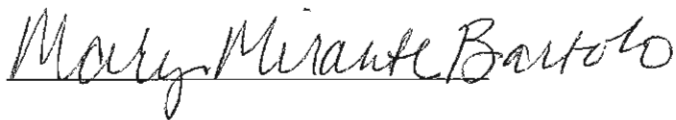
CITY OF SEATAC

Tony Anderson, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

[Effective Date: _____]

[Revision of SMC 2.10]

SeaTac City Council
REQUEST FOR COUNCIL ACTION
Department Prepared by: Public Works

Agenda Bill #: 3470

TITLE: A Motion authorizing final acceptance of the South 164th Street Sidewalk Project.

January 9, 2013	
<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested: <u>RCM 02/26/13</u>	
Ord/Res Exhibits: _____	
Review Dates: <u>CSS 02/12/13</u>	
Prepared By: <u>Eric Proctor, Civil Engineer I</u>	
Director: <u><i>Thomas W. Galt</i></u>	City Attorney: <u><i>Mary M. Barrow</i></u>
Finance: <u><i>Ann Ault</i></u>	BARS #: <u>307.000.11.595.61.63.184</u>
City Manager: <u><i>Todd Ruff</i></u>	Applicable Fund Name: <u>Transportation CIP (307)</u>

MK
BY

SUMMARY: This Motion formally accepts the construction of the South 164th Street Sidewalk Project.

DISCUSSION / ANALYSIS / ISSUES: The subject construction contract was awarded on May 22, 2012 to R.W. Scott Construction Company in the amount of \$893,727.70. The Council approved a total construction budget authorization, including a 10% contingency, materials testing, and inspection overtime of \$1,003,100.47. Construction began on July 9, 2012 and was substantially complete on October 15, 2012. The project constructed 0.63 miles of new sidewalk, curb and gutter. The storm drain system was improved, retaining walls were constructed, and the pavement was resurfaced from 34th Avenue South to Military Road South.

RECOMMENDATION(S): It is recommended the Motion be carried.

FISCAL IMPACT: The contract work was completed for a total amount of \$695,789.29 which is 30% under the authorized amount. Savings were realized due to excellent soil conditions, favorable weather, closing the road which reduced traffic control costs, and paving costs that under ran the estimate.

<u>Expenditure</u>	<u>Authorized</u>	<u>Actual</u>
Construction contract	\$ 893,727.70	\$ 695,798.29
Contingency (10%)	\$ 89,372.77	\$ -
Materials Testing King County	\$ 10,000.00	\$ 1,054.09
Inspection Overtime	\$ 10,000.00	\$ 1,012.69
Total expenditure	\$ 1,003,100.47	\$ 697,865.07

<u>Funding</u>		
City Fund 307 (Transportation CIP)	\$ 1,003,100.47	\$ 697,865.07

ALTERNATIVE(S): Do not accept the contract as complete; however, Washington State law requires eventual acceptance.

ATTACHMENTS: None

SeaTac City Council

REQUEST FOR COUNCIL ACTION

Department Prepared by: Public Works

Agenda Bill #: 3471

TITLE: A Motion authorizing final acceptance of the South 154th Street Improvements.

February 4, 2013	
<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested:	<u>2/26/13 RCM</u>
Ord/Res Exhibits:	_____
Review Dates:	<u>2/12/13 CSS</u>
Prepared By:	<u>Eric Proctor, Civil Engineer I</u>
Director:	<u><i>Thomas W. Scott</i></u> City Attorney: <u><i>Mary Mirante Barrow</i></u> MK
Finance:	<u><i>Andy Ant</i></u> BARS #: <u>307.000.11.595.30.63.152</u>
City Manager:	<u><i>Todd Cotto</i></u> Applicable Fund Name: <u>Transportation CIP (307)</u>

SUMMARY: This motion formally accepts the construction of the South 154th Street Improvements.

DISCUSSION / ANALYSIS / ISSUES: The construction contract for this project was awarded on February 22, 2011 to R.W. Scott Construction Company in the amount of \$4,216,707.50. The total authorized expenditure amount was \$5,273,378.50 that included a 10% contingency, materials testing, construction inspection overtime, and Seattle City Light Underground Conversion costs. Construction began on May 2, 2011 and was substantially complete on September 12, 2012.

The project widened the road for a new center left turn lane and installed sidewalks and bicycle lanes to complete the gap along South 154th Street in SeaTac. Additional benefits provided from this project include new curb and gutter, driveways, asphalt pavement, streetlights, storm drainage infrastructure, and the underground conversion of all overhead utilities. The project represents a key investment in the South 154th Street Station Area that provides improved access, mobility and safety for future development.

RECOMMENDATION(S): It is recommended that the Motion be carried.

FISCAL IMPACT: The contract work was completed for a total of \$5,194,509 which is \$78,870 under the authorized amount.

Expenditure Authorization

	Authorized	Actual
Construction Contract	\$4,216,708	\$4,216,708
Contingency (10%)	\$421,671	\$339,766
Materials Testing (King County)	\$20,000	\$29,752
WSDOT Bridge Inspection		\$20,197
Inspection Overtime	\$10,000	\$12,638
Seattle City Light Underground Conversion	\$600,000	\$575,448
Total Expenditure	\$5,273,379	\$5,194,509

<u>Funding</u>	<u>Budget</u>	<u>Actual</u>
Federal Aid Grant	\$1,500,000	\$1,500,000
TIB Grant (Estimate)	\$2,170,800	\$2,170,800
Water District 125 Reimbursement	\$48,508	\$76,075
Comcast Reimbursement	\$14,080	\$19,531
Valley View Sewer District		\$1,209
CenturyLink		\$11,673
City Fund 307 (Parking Tax)	\$1,539,991	\$1,415,221
Total revenue	<u>\$5,273,379</u>	<u>\$5,194,509</u>

ALTERNATIVE(S): Do not accept the contract as complete; however, Washington State law requires eventual acceptance.

ATTACHMENTS: None

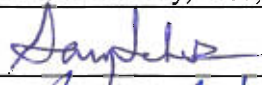

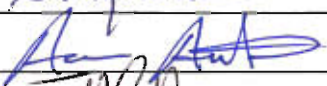

SeaTac City Council
REQUEST FOR COUNCIL ACTION

Department Prepared by: Community and Economic Development

Agenda Bill #: 3485

TITLE: A Resolution amending the Planning Commission Bylaws.

January 29, 2013

<u> </u> Ordinance <u> </u> <input checked="" type="checkbox"/> Resolution <u> </u> Motion <u> </u> Info. Only <u> </u> Other	
Date Council Action Requested: <u>RCM 2/26/2013</u>	
Ord/Res Exhibits: <u>Exhibit A: Amendment to Planning Commission Bylaws</u>	
Review Dates: <u>PC: 9/18/2012, 10/2/2012, 10/16/2012; CSS: 2/12/2013</u>	
Prepared By: <u>Michael Scarey, AICP, Senior Planner</u>	
Director: <u></u>	City Attorney: <u></u>
Finance: <u></u>	BARS #: <u>N/A</u>
City Manager: <u></u>	Applicable Fund Name: <u>N/A</u>

MR

SUMMARY: The proposed Resolution adopts an amendment to Article 4, Section 4.10 of the Bylaws of the Planning Commission of the City of SeaTac. The proposed amendment is shown on page 3 of Exhibit A.

DISCUSSION / ANALYSIS / ISSUES: Sections 2.15.110 through 2.15.130 of the SeaTac Municipal Code (SMC) set out the general duties of the Planning Commission which include developing the Comprehensive Plan and related amendments; recommending Development Regulations that implement the Comprehensive Plan; and conducting research with regard to land use, housing, capital facilities, utilities and transportation. In addition, Section 2.15.105 SMC states in part, "the Commission shall assist in providing additional information and work on projects *assigned by the Council* as the Council establishes policy for the City."

In its current form, Section 4.10 of the Planning Commission's Bylaws allows the Commission, with City Council approval, to study specific problems or projects which may come to the Commission's attention, through the formation of Ad Hoc Committees. The proposed amendment provides flexibility for the Commission to study specific problems or projects without necessarily forming an Ad Hoc Committee, although still requiring City Council approval for the Commission to study or review such a problem or project.

This proposal was suggested by the Planning Commission and they support the amendment.

RECOMMENDATION(S): It is recommended that the City Council pass the Resolution.

FISCAL IMPACT: None.

ALTERNATIVE(S):

- Amend the Resolution prior to adoption;
- Do not adopt

ATTACHMENTS: None.

RESOLUTION NO. _____

A RESOLUTION of the City Council of the City of SeaTac, Washington, amending the City of SeaTac Planning Commission Bylaws.

WHEREAS, Article 14 of the Bylaws of the Planning Commission of the City of SeaTac provides for the City Council of the City of SeaTac to amend said Bylaws; and

WHEREAS, At their October 16, 2012 regular meeting, the Planning Commission of the City of SeaTac voted to forward the proposed amendment to the City Council for consideration, as required by Section 14.1 of the Commission's Bylaws; and

WHEREAS, it is the desire of the Planning Commission of the City of SeaTac to study specific problems or projects as they arise; and

WHEREAS, the proposed amendment to said Bylaws provides the desired flexibility to study specific problems or projects, while still requiring City Council approval to do so;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, HEREBY RESOLVES as follows:

The amendment to the Bylaws of the Planning Commission of the City of SeaTac, a copy of which is attached hereto as Exhibit "A", is hereby adopted.

PASSED this _____ day of _____, 2013 and signed in authentication thereof this _____ day of _____, 2013.

CITY OF SEATAC

Tony Anderson, Mayor

Exhibit A

Amendment to the Bylaws of the Planning Commission of the City of SeaTac

BYLAWS OF THE PLANNING COMMISSION OF THE CITY OF SEATAC

We, the members of the Planning Commission of the City of SeaTac, State of Washington, created pursuant to Chapter 35A.63 of the Revised Code of Washington and Chapter 2.15 of the SeaTac Municipal Code, do hereby adopt the following BYLAWS:

ARTICLE 1 – NAME

Section 1.1

The official name of the commission is the "Planning Commission of the City of SeaTac" per SMC 2.15.010.

Section 1.2

The official seat of the Commission is the City Hall of the City of SeaTac.

ARTICLE 2 – JURISDICTION

Section 2.1

The purpose and intent of the Commission is to promote orderly physical development; prepare and recommend regulations, amendments, extensions, or additions to the regulations or plans for physical development; and review and make recommendations, hold public hearings, and establish regulations and standards regarding plats, plans for subdivisions or dedications of land situated within the boundaries of the City or proposed for annexation to the City.

ARTICLE 3 – RELATIONS TO CITY STAFF

Section 3.1

The ~~Planning and Community and Economic Development~~ Department staff of the City, as assigned by the City Manager, shall provide staff assistance and serve as liaison between the Planning Commission and those boards and commissions not represented on the Planning Commission, and shall also serve to facilitate communication by the Planning Commission to the City Council.

ARTICLE 4 – FUNCTIONS AND DUTIES

The Commission, pursuant to SMC 2.15.110 through 2.15.140, shall have the following major functions:

Section 4.1

Serves as an advisor to the SeaTac City Council in order to promote the orderly physical development and growth of the City;

Section 4.2

Prepare a comprehensive plan for the City, in accordance with state law, and recommend not more than once a year to City Council such changes, amendments or additions to the comprehensive plan as may be deemed desirable for the physical, social and economic development of the City;

Section 4.3

Recommend, or prepare and recommend, for the adoption by Council, regulations, amendments, extensions or additions to such regulations or plans for the physical development of the City in the interests of health, safety or general welfare;

Section 4.4

Review and make recommendations to the Council on such development regulations which may be deemed necessary and which shall be consistent with and shall implement the comprehensive plan;

Section 4.5

Act as a research and fact finding agency of the City, with the assistance of the Director of ~~Planning and Community~~ and Economic Development, in regard to growth management/annexation, land use, transportation, environmental management, parks/recreation/open space, housing, utilities, historic resources, community quality/design, economic development and capital facilities. The Commission, with the assistance of the Director of ~~Planning and Community~~ and Economic Development, shall conduct such surveys, analysis, studies and reports as are generally authorized or requested by the City Council;

Section 4.6

Conduct advanced planning for public works programs and the long-range capital budget;

Section 4.7

Establish such other work project priorities as the City Council may direct;

Section 4.8

Review, discuss and analyze work products, projects and recommendations of other City commissions that may relate to the functions and duties of the Commission, and when appropriate, actions of Hearing Examiner, which may indicate the need for amendments to the Municipal Code;

Section 4.9

Review, discuss and analyze work products and projects as may be referred to the Commission by the Council or Staff, and when appropriate, solicit and consider input from other Boards or Commissions which may have an interest in the subject mater;

Section 4.10

With City Council approval, ~~form ad hoc committees from within as well as outside its membership,~~ to study specific problems or projects which may arise from time to time. This may include, but is not limited to, forming ad hoc committees from within as well as outside its membership.

Section 4.11

Hold public hearings or public meetings, as required by the SeaTac Municipal Code or State law, or as requested by the City Council.

ARTICLE 5 – MEMBERSHIP

Section 5.1

The Commission shall be composed of five (5) members that shall include three (3) members that are residents of the City and two (2) members shall own, operate or be employed by business entities located within the City, but if such candidates cannot be found, then the fourth and/or fifth member shall be residents of the City.

Section 5.2

The members of the Planning Commission shall be appointed by the Mayor, subject to confirmation by the City Council.

Section 5.3

Members of the Planning Commission shall serve for a term of three years, or until appointment of a successor member, whichever is later.

Section 5.4

If a member of the Planning Commission shall be absent, without prior notification and excuse, from three (3) consecutive regularly scheduled meetings of the Commission, the Chairperson shall report that fact and circumstances to the Mayor, who may declare the position held by that member vacant and a new member may be appointed in the manner set forth above.

Section 5.5

Absences from six (6) convened meetings by any Commission member, excused or unexcused, occurring within a twelve-month period, may likewise be grounds for removal.

ARTICLE 6 – MEETINGS

Section 6.1

Regular meetings are held the first and third Tuesday of each month, except when the Planning Commission sets an alternative meeting time, for the expressed purpose of conducting business and taking formal action. Agendas are issued and the proceedings of the meetings are recorded and published in the form of adopted meeting minutes.

Section 6.2

The Director of ~~Planning and Community and Economic~~ Development, or designee, shall attend each meeting of the Planning Commission and shall ensure that minutes of each meeting are taken and published. The Director, or designee, shall provide copies of the published minutes to each member of the City Council.

The Planning Commission shall provide to the City Council a written summary of every public hearing held by the Commission at a following study session or regular meeting of the City Council but not less than two weeks prior to the Council's action on the subject of the public hearing. If deemed necessary by the Planning Commission due to time factors, an oral summary report on a public hearing may be given within said two week time period to the City Council by a Planning Commission member or the Director of ~~Planning and Community and Economic~~ Development.

Section 6.3

The Planning Commission may hold joint meetings with one or more city or county planning agencies and may engage in regional planning activities.

Section 6.4

Special meetings may be called by the Chairperson as needed and formal action may be taken. Agendas are issued and the proceedings of the meetings are recorded and

published in the form of adopted meeting minutes. Notice of any special meeting shall be issued as required by state law.

Section 6.5

Workshop meetings are held as needed for the purpose of providing work sessions for the development, review and discussion of draft documents, studies and reports. Agendas are issued; however, the proceedings are not recorded or published, and no formal action may be taken.

Section 6.6

All meetings shall be held in the Council Chamber, SeaTac City Hall starting at 5:30 p.m., unless otherwise directed by the Chairperson.

Section 6.7

All meetings shall be open public meetings as required by state law.

ARTICLE 7 – OFFICERS

Section 7.1

The officers of the Commission shall consist of a Chairperson and Vice-Chairperson, elected from the appointed members of the Commission. The election of officers shall take place the first regular meeting of February of each year, unless otherwise directed by the Chairperson. The term of office for each officer shall run until the next subsequent election of new officers; provided, however, that any officer may be removed at any time by a majority vote of the entire Commission.

Section 7.2

If the position of Chairperson becomes vacant, the Vice-Chairperson shall automatically become Chairperson until the next election of officers, as provided in Section 7.1. If the position of Vice-Chairperson becomes vacant, the Commission shall elect a Vice-Chairperson at the next regular meeting after the vacancy occurs.

Section 7.3

The election of Chairperson or Vice-Chairperson requires the affirmative vote of at least three commission members. The election of an Officer shall be continued to the next regularly scheduled meeting should the commission be unable to select an Officer in accordance with this Section.

ARTICLE 8 – DUTIES OF OFFICERS

Section 8.1

Chairperson – The chairperson shall preside over the meetings of the Commission and may exercise all powers usually incident to the office, retaining as a member of the Commission, however, the full right to have a vote recorded on all deliberations of the Commission. The City Council Committee liaison(s) shall be appointed, as needed, by the Planning Commission from within its membership.

Section 8.2

Vice-Chairperson – The Chairperson being absent, the Vice-Chairperson shall preside as acting Chairperson for the meeting. If both the Chairperson and Vice-Chairperson are absent, a member of the Commission shall be designated as acting Chairperson for the meeting.

Section 8.3

Secretary – The Secretary, a designated city staff member, shall keep a record of all meetings of the Commission and those records will be retained at such office as the Commission may direct. The Secretary shall also perform such other ministerial functions relating to the position of Secretary as directed, including to facilitate communication by the City Council.

ARTICLE 9 – QUORUM

Section 9.1

Three (3) members of the Commission shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those present constitute a quorum, at any regular or special meeting shall be deemed as the action of the Commission.

ARTICLE 10 – AGENDA/RULES OF ORDER

Section 10.1

The regular order of business shall be as follows, but may be adjusted as needed:

- Call to Order/Roll Call
- Approval of Minutes
- Public Hearing (if applicable), Including an Explanation of Public Hearing Procedures and a Staff Presentation
- Old Business
- New Business

- City Council Committee Liaison Report(s)
- ~~Planning~~ CED Director/Staff Report
- Commission Comments
- Adjournment

Section 10.2

Regular and special meetings of the Commission shall be conducted under the most recent edition of Roberts Rules of Order, except as otherwise addressed by these Bylaws.

ARTICLE 11 – PUBLIC HEARINGS

Section 11.1

The following procedure shall apply to Public Hearings held by the Planning Commission:

- The Director of ~~Planning and~~ Community and Economic Development or designee shall present the issue to the Planning Commission and respond to questions.
- A person may speak for up to three minutes, although up to ten minutes may be granted by the Chairperson if a person is speaking for a group of at least five people in attendance at the Public Hearing. The Chairperson may establish longer time periods, if there is unanimous concurrence by the rest of the Commission.
- The Planning Commission may ask questions of the speaker and the speaker may respond, but may not engage in further debate.

The Public Hearing will then be closed, but Planning Commission discussion may ensue if the Commission so desires.

ARTICLE 12 – COMPENSATION/EXPENSES

Section 12.1

The members of the Planning Commission shall serve without compensation.

Section 12.2

The City Council may appropriate a budget for use of the Planning Commission in meeting such expenses and expenditures as may be necessary. The City shall provide to the Planning Commission adequate space and facilities and necessary supplies to facilitate the official business of the Commission. It should be noted that the ~~Planning~~

~~and~~ Community and Economic Development Department is designated to provide space and the necessary supplies to facilitate the official business of the Commission.

ARTICLE 13 – CONFLICTS OF INTEREST

Section 13.1

If any member of the Planning Commission concludes that such member has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Commission, that member shall disqualify himself or herself from participating in the deliberations and the decision-making process with respect to that matter. If the Mayor and City Manager conclude that a member has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Commission, that member shall be disqualified from participating in the deliberations and the decision-making process with respect to that matter. In either event, the Mayor may appoint, without necessity of confirmation by the City Council, a person to serve as an alternate on the Planning Commission in regard to that particular matter.

ARTICLE 14 – AMENDMENT

Section 14.I

These Bylaws and Rules of Procedure may be amended by the City Council. Any amendments proposed by the Commission must be forwarded by the Commission to the City Council for consideration by the affirmative vote of a majority of the entire Commission membership during the course of a regular or special meeting; provided, however, that the amendment was proposed at a prior regular or special meeting.

SeaTac City Council

REQUEST FOR COUNCIL ACTION

Department Prepared by: Department of Community and Economic Development

Agenda Bill #: 3490

TITLE: A Resolution ratifying the 2012 Amendments to the King County Countywide Planning Policies.

January 17, 2013

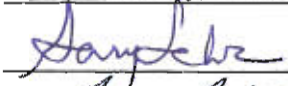
Ordinance Resolution Motion Info. Only Other

Date Council Action Requested: RCM 02/26/2013

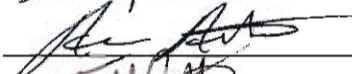
Ord/Res Exhibits: Exhibit A – King County Ordinance 17486 and King County Ordinance 17487

Review Dates: CSS: 02/12/2013

Prepared By: Michael Scarey, Senior Planner

Director: 

City Attorney: 

Finance: 

BARS #: N/A

City Manager: 

Applicable Fund Name: N/A

*mk
KSL*

SUMMARY:

The attached Resolution ratifies the 2012 amendments to the King County Countywide Planning Policies.

DISCUSSION / ANALYSIS / ISSUES:

The King County Countywide Planning Policies (CPP) establish a countywide framework from which county and city Comprehensive Plans are developed and adopted, as required by RCW 36.70A.210 (2). The CPP were adopted in cooperation with the cities in King County in 1992, and have been amended periodically since then.

The process established under CPP Policy FW-1 Step 9 requires that amendments to the CPP, in order to be considered adopted, be ratified by at least 30% of the city and county governments representing 70% of the population in King County. The Metropolitan King County Council approved and ratified the amendments on behalf of unincorporated King County on December 3, 2012. Those amendments have now been forwarded to the cities for ratification. If no legislative action is taken by a jurisdiction, it is deemed to have ratified the amendments.

The amendments to the CPP proposed to be ratified under this Resolution fall into three categories:

1. Revisions to the housing section, specifically addressing affordable housing;
2. Revisions to utilities policies as they pertain to the siting of schools in the rural area; and
3. Minor adjustments to the Urban Growth Boundary (Sammamish and Snoqualmie), including technical corrections related to roads in other areas at the urban-rural interface.

Only the amendments to the housing section have any bearing on SeaTac, as they do for all of the cities in King County. The amendments to the housing section take a different approach from that adopted in the existing CPP, based in part on the extensive negotiations the cities, especially the south-county cities, conducted during 2011 and 2012. That approach can be summarized as follows:

- Establish upfront the countywide need for affordable housing;
- Eliminate assigned affordable housing targets for each jurisdiction;
- Focus on implementation strategies to meet the countywide need; and
- Establish the following steps to accomplish this approach:

1. Conduct a housing supply inventory and needs assessment;
2. Include the existing level of affordable housing in a city's calculation to meet its share of the countywide need
3. Implement policies and strategies to address unmet needs;
4. Measure results; and
5. Respond to measurement with reassessment and adjustment of strategies.

RECOMMENDATION(S):

It is recommended that the City Council pass the Resolution.

FISCAL IMPACT:

There is no fiscal impact.

ALTERNATIVE(S):

1. Formally disapprove the Resolution;
2. Take no action

ATTACHMENTS:

1. New CPP housing section as adopted by the Metropolitan King County Council;
2. Amended housing section of the CPP, shown in underline and ~~striketrough~~ format;
3. Cover Letter received by the City from King County Executive Dow Constantine and Metropolitan King County Council President Larry Gossett.

RESOLUTION NO. _____

A RESOLUTION of the City Council of the City of SeaTac, Washington ratifying the 2012 amendments to the King County Countywide Planning Policies.

WHEREAS, the King County Countywide Planning Policies (CPP) establish a framework for guiding development in all King County jurisdictions; and

WHEREAS, the SeaTac City staff worked with the staffs of other cities and King County during 2011 and 2012 to develop amendments to the housing section of the CPP that addressed the concerns of the City of SeaTac and other cities in south King County; and

WHEREAS, the Planning Commission of the City of SeaTac reviewed the proposed amendments to the housing section on February 21, 2012, April 3, 2012; April 17, 2012; and

WHEREAS, the SeaTac City Council reviewed the proposed amendments to the housing section on February 14, 2012, and April 24, 2012; and

WHEREAS, the CPP are deemed adopted when ratified by King County and the requisite number of cities and satisfying the required population percentage; and

WHEREAS, the Metropolitan King County Council approved and ratified the 2012 amendments to the CPP on behalf of unincorporated King County on December 3, 2012;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON HEREBY RESOLVES as follows:

The SeaTac City Council ratifies the 2012 amendments to the King County CPP as shown in Exhibit A.

PASSED this _____ day of _____, 2013 and signed in authentication thereof on this _____ day of _____, 2013.

CITY OF SEATAC

Tony Anderson, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:



Mary E. Mirante Bartolo, City Attorney

[SeaTac Resolution Ratifying the 2012 King County CPP Amendments]

EXHIBIT A

King County Ordinances 17486 & 17487



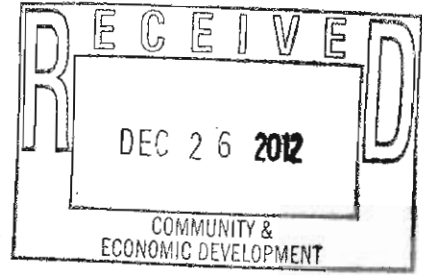
KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 4, 2012

Ordinance 17486



Proposed No. 2012-0282.3

Sponsors Phillips

1 AN ORDINANCE relating to adoption and ratification of
2 the King County Countywide Planning Policies; adding a
3 new section to K.C.C. chapter 20.10, decodifying K.C.C.
4 20.10.010, K.C.C. 20.10.020, K.C.C. 20.10.030, K.C.C.
5 20.10.040, K.C.C. 20.10.050, K.C.C. 20.10.065, K.C.C.
6 20.10.075 and K.C.C. 20.10.076 and repealing Ordinance
7 10450, Section 6, as amended, and K.C.C. 20.10.060.

8 **STATEMENT OF FACTS:**

- 9 1. The Countywide Planning Policies ("CPPs") are adopted in accordance
10 with the state Growth Management Act, under 36.70A.210 RCW.
- 11 2. The Growth Management Planning Council ("GMPC") was formed in
12 1992 to guide the development of the CPPs. The GMPC is a
13 representative body of elected officials from King County, the city of
14 Seattle, the city of Bellevue and the Suburban Cities Association.
15 Representatives of the special districts serve as ex officio members.
- 16 3. The CPPs establish a framework for guiding development in all King
17 County jurisdictions.

18 4. The CPPs are deemed adopted when ratified by King County and the
19 requisite number of cities and satisfying the required population
20 percentage.

21 5. The GMPC recommends CPP amendments to the King County council
22 for consideration, possible revision and ratification.

23 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24 **SECTION 1. Findings:**

25 A. On September 21, 2011, the Growth Management Planning Council adopted
26 Motion 11-1 approving the 2011 King County Countywide Planning Policies.

27 B. On March 31, 2012, the school siting task force issued a final report.

28 C. On April 4, 2012, the Growth Management Planning Council adopted Motion
29 12-1 adding land on the west bank of the Duwamish river to the city of Seattle Potential
30 Annexation Area.

31 D. On June 6, 2012, the Growth Management Planning Council adopted Motion
32 12-2 implementing the recommendations of the school siting task force by adding new
33 policies and the Report of the School Siting Task Force as Appendix 5 to the Countywide
34 Planning Policies.

35 E. On June 6, 2012, the Growth Management Planning Council adopted Motion
36 12-3 adding a new housing chapter and revised housing appendix to the Countywide
37 Planning Policies.

38 F. On June 6, 2012, the Growth Management Planning Council adopted Motion
39 12-4 adding land on the west side of 216th Ave SE to the city of Black Diamond
40 Potential Annexation Area.

41 G. Attachment A to this ordinance incorporates Motions 11-1, 12-1, 12-2, 12-3
42 and 12-4 into the 2012 King County Countywide Planning Policies.

43 SECTION 2. The amendments to the King County Countywide Planning
44 Policies, and renamed the 2012 King County Planning Policies, as shown in Attachment
45 A to this ordinance, are hereby adopted and ratified on behalf of the population of
46 unincorporated King County.

47 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 20.10 a
48 new section to read as follows:

49 A. After the Growth Management Planning Council approves or amends the
50 Countywide Planning Policies, the executive, as its chair, shall timely transmit to the
51 King County council an ordinance adopting the Countywide Planning Policies or
52 amendments thereto.

53 B. The King County council shall refer the proposed ordinance transmitted by the
54 executive under subsection A. of this section to the committee on transportation,
55 economy and environment or its successor for review and consideration. If the King
56 County council recommends substantive revisions to the Countywide Planning Policies
57 or amendments approved by the Growth Management Planning Council, the King County
58 council may refer the proposed revisions to the Growth Management Planning Council
59 for its consideration and response.

60 C. Within ten days after the ordinance transmitted by the executive under
61 subsection A. of this section, as amended by the council, is effective, the clerk of the
62 King County council shall send the notice of enactment and the Countywide Planning
63 Policies and amendments to each city and town in King County for ratification as

64 provided for in the Countywide Planning Policies. Each city and town must take action
65 to ratify or reject the proposed Countywide Planning Policies or amendments as approved
66 by the King County council within ninety days after the date the ordinance approving the
67 Countywide Planning Policies or amendments was enacted. Failure of a city or town to
68 take action and notify the clerk of the King County council within ninety days shall be
69 deemed to be approval by that city or town. The notice shall include the date by which
70 each city or town must respond with its response to ratify or reject the proposed
71 Countywide Planning Policies or amendments and where the response should be directed.

72 D. Countywide Planning Policies or amendments are ratified if approved by the
73 county, cities and towns representing at least seventy percent of the county's population
74 and thirty percent of the jurisdictions. For ratification purposes, King County is the
75 jurisdiction representing the population in the unincorporated areas of the county.

76 E. Within ten days after the date for response established by the clerk of the King
77 County council under subsection C. of this section, the clerk of the King County council
78 shall notify the executive, as chair of the Growth Management Planning Council, of the
79 decision to ratify or not to ratify the Countywide Planning Policies or amendments.

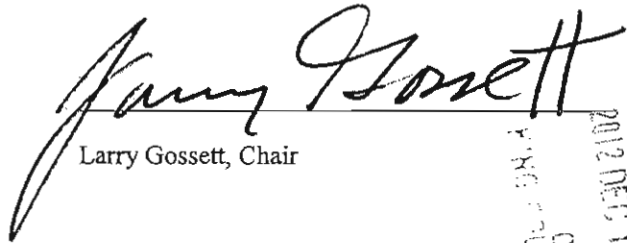
80 SECTION 4. K.C.C. 20.10.010, K.C.C. 20.10.020, K.C.C. 20.10.030, K.C.C.
81 20.10.040, K.C.C. 20.10.050, K.C.C. 20.10.065, K.C.C. 20.10.075 and K.C.C. 20.10.076
82 are each hereby decodified.

83 SECTION 5. Ordinance 10450, Section 6, as amended, and K.C.C. 20.10.060 are
84 each hereby repealed.
85


Ordinance 17486 was introduced on 8/20/2012 and passed as amended by the Metropolitan King County Council on 12/3/2012, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

RECEIVED
2012 DEC 13 PM 3:30
KING COUNTY COUNCIL

APPROVED this 13 day of DECEMBER, 2012.



Dow Constantine, County Executive

Attachments: A. 2012 King County Countywide Planning Policies, dated December 3, 2012

2012 King County Countywide Planning Policies

November, 2012

Amended December 3, 2012

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 November 2012
 Amended December 3, 2012

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VISION 2040 STATEMENT

The 2012 King County Countywide Planning Policies were prepared to address changes to the Growth Management Act, take into account the passage of 20 years since their initial adoption, and to specifically reflect the regional direction established in VISION 2040.

Vision 2040 is the product of the Puget Sound Regional Council (PSRC), an association of cities, towns, counties, ports, tribes, and state agencies that serves as a forum for developing policies and making decisions about regional growth management, environmental, economic, and transportation issues in the four-county central Puget Sound region of Washington state (King, Kitsap, Pierce and Snohomish counties). Vision 2040's Regional Growth Strategy outlines how the four-county Puget Sound region should plan for additional population and employment growth.

As made clear in the Regional Growth Strategy, all jurisdictions in King County have a role in accommodating growth, using sustainable and environmentally responsible development practices. The 2012 King County Countywide Planning Policies support this strategy and provide direction at the county and jurisdiction level with appropriate specificity and detail needed to guide consistent and useable local comprehensive plans and regulations.

While VISION 2040 is consistent with the overall growth management strategy of the 1992 King County Countywide Planning Policies, restructuring the Countywide Planning Policies—into the six chapters of Environment, Development Patterns, Housing, Economy, Transportation, and Public Facilities and Services—was done to match the structure of VISION 2040.

VISION & FRAMEWORK

Vision for King County 2030

It is the year 2030 and our county has changed significantly in the roughly 40 years that have elapsed since the first Countywide Planning Policies were adopted in 1992. In many ways this is a result of the successful public-private partnership that has supported a diversified, sustainable regional economy and has managed and accommodated growth while maintaining the quality of life and the natural environment throughout King County.

King County in 2030 is characterized by:

- **Protected Critical Areas. Effective stewardship of the environment has preserved and protected the critical areas in the County, including wetlands, aquifer recharge areas, and fish and wildlife conservation areas.**

These critical areas continue to provide beneficial functions and values for reducing flooding, protecting water quality, supporting biodiversity, and enriching our quality of life for future generations as the as the region's population continues to grow.

- **Viable Rural Area. The Rural Area, established in 1992, is permanently protected with a clear boundary between Rural and Urban Areas.**

The successful protection of these lands is due in large part to continued innovation within the Urban Growth Area to create new ways to use land efficiently and sustainably. In this way, there is minimal pressure to convert rural lands. The Rural Area is a viable option for those seeking a lifestyle contrast to the Urban Growth Area. The pressure to urbanize the Rural Area has also been lessened by market pressures to use the land for agriculture.

- **Bountiful Agricultural Areas and Productive Forest Lands.**

More people are farming and a greater number of residents are benefiting from King County agricultural products, which can be purchased through a network of farmers markets and farm stands throughout the county. Since 2010, the increase in productive farming in the Agricultural Production District and in the Rural Area has accelerated as more residents seek locally grown food. Thriving markets now exist throughout the county for these products. The forests of the Pacific Northwest remain as some of the most productive in the world with large scale commercial forestry prevalent in the eastern half of the county.

- **Vibrant, diverse and compact urban communities.**

Within the Urban Growth Area little undeveloped land now exists and urban infrastructure has been extended to fully serve the entire Urban Growth Area.

Development activity is focused on redevelopment to create vibrant neighborhoods where residents can walk, bicycle or use public transit for most of their needs. Improvements to the infrastructure now focus on maintaining existing capacity as opposed to extending the infrastructure into previously unserved areas. Because of the innovations developed in public and private partnerships, there is still ample capacity to accommodate the planned population and employment growth targets within the Urban Growth Area.

Much of the growth in employment and new housing occurs in the Urban Centers. These centers successfully provide a mixture of living, working, cultural, and recreational activities for all members of the community. All the centers are linked together by a high-capacity transit system, including light rail and high capacity bus transit. Transit stations and hubs are within walking distance to all parts of the center and the high capacity transit system facilitates people moving easily from one center to another. Within the collection of Urban Centers there is balance between jobs and housing. Each center has developed its own successful urban character and all are noted for their livability, vibrancy, healthy environment, design, and pedestrian focus.

Smaller concentrations of businesses are distributed throughout the Urban Growth Area to provide goods and services to surrounding residential areas. Most residents are within walking distance of commercial areas, fostering a healthy community through physical exercise and a sense of neighborhood. Local transit systems provide convenient connections to the Urban Centers and elsewhere within the Urban Growth Area.

Manufacturing/ Industrial Centers continue to thrive and function as important hubs of the regional economy. These areas too are well served by transportation systems that emphasize the efficient movement of people, goods and information to and within Manufacturing/ Industrial Centers as well as connecting to other regions.

The entire Urban Growth Area is characterized by superior urban design with an open space network that defines and separates, yet links, the various jurisdictions and central places. Countywide and regional facilities have been equitably dispersed—located where needed, sited unobtrusively—and have provided appropriate incentives and amenities to the surrounding neighborhoods.

Rural Cities have created unique urban environments within the Rural Area and provide commercial services and employment opportunities for their residents. These include retail, business, educational and social services for residents both of cities and the surrounding Rural Area while protecting and supporting the surrounding Rural Area and Resource Lands.

Federal, state and regional funds have been used to further this land use plan and to fund needed regional facilities while local resources focus on funding local and neighborhood facilities. The sharing of resources to accomplish common goals is done so that the regional plan can succeed and all can benefit.

The economy is vibrant, vital, and sustainable, and emphasizes diversity in the range of goods and information produced and the services provided. Regional cooperation has focused on economic development activities that have retained and expanded key industries such as aerospace, software, and biotechnology while using the resources of the region to attract new business clusters such as in renewable energy. Businesses continue to locate in our county because of the high quality of life; the preservation of the natural environment; the emphasis on providing a superior education; the predictability brought about by the management of growth and the effectiveness of public-private partnerships supporting these attributes.

Housing opportunities for all incomes and lifestyles exist throughout the county and with the balanced transportation system access to employment is convenient and reliable. Innovation in the development of a diverse range of housing types has been fundamental in accommodating population growth. The diversity of housing types has allowed residents to stay within their community as their housing needs change.

King County communities are extraordinarily diverse culturally and this has been embraced and celebrated by the residents of King County. The needs of residents are attended to by a social service system that emphasizes prevention but stands ready to respond to direct needs as well. There is a sense of social equity within our communities and all share equitably in the distribution of and access to parks, open space, and vibrant neighborhood centers.

The Urban Growth Area is completely located within cities, which are the primary providers of urban services. Where appropriate, sub-regional consortia have been created for certain services, and King County government is recognized as a significant provider of regional services as well as the coordinator of local services to the Rural Area and Resource Lands.

Residents and businesses have recognized that, over time, through clear and reasonable timelines and financing commitments, issues will be addressed. Residents and businesses trust in their local governments because the plans and promises made to manage growth starting in 1992 have been followed. Change is accepted and proceeds in an orderly fashion based on the locally adopted and embraced growth management plans.

Framework

The year 1991 was one of tremendous change for the management of growth in King County and this environment of change gave rise to the distinctive character of the 1992 Countywide Planning Policies. While the Countywide Planning Policies have been amended periodically to address specific issues or revisions required by the Growth Management Act, the first thorough update of the Countywide Planning Policies was completed in 2012 to ensure that the Countywide Planning Policies are consistent with VISION 2040, the Growth Management Act and changes that had occurred in the previous twenty years within King County. In addition for the 2012 update, the Growth Management Planning Council directed that the revised policies

include countywide direction on three new policy areas: climate change, healthy communities and social equity. Understanding the history of the 1992 policies is important in order to establish the context for the revised policies.

In 1991 five major conditions gave rise to the first Countywide Planning Policies and the process used in their development and adoption:

1. **In 1985, the King County Council adopted a Comprehensive Plan that for the first time established a clear boundary between Urban and Rural Areas and set forth standards to delineate a clear development character for each.**
2. **In 1991, the adoption of the Growth Management Act transformed the way that local jurisdictions looked at land use planning as well as how they interacted with neighboring jurisdictions.**

A fundamental requirement of the Growth Management Act was coordination between a shared countywide vision on how growth would be planned for and accommodated and how this would be implemented by local jurisdictions. In 1991, the Growth Management Act was amended to include the requirement that Countywide Planning Policies be adopted to describe this vision and how these relationships would be created. These provisions gave rise to the creation of the Growth Management Planning Council – an advisory group of elected officials from jurisdictions throughout the county charged with overseeing the preparation of the Countywide Planning Policies. Since the Growth Management Act was new and many jurisdictions had not created a comprehensive plan before, the Countywide Planning Policies became a guide for jurisdictions to follow in complying with the Growth Management Act in areas as diverse as critical area regulation to local growth targets.

3. **In 1991, the Puget Sound Council of Governments was dissolved and replaced with the Puget Sound Regional Council that initially had significantly reduced responsibilities for regional land use planning and coordination.**

Without an effective regional body for land use planning, it was necessary for the Puget Sound counties to identify their own process and organization for developing the Countywide Planning Policies. In the case of King County, this was the Growth Management Planning Council. Subsequently, as its responsibilities were expanded over time, the Puget Sound Regional Council developed VISION 2040, the multi-county vision and planning policies that set the structure for these revised Countywide Planning Policies.

4. **By 1991, the Suburban Cities Association had changed from a loose coalition of cities outside of Seattle to a formal organization with the ability to represent constituent jurisdictions in regional forums.**

5. **Prior to the development of the Countywide Planning Policies, King County and METRO attempted and failed to win electoral support for merger.**

This defeat left jurisdictions with concerns about the relationship between city and county governments, and further confusion about the roles of governments in the Urban Growth Area.

Because of these conditions and the environment they fostered, jurisdictions in King County decided to go further than just meeting the specific statutory requirements for such policies. The 1992 King County Countywide Planning Policies provided direction for many issues related to growth management and established a policy structure for subsequent issue resolution.

Since their adoption, many of the initial Countywide Planning Policies have been codified into local regulations or carried out in regional or statewide arenas and no longer need to be included in them. Through amendments to the King County Charter and interlocal agreements, the relationship between county and city governments has been clearly defined and annexations and incorporations have brought most of the unincorporated urban area into the cities.

Other key actions that were required by the 1992 Countywide Planning Policies along with their current status are described below:

- Complete a fiscal and environmental review of the 1992 Countywide Planning Policies – completed and adopted in 1994;
- Establish housing and employment targets for each jurisdiction – completed in 1994 and periodically updated pursuant to the Countywide Planning Policies;
- Adopt local comprehensive plans pursuant to the Growth Management Act and Countywide Planning Policies – each jurisdiction within King County has an adopted plan that is periodically updated;
- Develop land use capacity and urban density evaluation program – developed and then superseded by the King County Buildable Lands Program as required by the Growth Management Act;
- Develop a growth management monitoring program – King County Benchmarks program established in 1994 and annually updated as described in policy G-2; and
- Evaluate the need to change the Urban Growth Boundary and work to maintain a permanent Rural Area – established in 1994 and periodically reviewed as described in the Development Patterns chapter.

General Policies

Unless otherwise noted, the Countywide Planning Policies apply to the Growth Management Planning Council, King County, and all of the cities within King County.

Amendments. While much has been accomplished, the Countywide Planning Policies were never intended to be static and will require amendment over time to reflect changed conditions. While the formal policy development is done by the Growth Management Planning Council, ideas for new policies begin in a variety of areas including individual jurisdictions. Policy G-1 below describes the process for amending the Countywide Planning Policies:

G--1 Maintain the currency of the Countywide Planning Policies through periodic review and amendment. Initiate and review all amendments at the Growth Management Planning Council through the process described below:

- a) Only the Growth Management Planning Council may propose amendments to the Countywide Planning Policies except for amendments to the Urban Growth Area that may also be proposed by King County in accordance with policies DP-15 and DP-16;
- b) Growth Management Planning Council recommends amendments to the King County Council for consideration, possible revision, and approval; proposed revisions by the King County Council that are of a substantive nature may be sent to the Growth Management Planning Council for their consideration and revised recommendation based on the proposed revision;
- c) A majority vote of the King County Council both constitutes approval of the amendments and ratification on behalf of the residents of Unincorporated King County.;
- d) After approval and ratification by the King County Council, amendments are forwarded to each city and town for ratification. Amendments cannot be modified during the city ratification process; and
- e) Amendments must be ratified within 90 days of King County approval and require affirmation by the county and cities and towns representing at least 70 percent of the county population and 30 percent of those jurisdictions. Ratification is either by an affirmative vote of the city's or town's council or by no action being taken within the ratification period.

Monitoring. Periodically evaluating the effectiveness of the Countywide Planning Policies is key to continuing their value to the region and local jurisdictions. In 1994 King County and cities established the current Benchmarks program to monitor and evaluate key regional indicators.

G-2 Monitor and benchmark the progress of the Countywide Planning Policies towards achieving the Regional Growth Strategy inclusive of the environment, development patterns, housing, the economy, transportation and the provision of public services. Identify corrective actions to be taken if progress toward benchmarks is not being achieved.

Investment. Key to ensuring the success of the Countywide Planning Policies is investment in regional infrastructure and programs. Balancing the use of limited available funds between regional and local needs is extremely complex.

G-3 Work collaboratively to identify and seek regional, state, and federal funding sources to invest in infrastructure, strategies, and programs to enable the full implementation of the Countywide Planning Policies. Balance needed regional investments with local needs when making funding determinations.

Consistency. The Countywide Planning Policies provide a common framework for local planning and each jurisdiction is required to update its comprehensive plans to be consistent with the Countywide Planning Policies. The full body of the Countywide Planning Policies is to be considered for decision-making.

G-4 Adopt comprehensive plans that are consistent with the Countywide Planning Policies as required by the Growth Management Act.

ENVIRONMENT

Overarching Goal: The quality of the natural environment in King County is restored and protected for future generations.

Environmental Sustainability

Local governments have a key role in shaping sustainable communities by integrating sustainable development and business practices with ecological, social, and economic concerns. Local governments also play a pivotal role in ensuring environmental justice by addressing environmental impacts on minority and low-income populations and by pursuing fairness in the application of policies and regulations.

EN-1 Incorporate environmental protection and restoration efforts into local comprehensive plans to ensure that the quality of the natural environment and its contributions to human health and vitality are sustained now and for future generations.

EN-2 Encourage low impact development approaches for managing stormwater, protecting water quality, minimizing flooding and erosion, protecting habitat, and reducing greenhouse gas emissions.

EN-3 Encourage the transition to a sustainable energy future by reducing demand through planning for efficiency and conservation and by meeting reduced needs from sustainable sources.

EN-4 Identify and preserve regionally significant open space networks in both Urban and Rural Areas. Develop strategies and funding to protect lands that provide the following valuable functions:

- Physical or visual separation delineating growth boundaries or providing buffers between incompatible uses;
- Active and passive outdoor recreation opportunities;
- Wildlife habitat and migration corridors that preserve and enhance ecosystem resiliency in the face of urbanization and climate change;
- Preservation of ecologically sensitive, scenic or cultural resources;
- Urban green space, habitats, and ecosystems;
- Forest resources; and
- Food production potential.

EN-5 Identify and mitigate unavoidable negative impacts of public actions that disproportionately affect people of color and low-income populations.

Earth and Habitat

Healthy ecosystems and environments are vital to the sustainability of all plant and animal life, including humans. Protection of biodiversity in all its forms and across all landscapes is critical to continued prosperity and high quality of life in King County. The value of biodiversity to sustaining long-term productivity and both economic and ecological benefits is evident in fisheries, forestry, and agriculture. For ecosystems to be healthy and provide healthful benefits to people, local governments must prevent negative human impacts and work to ensure that this ecosystem remain diverse and productive over time. With the impending effects of climate change, maintaining biodiversity becomes even more critical to the preservation and resilience of resource-based activities and to many social and ecological systems. Protection of individual species, including Chinook salmon, also plays an important role in sustaining biodiversity and quality of life within the county. Since 2000, local governments, citizens, tribes, conservation districts, non-profit groups, and federal and state fisheries managers have cooperated to develop and implement watershed-based salmon conservation plans, known as Water Resource Inventory Area plans, to conserve and restore habitat for Chinook salmon today and for future generations.

EN-6 Coordinate approaches and standards for defining and protecting critical areas especially where such areas and impacts to them cross jurisdictional boundaries.

EN-7 Encourage basin-wide approaches to wetland protection, emphasizing preservation and enhancement of the highest quality wetlands and wetland systems.

EN-8 Develop an integrated and comprehensive approach to managing fish and wildlife habitat conservation, especially protecting endangered, threatened, and sensitive species.

EN-9 Implement salmon habitat protection and restoration priorities in approved Water Resource Inventory Area plans.

Flood Hazards

Flooding is a natural process that affects human communities and natural environments in King County. Managing floodplain development and conserving aquatic habitats are the main challenges for areas affected by flooding. The King County Flood Control District exists to protect public health and safety, regional economic centers, public and private property and transportation corridors. Local governments also have responsibility for flood control within their boundaries.

EN-10 Coordinate and fund flood hazard management efforts through the King County Flood Control District.

EN-11 Work cooperatively to meet regulatory standards for floodplain development as these standards are updated for consistency with relevant federal requirements including those related to the Endangered Species Act.

EN-12 Work cooperatively with the federal, state, and regional agencies and forums to develop regional levee maintenance standards that ensure public safety and protect habitat.

Water Resources

The flow and quality of water is impacted by water withdrawals, land development, stormwater management, and climate change. Since surface and ground waters do not respect political boundaries, cross-jurisdictional coordination of water is required to ensure its functions and uses are protected and sustained. The Puget Sound Partnership was created by the Washington State Legislature as the state agency with the responsibility for assuring the preservation and recovery of Puget Sound and the freshwater systems flowing into the Sound. King County plays a key role in these efforts because of its large population and its location in Central Puget Sound.

EN-13 Collaborate with the Puget Sound Partnership to implement the Puget Sound Action Agenda and to coordinate land use and transportation plans and actions for the benefit of Puget Sound and its watersheds.

EN-14 Manage natural drainage systems to improve water quality and habitat functions, minimize erosion and sedimentation, protect public health, reduce flood risks, and moderate peak storm water runoff rates. Work cooperatively among local, regional, state, national and tribal jurisdictions to establish, monitor and enforce consistent standards for managing streams and wetlands throughout drainage basins.

EN-15 Establish a multi-jurisdictional approach for funding and monitoring water quality, quantity, biological conditions, and outcome measures and for improving the efficiency and effectiveness of monitoring efforts.

Air Quality and Climate Change

Greenhouse gas emissions are resulting in a changing and increasingly variable climate. King County's snow-fed water supply is especially vulnerable to a changing climate. Additionally, the patterns of storm events and river and stream flow patterns are changing and our shorelines are susceptible to rising sea levels. Carbon dioxide reacts with seawater and reduces the water's pH, threatening the food web in Puget Sound. While local governments can individually work to reduce greenhouse gas emissions, more significant emission reductions can only be accomplished through countywide coordination of land use patterns and promotion of transportation systems that provide practical alternatives to single occupancy vehicles. Efficient energy consumption is both a mitigation and an adaptation strategy. Local governments can improve energy efficiency through the development of new infrastructure as well as the maintenance and updating of existing infrastructure.

EN-16 Plan for land use patterns and transportation systems that minimize air pollution and greenhouse gas emissions, including:

- Maintaining or exceeding existing standards for carbon monoxide, ozone, and particulates;
- Directing growth to Urban Centers and other mixed use/ high density locations that support mass transit, encourage non-motorized modes of travel and reduce trip lengths;
- Facilitating modes of travel other than single occupancy vehicles including transit, walking, bicycling, and carpooling;
- Incorporating energy-saving strategies in infrastructure planning and design;
- Encouraging new development to use low emission construction practices, low or zero net lifetime energy requirements and "green" building techniques; and
- Increasing the use of low emission vehicles, such as efficient electric-powered vehicles.

EN-17 Establish a countywide greenhouse gas reduction target that meets or exceeds the statewide reduction requirement that is stated as the 2050 goal of a 50 percent reduction below 1990 levels.

EN-18 Establish a greenhouse gas emissions inventory and measurement framework for use by all King County jurisdictions to efficiently and effectively measure progress toward countywide targets established pursuant to policy EN-17.

EN-19 Promote energy efficiency, conservation methods and sustainable energy sources to support climate change reduction goals.

EN-20 Plan and implement land use, transportation, and building practices that will greatly reduce consumption of fossil fuels.

EN-21 Formulate and implement climate change adaptation strategies that address the impacts of climate change to public health and safety, the economy, public and private infrastructure, water resources, and habitat.

DEVELOPMENT PATTERNS

The policies in this chapter address the location, types, design and intensity of land uses that are desired in King County and its cities. They guide implementation of the vision for physical development within the county. The policies also provide a framework for how to focus improvements to transportation, public services, the environment, and affordable housing, as well as how to incorporate concerns about climate change and public health into planning for new growth. Development patterns policies are at the core of growth management efforts in King County; they further the goals of VISION 2040, and recognize the variety of local communities that will be taking action to achieve those goals.

Overarching Goal: *Growth in King County occurs in a compact, centers-focused pattern that uses land and infrastructure efficiently and that protects Rural and Resource Lands.*

The Countywide Planning Policies designate land as Urban, Rural, or Resource. The Land Use Map in Appendix 1 shows the Urban Growth Area boundary and Urban, Rural, and Resource Lands within King County. Further sections of this chapter provide more detailed descriptions and guidance for planning within each of the three designations.

DP-1 All lands within King County are designated as:

- Urban land within the Urban Growth Area, where new growth is focused and accommodated;
- Rural land, where farming, forestry, and other resource uses are protected, and very low-density residential uses, and small-scale non-residential uses are allowed; or
- Resource land, where permanent regionally significant agricultural, forestry, and mining lands are preserved.

Urban Growth Area

The Urban Growth Area encompasses all of the urban designated lands within King County. These lands include all cities as well as a portion of unincorporated King County. Consistent with the Growth Management Act and VISION 2040, urban lands are intended to be the focus of future growth that is compact, includes a mix of uses, and is well-served by public infrastructure. Urban lands also include a network of open space where ongoing maintenance is a local as well as a regional concern.

The pattern of growth within the Urban Growth Area implements the Regional Growth Strategy through allocation of targets to local jurisdictions. The targets create an obligation to plan and provide zoning for future potential growth, but do not obligate a jurisdiction to guarantee that a given number of housing units will be built or jobs added during the planning period.

Several additional elements in the Development Patterns chapter reinforce the vision and targeted growth pattern for the Urban Growth Area. Procedures and criteria for amending the Urban Growth Area boundary address a range of objectives and ensure that changes balance the needs for land to accommodate growth with the overarching goal of preventing sprawl within the county. A review and evaluation program provides feedback for the county and cities on the effectiveness of their efforts to accommodate and achieve the desired land use pattern. Joint planning facilitates the transition of governance of the Urban Growth Area from the county to cities, consistent with the Growth Management Act.

Urban form and development within the Urban Growth Area are important settings to provide people with choices to engage in more physical activity, eat healthy food, and minimize exposure to harmful environments and substances. In particular, the quality and safety of walking and biking routes children use to reach school is known to affect their health.

Goal Statement: *The Urban Growth Area accommodates growth consistent with the Regional Growth Strategy and growth targets through land use patterns and practices that create vibrant, healthy, and sustainable communities.*

Urban Lands

DP-2 Promote a pattern of compact development within the Urban Growth Area that includes housing at a range of urban densities, commercial and industrial development, and other urban facilities, including medical, governmental, institutional, and educational uses and parks and open space. The Urban Growth Area will include a mix of uses that are convenient to and support public transportation in order to reduce reliance on single occupancy vehicle travel for most daily activities.

DP-3 Efficiently develop and use residential, commercial, and manufacturing land in the Urban Growth Area to create healthy and vibrant urban communities with a full range of urban services, and to protect the long-term viability of the Rural Area and Resource Lands. Promote the efficient use of land within the Urban Growth Area by using methods such as:

- Directing concentrations of housing and employment growth to designated centers;
- Encouraging compact development with a mix of compatible residential, commercial, and community activities;
- Maximizing the use of the existing capacity for housing and employment; and
- Coordinating plans for land use, transportation, capital facilities and services.

DP-4 Concentrate housing and employment growth within the designated Urban Growth Area. Focus housing growth within countywide designated Urban Centers and locally designated local centers. Focus employment growth within countywide designated Urban and Manufacturing/Industrial Centers and within locally designated local centers.

DP-5 Decrease greenhouse gas emissions through land use strategies that promote a mix of housing, employment, and services at densities sufficient to promote walking, bicycling, transit, and other alternatives to auto travel.

DP-6 Plan for development patterns that promote public health by providing all residents with opportunities for safe and convenient daily physical activity, social connectivity, and protection from exposure to harmful substances and environments.

DP-7 Plan for development patterns that promote safe and healthy routes to and from public schools.

DP-8 Increase access to healthy food in communities throughout the Urban Growth Area by encouraging the location of healthy food purveyors, such as grocery stores and farmers markets, and community food gardens in proximity to residential uses and transit facilities.

DP-9 Designate Urban Separators as permanent low-density incorporated and unincorporated areas within the Urban Growth Area. Urban Separators are intended to protect Resource Lands, the Rural Area, and environmentally sensitive areas, and create open space and wildlife corridors within and between communities while also providing public health, environmental, visual, and recreational benefits. Changes to Urban Separators are made pursuant to the Countywide Planning Policies amendment process described in policy G-1. Designated Urban Separators within cities and unincorporated areas are shown in the Urban Separators Map in Appendix 3.

DP 10 Discourage incompatible land uses from locating adjacent to general aviation airports throughout the county.

Growth Targets

DP-11 GMPC shall allocate residential and employment growth to each city and unincorporated urban area in the county. This allocation is predicated on:

- Accommodating the most recent 20-year population projection from the state Office of Financial Management and the most recent 20-year regional employment forecast from the Puget Sound Regional Council;
- Planning for a pattern of growth that is consistent with the Regional Growth Strategy including focused growth within cities with countywide designated centers and within other larger cities, limited development in the Rural Area, and protection of designated Resource Lands;
- Efficiently using existing zoned and future planned development capacity as well as the capacity of existing and planned infrastructure, including sewer and water systems;

- Promoting a land use pattern that can be served by a connected network of public transportation services and facilities and pedestrian and bicycle infrastructure and amenities;
- Improving the jobs/housing balance within the region and the county;
- Promoting sufficient opportunities for housing and employment development throughout the Urban Growth Area;
- Allocating growth to individual Potential Annexation Areas within the urban unincorporated area proportionate to its share of unincorporated capacity for housing and employment growth.

DP-12 GMPC shall:

- Update housing and employment targets periodically to provide jurisdictions with up-to-date growth allocations to be incorporated in state-mandated comprehensive plan updates;
- Adopt housing and employment growth targets in the Countywide Planning Policies pursuant to the procedure described in policy G-1; and
- Adjust targets administratively upon annexation of unincorporated Potential Annexation Areas by cities. Growth targets for the 2006-2031 planning period are shown in table DP-1.

DP-13 All jurisdictions shall plan to accommodate housing and employment targets. This includes:

- Adopting comprehensive plans and zoning regulations that provide capacity for residential, commercial, and industrial uses that is sufficient to meet 20-year growth needs and is consistent with the desired growth pattern described in VISION 2040;
- Coordinating water, sewer, transportation and other infrastructure plans and investments among agencies, including special purpose districts; and
- Transferring and accommodating unincorporated area housing and employment targets as annexations occur.

2012 King County Countywide Planning Policies
 November 2012
 Amended December 3, 2012

Table DP-1: King County Jurisdiction Growth Targets 2006-2031				
	Net New Units 2006-2031	Net New Jobs 2006-2031		
		Housing Potential Annexation Area Target	Employment Potential Annexation Area Emp Target	
Metropolitan Cities				
Bellevue	17,000	290	53,000	
Seattle	86,000		146,700	
Metropolitan Cities Subtotal	103,000		199,700	
Core Cities				
Auburn	9,620		19,350	
Rothell	3,000	810	4,800	200
Burien	4,440		4,960	
Federal Way	8,100	2,390	12,300	290
Kent	9,270	90	13,280	210
Kirkland	8,570		20,850	
Redmond	10,200	640	23,000	
Renton	14,835	3,895	29,000	470
SeaTac	5,800		25,300	
Tukwila	4,800	50	15,500	2,050
Core Cities Subtotal	78,638		168,340	
Larger Cities				
Des Moines	3,000		5,000	
Issaquah	5,750	290	20,000	
Kenmore	3,500		3,000	
Maple Valley	1,800	1,060	2,000	
Mercer Island	2,000		1,000	
Sammamish	4,000	350	1,800	
Shoreline	5,000		5,000	
Woodinville	3,000		5,000	
Larger Cities Subtotal	28,050		42,800	
Small Cities				
Algona	190		210	
Beaux Arts	3		3	
Black Diamond	1,900		1,050	
Carnation	330		370	
Clyde Hill	10		0	
Covington	1,470		1,320	
Duvall	1,140		840	
Enumclaw	1,425		735	
Hunts Point	1		0	
Lake Forest Park	475		210	
Medina	19		0	
Milton	50	90	160	
Newcastle	1,200		735	
Normandy Park	120		65	
North Bend	665		1,050	
Pacific	285	135	370	
Skykomish	10		0	
Snoqualmie	1,615		1,050	
Yarrow Point	14		0	
Small Cities Subtotal	10,922		8,168	
Urban Unincorp				
Potential Annexation Areas	10,090		3,220	
North Highline	820		2,170	
Bear Creek UPD	910		3,580	
Unclaimed Urban Uninc.	650		90	
Urban Incorporated Subtotal	12,470		9,060	
Urban Growth Area Total	233,077		428,068	

Chapter: DEVELOPMENT PATTERNS

Amendments to the Urban Growth Area

The following policies guide the decision-making process by both the GMPC and King County regarding proposals to expand the Urban Growth Area.

DP-14 Review the Urban Growth Area at least every ten years. In this review consider monitoring reports and other available data. As a result of this review, and based on the criteria established in policies DP-15 and DP-16, King County may propose and then the Growth Management Planning Council may recommend amendments to the Countywide Planning Policies and King County Comprehensive Plan that make changes to the Urban Growth Area boundary.

DP-15 Allow amendment of the Urban Growth Area only when the following steps have been satisfied:

- a) The proposed expansion is under review by the County as part of an amendment process of the King County Comprehensive Plan;
- b) King County submits the proposal to the Growth Management Planning Council for the purposes of review and recommendation to the King County Council on the proposed amendment to the Urban Growth Area;
- c) The King County Council approves or denies the proposed amendment; and
- d) If approved by the King County Council, the proposed amendment is ratified by the cities following the procedures set forth in policy G-1.

DP-16 Allow expansion of the Urban Growth Area only if at least one of the following criteria is met:

- a) A countywide analysis determines that the current Urban Growth Area is insufficient in size and additional land is needed to accommodate the housing and employment growth targets, including institutional and other non-residential uses, and there are no other reasonable measures, such as increasing density or rezoning existing urban land, that would avoid the need to expand the Urban Growth Area; or
- b) A proposed expansion of the Urban Growth Area is accompanied by dedication of permanent open space to the King County Open Space System, where the acreage of the proposed open space
 - 1) is at least four times the acreage of the land added to the Urban Growth Area;
 - 2) is contiguous with the Urban Growth Area with at least a portion of the dedicated open space surrounding the proposed Urban Growth Area expansion; and
 - 3) Preserves high quality habitat, critical areas, or unique features that contribute to the band of permanent open space along the edge of the Urban Growth Area; or
- c) The area is currently a King County park being transferred to a city to be maintained as a park in perpetuity or is park land that has been owned by a city since 1994 and is less than thirty acres in size.

DP-17 If expansion of the Urban Growth Area is warranted based on the criteria in DP-16(a) or DP-16(b), add land to the Urban Growth Area only if it meets all of the following criteria:

- a) Is adjacent to the existing Urban Growth Area and is no larger than necessary to promote compact development that accommodates anticipated growth needs;
- b) Can be efficiently provided with urban services and does not require supportive facilities located in the Rural Area;
- c) Follows topographical features that form natural boundaries, such as rivers and ridge lines and does not extend beyond natural boundaries, such as watersheds, that impede the provision of urban services;
- d) Is not currently designated as Resource Land;
- e) Is sufficiently free of environmental constraints to be able to support urban development without significant adverse environmental impacts, unless the area is designated as an Urban Separator by interlocal agreement between King County and the annexing city; and
- f) Is subject to an agreement between King County and the city or town adjacent to the area that the area will be added to the city's Potential Annexation Area. Upon ratification of the amendment, the Countywide Planning Policies will reflect both the Urban Growth Area change and Potential Annexation Area change.

DP-18 Allow redesignation of Urban land currently within the Urban Growth Area to Rural land outside of the Urban Growth Area if the land is not needed to accommodate projected urban growth, is not served by public sewers, is contiguous with the Rural Area, and:

- a) Is not characterized by urban development;
- b) Is currently developed with a low density lot pattern that cannot be realistically redeveloped at an urban density; or
- c) Is characterized by environmentally sensitive areas making it inappropriate for higher density development.

Review and Evaluation Program

The following policies guide the decision-buildable lands program conducted by the GMPC and King County.

DP-19 Conduct a buildable lands program that meets or exceeds the review and evaluation requirements of the Growth Management Act. The purposes of the buildable lands program are:

- To collect and analyze data on development activity, land supply, and capacity for residential, commercial, and industrial land uses;
- To evaluate the consistency of actual development densities with current comprehensive plans; and
- To evaluate the sufficiency of land capacity to accommodate growth for the remainder of the planning period.

DP-20 If necessary based on the findings of a periodic buildable lands evaluation report, adopt reasonable measures, other than expansion of the Urban Growth Area, to increase land capacity for housing and employment growth within the Urban Growth Area by making more efficient use of urban land consistent with current plans and targets.

Joint Planning and Annexation

DP-21 Coordinate the preparation of comprehensive plans among adjacent and other affected jurisdictions as a means to avoid or mitigate the potential cross-border impacts of urban development.

DP-22 Designate Potential Annexation Areas in city comprehensive plans and adopt them in the Countywide Planning Policies. Ensure that Potential Annexation Areas do not overlap or leave unincorporated urban islands between cities.

DP-23 Facilitate the annexation of unincorporated areas within the Urban Growth Area that are already urbanized and are within a city's Potential Annexation Area in order to provide urban services to those areas. Annexation is preferred over incorporation.

DP-24 Allow cities to annex territory only within their designated Potential Annexation Area as shown in the Potential Annexation Areas Map in Appendix 2. Phase annexations to coincide with the ability of cities to coordinate the provision of a full range of urban services to areas to be annexed.

DP-25 Within the North Highline unincorporated area, where Potential Annexation Areas overlapped prior to January 1, 2009, strive to establish alternative non-overlapping Potential Annexation Area boundaries through a process of negotiation. Absent a negotiated resolution, a city may file a Notice of Intent to Annex with the Boundary Review Board for King County for territory within its designated portion of a Potential Annexation Area overlap as shown in the Potential Annexation Areas Map in Appendix 2 and detailed in the city's comprehensive plan after the following steps have been taken:

- a) The city proposing annexation has, at least 30 days prior to filing a Notice of Intent to annex with the Boundary Review Board, contacted in writing the cities with the PAA overlap and the county to provide notification of the city's intent to annex and to request a meeting or formal mediation to discuss boundary alternatives, and;
- b) The cities with the Potential Annexation Area overlap and the county have either:
 - i) Agreed to meet but failed to develop a negotiated settlement to the overlap within 60 days of receipt of the notice, or
 - ii) Declined to meet or failed to respond in writing within 30 days of receipt of the notice.

DP-26 Develop agreements between King County and cities with Potential Annexation Areas to apply city-compatible development standards that will guide land development prior to annexation.

DP-27 Evaluate proposals to annex or incorporate unincorporated land based on the following criteria:

- a) Conformance with Countywide Planning Policies including the Urban Growth Area boundary;
- b) The ability of the annexing or incorporating jurisdiction to provide urban services at standards equal to or better than the current service providers; and
- c) Annexation or incorporation in a manner that will avoid creating unincorporated islands of development.

DP-28 Resolve the issue of unincorporated road islands within or between cities. Roadways and shared streets within or between cities, but still under King County jurisdiction, should be annexed by adjacent cities.

Centers

A centers strategy is the linchpin for King County to achieve the Regional Growth Strategy as well as a range of other objectives, particularly providing a land use framework for an efficient and effective regional transit system. Countywide designation of Urban Centers and local designation of local centers provide for locations of mixed-use zoning, infrastructure, and concentrations of services and amenities to accommodate both housing and employment growth. Manufacturing/Industrial Centers preserve lands for family-wage jobs in basic industries and trade and provide areas where that employment may grow in the future.

Goal Statement: *King County grows in a manner that reinforces and expands upon a system of existing and planned central places within which concentrated residential communities and economic activities can flourish.*

Urban Centers

DP-29 Concentrate housing and employment growth within designated Urban Centers.

DP-30 Designate Urban Centers in the Countywide Planning Policies where city-nominated locations meet the criteria in policies DP-31 and DP-32 and where the city's commitments will help ensure the success of the center. Urban Centers will be limited in number and located on existing or planned high capacity transit corridors to provide a framework for targeted private and public investments that support regional land use and transportation goals. The Land Use Map in Appendix 1 shows the locations of the designated Urban Centers.

DP-31 Allow designation of new Urban Centers where the proposed Center:

- a) Encompasses an area up to one and a half square miles; and
- b) Has adopted zoning regulations and infrastructure plans that are adequate to accommodate:
 - i) A minimum of 15,000 jobs within one-half mile of an existing or planned high-capacity transit station;
 - ii) At a minimum, an average of 50 employees per gross acre within the Urban Center; and
 - iii) At a minimum, an average of 15 housing units per gross acre within the Urban Center.

DP-32 Adopt a map and housing and employment growth targets in city comprehensive plans for each Urban Center, and adopt policies to promote and maintain quality of life in the Center through:

- A broad mix of land uses that foster both daytime and nighttime activities and opportunities for social interaction;
- A range of affordable and healthy housing choices;
- Historic preservation and adaptive reuse of historic places;
- Parks and public open spaces that are accessible and beneficial to all residents in the Urban Center;
- Strategies to increase tree canopy within the Urban Center and incorporate low-impact development measures to minimize stormwater runoff;
- Facilities to meet human service needs;
- Superior urban design which reflects the local community vision for compact urban development;
- Pedestrian and bicycle mobility, transit use, and linkages between these modes;
- Planning for complete streets to provide safe and inviting access to multiple travel modes, especially bicycle and pedestrian travel; and
- Parking management and other strategies that minimize trips made by single-occupant vehicle, especially during peak commute periods.

DP-33 Form the land use foundation for a regional high-capacity transit system through the designation of a system of Urban Centers. Urban Centers should receive high priority for the location of transit service.

Manufacturing/ Industrial Centers

DP-34 Concentrate manufacturing and industrial employment within countywide designated Manufacturing/ Industrial Centers. The Land Use Map in Appendix 1 shows the locations of the designated Manufacturing/Industrial Centers.

DP-35 Adopt in city comprehensive plans a map and employment growth targets for each Manufacturing/ Industrial Center and adopt policies and regulations for the Center to:

- Provide zoning and infrastructure adequate to accommodate a minimum of 10,000 jobs;
- Preserve and enhance sites that are appropriate for manufacturing or other industrial uses;
- Strictly limit residential uses and discourage land uses that are not compatible with manufacturing and industrial uses, such as by imposing low maximum size limits on offices and retail uses that are not accessory to an industrial use;
- Facilitate the mobility of employees by transit and the movement of goods by truck, rail, air or waterway, as appropriate;
- Provide for capital facility improvement projects which support the movement of goods and manufacturing/industrial operations;
- Ensure that utilities are available to serve the center;
- Avoid conflicts with adjacent land uses to ensure the continued viability of the land in the Manufacturing/ Industrial Center for manufacturing and industrial activities; and
- Attract and retain the types of businesses that will ensure economic growth and stability.

DP-36 Minimize or mitigate potential health impacts of the activities in Manufacturing/ Industrial Centers on residential communities, schools, open space, and other public facilities.

DP-37 Designate additional Manufacturing/ Industrial Centers in the Countywide Planning Policies pursuant to the procedures described in policy G-1 based on nominations from cities and after determining that:

- a) the nominated locations meet the criteria set forth in policy DP-35 and the criteria established by the Puget Sound Regional Council for Regional Manufacturing/ Industrial Centers;
- b) the proposed center's location will promote a countywide system of Manufacturing/ Industrial Centers with the total number of centers representing a realistic growth strategy for the county; and
- c) the city's commitments will help ensure the success of the center.

Local Centers

DP-38 Identify in comprehensive plans local centers, such as city or neighborhood centers, transit station areas, or other activity nodes, where housing, employment, and services are accommodated in a compact form and at sufficient densities to support transit service and to make efficient use of urban land.

Urban Design and Historic Preservation

The countywide vision includes elements of urban design and form intended to integrate urban development into existing built and natural environments in ways that enhance both the urban and natural settings. These elements include high quality design, context sensitive infill and redevelopment, historic preservation, and the interdependence of urban and rural and agricultural lands and uses.

Goal statement: *The built environment in both urban and rural settings achieves a high degree of high quality design that recognizes and enhances, where appropriate, existing natural and urban settings.*

DP-39 Develop neighborhood planning and design processes that encourage infill development, redevelopment, and reuse of existing buildings and that, where appropriate based on local plans, enhance the existing community character and mix of uses.

DP-40 Promote a high quality of design and site planning in publicly-funded and private development throughout the Urban Growth Area.

DP-41 Preserve significant historic, archeological, cultural, architectural, artistic, and environmental features, especially where growth could place these resources at risk. Where appropriate, designate individual features or areas for protection or restoration. Encourage land use patterns and adopt regulations that protect historic resources and sustain historic community character.

DP-42 Design new development to create and protect systems of green infrastructure, such as urban forests, parks, green roofs, and natural drainage systems, in order to reduce climate-altering pollution and increase resilience of communities to climate change impacts.

DP-43 Design communities, neighborhoods, and individual developments using techniques that reduce heat absorption, particularly in Urban Centers.

DP-44 Adopt design standards or guidelines that foster infill development that is compatible with the existing or desired urban character.

Rural Area and Resource Lands

The Rural Area and Resource Lands encompass all areas outside of the Urban Growth Area and include Vashon Island in Puget Sound and the area just east of the Urban Growth Area all the way to the crest of the Cascade Mountains. The Rural Area is characterized by low density development with a focus on activities that are dependent on the land such as small scale farming and forestry. The Rural Area also provides important environmental and habitat

functions and is critical for salmon recovery. The location of the Rural Area, between the Urban Growth Area and designated Resource Lands, helps to protect commercial agriculture and timber from incompatible uses. The Rural Area, outside of the Rural Cities, is to remain in unincorporated King County and is to be provided with a rural level of service.

Rural Area

Goal Statement: *The Rural Area provides a variety of landscapes, maintains diverse low density communities, and supports rural economic activities based on sustainable stewardship of the land.*

DP-45 Limit growth in the Rural Area to prevent sprawl and the overburdening of rural services, reduce the need for new rural infrastructure, maintain rural character, and protect the natural environment.

DP-46 Limit residential development in the Rural Area to housing at low densities that are compatible with rural character and comply with the following density guidelines:

- a) One home per 20 acres where a pattern of large lots exists and to buffer Forest Protection Districts and Agricultural Districts;
- b) One home per 10 acres where the predominant lot size is less than 20 acres; or
- c) One home per five acres where the predominant lot size is less than 10 acres.
- d) Allow limited clustering within development sites to avoid development on environmentally critical lands or on productive forest or agricultural lands, but not to exceed the density guidelines cited in (a) through (c).

DP-47 Limit the extension of urban infrastructure improvements through the Rural Area to only cases where it is necessary to serve the Urban Growth Area and where there are no other feasible alignments. Such limited extensions may be considered only if land use controls are in place to restrict uses appropriate for the Rural Area and only if access management controls are in place to prohibit tie-ins to the extended facilities.

DP-48 Establish rural development standards to protect the natural environment by using seasonal and maximum clearing limits for vegetation, limits on the amount of impervious surface, surface water management standards that preserve natural drainage systems, water quality and groundwater recharge, and best management practices for resource-based activities.

DP-49 Prevent or, if necessary, mitigate negative impacts of urban development to the adjacent Rural Area.

DP-50 Except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report), limit new nonresidential uses located in the Rural Area to those that are demonstrated to serve the

Rural Area, unless the use is dependent upon a rural location. Such uses shall be of a size, scale, and nature that is consistent with rural character.

DP-51 Allow cities that own property in the Rural Area to enter into interlocal agreements with King County to allow the cities to provide services to the properties they own as long as the cities agree to not annex the property or serve it with sewers or any infrastructure at an urban level of service. The use of the property must be consistent with the rural land use policies in the Countywide Planning Policies and the King County Comprehensive Plan.

Resource Lands

The Resource Lands are designated areas with long term commercial significance for agriculture, forestry, and mining, and are depicted in the Land Use Map in Appendix 1 as Forest Product Districts, Agricultural Production Districts, and Mineral Resource Lands. The use and designation of these lands are to be permanent, in accordance with the Growth Management Act. King County has maintained this base of agriculture and forest lands despite the rapid growth of the previous decades. The Resource Lands are to remain in unincorporated King County but their benefit and significance is felt throughout the county into the cities. Within cities, farmers markets are becoming important and sought after neighborhood amenities.

The forests of the Pacific Northwest are some of the most productive in the world and King County has retained two-thirds of the county in forest cover. Large scale forestry is a traditional land use in the eastern half of King County and remains a significant contributor to the rural economy. In addition, forests provide exceptional recreational opportunities, including downhill and cross-country skiing, mountain biking, hiking, and backpacking.

Goal Statement: *Resource Lands are valuable assets of King County and are renowned for their productivity and sustainable management.*

DP-52 Promote and support forestry, agriculture, mining and other resource-based industries outside of the Urban Growth Area as part of a diverse and sustainable regional economy.

DP-53 Conserve commercial agricultural and forestry resource lands primarily for their long-term productive resource value and for the open space, scenic views, wildlife habitat, and critical area protection they provide. Limit the subdivision of land so that parcels remain large enough for commercial resource production.

DP-54 Encourage best practices in agriculture and forestry operations for long-term protection of the natural resources.

DP-55 Prohibit annexation of lands within designated Agricultural Production Districts or within Forest Production Districts by cities.

DP-56 Retain the Lower Green River Agricultural Production District as a regionally designated resource that is to remain in unincorporated King County.

DP-57 Discourage incompatible land uses adjacent to designated Resource Lands to prevent interference with their continued use for the production of agricultural, mining, or forest products.

DP-58 Support local production and processing of food to reduce the need for long distance transport and to increase the reliability and security of local food. Promote activities and infrastructure, such as farmers markets, farm worker housing and agricultural processing facilities, that benefit both cities and farms by improving access to locally grown agricultural products.

DP-59 Support institutional procurement policies that encourage purchases of locally grown food products.

DP-60 Ensure that extractive industries maintain environmental quality and minimize negative impacts on adjacent lands.

DP-61 Use a range of tools, including land use designations, development regulations, level-of-service standards, and transfer or purchase of development rights to preserve Rural and Resource Lands and focus urban development within the Urban Growth Area.

DP-62 Use transfer of development rights to shift potential development from the Rural Area and Resource Lands into the Urban Growth Area, especially cities. Implement transfer of development rights within King County through a partnership between the county and cities that is designed to:

- Identify rural and resource sending sites that satisfy countywide conservation goals and are consistent with regionally coordinated transfer of development rights efforts;
- Preserve rural and resource lands of compelling interest countywide and to participating cities;
- Identify appropriate transfer of development rights receiving areas within cities;
- Identify incentives for city participation in regional transfer of development rights (i.e. county-to-city transfer of development rights);
- Develop interlocal agreements that allow rural and resource land development rights to be used in city receiving areas;
- Identify and secure opportunities to fund or finance infrastructure within city transfer of development rights receiving areas; and.
- Be compatible with existing within-city transfer of development rights programs.

HOUSING

The Countywide Planning Policies provide a framework for all jurisdictions to plan for and promote a range of affordable, accessible, and healthy housing choices for current and future residents. Within King County, there is an unmet need for housing that is affordable for households earning less than 80 percent of area median income (AMI). Households within this category include low-wage workers in services and other industries; persons on fixed incomes including many disabled and elderly residents; and homeless individuals and families. A high proportion of these households spend a greater percentage of their income on housing than is typically considered appropriate. This is especially true for low and very low income households earning 50 percent or less (low) and 30 percent or less (very-low) of area median income. The county and all cities share in the responsibility to increase the supply of housing that is affordable to these households.

While neither the county nor the cities can guarantee that a given number of units at a given price level will exist, be preserved, or be produced during the planning period, establishing the countywide need clarifies the scope of the effort for each jurisdiction. The type of policies and strategies that are appropriate for a jurisdiction to consider will vary and will be based on its analysis of housing. Some jurisdictions where the overall supply of affordable housing is significantly less than their proportional share of the countywide need may need to undertake a range of strategies addressing needs at multiple income levels, including strategies to create new affordable housing. Other jurisdictions that currently have housing stock that is already generally affordable may focus their efforts on preserving existing affordable housing through efforts such as maintenance and repair, and ensuring long-term affordability. It may also be appropriate to focus efforts on the needs of specific demographic segments of the population.

The policies below recognize the significant countywide need for affordable housing to focus on the strategies that can be taken both individually and in collaboration to meet the countywide need. These policies envision cities and the county following a four step process

1. Conduct an inventory and analysis of housing needs and conditions;
2. Implement policies and strategies to address unmet needs;
3. Measure results; and
4. Respond to measurement with reassessment and adjustment of strategies.

The provision of housing affordable to very-low income households, those earning less than 30% of AMI, is the most challenging problem and one faced by all communities in the county. Housing for these very-low income households cannot be met solely through the private market. Meeting this need will require interjurisdictional cooperation and support from public agencies, including the cities and the county.

Overarching Goal: *The housing needs of all economic and demographic groups are met within all jurisdictions.*

H-1 Address the countywide need for housing affordable to households with moderate, low and very-low incomes, including those with special needs. The countywide need for housing by percentage of Area Median Income (AMI) is:

50-80% of AMI (moderate)	16% of total housing supply
30-50% of AMI (low)	12% of total housing supply
30% and below AMI (very-low)	12% of total housing supply

H-2 Address the need for housing affordable to households at less than 30% AMI (very low income), recognizing that this is where the greatest need exists, and addressing this need will require funding, policies and collaborative actions by all jurisdictions working individually and collectively.

Housing Inventory and Needs Analysis

The Growth Management Act requires an inventory and analysis of existing and projected housing needs as part of each jurisdiction's comprehensive plan housing element. Assessing local housing needs provides jurisdictions with information about the local housing supply, the cost of housing, and the demographic and income levels of the community's households. This information on current and future housing conditions provides the basis for the development of effective housing policies and programs. While some cities may find that they meet the current need for housing for some populations groups, the inventory and needs analysis will help identify those income levels and demographic segments of the population where there is the greatest need. Further guidance on conducting a housing inventory and analysis is provided in Appendix 4.

H-3 Conduct an inventory and analysis of existing and projected housing needs of all economic and demographic segments of the population in each jurisdiction. The analysis and inventory shall include:

- a. Characteristics of the existing housing stock, including supply, affordability and diversity of housing types;
- b. Characteristics of populations, including projected growth and demographic change;
- c. The housing needs of very-low, low, and moderate-income households; and
- d. The housing needs of special needs populations.

Strategies to Meet Housing Needs

VISION 2040 encourages local jurisdictions to adopt best housing practices and innovative techniques to advance the provision of affordable, healthy, sustainable, and safe housing for all residents. Meeting the county's affordable housing needs will require actions by a wide range of private for profit, non-profit and government entities, including substantial resources from federal, state, and local levels. No single tool will be sufficient to meet the full range of needs in a given jurisdiction. The county and cities are encouraged to employ a range of housing tools to

ensure the countywide need is addressed and to respond to local conditions. Further detail on the range of strategies for promoting housing supply and affordability is contained in Appendix 4.

Jobs-housing balance, addressed in H-9, is a concept that advocates an appropriate match between the number of existing jobs and available housing supply within a geographic area. Improving balance means adding more housing to job-rich areas and more jobs to housing-rich areas.

H-4 Provide zoning capacity within each jurisdiction in the Urban Growth Area for a range of housing types and densities, sufficient to accommodate each jurisdiction's overall housing targets and, where applicable, housing growth targets in designated Urban Centers.

H-5 Adopt policies, strategies, actions and regulations at the local and countywide levels that promote housing supply, affordability, and diversity, including those that address a significant share of the countywide need for housing affordable to very-low, low, and moderate income households. These strategies should address the following:

- a. Overall supply and diversity of housing, including both rental and ownership;
- b. Housing suitable for a range of household types and sizes;
- c. Affordability to very-low, low, and moderate income households;
- d. Housing suitable and affordable for households with special needs;
- e. Universal design and sustainable development of housing; and
- f. Housing supply, including affordable housing and special needs housing, within Urban Centers and in other areas planned for concentrations of mixed land uses.

H-6 Preserve existing affordable housing units, where appropriate, including acquisition and rehabilitation of housing for long-term affordability.

H-7 Identify barriers to housing affordability and implement strategies to overcome them.

H-8 Tailor housing policies and strategies to local needs, conditions and opportunities, recognizing the unique strengths and challenges of different cities and sub-regions.

H-9 Plan for housing that is accessible to major employment centers and affordable to the workforce in them so people of all incomes can live near or within reasonable commuting distance of their places of work. Encourage housing production at a level that improves the balance of housing to employment throughout the county.

H-10 Promote housing affordability in coordination with transit, bicycle, and pedestrian plans and investments and in proximity to transit hubs and corridors, such as through transit oriented development and planning for mixed uses in transit station areas.

H-11 Encourage the maintenance of existing housing stock in order to ensure that the condition and quality of the housing is safe and livable.

H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.

H-13 Promote fair housing and plan for communities that include residents with a range of abilities, ages, races, incomes, and other diverse characteristics of the population of the county.

Regional Cooperation

Housing affordability is important to regional economic vitality and sustainability. Housing markets do not respect jurisdictional boundaries. For these reasons, multijurisdictional efforts for planning and adopting strategies to meet regional housing needs are an additional tool for identifying and meeting the housing needs of households with moderate, low, and very-low incomes. Collaborative efforts, supported by the work of Puget Sound Regional Council and other agencies, contribute to producing and preserving affordable housing and coordinating equitable, sustainable development in the county and region. Where individual cities lack sufficient resources, collective efforts to fund or provide technical assistance for affordable housing development and preservation, and for the creation of strategies and programs, can help to meet the housing needs identified in comprehensive plans. Cities with similar housing characteristics tend to be clustered geographically. Therefore, there are opportunities for efficiencies and greater impact through interjurisdictional cooperation. Such efforts are encouraged and can be a way to meet a jurisdiction's share of the countywide affordable housing need.

H-14 Work cooperatively among jurisdictions to provide mutual support in meeting countywide housing growth targets and affordable housing needs.

H-15 Collaborate in developing sub-regional and countywide housing resources and programs, including funding, to provide affordable housing for very-low, low-, and moderate-income households.

H-16 Work cooperatively with the Puget Sound Regional Council and other agencies to identify ways to expand technical assistance to local jurisdictions in developing, implementing and monitoring the success of strategies that promote affordable housing that meets changing demographic needs. Collaborate in developing and implementing a housing strategy for the four-county central Puget Sound region.

Measuring Results

Maintaining timely and relevant data on housing markets and residential development allows the county and cities to evaluate the effectiveness of their housing strategies and to make appropriate changes to those strategies when and where needed. In assessing efforts to meet their share of the countywide need for affordable housing, jurisdictions need to consider public actions taken to encourage development and preservation of housing affordable to households with very low-, low- and moderate-incomes, such as local funding, development code changes,

and creation of new programs, as well as market and other factors that are beyond local government control. Further detail on monitoring procedures is contained in Appendix 4.

H-17 Monitor housing supply, affordability, and diversity, including progress toward meeting a significant share of the countywide need for affordable housing for very-low, low, and moderate income households. Monitoring should encompass:

- a. Number and type of new housing units;
- b. Number of units lost to demolition, redevelopment, or conversion to non-residential use;
- c. Number of new units that are affordable to very-low, low-, and moderate-income households;
- d. Number of affordable units newly preserved and units acquired and rehabilitated with a regulatory agreement for long-term affordability for very-low, low-, and moderate-income households;
- e. Housing market trends including affordability of overall housing stock;
- f. Changes in zoned capacity for housing, including housing densities and types;
- g. The number and nature of fair housing complaints and violations; and
- h. Housing development and market trends in Urban Centers.

H-18 Review and amend, a minimum every five years, the countywide and local housing policies and strategies, especially where monitoring indicates that adopted strategies are not resulting in adequate affordable housing to meet the jurisdiction's share of the countywide need.

ECONOMY

Overarching Goal: *People throughout King County have opportunities to prosper and enjoy a high quality of life through economic growth and job creation.*

The Countywide Planning Policies in the Economy Chapter support the economic growth and sustainability of King County's economy. A strong and healthy economy results in business development, job creation, and investment in our communities. The Economy Chapter reflects and supports the Regional Economic Strategy and VISION 2040's economic policies, which emphasize the economic value of business, people, and place.

The Regional Economic Strategy is the region's comprehensive economic development strategy and serves as the VISION 2040 economic functional plan. VISION 2040 integrates the Regional Economic Strategy with growth management, transportation, and environmental objectives to:

- support critical economic foundations, such as education, infrastructure, technology, and quality of life; and
- promote the region's specific industry clusters: aerospace, clean technology, information technology, life sciences, logistics and international trade, military, and tourism.

Each local community will have an individual focus on economic development, while the region's prosperity will benefit from coordination between local plans and the regional vision that take into account the county's and the region's overall plan for growth.

EC-1 Coordinate local and countywide economic policies and strategies with VISION 2040 and the Regional Economic Strategy.

EC-2 Support economic growth that accommodates employment growth targets (see table DP-1) through local land use plans, infrastructure development, and implementation of economic development strategies.

EC-3 Identify and support industry clusters and subclusters within King County that are components of the Regional Economic Strategy or that may otherwise emerge as having significance to King County's economy.

EC-4 Evaluate the performance of economic development policies and strategies in business development and job creation. Identify and track key economic metrics to help jurisdictions and the county as a whole evaluate the effectiveness of local and regional economic strategies.

Business Development

Business creation, retention, expansion, and recruitment are the foundations of a strong economy. The success of the economy in the county depends on opportunities for business growth. Our communities play a significant role through local government actions, such as by making regulations more predictable, by engaging in public-private partnerships, and by nurturing a business-supportive culture.

These policies also seek to integrate the concept of healthy communities as part of the county's economic objectives, by calling for support of the regional food economy, including production, processing, wholesaling and distribution of the region's agricultural food and food products.

EC-5 Help businesses thrive through:

- Transparency, efficiency, and predictability of local regulations and policies;
- Communication and partnerships between businesses, government, schools, and research institutions; and
- Government contracts with local businesses.

EC-6 Foster the retention and development of those businesses and industries that export their goods and services outside the region.

EC-7 Promote an economic climate that is supportive of business formation, expansion, and retention and emphasizes the importance of small businesses in creating jobs.

EC-8 Foster a broad range of public-private partnerships to implement economic development policies, programs and projects.

EC-9 Identify and support the retention of key regional and local assets to the economy, such as major educational facilities, research institutions, health care facilities, manufacturing facilities, and port facilities.

EC-10 Support the regional food economy including the production, processing, wholesaling, and distribution of the region's agricultural food and food products to all King County communities. Emphasize increasing access to those communities with limited presence of healthy food options.

People

People, through their training, knowledge, skills, and cultural background, add value to the region's economy. Additionally, creating an economy that provides opportunities for all helps alleviate problems of poverty and income disparity.

EC-11 Work with schools and other institutions to increase graduation rates and sustain a highly-educated and skilled local workforce. This includes aligning job training and education offerings that are consistent with the skill needs of the region's industry clusters. Identify partnership and funding opportunities where appropriate.

EC-12 Celebrate the cultural diversity of local communities as a means to enhance the county's global relationships.

EC-13 Address the historic disparity in income and employment opportunities for economically disadvantaged populations, including minorities and women, by committing resources to human services; community development; housing; economic development; and public infrastructure.

Places

Economic activity in the county predominantly occurs within the Urban Growth Area, including Urban Centers and Manufacturing/ Industrial Centers. Continuing to guide local investments to these centers will help provide the support needed to sustain the economy and provide greater predictability to businesses about where capital improvements will be located. In addition to making productive use of urban land, economic activity adds to the culture and vitality of our local communities. Businesses create active, attractive places to live and visit, and make significant contributions to the arts. The Rural Area and Resource Lands are important for their contribution to the regional food network, mining, timber and craft industries, while Rural Cities are important for providing services to and being the economic centers for the surrounding Rural Area.

EC-14 Foster economic and employment growth in designated Urban Centers and Manufacturing/ Industrial Centers through local investments, planning, and financial policies.

EC-15 Make local investments to maintain and expand infrastructure and services that support local and regional economic development strategies. Focus investment where it encourages growth in designated centers and helps achieve employment targets.

EC-16 Add to the vibrancy and sustainability of our communities and the health and well-being of all people through safe and convenient access to local services, neighborhood-oriented retail, purveyors of healthy food (e.g. grocery stores and farmers markets), and transportation choices.

EC-17 Promote the natural environment as a key economic asset. Work cooperatively with local businesses to protect and restore the natural environment in a manner that is efficient and predictable and minimizes impacts on businesses.

EC-18 Maintain an adequate supply of land within the Urban Growth Area to support economic development. Inventory, plan for, and monitor the land supply and development capacity for, manufacturing/ industrial, commercial and other employment uses that can accommodate the amount and types of economic activity anticipated during the planning period.

EC-19 Support Manufacturing/ Industrial Centers by adopting industrial siting policies that limit the loss of industrial lands, maintain the region's economic diversity, and support family-wage jobs. Prohibit or strictly limit non-supporting or incompatible activities that can interfere with the retention or operation of industrial businesses, especially in Manufacturing/ Industrial Centers.

EC-20 Facilitate redevelopment of contaminated sites through local, county and state financing and other strategies that assist with funding environmental remediation.

EC-21 Encourage economic activity within Rural Cities that does not create adverse impacts to the surrounding Rural Area and Resource Lands and will not create the need to provide urban services and facilities to those areas.

TRANSPORTATION

The Regional Growth Strategy identifies a network of walkable, compact, and transit-oriented communities that are the focus of urban development, as well as industrial areas with major employment concentrations. In the Countywide Planning Policies, these communities include countywide designated Urban Centers and Manufacturing/ Industrial Centers, and locally designated local centers. An essential component of the Regional Growth Strategy is an efficient transportation system that provides multiple options for moving people and goods into and among the various centers. Transportation system, in the context of this chapter, is defined as a comprehensive, integrated network of travel modes (e.g. airplanes, automobiles, bicycles, buses, feet, ferries, freighters, trains, trucks) and infrastructure (e.g. sidewalks, trails, streets, arterials, highways, waterways, railways, airports) for the movement of people and goods on a local, regional, national and global scale.

Goals and policies in this chapter build on the 1992 King County Countywide Planning Policies and the Multicounty Planning Policies in VISION 2040. Policies are organized into three sections:

- Supporting Growth – focusing on serving the region with a transportation system that furthers the Regional Growth Strategy;
- Mobility – addressing the full range of travel modes necessary to move people and goods efficiently within the region and beyond; and
- System Operations – encompassing the design, maintenance and operation of the transportation system to provide for safety, efficiency, and sustainability.

Overarching Goal: *The region is well served by an integrated, multi-modal transportation system that supports the regional vision for growth, efficiently moves people and goods, and is environmentally and functionally sustainable over the long term.*

Supporting Growth

An effective transportation system is critical to achieving the Regional Growth Strategy and ensuring that centers are functional and appealing to the residents and businesses they are designed to attract. The policies in this section reinforce the critical relationship between development patterns and transportation and they are intended to guide transportation investments from all levels of government that effectively support local, county and regional plans to accommodate growth. Policies in this section take a multi-modal approach to serving growth, with additional emphasis on transit and non-motorized modes to support planned development in centers.

Goal Statement: *Local and regional development of the transportation system is consistent with and furthers realization of the Regional Growth Strategy.*

T-1 Work cooperatively with the Puget Sound Regional Council, the state, and other relevant agencies to finance and develop a multi-modal transportation system that enhances regional mobility and reinforces the countywide vision for managing growth. Use VISION 2040 and *Transportation 2040* as the policy and funding framework for creating a system of Urban Centers and Manufacturing/ Industrial Centers linked by high-capacity transit, bus transit and an interconnected system of freeways and high-occupancy vehicle lanes.

T-2 Avoid construction of major roads and capacity expansion on existing roads in the Rural Area and Resource Lands. Where increased roadway capacity is warranted to support safe and efficient travel through the Rural Area, appropriate rural development regulations and effective access management should be in place prior to authorizing such capacity expansion in order to make more efficient use of existing roadway capacity and prevent unplanned growth in the Rural Area.

T-3 Increase the share of trips made countywide by modes other than driving alone through coordinated land use planning, public and private investment, and programs focused on centers and connecting corridors, consistent with locally adopted mode split goals.

T-4 Develop station area plans for high capacity transit stations and transit hubs. Plans should reflect the unique characteristics and local vision for each station area including transit supportive land uses, transit rights-of-way, stations and related facilities, multi-modal linkages, and place-making elements.

T-5 Support countywide growth management objectives by prioritizing transit service to areas where existing housing and employment densities support transit ridership and to Urban Centers and other areas planned for housing and employment densities that will support transit ridership. Address the mobility needs of transit-dependent populations in allocating transit service and provide at least a basic level of service throughout the Urban Growth Area.

T-6 Foster transit ridership by designing transit facilities and services as well as non-motorized infrastructure so that they are integrated with public spaces and private developments to create an inviting public realm.

T-7 Ensure state capital improvement policies and actions are consistent with the Regional Growth Strategy and support VISION 2040 and the Countywide Planning Policies.

T-8 Prioritize regional and local funding to transportation investments that support adopted growth targets.

Mobility

Mobility is necessary to sustain personal quality of life and the regional economy. For individuals, mobility requires an effective transportation system that provides safe, reliable, and affordable travel options for people of all ages, incomes and abilities. While the majority of people continue to travel by personal automobile, there are growing segments of the population (e.g. urban, elderly, teens, low income, minorities, and persons with disabilities) that rely on other modes of travel such as walking, bicycling, and public transportation to access employment, education and training, goods and services. According to the *2009 American Community Survey*, about 8.7 percent of all households in King County had no vehicle available. For many minority populations, more than 20 percent had no vehicle available to them.

The movement of goods is also of vital importance to the local and regional economy. International trade is a significant source of employment and economic activity in terms of transporting freight, local consumption, and exporting of goods. The policies in this section are intended to address use and integration of the multiple modes necessary to move people and goods within and beyond the region. The importance of the roadway network, implicit in the policies of this section, is addressed more specifically in the System Operations section of this chapter.

Goal Statement: *A well-integrated, multi-modal transportation system transports people and goods effectively and efficiently to destinations within the region and beyond.*

T-9 Promote the mobility of people and goods through a multi-modal transportation system based on regional priorities consistent with VISION 2040 and local comprehensive plans.

T-10 Support effective management of existing air, marine and rail transportation capacity and address future capacity needs in cooperation with responsible agencies, affected communities, and users.

T-11 Develop and implement freight mobility strategies that strengthen King County's role as a major regional freight distribution hub, an international trade gateway, and a manufacturing area.

T-12 Address the needs of non-driving populations in the development and management of local and regional transportation systems.

T-13 Site and design transit stations and transit hubs to promote connectivity and access for pedestrian and bicycle patrons.

System Operations

The design, management and operation of the transportation system are major factors that influence the region's growth and mobility. Policies in this section stress the need to make efficient use of the existing infrastructure, serve the broad needs of the users, address safety and public health issues, and design facilities that are a good fit for the surroundings. Implementation of the policies will require the use of a wide range of tools including, but not limited to:

- technologies such as intelligent transportation systems and alternative fuels;
- demand management programs for parking, commute trip reduction and congestion; and
- incentives, pricing systems and other strategies to encourage choices that increase mobility while improving public health and environmental sustainability.

Goal Statement: *The regional transportation system is well-designed and managed to protect public investments, promote public health and safety, and achieve optimum efficiency.*

T-14 Prioritize essential maintenance, preservation, and safety improvements of the existing transportation system to protect mobility and avoid more costly replacement projects.

T-15 Design and operate transportation facilities in a manner that is compatible with and integrated into the natural and built environments in which they are located. Incorporate features such as natural drainage, native plantings, and local design themes that facilitate integration and compatibility.

T-16 Protect the transportation system (e.g. roadway, rail, transit, air, and marine) against major disruptions by developing prevention and recovery strategies and by coordinating disaster response plans.

T-17 Promote the use of tolling and other pricing strategies to effectively manage the transportation system, provide a stable and sustainable transportation funding source, and improve mobility.

T-18 Develop a countywide monitoring system to determine how transportation investments are performing over time consistent with *Transportation 2040* recommendations.

T-19 Design roads and streets, including retrofit projects, to accommodate a range of motorized and non-motorized travel modes in order to reduce injuries and fatalities and to encourage non-motorized travel. The design should include well-defined, safe and appealing spaces for pedestrians and bicyclists.

T-20 Develop a transportation system that minimizes negative impacts to human health, including exposure to environmental toxins generated by vehicle emissions.

T-21 Provide opportunities for an active, healthy lifestyle by integrating the needs of pedestrians and bicyclists in the local and regional transportation plans and systems.

T-22 Plan and develop a countywide transportation system that reduces greenhouse gas emissions by advancing strategies that shorten trip length or replace vehicle trips to decrease vehicle miles traveled.

T-23 Apply technologies, programs and other strategies that optimize the use of existing infrastructure in order to improve mobility, reduce congestion, increase energy-efficiency, and reduce the need for new infrastructure.

T-24 Promote the expanded use of alternative fuel vehicles by the general public with measures such as converting public and private fleets, applying incentive programs, and providing for electric vehicle charging stations throughout the Urban Growth Area.

PUBLIC FACILITIES AND SERVICES

Overarching Goal: County residents in both Urban and Rural Areas have access to the public services needed in order to advance public health and safety, protect the environment, and carry out the Regional Growth Strategy.

Urban and Rural Levels of Service

The Growth Management Act directs jurisdictions and special purpose districts to provide public facilities and services to support development. The Growth Management Act distinguishes between urban and rural services and states that land within the Urban Growth Area should be provided with a full range of services necessary to sustain urban communities while land within the Rural Area should receive services to support a rural lifestyle. Certain services, such as sanitary sewers, are allowed only in the Urban Growth Area, except as otherwise authorized. The Growth Management Act also requires jurisdictions to determine which facilities are necessary to serve the desired growth pattern and how they will be financed, in order to ensure timely provision of adequate services and facilities.

PF-1 Provide a full range of urban services in the Urban Growth Area to support the Regional Growth Strategy and adopted growth targets and limit the availability of services in the Rural Area consistent with VISION 2040.

Collaboration Among Jurisdictions

More than 100 special purpose districts, including water, sewer, flood control, stormwater, fire, school and other districts, provide essential services to the residents of King County. While cities are the primary providers of services in the Urban Growth Area, in many parts of the county special purpose districts also provide essential services. Coordination and collaboration among all of these districts, the cities, King County, the tribes, and neighboring counties is key to providing efficient, high-quality and reliable services to support the Regional Growth Strategy.

PF-2 Coordinate among jurisdictions and service providers to provide reliable and cost-effective services to the public.

PF-3 Cities are the appropriate providers of services to the Urban Growth Area, either directly or by contract. Extend urban services through the use of special districts only where there are agreements with the city in whose Potential Annexation Area the extension is proposed. Within the Urban Growth Area, as time and conditions warrant, cities will assume local urban services provided by special service districts.

Utilities

Utilities include infrastructure and services that provide water supply, sewage treatment and disposal, solid waste disposal, energy, and telecommunications. Providing these utilities in a cost-effective way is essential to maintaining the health and safety of King County residents and to implementing the Regional Growth Strategy.

Water Supply

Conservation and efficient use of water resources are vital to ensuring the reliability of the region's water supply, the availability of sufficient water supplies for future generations, and the environmental sustainability of the water supply system.

PF-4 Develop plans for long-term water provision to support growth and to address the potential impacts of climate change on regional water resources.

PF-5 Support efforts to ensure that all consumers have access to a safe, reliably maintained, and sustainable drinking water source that meets present and future needs.

PF-6 Coordinate water supply among local jurisdictions, tribal governments, and water purveyors to provide reliable and cost-effective sources of water for all users, including residents, businesses, fire districts, and aquatic species.

PF-7 Plan and locate water systems in the Rural Area that are appropriate for rural uses and densities and do not increase the development potential of the Rural Area.

PF-8 Recognize and support agreements with water purveyors in adjacent cities and counties to promote effective conveyance of water supplies and to secure adequate supplies for emergencies.

PF-9 Implement water conservation and efficiency efforts to protect natural resources, reduce environmental impacts, and support a sustainable long-term water supply to serve the growing population.

PF-10 Encourage water reuse and reclamation, especially for high-volume non-potable water users such as parks, schools, and golf courses.

Sewage Treatment and Disposal

Within the Urban Growth Area, connection to sanitary sewers is necessary to support the Regional Growth Strategy and to accommodate urban densities. Alternatives to the sanitary sewer system and the typical septic system are becoming more cost effective and therefore, more available. Alternative technology may be appropriate when it can perform as well or better than sewers in the Urban Growth Area. Septic systems are not considered to be alternative technology within the Urban Growth Area.

In the Rural Area and Resource Lands, which are characterized by low-density development, sewer service is not typically provided. In cases where public health is threatened, sewers can be provided in the Rural Area but only if connections are strictly limited. Alternative technology may be necessary to substitute for septic systems in the Rural Area.

PF-11 Require all development in the Urban Growth Area to be served by a public sewer system except:

- a) single-family residences on existing individual lots that have no feasible access to sewers may utilize individual septic systems on an interim basis; or
- b) development served by alternative technology other than septic systems that:
 - provide equivalent performance to sewers;
 - provide the capacity to achieve planned densities; and
 - will not create a barrier to the extension of sewer service within the Urban Growth Area.

#

PF-12 Prohibit sewer service in the Rural Area and on Resource Lands except:

- a) where needed to address specific health and safety problems threatening existing structures; or
- b) as allowed by Countywide Planning Policy DP-47; or
- c) as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report).

Sewer service authorized consistent with this policy shall be provided in a manner that does not increase development potential in the Rural Area.

Solid Waste

King County and the entire Puget Sound region are recognized for successful efforts to collect recyclable waste. Continuing to reduce and reuse waste will require concerted and coordinated efforts well into the future. It is important to reduce the waste stream going into area landfills to extend the usable life of existing facilities and reduce the need for additional capacity.

PF-13 Reduce the solid waste stream and encourage reuse and recycling.

Energy

While King County consumers have access to electrical energy derived from hydropower, there are challenges for securing long-term reliable energy and for becoming more energy efficient.

PF-14 Reduce the rate of energy consumption through efficiency and conservation as a means to lower energy costs and mitigate environmental impacts associated with traditional energy supplies.

PF-15 Promote the use of renewable and alternative energy resources to help meet the county's long-term energy needs, reduce environmental impacts associated with traditional energy supplies, and increase community sustainability.

Telecommunications

A telecommunications network throughout King County is essential to fostering broad economic vitality and equitable access to information, goods and services, and opportunities for social connection.

PF-16 Plan for the provision of telecommunication infrastructure to serve growth and development in a manner consistent with the regional and countywide vision.

Human and Community Services

Public services beyond physical infrastructure are also necessary to sustain the health and quality of life of all King County residents. In addition, these services play a role in distinguishing urban communities from rural communities and supporting the Regional Growth Strategy.

PF-17 Provide human and community services to meet the needs of current and future residents in King County communities through coordinated planning, funding, and delivery of services by the county, cities, and other agencies.

Locating Facilities and Services

VISION 2040 calls for a full range of urban services in the Urban Growth Area to support the Regional Growth Strategy, and for limiting the availability of services in the rural area. In the long term, there is increased efficiency and cost effectiveness in siting and operating facilities and services that serve a primarily urban population within the Urban Growth Area. At the

same time, those facilities and services that primarily benefit rural populations provide a greater benefit when they are located within neighboring cities and rural towns.

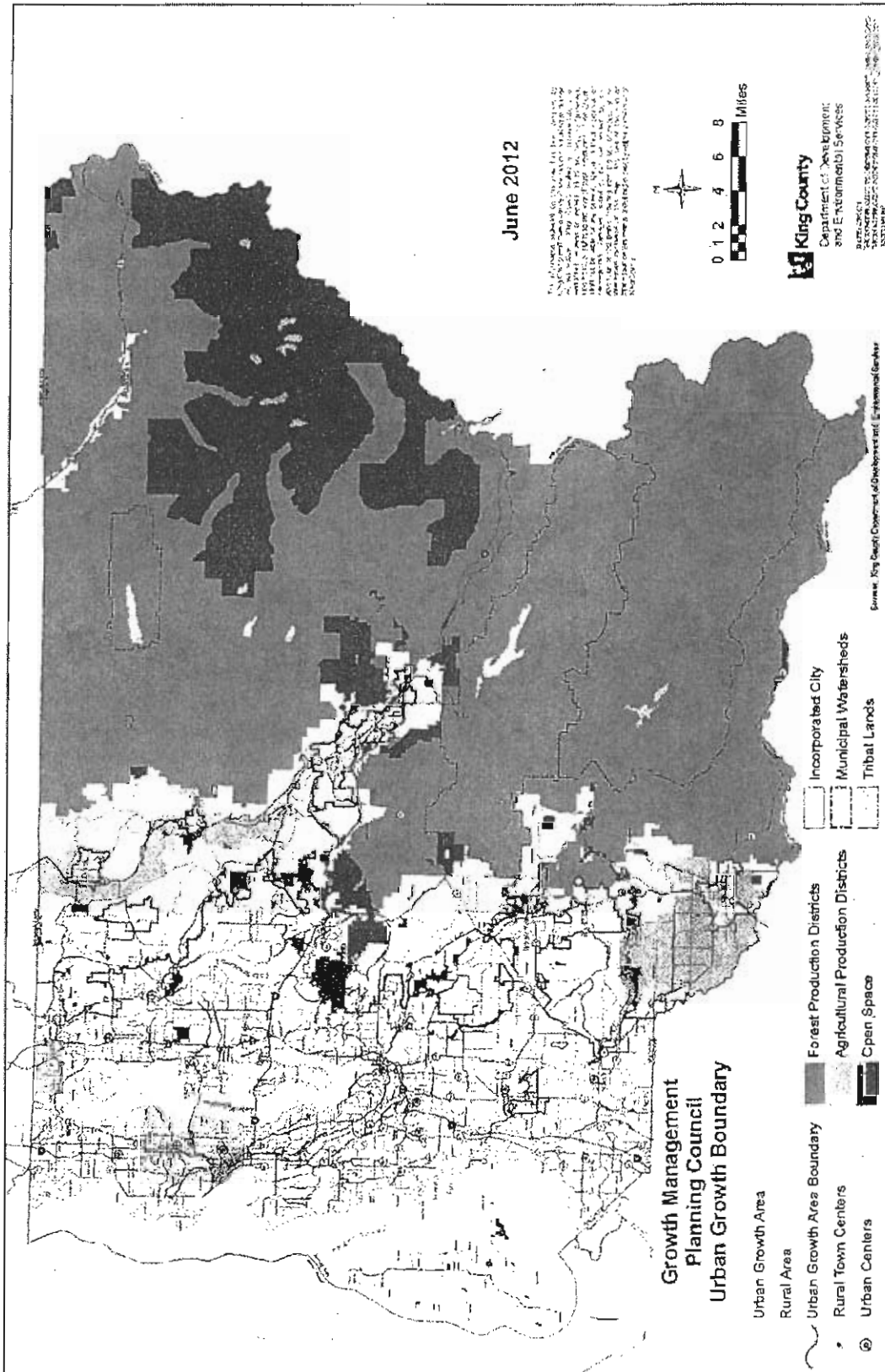
PF-18 Locate new schools, institutions, and other community facilities and services that primarily serve urban populations within the Urban Growth Area, where they are accessible to the communities they serve, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). Locate these facilities in places that are well served by transit and pedestrian and bicycle networks.

PF-19 Locate new schools and institutions primarily serving rural residents in neighboring cities and rural towns, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report) and locate new community facilities and services that primarily serve rural residents in neighboring cities and rural towns, with the limited exceptions when their use is dependent upon rural location and their size and scale supports rural character.

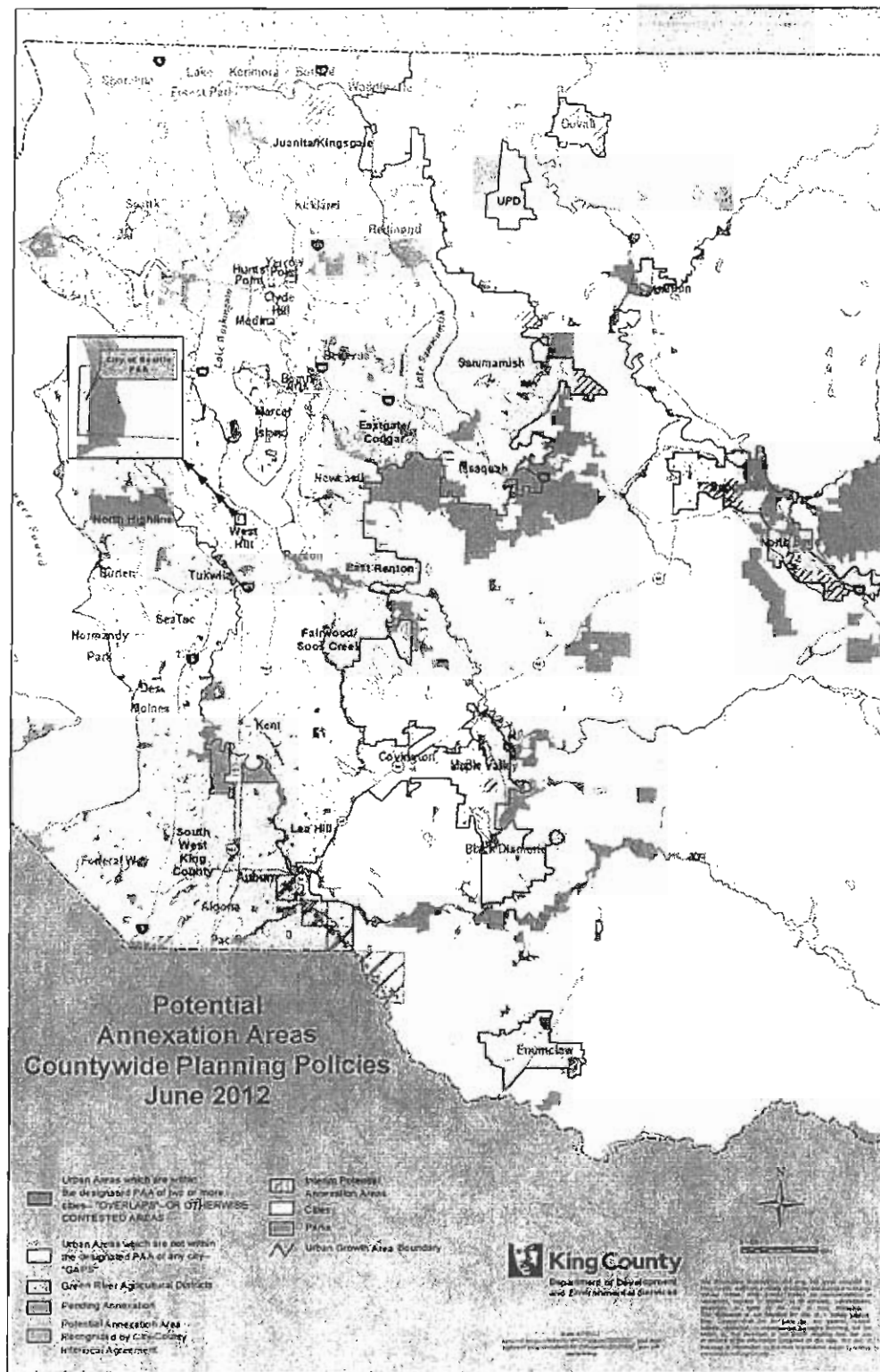
Siting Public Capital Facilities

While essential to growth and development, regional capital facilities can disproportionately affect the communities in which they are located. It is important that all jurisdictions work collaboratively and consider environmental justice principles when siting these facilities to foster the development of healthy communities for all.

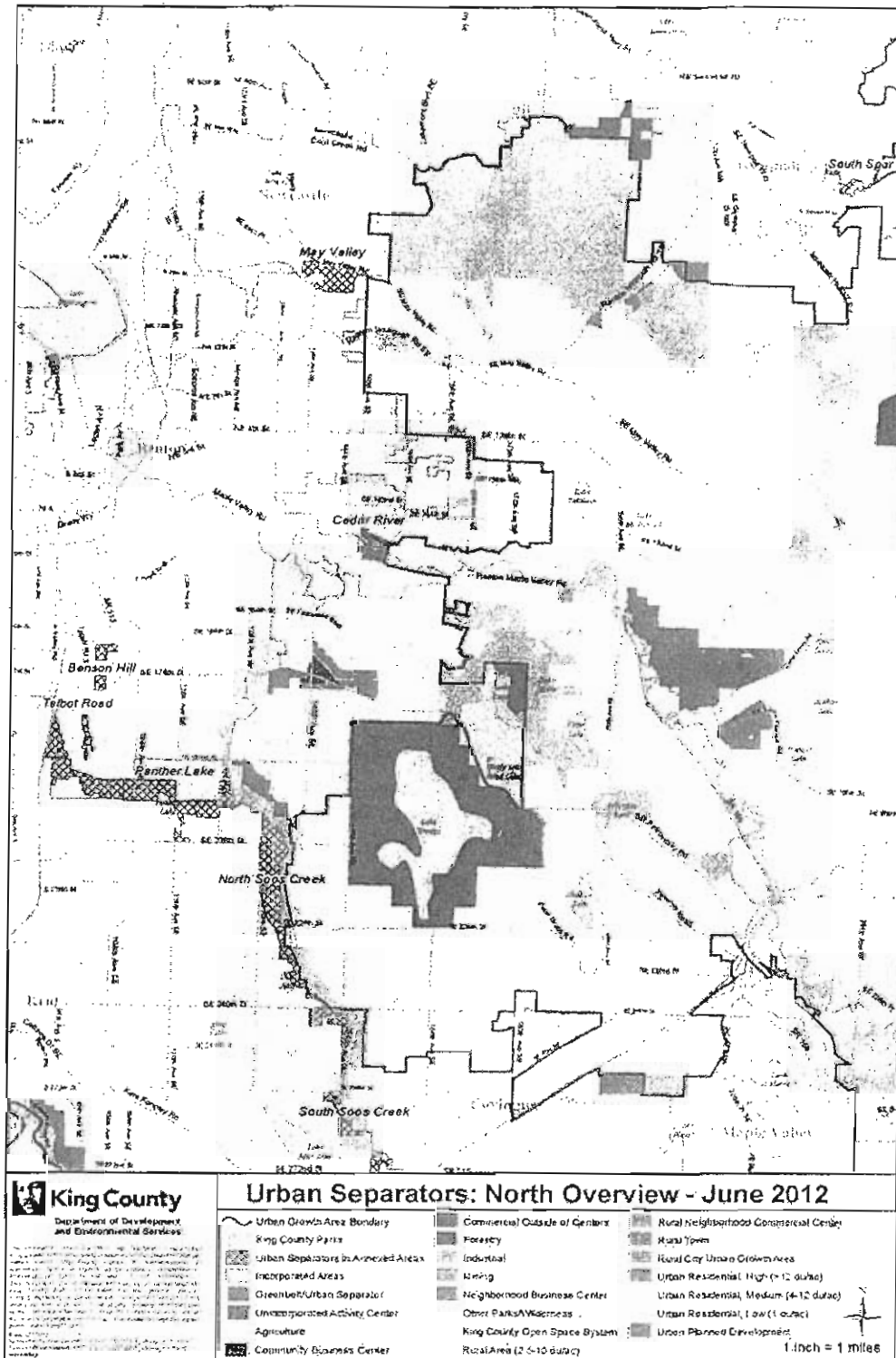
PF-20 Site or expand public capital facilities of regional or statewide importance within the county in a way that equitably disperses impacts and benefits and supports the Countywide Planning Policies.

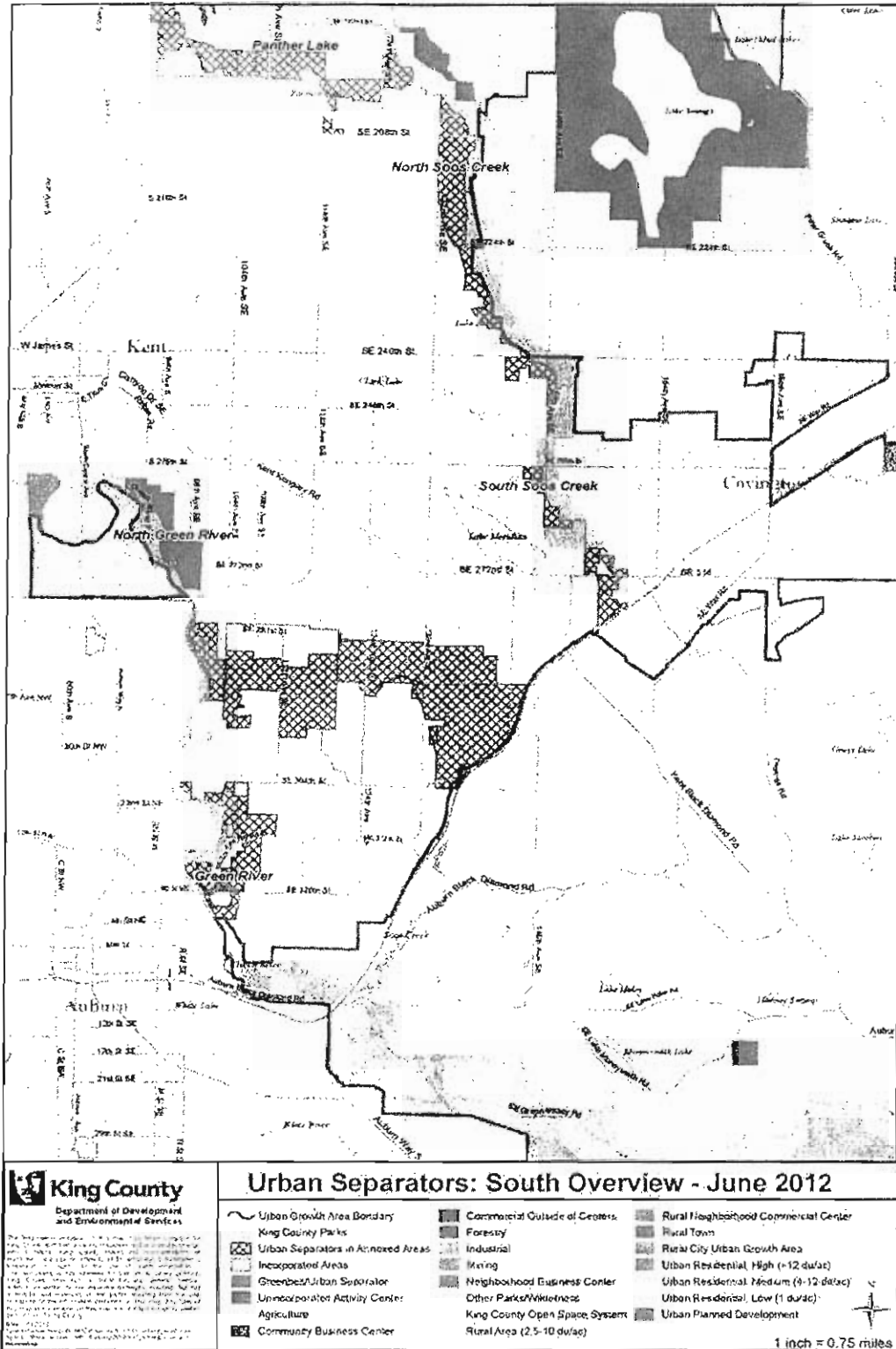


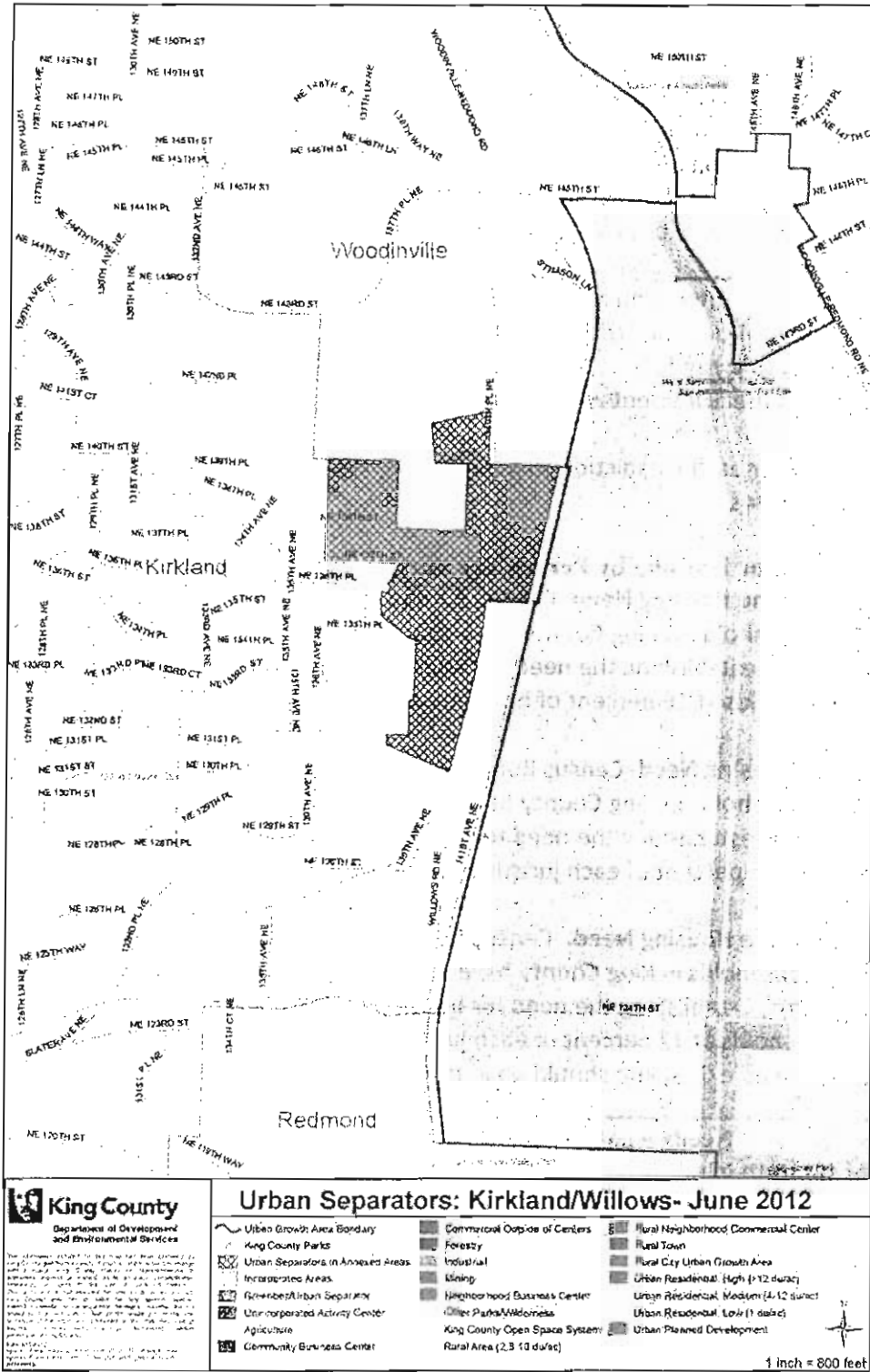
Chapter: APPENDIX 1: LAND USE MAP



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APPENDIX 4: HOUSING TECHNICAL APPENDIX

Affordable Housing Need

Each jurisdiction, as part of its Comprehensive Plan housing analysis, will need to address affordability and condition of existing housing supply as well as its responsibility to accommodate a significant share of the countywide need for affordable housing. In order for each jurisdiction to address its share of the countywide housing need for very-low, low and moderate income housing, a four step approach has been identified:

1. Conduct an inventory and analysis of housing needs and conditions;
2. Implement policies and strategies to address unmet needs;
3. Measure results; and
4. Respond to measurement with reassessment and adjustment of strategies.

The methodology for each jurisdiction to address countywide affordable housing need is summarized as follows:

Countywide need for Housing by Percentage of Area Median Income (AMI)

1. **Moderate Income Housing Need.** Census Bureau estimates¹ indicate that approximately 16 percent of households in King County have incomes between 50 and 80 percent of area median income; establishing the need for housing units affordable to these moderate income households at 16 percent of each jurisdiction's total housing supply.
2. **Low Income Housing Need.** Census Bureau estimates¹ indicate that approximately 12 percent of households in King County have incomes between 30 and 50 percent of area median income; establishing the need for housing units affordable to these low income households at 12 percent of each jurisdiction's total housing supply.
3. **Very-Low Income Housing Need.** Census Bureau estimates¹ indicate that approximately 11 percent of households in King County have incomes between 0 and 30 percent of area median income; establishing the need for housing units affordable to these very-low income households at 12 percent of each jurisdiction's total housing supply. This is where the greatest need exists, and should be a focus for all jurisdictions.

Housing Supply and Needs Analysis

Context: As set forth in policy H-3, each jurisdiction must include in its comprehensive plan an inventory of the existing housing stock and an analysis of both existing housing needs and housing needed to accommodate projected population growth over the planning period. This policy reinforces requirements of the Growth Management Act for local Housing Elements. The housing supply and needs analysis is referred to in this appendix as the housing analysis. As is noted in policy H-1, H-2, and H-3, the housing analysis must consider local as well as countywide housing needs because each jurisdiction has a responsibility to address a significant share of the countywide affordable housing need.

The purpose of this section of Appendix 4 is to provide further guidance to local jurisdictions on the subjects to be addressed in their housing analysis. Additional guidance on carrying out the housing analysis is found in the Puget Sound Regional Council's report, "Puget Sound Regional Council Guide to Developing an Effective Housing Element," and the Washington Administrative Code, particularly 365-196-410 (2)(b) and (c). The state Department of Commerce also provides useful information about housing requirements under the Growth Management Act.

Housing Supply

Understanding the mix and affordability of existing housing is the first step toward identifying gaps in meeting future housing needs. Combined with the results of the needs analysis, these data can provide direction on appropriate goals and policies for both the housing and land use elements of a jurisdiction's comprehensive plan. A jurisdiction's housing supply inventory should address the following:

- Total housing stock in the community;
- Types of structures in which units are located (e.g., single-family detached, duplex or other small multiplex, townhome, condominium, apartment, mobile home, accessory dwelling unit, group home, assisted living facility);
- Unit types and sizes (i.e., numbers of bedrooms per unit);
- Housing tenure (rental vs. ownership housing);
- Amount of housing at different price and rent levels, including rent-restricted and subsidized housing;
- Housing condition (e.g. age, general condition of housing, areas of community with higher proportion of homes with deferred maintenance);
- Vacancy rates;
- Statistics on occupancy and overcrowding;
- Neighborhoods with unique housing conditions or amenities;
- Location of affordable housing within the community, including proximity to transit;
- Transportation costs as a component of overall cost burden for housing;
- Housing supply, including affordable housing, within designated Urban Centers and local centers;
- Capacity for additional housing, by type, under current plans and zoning; and
- Trends in redevelopment and reuse that have an impact on the supply of affordable housing.

Housing Needs

The housing needs part of the housing analysis should include demographic data related to existing population and demographic trends that could impact future housing demand (e.g. aging of population). The identified need for future housing should be consistent with the jurisdiction's population growth and housing targets. The information on housing need should be evaluated in combination with the housing supply part of the housing analysis in order to assess housing gaps, both current and future. This information can then inform goals, policies, and strategies in the comprehensive plan update.

A comprehensive housing needs analysis should address the following population, household, and community characteristics:

- Household sizes and types;
- Age distribution of population;
- Ethnic and racial diversity;
- Household income, including the following income groupings:
 - 30 percent of area median income or lower (very-low-income),
 - Above 30 percent to 50 percent of area median income (low-income)
 - Above 50 percent to 80 percent of area median income (moderate-income)
 - Above 80 percent to 100 percent of area median income (middle-income)
 - Above 100 percent to 120 percent of area median income (middle-income)
 - Above 120 percent of median income;
- Housing growth targets and countywide affordable housing need for very-low, low and moderate income households as stated in the Countywide Planning Policies;
- The number and proportion of households that are “cost-burdened.” Such households pay more than thirty percent of household income toward housing costs. “Severely-cost-burdened” households pay more than fifty percent of household income toward housing costs.
- Trends that may substantially impact housing need during the planning period. For example, the impact that a projected increase in senior population would have on demand for specialized senior housing, including housing affordable to low- and moderate-income seniors and retrofitted single family homes to enable seniors to age in place.
- Housing demand related to job growth, with consideration of current and future jobs-housing balance as well as the affordable housing needs of the local and subregional workforce.
- Housing needs, including for low- and moderate-income households, within designated Urban Centers and local centers.

Note on Adjusting for Household Size

As currently calculated, the affordable housing targets do not incorporate differences in household size. However, the reality is that differently-sized households have different housing needs (i.e., unit size, number of bedrooms) with different cost levels. A more accurate approach to setting and monitoring housing objectives would make adjustments to reflect current and projected household sizes and also unit sizes in new development. Accounting for household size in providing affordable units could better inform local policies and programs as well as future updates of the Countywide Planning Policies and affordable housing targets.

Implementation Strategies

As stated in policy H-5, local jurisdictions need to employ a range of strategies for promoting housing supply and housing affordability. The Puget Sound Regional Council’s Housing

Innovations Program Housing Toolkit¹ presents a range of strategies. The strategies are identified as being generally applicable to single family development, multifamily development, ownership housing, rental housing, market rate projects, and subsidized projects. Strategies marked as a “Featured Tool” are recommended as being highly effective tools for promoting affordable and diverse housing in the development markets for which they are identified.

Measuring Results

Success at meeting a community’s need for housing can only be determined by measuring results and evaluating changes to housing supply and need. Cities are encouraged to monitor basic information annually, as they may already do for permits and development activity. Annual tracking of new units, demolitions, redevelopment, zoning changes, and population growth will make periodic assessments easier and more efficient. A limited amount of annual monitoring will also aid in providing timely information to decision makers.

Policy H-18 requires jurisdictions to review their housing policies and strategies at least every five years to ensure periodic reviews that are more thorough and that provide an opportunity to adapt to changing conditions and new information. This five-year review could be aligned with a jurisdiction’s five-year buildable lands reporting process.

¹ PSRC Housing Innovations Program Housing Toolkit <http://psrc.org/growth/hip/>

APPENDIX 5: KING COUNTY SCHOOL SITING TASK FORCE REPORT

On March 31, 2012 the School Siting Task Force issued the following report and recommendations related to 18 undeveloped school sites in King County, and future school siting. Countywide Planning Policies DP-50, PF-12, PF-18 and PF-19 contain references to this report, and in particular the Site Specific Solutions table found on pages 15-19.

March 31, 2012

Dow Constantine, King County Executive
King County Chinook Building
401 Fifth Avenue, Suite 800
Seattle, WA 98104

Dear Executive Constantine,

With this letter we transmit to you the final report and recommendations of the School Siting Task Force. The critical issues of quality education, efficient use of taxpayer dollars, equitability, preservation of rural character, and sustainable growth made consideration of undeveloped rural school sites and all other future school siting a complex and important undertaking.

Together, we have worked diligently since December to craft these recommendations. We represent diverse perspectives and through our discussions we have reached agreement on specific solutions and recommendations that we believe to be in the best interests of all King County residents, particularly our schoolchildren. We are pleased to present to you these recommendations informed by accepted data collected by our Technical Advisory Committee.

We would be happy to serve as a resource in any way we can as you consider these recommendations. We look forward to your review, and we stand ready to assist in their implementation.

Thank you for the opportunity to serve on the Task Force. We look forward to having these recommendations incorporated in future planning.

Sincerely,

King County School Siting Task Force members

(signatures on reverse)

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SECTION 1: Acknowledgements

The School Siting Task Force thanks the King County Executive and the Growth Management Planning Council for the opportunity to provide input on an issue critical to supporting K-12 education and to preserving natural resources, public health, and quality of life in King County.

The Task Force would especially like to thank its members who agreed to serve on the Framing Work Group. This group met on multiple occasions throughout the process, generally twice between each Task Force meeting, to develop and frame issues and meeting approaches for the full Task Force. Without the considerable efforts of this group, the Task Force would not have been able to accomplish its work.

The Task Force also thanks the Technical Advisory Committee (TAC), whose members worked throughout January, February, and March of 2012 to gather data and information on the undeveloped rural school sites and to compile additional information relevant to future school siting.

The Task Force also acknowledges the many members of the public who submitted comments and/or attended one or more Task Force or TAC meetings. Their contributions provided valuable insight for the Task Force's consideration.

Finally, the Task Force thanks Triangle Associates for their exemplary support throughout the process.

See Appendices A, B, and C for Task Force, Framing Work Group, and TAC membership.

SECTION 2: Glossary of Terms and Acronyms

Comprehensive Plan

A generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to 36.70A RCW. (*Washington State Growth Management Act*)

Countywide Planning Policies (CPPs)

A written policy statement or statements used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted pursuant to the Growth Management Act. (*Washington State Growth Management Act*)

Growth Management Act (GMA)

The GMA was enacted in 1990 in response to rapid population growth and concerns with suburban sprawl, environmental protection, quality of life, and related issues. The GMA requires the fastest growing counties and the cities within them to plan for growth. The GMA provides a framework for regional coordination; counties planning under the GMA are required to adopt county-wide planning policies to guide plan adoption within the county and to establish urban growth areas (UGAs). Local comprehensive plans must include the following elements: land use, housing, capital facilities, utilities,

transportation, and, for counties, a rural element. (*Municipal Research and Services Center of Washington*)

Growth Management Planning Council (GMPC)

The GMPC, which was established by an Interlocal agreement, is a 15-member council of elected officials from Seattle, Bellevue, suburban cities and King County. The GMPC has been responsible for the preparation and recommendation of the Countywide Planning Policies to the Metropolitan King County Council, which then adopts the policies and sends them to the cities for ratification. (*King County Comprehensive Plan*)

Identified Need

Identified need exists if a school district has determined the type of school needed and a timeframe for development on one of the 18 undeveloped school sites. (*Source: School Siting Task Force*)

Multi-County Planning Policies

An official statement, adopted by two or more counties, used to provide guidance for regional decision-making, as well as a common framework for countywide planning policies and local comprehensive plans. (*Puget Sound Regional Council*)

Nonconformance

Any use, improvement or structure established in conformance with King County rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the code, due to changes in the code or its application to the subject property. (*King County Code*)

Regional Growth Strategy

An approach for distributing population and employment growth within the four-county central Puget Sound region (King, Kitsap, Pierce, Snohomish). (*Puget Sound Regional Council*)

Rural Area

Outside the urban growth area, rural lands contain a mix of low-density residential development, agriculture, forests, open space and natural areas, as well as recreation uses. Counties and adjacent small towns provide a limited number of public services to rural residents. (*Puget Sound Regional Council*)

Rural Character

Rural Character refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

- a. In which open space, the natural landscape, and vegetation predominate over the built environment;
- b. That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;

- c. That provide visual landscapes that are traditionally found in rural areas and communities;
- d. That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
- e. That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
- f. That generally do not require the extension of urban governmental services; and
- g. That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas
(*Washington State Growth Management Act*)

Rural Cities

A free-standing municipality that is physically separated from other cities and towns by designated rural lands. Also referred to as "Cities in the Rural Area." The incorporated rural cities are Black Diamond, Carnation, Duvall, Enumclaw, North Bend, Skykomish and Snoqualmie. (*Puget Sound Regional Council, King County Comprehensive Plan*)

Rural Towns

Rural towns are unincorporated areas governed directly by King County. They provide a focal point for community groups such as chambers of commerce or community councils to participate in public affairs. The purposes of rural town designations within the County's Comprehensive Plan are to recognize existing concentrations of higher density and economic activity in rural areas and to allow modest growth of residential and economic uses to keep them economically viable into the future. Rural towns in King County include Alpentel, Fall City and Vashon. (*King County Comprehensive Plan*)

Rural Zoning

The rural zone is meant to provide an area-wide, long-term, rural character and to minimize land use conflicts with nearby agricultural, forest or mineral extraction production districts. These purposes are accomplished by: 1) limiting residential densities and permitted uses to those that are compatible with rural character and nearby resource production districts and are able to be adequately supported by rural service levels; 2) allowing small scale farming and forestry activities and tourism and recreation uses that can be supported by rural service levels and are compatible with rural character; and 3) increasing required setbacks to minimize conflicts with adjacent agriculture, forest or mineral zones. (*King County Comprehensive Plan*)

Tightline Sewer

A sewer trunk line designed and intended specifically to serve only a particular facility or place, and whose pipe diameter should be sized appropriately to ensure service only to that facility or place. It may occur outside the local service area for sewers, but does not amend the local service area. (*King County Comprehensive Plan*)

Unincorporated Area

Unincorporated areas are those areas outside any city and under King County's jurisdiction. (*King County Comprehensive Plan*)

Urban Growth Area (UGA)

The area formally designated by a county, in consultation with its cities, to accommodate future development and growth. Given that cities are urban, each city is within a county-designated urban growth area. Cities may not annex lands outside an urban growth area, nor may they formally identify additions to the urban growth area independently of the county designation process. Development that is urban in character is to occur within the designated urban growth area, preferably in cities. Development outside the designated urban growth area is to be rural in character. *(Puget Sound Regional Council)*

VISION 2040

VISION 2040 is the growth management, environmental, economic, and transportation vision for the central Puget Sound region. It consists of an environmental framework, a regional growth strategy, policies to guide growth and development, actions to implement, and measures to track progress. *(Puget Sound Regional Council)*

SECTION 3: Overview and Background Information

Overview

The Washington State Growth Management Act (GMA) requires counties and cities to work together to plan for growth. In King County, the Growth Management Planning Council (GMPC) is the countywide planning body through which the County and cities collaborate. The GMPC is comprised of elected officials from King County, Seattle, Bellevue, the Suburban Cities Association, and special purpose districts. The GMPC develops and recommends Countywide Planning Policies (CPPs) to the King County Council where they are reviewed, adopted, and sent to the cities for final ratification. The CPPs were initially adopted in 1992; certain elements of the policies have been updated over the years.

In 2010 and 2011, the GMPC undertook the first comprehensive evaluation of the CPPs since their initial adoption. A full set of updated policies is required to bring the CPPs into compliance with the multicounty planning policies (VISION 2040) adopted by the Puget Sound Regional Council in 2008. VISION 2040 is the regional growth strategy for the four-county region including King, Kitsap, Pierce and Snohomish Counties.

On September 21, 2011 the GMPC completed its review and voted to recommend an updated set of CPPs to the King County Council. However, they could not reach consensus on policies governing the siting of public facilities and services. At issue was whether public schools serving primarily urban populations should be sited in rural areas, and whether such facilities should be served by sewers. The recent update of VISION 2040 included policies stating that schools and other community facilities serving primarily urban populations should be sited in the urban growth area, and that urban services (sewers) should not be provided in rural areas. In the interest of consistency, the GMPC was considering adding similar policies to the CPPs.

While the GMA is clear that sewers are not permitted in rural areas (except in limited circumstances), the CPPs have since 1992 contained a policy that allows public schools to be served by sewer when a finding is made that no alternative technologies are feasible. King County implements this policy by authorizing a tightline sewer connection after the finding is made.

This potential change in policy was of concern to school districts, many of which owned or had an interest in undeveloped rural properties. While some had acquired their properties before the adoption of the GMA and CPPs, most had not. Those school districts purchasing land after 1992 did so under a regulatory framework that permitted schools in rural areas and that allowed a tightline sewer if needed. At the time, with rising land costs in urban areas and rapid growth, choosing less expensive rural sites seemed the most judicious use of limited taxpayer funds. Many school districts pointed out the difficulty of finding large parcels in urban areas, and the importance of siting schools so that they are convenient for all students, including those in rural areas. School districts leaders testified that they do not distinguish between the urban and rural portions of their service areas; their planning takes into account the needs of their districts as a whole.

The policy debate generated testimony from rural residents, many of whom expressed concerns about the impacts of siting schools in rural areas, including traffic congestion, environmental degradation, and loss of rural character. They pointed out that while initial land costs might be lower in rural areas, the total costs to society of siting schools in non-urban areas might be greater. In addition to the impacts of transporting large numbers of urban students to schools in rural areas, the cost of transportation investments needed to support new schools are borne only by unincorporated area residents. These community impacts and financial burdens are not shared equally by residents in incorporated areas. Much of the testimony from rural residents questioned the fairness and sustainability of siting in rural areas infrastructure supporting primarily urban development.

In order to address these concerns, to acknowledge the changing environment and to support school districts in their obligation to provide quality education for the children of King County, the GMPC agreed to set aside the policies related to siting public facilities and postpone their consideration until a task force made up of school districts, cities, King County, rural residents, and other experts could study the issue and report back to the King County Executive.

GMPC Guidance for the Task Force

The GMPC established guidance for formation of the School Siting Task Force in their Motion 11-2 (Appendix E) on September 21, 2011.

The Task Force was given the Mission to:

Develop recommendations to better align city, county, and school districts' planning for future school facilities in order to provide quality education for all children and maximize health, environmental, programmatic, fiscal, and social objectives.

-GMPC Motion 11-2, School Siting Task Force Work Plan, Task Force Mission

To fulfill this Mission, the GMPC recommended a specific scope of work. As described in GMPC Motion 11-2, the Task Force's primary task is "to evaluate the current inventory of rural properties owned by King County school districts" and to make recommendations as to their use or disposition. Collectively, the Task Force identified 18 undeveloped sites in rural areas. To further support the fulfillment of its Mission, it was anticipated that the Task Force might recommend legislative and other strategies.

The GMPC established a set of eight principles to guide the Task Force in its work. All of the solutions recommended by the Task Force in this Report reflect the Guiding Principles established by GMPC:

- *Academic Excellence*: Educational facilities should promote and support the academic achievement of students.
- *Equitable*: All children should have access to quality educational facilities.
- *Financially Sustainable*: School siting should be financially sustainable for each impacted jurisdiction (school districts, cities, county unincorporated areas, and sewer/water districts) and make the most efficient use of total tax dollars.
- *Support Sustainable Growth*: Planning for school facilities shall comply with state law and be integrated with other regional and local planning, including land use, transportation, environment, and public health.
- *Community Assets*: Schools should unite the communities in which they are located and be compatible with community character.
- *Based on existing data and evidence*: The Task Force process shall utilize recent demographic, buildable lands inventory, and other relevant data and information.
- *Public Engagement*: The Task Force process should include robust community engagement with impacted communities. Meetings will be transparent and open to the public for observation. The Task Force shall provide opportunities for public comment.
- *Best Practice and Innovation*: Lasting recommendations should serve the region well for years to come and support education, health, environmental, programmatic, fiscal, and social objectives.

SECTION 4: The Task Force Process

Appointing the Task Force

The GMPC designated categories of membership in Motion 11-2, but did not specify individual members. Task Force members were appointed by the King County Executive (see Appendix A).

Hiring a Facilitator

Public Health - Seattle King County hired Triangle Associates as the independent facilitator to help coordinate the work of the Task Force, including conducting initial assessment interviews of all Task Force members, organizing Task Force meetings, facilitating development of recommendations by the Task Force and providing support through drafting and production of the Task Force's Final Report and Recommendations.

Structure and Roles of the Task Force

The Task Force established two workgroups to assist in the effort: the Technical Advisory Committee, (also recommended by the GMPC) and the Framing Work Group. Both are described below.

Technical Advisory Committee

The Technical Advisory Committee (TAC) was comprised of representatives from King County, the Puget Sound Regional Council, school districts, water and sewer districts, and the Suburban Cities Association. A membership list is included in Appendix C. The TAC met throughout the beginning and middle stages of the Task Force process; its role was to provide data and information to support Task Force decision making. TAC meetings were open to the public and included dialogue with those who attended. Meeting summaries (Appendix P) were developed to provide a record of their work.

The primary work product of the TAC involved compiling a matrix containing information related to the 18 undeveloped school sites (Appendix F). In addition to populating the matrix with site-specific information, the TAC was asked to collect data and information in several other areas of inquiry, which collectively were referred to as the "13 Tasks". This included subject areas such as demographic trends and school enrollment projections. A complete list of the 13 tasks is included as Appendix F.

The TAC work and products enabled swift evaluation of, and development of solutions for, specific sites by the Task Force. The breadth and detail of the data compiled by the TAC, and that Committee's timely response to Task Force requests, played a critical role in the accomplishments of the Task Force.

Framing Work Group

Due to the short timeline for the Task Force to complete its work, the Task Force created a Framing Work Group (Appendix B) to frame issues for its consideration. Prior to each meeting of the full Task Force, the Framing Work Group met to review information gathered by the TAC and to discuss how best to organize information and issues for discussion. Doing so helped the Task Force have focused and substantive discussions and stay on task to meet their deadlines.

The Framing Work Group made recommendations on process to the Task Force; however, all decision-making power remained with the full Task Force. Framing Work Group members were appointed by the Task Force Chair from the general Task Force roster. The group met on average twice between each Task Force meeting, and meeting summaries (Appendix P) were included in the materials that the Task Force received.

Meeting Structure and Process

The Task Force met six times from December 2011 through March 2012, using the process schematic (Appendix R) as a visual guide for navigating its work effort:

1. The first meeting, December 14, 2011, focused on introducing Task Force members, establishing a process for the work effort, and hearing Task Force member perspectives on hopes and desired outcomes from the process.
2. The second meeting, January 25, 2012, focused on learning information from the TAC and creating a set of interests (Appendix S) based on the Task Force's Guiding Principles as established in the GMPC Motion 11-2. The Task Force also agreed upon a set of Operating Protocols (Appendix Q).
3. On February 16, 2012, the Task Force held a 4-hour workshop to begin developing solutions for the 18 undeveloped rural school sites and for future school siting. The Technical Advisory Committee presented data on each of the 18 sites, and each school district was given the opportunity to present additional information on their sites. The Task Force reached consensus on an approach for evaluating sites that was developed by the Framing Work Group. This approach involved identifying the critical or "threshold" factors that would allow Task Force members to create four categories into which the 18 sites would eventually be sorted. The first step was to brainstorm potential solutions for each category.
4. On March 1, 2012, the Task Force met for the fourth time, also in a 4-hour workshop. Working in small groups, Task Force members accepted possible solutions for the four categories of sites. They then sorted the 18 sites into the four categories and also considered future school siting. The Task Force reached consensus agreement on several items, including:
 - The "Solutions Set and Criteria" document (Document 1 in the Recommendations section), with agreement that a few items needed additional definition, clarification, and confirmation at its next meeting
 - The placement of all school sites in appropriate quadrants of the solutions table
5. On March 15, 2012, the Task Force accepted by 100% consensus:
 - A final version of the "Solutions Set and Criteria" document
 - Recommended and prioritized solutions for 12 specific sites
 - The following technical documents: Matrix of school sites, list of 13 tasks, population and demographic information, enrollment trends by school district, public health aspects of school siting.
 - Recommendations to the Growth Management Planning Council and Washington State legislature related to school siting
6. On March 29, 2012, the Task Force accepted the Recommendations Report to be submitted to the King County Executive.

Decision Making: A Consensus Approach

At the second Task Force meeting, the Task Force members accepted the Operating Protocols (Appendix Q). This document established roles for all non-Task Force members involved in the process, clarified communications protocols and workgroup composition, and defined a specific decision-making approach.

The Task Force defined consensus as obtaining the full acceptance of all members; short of that, decisions and recommendations would move forward with the approval of at least 70% of the Task Force members present, with at least one member from each primary interest group (county, cities, school districts, and residents) voting in favor to accept a document or decision.

Public Process

The GMPC Motion stated that the Task Force process should include robust public engagement. All Task Force meetings and TAC meetings were open to the public. All written materials (agendas, meeting summaries, and other information) were made available on the Task Force website, and public comments were accepted throughout the process at Task Force meetings, through the Task Force website and via email. Comments from the public were summarized by the facilitator at the beginning of every Task Force meeting, and the compiled comments were emailed to Task Force members after each meeting (see Appendix U).

Information Considered by the Task Force

As Task Force members studied the issues associated with siting schools in rural areas, they considered a range of data and information. The majority of this information was provided by the TAC. It included the following documents, reports and policy frameworks, many of which are included in the appendices to this Report.

- **18 undeveloped rural school sites.** The TAC prepared a matrix containing factual information related to each of the 18 sites including: general site information (e.g., zoning, acreage, assessed value), land use and transportation considerations (e.g., landscape position, distance to UGA, distance to sewer/water connection, environmental features), and the school districts' plans (e.g., intended use, development timeline). School districts were given the opportunity to correct and/or augment the information about their school sites.
- **Planning context.** King County staff provided the Task Force with a brief history of the land use planning in two areas where many of the undeveloped sites are located: the Bear-Evans Corridor and the Soos Creek Basin. The county's land use strategy in both areas employed zoning and development regulations on an area-wide basis so the cumulative impact of development would not cause environmental degradation. A summary of this history is included as Appendix O.
- **GMA policy framework.** There is a strong policy basis in Washington State for focusing growth in urban areas, protecting rural areas and the environment, and the efficient provision of government services and facilities. The growth management framework considered by the Task Force included GMA, VISION 2040, the Countywide Planning Policies, King County Comprehensive Plan and King County Code. Relevant portions of these documents can be found in Appendix M.
- **Demographic information.** The Task Force was presented with information from the 2010 census that identified population trends in the urban and rural portions of each school district, and

also district-wide. Significant demographic shifts have occurred in the past decade: from 2000 to 2010, the overall rural population in King County declined by 1%, and the rural population under the age of 18 declined by 18.4%. During the same time, the urban population saw an overall increase of 12.1% and under-18 increase of 8.3%. This information can be found in Appendix H.

- **School district enrollment projections.** The Task Force was presented with information related to current and projected school enrollment, which illustrates that district populations will continue to grow to varying degrees and that urban students will continue to comprise the majority of those populations. The anticipated enrollment for students from rural areas generally failed to materialize in the vicinities of the sites owned by school districts. The enrollment projections can be found in Appendix I.
- **Funding for school construction.** Although there was no formal presentation on this topic, it came up on several occasions and was an important consideration for the Task Force. The State of Washington does not provide funding to school districts for acquisition of properties; school districts must rely on their own funding sources (through bonds, levies, grants, and donations). Once properties are acquired, school districts can apply for state assistance for school construction as part of a state match program.
- **Current criteria and process for school siting.** Using both state regulations and locally adopted standards, school districts consider many factors when locating a site to develop a public school facility. Following guidance set forth by the Office of the Superintendent of Public Instruction and the Washington Administrative Code (392-342-020 WAC), districts look at site quality, cost, projected enrollment, distance to students/ transportation, and timing of school construction. The WAC guidelines can be found in Appendix L.
- **Funding for county road maintenance.** The TAC determined that the cost for upgrading, operating and maintaining county roads to serve future schools on the 18 undeveloped sites could range from \$30-35 million over 20 years. This is important to consider because the County road fund has become severely strained, and because that cost would be borne solely by unincorporated area residents through the county road levy. In addition to cost of road infrastructure and tax equity issue, there are climate impacts associated with transporting large numbers of students to schools in rural areas, in the form of increased greenhouse gas emissions.
- **Public health aspects of school siting.** One member of the TAC and one member of the Task Force presented information on the public health aspects of school siting. In recent years, best practices in school siting have evolved to reflect a more community-centered approach, placing schools in urban areas where children can walk to school and where school facilities can serve as community assets. The major themes identified in this research (included in Appendix J) include:
 - a. School siting determines the proximity of schools to a student's home and larger community and can affect whether children achieve and maintain good health,
 - b. Physical activity is key to children's health,
 - c. School travel impacts children's health in multiple ways, and

- d. Education policy is also health policy.

Task Force Report

This Report was drafted by the independent facilitation team. The Framing Work Group refined the initial draft document, which the Task Force considered at the March 15th meeting. Between the March 15th and March 29th meetings, the Framing Work Group, project team, and facilitation team refined iterations of the Report, with a final draft presented to the Task Force at its last meeting on March 29, 2012. The Task Force accepted the document, with revisions, at that meeting. The facilitation team made final revisions based on Task Force input before submitting this Report to the King County Executive.

SECTION 5: Recommendations

Introduction

The GMPC and King County Executive requested that the Task Force recommend solutions for the 18 undeveloped rural sites and guidelines for future school siting. The Task Force analyzed data and information to create and prioritize specific solutions for each of the sites and to develop recommendations for future sites. These are encapsulated below in *Recommended Solutions for Undeveloped Sites* and *Recommendations for Future School Siting*, respectively. Throughout the process, Task Force members identified other recommendations in support of its Mission; the other recommendations are listed under *Recommendations for Future School Siting*.

Recommended Solutions for Undeveloped Rural Sites

The Task Force focused the major part of its effort on the 18 undeveloped sites, seeking logical and sustainable solutions. Once the Task Force process was underway, the Task Force surveyed all the school districts to ensure the Task Force's scope included the universe of undeveloped rural property with a school district interest. No other undeveloped rural sites were identified by the school districts.

The Task Force, with guidance from the Framing Work Group, decided to use a "threshold" approach for determining solutions for each of the 18 undeveloped sites. This threshold approach identified two specific criteria; a site must possess one or the other in order to be considered for development. After some refinement, the Task Force accepted the following criteria for decision making:

- 1) **Does the school district have an identified need for a school site?** (*Identified need exists if a district has identified a type of school and a time frame in which the school is needed.*)
- 2) **Does the site border the Urban Growth Area (UGA) or have an existing sewer connection?** (*Bordering the UGA means the site is directly contiguous to the UGA. An existing sewer connection means sewer line is on site. This does not include sites with sewer on an adjacent parcel or across the street.*)

Based on these criteria, the Task Force accepted the threshold approach for sorting the 18 sites and created the *Solutions Table*, which separated the school sites into four quadrants:

- **Box A**, in the upper left corner, includes sites that border the UGA and/or have an existing sewer connection and for which school districts have an identified need.
- **Box B**, in the upper right corner, includes sites that do not border the UGA and have no sewer connection and for which school districts have an identified need.
- **Box C**, in the lower left corner, includes sites for which school districts do not have an identified need and that border the UGA and/or have an existing sewer connection on site.
- **Box D**, in the lower right corner, includes sites for which school districts do not have an identified need and that do not border the UGA and have no existing sewer connection on site.

Any and all other undeveloped rural school sites (those not among the 18 recognized sites) fall into “future school siting” in Box E of the Solutions Table. Future school siting issues are addressed in greater detail in the section entitled *Recommendations for Future School Siting*.

The Task Force then developed possible solutions for each box and ranked these possible solutions in order of preference, recognizing that circumstances for specific sites within each category might merit a different order.

The recommended Solutions Set and Criteria are shown here as Document 1.

Document 1—Solutions Set and Criteria

Existing Undeveloped School Sites in the Rural Area

Assumptions for Solution Set:

- For any solution that would result in a school district not being permitted to use a site for a school, the Task Force recommends options through which the school district could receive fair and appropriate value.
- All solutions resulting in site development should mitigate impacts and provide community benefits.
- Any solutions that involve a change in the UGA or allow/prohibit sewer service shall be governed by the laws, policies, and/or administrative procedure(s) in place at the time.
- Additional solutions may apply; detailed analysis may be required to determine optimal solution for any site.
- All sites, site conditions, and identified needs are included in the Matrix. School districts were asked to bring forward any additional sites and no other sites emerged so the full and final list of specific sites is shown in Documents 2-3.

NOTE: Solution Sets in each box is listed in priority order.

	Site borders UGA or has sewer connection. "Sewer connection" defined as having sewer on site already (not adjacent).	Site does not border UGA and has no sewer connection.
<p>School district has an identified need for a school site.</p> <p><i>"Identified need" exists if district has identified a type of school and a time frame in which they need the school.</i></p>	<p style="text-align: right;"><i>A</i></p> <ol style="list-style-type: none"> 1. Find an alternative site in the UGA 2. Allow school district to connect to existing sewer 3. Incorporate site into adjacent UGA <p><i>Prohibit: Extending additional sewer outside UGA</i></p>	<p style="text-align: right;"><i>B</i></p> <ol style="list-style-type: none"> 1. Find an alternative site in the UGA 2. Find an alternative site bordering UGA (if this occurs, see Box A for possible solutions) 3. Sell, or hold with the understanding that any future development must be consistent with Vision 2040 as implemented by King County Code <p><i>Prohibit: Moving UGA; tight-line sewer</i></p>
<p>School district does not have an identified need for a school site.</p>	<p style="text-align: right;"><i>C</i></p> <ol style="list-style-type: none"> 1. Find an alternative site in the UGA 2. If the site is of value to the county, cities or community, facilitate the purchase, sale, or land swap of property 3. Sell, or hold with the understanding that any future development must be consistent with Vision 2040 as implemented by King County Code <p><i>Prohibit: Moving UGA; new sewer connections</i></p>	<p style="text-align: right;"><i>D</i></p> <ol style="list-style-type: none"> 1. If the site is of value to the county, cities or community, facilitate the purchase, sale, or land swap of property 2. Find an alternative site in the UGA 3. Sell, or hold with the understanding that any future development must be consistent with Vision 2040 as implemented by King County Code <p><i>Prohibit: Moving UGA; tight-line sewer</i></p>

All Other Undeveloped School Sites (Future)

Future School Siting	All future school siting should be consistent with Vision 2040.	<i>E</i>
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Once the Task Force accepted these criteria and categories plus the prioritized solution sets for each quadrant, members considered each undeveloped school site. At the March 1st meeting, the Task Force reached consensus agreement for the placement of each site in accordance with the accepted criteria.

The accepted placement of each rural school site is shown below as Document 2.

Document 2—Site Categorization

Task Force breakout groups identified the sites in each category. The full Task Force reached 100% Consensus on March 1, 2012 on the following site categorization:

Existing Undeveloped Sites in the Rural Area (18 sites)

	Site borders UGA or has sewer connection.	Site does not border UGA and has no sewer connection.
School district has an identified need for a school site	<i>A</i> <u>Sites:</u> Enumclaw A, D Lake Washington 2, 4 Snoqualmie Valley 1 Tahoma 1	<i>B</i> <u>Sites:</u> Enumclaw B Issaquah 1
School district does not have an identified need for a school site	<i>C</i> <u>Sites:</u> Kent 4	<i>D</i> <u>Sites:</u> Auburn 1, 2, 3 Kent 1, 2, 3 Lake Washington 1, 3 Northshore 1

All Other Undeveloped School Sites (Future)

Future School Siting	All future school siting should be consistent with Vision 2040.	<i>E</i>
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Once the Task Force accepted the threshold criteria and site categories, developed the basic solution sets for each quadrant, and placed the school sites in categories based on the threshold criteria, members brainstormed possible solutions for each site. Task Force members developed a preferred solution for each site, with a prioritized list of additional solutions. Where appropriate, they included notes, considerations, and rationale to support each site's recommended solution(s).

The Task Force recognized that VISION 2040, the CPPs, the King County Comprehensive Plan, and the King County Code will ultimately govern what happens on both current undeveloped school sites and on any other future school sites in rural areas. In addition, school districts will control the timing and specific actions within that framework. The involvement of cities is needed to facilitate siting within urban areas.

Document 3 below shows the recommended solution(s) for each school site, along with site-specific considerations.

Document 3—Site-Specific Solutions

Box A

	SITE BORDERS UGA or HAS SEWER CONNECTION
<p>School district has an identified need for a school site.</p>	<p>Overview:</p> <p>In general, while the Task Force’s preference is to find alternative sites in the UGA, the Task Force finds that for the sites in Box A the particular site conditions and circumstances facing the impacted school districts may warrant other solutions. Thus the recommended solutions vary by site. For any recommendations that allow for development on a site, the Task Force recommends that the district work with the county and community to minimize impacts on the rural surroundings and rural residents.</p> <p>Because of the identified need by the school districts, the Task Force recommends that these sites receive prioritized attention from city, county and school district decision makers.</p> <p>Sites and their Solutions:</p> <p>Snoqualmie Valley 1</p> <ol style="list-style-type: none"> 1. Allow school district to connect to existing sewer <p><i>Site specific: The high percentage of floodplain land in this school district makes finding an alternate site very challenging. The site does not have significant conservation value. The site has an existing school, which was developed with the intent that another school would be built on the site. The district has undertaken site preparation for the addition of an elementary school on the site. The school district invested in the Local Improvement District that enabled the sewer to reach the site.</i></p> <p>Tahoma 1</p> <ol style="list-style-type: none"> 1. Find alternative site in the UGA 2. Allow school district to connect to existing sewer <p><i>Site specific: The Task Force encourages the district to work with the county and cities in the district to explore opportunities for finding an alternative site in the UGA that would meet the pressing need for additional capacity that development of another school would provide. If no viable alternative site that fits within the district’s financial plans can be expeditiously found, the availability of sewer and an existing school on the site present compelling reasons for development of the site to meet the district’s needs. The site does have conservation value and the Task Force recommends that any new development on the site occur adjacent to the existing school so that impacts to the site’s forest cover are minimized.</i></p> <p>Lake Washington 2</p> <ol style="list-style-type: none"> 1. Find alternative site in the UGA 2. Incorporate site into adjacent UGA <p><i>Site specific: The site borders the Redmond watershed and has conservation value. The Task Force therefore encourages the school district, the county and the City of Redmond to find an alternative site within the UGA that would meet the district’s need for additional capacity that development of another school would provide. The parties should identify other partners and funding mechanisms that would allow for purchase of the property (perhaps in conjunction with the Lake Washington 1 site) for permanent conservation as well as provide resources to the district for purchase of an alternative site. If no viable alternative site can be expeditiously identified, the Task Force recommends that the school district develop the site in a manner that preserves as much of the conservation value of the site as</i></p>

possible. This may be accomplished through, for example, incorporation of a small developable portion of the site (about five acres) into the UGA for a small environmental school* while placing the remainder of the site into permanent conservation. The district should also work closely with the county and community to minimize other impacts, such as transportation. The Task Force does not recommend extension of sewer to any portion of that site that remains outside of the UGA. If the site is proposed for incorporation into the UGA, it shall go through the King County docket process.

*Environmental School will have sustainable or "green" buildings and grounds (refer to State RCW 39.35D, "High Performance Public Buildings – Guidelines for School Districts").

Lake Washington 4

1. Allow school district to connect to existing sewer

Site specific: The Task Force recognizes the school district's need for additional capacity in the eastern portion of the district, which straddles the City of Redmond, the rural area, and an unincorporated urban "island" surrounded by rural area. The site is part of a large parcel on which there is an existing elementary and middle school, both already connected to sewer. The undeveloped portion of the site was previously used as a milk farm and portions of the site are cleared. The Task Force recommends that the district work closely with King County and the community to minimize both existing and additional impacts on the area surrounding the parcel, particularly the transportation impacts related to several facilities being located or developed on the site.

Enumclaw A & D:

- 1a. Find alternative site/s in the UGA

- 1b. Place all school buildings and impervious surfaces on the *urban* side of the UGB and place ballfields/playfields on the *rural* side of the UGB.

Site specific (1a): This joint site lies on the south-eastern boundary of the Black Diamond UGA and a master-planned development (MPD) that has yet to be constructed. The identified need of the school district is associated primarily with the population projections of the MPD and with students residing outside of the MPD but in the northern part of the district; the sites are planned for an elementary and a middle school. The fee title to both sites is held by the developer, with the district's property interest recorded as an encumbrance on title, and would only be conveyed to the school district if the MPD materializes. The Task Force recommends that no sewer be extended to the rural portion of the site and that the City of Black Diamond and county work with the developer and the school district to site all schools associated with the MPD completely within the UGA. The Black Diamond City Council supported this solution in a resolution passed 3-1-12. The Black Diamond City Council previously approved the Comprehensive School Mitigation Agreement identifying Enumclaw Sites A, B, and D as agreed-upon school sites.

Site specific (1b): The Enumclaw School District and the developer have identified as an alternative to 1a the placement of a portion of the proposed school-related facilities on rural lands. If attempts to site each of these schools fully within the UGA are unsuccessful, alternative 1b may be contemplated. Alternative 1b consists of siting all school buildings, storm water detention and other support facilities, and all parking and impervious surfaces within the UGA and limiting any development in the adjacent rural area to ballfields/playfields. The Task Force further recommends maintaining significant forest buffers between the ballfields/playfields and adjacent rural lands including the Black Diamond Natural Area. Recommendation of this urban/rural alternative by the Task Force is meant to address the unique circumstances of the Enumclaw A & D sites and is not to be construed as a precedent for locating schools on adjacent rural lands. Consequently, it is not recommended for any other sites.

Box B

	SITE DOES NOT BORDER UGA and HAS NO SEWER CONNECTION
School district has an identified need for a school site.	<p><u>Overview:</u></p> <p>The Task Force recommends that alternative sites in the UGA be found for all sites in this box and that sewer not be extended to these sites. Because of the identified need by the school districts and the recommendation to find alternative sites, the Task Force recommends that these sites receive prioritized attention by school district, county and city decision makers.</p> <p><u>Sites and their Solutions:</u></p> <p>Issaquah 1</p> <p>1. Find alternative site in the UGA <i>Site specific: The site is a large parcel (80 acres) on May Valley Road between Squak Mountain to the north and Cedar Hills Landfill to the south. The site has conservation value. The Task Force recommends that the school district work expeditiously with King County, the City of Issaquah and the City of Renton. These partners shall work diligently to find an alternative site within the UGA that would meet the school district's need for additional capacity that development of another school would provide. The county, cities and school district should identify other partners and funding mechanisms that may allow for purchase of the property for permanent conservation or other rural-related uses while also providing resources to the district for purchase of an alternative site.</i></p> <p>Enumclaw B:</p> <p>1. Find alternative site in the UGA <i>Site specific: The site is in the rural area west of the Black Diamond UGA and a master-planned development (MPD) that has been approved but is yet to be constructed. The identified need of the school district is associated with the population projections of the MPD; the site is planned for a middle school. The fee title for the site is held by the developer, with the district's property interest recorded as an encumbrance on title, and would only be conveyed to the school district if the MPD materializes. The Task Force recommends that no sewer be extended to the site and that the City of Black Diamond and the county work with the developer and the school district to site schools associated with the MPD in the UGA.</i></p>

Box C

	SITE BORDERS UGA or HAS SEWER CONNECTION
<p>School district does not have an identified need for a school site.</p>	<p><u>Overview:</u> Because the site in this box is not associated with an identified need, the Task Force recommends that the school district plan to develop the site consistent with Vision 2040 or manage the site as part of its capital portfolio.</p> <p><u>Site and its solution:</u></p> <p>Kent 4</p> <ol style="list-style-type: none"> 1. Sell, or hold with the understanding that any future development must be consistent with Vision 2040 as implemented by King County code.

Box D

	SITE DOES NOT BORDER UGA and HAS NO SEWER CONNECTION
<p>School district does not have an identified need for a school site.</p>	<p><u>Overview:</u></p> <p>Because sites in this box are not associated with an identified need, the Task Force recommends that school districts plan to develop the sites consistent with Vision 2040 or manage the sites as part of their capital portfolio. The Task Force also recommends that while the school districts will ultimately determine how sites are handled, the county, cities, and other interested parties should investigate whether sites may be suitable for permanent conservation or other public purposes; if so, these entities should work to facilitate the acquisition of the properties for the identified public purposes.</p> <p><u>Solutions for sites with conservation value:</u></p> <ol style="list-style-type: none"> 1. If the site is of value to the county, cities or community, facilitate the purchase, sale, or land swap of property <p>The Task Force recommends that the county, cities and school districts investigate whether the properties may be appropriate for permanent conservation or acquisition for other public purposes.</p> <ul style="list-style-type: none"> • Auburn 1: <i>The site has value for flood hazard reduction.</i> • Kent 3: <i>The site has forestland of value for environmental, social, and potentially economic benefits.</i> • Lake Washington 1: <i>The site has value for flood hazard reduction and regionally significant aquatic or terrestrial natural resources. Facilitating the sale of the property into conservation may assist with solutions for other Lake Washington sites in Box A.</i> • Northshore 1: <i>The site has forestland of value for environmental, social, and potentially economic benefits.</i> <p><u>Solutions for sites without identified conservation value:</u></p> <p>Auburn 3, Kent 1, and Lake Washington 3</p> <ol style="list-style-type: none"> 1. Sell, or hold understanding that any future development must be consistent with Vision 2040. <i>The Task Force recommends that school districts plan to develop the sites consistent with Vision 2040 or manage the sites as part of their capital portfolio.</i> <p><u>Solution for Auburn 2:</u></p> <p>Auburn 2: <i>The site has an existing elementary school, but no sewer extension. The school district plans to redevelop the existing elementary school or build a middle school to replace the elementary school. No time frame has been specified. The Task Force recommends that the school district be allowed to redevelop, if no sewer connection is needed and as allowed by development regulations in place at the time of development.</i></p>

Note: In developing the above recommendations for schools sites, Task Force members reached out to all school districts whose service area includes rural land, even those districts not represented on the Task Force. To make sure the solutions recommended by the Task Force would encompass all known sites and create lasting solutions, school districts were asked if they owned or had interest in any rural sites not already under consideration in this process. School district representatives stated there were no additional rural sites needing to be addressed at this time. Therefore, no other sites are included and all future school siting should be guided by the recommendations below.

Recommendations for Future School Siting

The Puget Sound Regional Council (PSRC) comprehensively updated VISION 2040 in 2008. In preparation for the update, the PSRC developed an issue paper regarding Rural Areas that included a discussion on Special Purpose Districts and Institutional Uses (Appendix N). The issue paper noted that special purpose district planning is disconnected from GMA, and that many facilities (including schools) had expanded into rural areas, taking advantage of relatively low land values and large tracts of land. The issue paper recommended that policies be established that provide regional guidance on siting special purpose districts within rural areas. Thus, the following policies were established and incorporated into VISION 2040:

MPP-PS-4 Do not provide urban services in rural areas. Design services for limited access when they are needed to solve isolated health and sanitation problems, so as not to increase the development potential of the surrounding rural area.

MPP-PS-5 Encourage the design of public facilities and utilities in rural areas to be at a size and scale appropriate to rural locations, so as not to increase development pressure.

MPP-PS-21 Site schools, institutions, and other community facilities that primarily serve urban populations within the urban growth area in locations where they will promote the local desired growth plan.

MPP-PS-22 Locate schools, institutions, and other community facilities serving rural residents in neighboring cities and towns and design those facilities in keeping with the size and scale of the local community.

Also in 2008, VISION 2040 incorporated new policies integrating public health considerations into land use and transportation planning, and addressing climate change through the regional growth strategy (reducing greenhouse gas emissions by focusing growth in urban centers).

Consistent with all of the above, VISION 2040 now encourages the siting of public facilities in urban areas, and states that *"Schools should be encouraged to become the cornerstone of their communities by locating in more urban settings and designing facilities to better integrate with their urban neighborhoods."*

Given the adopted policies in VISION 2040 and after consideration of the wide range of technical information presented, the Task Force recommends that all future school siting be consistent with VISION 2040.

Box E

The Task Force recommends that all future school siting be consistent with VISION 2040.

In support of this recommendation, the Task Force further recommends:

1. The Growth Management Planning Council (GMPC) should develop policies and adopt a work program that commits jurisdictions to working together to identify future school sites within the UGA. These policies shall direct jurisdictions to use zoning and other land use tools to ensure a sufficient supply of land for siting schools.
2. King County should work with the school districts, community representatives, and other stakeholders to address any future redevelopment of existing schools on rural sites to accommodate school districts' needs while protecting rural character.
3. The Growth Management Planning Council should add a school district representative to its membership.
4. The Puget Sound Regional Council should collaborate with counties and cities in working with school districts to ensure coordination in regional (4-county) growth management discussions (per VISION 2040 PS-Action-6).
5. The Washington State Legislature and the Office of the Superintendent of Public Instruction should examine, together with the State Department of Commerce, how state laws, guidelines, policies and administrative procedures can influence school siting decisions, including:
 - a. Reconsideration of existing transportation policies and funding that incentivize busing and siting schools away from population centers.
 - b. Identifying new funding for school land acquisition, including incentives for purchases, land swaps, and other avenues for obtaining land inside the UGA
 - c. Revising existing guidelines for school siting such that districts who build on small sites in urban areas are eligible for state match funds
 - d. Increasing the compensation to school districts for the construction costs of schools sited within the UGA

Note: The Task Force did not specifically consider redevelopment of existing schools on sites in the rural area. Redevelopment issues were not included in the Task Force scope of work. Information emerged late in the Task Force process regarding redevelopment and will be passed on to appropriate officials for consideration at a future date. Redevelopment is addressed in #2 in Box E.

Communicating Task Force Findings to Stakeholders

To help communicate its findings, Task Force members are available to speak with interested parties (school boards, city councils, etc.) to discuss its work, its process, and its recommendations.

SECTION 6: IMPLEMENTING TASK FORCE RECOMMENDATIONS AND NEXT STEPS

Implementation of these recommendations will require additional work by and ongoing coordination between King County, the cities, school districts, and other stakeholders. For this reason, the Task Force has recommended including school districts in regional planning bodies.

Recognizing that the Task Force's recommendations will require school districts to reconsider their real estate portfolios and/or financial plans, one of the first implementation items should be to explore the recommended solutions for specific sites, including:

- Finding alternative sites in the UGA
- Exploring land swaps for undeveloped sites
- Exploring acquisition of undeveloped rural sites for public purposes, including conservation, recreation, or other rural-based uses

The Task Force suggests that this work commence immediately, and defers to the King County Executive on identifying the appropriate forum(s).

Next Steps

The following are the next formal steps in the development of new policies to support the Task Force's recommendations:

1. The King County Executive will review this Task Force Report and propose new Countywide Planning Policies for Growth Management Planning Council (GMPC) consideration
2. The GMPC will review the Executive's proposal, and recommend new Countywide Planning Policies to the King County Council for their consideration
3. The King County Council will review the GMPC's recommendation, adopt new Countywide Planning Policies, and send them to the cities for ratification
4. The King County Council will adopt new Comprehensive Plan policies and development regulations that are consistent with the new Countywide Planning Policies

Appendices (Attached)

- A. Task Force Membership
- B. Framing Work Group Membership
- C. Technical Advisory Committee Membership
- D. Map of 18 Undeveloped School Sites
- E. GMPC Motion 11-2

Appendices (on CD)

- F. Matrix of Technical Information on Undeveloped Sites
- G. Maps of Undeveloped Sites
- H. Demographic Information
- I. Enrollment Projections
- J. Public Health Aspects of School Siting
- K. Technical Advisory Committee Work (13 Tasks)
- L. State School Siting Guidelines
- M. Existing Policy and Regulatory Framework
- N. Excerpt from PSRC Issue Paper on Rural Areas
- O. Land Use Planning Overview
- P. Meeting Summaries
- Q. Operating Protocols
- R. Process Schematic
- S. Task Force Member Interests
- T. Interview Summary
- U. Public Comments

GLOSSARY

Affordable Housing: Housing that is affordable at 30 percent or less of a household's monthly income. This is a general term that may include housing affordable to a wide range of income levels.

Agricultural Production District: A requirement of the Growth Management Act for cities and counties to designate, where appropriate, agricultural lands that are not characterized by urban growth, have soils suitable for agriculture, and that have long-term significance for commercial farming. The King County Comprehensive Plan designates Agricultural Production Districts where the principal land use should be agriculture.

Area Median Income: The annual household income for the Seattle-Bellevue, WA Metro Area as published on approximately an annual basis by the U.S. Department of Housing and Urban Development.

Buildable Lands Program: A requirement of the Growth Management Act for certain counties in western Washington to report on a regular basis the amount of residential and commercial development that has occurred, the densities of that development, and an estimate of each jurisdiction's ability to accommodate its growth target based on the amount of development that existing zoning would allow.

Climate Change: The variation in the earth's global climate over time. It describes changes in the variability or average state of the atmosphere. Climate change may result from natural factors or processes (such as change in ocean circulation) or from human activities that change the atmosphere's composition (such as burning fossil fuels or deforestation.)

Climate Change Adaptation refers to actions taken to adapt to unavoidable impacts as a result of climate change.

Climate Change Mitigation refers to actions taken to reduce the future effects of climate change.

Comprehensive Plan: A plan prepared by a local government following the requirements of the Washington Growth Management Act, containing policies to guide local actions regarding land use, transportation, housing, utilities, capital facilities, and economic development in ways that will accommodate at least the adopted 20-year targets for housing and employment growth.

Environmental Justice: The fair distribution of costs and benefits, based on a consideration for social equity. Environmental justice is concerned with the right of all people to enjoy a safe,

clean, and healthy environment, and with fairness across income, ethnic, and racial groups in the siting and operation of infrastructure, facilities, or other large land-uses.

Forest Production District. A requirement of the Growth Management Act for cities and counties to designate, where appropriate, forest lands that are not characterized by urban growth and that have long-term significance for the commercial production of timber. The King County Comprehensive Plan designates Forest Production Districts where the primary use should be commercial forestry.

Growth Management Act: State law (RCW 36.70A) that requires local governments to prepare comprehensive plans (including land use, transportation, housing, capital facilities and utilities) to accommodate 20 years of expected growth. Other provisions of the Growth Management Act require developing and adopting countywide planning policies to guide local comprehensive planning in a coordinated and consistent manner.

Greenhouse Gas: Components of the atmosphere that contribute to global warming, including carbon dioxide, methane, nitrous oxide, and fluorinated gases. Human activities have added to the levels of most of these naturally occurring gases.

Healthy Housing: Housing that protects all residents from exposure to harmful substances and environments, reduces the risk of injury, provides opportunities for safe and convenient daily physical activity, and assures access to healthy food and social connectivity.

High-capacity Transit: Various types of transit systems, such as light rail and bus rapid transit, operating on fixed guideway or dedicated right-of-way designed to carry a large number of riders at higher speeds.

Industry Clusters: Specific economic segments that are the focus of the Regional Economic Strategy. As of June 2011, the identified regional industry clusters included: aerospace, clean technology, information technology, life sciences, logistics and international trade, military, and tourism.

King County Open Space System: A regional system of *county-owned* parks, trails, natural areas, working agricultural and forest resource lands, and flood hazard management lands.

Low-Income Households: Households earning between 31 percent and 50 percent of the Area Median Income for their household size.

Manufacturing/ Industrial Centers: Designated locations within King County cities meeting criteria detailed in policies DP 35-37.

Mixed-Use Development: A building or buildings constructed as a single project which contains more than one use, typically including housing plus retail and/or office uses.

Moderate-Income Households: Households earning between 51 percent and 80 percent of the Area Median Income for their household size.

Potential Annexation Area: A portion of the unincorporated urban area in King County that a city has identified it will annex at some future date. See Appendix 2: Interim Potential Annexation Areas Map.

Purchase of Development Rights: Programs that buy and then extinguish development rights on a property to restrict development and limit uses exclusively for open space or resource-based activities such as farming and forestry. Covenants run with the land in perpetuity so that the property is protected from development regardless of ownership.

Regional Growth Strategy: The strategy defined in VISION 2040 that was developed by the Puget Sound Regional Council to help guide growth in the four-county region that includes King, Kitsap, Pierce and Snohomish counties. VISION 2040 directs most of the region's forecasted growth into designated Urban Areas, and concentrates growth within those areas in designated centers planned for a mix of uses and connection by high-capacity transit

Resource Lands: Designated areas within King County that have long-term significance for agricultural, forestry, or mining. See Appendix 1: Land Use Map.

Rural Area: Designated area outside the Urban Growth Area that is characterized by small-scale farming and forestry and low-density residential development. See Appendix 1: Land Use Map.

Rural Cities: Cities that are surrounded by Rural Area or Resource Lands. Rural Cities are part of the Urban Growth Area.

Stormwater Management: An infrastructure system that collects runoff from storms and redirects it from streets and other surfaces into facilities that store and release it – usually back into natural waterways.

Sustainable Development: Methods of accommodating new population and employment that protect the natural environment while preserving the ability to accommodate future generations.

Transfer of Development Rights: Ability to transfer allowable density, in the form of permitted building lots or structures, from one property (the "sending site") to another (the "receiving site") in conjunction with conservation of all or part of the sending site as open space or working farm or forest.

Transportation 2040: A 30-year action plan for transportation investments in the central Puget Sound region intended to support implementation of VISION 2040.

Transportation Demand Management: Various strategies and policies (e.g. incentives, regulations) designed to reduce or redistribute travel by single-occupancy vehicles in order to make more efficient use of existing facility capacity.

Transportation System: A comprehensive, integrated network of travel modes (e.g. airplanes, automobiles, bicycles, buses, feet, ferries, freighters, trains, trucks) and infrastructure (e.g. sidewalks, trails, streets, arterials, highways, waterways, railways, airports) for the movement of people and goods on a local, regional, national and global scale.

Universal Design: A system of design that helps ensure that buildings and public spaces are accessible to people with or without disabilities.

Urban Centers: Designated locations within King County cities meeting criteria detailed in Development Pattern chapter policies 31-32.

Urban Growth Area: The designated portion of King County that encompasses all of the cities as well as other urban land where the large majority of the county's future residential and employment growth is intend to occur. See Appendix 1: Land Use Map.

Very Low-Income Households: Households earning 30 percent of the Area Median Income or less for their household size.

VISION 2040: The integrated, long-range vision for managing growth and maintaining a healthy region—including the counties of King, Kitsap, Pierce and Snohomish. It contains an environmental framework a numeric Regional Growth Strategy, the Multicounty Policies, and implementation actions and measures to monitor progress.

Water Resource Inventory Area: Major watershed basins in Washington identified for water-related planning purposes.

Workforce Housing: Housing that is affordable to households with one or more workers. Creating workforce housing in a jurisdiction implies consideration of the wide range of income levels that characterize working households, from one person working at minimum wage to two or more workers earning the average county wage or above. There is a particular need for workforce housing that is reasonably close to regional and sub-regional job centers and/or easily accessible by public transportation.



King County

**Metropolitan King County Council
Committee of the Whole**

REVISED STAFF REPORT

Agenda Item:	6	Name:	Kendall Moore
Proposed No.:	2012-0282	Date:	November 26, 2012
Invited:	Paul Reitenbach, GMPC staff coordinator Karen Wolf, Executive's office		

SUBJECT

A proposed ordinance adopting Growth Management Planning Council ("GMPC") recommended revisions to the King County Countywide Planning Policies ("CPPs"), including changes to the Potential Annexation Area ("PAA") map.

COMMITTEE ACTION

On November 26, 2012 the committee voted out Proposed Ordinance 2012-0282 as amended with a "do pass" recommendation.

BACKGROUND

Please see October 29, 2012 staff report.

ANALYSIS

Attached to this staff report as Attachment 4 is a matrix identifying all the changes made to the CPPs that are proposed by the striking amendment.

The only addition to the changes described at the October 29, 2012 committee meeting is the change found at page 33 of the CPPs, which is new text to provide the reader context for jobs housing balance strategy called out in policy H-9 (CPPs, page 33), as well as in the Housing Appendix at page 57.

As reported in the discussion at the October 29, 2012 committee meeting, these changes were reviewed by the interjurisdictional team ("ITJ") members, who are staff to the GMPC. No objections to the changes were received.¹

¹ At the October 26 meeting several members commented that these changes improved the document's clarity and readability.

AMENDMENT

A new Attachment A, incorporating the changes discussed at the October 29, 2012 committee meeting has been prepared. Additionally as also discussed at that committee meeting, a striking amendment has been prepared to make code changes so that listing every GMPC action and ratification by the Council will no longer called out in code. The proposal is to decodify those listing sections in the code rather than repeal, so that history will be preserved. This approach is similar to what is proposed for the Comprehensive Plan code sections that list the history of amendments to the Comprehensive Plan.



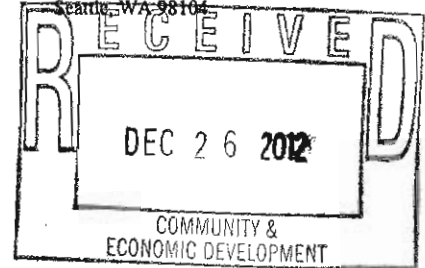
KING COUNTY

Signature Report

December 3, 2012

Ordinance 17487

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104



Proposed No. 2012-0436.2

Sponsors Phillips

1 AN ORDINANCE adopting Growth Management Planning
2 Council Motion 12-5 and ratifying Motion 12-5 for
3 unincorporated King County.

4 **STATEMENT OF FACTS:**

- 5 1. The Countywide Planning Policies ("CPPs") are adopted in accordance
6 with the state Growth Management Act, under 36.70A.210 RCW.
7 2. The Growth Management Planning Council ("GMPC") was formed in
8 1992 to guide the development of the CPPs. The GMPC is a
9 representative body of elected officials from King County, the city of
10 Seattle, the city of Bellevue and the Suburban Cities Association.
11 Representatives of the special districts serve as ex officio members.
12 3. The CPPs establish a framework for guiding development in all King
13 County jurisdictions.
14 4. The CPPs are deemed adopted when ratified by King County and the
15 requisite number of cities and satisfying the required population
16 percentage.
17 5. The GMPC recommends CPP amendments to the King County council
18 for consideration, possible revision and ratification.

19 **BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:**

20 SECTION 1. Findings:

21 A. On June 6, 2012, the Growth Management Planning Council introduced
22 Motion 12-5 listing the proposed changes to the urban growth area then under
23 consideration by the King County Council and accepted public testimony regarding the
24 proposed changes.

25 B. On September 11, 2012, the Growth Management Planning Council approved
26 Motion 12-5 following additional public testimony regarding the proposed changes to the
27 urban growth area.

28 C. Attachment A to this ordinance incorporates Motion 12-5.

29 SECTION 2. The amendments to 2012 King County Planning Policies, as shown

30 in Attachment A to this ordinance, are hereby adopted and ratified on behalf of the
31 population of unincorporated King County.

32

Ordinance 17487 was introduced on 10/29/2012 and passed by the Metropolitan King County Council on 12/3/2012, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 13 day of DECEMBER, 2012.



Dow Constantine, County Executive

Attachments: A. Motion No. 12-5

ATTACHMENT A

9/11/12

Decision: Approved

Sponsored By:

Executive Committee

/pr

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MOTION NO. 12-5

A MOTION to amend the Urban Growth Area of King County. This Motion also modifies the Potential Annexation Area map in the Countywide Planning Policies.

WHEREAS, the Washington State Growth Management Act, RCW 36.70A.110 requires counties to designate an urban growth area or areas within which urban growth shall be encouraged and outside of which growth can occur only if it is not urban in nature; and

WHEREAS, Countywide Planning Policy FW-1 Step 8 recognizes that King County may initiate amendments to the Urban Growth Area; and

WHEREAS, the King County Executive and the Metropolitan King County Council requests the Growth Management Planning Council consider the attached amendments to the Urban Growth Area for eventual adoption by the Metropolitan King County Council and ratification by the cities; and

WHEREAS, Countywide Planning Policies LU-31 and LU-32 anticipate the collaborative designation of Potential Annexation Areas and the eventual annexation of these areas by cities. The attached amendments are supported by the affected city.

BE IT RESOLVED THAT THE GROWTH MANAGEMENT PLANNING COUNCIL OF KING COUNTY HEREBY MOVES AS FOLLOWS:

1. Amend the Urban Growth Area as designated by the Urban Growth Areas Map in the Countywide Planning Policies, the Potential Annexation Area map, as depicted on the following attached maps:

- Attachment 1: Sammamish – Soaring Eagle
- Attachment 2: Snoqualmie – Mining Site
- Attachment 3: Auburn – 148th Ave. SE technical correction
- Attachment 4: Black Diamond – 212th Ave. SE technical correction
- Attachment 5: Redmond – NE Union Hill Road/196th Ave NE technical correction
- Attachment 6: Black Diamond – Lake Sawyer Road SE technical correction
- Attachment 7: Renton – SE Old Petrovitski Road technical correction

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- Attachment 8: Maple Valley – SE 281st Way technical correction
- Attachment 9: Maple Valley – SE 288th St. technical correction
- Attachment 10: Enumclaw – SE 440th St. technical correction
- Attachment 11: North Bend – SE 142nd St. technical correction
- Attachment 12: North Bend – SE 150th ST technical correction
- Attachment 13: Auburn – SE Green Valley Road technical correction
- Attachment 14: Duvall – SR 203/NE 140th St. technical correction
- Attachment 15: Maple Valley split parcel

- 2. Amend the Interim Potential Annexation Area Map by including any additional unincorporated urban land created by these UGA amendments in the Potential Annexation Area of the adjoining city, and deleting any land changed from urban to rural from the respective PAA.
- 3. These amendments are recommended to the King County Council and the Cities of King County for adoption and ratification.

ADOPTED by the Growth Management Planning Council of King County in open session on September 11, 2012 and signed by the chair of the GMPC.

Dow Constantine, Chair, Growth Management Planning Council

Soaring Eagle

Recommended Land Use Map




King County
Department of Development and
Environmental Services


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OS KC Open Space System
OP Other Parks/Wilderness

 Incorporated Areas

 Urban Growth Boundary

 Study Area

 Proposed Urban Growth Boundary

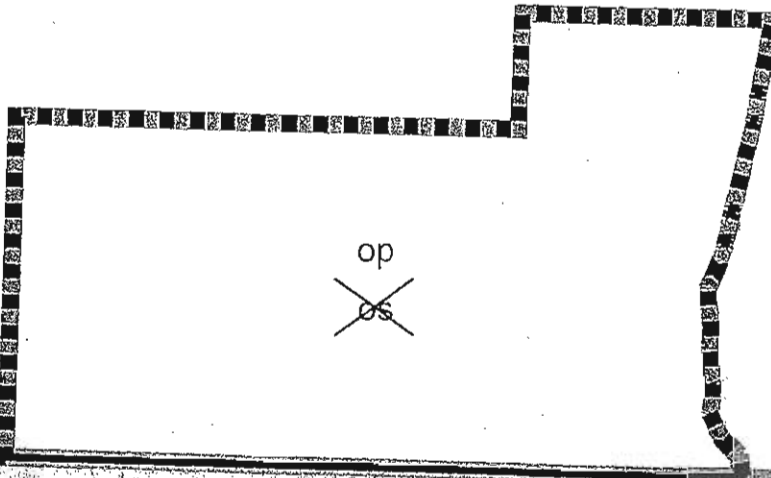


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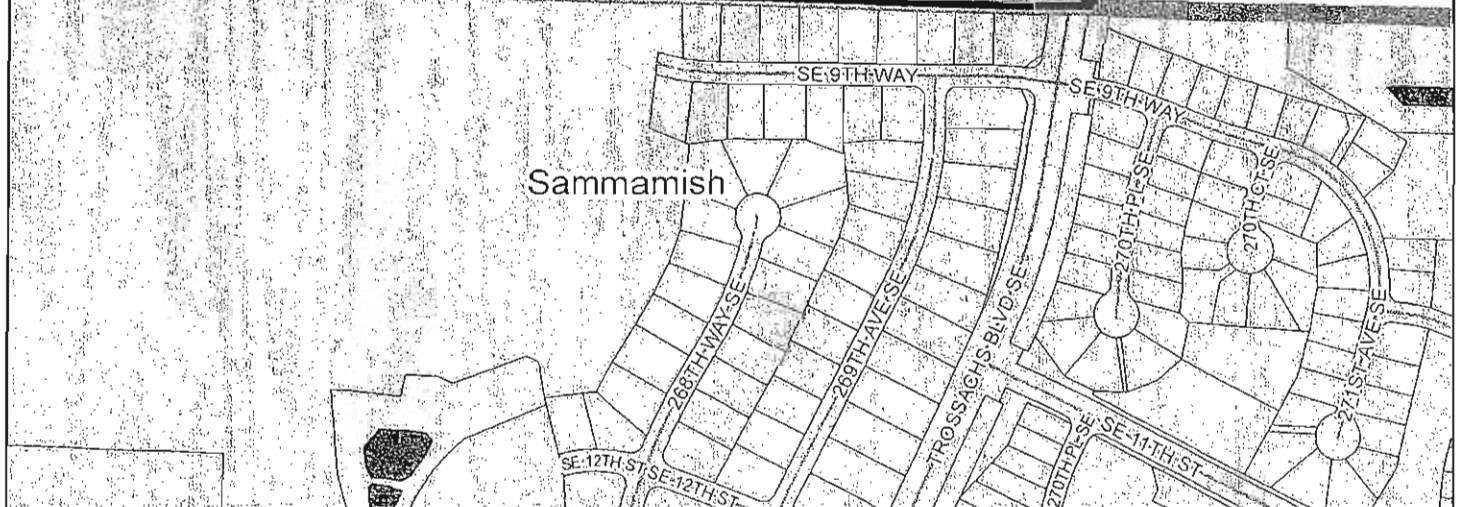
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Sammamish



17487

Snoqualmie - Mining Recommended Land Use Map

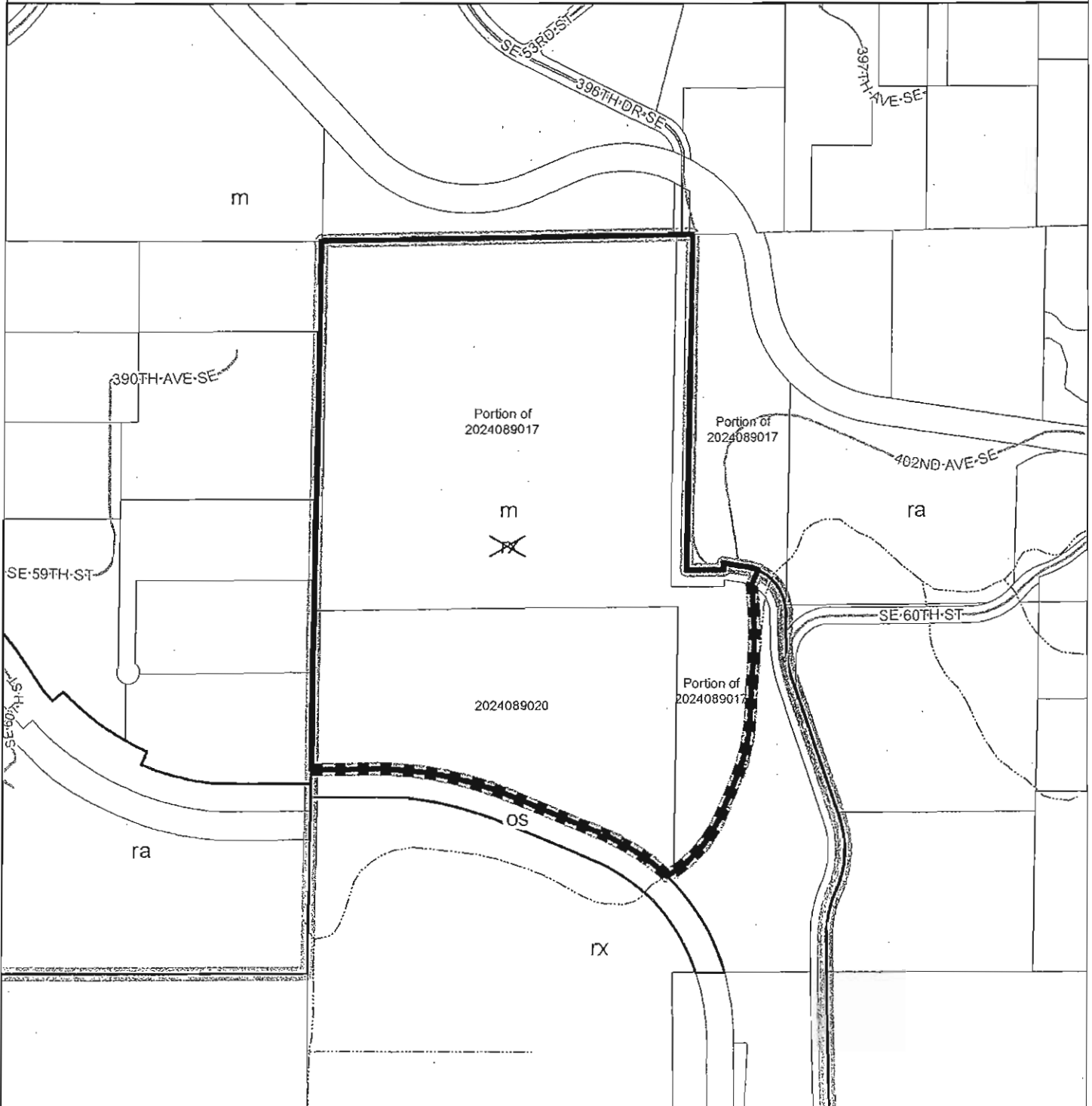
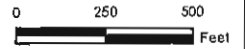


King County
Department of Development and
Environmental Services

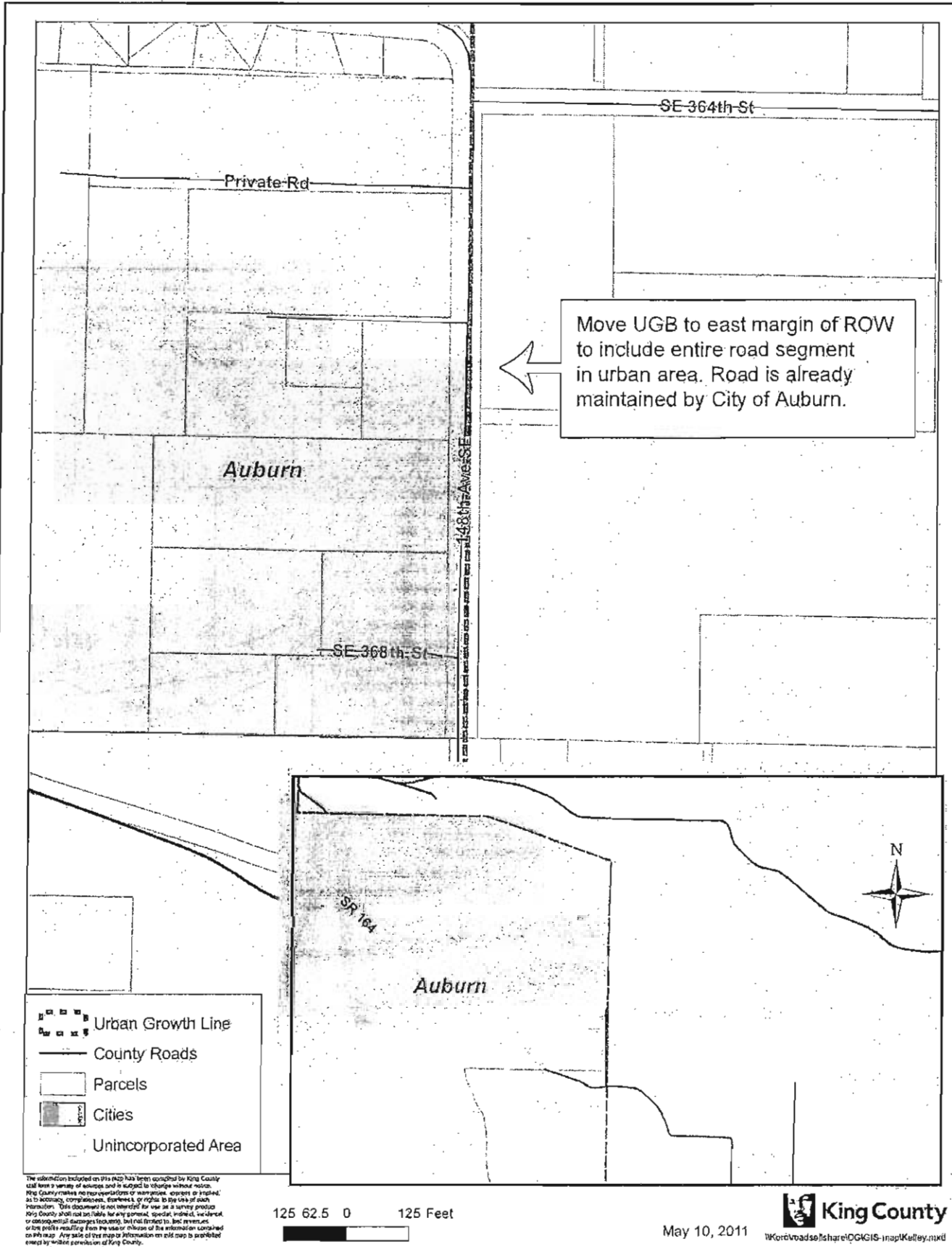
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Date: August 11, 2012
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MCCOMBSP

- rx Rural Cities Urban Growth Area
- ra Rural Area
- m Mining
- OS King County Open Space System
- Incorporated Areas
- Urban Growth Boundary
- Change
- Proposed Urban Growth Boundary



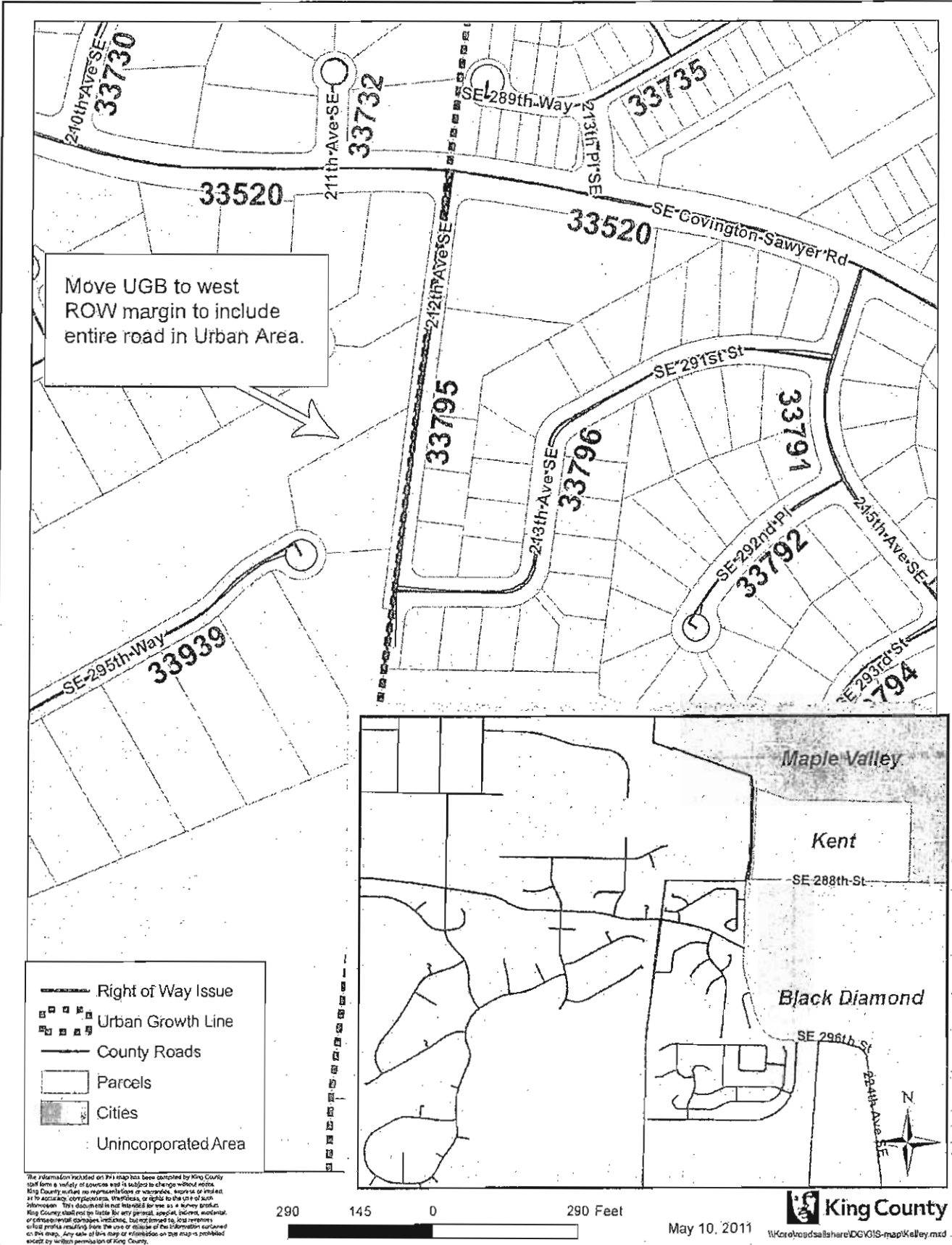
Urban Growth Boundary Right of Way Issues - 148th Avenue SE



Move UGB to east margin of ROW to include entire road segment in urban area. Road is already maintained by City of Auburn.

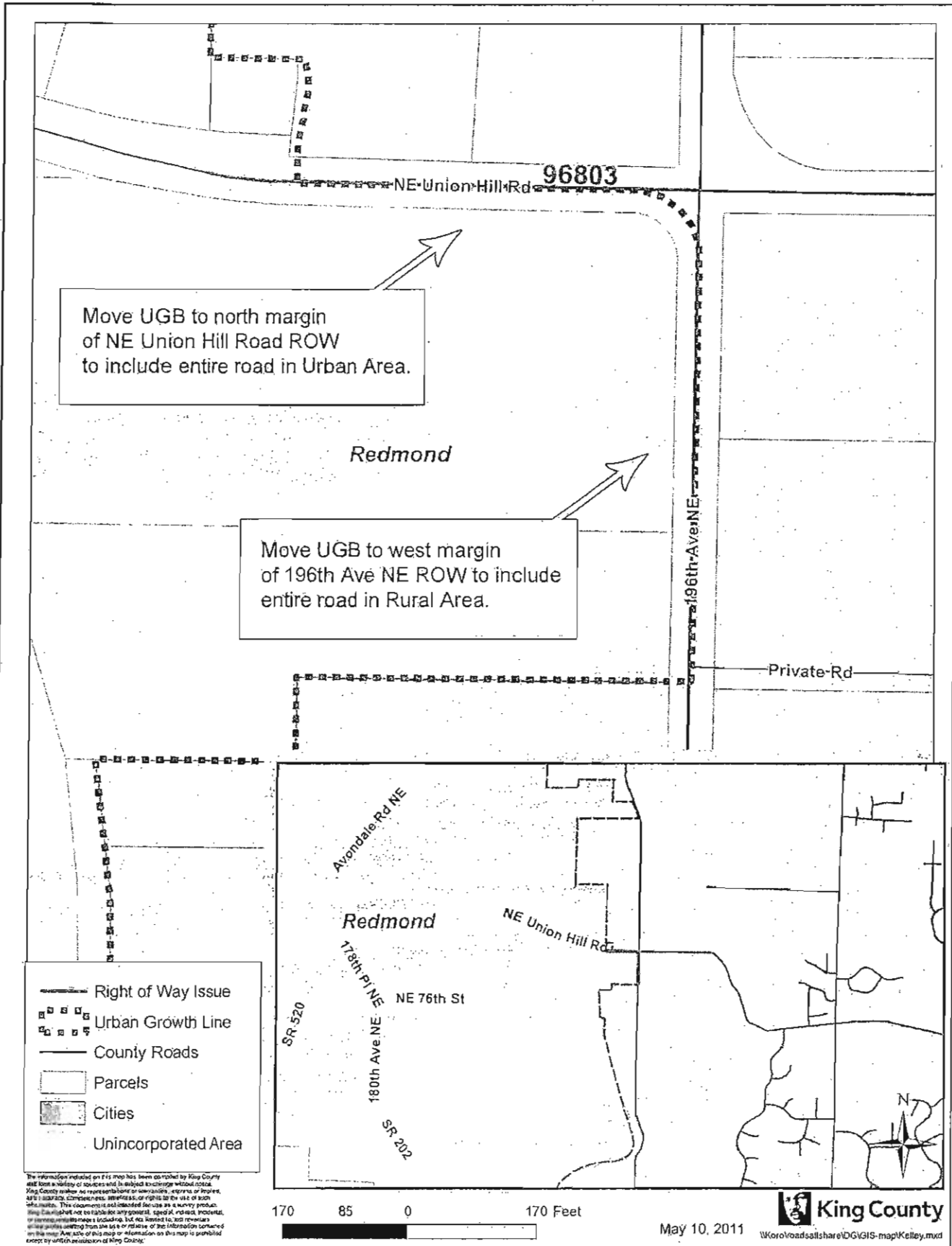
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Urban Growth Boundary Right of Way Issues - 212th Avenue SE

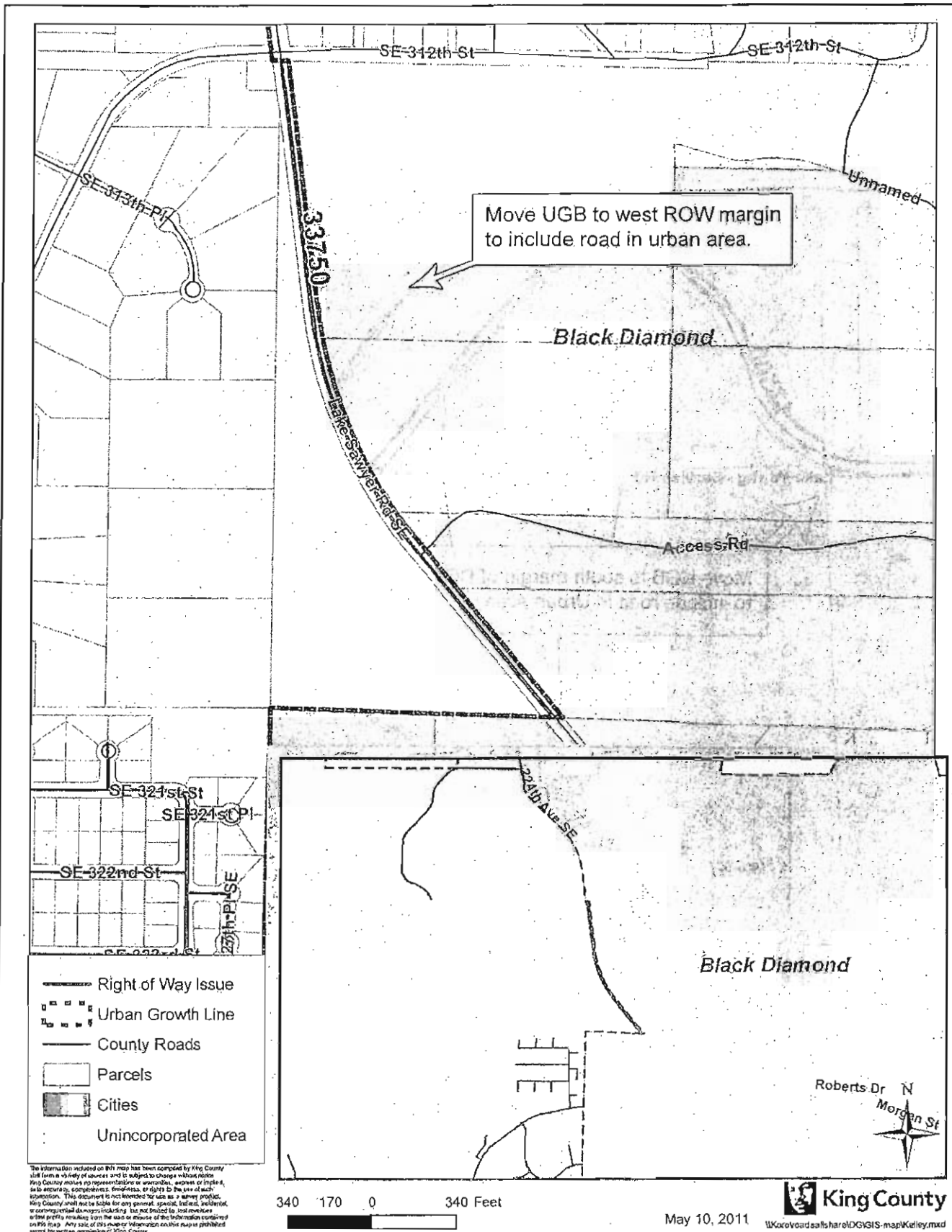


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Urban Growth Boundary Right of Way Issues - NE Union Hill Road

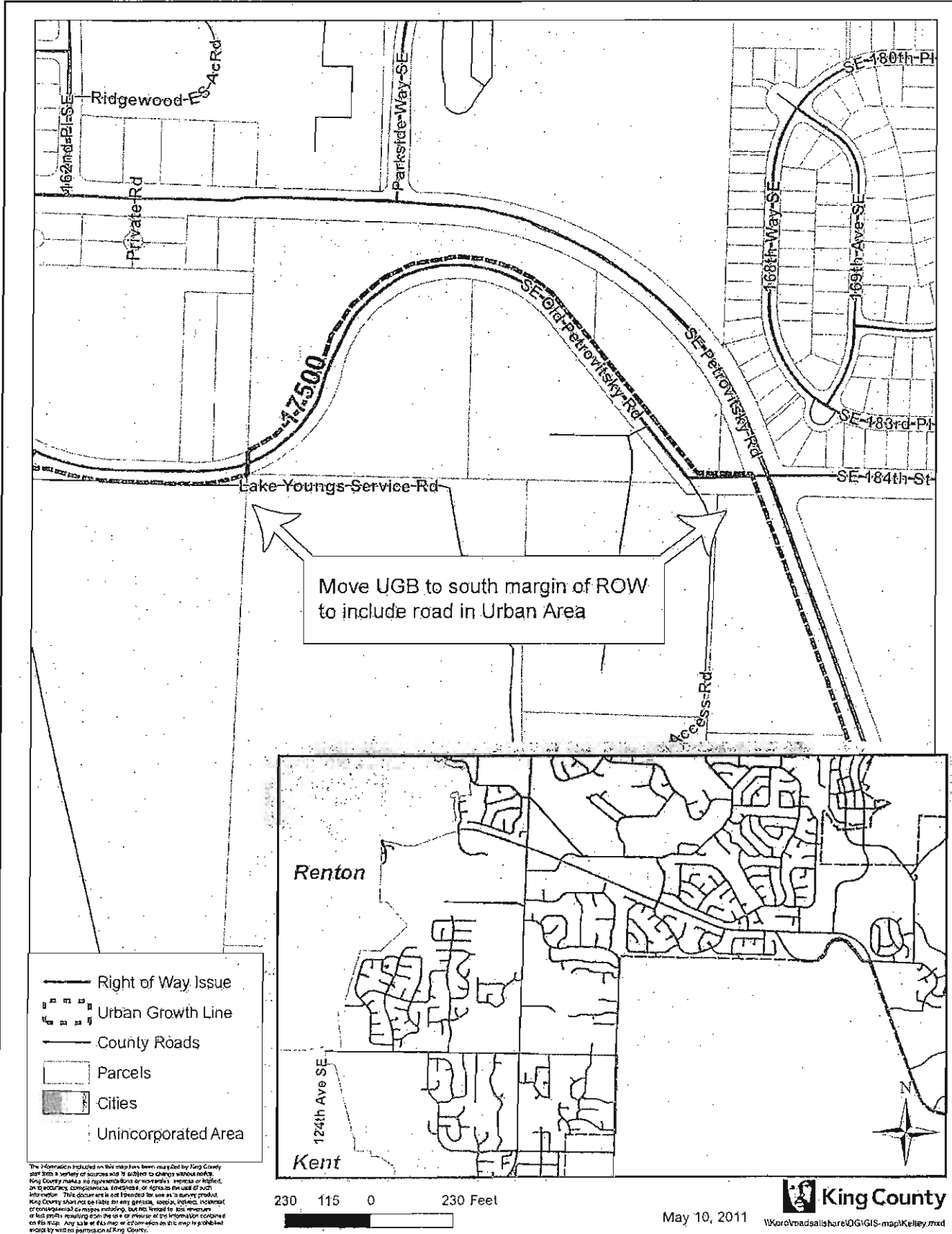


Urban Growth Boundary Right of Way Issues - Lake Sawyer Rd SE

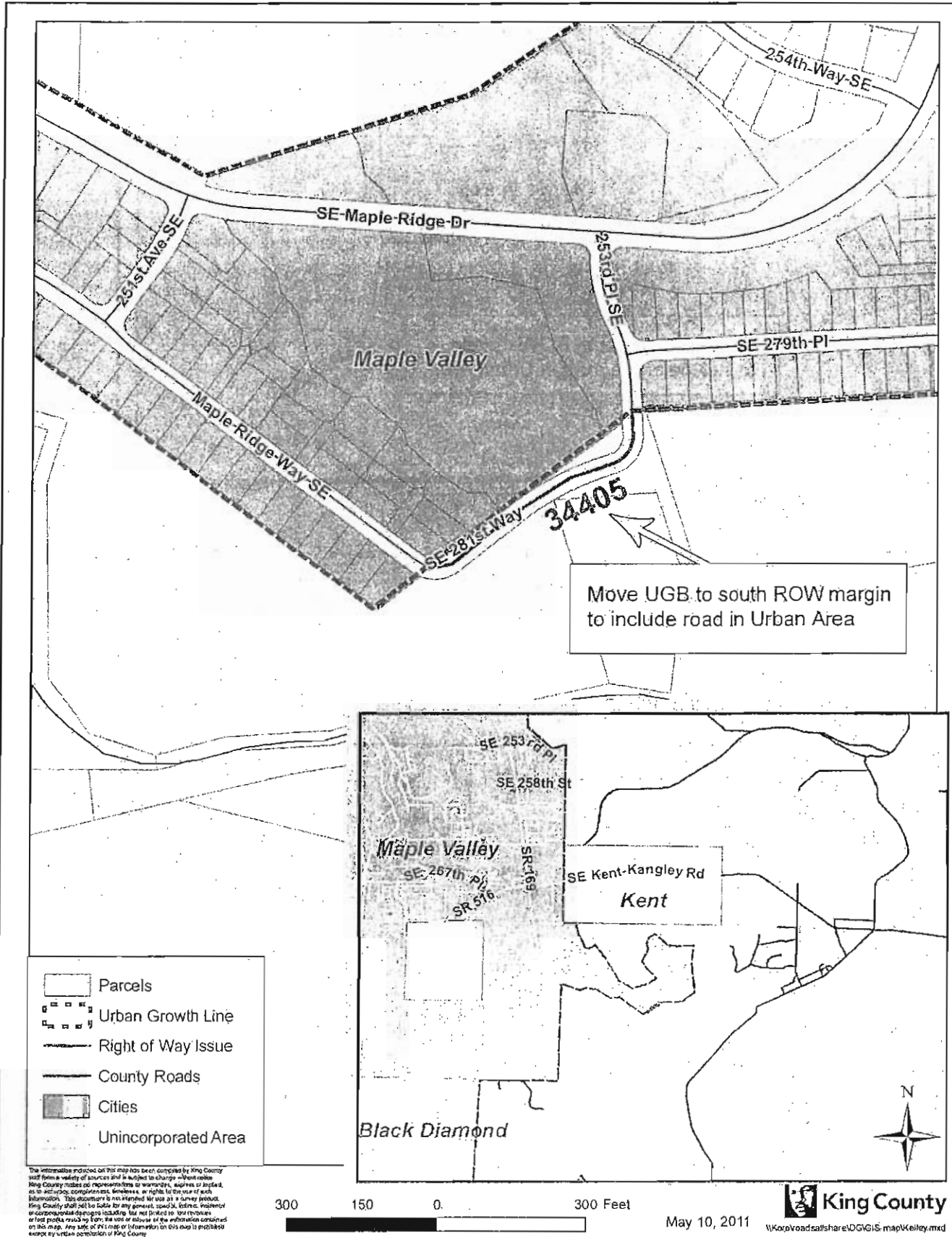


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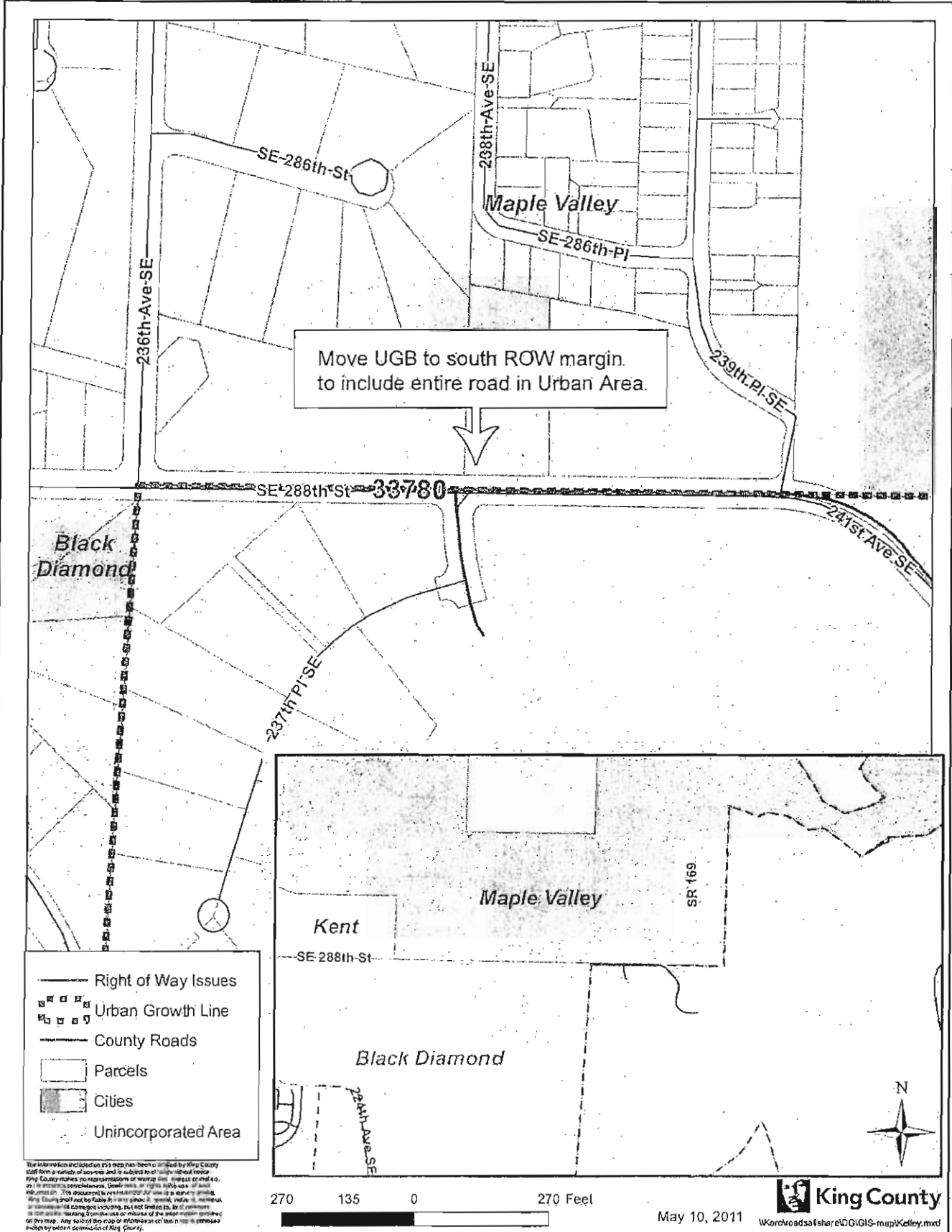
Urban Growth Boundary Right of Way Issues - SE Old Petrovitsky Road



Urban Growth Boundary Right of Way Issues - SE 281st Way



Urban Growth Boundary Right of Way Issues - SE 288th Street



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

May 10, 2011

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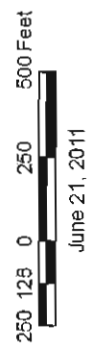
Proposed Revision to UGBL

For Informational Use Only

SE 142nd Street
 Section 15, Township 23,
 Range 8 E

-  City of North Bend
-  North Bend Potential Annexation Area

-  KC Maintained
-  Current UGBL
-  Proposed UGBL

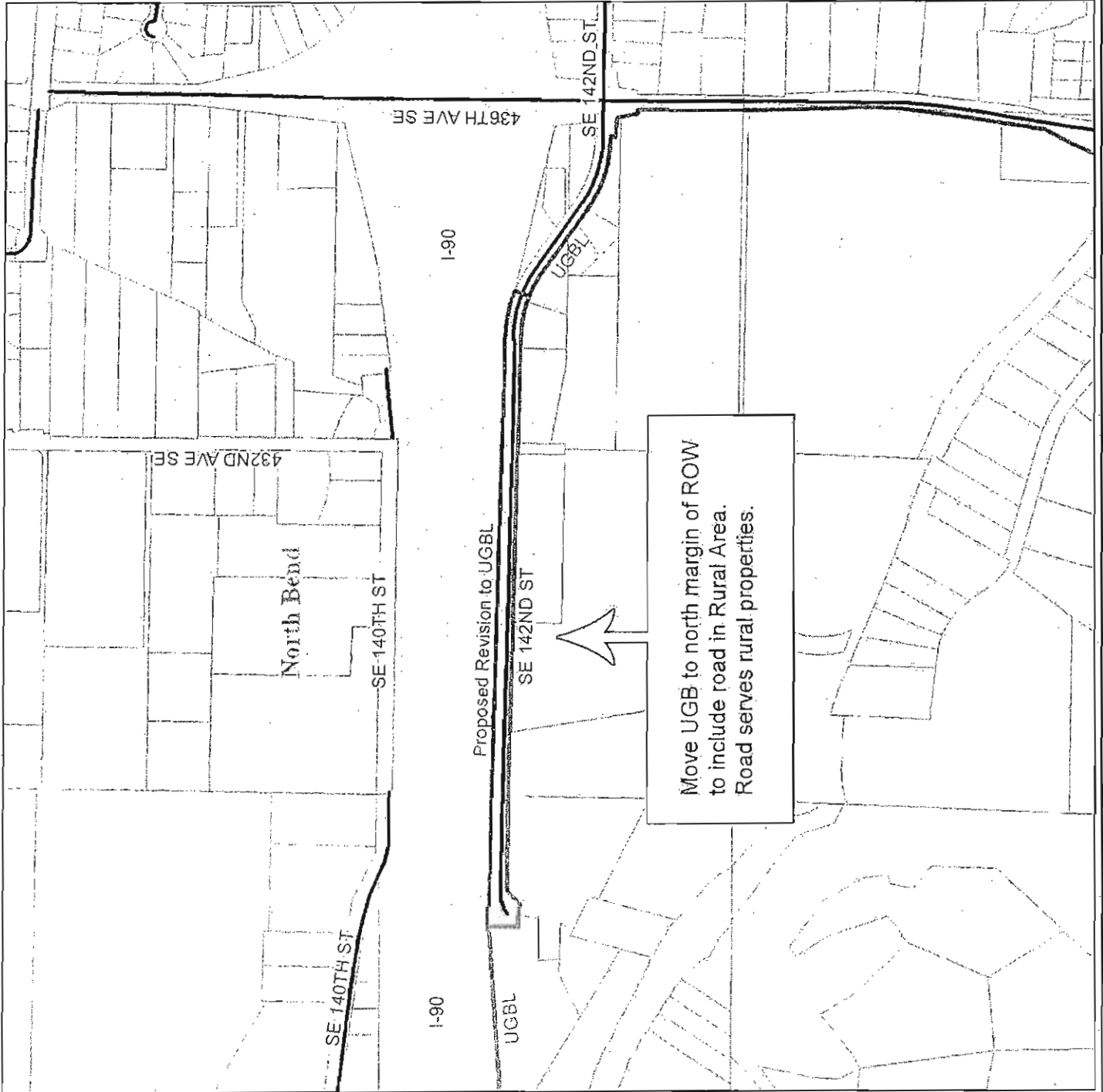


June 21, 2011

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© Mapquest/Worth Bend Area - UGBL, ERIKASE 142nd ST.DPJ



Move UGB to north margin of ROW to include road in Rural Area. Road serves rural properties.

17487

Proposed Revision to UGBL

For Informational Use Only

SE 150th Street

Section 24, Township 23,
Range 8 E



City of North Bend



KC Maintained



Current UGBL



Proposed UGBL



King County

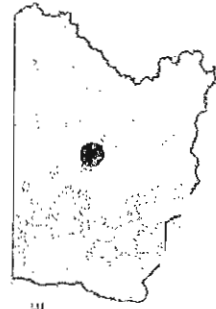
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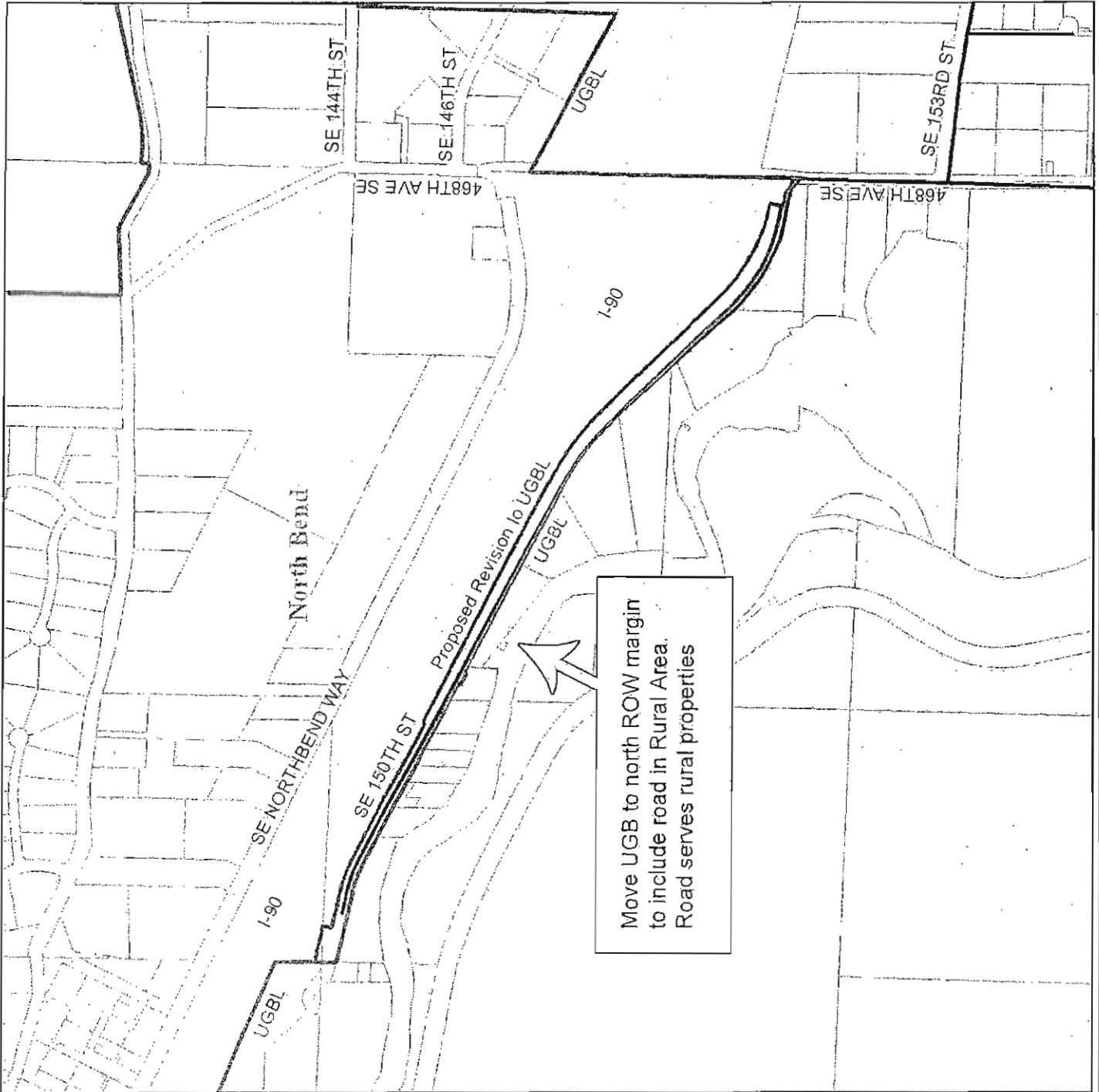
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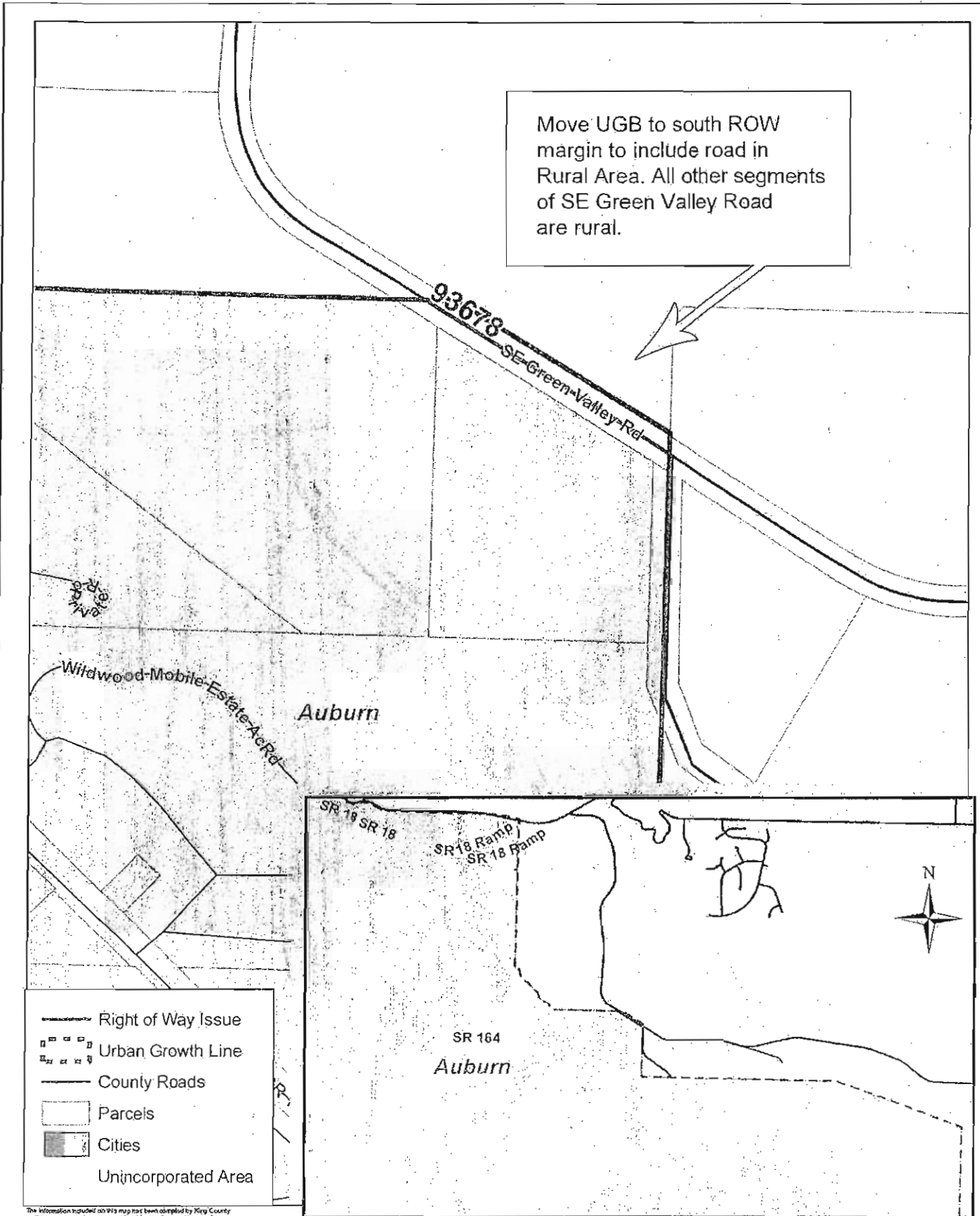


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Urban Growth Boundary Right of Way Issues - SE Green Valley Road

Move UGB to south ROW margin to include road in Rural Area. All other segments of SE Green Valley Road are rural.



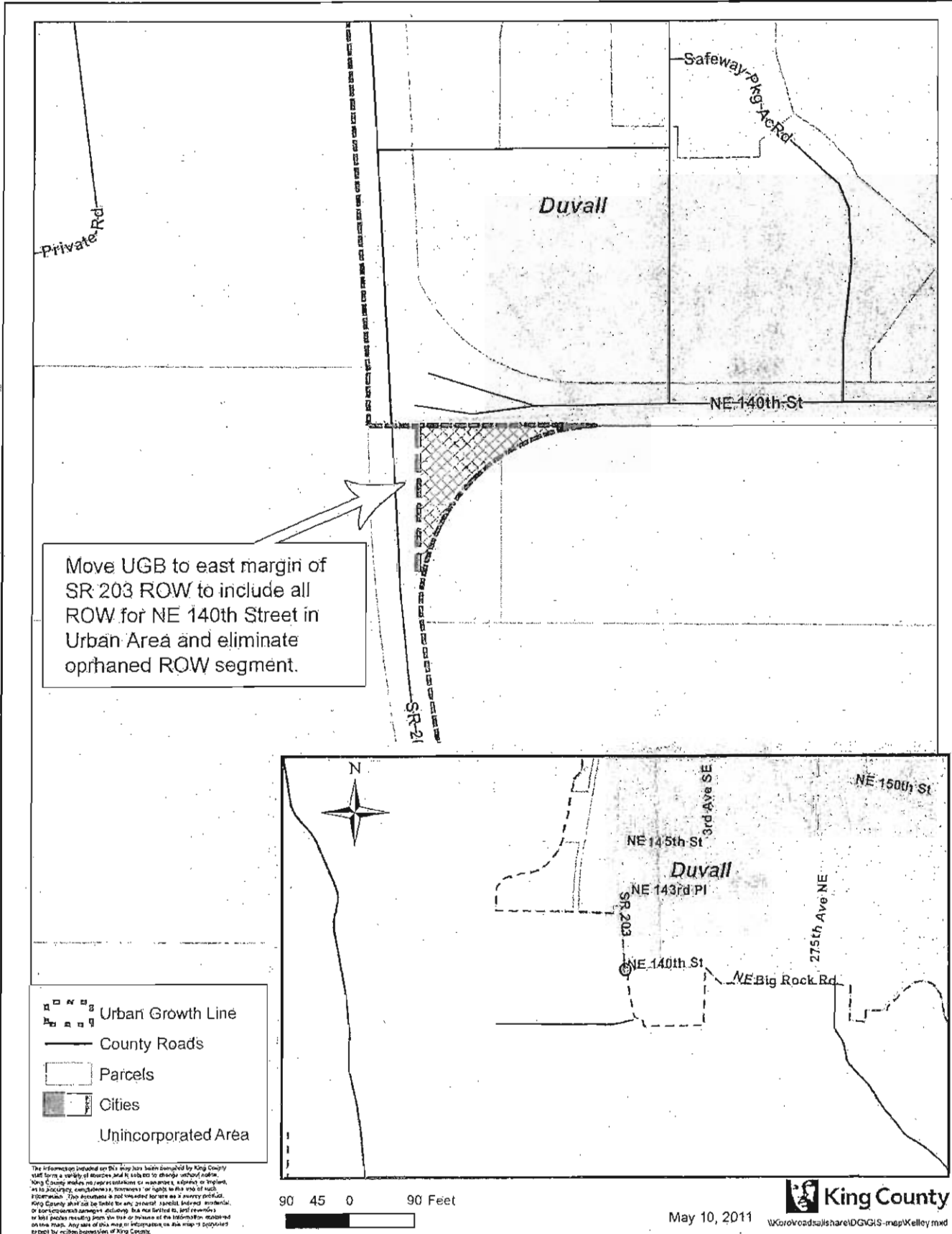
- Right of Way Issue
- Urban Growth Line
- County Roads
- Parcels
- Cities
- Unincorporated Area

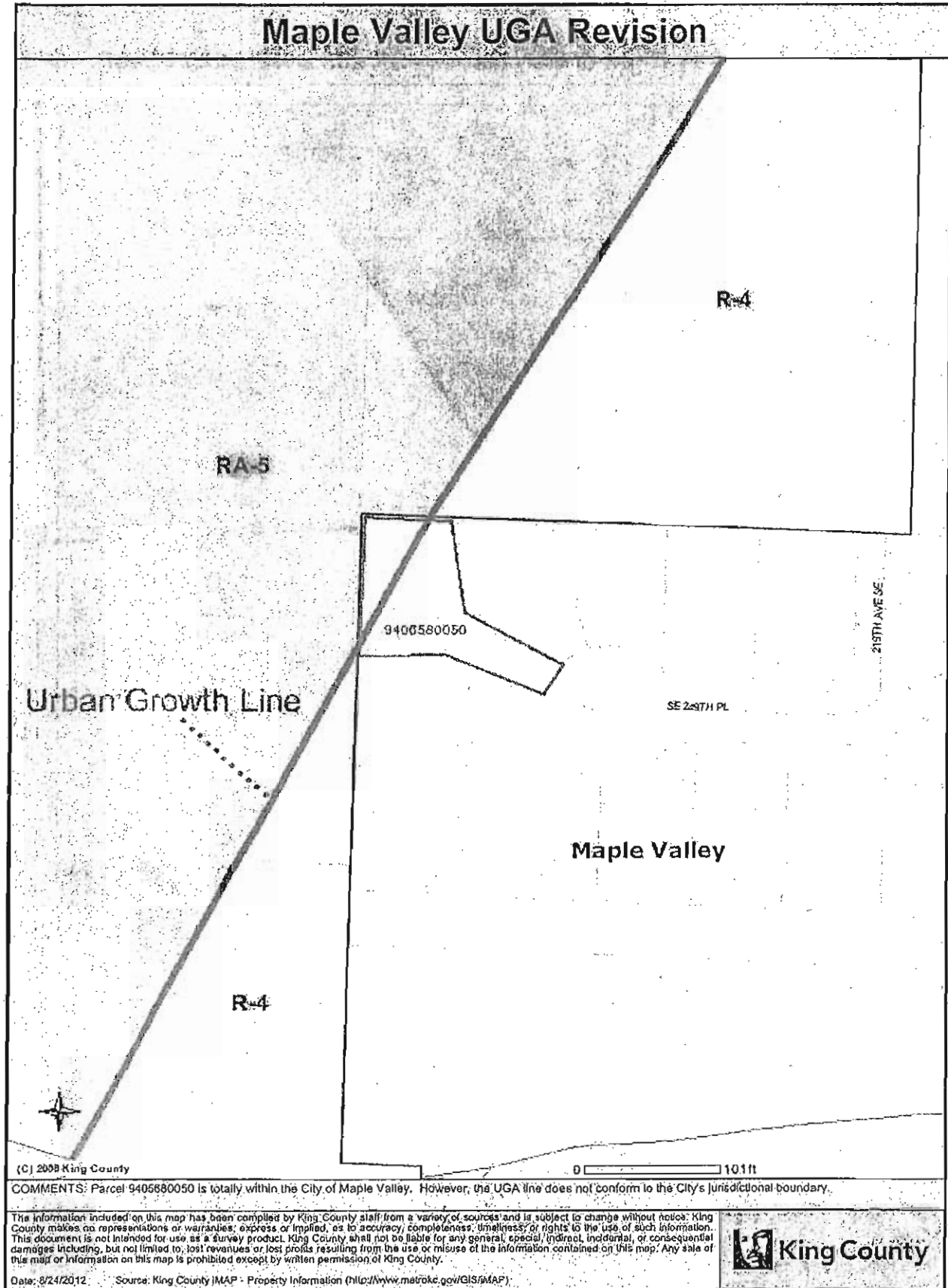
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May 10, 2011

Urban Growth Boundary Right of Way Issues - SR 203 & NE 140th Street







King County

**Metropolitan King County Council
Committee of the Whole**

REVISED STAFF REPORT

Agenda Item:		Name:	Kendall Moore
Proposed No.:	2012-0436	Date:	November 26, 2012
Invited:	Paul Reitenbach, GMPC staff coordinator Karen Wolf, Executive's office		

SUBJECT

Adoption of the UGA and PAA¹ map amendment recommendations by the Growth Management Planning Council

COMMITTEE ACTION

On November 26, 2012 the committee voted out Proposed Ordinance 2012-0436 as amended with a "do pass" recommendation.

SYNOPSIS

Adoption of Proposed Ordinance 2012-0436 would approve and ratify for the population of unincorporated King County the recommendations made by the Growth Management Planning Council ("GMPC") relevant moving the Urban Growth Boundary ("UGB") in 15 different instances, none of which are controversial. These changes have already been forwarded as part of the King County Comprehensive Plan ("KCCP") Update for consideration. Additionally, except for the split parcel correction (Attachment 15 to GMPC Motion 12-5) all have been subject to the County's KCCP public review and no one has opposed these changes. Additionally, no one testified at the GMPC hearing in opposition to these changes.

BACKGROUND

At its June 6, 2012 meeting, the GMPC took up for consideration Motion 12-5 listing the proposed changes to the Urban Growth Area ("UGA") then under consideration by the King County Council and accepted public testimony regarding the proposed changes. No one testified against the proposals.

¹ UGA is the acronym for Urban Growth Area and PAA is the acronym for Potential Annexation Area.

On September 11, 2012, the GMPC approved Motion 12-5 following additional public testimony regarding the proposed changes to the UGA. Again, no one testified against the proposals.

ANALYSIS

1. GMPC Motion 12-5 Attachment 1 (Soaring Eagle)²

The proposal would change the from Rural to Urban a 29.9 acre portion of Soaring Eagle Park and add it to the Potential Annexation Area ("PAA") of the City of Sammamish. It is expected that a later time, the ownership of the parcel will be transferred from King County to the City and an interlocal agreement would ensure that this property to be permanently kept in park use. This will allow the City to annex the subject property and develop it with an active recreation city park.

KCCP Policy U-104 supports this change.³ The transfer will result in a public benefit in the form of a city park with restrooms served by public sewers.

² All of the map amendments recommended by the GMPC in Motion 12-5 were included in the striking amendment to Proposed Ordinance 2012-0103, the 2012 Updates to the King County Comprehensive Plan.

³ **U-104** Rural properties that are immediately adjacent to a city and are planned or designated for park purposes by that city may be redesignated to urban when the city has committed to designate the property in perpetuity in a form satisfactory to the King County Council for park purposes and:

- a. The property is no more than 30 acres in size and was acquired by the city prior to 1994;
- b. The property is no more than 30 acres in size and receives county support through a park or recreation facility transfer agreement between King County and a city; or
- c. The property is or was formerly a King County park and is being or has been transferred to a city.

Soaring Eagle Recommended Land Use Map

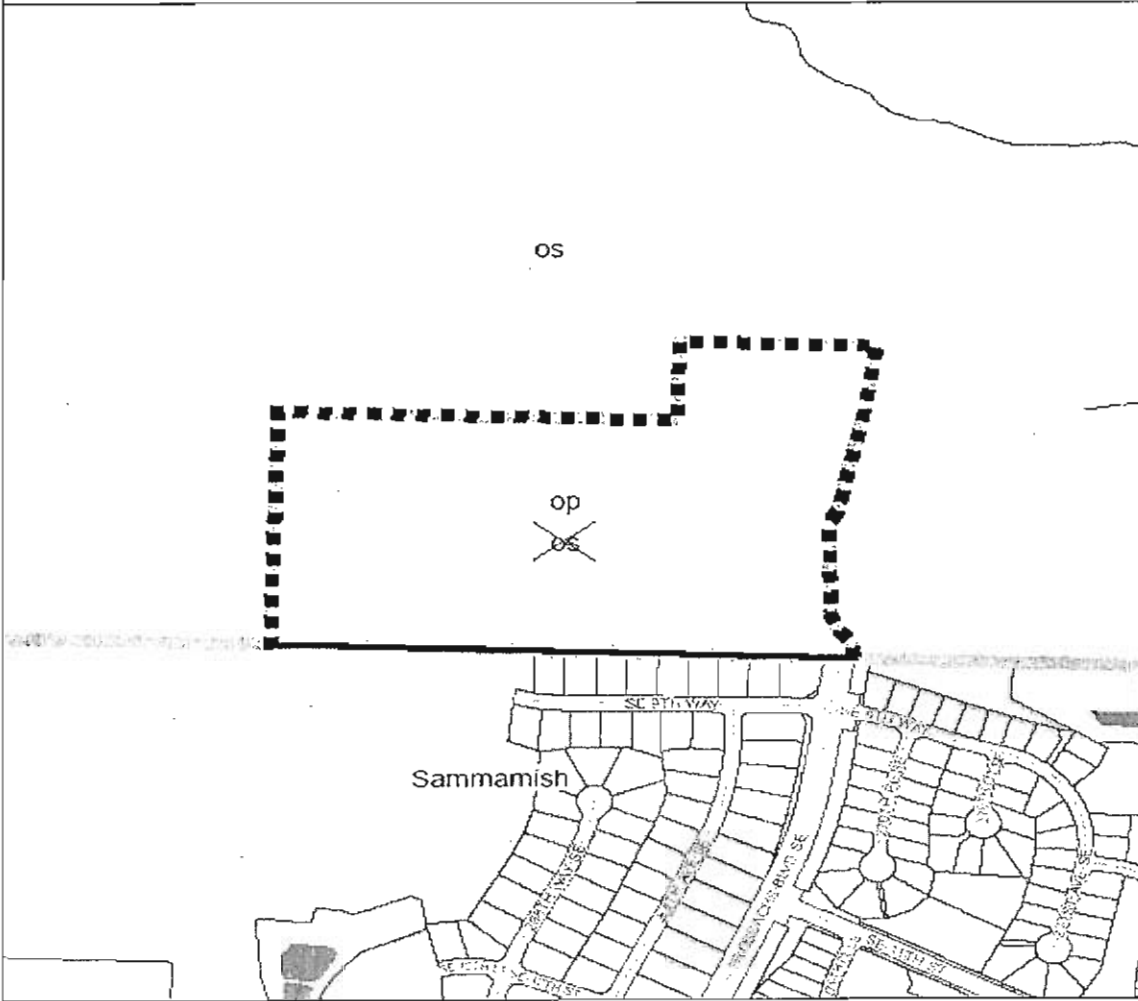


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 MCC0488P

OS KC Open Space System
 OP Other Parks/Wilderness

- Incorporated Areas
- Urban Growth Boundary
- Study Area
- Proposed Urban Growth Boundary



2. GMPC Motion 12-5 Attachment 2: (Snoqualmie Mining Site)

This recommendation would change the land use designation from Urban (and in Snoqualmie's PAA) to Rural for a portion of parcel 2024089017 and all of parcel 2024089020. Both of these properties contain a long-term mining operation and are zoned Mining. Both the City and the property owner, Weyerhaeuser, support the change.

KCCP Policies also support this change:

- R-510,⁴ which calls for land designated in a Rural City's PAA should be planned and developed with urban uses, not mining activity.
- R-676,⁵ support the designating existing mining sites as a Designated Mineral Resource. By definition designated Resource Lands are not within the Urban Area.

⁴ In substantive part, **R-510** The cities in the rural area and their Urban Growth Areas are considered part of the overall Urban Growth Area for purposes of planning land uses and facility needs.

⁵ In substantive part, **R-676** King County shall identify existing and potential mining sites on the Mineral Resources Map in order to conserve mineral resources, promote compatibility with nearby land uses, protect environmental quality, maintain and enhance mineral resource industries and serve to notify property owners of the potential for mining activities. The county shall identify:

- a. Sites with existing Mineral zoning as Designated Mineral Resource Sites;

3. GMPC Motion 12-5 Attachments 3-14: (ROW/UGA Technical Corrections)

Pursuant to T-205⁶, King County Department of Transportation determined 12 segments of King County road rights-of-way ("ROW") should be redesignated on the KCCP Land Use map for the purposes of efficient future road maintenance. In eight cases, the ROW segment should be included within the UGA so that the adjacent city will have long-term maintenance responsibility. In three cases, the ROW segment should be included in the Rural Area, since King County will continue to have maintenance responsibility. One case involves two segments; one should be designated Rural and the other Urban to clarify maintenance responsibility between King County and the City of Redmond.

Map Amendments – These map amendments are attached to this staff report as part of Attachment A to proposed Ordinance 2012-0436.

Redesignate from Rural to Urban:

- 148th Ave SE, adjacent to Auburn
- 212th Ave SE, west of Black Diamond
- NE Union Hill Road, east of Redmond
- Lake Sawyer road SE, west of Black Diamond
- SE Old Petrovitsky Road, east of Renton
- SE 281st Way, east of Maple Valley
- SE 288th Street, south of Maple Valley
- SE 440th Street, north of Enumclaw
- SR 203 at NE 140th Street, south of Duvall.

Redesignate from Urban to Rural:

- 196th Ave NE, east of Redmond
- SE 142nd Street, south of North Bend
- SE 150th Street, south of North Bend
- SE Green Valley Road, northeast of Auburn

4. GMPC Motion 12-5 Attachment 15: Maple Valley Split Parcel

Council Staff discovered a split parcel in the city of Maple Valley during their review of the map amendments for the 2012 KCCP Updates.⁷ This developed parcel, located within a subdivision totally within the city limits of Maple Valley, shows up on the UGA map with the UGB running through it, resulting in half designated Urban and half

⁶ T-205 Any segment of a county roadway that forms the boundary between the Urban Growth Area and the Rural Area shall be designed and constructed to urban roadway standards on both sides of such roadway segment.

⁷ This map amendment was not included as an area study for the 2012 KCCP Update; however, it is a technical change rather than substantive change and merely corrects the UGA map to reflect the existing conditions on the ground.

designated Rural. This change results in the parcel being completely within the Urban Area.

This map amendment is attached to this staff report as part of Attachment A to proposed Ordinance 2012-0436.

The change comports with KCCP Policy U-103.⁸

AMENDMENT

A striking amendment has been prepared to comport this legislation with the revisions to the code that are included in the striking amendment for Proposed Ordinance 2012-0282. As members will recall, the striking amendment to Proposed Ordinance 2012-0282 will simplify the King County Code changes so that listing every GMPC action and ratification by the Council will no longer called out in Code. The striking amendment to Proposed Ordinance 2012-0282 will decodify those listing sections in the Code rather than repeal them, so that history will be preserved. This approach is similar to what is proposed for the Comprehensive Plan code sections that list the history of amendments to the Comprehensive Plan. Therefore, the section in the transmitted proposed ordinance reflecting the history of past GMPC and Council action relative to CPP amendments are not necessary and have been removed. Findings are added to set the context.

⁸ **U-103** Parcels which are split by the Urban Growth Area boundary line should be redesignated to either all urban or all rural unless the parcel is split to recognize environmentally sensitive features or the requirements of interlocal agreements or King County plans.

This parcel was not split for environmental reasons or as a result of planning or agreements with the City. Maple Valley supports this change.

HOUSING

The Countywide Planning Policies provide a framework for all jurisdictions to plan for and promote a range of affordable, accessible, and healthy housing choices for current and future residents. Within King County, there is an unmet need for housing that is affordable for households earning less than 80 percent of area median income (AMI). Households within this category include low-wage workers in services and other industries; persons on fixed incomes including many disabled and elderly residents; and homeless individuals and families. A high proportion of these households spend a greater percentage of their income on housing than is typically considered appropriate. This is especially true for low and very low income households earning less than 50 percent (low) and less than 30 percent (very-low) of area median income. The county and all cities share in the responsibility to increase the supply of housing that is affordable to these households.

While neither the county nor the cities can guarantee that a given number of units at a given price level will exist, be preserved, or be produced during the planning period, establishing the countywide need clarifies the scope of the effort

for each jurisdiction. The type of policies and strategies that are appropriate for a jurisdiction to consider will vary and will be based on its analysis of housing. Some jurisdictions where the overall supply of affordable housing is significantly less than their proportional share of the countywide need may need to undertake a range of strategies addressing needs at multiple income levels, including strategies to create new affordable housing. Other jurisdictions that currently have housing stock that is already generally affordable may focus their efforts on preserving existing affordable housing through efforts such as maintenance and repair, and ensuring long-term affordability. It may also be appropriate to focus efforts on the needs of specific demographic segments of the population.

The policies below recognize the significant countywide need for affordable housing to focus on the strategies that can be taken both individually and in collaboration to meet the countywide need. These policies envision cities and the county following a four step process

1. Conduct an inventory and analysis of housing needs and conditions;
2. Implement policies and strategies to address unmet needs;
3. Measure results; and
4. Respond to measurement with reassessment and adjustment of strategies

The provision of housing affordable to very-low income households, those earning less than 30% of AMI, is the most challenging problem and one faced by all communities in the county. Housing for these very-low income households cannot be met solely through the private market. Meeting this need will require interjurisdictional cooperation and support from public agencies, including the cities and the county.

Overarching Goal: *The housing needs of all economic and demographic groups are met within all jurisdictions.*

H-1 Address the countywide need for housing affordable to households with moderate, low and very-low incomes, including those with special needs. The countywide need for housing by percentage of Area Median Income (AMI) is:

50-80% of AMI (moderate)	16% of total housing supply
30-50% of AMI (low)	12% of total housing supply
30% and below AMI (very-low)	12% of total housing supply

H-2 Address the need for housing affordable to households at less than 30% AMI (very low income), recognizing that this is where the greatest need exists, and addressing this need will require funding, policies and collaborative actions by jurisdictions working individually and collectively.

Housing Inventory and Needs Analysis

The Growth Management Act requires an inventory and analysis of existing and projected housing needs as part of each jurisdiction's comprehensive plan housing element. Assessing local housing needs provides jurisdictions with information about the local housing supply, the cost of housing, and the demographic and income levels of the community's households. This information on current and future housing conditions provides the basis for the development of effective housing policies and programs. While some cities may find that they meet current need for housing or for some populations groups, the inventory and needs analysis will help identify those income levels and demographic segments of the population where there is the greatest need. Further guidance on conducting a housing inventory and analysis is provided in Appendix 4.

H-3 Conduct an inventory and analysis of existing and projected housing needs of all economic and demographic segments of the population in each jurisdiction. The analysis and inventory shall include:

- a. Characteristics of existing housing stock, including supply, affordability and diversity of housing types;
- b. Characteristics of populations, including projected growth and demographic change;
- c. The needs of very-low, low, and moderate-income households; and
- d. The housing needs of special needs populations.

Strategies to Meet Housing Needs

VISION 2040 encourages local jurisdictions to adopt best housing practices and innovative techniques to advance the provision of affordable, healthy, sustainable, and safe housing for all residents. Meeting the county's affordable housing needs will require actions by a wide range of private for profit, non-profit and government entities, including substantial resources from federal, state, and local levels. No single tool will be sufficient to meet the full range of needs in a given jurisdiction. The county and cities are encouraged to employ a range of housing tools to

ensure the countywide need is addressed and to respond to local conditions. Further detail on the range of strategies for promoting housing supply and affordability is contained in Appendix 4.

Jobs-housing balance, addressed in H-9, is a concept that advocates an appropriate match between the number of existing jobs and available housing supply within a geographic area. Improving balance means adding more housing to job-rich areas and more jobs to housing-rich areas.

H-4 Provide zoning capacity within each jurisdiction in the Urban Growth Area for a range of housing types and densities, sufficient to accommodate each jurisdiction's overall housing targets and, where applicable, housing growth targets in designated Urban Centers.

H-5 Adopt policies, strategies, actions and regulations at the local and countywide levels that promote housing supply, affordability, and diversity, including those that address a significant share of the countywide need for housing affordable to very-low, low, and moderate income households. These strategies should address the following:

- a. Overall supply and diversity of housing, including both rental and ownership;
- b. Housing suitable for a range of household types and sizes;
- c. Affordability to very-low, low-, and moderate-income households;
- d. Housing suitable and affordable for households with special needs;
- e. Universal design and sustainable development of housing; and
- f. Housing supply, including affordable housing and special needs housing, within Urban Centers and in other areas planned for concentrations of mixed land uses.

H-6 Preserve existing affordable units, where appropriate, including acquisition and rehabilitation of housing for long-term affordability.

H-7 Identify barriers to housing affordability and implement strategies to overcome them.

H-8 Tailor housing policies and strategies to local needs, conditions and opportunities, recognizing the unique strengths and challenges of different cities and sub-regions.

H-9 Plan for housing that is accessible to major employment centers and affordable to the workforce in them so people of all incomes can live near or within reasonable commuting distance of their places of work. Encourage housing production at a level that improves the balance of housing to employment throughout the county.

H-10 Promote housing affordability in coordination with transit, bicycle, and pedestrian plans and investments and in proximity to transit hubs and corridors, such as through transit oriented development and planning for mixed uses in transit station areas.

H-11 Encourage the maintenance of existing housing stock in order to ensure that the condition and quality of the housing stock is safe and livable.

H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.

H-13 Promote fair housing and plan for communities that include residents with a range of abilities, ages, races, incomes, and other diverse characteristics of the population of the county.

Regional Cooperation

Housing affordability is important to regional economic vitality and sustainability. Housing markets do not respect jurisdictional boundaries. For these reasons, multijurisdictional efforts for planning and adopting strategies to meet regional housing needs are an additional tool for identifying and meeting the housing needs of households with moderate, low and very-low incomes. Collaborative efforts, supported by the work of Puget Sound Regional Council and other agencies, contribute to producing and preserving affordable housing and coordinating equitable, sustainable development in the county and region. Where individual cities lack sufficient resources, collective efforts to fund or provide technical assistance for affordable housing development and preservation, and for the creation of strategies and programs, can help to meet the housing needs identified in comprehensive plans. Cities with similar housing characteristics tend to be clustered geographically. Therefore, there are opportunities for efficiencies and greater impact through interjurisdictional cooperation. Such efforts are encouraged and can be a way to meet a jurisdiction's share of the countywide affordable housing need.

H-14 Work cooperatively among jurisdictions to provide mutual support in meeting countywide housing growth targets and affordable housing needs.

H-15 Collaborate in developing sub-regional and countywide housing resources and programs, including funding, to provide affordable housing for very-low, low-, and moderate-income households.

H-16 Work cooperatively with the Puget Sound Regional Council and other agencies to identify ways to expand technical assistance to local jurisdictions in developing, implementing and monitoring the success of strategies that promote affordable housing that meets changing demographic needs. Collaborate in developing and implementing a housing strategy for the four-county central Puget Sound region.

Measuring Results

Maintaining timely and relevant data on housing markets and residential development allows the county and cities to evaluate the effectiveness of their housing strategies and to make appropriate changes to those strategies when and where needed. In assessing efforts to meet

their share of the countywide need for affordable housing, jurisdictions need to consider public actions taken to encourage development and preservation of housing affordable to households with very low-, low- and moderate-incomes, such as local funding, development code changes, and creation of new programs, as well as market and other factors that are beyond local government control. Further detail on monitoring procedures is contained in Appendix 4.

H-17 Monitor housing supply, affordability, and diversity including progress toward meeting a significant share of the countywide need for affordable housing for very-low, low, and moderate income households. .

Monitoring should encompass:

- a. Number and type of new housing units;
- b. Number of units lost to demolition, redevelopment, or conversion to non-residential use;
- c. Number of new units that are affordable to very-low, low-, and moderate-income households;
- d. Number of affordable units newly preserved and units acquired and rehabilitated with a regulatory agreement for long-term affordability for very-low, low-, and moderate-income households;
- e. Housing market trends including affordability of overall housing stock;
- f. Changes in zoned capacity for housing, including housing densities and types;
- g. The number and nature of fair housing complaints and violations; and
- h. Housing development and market trends in Urban Centers.

H-18 Review and amend, a minimum every five years, the countywide and local housing policies and strategies, especially where monitoring indicates that adopted strategies are not resulting in adequate affordable housing to meet the jurisdiction's share of the countywide need.

VI. Affordable Housing

Adequate housing, for all economic segments of the population, is a basic need of King County's residents and an issue of Countywide concern. Affordable housing needs must be addressed by local governments working in cooperation with the private sector and non-profit housing agencies.

The Growth Management Act requires Countywide Policies to address parameters for the distribution of affordable housing, including housing for all income groups. This complex issues requires adequate information regarding current housing resources and housing needs, which is being developed for comprehensive plan housing elements, as well as in-depth discussion of values and priorities for housing development.

Providing sufficient land for housing development is an essential step in promoting affordable housing. Affordable housing can be encouraged by zoning additional land for higher residential densities, which helps provide needed capacity for growth, reduces land development cost per unit, and allows for lower cost construction types such as attached dwellings. Higher density housing includes a range of housing types: small lot single family, attached single family, mobile home parks, apartments and condominiums. In addition, zoning changes that permit additional housing in established areas, such as accessory units, carriage houses, and residences built above commercial uses, increase affordable housing opportunities.

FW 28 All jurisdictions shall provide for a diversity of housing types to meet a variety of needs and provide for housing opportunities for all economic segments of the population. All jurisdictions shall cooperatively establish a process to ensure an equitable and rational distribution of low income and affordable housing throughout the County in accordance with land use policies, transportation, and employment locations.

AH 1 All jurisdictions shall plan for housing to meet the needs of all economic segments of the population. Each jurisdiction shall specify, based on the projected number of net new housing units anticipated in its comprehensive plan, the estimated number of units which will be affordable for the following income segments: Zero to 50 percent of the Countywide median household income, 50 to 80 percent of median, 80 to 120 percent of median, and above 120 percent median. The estimates for housing affordable to households below 80 percent of median income shall be consistent with Countywide objectives for low and moderate income housing in policy AH-2. The estimated number of units for each income segment shall be reported to the Growth Management Planning Council following adoption of the comprehensive plan, for the purpose of Countywide monitoring of capacity for housing development.

Within the Urban Growth Area, each jurisdiction shall demonstrate its ability to accommodate sufficient, affordable housing for all economic segments of the population. Local actions may include zoning land for development of sufficient densities, revising development standards and permitting procedures as needed to encourage affordable housing, reviewing codes for redundancies and inconsistencies, and providing opportunities for a range of housing types, such as accessory dwelling units, manufactured homes, group homes and foster care facilities, apartments, townhouses and attached single family housing.

AH 2 All jurisdictions shall share the responsibility for achieving a rational and equitable distribution of affordable housing to meet the housing needs of low and moderate income residents in King County. The distribution of housing affordable to low and moderate income households shall take into consideration the need for proximity to lower wage employment, access to transportation and human services, and the adequacy of infrastructure to support housing development; recognize each jurisdiction's past and current efforts to provide housing affordable to low and moderate income households; avoid over-concentration of assisted housing; and increase housing opportunities and choices for low and moderate income households in communities throughout King County. Each jurisdiction shall give equal consideration to local and Countywide housing needs.

A. Existing Needs for Affordable Housing

Each jurisdiction shall participate in developing Countywide housing resources and programs to assist the large number of low and moderate income households who currently do not have affordable, appropriate housing. These Countywide efforts will help reverse current trends which concentrate low income housing opportunities in certain communities, and achieve a more equitable participation by local jurisdictions in low income housing development and services. Countywide efforts should give priority to assisting households below 50 percent of median income that are in greatest need and communities with high proportions of low and moderate income residents.

By October, 1994, the Growth Management Planning Council or its successor shall appoint elected and community representatives to develop recommendations for providing low and moderate income housing and related services. Within one year the committee shall recommend to the Growth Management Planning Council or its successor:

1. New Countywide funding source(s) for housing production and services, and a plan to establish this funding within three years;
2. Participation by local governments, including appropriate public and private financing, such that each jurisdiction contributes on fair share basis; and
3. Objectives for housing and related services, including measurable levels of housing production and costs to provide necessary related service.

Countywide programs should provide the following types of housing and related services:

1. Low income housing development, including new construction, acquisition, and rehabilitation;
2. Housing assistance, such as rental vouchers and supportive services;
3. Assistance to expand the capacity of nonprofit organizations to develop housing and provide housing related services;
4. Programs to assist homeless individuals and families;
5. Programs to prevent homelessness; and
6. Assistance to low and moderate income home buyers.

B. Future Needs for Affordable Housing

Each jurisdiction shall specify the range and amount of housing affordable to low and moderate income households to be accommodated in its comprehensive plan. Each jurisdiction shall plan for a number of housing units affordable to households with incomes between 50 and 80 percent of the County median household income that is equal to 17 percent of its projected net household growth. In addition, each jurisdiction shall plan for a number of housing units affordable to households with incomes below 50 percent of median income that is either 20 percent or 24 percent of its projected net household growth. For this housing, the target percentage shall be determined using the Affordable Housing Job/Housing Index developed using Census-based information, which is contained in Appendix 3.

Each jurisdiction shall show in its comprehensive plan how it will use policies, incentives, regulations and programs to provide its share of housing affordable to low and moderate income households. Each jurisdiction should apply strategies which it determines to be most appropriate to the local housing market. For example, units affordable to low and moderate income households may be developed through new construction, projects that assure long term affordability of existing housing, or accessory housing units added to existing structures. Local actions may include:

1. Identifying the costs to develop and preserve subsidized housing and other low cost housing not provided by private development in the local housing market, and identifying sources of funding;
2. Revising land use regulations as needed to remove any unreasonable requirements that may create barriers to siting and operating housing for special needs groups. Special needs housing serves persons, who, by virtue of disability or other circumstances, face difficulty living independently and require supportive services on a transitional or long term basis; and

~~3. Adopting land use incentives programs or other regulatory measures to encourage private and nonprofit development. Small, fully built cities and towns that are not planned to grow substantially under Growth Management Act may work.~~

HOUSING

The Countywide Planning Policies provide a framework for all jurisdictions to plan for and promote a range of affordable, accessible, and healthy housing choices for current and future residents. Within King County, there is an unmet need for housing that is affordable for households earning less than 80 percent of area median income (AMI). Households within this category include low-wage workers in services and other industries; persons on fixed incomes including many disabled and elderly residents; and homeless individuals and families. A high proportion of these households spend a greater percentage of their income on housing than is typically considered appropriate. This is especially true for low and very low income households earning less than 50 percent (low) and less than 30 percent (very-low) of area median income. The county and all cities share in the responsibility to increase the supply of housing that is affordable to these households.

While neither the county nor the cities can guarantee that a given number of units at a given price level will exist, be preserved, or be produced during the planning period, establishing the countywide need clarifies the scope of the effort for each jurisdiction. The type of policies and strategies that are appropriate for a jurisdiction to consider will vary and will be based on its analysis of housing. Some jurisdictions where the overall supply of affordable housing is significantly less than their proportional share of the countywide need may need to undertake a range of strategies addressing needs at multiple income levels, including strategies to create new affordable housing. Other jurisdictions that currently have housing stock that is already generally affordable may focus their efforts on preserving existing affordable housing through efforts such as maintenance and repair, and ensuring long-term affordability. It may also be appropriate to focus efforts on the needs of specific demographic segments of the population.

The policies below recognize the significant countywide need for affordable housing to focus on the strategies that can be taken both individually and in collaboration to meet the countywide need. These policies envision cities and the county following a four step process

1. Conduct an inventory and analysis of housing needs and conditions;
2. Implement policies and strategies to address unmet needs;
3. Measure results; and
4. Respond to measurement with reassessment and adjustment of strategies

The provision of housing affordable to very-low income households, those earning less than 30% of AMI, is the most challenging problem and one faced by all communities in the county.

Housing for these very-low income households cannot be met solely through the private market. Meeting this need will require interjurisdictional cooperation and support from public agencies, including the cities and the county.

Overarching Goal: *The housing needs of all economic and demographic groups are met within all jurisdictions.*

H-1 Address the countywide need for housing affordable to households with moderate, low and very-low incomes, including those with special needs. The countywide need for housing by percentage of Area Median Income (AMI) is:

<u>50-80% of AMI (moderate)</u>	<u>16% of total housing supply</u>
<u>30-50% of AMI (low)</u>	<u>12% of total housing supply</u>
<u>30% and below AMI (very-low)</u>	<u>12% of total housing supply</u>

H-2 Address the need for housing affordable to households at less than 30% AMI (very low income), recognizing that this is where the greatest need exists, and addressing this need will require funding, policies and collaborative actions by jurisdictions working individually and collectively.

Housing Inventory and Needs Analysis

The Growth Management Act requires an inventory and analysis of existing and projected housing needs as part of each jurisdiction's comprehensive plan housing element. Assessing local housing needs provides jurisdictions with information about the local housing supply, the cost of housing, and the demographic and income levels of the community's households. This information on current and future housing conditions provides the basis for the development of effective housing policies and programs. While some cities may find that they meet current need for housing or for some populations groups, the inventory and needs analysis will help identify those income levels and demographic segments of the population where there is the greatest need. Further guidance on conducting a housing inventory and analysis is provided in Appendix 4.

H-3 Conduct an inventory and analysis of existing and projected housing needs of all economic and demographic segments of the population in each jurisdiction. The analysis and inventory shall include:

- a. Characteristics of existing housing stock, including supply, affordability and diversity of housing types;
- b. Characteristics of populations, including projected growth and demographic change;
- c. The needs of very-low, low, and moderate-income households; and
- d. The housing needs of special needs populations.

Strategies to Meet Housing Needs

VISION 2040 encourages local jurisdictions to adopt best housing practices and innovative techniques to advance the provision of affordable, healthy, sustainable, and safe housing for all residents. Meeting the county's affordable housing needs will require actions by a wide range of private for profit, non-profit and government entities, including substantial resources from federal, state, and local levels. No single tool will be sufficient to meet the full range of needs in a given jurisdiction. The county and cities are encouraged to employ a range of housing tools to ensure the countywide need is addressed and to respond to local conditions. Further detail on the range of strategies for promoting housing supply and affordability is contained in Appendix 4.

Jobs-housing balance, addressed in H-9, is a concept that advocates an appropriate match between the number of existing jobs and available housing supply within a geographic area. Improving balance means adding more housing to job-rich areas and more jobs to housing-rich areas.

H-4 Provide zoning capacity within each jurisdiction in the Urban Growth Area for a range of housing types and densities, sufficient to accommodate each jurisdiction's overall housing targets and, where applicable, housing growth targets in designated Urban Centers.

H-5 Adopt policies, strategies, actions and regulations at the local and countywide levels that promote housing supply, affordability, and diversity, including those that address a significant share of the countywide need for housing affordable to very-low, low, and moderate income households. These strategies should address the following:

- a. Overall supply and diversity of housing, including both rental and ownership;
- b. Housing suitable for a range of household types and sizes;
- c. Affordability to very-low, low-, and moderate-income households;
- d. Housing suitable and affordable for households with special needs;
- e. Universal design and sustainable development of housing; and
- f. Housing supply, including affordable housing and special needs housing, within Urban Centers and in other areas planned for concentrations of mixed land uses.

H-6 Preserve existing affordable units, where appropriate, including acquisition and rehabilitation of housing for long-term affordability.

H-7 Identify barriers to housing affordability and implement strategies to overcome them.

H-8 Tailor housing policies and strategies to local needs, conditions and opportunities, recognizing the unique strengths and challenges of different cities and sub-regions.

H-9 Plan for housing that is accessible to major employment centers and affordable to the workforce in them so people of all incomes can live near or within reasonable commuting

distance of their places of work. Encourage housing production at a level that improves the balance of housing to employment throughout the county.

H-10 Promote housing affordability in coordination with transit, bicycle, and pedestrian plans and investments and in proximity to transit hubs and corridors, such as through transit oriented development and planning for mixed uses in transit station areas.

H-11 Encourage the maintenance of existing housing stock in order to ensure that the condition and quality of the housing stock is safe and livable.

H-12 Plan for residential neighborhoods that protect and promote the health and well-being of residents by supporting active living and healthy eating and by reducing exposure to harmful environments.

H-13 Promote fair housing and plan for communities that include residents with a range of abilities, ages, races, incomes, and other diverse characteristics of the population of the county.

Regional Cooperation

Housing affordability is important to regional economic vitality and sustainability. Housing markets do not respect jurisdictional boundaries. For these reasons, multijurisdictional efforts for planning and adopting strategies to meet regional housing needs are an additional tool for identifying and meeting the housing needs of households with moderate, low and very-low incomes. Collaborative efforts, supported by the work of Puget Sound Regional Council and other agencies, contribute to producing and preserving affordable housing and coordinating equitable, sustainable development in the county and region. Where individual cities lack sufficient resources, collective efforts to fund or provide technical assistance for affordable housing development and preservation, and for the creation of strategies and programs, can help to meet the housing needs identified in comprehensive plans. Cities with similar housing characteristics tend to be clustered geographically. Therefore, there are opportunities for efficiencies and greater impact through interjurisdictional cooperation. Such efforts are encouraged and can be a way to meet a jurisdiction's share of the countywide affordable housing need.

H-14 Work cooperatively among jurisdictions to provide mutual support in meeting countywide housing growth targets and affordable housing needs.

H-15 Collaborate in developing sub-regional and countywide housing resources and programs, including funding, to provide affordable housing for very-low, low-, and moderate-income households.

H-16 ~~Work cooperatively with other jurisdictions and/or subregional housing agencies to meet their housing targets. In areas identified as city expansion areas, King County and cities should plan cooperatively for affordable housing development and preservation.~~

~~AH-3 Each jurisdiction shall evaluate its existing resources of subsidized and low-cost non-subsidized housing and identify housing that may be lost due to redevelopment, deteriorating housing conditions, or public policies or actions. Where feasible, each jurisdiction shall develop strategies to preserve existing low-income housing and provide relocation assistance to low-income residents who may be displaced.~~

~~AH-4 The Growth Management Planning Council or its successor shall the Puget Sound Regional Council and other agencies to identify ways to expand technical assistance to local jurisdictions in affordable housing techniques. Technical assistance should include project case studies and model ordinances covering such topics as development and financing of nonprofit housing, provision of housing-related services, incentives programs for affordable housing, regulations that encourage well-designed higher density developing, implementing and monitoring the success of strategies that promote affordable housing that meets changing demographic needs. Collaborate in developing and implementing a housing; improvements to development permit processing and standards to reduce development costs, and public education and involvement. The Affordable Housing Task Force Report, dated March 1994 contains a summary of actions that local governments may use to encourage affordable housing strategy for the four-county central Puget Sound region.~~

~~AH-5 All jurisdictions shall monitor Measuring Results~~

~~Maintaining timely and relevant data on housing markets and residential development within their jurisdiction and determine annually the total number of new and redeveloped units receiving permits and units constructed, housing types, developed densities and remaining capacity for residential growth. Housing prices and rents also should be reported, based on affordability to four income categories: Zero to 50 percent of median income, 50 to 80 percent of median, 80 to 120 percent of median, and above 120 percent of median. King County shall report annually on housing development, the rate of housing cost and price increases and available residential capacity Countywide in its annual growth reporting.~~

~~The Affordable Housing and Data Technical Forums, which are comprised of city and County staff and private housing industry representatives, shall develop a uniform approach for monitoring housing permit activity, construction, and affordability. Where feasible, the Affordable Housing and Data Technical Forums shall consider collecting statistics such as: housing units receiving building permits by income category, total units constructed by income category, low and moderate income housing acquired or preserved, households receiving rental assistance, and other local housing activities. In addition where feasible, planning and monitoring for affordable housing should use the median household income for King County indexed by household size, published annually by the U.S. Department of Housing and Urban Development. Calculations of affordable house prices should assume standard Federal Housing Administration lending criteria and minimum down payments.~~

~~AH-6 Beginning in 1999, and subsequently in coordination with evaluation and reporting requirements of state law, the Growth Management Planning Council or its successor organization responsible for monitoring growth management implementation shall evaluate achievement of Countywide and local goals for housing for all economic segments of the population. The Growth Management Planning Council or its successor shall consider annual reports prepared under policy AH-5 as well as market conditions and other factors affecting housing development. If the Growth Management Planning Council or its successor determines that housing planned for any economic segment falls short of the need for such housing, the Growth Management Planning Council or its successor may recommend additional actions.~~

As part of its evaluation, the Growth Management Planning Council or its successor shall review local performance in meeting low and moderate income housing needs. The basis for determining local performance shall be a jurisdiction's participation in Countywide or subregional efforts to address existing housing needs and actual development of the target percentage of low and moderate income housing units as adopted in its comprehensive plan. In establishing planning targets to address future affordable housing needs, it is recognized that success will be dependent in part upon regional factors beyond the control of any single jurisdiction. Any one jurisdiction acting alone, or even in concert with other local governments, may or may not be able to achieve its targets in these policies, despite its best efforts. Success will require cooperation and support allows the county and cities to evaluate the effectiveness of their housing strategies and to make appropriate changes to those strategies when and where needed. In assessing efforts to meet their share of the countywide need for affordable housing from the state, federal and local governments, as well as the private sector. The significant role of the market must also be recognized. In determining performance the Growth Management Planning Council or its successor shall therefore use reasonable judgment, and also shall consider these market and other factors, as well as action, jurisdictions need to consider public actions taken to encourage development and preservation of housing affordable to households with very low-, low- and moderate-income housing incomes, such as local funding, development code changes, and creation of new programs, as well as market and other factors that are beyond local government control. Further detail on monitoring procedures is contained in Appendix 4.

H-17 Monitor housing supply, affordability, and diversity including progress toward meeting a significant share of the countywide need for affordable housing for very-low, low, and moderate income households. .

Monitoring should encompass:

- a. Number and type of new housing units;
- b. Number of units lost to demolition, redevelopment, or conversion to non-residential use;
- c. Number of new units that are affordable to very-low, low-, and moderate-income households;
- d. Number of affordable units newly preserved and units acquired and rehabilitated with a regulatory agreement for long-term affordability for very-low, low-, and moderate-income households;
- e. Housing market trends including affordability of overall housing stock;
- f. Changes in zoned capacity for housing, including housing densities and types;
- g. The number and nature of fair housing complaints and violations; and
- h. Housing development and market trends in Urban Centers.

H-18 Review and amend, a minimum every five years, the countywide and local housing policies and strategies, especially where monitoring indicates that adopted strategies are not resulting in adequate affordable housing to meet the jurisdiction's share of the countywide need.



December 22, 2012

The Honorable Tony Anderson
City of SeaTac
4800 South 188th St.
SeaTac, WA 98188-8605

Dear Mayor Anderson:

We are pleased to forward for your consideration and ratification the enclosed amendments to the King County Countywide Planning Policies (CPP).

On December 3, 2012, the Metropolitan King County Council approved and ratified the amendments on behalf of unincorporated King County. The two ordinances will become effective December 23, 2012. Copies of the King County Council staff reports, ordinances and Growth Management Planning Council motion are enclosed to assist you in your review of these amendments.

In accordance with the Countywide Planning Policies, FW-1, Step 9, amendments become effective when ratified by ordinance or resolution by at least 30 percent of the city and county governments representing 70 percent of the population of King County according to the interlocal agreement. A city will be deemed to have ratified the CPP and amendments unless, within 90 days of adoption by King County, the city takes legislative action to disapprove the amendments. **Please note that the 90-day deadline for this amendment is Monday, March 4, 2013.**

If you adopt any legislation concerning this action, please send a copy of the legislation by the close of business, Monday, March 4, 2013, to Anne Noris, Clerk of the Council, Room 1200, King County Courthouse, 516 Third Avenue, Seattle, WA 98104.

ATTACHMENT 3

If you have any questions about the amendments or ratification process, please contact Paul Reitenbach, Project/Program Manager IV, King County Department of Permitting and Environmental Review, at 206-477-0345, or Rick Bautista, Metropolitan King County Council Staff, at 206-296-0329.

Thank you for your prompt attention to this matter.

Sincerely,



Larry Gossett, Chair
Metropolitan King County Council



Dow Constantine
King County Executive

Enclosures

✓cc: King County City Planning Directors
Suburban Cities Association
John Starbard, Director, Department of Permitting and Environment Review (DPER)
Paul Reitenbach, Project/Program Manager IV, DPER
Rick Bautista, Council Staff, Transportation, Environment and Economy Committee (TREE)

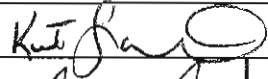


SeaTac City Council

REQUEST FOR COUNCIL ACTION

Department Prepared by: Parks

Agenda Bill #: 3494

TITLE: A Motion to amend the contract for architectural services for design of the new Fire Station 45.

<i>February 4, 2013</i>	
<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested: <u>RCM 2/26/13</u>	
Ord/Res Exhibits: _____	
Review Dates: <u>CSS 2/12/13</u>	
Prepared By: <u>Pat Patterson/Facilities Manager</u>	
Director: <u></u>	City Attorney: <u>Mary Mianche Bartolo</u> mk HSA
Finance: <u></u>	BARS #: <u>306.000.12.594.22.62.011</u>
City Manager: <u></u>	Applicable Fund Name: <u>306 Municipal Facil. CIP Fund</u>

SUMMARY: This Motion will amend the contract with TCA Architecture to include an increase in fees for additional services in the design of the new Fire Station 45.

DISCUSSION / ANALYSIS / ISSUES: The City entered into a contract with TCA in 2009 for design of a new fire station to replace the existing one on S. 200th St. known as Fire Station 45. The current contract amount is for \$321,737.00. Since 2009, the City changed the scope of the project from a 3 bay station to a 2 bay station with the option to add a third bay in the future. This coupled with inflationary costs over the last three years has required the architect to add \$38,090.95 to his current contract price. Included in this sum is \$11,385.00 for landscape architecture which was not included in the original contract sum. This makes the new contract sum \$359,827.95. The current cost estimate for the New Fire Station 45 project is \$4,444,348.

RECOMMENDATION(S): It is recommended that the Motion be carried.

FISCAL IMPACT: The original contract amount plus an amendment in 2009 for additional civil design work is currently \$321,737.00. The added scope is as follows:

TCA re design work plus the cost of re-startup	\$11,723.75
Changes to Civil Eng. scope plus re-startup	\$11,532.20
Added Structural Eng. work	\$3,450.00
Add Landscape Architect	\$11,385.00
Total Contract Amendment	\$38,090.95

New Revised Contract Amount \$359,827.95

There is \$1,659,870 in the 2013 CIP budget for design and construction of the new Fire Station 45.

ALTERNATIVE(S):

- 1) Renegotiate with TCA Architects.

ATTACHMENT(S):

AIA Amendment to the Professional Services Agreement

AIA[®] Document G802[™] – 2007

Amendment to the Professional Services Agreement

Amendment Number: 003

TO: City of SeaTac
(Owner or Owner's Representative)

In accordance with the Agreement dated: Third of June Two Thousand and Nine

BETWEEN the Owner:
(Name and address)
City of SeaTac
4800 S. 188th Street
SeaTac, WA 98188-8605

and the Architect:
(Name and address)
TCA Architecture Planning
6211 Roosevelt Way NE
Seattle, WA 98115

for the Project:
(Name and address)
City of SeaTac Fire Station 45 and other related work
Scope may also include Design Construction Documents and construction Administration for a new Fire Station 47 to be located in the Riverton Heights Area.

Authorization is requested
 to proceed with Additional Services.
 to incur additional Reimbursable Expenses.

As Follows:

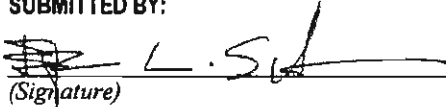
The following adjustments shall be made to compensation and time.
(Insert provisions in accordance with the Agreement, or as otherwise agreed by the parties.)

Compensation:	
Original June 2009 Contract:	\$222,930.00
Original Civil Contract including TCA markup:	\$66,815.00
TOTAL ORIGINAL CONTRACT	\$289,745.00
October 2009 Amendment to add Civil scope including TCA markup:	\$31,992.00
OCTOBER 2009 REVISED CONTRACT	\$321,737.00
Added Scope to Contract under this Amendment 003	
Added TCA Scope	\$11,723.75
Added Civil Scope including TCA markup	\$11,532.20
Added Landscape Scope including TCA markup	\$11,385.00
Added Structural Design site walls including TCA markup	\$3,450.00
SUBTOTAL	\$38,090.95
JANUARY 2013 REVISED CONTRACT	\$359,827.95

Time:

The schedule for the Project is to be completed for bidding by June 1, 2013

SUBMITTED BY:



(Signature)

Eric L. Schaer, Principal

(Printed name and title)

01-25-2013

(Date)

AGREED TO:

(Signature)

(Printed name and title)

(Date)



architecture • planning

January 25, 2013

Pat Patterson
Facilities Manager

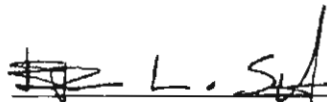
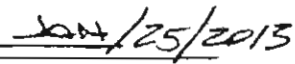
Subject: City of SeaTac Fire Station 45 Fee and Scope Contract Amendment

Dear Mr. Patterson,

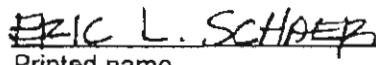
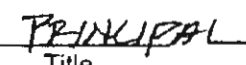
Per our conversations, please find attached an amendment to the Exhibit B Scope of Services to our contract for your Fire Station 45 project. Also attached is a detailed breakdown of the fees including the original contract amounts and those added modifications previously approved by the City.

I have attached a copy of the approved site plan with the floor plan as well as a copy of the Schematic design 3D drawings showing the character of the project as approved by the City.

Sincerely,
Eric L. Schaer AIA, Principal
TCA Architecture • Planning
Accepted by Consultant:

Signature Date

Printed name Title

Approved by:
City of SeaTac

Signature Date

Printed name Title

8311 ROSSWALK WAY, NORTH-LEAS
SEATTLE, WA 98108
PHONE: 206-465-1000
WWW.TCA-ARCHITECTS.COM



CITY OF SEACAC
SEACAC, WASHINGTON
FIRE STATION 45

Sheet Title: **SITE PLAN**
Scale: 1/8" = 1'-0"
Project No: 05-30
Date: JANUARY 14, 2013
Sheet Number: **A1.1**

LOT 3445000007 26,240 S.F.
LOT 432490000607 9,191 S.F.
35,431 S.F.

SOUTH PAVED DRIVE AND PARKING AREA: 7,048 S.F.
WEST AND NORTHWEST DRIVE AND APRON AREAS: 4,614 S.F.
SOUTHWALK AREA: 123 S.F.
NORTH / NORTHEAST SIDEWALK ENTRY AREA: 457 S.F.
EAST SIDEWALK AREA: 608 S.F.
EAST PARKING AND DRIVE AREAS: 4,897 S.F.
SOUTH EAST AREA OVERHANG: 110 S.F.

SUB TOTAL SITE COVERAGE AREAS: 18,518 S.F.

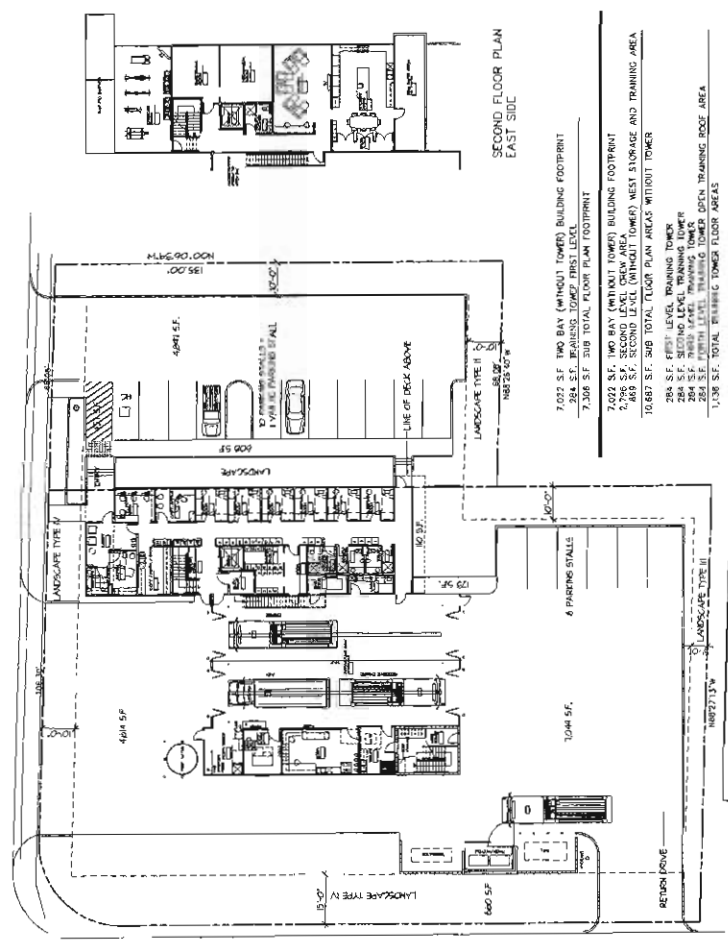
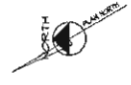
STATION FOOT PRINT 7,306 S.F.
TOTAL COVERAGE AREA: 25,824 S.F.

TOTAL COVERAGE 25,824 S.F. = 72.68%
35,431 S.F.

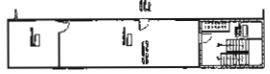
PARKING FOR FIRE STATION USE:
1 SPACE PER EMPLOYEE + 1 PER 100 S.F.
OF PUBLIC OFFICE AREAS

806 S.F. / 100 = 9 SPACES
6 EMPLOYEES = 6 SPACES
TOTAL SPACES REQ'D = 15 SPACES
TOTAL SPACES PROVIDED = 16 REGULAR SPACES
1 HANDICAP VAN SPACE
17 SPACES

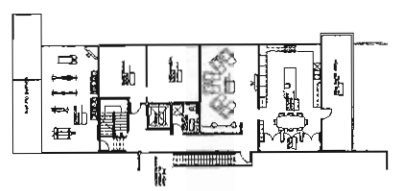
FIRE STATION 45
Seattle, WA
JANUARY 14, 2013
TCA Architecture + Planning
8311 Rosswalk Way NE
Seattle, WA 98115



30TH AVE S



SECOND FLOOR PLAN
WEST SIDE



SECOND FLOOR PLAN
EAST SIDE

- 7,022 S.F. TWO BAY (WITHOUT TOWER) BUILDING FOOTPRINT
- 384 S.F. NORTH EAST ROOF AREA FOR MECHANICAL EQUIPMENT
- 336 S.F. SOUTH EAST SECOND LEVEL OUTDOOR GREEK DECK AREA
- 696 S.F. TOTAL OUTDOOR USABLE ROOF AREAS
- 12,518 S.F. TOTAL PLAN AREAS
- 7,306 S.F. TOTAL FLOOR PLAN FOOTPRINT
- 2,702 S.F. TWO BAY (WITHOUT TOWER) BUILDING FOOTPRINT
- 2,702 S.F. TWO BAY (WITHOUT TOWER) BUILDING FOOTPRINT
- 2,702 S.F. SECOND LEVEL (WITHOUT TOWER) WEST STORAGE AND TRAINING AREA
- 2,702 S.F. SECOND LEVEL (WITHOUT TOWER) WEST STORAGE AND TRAINING AREA
- 10,887 S.F. SUB TOTAL FLOOR PLAN AREAS WITHOUT TOWER
- 284 S.F. THIRD LEVEL TRAINING TOWER
- 284 S.F. SECOND LEVEL TRAINING TOWER
- 284 S.F. THIRD LEVEL TRAINING TOWER
- 284 S.F. SECOND LEVEL TRAINING TOWER
- 1,136 S.F. TOTAL TRAINING TOWER FLOOR AREAS
- 384 S.F. NORTH EAST ROOF AREA FOR MECHANICAL EQUIPMENT
- 336 S.F. SOUTH EAST SECOND LEVEL OUTDOOR GREEK DECK AREA
- 696 S.F. TOTAL OUTDOOR USABLE ROOF AREAS

① SITE PLAN
SCALE: 1/8" = 1'-0"

SeaTac City Council
REQUEST FOR COUNCIL ACTION

Department Prepared by: Fire and Legal

Agenda Bill #: 3491

TITLE: An Ordinance amending Chapter 2.75 of the SeaTac Municipal Code related to Emergency Management.

<i>February 8, 2013</i>	
<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested:	<u>RCM 02/26/2013</u>
Ord/Res Exhibits:	_____
Review Dates:	<u>CSS 02/12/2013</u>
Prepared By:	<u>Mark S. Johnsen, Senior Assistant City Attorney and Brian Wiwel, Assistant Fire Chief</u>
Director:	<u><i>Bob for Chief Schneider</i></u> City Attorney: <u><i>Mary Murrant Bartolo</i></u>
Finance:	<u><i>Asst</i></u> BARS #: <u>N/A</u>
City Manager:	<u><i>David M. Wiwel</i></u> Applicable Fund Name: <u>N/A</u>

SUMMARY: This Ordinance amends Chapter 2.75 of the SeaTac Municipal Code.

DISCUSSION / ANALYSIS / ISSUES: The Legal Department and the Fire Department conducted a review of Chapter 2.75 of the SeaTac Municipal Code to determine what code changes would be appropriate as a result of the City Council's elimination of the Council committee structure and the rewrite of the Comprehensive Emergency Management Plan. SMC 2.75 (E) currently provides that an Emergency Preparedness Committee provides direction and staff support for the development and maintenance of the emergency operations plan. The Committee also staffs the ECC during emergencies. However, the Code provides that two of the members of this committee be the chairs of the Public Safety and Justice Committee and the Transportation and Public Works Committee—two committees that are no longer in existence. The proposed Ordinance renames the Committee as a "Leadership Team" that is made up of the City Manager, Assistant City Manager, and department heads. The Leadership Team will coordinate with the ECC and the Policy Group to resolve or implement policy issues and priorities.

Second, SMC 2.75 (F) is amended in the proposed Ordinance to remove the City Manager, City Attorney, and City Clerk from the Policy Group as they are members of the Leadership Team.

Third, SMC 2.75.060 provides that the Chair of the Public Safety and Justice Committee shall serve as Mayor in the event that the Mayor and Deputy Mayor are unable to act in a disaster. This provision is amended to provide that the Council may appoint any qualified Councilmember to serve as Mayor should the Mayor and Deputy Mayor be unable to serve.

The proposed Ordinance also contains some housekeeping changes in SMC 2.75.

RECOMMENDATION(S): It is recommended that the Ordinance be adopted.

FISCAL IMPACT: None.

ALTERNATIVE(S): Do not adopt the Ordinance.

ATTACHMENTS: None.

ORDINANCE NO. _____

AN ORDINANCE of the City Council of the City of SeaTac, Washington amending Chapter 2.75 of the SeaTac Municipal Code related to Emergency Management.

WHEREAS, the Washington Emergency Management Act, Chapter 38.52 RCW, requires each political subdivision of the state to establish a local organization for emergency management, together with a plan and program for emergency management, and to obtain certification of consistency with state comprehensive emergency management plan; and

WHEREAS, RCW 35A.38.010 further provides authority to all code cities to participate in the creation of local organizations for emergency services, provide for mutual aid, and exercise all of the powers and privileges and perform all of the functions and duties set forth in the said Washington Emergency Management Act; and

WHEREAS, each local organization for emergency management is required to have a director appointed pursuant to state law; and

WHEREAS, the City deems it expedient to comply with the law and to establish an organization to ensure preparation for, and meaningful response in the event of, a large scale emergency or disaster;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN as follows:

Section 1. Chapter 2.75 of the SeaTac Municipal Code is hereby amended to read as follows:

Chapter 2.75 EMERGENCY MANAGEMENT

Sections:

- 2.75.010 Purpose.**
- 2.75.020 Emergency management policy.**
- 2.75.030 Definitions.**
- 2.75.040 Emergency management organization.**
- 2.75.050 Emergency operations plan.**
- 2.75.060 Emergency or disaster powers of the Mayor or Successor.**
- 2.75.070 Emergency and disaster powers of the Emergency Management Director.**
- 2.75.080 Functions and duties of departments and employees.**
- 2.75.090 Private liability.**
- 2.75.100 Penalty.**
- 2.75.110 Compensation Board.**
- 2.75.120 Severability.**

2.75.010 Purpose.

The declared purposes of this chapter are to provide for the preparation and implementation of plans for mitigation, preparedness, response and recovery activities within the City in the event of an emergency or disaster, and to provide for the coordination of emergency functions and services of the City and other affected public agencies and private persons, corporations and organizations. Any expenditures made in connection with such emergency management activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the City.

2.75.020 Emergency management policy.

It is the policy of the City to make effective preparation and use of staffing, resources, and facilities for dealing with any emergency or disaster that may occur. Emergencies and disasters, by their very nature, may disrupt or destroy existing systems and the capability of the City to respond to protect life, public health and property. Therefore, citizens are advised to be prepared to be without public services or utilities for up to a minimum of ~~72 hours~~ five days should an emergency or disaster occur.

2.75.030 Definitions.

A. "Emergency management" shall mean the preparation for the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage resulting from disasters caused by all hazards, whether natural or manmade, and to provide support for search and rescue operations for persons and property in distress.

B. "Emergency or disaster" as used in this chapter shall mean an event or set of circumstances which: (1) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken area within the City overtaken by such occurrences, or (2) reaches such a dimension or degree of destructiveness as to warrant the Mayor proclaiming the existence of a disaster or the Governor declaring a state of emergency in accordance with appropriate local ordinances and State statute.

~~C. "Emergency Management Director" shall mean the person appointed by the City Council.~~

~~D. "Deputy Emergency Management Director" shall mean the person appointed by the Emergency Management Director to perform the duties of the Emergency Management Director in his or her absence.~~

2.75.040 Emergency management organization.

A. There is hereby created, in accordance with Chapter 38.52 RCW, an emergency management organization. The purpose of the local organization is to perform local emergency management functions. The organization shall represent only the City of SeaTac and operate only within the City.

~~B. The Emergency Management Director shall be the person appointed by the City Council and have direct responsibility for the organization, administration and operation of the emergency management program for the City.~~

~~C. The Emergency Management Director shall be the Fire Chief, who has been appointed by the City Council. The Emergency Management Director shall develop and maintain the emergency operations plan and program in cooperation with the Emergency Preparedness Committee and shall have such other duties as may be added by amendment to this chapter.~~

~~D. The Deputy Emergency Management Director shall be the Chief of Police, Chief who has been appointed by the Emergency Management Director. The Deputy Emergency Management Director shall exercise the powers and perform the duties of the Emergency Management Director during his/her absence or disability. In the absence of the Deputy Emergency Management Director, the position shall be filled by the Public Works Director.~~

~~E. A Leadership Team n Emergency Preparedness Committee is hereby created and chaired by the Emergency Management Director City Manager to provide direction and staff support for the development and maintenance of the emergency operations plan coordinate with the ECC and the Policy Group to resolve or implement policy issues and priorities. The Committee members may staff the Emergency Coordinations Center during emergencies and disasters and perform any other necessary functions during an emergency or disaster. The Committee Team shall consist of, but not limited to, such key personnel as are designated by the Emergency Management Director, and such personnel from outside professional and volunteer organizations having key roles in emergency preparedness, planning and response activities as determined by the Emergency Management Director. The Emergency Preparedness Committee shall consist of the following members: Emergency Management Director, Mayor, Public Safety and Justice Committee Chair, Transportation and Public Works Committee Chair, the City Manager, Assistant City Manager, and department heads. Human Services Coordinator, Public Works Director, Finance Director, City Clerk, Parks Director, Police Chief, Planning Director and Human Resources Director.~~

~~F. A Policy Group is hereby created to provide direction and policy making decisions to the Emergency Coordinations Center during and after a disaster has occurred in the City of SeaTac.~~

The Policy Group will consist of the Mayor, Deputy Mayor and Councilmembers, ~~City Manager, and City Attorney.~~ The City Clerk or alternate is designated Mayor shall designate one Councilmember as the official recordation person for the group.

2.75.050 Emergency operations plan.

The emergency operations plan, prepared ~~by the Emergency Preparedness Committee~~ under the direction of the Emergency Management Director, is the official emergency operations plan of the City of SeaTac. The Emergency Management Director shall file a copy of said plan in the office of the City Clerk, and distribute copies of said plan to appropriate City departments.

2.75.060 Emergency or disaster powers of the Mayor or Successor.

In the event of a proclamation of a disaster as herein provided, or upon the proclamation of a state of emergency by the Governor of the State, the Mayor or successor is hereby empowered:

A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the City Council;

B. To request the County Executive to proclaim a local emergency when, in the opinion of the Mayor, the resources of the area or region are inadequate to cope with the disaster;

C. To be the head of the Policy Group in the event of an emergency or disaster to assure policy decisions and continuity of government is addressed and maintained.

D. To require the Emergency Management director to periodically report pertinent and requested information to the Mayor or successor and to the Policy Group on the status of the City during an event.

E. In order to assure continuity of government and succession authority and lines of communications, it is necessary to define the succession lines for the Mayor if he/she is not available or incapacitated during an emergency or disaster. In the event the Mayor is incapacitated or absent during an emergency or disaster, the Deputy Mayor shall assume the responsibilities of the Mayor. In the event the Deputy Mayor is incapacitated or absent during a disaster, then the Council may appoint any qualified Councilmember to serve as Mayor and he/she Chair of the Public Safety and Justice Committee shall assume the responsibilities of the Mayor. This does not preclude the powers of the Emergency Management Director to proclaim an emergency or disaster in the event it is immediately needed in order to save lives and property in the City of SeaTac.

2.75.070 Emergency and disaster powers of the Emergency Management Director.

The Emergency Management Director is hereby empowered:

A. To request the Mayor or successor to proclaim the existence or threatened existence of a disaster and the termination thereof, if a quorum of the City Council is available and functioning, or to issue such proclamation, if a quorum of the City Council is not available, subject to confirmation by the City Council at the earliest practicable time;

B. To control and direct the efforts of the emergency management organization of the City for the accomplishment of the purposes of this chapter;

C. To direct coordination and cooperation between neighboring jurisdictions, divisions, services and staff of the departments and services of the City in carrying out the provisions of the emergency management plan, and to resolve questions of authority and responsibility that may arise between them;

D. To act on behalf of the Mayor or successor if he/she is unable to carry out his/her duties, in carrying out purposes of this chapter or the provisions of the emergency management plan.

E. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people and to bind the City for the fair value thereof, and, if required immediately, to commandeer the same for public use;

F. To require emergency services of any City officer or employee and, in the event of the proclamation of a state of emergency by the Governor in the region in which this City is located, to command the service and equipment of as many citizens of this City as may be deemed necessary in the light of the disaster proclaimed; and such persons to be entitled to all privileges, benefits and immunities as are provided by State law for registered emergency workers;

G. To determine the incident command structure based upon the type of event or upon change of status of the event. The Emergency Management Director will strive to assign incident command to the Fire Department for natural disasters, Police Department for terrorist attacks or civil unrest, and Public Works Department for recovery efforts.

H. To requisition necessary personnel or material of any City department or agency with concurrent notification to the City Manager or designee.

2.75.080 Functions and duties of departments and employees.

All City departments, and all officers and employees thereof, are hereby assigned the powers and duties set forth in the emergency operations plan referenced in SMC 2.75.050.

2.75.090 Private liability.

No individual, firm, association, corporation or other party owning, maintaining or controlling any building or premises, who voluntarily and without compensation grants to the City a license or privilege or otherwise permits said City to inspect, designate and use the whole or any part or parts of such building or premises for the purpose of sheltering persons during an actual, impending, mock or practice emergency or disaster, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of any act or omission in connection with the upkeep or maintenance thereof, except a willful act of negligence, when such a person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during an emergency or disaster or an attack by enemies of the United States or during a disaster drill, exercise or test ordered by a lawful authority.

2.75.100 Penalty.

A violation of this chapter shall constitute a misdemeanor and shall be punishable as such; provided, that whenever any person shall commit a second offense hereunder, the same shall

constitute a gross misdemeanor and shall be punishable as such. It shall be a violation of this chapter to:

A. Willfully obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter or in the performance of any duty imposed upon such member by virtue of this chapter;

B. Wear, carry or display, without authority, any means of identification specified by the emergency management agency of the City.

2.75.110 Compensation Board.

A Compensation Board is hereby created for the processing of claims as provided in Chapter 38.52 RCW. The Compensation Board shall be composed of the Mayor, the City Manager or designee, one Councilmember selected by the Mayor and confirmed by the City Council, the City Attorney or designee, and the local coordinator of medical and health services. The Councilmember shall serve as the chair of the Compensation Board and the City Manager shall serve as the secretary of the Board.

2.75.120 Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Section 2. This Ordinance shall be in full force and effect five (5) days after passage and publication.

ADOPTED this _____ day of _____, 2013, and signed in authentication thereof on this _____ day of _____, 2013.

CITY OF SEATAC

Tony Anderson, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Mary Mirante Bartolo

Mary Mirante Bartolo, City Attorney

[Effective Date _____]

[Amendment to SMC 2.75]

8. PRESENTATIONS:

- **SCORE Update** (*15 minutes*)

By: Jail Executive Director Penny Bartley, CJM

- **Discussion on a proposed Carnival at the Hughes Property on July 4 – 7, 2013** (*15 minutes*)

By: Parks and Recreation Director Kit Ledbetter / Police Chief Jim Graddon

- **Public Safety Statistics** (*10 minutes*)

By: Fire Chief Jim Schneider

9. PRESENTATION:

●Council Consideration of Mayoral Appointments of Mark Blumenthal and Harry Higgins to the SeaTac Fire Department Contractual Steering Committee (*5 minutes*)

By: Mayor Tony Anderson



MEMORANDUM

Date: February 8, 2013
To: City of SeaTac Mayor and Council
From: Kristina Gregg, City Clerk *KAG*
Subject: Confirmation of Appointment

Please be advised that the Mayor has selected the following individuals who he feels are best qualified to serve as members of the Contractual Fire Consolidation Exploratory Steering Committee. The appointments are being presented at the February 12, 2013 Regular Council Meeting for your consideration and confirmation.

Appointment:

Contractual Fire Consolidation Exploratory Steering Committee:

- Harry Higgins
- Mark Blumenthal

Attachments: Applications

Cc: Fire Chief Jim Schneider



City of SeaTac Citizen Advisory Committee Application for Appointment

CITY OF SEATAC
RECEIVED

MAR 29 2012

TIME: _____
CITY CLERK'S OFFICE

Applications are retained in the City Clerk's Office for one year from the date they are received.

I wish to be considered for appointment to the following committee:

- Civil Service Commission
- Human Services Advisory Committee
- Library Advisory Committee
- Other: _____
- Planning Commission
- Senior Citizen Advisory Committee (ages 55 and over)
- Tree Board

If interested in more than one committee, please indicate your order of preference by numbering (i.e. 1, 2, 3).

Name: Harry F. Higgins
 Address: 2410 S. 138th St, Phone: 206-433-6536
 City: SeaTac State: WA Zip: 98166
 E-mail Address: roxanne-and-harry@hotmail.com
 Are you a SeaTac resident? Yes No

If student, please state grade: _____

Present Employer: King County Bar Association, Housing Justice Project
 Address: 1200 Fifth Ave., Ste 600 Phone: 206-267-7100
 City: Seattle State: WA Zip: 98101

Date available for appointment to a committee: immediately

Can you attend: Evening meetings? Yes No Daytime meetings? Yes No
 Approximately how many hours each month can you devote to City business? 8-10

Attach an additional page, if needed for any of the following information:

Have you previously served or are you currently on one of the committees listed above? Yes No
 If yes, please explain: _____

Professional and/or Community Activities: Highline Community College Paralegal Program
Advisory Committee, Maintainers Photo Committee Board member,
Instructor + trip leader.

Please share your experiences/qualifications that relate to this committee and why you would like to be involved: Program Coordinator, Housing Justice Project/Kent, homelessness
prevention clinic at M R JC. member, South King Council of Human
Services. Participant, South King County Forum on Homelessness. I am interested
in, and focused on, justice for the underrepresented.

(continued on back side)

Human Services Advisory Committee, Library Advisory Committee or Planning Commission Applicants:

Do you own or operate a business entity located within the City of SeaTac? Yes ___ No X
Are you employed by a business entity located within the City of SeaTac? Yes ___ No X

Business Name: _____

Business Address: _____

Civil Service Commission Applicants:

You must meet all of the following criteria: You must be a citizen of the United States, a SeaTac resident for at least three (3) years immediately preceding the appointment, and a registered voter of SeaTac and King County. Do you meet all of the criteria? Yes ___ No ___

Senior Citizen Advisory Committee Applicants:

Are you at least fifty-five (55) years of age? Yes ___ No ___

Please list the days/evenings/times that would be most convenient for you to come to City Hall for an interview: Weekdays after 3:00

If recommended, by whom: _____

Please return this form to:

City of SeaTac
City Clerk's Office
4800 South 188th Street
SeaTac, WA 98188-8605
206.973.4660

***Be advised, if you are selected for a committee you will be subject to a background investigation.**

Citizen Advisory Committee Applications are subject to public disclosure laws of the State of Washington (RCW.42.56), and if requested will be provided in its entirety.

I hereby certify that this application contains no willful misrepresentations and that the information is true and correct to the best of my knowledge.

Signature: Henry F. [Signature] Date: 29 Mar 12

The City of SeaTac is an Equal Opportunity Employer

For office use only:

Date Interviewed: _____ Committee: _____
Date Appointed: _____
Date Interviewed: _____ Committee: _____
Date Appointed: _____
Date Interviewed: _____ Committee: _____
Date Appointed: _____

Background Check: _____ Passed _____ Failed



**City of SeaTac
Citizen Advisory Committee
Application for Appointment**

CITY OF SEATAC
RECEIVED

FEB 05 2013

TIME: _____
CITY CLERK'S OFFICE

Applications are retained in the City Clerk's Office for one year from the date they are received.

I wish to be considered for appointment to the following committee:

- Civil Service Commission Planning Commission
 Human Services Advisory Committee Senior Citizen Advisory Committee (ages 55 and over)
 Library Advisory Committee Tree Board

Other: FIRE CONSOLIDATION EXPLORATORY STEERING COMMITTEE

If interested in more than one committee, please indicate your order of preference by numbering (i.e. 1, 2, 3).

Name: MARK BLUMENTHAL
 Address: 2016 80th AVE SE Phone: 206 276 5235
 City: MERCER ISLAND State: WA Zip: 98040
 E-mail Address: MARK@BLUMENTHALUNIFORMS.COM

Are you a SeaTac resident? Yes ___ No

If student, please state grade: _____

Present Employer: BLUMENTHAL UNIFORM CO INC
 Address: 20842 INTERNATIONAL BLDG Phone: 206 824 7111
 City: SEATAC State: WA Zip: 98198

Date available for appointment to a committee: NOW

Can you attend: Evening meetings? Yes No ___ Daytime meetings? Yes No

Approximately how many hours each month can you devote to City business? 4

Attach an additional page, if needed for any of the following information:

Have you previously served or are you currently on one of the committees listed above? Yes ___ No
 If yes, please explain: _____

Professional and/or Community Activities: I MANAGE OUR COMPANY. WE HAVE BEEN IN SEATAC SINCE 2007

Please share your experiences/qualifications that relate to this committee and why you would like to be involved: I HAVE A BUSINESS BACKGROUND AND HAVE PARTICIPATED IN RECENT FIRE CONSOLIDATION AD HOC EXPLORATORY COMMITTEE.

(continued on back side)

Human Services Advisory Committee, Library Advisory Committee or Planning Commission Applicants:

Do you own or operate a business entity located within the City of SeaTac? Yes ___ No ___
Are you employed by a business entity located within the City of SeaTac? Yes ___ No ___

Business Name: _____
Business Address: _____

Civil Service Commission Applicants:

You must meet all of the following criteria: You must be a citizen of the United States, a SeaTac resident for at least three (3) years immediately preceding the appointment, and a registered voter of SeaTac and King County. Do you meet all of the criteria? Yes ___ No ___

Senior Citizen Advisory Committee Applicants:

Are you at least fifty-five (55) years of age? Yes ___ No ___

Please list the days/evenings/times that would be most convenient for you to come to City Hall for an interview: Monday - Friday 8AM - 6PM

If recommended, by whom: CHIEF JIM SCHNEIDER

Please return this form to:

City of SeaTac
City Clerk's Office
4800 South 188th Street
SeaTac, WA 98188-8605
206.973.4660

***Be advised, if you are selected for a committee you will be subject to a background investigation.**

Citizen Advisory Committee Applications are subject to public disclosure laws of the State of Washington (RCW.42.56), and if requested will be provided in its entirety.

I hereby certify that this application contains no willful misrepresentations and that the information is true and correct to the best of my knowledge.

Signature: [Handwritten Signature] Date: 2/5/13

The City of SeaTac is an Equal Opportunity Employer

For office use only:

Date Interviewed: _____ Committee: _____
Date Appointed: _____
Date Interviewed: _____ Committee: _____
Date Appointed: _____
Date Interviewed: _____ Committee: _____
Date Appointed: _____

Background Check: _____ Passed _____ Failed

**PAYROLL/CLAIMS VOUCHERS WERE SENT
ELECTRONICALLY TO THE CITY COUNCIL**

**A HARD COPY OF THE VOUCHERS
CAN BE VIEWED IN THE CITY CLERK'S OFFICE**

**PAYROLL/CLAIMS VOUCHERS ARE ALSO
AVAILABLE ON OUR CITY WEBSITE**

www.ci.seatac.wa.us

**Pre-approval or final approval of City Council and
City Manager travel related expenses.**

Consent Agenda Date: 2.12.13

Travel Pre-Approval Requests: none

Travel Expense Approval:

NLC Conference

Pre-approval: Todd, Tony, Mia 1.8.13 Consent Agenda

No registration expense for Tony Anderson. Pam Fernald's fee of cancelled conference in November is applied to Tony's registration.

Pre-approval: Barry 1.22.13 Consent Agenda

Name: Todd Cutts	City Mastercard	Personal Reimbursement
Lodging		
Meals		
Transportation		
Registration	495.00	
Total	495.00	

Name: Mia Gregerson	City Mastercard	Personal Reimbursement
Lodging		
Meals (pre-paid meetings incl. meal)	85.00	
Transportation - airfare		568.80
Registration	495.00	
Total	580.00	568.80

Name: Barry Ladenburg	City Mastercard	Personal Reimbursement
Lodging		
Meals		
Transportation		
Registration	495.00	
Total	495.00	

City of SeaTac

Council Study Session Minutes Synopsis

January 8, 2013
4:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Study Session (CSS) was called to order by Mayor Anthony (Tony) Anderson at 4:00 p.m.

COUNCIL PRESENT: Mayor Anthony (Tony) Anderson, Deputy Mayor (DM) Mia Gregerson, Councilmembers (CMs) Barry Ladenburg, Terry Anderson, and Dave Bush. Excused absence: CMs Rick Forschler and Pam Fernald.

STAFF PRESENT: City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Public Works (PW) Director Tom Gut, Stormwater Compliance Manager Don Robinett, Resource Conservation – Neighborhood Programs Coordinator Trudy Olson, Senior Planner Al Torrico, Facilities Manager Pat Patterson, Police Chief Jim Graddon, Fire Chief Jim Schneider, and Assistant Fire Chief Brian Wiwel.

Agenda Bill #3468 – A Motion authorizing the City Manager to execute a King County (KC) Zone 3 Master Interlocal Agreement (ILA)

Summary: The parties to this Master ILA have determined that there are many ILAs in existence between each other with overlapping redundant terms and conditions. Therefore, it was determined that the parties to this agreement would have one ILA to cover all of the general terms found in such agreements like indemnity language, cost sharing, and dispute resolution. Then, any other future agreements between one or more of the parties can be much shorter as all of the general language is covered in this agreement.

Assistant Fire Chief Wiwel reviewed the agenda bill summary.

Council discussion ensued regarding the wording in the ILA, and the termination clause.

Council consensus: Refer this to the 01/22/13 RCM Consent Agenda / Action Item / Other

Agenda Bill #3486 – A Motion authorizing the City Manager to enter into a lease agreement with the Refugee Women's Alliance (REWA)

Summary: REWA has been a tenant in the SeaTac Center since March, 2000 with an initial five-year term. They signed a new three-year lease effective June 1, 2011 and expiring May 31, 2014. REWA is interested in moving into the space previously occupied by LowFareFly, who elected not to sign a new lease. The new lease they are proposing for the new space will have the same expiration date as their existing lease. Therefore, it is only a 16-month lease to align with their expiration dates. This lease includes a three-year option and the same redevelopment clause verbiage as the current lease. REWA is currently paying \$13.19 per square foot (SF) plus triple net charges. The rate they will pay on the smaller space is \$16 SF plus triple net charges.

The total revenue generated by the 16-month lease is \$26,126.80 including projected triple net charges. Using a 3% increase in rents for the three year option, the total projected revenue for the three year option period is \$60,548.86 including triple net charges. The total projected revenue for the six year period is \$86,675.66.

Senior Planner Torrico reviewed the agenda bill summary. He clarified that there will be two separate leases with REWA, however, they will both have the same termination date.

Council consensus: Refer this to the 01/22/13 RCM Consent Agenda

PRESENTATIONS:

•Fire Station 45 Design and Construction Update

Fire Chief Schneider introduced Facilities Manager Patterson and TCA Architect Eric Schaer. The purpose of this presentation is for staff to receive direction from the Council whether to move forward. Chief Schneider detailed the status of the current facility and property and the proposed building.

Mr. Patterson reviewed the City's finances related to this project. Staff would like to design and bid the project in July or August 2013 and start construction in late August or early September. The station should be completed within one year.

City Manager Cutts stated that the current estimate is about \$4.4 million. The 2013-2014 budget includes \$3.1 million with an additional fund balance of about \$600,000 that is uncommitted. Staff will be present filling the budget gap at a future Council meeting.

PRESENTATIONS (Continued):

Fire Station 45 Design and Construction Update (Continued):

Council discussion ensued regarding the current building, the land value, number of stalls and whether anything can be salvaged from the station.

Chief Schneider stated that with Council recommendation, staff will move forward with the committee to begin looking at the design of the station. Staff will present to Council in the 2nd quarter a proposal for Council review.

Mr. Cutts stated that the City has a contract with the architect in place today that was paused in 2009. If Council consensus is given, staff will continue on with the contract and bring more formal designs to Council in the future.

Council consensus was given to move forward.

●Solid Waste 101: Trash Talkin'

PW Director Gut described the Solid Waste System: solid waste, collection, transport, transfer stations, disposal, and management.

The players include generators, haulers, KC Solid Waste Division, and City of SeaTac. He detailed the roles and responsibilities the players have in the Solid Waste System. The City is assigned primary responsibility to handle solid waste by Revised Code of Washington (RCW) 70.95. The City entered into an ILA with KC where cities agree that KC will prepare one plan and provide disposal. The City also has a franchise agreement with a hauler. SeaTac provides programs and regulations.

The ILA with KC began in 1988 and expires in 2028. When the ILA is amended and restated, it will be extended to 2040. Staff will present the new ILA to Council at the January 22 CSS for review and then at the Regular Council Meeting (RCM) for Council action.

The current franchise agreement with the hauler expires in 2014. A decision card was approved in the 2013-2014 budget for a consultant to assist with a request for proposals for a new hauler agreement. The consultant agreement will be completed within the next few weeks.

Mr. Gut stated that the Cedar Hills Landfill is estimated to reach capacity in the mid 2020's. What happens next is still being discussed.

Council discussion ensued regarding the following items which will be discussed at the February 2013 Council Retreat: (1) items Council should be more knowledgeable about when considering the new ILA; (2) City liability with the KC ILA; and (3) mandatory garbage pickup.

●Public Safety Statistics

Fire Chief Schneider provided statistics for the months November to December 2012 and the years 2011 to 2012.

Chief Schneider briefed Council on the consolidation process. Staff is in the process of preparing the draft plan and the draft ILA for services. The Steering Committee is in charge of preparing the plan.

Chief Schneider stated that it is his intent to present components of the plan to Council each month for review.

As the plan is being prepared, staff will draft the ILA. Staff will then present both the plan and the ILA in the 2nd or 3rd quarter of 2013 for Council action.

RECESSED: Mayor A. Anderson recessed the CSS to an Executive Session on Pending Litigation at 5:20 p.m.

EXECUTIVE SESSION: Pending Litigation (RCW 42.30.110 [1] [i]) (25 minutes)

Mayor A. Anderson announced Council requested an additional 8 minutes.

RECONVENED: Mayor A. Anderson reconvened the meeting at 5:53 p.m.

ADJOURNED: Mayor A. Anderson adjourned the meeting at 5:53 p.m.

City of SeaTac

Council Study Session Minutes Synopsis

January 22, 2013
4:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Study Session (CSS) was called to order by Mayor Anthony (Tony) Anderson at 4:00 p.m.

COUNCIL PRESENT: Mayor Anthony (Tony) Anderson, Deputy Mayor (DM) Mia Gregerson, Councilmembers (CMs) Barry Ladenburg, Rick Forschler, Terry Anderson, Dave Bush, and Pam Fernald.

STAFF PRESENT: City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Parks and Recreation (P&R) Director Kit Ledbetter, Senior Planner Al Torrico, Public Works (PW) Director Tom Gut, PW Maintenance Supervisor Sean Clark, PW Maintenance Worker 2 Aaron Wiseman, Senior Planner Kate Kaehny, Associate Planner Anita Woodmass, Human Resources (HR) Director Anh Hoang, Senior HR Analyst Stephanie Johnson, Finance Director Aaron Antin, Resource Conservation – Neighborhood Programs Coordinator Trudy Olson, Police Chief Jim Graddon, and Fire Chief Jim Schneider.

Agenda Bill #3480 – A Motion authorizing the City Manager to execute a contract with the low bidder for Angle Lake Park Phase II construction

Summary: The Angle Lake Park Phase I project was completed in 1996. The plan is to start Phase II construction as early as possible in 2013 and complete the project before the International Festival and 4th of July.

Phase II park improvements will include two new rentable picnic shelters, a water spray area, regrading the area south of the performing stage, removing the old roadway, installing a new pathway system, and installation of new irrigation throughout the park. Due to budget the remaining items left to complete the Master Plan for Angle Lake Park will be a new dock, lifeguard building and boat launch improvements.

The bid opening for construction will be January 29, 2013. As to not delay the project, it is requested that this item be placed on the February 12, 2013 Regular Council Meeting (RCM) agenda.

The P&R Department has a total of \$1,775,226 for construction after the water spray equipment included in the 2013 Capital Budget for the Angle Lake Park Phase II project.

P&R Director Ledbetter reviewed the agenda bill summary.

Council discussion ensued regarding the details of Phase II. Council concurred that they weren't comfortable moving this item forward to the consent agenda without first seeing the bid numbers.

Council consensus: Refer this to the 02/12/13 RCM Action Item

Agenda Bill #3481 – A Motion authorizing the City Manager to approve the purchase of the water spray area equipment for the Angle Lake Park project from Waterplay Solutions Corporation

Summary: The bid proposals for the Angle Lake Park water spray area were sent out in late August with proposals due September 12. The bid was advertised in the Seattle Times on August 30 and September 6 and three companies responded. On September 19, the team of P&R Director Kit Ledbetter, Parks Operations Supervisor Roger Chouinard, and Landscape Architect Ed MacLeod interviewed all three submittals. A point system was used to rate the companies and Waterplay Solutions Corp. was unanimously selected.

The cost for all equipment is \$249,999 and tax is \$23,749.91 for a total request not to exceed of \$273,749. By purchasing the equipment directly from Waterplay, the City will save the contractors' usual markup of 15 to 20% or about \$40,000.

It is recommended that the City Council move to authorize the City Manager to execute a Contract with Waterplay Solutions Corp. that will not exceed \$273,749.

The P&R Department has a total of \$2,048,975 for construction included in the 2013 Capital Budget for the Angle Lake Park Phase II project.

P&R Director Ledbetter reviewed the agenda bill summary. He stated that if Council doesn't approve the spray park as part of the Angle Lake Phase II project, then Council shouldn't approve this item either.

Council consensus: Refer this to the 02/12/13 RCM Action Item

Agenda Bill #3489 – A Motion authorizing the City Manager to execute an agreement with Angle Lake Hotel, LLC for a proposed access easement at Angle Lake Park

Summary: On April 21, 2009, the City executed an agreement granting an access easement from Angle Lake Park to a proposed hotel known at the time as the “Residence Inn”. Building permits were never issued for the proposed project due to economic factors and as a result, the agreement expired on March 31, 2011. The developer, Ariel Development, seeks a new access easement for a new hotel, Hyatt Place, in the same location.

As before, granting an access easement to the developer, would allow the use of the current signalized access road (South 195th Street) located at the southern portion of Angle Lake Park, which will include a driveway to the hotel and fire access from Angle Lake Park to the eastern portion of the proposed hotel. The City also agrees to allow fire hydrants to be located in the adjoining park landscaping and for the construction of a “fire access only” driveway from the access easement through the adjoining landscaping to the hotel property.

In exchange, the developer agrees to grant an easement for the City to design, construct and maintain a pedestrian path not greater than ten feet in width from the north edge to the south edge of said property. The path will be parallel to the lake bank at a distance from the waterline to be determined. The developer also agrees to pay the City \$32,000, which will be used by the City at Angle Lake Park. The developer also agrees to provide special traffic control measures during high impact events such as the International Festival and 4th of July, and pay a portion of the maintenance costs for the access easement based on use load.

The proposed hotel development will provide approximately 150 rooms and will result in needed redevelopment of a parcel along Angle Lake and International Boulevard (IB). In addition, it is estimated that the hotel will employ between 60-70 fulltime employees, as well as additional part-time employment. Finally, the City will benefit as the developer has committed to providing \$32,000 to the City for future improvements to Angle Lake Park.

If the City Council wants to construct the pedestrian path along Angle Lake, the City would be responsible for design and construction of the path. Finally, the project will generate approximately \$190,000 in sales tax revenue, building permit fees, and additional sales tax and lodging tax revenue on an ongoing basis.

Senior Planner Torrico reviewed the agenda bill summary.

Council discussion ensued regarding the proposed agreement, pedestrian path, land value, egress/ingress, and overflow parking.

City Manager Cutts clarified that any change to the agreement would require renegotiating.

Council consensus: Unanimous consent to refer this to the 02/12/13 RCM Action Item

Agenda Bill #3488 – A Motion authorizing the purchase of a Regenerative Air Street Sweeper

Summary: Currently, street sweeping is performed by contract. The existing service level is once per month on the heavy arterials and once per year on other streets as much as possible. The cost of contracting is \$84,000 annually. The purchase of a street sweeper will allow the Maintenance Division to double the sweeping frequency within the City and be more responsive to emergencies. Furthermore, increased street sweeping operations will address a priority in the citizen survey and Council’s vision for the City to be pleasant and clean.

The street sweeper will be purchased from the Houston-Galveston Area Council (H-GAC) intergovernmental contract and should be delivered to the City in late June.

The 2013-14 Biennial Budget includes a \$275,000 appropriation in the Surface Water Management Fund (Fund 403). The \$275,000 appropriation includes \$59,600 from a Department of Ecology (DOE) Stormwater Capacity Grant that is being used to offset the cost of the street sweeper. Therefore, the City’s net expenditure is \$215,400. In addition, the City will realize a cost savings of \$84,000 per year by not contracting for street sweeping services.

Once the street sweeper has been delivered, the asset will be transferred to the 501 Equipment Rental Fund.

PW Director Gut reviewed the agenda bill summary.

Maintenance Supervisor Clark responded to Council questions. Employees only need an air brake endorsement to drive this piece of equipment. This street sweeper will come with a one year or 1,000 hour warranty. He will review any extended warranty options and costs within the budgeted amount.

Council consensus: Unanimous consent to refer this to the 02/12/13 RCM Consent Agenda

Agenda Bill #3483 – A Motion authorizing the City Manager to execute an Amended and Restated Interlocal Agreement (ILA) with King County (KC) for cooperative solid waste management

Summary: Revised Code of Washington (RCW) 70.95 assigns the City responsibility to handle solid waste. The main requirements are to conduct comprehensive solid waste management planning and ensure adequate solid waste handling (e.g. collection and disposal). The City fulfills its collection responsibility via a franchise agreement with a commercial hauler. City approval of this ILA fulfills the City’s solid waste responsibility to conduct comprehensive planning and ensure adequate disposal. Since incorporation, the City has been party to the current solid waste ILA that began in 1988 and would expire in 2028. Every city in the county has signed the current ILA except Seattle and Milton, and it is anticipated that this will be the case for the new ILA.

The Amended and Restated ILA includes improved liability provisions, an expanded role for cities in system planning, the addition of a dispute resolution process and an improvement process for dealing with host and neighboring city impacts. The term of the ILA is also extended by twelve years (until 2040) which will keep garbage rates lower by allowing for longer-term bonding for capital projects.

There is no direct expenditure by the City. The City may continue to receive grant funds intended to support waste and hazardous materials reduction.

PW Director Gut reviewed the agenda bill summary.

Council discussion ensued regarding the revisions to the ILA.

Council consensus: Unanimous consent to refer this to the 02/12/13 RCM Consent Agenda

Agenda Bill #3479 – An Ordinance regarding Commercial Park-n-Fly, zoning and Crime Prevention through Environmental Design (CPTED) related to parking

Summary: This Ordinance updates development standards in SeaTac Municipal Code (SMC) Title 15 SeaTac Zoning Code related primarily to Commercial Park-and-Fly Parking within the City Center. Some additional code amendments are also proposed in SMC Titles 15 and 17 that update standards related to Commercial (Non-Park-and-Fly) Parking within the City Center, and parking uses and design standards throughout the City.

A Public Hearing (PH) on the proposed amendments was held by the SeaTac Planning Commission (PC) on December 4, 2012. On January 15, 2013, the PC voted unanimously (5-0) to recommend that City Council adopt the proposed park-and-fly code amendment ordinance as written.

In 2010, City Council directed the Zoning Code Update Ad Hoc Committee (AHC) to review the City Center Parking Bonus Program.

Description of AHC: At the start of this review, the AHC had twelve members including representatives from the following stakeholder groups: two City Council co-chairs, a PC member, representatives from the SeaTac Business Committee and the Hotel/Motel (H/M) Tax Advisory Committee, business and commercial property owners, residents from City neighborhoods and one “At-Large” member. Representatives from two different park-and-fly businesses were part of the AHC throughout the review.

AHC's Proposed Code Amendments: The AHC’s main goals for the code update were to help make structured park-and-fly projects more economically feasible, and to ensure the construction of attractive park-and-fly buildings. On November 14, 2011, the AHC voted on a final proposal which is summarized in the table below:

SUMMARY OF AHC'S PROPOSED CODE AMENDMENTS		
STANDARD	EXISTING CODE	AHC'S PROPOSED CODE
Base Stalls Allowed	300 stalls	1,000 stalls
Bonus Program		
Right-of-Way (ROW) Bonus	1 stall per 150 square feet (SF) of ROW provided	1 stall per 100 SF of ROW provided
Open Space Bonus	1 stall per 150 SF of open space provided	1 stall per 100 SF of open space provided
Water Feature/Public Art Bonus	60 stalls per water feature/art provided	No change (60 stalls per water/feature art)
Commercial/Service/Residential Space	1 stall per 250 SF of commercial / service / residential space provided	1 stall per 25 SF of commercial / service / residential space provided
H/M Unit	0.5 stall per H/M room provided	1 stall per H/M room provided

Agenda Bill #3479 (Continued):

<i>SUMMARY OF AHC'S PROPOSED CODE AMENDMENTS (Continued)</i>		
<i>STANDARD</i>	<i>EXISTING CODE</i>	<i>AHC'S PROPOSED CODE</i>
Types of Buildings Allowed (Including setbacks and ground floor commercial space requirements)		
	Garage 100' from IB, 400' ground floor commercial space required at opening plus 50% ground floor convertible to commercial use	Building Type 1: Garage 100' from IB, 400' commercial space required
	N/A	Building Type 2: Commercial space adjacent to IB, garage 75' from IB, 75% ground floor commercial frontage required
	Garage Fully Covered by Commercial Building	Building Type 3: Garage Fully Covered by Commercial Building
Required Open Space	10% of site provided as open space	5% of site provided as open space
Building Design Standards	Façade treatments, screening of parking, roof design standards	Enhanced façade treatments, screening of parking, roof design standards

City Center Road Standards and SEPA Environmental Review: In addition to the proposed code revisions noted in the table, the AHC also proposed to remove the City Center road standards for park-and-fly developments, and to replace those standards with the general road requirements found in SMC Title 11 (which are applicable to developments outside the City Center). The SEPA environmental review found that this action would not implement the City Center Plan and therefore would need to be mitigated.

On November 6, 2012, as part of their preliminary recommendation on the AHC's code proposal, the PC recommended that the City Center road requirements be maintained, and that the City Center Plan and Comprehensive Plan (CP) be reviewed at a later date. At the November 13, 2012 CSS, Council directed that the City Center road standards be maintained for park-and-fly developments.

This Ordinance, therefore, includes all of the AHC's code recommendations except that it maintains the City Center road standards requirements for park-and-fly developments.

Proposed Amendments and CP: A review of the proposed amendments compliance with the City's CP, including the City Center Plan, was completed as part of the SEPA review process. The review found that, except for the City Center road standards issue described above, the proposed amendments are consistent with the SeaTac CP.

Associate Planner Woodmass and Senior Planner Kaehny reviewed the agenda bill summary.

Council discussion ensued regarding the quality of the developments, and number of stalls.

PC Chair Daryl Tapio stated that it was the PC's desire to put parking into parking structures. In order to do that, the number has to be high enough to make it sensible for the developers. If larger parking garages are allowed, there might be fewer garages.

Council discussion also ensued regarding the use of development agreements (DAs) versus changing the code.

Council consensus: A majority of the Council (Mayor A. Anderson, DM Gregerson, and CMs Ladenburg and Bush) agreed to not move this forward for Council action and retain the current code.

PRESENTATIONS:

● **Non-Represented Job Audits**

Senior HR Analyst Johnson reviewed the proposed job audits for two non-represented positions: (1) Paralegal 1; and Development Review Manager.

Council discussion ensued regarding the proposed job audits and the process.

Council consensus: Staff to provide a brief presentation on the job audit process at the February 23 Council Retreat and then bring these two audits back to the CSS following the Council Retreat.

Due to time constraints, the following item was moved to the January 22, 2013 RCM:

● **Public Safety Statistics**

ADJOURNED: Mayor A. Anderson adjourned the Council Study Session at 6:06 p.m.

City of SeaTac

Regular Council Meeting Minutes

January 22, 2013
6:00 PM

City Hall
Council Chambers

CALL TO ORDER: The SeaTac City Council Regular Meeting was called to order by Mayor Anthony (Tony) Anderson at 6:18 p.m.

COUNCIL PRESENT: Mayor Anthony (Tony) Anderson, Deputy Mayor (DM) Mia Gregerson, Councilmembers (CMs) Barry Ladenburg, Rick Forschler, Terry Anderson, Dave Bush, and Pam Fernald.

STAFF PRESENT: City Manager Todd Cutts, City Attorney Mary Mirante Bartolo, City Clerk Kristina Gregg, Assistant City Manager (ACM) Gwen Voelpel, Human Services (HS) Program Manager Colleen Brandt-Schluter, Public Works (PW) Director Tom Gut, Resource Conservation – Neighborhood Programs Coordinator Trudy Olson, and Police Chief Jim Graddon.

FLAG SALUTE: Mayor A. Anderson led the Council, audience and staff in the Pledge of Allegiance.

PUBLIC COMMENTS: Judy Williams commented on the following: (1) citizen satisfaction survey results - requested a Council discussion if that has not already occurred, and (2) spray park at Angle Lake – requested it be placed where there isn't already access to a water feature.

Deborah Salas, Community Schools Collaboration, shared SeaTac Area Mentorship Opportunities and encouraged everyone to participate.

Vicki Lockwood commented on the Community Building Committee (CBC) application process.

Earl Gipson commented on the following: (1) public records requests are a vital process for citizens, and (2) Agenda Bill #3479 (City Center Park-and-Fly Code Amendments) – he spoke against Council's decision during the January 22 Council Study Session (CSS) to not move forward.

Farah Abdi requested Council discussion about the situation at Bakaro Mall.

PRESENTATIONS:

•Council Confirmation of Mayoral Re-appointment of Phyllis Byers and Ron Altier to the Human Services Advisory Committee

MOVED BY GREGERSON, SECONDED BY T. ANDERSON TO APPROVE THE RE-APPOINTMENT OF PHYLLIS BYERS AND RON ALTIER TO THE HUMAN SERVICES ADVISORY COMMITTEE.

MOTION CARRIED UNANIMOUSLY.

Mayor A. Anderson read and presented the certificate to Mr. Altier. Ms. Byers was not in attendance. Her certificate will be mailed to her.

This presentation was brought forward from the January 22, 2013 CSS agenda.

•Public Safety Statistics

Police Chief Graddon presented statistics for the past two months. He stated that there was a substantial rise in residential and commercial burglaries, occurring mostly during the daytime.

He advised Council of a pilot project as a result of a lean exercise. SeaTac is currently one of very few Police Departments still using an 8-hour work schedule. The plan is to go to an alternative schedule that allows overlap of shifts. This will allow the department to be lean when the calls are less and heavier when calls are increased. Chief Graddon will report back to Council on the outcome. SeaTac will only move forward with this project if Burien and the unincorporated area does also.

CONSENT AGENDA:

•**Approval of claims vouchers** (check nos. ~~101369~~—101565 101566 - 101762) in the amount of \$970,647.00 for the period ended January 20, 2013. **Prior to the meeting, the claims voucher numbers were voided and re-issued.*

•**Approval of payroll vouchers** (check nos. 51210 – 51180) in the amount of ~~\$458,557.35~~ \$221,506.18 for the period ended January 15, 2013. **The dollar amount was incorrect on the agenda and corrected during the meeting.*

•**Approval of payroll electronic fund transfers** (check nos. 75519 – 75691) in the amount of \$458,557.35 for the period ended January 15, 2013.

•**Approval of payroll wire transfer** (Medicare and Federal Withholding Tax) in the amount of \$82,873.00 for the period ended January 15, 2013.

CONSENT AGENDA (Continued):

- **Pre-approval or final approval of City Council and City Manager travel related expenses** for the period ended January 18, 2013.
- **Summary of Grant Acceptance Request** for the period ended January 18, 2013.

Approval of Council Meeting Minutes:

- **Regular Council Meeting** held January 8, 2013

Agenda Items reviewed at the January 8, 2013 Council Study Session and recommended for placement on this Consent Agenda:

Agenda Bill #3486; Motion authorizing the City Manager to enter into a lease agreement with the Refugee Women's Alliance in the SeaTac Center

Agenda Bill #3468; Motion authorizing the City Manager to execute a King County Zone 3 Master Interlocal Agreement

CM Fernald requested voucher numbers ~~101508~~ 101705 and ~~101552~~ 101749 be removed from the Consent Agenda and discussed under Unfinished Business.

MOVED BY LADENBURG, SECONDED BY GREGERSON TO ACCEPT THE CONSENT AGENDA AS PRESENTED, WITH THE REMOVAL OF VOUCHER NUMBERS ~~101508~~ 101705 AND ~~101552~~ 101749.*

PUBLIC COMMENTS (related to the Consent Agenda): Earl Gipson commented that the dollar amounts for the payroll vouchers and electronic fund transfers were identical on the agenda, which appeared incorrect.

Vicki Lockwood requested more complete descriptions for the vouchers. For example, there is a \$1,000 voucher for pizza. More detail would show that pizza was only a portion of the cost. CM Forschler asked for more details on the \$1,000 voucher for pizza.

*MOTION CARRIED UNANIMOUSLY.

UNFINISHED BUSINESS:

Claims Voucher: ~~101508~~ 101705 – Puget Sound Dispatch LLC - \$83.10

CM Fernald explained that she received responses to the two vouchers prior to the meetings however, she felt the answers should be announced.

Fire Chief Jim Schneider explained that sometimes Fire or Police will call for a cab ride for someone who can't afford to go on their own, but doesn't need an aid car for transportation.

MOVED BY T. ANDERSON, SECONDED BY FERNALD TO APPROVE CLAIMS VOUCHER ~~101508~~ 101705.

MOTION CARRIED UNANIMOUSLY.

Claims Voucher: ~~101552~~ 101749 Verizon Wireless - \$5,671.66

CM Fernald stated that she questioned this voucher because the description said "City Cell phones Council". The voucher is actually the monthly usage bill for all City personnel.

MOVED BY FERNALD, SECONDED BY GREGERSON TO APPROVE CLAIMS VOUCHER ~~101552~~ 101749.

MOTION CARRIED UNANIMOUSLY.

NEW BUSINESS: There was no New Business.

CITY MANAGER'S COMMENTS: City Manager Cutts reminded everyone that the next Council Meeting is February 12.

COUNCIL COMMENTS: CM Forschler commented on Agenda Bill #3479 (City Center Park-and-Fly Code Amendments) which was discussed during the CSS. A majority of the Council determined that it should not be discussed further. He stated that decision was a mistake. It should have been discussed more.

CM Fernald commented on the following: (1) January 13, attended the Korean American Day celebration at the Burien Performing Arts Center; (2) requested staff look into the rattling noise above her during meetings caused by the HVAC turning on; (3) thanked the Police Department for the radar trailer at South 133rd Street; and (4) School Zone Safety Equipment Grant – she questioned whether this grant was available for other schools.

COUNCIL COMMENTS (Continued):

Captain Annette Louie stated that the grant for school zone safety equipment was awarded to purchase \$500 worth of safety equipment for each elementary school: Bow Lake, Hilltop, Madrona and McMicken Heights.

CM T. Anderson stated that she also attended the Korean American Day celebration and encouraged everyone to attend in the future.

CM Ladenburg stated that the Global Connections Band played at the Presidential Inauguration. Mayor A. Anderson requested staff place a clip of the performance on the City's website.

CM Ladenburg also stated that there are a lot of good ideas in the proposed Park-n-Fly standards and he doesn't want to see it all thrown out.

Mayor A. Anderson stated that Captain Louie is very successful with obtaining grants for the City. He also commented on Agenda Bill #3479, the Council chose to not make any changes at this time.

Mayor A. Anderson asked the Council if anyone had a concern about cancelling the March 12 Council meetings due to the Mayor, Deputy Mayor, one CM and the City Manager all being out of town for the National League of Cities (NLC) Conference. Council discussion ensued regarding the March 12 Council meetings. Council consensus was to address the March 12 meeting at the February 23 Council Retreat as well as the procedures for future meeting cancellations.

ADJOURNED:

MOVED BY FORSCHLER, SECONDED BY FERNALD TO ADJOURN THE REGULAR MEETING OF THE SEATAC CITY COUNCIL AT 7:36 P.M.

MOTION CARRIED UNANIMOUSLY.

Tony Anderson, Mayor

Kristina Gregg, City Clerk

SeaTac City Council
REQUEST FOR COUNCIL ACTION

Department Prepared by: Public Works

Agenda Bill #: 3488

TITLE: A Motion authorizing the purchase of a regenerative air street sweeper.

January 14, 2013	
__ Ordinance __ Resolution <u>X</u> Motion __ Info. Only __ Other	
Date Council Action Requested:	RCM 2/12/13
Ord/Res Exhibits:	
Review Dates:	CSS 1/22/13
Prepared By:	Sean Clark, Maintenance Supervisor
Director:	<u>[Signature]</u> City Attorney: <u>[Signature]</u>
Finance:	<u>[Signature]</u> BARS #: 403.000.11.594.35.64.000
City Manager:	<u>[Signature]</u> Applicable Fund Name: Surface Water Management Fund

MK
1/14

SUMMARY: This Motion approves the purchase of a new regenerative air street sweeper. By purchasing this sweeper, the City will be able to significantly increase the amount of street sweeping being performed.

DISCUSSION / ANALYSIS / ISSUES: Currently, street sweeping is performed by contract. The existing service level is once per month on the heavy arterials and once per year on other streets as much as possible. The cost of contracting is \$84,000 annually. The purchase of a street sweeper will allow the Maintenance Division to double the sweeping frequency within the City and be more responsive to emergencies. Furthermore, increased street sweeping operations will address a priority in the citizen survey and Council's vision for the City to be pleasant and clean.

The street sweeper will be purchased from the Houston-Galveston Area Council (H-GAC) intergovernmental contract and should be delivered to the City in late June.

RECOMMENDATION(S): It is recommended the Motion be carried.

FISCAL IMPACT: The 2013-14 biennial budget includes a \$275,000 appropriation in the Surface Water Management Fund (Fund 403). The \$275,000 appropriation includes a \$59,600 from a Department of Ecology (DOE) Stormwater Capacity Grant that is being used to offset the cost of the street sweeper. Therefore, the City's net expenditure is \$215,400. In addition, the City will realize a cost savings of \$84,000 per year by not contracting for street sweeping services.

Once the street sweeper has been delivered, the asset will be transferred to the 501 Equipment Rental Fund.

ALTERNATIVE(S): Do not purchase the equipment and continue contracting at the current rate of \$84,000.00 per year and about one week of sweeping per month.

ATTACHMENTS: None.

SeaTac City Council REQUEST FOR COUNCIL ACTION

Department Prepared by: Public Works

Agenda Bill #: 3483

TITLE: A Motion authorizing the City Manager to execute an Amended and Restated Interlocal Agreement with King County for cooperative solid waste management.

January 10, 2013	
__ Ordinance __ Resolution <u>X</u> Motion __ Info. Only __ Other	
Date Council Action Requested:	RCM February 12, 2013
Ord/Res Exhibits:	
Review Dates:	CSS January 22, 2013
Prepared By:	Tom Gut, P.E., Public Works Director
Director:	<u>[Signature]</u> City Attorney: <u>Marymuntt Barolo</u>
Finance:	<u>[Signature]</u> BARS #: N/A
City Manager:	<u>[Signature]</u> Applicable Fund Name: N/A

MK
1/14

SUMMARY: This Motion authorizes the City Manager to execute an Amended and Restated Interlocal Agreement (ILA) with King County for the cooperative management of solid waste. The term of the agreement is until December 31, 2040. There is no direct expenditure involved on the City's part. The City may receive grants to support programs that benefit the solid waste system.

DISCUSSION / ANALYSIS / ISSUES: Under RCW 70.95, the City is assigned responsibility to handle solid waste. The main requirements upon the City are to conduct comprehensive solid waste management planning and ensure adequate solid waste handling (e.g. collection and disposal). The City fulfills its collection responsibility via a franchise agreement with a commercial hauler. City approval of this ILA fulfills the City's solid waste responsibility to conduct comprehensive planning and ensure adequate disposal. Since incorporation, the City has been party to the current solid waste ILA that began in 1988 and would expire in 2028. Every city in the county has signed the current ILA except Seattle and Milton, and it is anticipated that this will be the case for the new amended and restated ILA.

The Amended and Restated ILA includes improved liability provisions, an expanded role for cities in system planning, the addition of a dispute resolution process and an improvement process for dealing with host and neighboring city impacts. The term of the ILA is also extended by twelve years (until 2040) which will keep garbage rates lower by allowing for longer-term bonding for capital projects.

RECOMMENDATION(S): It recommended the Motion be carried.

FISCAL IMPACT: There is no direct expenditure by the City. The City may continue to receive grant funds intended to support waste and hazardous materials reduction.

ALTERNATIVE(S): 1) Do not carry the Motion. However, the City would continue with the current ILA and would see rates increase by \$7 to \$9 per ton to cover the necessary shorter term bonds. The City would also not benefit from the enhancements of the new ILA (e.g. liability provisions, dispute resolution). 2) Delay action. The county established an April 30, 2013 deadline for cities' action.

ATTACHMENTS: Proposed Amended and Restated ILA.

AMENDED AND RESTATED SOLID WASTE INTERLOCAL AGREEMENT

This Amended and Restated Solid Waste Interlocal Agreement (“Agreement”) is entered into between King County, a political subdivision of the State of Washington and the City of _____
SeaTac _____, a municipal corporation of the State of Washington, hereinafter referred to as "County" and "City" respectively. Collectively, the County and the City are referred to as the “Parties.” This Agreement has been authorized by the legislative body of each jurisdiction pursuant to formal action as designated below:

King County: Ordinance No. _____

City: _____

PREAMBLE

- A. This Agreement is entered into pursuant to chapter 39.34 RCW for the purpose of extending, restating and amending the Solid Waste Interlocal Agreement between the Parties originally entered into in 1990(the “Original Agreement”). The Original Agreement provided for the cooperative management of Solid Waste in King County for a term of forty (40) years, through June 30, 2028. The Original Agreement is superseded by this Amended and Restated Agreement, as of the effective date of this Agreement. This Amended and Restated Agreement is effective for an additional twelve (12) years through December 31, 2040.
- B. The Parties intend to continue to cooperatively manage Solid Waste and to work collaboratively to maintain and periodically update the existing King County

Comprehensive Solid Waste Management Plan (Comprehensive Plan) adopted pursuant to chapter 70.95 RCW.

- C. The Parties continue to support the established goals of Waste Prevention and Recycling as incorporated in the Comprehensive Solid Waste Management Plan, and to meet or surpass applicable environmental standards with regard to the Solid Waste System.
- D. The County and the Cities agree that System-related costs, including environmental liabilities, should be funded by System revenues which include but are not limited to insurance proceeds, grants and rates;
- E. The County, as the service provider, is in the best position to steward funds System revenues that the County and the Cities intend to be available to pay for environmental liabilities; and
- F. The County and the Cities recognize that at the time this Agreement goes into effect, it is impossible to know what the ultimate environmental liabilities could be; nevertheless, the County and the Cities wish to designate in this Agreement a protocol for the designation and distribution of funding for potential future environmental liabilities in order to protect the general funds of the County and the Cities.
- G. The County began renting the Cedar Hills Landfill from the State of Washington in 1960 and began using it for Disposal of Solid Waste in 1964. The County acquired ownership of the Cedar Hills Landfill from the State in 1992. The Cedar Hills Landfill remains an asset owned by the County.
- H. The Parties expect that the Cedar Hills Landfill will be at capacity and closed at some date during the term of this Agreement, after which time all Solid Waste under this Agreement will need to be disposed of through alternate means, as determined by the

Cities and the County through amendments to the Comprehensive Solid Waste Management Plan. The County currently estimates the useful life of the Cedar Hills Landfill will extend through 2025. It is possible that this useful life could be extended, or shortened, by System management decisions or factors beyond the control of the Parties.

- I. The County intends to charge rent for the use of the Cedar Hills Landfill for so long as the System uses this general fund asset and the Parties seek to clarify terms relative to the calculation of the associated rent.
- J. The County and Cities participating in the System have worked collaboratively for several years to develop a plan for the replacement or upgrading of a series of transfer stations. The Parties acknowledge that these transfer station improvements, as they may be modified from time-to-time, will benefit Cities that are part of the System and the County. The Parties have determined that the extension of the term of the Original Agreement by twelve (12) years as accomplished by this Agreement is appropriate in order to facilitate the long-term financing of transfer station improvements and to mitigate rate impacts of such financing.
- K. The Parties have further determined that in order to equitably allocate the benefit to all System Users from the transfer station improvements, different customer classes may be established by the County to ensure System Users do not pay a disproportionate share of the cost of these improvements as a result of a decision by a city not to extend the term of the Original Agreement.
- L. The Parties have further determined it is appropriate to strengthen and formalize the advisory role of the Cities regarding System operations.

The Parties agree as follows:

I. DEFINITIONS

For purposes of this Agreement the following definitions shall apply:

“Cedar Hills Landfill” means the landfill owned and operated by the County located in southeast King County.

“Cities” refers to all Cities that have signed an Amended and Restated Solid Waste Interlocal Agreement in substantially identical form to this Agreement.

"Comprehensive Solid Waste Management Plan" or “Comprehensive Plan” means the Comprehensive Solid Waste Management Plan, as approved and amended from time to time, for the System, as required by chapter 70.95.080 RCW.

“County” means King County, a Charter County and political subdivision of the State of Washington.

"Disposal" means the final treatment, utilization, processing, deposition, or incineration of Solid Waste but shall not include Waste Prevention or Recycling as defined herein.

“Disposal Rates” means the fee charged by the County to System Users to cover all costs of the System consistent with this Agreement, all state, federal and local laws governing solid waste and the Solid Waste Comprehensive Plan.

"Divert" means to direct or permit the directing of Solid Waste to Disposal sites other than the Disposal site(s) designated by King County.

"Energy/Resource Recovery" means the recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of Solid Waste that involves high temperature (above 1,200 degrees F) processing. (chapter 173.350.100 WAC).

"Landfill" means a Disposal facility or part of a facility at which Solid Waste is placed in or on land and which is not a land treatment facility.

“Metropolitan Solid Waste Advisory Committee” or “MSWAC” means the advisory committee composed of city representatives, established pursuant to Section IX of this Agreement.

"Moderate Risk Waste" means waste that is limited to conditionally exempt small quantity generator waste and household hazardous waste as those terms are defined in chapter 173-350 WAC, as amended.

“Original Agreement” means the Solid Waste Interlocal Agreement first entered into by and between the Parties, which is amended and restated by this Agreement. “Original Agreements” means collectively all such agreements between Cities and the County in substantially the same form as the Original Agreement.

“Parties” means collectively the County and the City or Cities.

"Recycling" as defined in chapter 70.95.030 RCW, as amended, means transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill Disposal or incineration.

“Regional Policy Committee” means the Regional Policy Committee created pursuant to approval of the County voters in 1993, the composition and responsibilities of which are prescribed in King County Charter Section 270 and chapter 1.24 King County Code, as they now exist or hereafter may be amended.

"Solid Waste" means all putrescible and nonputrescible solid and semisolid wastes including but not limited to garbage, rubbish, ashes, industrial wastes, swill, commercial waste, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged materials, discarded commodities and recyclable materials, but shall not include dangerous, hazardous, or extremely hazardous waste as those terms are defined in chapter 173-303 WAC, as amended; and shall further not include those

wastes excluded from the regulations established in chapter 173-350 WAC, more specifically identified in Section 173-350-020 WAC.

"Solid Waste Advisory Committee" or "SWAC" means the inter-disciplinary advisory forum or its successor created by the King County Code pursuant to chapter 70.95.165 RCW.

"System" includes King County's Solid Waste facilities used to manage Solid Wastes which includes but is not limited to transfer stations, drop boxes, landfills, recycling systems and facilities, energy and resource recovery facilities and processing facilities as authorized by chapter 36.58.040 RCW and as established pursuant to the approved King County Comprehensive Solid Waste Management Plan.

"System User" or "System Users" means Cities and any person utilizing the County's System for Solid Waste handling, Recycling or Disposal.

"Waste Prevention" means reducing the amount or type of waste generated. Waste Prevention shall not include reduction of already-generated waste through energy recovery, incineration, or otherwise.

II. PURPOSE

The purpose of this Agreement is to foster transparency and cooperation between the Parties and to establish the respective responsibilities of the Parties in a Solid Waste management System, including but not limited to, planning, Waste Prevention, Recycling, and Disposal. .

III. DURATION

This Agreement shall become effective as of _____, and shall remain in effect through December 31, 2040.

IV. APPROVAL

This Agreement will be approved and filed in accordance with chapter 39.34 RCW.

V. RENEGOTIATION TO FURTHER EXTEND TERM OF AGREEMENT

5.1 The Parties recognize that System Users benefit from long-term Disposal arrangements, both in terms of predictability of System costs and operations, and the likelihood that more cost competitive rates can be achieved with longer-term Disposal contracts as compared to shorter-term contracts. To that end, at least seven (7) years before the date that the County projects that the Cedar Hills Landfill will close, or prior to the end of this Agreement, whichever is sooner, the County will engage with MSWAC and the Solid Waste Advisory Committee, among others, to seek their advice and input on the Disposal alternatives to be used after closure of the Cedar Hills Landfill, associated changes to the System, estimated costs associated with the recommended Disposal alternatives, and amendments to the Comprehensive Solid Waste Management Plan necessary to support these changes. Concurrently, the Parties will meet to negotiate an extension of the term of the Agreement for the purpose of facilitating the long-term Disposal of Solid Waste after closure of the Cedar Hills Landfill. Nothing in this Agreement shall require the Parties to reach agreement on an extension of the term of this Agreement. If the Parties fail to reach agreement on an extension, the Dispute Resolution provisions of Section XIII do not apply, and this Agreement shall remain unchanged.

5.2 Notwithstanding any other provision in this Agreement to the contrary, the Parties may, pursuant to mutual written agreement, modify or amend any provision of this Agreement at any time during the term of said Agreement.

VI. GENERAL OBLIGATIONS OF PARTIES

6.1 King County

6.1.a Management. The County agrees to provide Solid Waste management services, as specified in this Section, for Solid Waste generated and collected within the City, except waste eliminated through Waste Prevention or waste recycling activities. The County agrees to dispose of or designate Disposal sites for all Solid Waste and Moderate Risk Waste generated and/or collected within the corporate limits of the City which is delivered to the System in accordance with all applicable Federal, State and local environmental health laws, rules, or regulations, as those laws are described in Subsection 8.5.a. The County shall maintain records as necessary to fulfill obligations under this Agreement.

6.1.b Planning. The County shall serve as the planning authority for Solid Waste and Moderate Risk Waste under this Agreement but shall not be responsible for planning for any other waste or have any other planning responsibility under this Agreement.

6.1.c Operation. King County shall be or shall designate or authorize the operating authority for transfer, processing and Disposal facilities, including public landfills and other facilities, consistent with the adopted Comprehensive Plan as well as closure and post-closure responsibilities for landfills which are or were operated by the County.

6.1.d Collection Service. The County shall not provide Solid Waste collection services within the corporate limits of the City, unless permitted by law and agreed to by both Parties.

6.1.e Support and Assistance. The County shall provide support and technical assistance to the City consistent with the Comprehensive Solid Waste Management Plan for a Waste Prevention and Recycling program. Such support may include the award of grants to support programs with System benefits. The County shall develop educational materials related to Waste Prevention and Recycling and strategies for maximizing the usefulness of the educational materials and will make these available to the City for its use. Although the County will not be required to provide a particular level of support or fund any City activities related to Waste Prevention and Recycling, the County intends to move forward aggressively to promote Waste Prevention and Recycling.

6.1.f Forecast. The County shall develop Solid Waste stream forecasts in connection with System operations as part of the comprehensive planning process in accordance with Article XI.

6.1.g Facilities and Services. The County shall provide facilities and services pursuant to the Comprehensive Solid Waste Management Plan and the Solid Waste Transfer and Waste Management plan as adopted and County Solid Waste stream forecasts.

6.1.h Financial Policies. The County will maintain financial policies to guide the System's operations and investments. The policies shall be consistent with this Agreement and shall address debt issuance, rate stabilization, cost containment, reserves, asset ownership and use, and other financial issues. The County shall primarily use long term bonds to finance transfer System improvements. The policies shall be developed and/or revised through

discussion with MSWAC, the Regional Policy Committee, the County Executive and the County Council. Such policies shall be codified at the same time as the Comprehensive Plan updates, but may be adopted from time to time as appropriate outside the Comprehensive Plan process.

6.2 City

6.2.a Collection. The City, an entity designated by the City or such other entity as is authorized by state law shall serve as operating authority for Solid Waste collection services provided within the City's corporate limits.

6.2.b Disposal. The City shall cause to be delivered to the County's System for Disposal all such Solid Waste and Moderate Risk Waste which is authorized to be delivered to the System in accordance with all applicable Federal, State and local environmental health laws, rules or regulations and is generated and/or collected within the corporate limits of the City and shall authorize the County to designate Disposal sites for the Disposal of all such Solid Waste and Moderate Risk Waste generated or collected within the corporate limits of the City, except for Solid Waste which is eliminated through Waste Prevention or waste Recycling activities consistent with the Comprehensive Solid Waste Management Plan. No Solid Waste generated or collected within the City may be Diverted from the designated Disposal sites without County approval.

6.3 JOINT RESPONSIBILITIES.

6.3.a Consistent with the Parties' overall commitment to ongoing communication and coordination, the Parties will endeavor to notify and coordinate with each other on the development of any City or County plan, facility, contract, dispute, or other Solid Waste issue that could have potential significant impacts on the County, the System, or the City or Cities.

6.3.b The Parties, together with other Cities, will coordinate on the development of emergency plans related to Solid Waste, including but not limited to debris management.

VII. COUNTY SHALL SET DISPOSAL RATES

AND OPERATING RULES FOR DISPOSAL; USE OF SYSTEM REVENUES

7.1 In establishing Disposal Rates for System Users, the County shall consult with MSWAC consistent with Section IX. The County may adopt and amend by ordinance rates necessary to recover all costs of the System including but not limited to operations and maintenance, costs for handling, processing and Disposal of Solid Waste, siting, design and construction of facility upgrades or new facilities, Recycling, education and mitigation, planning, Waste Prevention, reserve funds, financing, defense and payment of claims, insurance, System liabilities including environmental releases, monitoring and closure of landfills which are or were operated by the County, property acquisition, grants to cities, and administrative functions necessary to support the System and Solid Waste handling services during emergencies as established by local, state and federal agencies or for any other lawful solid waste purpose, and in accordance with chapter 43.09.210 RCW. Revenues from Disposal rates shall be used only for such purposes. The County shall establish classes of customers for Solid Waste management services and by ordinance shall establish rates for classes of customers.

7.2 It is understood and agreed that System costs include payments to the County general fund for Disposal of Solid Waste at the Cedar Hills Landfill calculated in accordance with this Section 7.2, and that such rental payments shall be established based on use valuations provided to the County by an independent-third party Member, Appraisal Institute (MAI) certified appraiser selected by the County in consultation with MSWAC.

7.2.a A use valuation shall be prepared consistent with MAI accepted principles for the purpose of quantifying the value to the System of the use of Cedar Hills Landfill for Disposal of Solid Waste over a specified period of time (the valuation period). The County shall establish a schedule of annual use charges for the System's use of the Cedar Hills Landfill which shall not exceed the most recent use valuation. Prior to establishing the schedule of annual use charges, the County shall seek review and comment as to both the use valuation and the proposed payment schedule from MSWAC. Upon request, the County will share with and explain to MSWAC the information the appraiser requests for purposes of developing the appraiser's recommendation.

7.2.b Use valuations and the underlying schedule of use charges shall be updated if there are significant changes in Cedar Hills Landfill capacity as a result of opening new Disposal areas and as determined by revisions to the existing Cedar Hills Regional Landfill Site Development Plan; in that event, an updated appraisal will be performed in compliance with MAI accepted principles. Otherwise, a reappraisal will not occur. Assuming a revision in the schedule of use charges occurs based on a revised appraisal, the resulting use charges shall be applied beginning in the subsequent rate period.

7.2.c The County general fund shall not charge use fees or receive other consideration from the System for the System's use of any transfer station property in use as of the effective date of this Agreement. The County further agrees that the County general fund may not receive payments from the System for use of assets to the extent those assets are acquired with System revenues. As required by chapter 43.09.210 RCW, the System's use of assets acquired with the use of other separate County funds (e.g., the Roads Fund, or other funds)

will be subject to use charges; similarly, the System will charge other County funds for use of System property.

VIII. LIABILITY

8.1 Non-Environmental Liability Arising Out-of-County Operations. Except as provided in this Section, Sections 8.5 and 8.6, the County shall indemnify and hold harmless the City and shall have the right and duty to defend the City through the County's attorneys against any and all claims arising out of the County's operations during the term of this Agreement and settle such claims, provided that all fees, costs, and expenses incurred by the County thereby are System costs which may be satisfied from Disposal Rates as provided in Section VII herein. In providing such defense of the City, the County shall exercise good faith in such defense or settlement so as to protect the City's interest. For purposes of this Section "claims arising out of the County's operations" shall mean claims arising out of the ownership, control, or maintenance of the System, but shall not include claims arising out of the City's operation of motor vehicles in connection with the System or other activities under the control of the City which may be incidental to the County's operation. The provisions of this Section shall not apply to claims arising out of the sole negligence or intentional acts of the City. The provisions of this Section shall survive for claims brought within three (3) years past the term of this Agreement established under Section III.

8.2 Cooperation. In the event the County acts to defend the City against a claim under Section 8.1, the City shall cooperate with the County.

8.3 Officers, Agents, and Employees. For purposes of this Section VIII, references to City or County shall be deemed to include the officers, employees and agents of either Party,

acting within the scope of their authority. Transporters or generators of waste who are not officers or employees of the City or County are not included as agents of the City or County for purposes of this Section.

8.4 Each Party by mutual negotiation hereby waives, with respect to the other Party only, any immunity that would otherwise be available against such claims under the Industrial Insurance provisions of Title 51 RCW.

8.5 Unacceptable Waste

8.5.a All waste generated or collected from within the corporate limits of the City which is delivered to the System for Disposal shall be in compliance with the Resource Conservation and Recovery Act (42 U.S.C. § 6901 et seq.) (RCRA), chapters 70.95 and 70.105 RCW, King County Code Title 10, King County Board of Health Rules and Regulations, the Solid Waste Division operating rules, and all other Federal, State and local environmental health laws, rules or regulations that impose restrictions or requirements on the type of waste that may be delivered to the System, as they now exist or are hereafter adopted or amended.

8.5.b For purposes of this Agreement, the City shall be deemed to have complied with the requirements of Subsection 8.5.a if it has adopted an ordinance requiring waste delivered to the System for Disposal to meet the laws, rules, or regulations specified in Subsection 8.5.a. However, nothing in this Agreement is intended to relieve the City from any obligation or liability it may have under the laws mentioned in Subsection 8.5.a arising out of the City's actions other than adopting, enforcing, or requiring compliance with said ordinance, such as liability, if any exists, of the City as a transporter or generator for improper transport or Disposal of regulated dangerous waste. Any environmental liability the City may have for

releases of pollutants or hazardous or dangerous substances or wastes to the environment is dealt with under Sections 8.6 and 8.7.

8.5.c The City shall hold harmless, indemnify and defend the County for any property damages or personal injury caused solely by the City's failure to adopt an ordinance under Subsection 8.5.b. In the event the City acts to defend the County under this Subsection, the County shall cooperate with the City.

8.5.d The City shall make best efforts to include language in its contracts, franchise agreements, or licenses for the collection of Solid Waste within the City that allow for enforcement by the City against the collection contractor, franchisee or licensee for violations of the laws, rules, or regulations in Subsection 8.5.a. The requirements of this Subsection 8.5.d shall apply to the City's first collection contract, franchise, or license that becomes effective or is amended after the effective date of this Agreement.

8.5.d.i If waste is delivered to the System in violation of the laws, rules, or regulations in Subsection 8.5.a, before requiring the City to take any action under Subsection 8.5.d.ii, the County will make reasonable efforts to determine the parties' responsible for the violation and will work with those parties to correct the violation, consistent with applicable waste clearance and acceptance rules, permit obligations, and any other legal requirements.

8.5.d.ii If the violation is not corrected under Subsection 8.5.d.i and waste is determined by the County to have been generated or collected from within the corporate limits of the City, the County shall provide the City with written notice of the violation. Upon such notice, the City shall take immediate steps to remedy the violation and prevent similar future violations to the reasonable satisfaction of the County which may include but not be

limited to removing the waste and disposing of it in an approved facility; provided that nothing in this Subsection 8.5.d.ii shall obligate the City to handle regulated dangerous waste, as defined in WAC 173-351-200(1)(b)(i), and nothing in this Subsection shall relieve the City of any obligation it may have apart from this Agreement to handle regulated dangerous waste. If, in good faith, the City disagrees with the County regarding the violation, such dispute shall be resolved between the Parties using the Dispute Resolution process in Section XII or, if immediate action is required to avoid an imminent threat to public health, safety or the environment, in King County Superior Court. Each Party shall be responsible for its own attorneys' fees and costs. Failure of the City to take the steps requested by the County pending Superior Court resolution shall not be deemed a violation of this Agreement; provided, however, that this shall not release the City for damages or loss to the County arising out of the failure to take such steps if the Court finds a City violation of the requirements to comply with applicable laws set forth in Subsection 8.5.a.

8.6 Environmental Liability.

8.6.a Neither the County nor the City holds harmless or indemnifies the other with regard to any liability arising under 42 U.S.C. § 9601-9675 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) or as hereafter amended or pursuant to chapter 70.105D RCW (MTCA) or as hereafter amended and any state legislation imposing liability for System-related cleanup of contaminated property from the release of pollutants or hazardous or dangerous substances and/or damages resulting from property contaminated from the release of pollutants or hazardous or dangerous substances (“Environmental Liabilities”).

8.6.b Nothing in this Agreement is intended to create new Environmental Liability nor release any third-party from Environmental Liability. Rather, the intent is to protect the general funds of the Parties to this Agreement by ensuring that, consistent with best business practices, an adequate portion of Disposal Rates being collected from the System Users are set aside and accessible in a fair and equitable manner to pay the respective County and City's Environmental Liabilities.

8.6.c The purpose of this Subsection is to establish a protocol for the setting aside, and subsequent distribution of, Disposal Rates intended to pay for Environmental Liabilities of the Parties, if and when such liabilities should arise, in order to safeguard the Parties' general funds. To do so, the County shall:

8.6.c.i Use Disposal Rates to obtain and maintain, to the extent commercially available under reasonable terms, insurance coverage for System-related Environmental Liability that names the City as an Additional Insured. The County shall establish the adequacy, amount and availability of such insurance in consultation with MSWAC. Any insurance policy in effect on the termination date of this Agreement with a term that extends past the termination date shall be maintained until the end of the policy term.

8.6.c.ii Use Disposal Rates to establish and maintain a reserve fund to help pay the Parties' Environmental Liabilities not already covered by System rates or insurance maintained under Subsection 8.6.c.i above ("Environmental Reserve Fund"). The County shall establish the adequacy of the Environmental Reserve Fund in consultation with MSWAC and consistent with the financial policies described in Article VI. The County shall retain the Environmental Reserve Fund for a minimum of 30 years following the closure of the Cedar Hills Landfill (the "Retention Period"). During the Retention Period, the Environmental Reserve Fund

shall be used solely for the purposes for which it was established under this Agreement. Unless otherwise required by law, at the end of the Retention Period, the County and Cities shall agree as to the disbursement of any amounts remaining in the Environmental Reserve Fund. If unable to agree, the County and City agree to submit disbursement to mediation and if unsuccessful to binding arbitration in a manner similar to Section 39.34.180 RCW to the extent permitted by law.

8.6.c.iii Pursue state or federal grant funds, such as grants from the Local Model Toxics Control Account under chapter 70.105D.070(3) RCW and chapter 173-322 WAC, or other state or federal funds as may be available and appropriate to pay for or remediate such Environmental Liabilities.

8.6.d If the funds available under Subsections 8.6.c.i-iii are not adequate to completely satisfy the Environmental Liabilities of the Parties to this Agreement then to the extent feasible and permitted by law, the County will establish a financial plan including a rate schedule to help pay for the County and City's remaining Environmental Liabilities in consultation with MSWAC.

8.6.e The County and the City shall act reasonably and quickly to utilize funds collected or set aside through the means specified in Subsections 8.6.c.i-iii and 8.6.d to conduct or finance response or clean-up activities in order to limit the County and City's exposure, or in order to comply with a consent decree, administrative or other legal order. The County shall notify the City within 30 days of any use of the reserve fund established in 8.6.c.iii.

8.6.f In any federal or state regulatory proceeding, and in any action for contribution, money expended by the County from the funds established in Subsections 8.6.c.i-iii and 8.6.d. to pay the costs of remedial investigation, cleanup, response or other action required

pursuant to a state or federal laws or regulations shall be considered by the Parties to have been expended on behalf and for the benefit of the County and the Cities.

8.6.g In the event that the funds established as specified in Subsections 8.6.c.i-iii and 8.6.d are insufficient to cover the entirety of the County and Cities' collective Environmental Liabilities, the funds described therein shall be equitably allocated between the County and Cities to satisfy their Environmental Liabilities. Factors to be considered in determining "equitably allocated" may include the size of each Party's System User base and the amount of rates paid by that System User base into the funds, and the amount of the Solid Waste generated by the Parties' respective System Users. Neither the County nor the Cities shall receive a benefit exceeding their Environmental Liabilities.

8.7 The County shall not charge or seek to recover from the City any costs or expenses for which the County indemnified the State of Washington in Exhibit A to the Quitclaim Deed from the State to the County for the Cedar Hills Landfill, dated February 24, 1993, to the extent such costs are not included in System costs.

IX. CITY ADVISORY COMMITTEE

9.1 There is hereby created an advisory committee comprised of representatives from cities, which shall be known as the Metropolitan Solid Waste Advisory Committee ("MSWAC"). The City may designate a representative and alternate(s) to serve on MSWAC. MSWAC shall elect a chair and vice-chair and shall adopt bylaws to guide its deliberations. The members of MSWAC shall serve at the pleasure of their appointing bodies and shall receive no compensation from the County.

9.2 MSWAC is the forum through which the Parties together with other cities participating in the System intend to discuss and seek to resolve System issues and concerns. MSWAC shall assume the following advisory responsibilities:

9.2.a Advise the King County Council, the King County Executive, Solid Waste Advisory Committee, and other jurisdictions as appropriate, on all policy aspects of Solid Waste management and planning;

9.2.b Consult with and advise the County on technical issues related to Solid Waste management and planning;

9.2.c Assist in the development of alternatives and recommendations for the Comprehensive Solid Waste Management Plan and other plans governing the future of the System, and facilitate a review and/or approval of the Comprehensive Solid Waste Management Plan by each jurisdiction;

9.2.d Assist in the development of proposed interlocal Agreements between King County and cities for planning, Waste Prevention and Recycling, and waste stream control;

9.2.e Review and comment on Disposal Rate proposals and County financial policies;

9.2.f Review and comment on status reports on Waste Prevention, Recycling, energy/resources recovery, and System operations with inter-jurisdictional impact;

9.2.g Promote information exchange and interaction between waste generators, cities, recyclers, and the County with respect to its planned and operated Disposal Systems;

9.2.h Provide coordination opportunities among the Solid Waste Advisory Committee, the Regional Policy Committee, the County, cities, private waste haulers, and recyclers;

9.2.i Assist cities in recognizing municipal Solid Waste responsibilities, including collection and Recycling, and effectively carrying out those responsibilities; and

9.2.j Provide input on such disputes as MSWAC deems appropriate.

9.3 The County shall assume the following responsibilities with respect to MSWAC;

9.3.a The County shall provide staff support to MSWAC;

9.3.b In consultation with the chair of MSWAC, the County shall notify all cities and their designated MSWAC representatives and alternates of the MSWAC meeting times, locations and meeting agendas. Notification by electronic mail or regular mail shall meet the requirements of this Subsection;

9.3.c The County will consider and respond on a timely basis to questions and issues posed by MSWAC regarding the System, and will seek to resolve those issues in collaboration with the Cities. Such issues shall include but are not limited to development of efficient and accountable billing practices; and

9.3.d. The County shall provide all information and supporting documentation and analyses as reasonably requested by MSWAC for MSWAC to perform the duties and functions described in Section 9.2.

X. FORUM INTERLOCAL AGREEMENT

10.1 As of the effective date of this Agreement, the *Forum Interlocal Agreement and Addendum to Solid Waste Interlocal Agreement and Forum Interlocal Agreement* by and between the City and County continue through June 30, 2028. After 2028 responsibilities assigned to the Forum shall be assigned to the Regional Policy Committee. The Parties agree that Solid Waste System policies and plans shall continue to be deemed regional countywide policies

and plans that shall be referred to the Regional Policy Committee for review consistent with King County Charter Section 270.30 and chapter 1.24 King County Code.

XI. COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN

11.1 King County is designated to prepare the Comprehensive Solid Waste Management Plan (Comprehensive Plan) and this plan shall include the City's Solid Waste Management Comprehensive Plan pursuant to chapter 70.95.080(3) RCW.

11.2 The Comprehensive Plan shall be reviewed and any necessary revisions proposed. The County shall consult with MSWAC to determine when revisions are necessary. King County shall provide services and build facilities in accordance with the adopted Comprehensive Plan.

11.3 The Comprehensive Plans will promote Waste Prevention and Recycling in accordance with Washington State Solid Waste management priorities pursuant to chapter 70.95 RCW, at a minimum.

11.4 The Comprehensive Plans will be prepared in accordance with chapter 70.95 RCW and Solid Waste planning guidelines developed by the Department of Ecology. The plan shall include, but not be limited to:

11.4.a Descriptions of and policies regarding management practices and facilities required for handling all waste types;

11.4.b Schedules and responsibilities for implementing policies;

11.4.c Policies concerning waste reduction, Recycling, Energy and Resource Recovery, collection, transfer, long-haul transport, Disposal, enforcement and administration;
and

11.4.d Operational plan for the elements discussed in Item c above.

11.5 The cost of preparation by King County of the Comprehensive Plan will be considered a cost of the System and financed out of the rate base.

11.6 The Comprehensive Plans will be “adopted” within the meaning of this Agreement when the following has occurred:

11.6.a The Comprehensive Plan is approved by the King County Council; and

11.6.b The Comprehensive Plan is approved by cities representing three-quarters of the population of the incorporated population of jurisdictions that are parties to the Forum Interlocal Agreement. In calculating the three-quarters, the calculations shall consider only those incorporated jurisdictions taking formal action to approve or disapprove the Comprehensive Plan within 120 days of receipt of the Plan. The 120-day time period shall begin to run from receipt by an incorporated jurisdiction of the Forum's recommendation on the Comprehensive Plan, or, if the Forum is unable to make a recommendation, upon receipt of the Comprehensive Plan from the Forum without recommendation.

11.7 Should the Comprehensive Plan be approved by the King County Council, but not receive approval of three-quarters of the cities acting on the Comprehensive Plan, and should King County and the cities be unable to resolve their disagreement, then the Comprehensive Plan shall be referred to the State Department of Ecology and the State Department of Ecology will resolve any disputes regarding Comprehensive Plan adoption and adequacy by approving or disapproving the Comprehensive Plan or any part thereof.

11.8 King County shall determine which cities are affected by any proposed amendment to the Comprehensive Plan. If any City disagrees with such determination, then the City can request that the Forum determine whether or not the City is affected. Such

determination shall be made by a two-thirds majority vote of all representative members of the Forum.

11.9 Should King County and the affected jurisdictions be unable to agree on amendments to the Comprehensive Plan, then the proposed amendments shall be referred to the Department of Ecology to resolve any disputes regarding such amendments.

11.10 Should there be any impasse between the Parties regarding Comprehensive Plan adoption, adequacy, or consistency or inconsistency or whether any permits or programs adopted or proposed are consistent with the Comprehensive Plan, then the Department of Ecology shall resolve said disputes.

XII. MITIGATION

12.1 The County will design, construct and operate Solid Waste facilities in a manner to mitigate their impact on host Cities and neighboring communities pursuant to applicable law and regulations.

12.2 The Parties recognize that Solid Waste facilities are regional facilities. The County further recognizes that host Cities and neighboring communities may sustain impacts which can include but are not limited to local infrastructure, odor, traffic into and out of Solid Waste facilities, noise and litter.

12.3 Collaboration in Environmental Review. In the event the County is the sole or co-Lead Agency, then prior to making a threshold determination under the State Environmental Policy Act (SEPA), the County will provide a copy of the SEPA environmental checklist, if any, and proposed SEPA threshold determination to any identifiable Host City (as defined below) and adjacent or neighboring city that is signatory to the Agreement and that may be affected by the

project ("Neighboring City") and seek their input. For any facility for which the County prepares an Environmental Impact Statement (EIS), the County will meet with any identified potential Host City (as defined below) and any Neighboring City to seek input on the scope of the EIS and appropriate methodologies and assumptions in preparing the analyses supporting the EIS. However, nothing in this Section shall limit or impair the County's ability to timely complete the environmental review process.

12.4 Collaboration in Project Permitting. If a new or reconstructed Solid Waste facility is proposed to be built within the boundaries of the City ("Host City") and the project requires one or more "project permits" as defined in chapter 36.70B.020(4) RCW from the Host City, before submitting its first application for any of the project permits, the County will meet with the Host City and any Neighboring City, to seek input. However, nothing in this Section shall limit or impair the County's ability to timely submit applications for or receive permits, nor waive any permit processing or appeal timelines.

12.5 Separately, the County and the City recognize that in accordance with 36.58.080 RCW, a city is authorized to charge the County to mitigate impacts directly attributable to a County-owned Solid Waste facility. The County acknowledges that such direct costs include wear and tear on infrastructure including roads. To the extent that the City establishes that such charges are reasonably necessary to mitigate such impacts, payments to cover such impacts may only be expended only to mitigate such impacts and are System costs. If the City believes that it is entitled to mitigation under this Agreement, the City may request that the County undertake a technical analysis regarding the extent of impacts authorized for mitigation. Upon receiving such a request, the County, in coordination with the City and any necessary technical consultants, will develop any analysis that is reasonable and appropriate to identify impacts. The cost for such

analysis is a System cost. The City and County will work cooperatively to determine the appropriate mitigation payments and will document any agreement in a Memorandum of Agreement. If the City and the County cannot agree on mitigation payments, the dispute resolution process under chapter 36.58.080 RCW will apply rather than the dispute resolution process under Section XII of the Agreement.

XIII. DISPUTE RESOLUTION

13.1 Unless otherwise expressly stated, the terms of this Section XIII shall apply to disputes arising under this Agreement.

13.2 Initial Meeting.

13.2.a Either Party shall give notice to the other in writing of a dispute involving this Agreement.

13.2.b Within ten (10) business days of receiving or issuing such notice, the County shall send an email notice to all Cities.

13.2.c Within ten (10) business days of receiving the County's notice under Subsection 13.2.b, a City shall notify the County in writing or email if it wishes to participate in the Dispute Resolution process.

13.2.d Within not less than twenty-one (21) days nor more than thirty (30) days of the date of the initial notice of dispute issued under Subsection 13.2.a, the County shall schedule a time for staff from the County and any City requesting to participate in the dispute resolution process ("Participating City") to meet (the "initial meeting"). The County shall endeavor to set such initial meeting a time and place convenient to all Participating Cities and to the County.

13.3 Executives' Meeting.

13.3.a If the dispute is not resolved within sixty (60) days of the initial meeting, then within seven (7) days of expiration of the sixty (60)-day period, the County shall send an email notice to all Participating Cities that the dispute was not resolved and that a meeting of the County Executive, or his/her designee and the chief executive officer(s) of each Participating City, or the designees of each Participating City (an “executives' meeting”) shall be scheduled to attempt to resolve the dispute. It is provided, however, that the County and the Participating Cities may mutually agree to extend the sixty (60)-day period for an additional fifteen (15) days if they believe further progress may be made in resolving the dispute, in which case, the County’s obligation to send its email notice to the Participating Cities under this Subsection that the dispute was not resolved shall be within seven (7) days of the end of the extension. Likewise, the County and the Participating Cities may mutually conclude prior to the expiration of the sixty (60)-day period that further progress is not likely in resolving the dispute at this level, in which case, the County shall send its email notice that the dispute was not resolved within seven (7) days of the date that the County and the Participating Cities mutually concluded that further progress is not likely in resolving the dispute.

13.3.b Within seven (7) days of receiving the County’s notice under Subsection 13.3.a each Participating City shall notify the County in writing or email if it wishes to participate in the executives' meeting.

13.3.c Within not less than twenty-one (21) days nor more than thirty (30) days of the date of the notice of the executives' meeting issued under Subsection 13.3.a, the County shall schedule a time for the executives' meeting. The County shall endeavor to set such

executives' meeting a time and place convenient to all Participating Cities that provided notice under Subsection 13.3.b and to the County.

13.4. Non-Binding Mediation.

13.4.a If the dispute is not resolved within thirty (30) days of the executives' meeting, then any Participating City that was Party to the executives' meeting or the County may refer the matter to non-binding mediation by sending written notice within thirty-five (35) days of the initial executives' meeting to all Parties to such meeting.

13.4.b Within seven (7) days of receiving or issuing notice that a matter will be referred to non-binding mediation, the County shall send an email notice to all Participating Cities that provided notice under Subsection 13.3.b informing them of the referral.

13.4.c Within seven (7) days of receiving the County's notice under Subsection 13.4.b, each Participating City shall notify the County in writing if it wishes to participate in the non-binding mediation.

13.4.d The mediator will be selected in the following manner: The City(ies) electing to participate in the mediation shall propose a mediator and the County shall propose a mediator; in the event the mediators are not the same person, the two mediators shall select a third mediator who shall mediate the dispute. Alternately, the City(ies) participating in the mediation and the County may agree to select a mediator through a mediation service mutually acceptable to the Parties. The Parties to the mediation shall share equally in the costs charged by the mediator or mediation service. For purposes of allocating costs of the mediator or mediation service, all Cities participating in the mediation will be considered one Party.

13.5 Superior Court. Any Party, after participating in the non-binding mediation, may commence an action in King County Superior Court after one hundred eighty (180) days from

the commencement of the mediation, in order to resolve an issue that has not by then been resolved through non-binding mediation, unless all Parties to the mediation agree to an earlier date for ending the mediation.

13.6 Unless this Section XIII does not apply to a dispute, then the Parties agree that they may not seek relief under this Agreement in a court of law or equity unless and until each of the procedural steps set forth in this Section XIII have been exhausted, provided, that if any applicable statute of limitations will or may run during the time that may be required to exhaust the procedural steps in this Section XIII, a Party may file suit to preserve a cause of action while the Dispute Resolution process continues. The Parties agree that, if necessary and if allowed by the court, they will seek a stay of any such suit while the Dispute Resolution process is completed. If the dispute is resolved through the Dispute Resolution process, the Parties agree to dismiss the lawsuit, including all claims, counterclaims, and cross-claims, with prejudice and without costs to any Party.

XIV. FORCE MAJEURE

The Parties are not liable for failure to perform pursuant to the terms of this Agreement when failure to perform was due to an unforeseeable event beyond the control of either Party (“force majeure”). The term “force majeure” shall include, without limitation by the following enumeration: acts of nature, acts of civil or military authorities, terrorism, fire, accidents, shutdowns for purpose of emergency repairs, industrial, civil or public disturbances, or labor disputes, causing the inability to perform the requirements of this Agreement, if either Party is rendered unable, wholly or in part, by a force majeure event to perform or comply with any obligation or condition of this Agreement, upon giving notice and reasonably full particulars to

the other Party, such obligation or condition shall be suspended only for the time and to the extent practicable to restore normal operations.

XV. MERGER

This Agreement merges and supersedes all prior negotiations, representation and/or agreements between the Parties relating to the subject matter of this Agreement and constitutes the entire contract between the Parties [except with regard to the provisions of the Forum Interlocal Agreement]; provided that nothing in Section XV supersedes or amends any indemnification obligation that may be in effect pursuant to a contract between the Parties other than the Original Agreement; and further provided that nothing in this Agreement supersedes, amends or modifies in any way any permit or approval applicable to the System or the County's operation of the System within the jurisdiction of the City.

XVI. WAIVER

No waiver by either Party of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach whether of the same or a different provision of this Agreement.

XVII. THIRD PARTY BENEFICIARY

This Agreement is not entered into with the intent that it shall benefit any other entity or person except those expressly described herein, and no other such person or entity shall be entitled to be treated as a third-party beneficiary of this Agreement.

XVIII. SURVIVABILITY

Except as provided in Section 8.1, 8.2, 8.3, Section 8.6.c, except 8.6.ciii and Section 8.6d, no obligations in this Agreement survive past the expiration date as established in Section III.

XIX. NOTICE

Except as otherwise provided in this Agreement, a notice required to be provided under the terms of this Agreement shall be delivered by certified mail, return receipt requested or by personal service to the following person:

For the City:

Public Works Director
City of SeaTac
4800 S 188th Street
SeaTac, WA 98188

For the County:

Director
King County Solid Waste Division
201 South Jackson Street, Suite 701
Seattle, Washington 98104

IN WITNESS WHEREOF, this Agreement has been executed by each Party on the date set forth below:

CITY of

KING COUNTY

(Mayor/City Manager)

King County Executive

Date

Date

Clerk-Attest

Clerk-Attest

Approved as to form and legality

Approved as to form and legality

City Attorney

King County Deputy Prosecuting Attorney




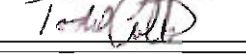
Date

Date

SeaTac City Council
REQUEST FOR COUNCIL ACTION
 Department Prepared by: Parks and Recreation

Agenda Bill #: 3480

TITLE: A Motion authorizing the City Manager to execute a contract with Henderson Partners, LLC the low bidder for Angle Lake Park Phase II construction.

February 1, 2013	
___ Ordinance ___ Resolution <u>x</u> Motion ___ Info. Only ___ Other	
Date Council Action Requested: <u>RCM 02/12/2013</u>	
Ord/Res Exhibits: _____	
Review Dates: <u>CSS 01/22/2013</u>	
Prepared By: <u>Kit Ledbetter, Parks and Recreation Director</u>	
Director: <u></u>	City Attorney: <u></u>
Finance: <u></u>	BARS #: <u>301.000.04.594.76.63.</u>
City Manager: <u></u>	Applicable Fund Name: <u>Capital Improvements Fund</u>

MR
 1/24

SUMMARY: This Motion authorizes the City Manager to execute a Contract with Henderson Partners, LLC the low bidder for Angle Lake Park Phase II construction.

DISCUSSION / ANALYSIS / ISSUES: The project plan is to start Phase II construction as early as possible in 2013 and complete the project before the International Festival and 4th of July. After careful research no question was asked on any city survey about a Water Spray Area but the 2008 Parks Recreation and Open Space Plan (PROS Plan) adopted by the City Council on March 10, 2009, the written citizens survey stated that Valley Ridge and Angle Lake Parks were the most visited parks and swimming and cultural arts rated the highest among recreation programming. The local Parks and Recreation Directors that I have spoken with that have Water Spray Areas said that they were the most popular summer item in their parks system.

We had some questions on the Water Spray Area at the Study Session on January 22, 2013. Our consulting Landscape Architect and staff considered several location sites in the city. However, we found due to restrictions set by the King County Health Code, the site must be within 100 feet of a restroom building, that our choices were restricted. While Valley Ridge and Sunset Parks have restrooms, they do not have the adjacent site space needed to accommodate the water play area. We also found that North SeaTac Park restroom location, while having enough adjacent space, was too isolated. We unanimously agreed that Angle Lake Park made the most sense because of the following:

- Site available with 100 ft. of restroom building
- Accessibility- located centrally within the City of SeaTac
- Safety- not isolated
- Provides families with non-swimmers, or young children, an alternative to the lake itself which is a popular destination during summer months.

Phase II park improvements will include two new rentable picnic shelters, a water spray area, regrading the area south of the performing stage, removing the old roadway, installing a new pathway system, and installation of new irrigation throughout the park. Due to budget the remaining items left to complete the

Master Plan for Angle Lake Park will be a new dock, lifeguard building and boat launch improvements.

The bid opening for construction was January 29, 2013. As you can see below we had 11 bidders on this project. The reference checks have been completed on the low bidder Henderson Partners, LLC and they were all very positive. Henderson Partners, LLC have stated they are ready to start working and said they can complete the project before the International Festival in June. The Parks & Recreation Department has a total of \$1,775,226 for construction after the water spray equipment purchase in the 2013 Capital Budget for the Angle Lake Park Phase II project. Because of such competitive bids the low bidder is \$374,602 under the construction budget. For safety reasons the Contractor and the Landscape Architect have requested we close the park to the public during the construction.

<u>Company Name</u>	<u>Base Bid</u>	<u>With 10% Contingency and Sales Tax</u>
Henderson Partners	\$1,162,826	\$1,400,624
Neeley Construction	\$1,449,000	\$1,745,321
3 Kings Environmental	\$1,462,385	\$1,761,443
W.S. Contractors	\$1,465,000	\$1,764,593
Zemex Construction	\$1,513,000	\$1,822,409
Johansen Excavating	\$1,529,913	\$1,842,780
Jones & Roberts Company	\$1,547,000	\$1,863,362
Pelco Construction	\$1,548,000	\$1,864,566
Paul Brothers	\$1,828,500	\$2,202,428
Westwater Construction	\$2,070,000	\$2,493,315
A-1 Landscaping	\$2,116,786	\$2,549,669

RECOMMENDATION(S): It is recommended that the City Council move to authorize the City Manager to execute a contract with Henderson Partners, LLC that will not exceed \$1,400,624.

FISCAL IMPACT: The Parks & Recreation Department has a total of \$1,775,226 for construction after the water spray equipment included in the 2013 Capital Budget for the Angle Lake Park Phase II project.

ALTERNATIVE(S):

1. Do not proceed with the project at this time.
2. Reject all bids and re-bid the project.

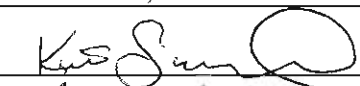
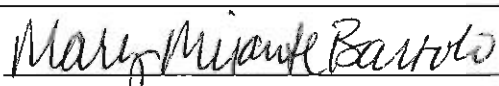


ATTACHMENTS:

1. None.

SeaTac City Council
REQUEST FOR COUNCIL ACTION
 Department Prepared by: Parks and Recreation

Agenda Bill #: 3481

TITLE: A Motion authorizing the City Manager for the ability to purchase from Waterplay Solutions Corporation the water spray area equipment for the Angle Lake Park project.

January 31, 2013	
__ Ordinance __ Resolution <input checked="" type="checkbox"/> Motion __ Info. Only __ Other	
Date Council Action Requested:	<u>RCM 02/12/2013</u>
Ord/Res Exhibits:	
Review Dates:	<u>CSS 01/22/2013</u>
Prepared By:	<u>Kit Ledbetter, Parks and Recreation Director</u>
Director:	 City Attorney: 
Finance:	 BARS #: <u>301.000.04.594.76.63.</u>
City Manager:	 Applicable Fund Name: <u>Capital Improvements Fund</u>

MKR
1/24

SUMMARY: This Motion authorizes the City Manager to execute a Contract with Waterplay Solutions Corp. for the purchase of the water spray area equipment for the Angle Lake Park project.

DISCUSSION / ANALYSIS / ISSUES: The bid proposals for the Angle Lake Park water spray area were sent out in late August with proposals due September 12. The bid was advertised in the Seattle Times on August 30 and September 6 and three companies responded. On September 19, the team of Kit Ledbetter, Roger Chouinard, and Landscape Architect Ed MacLeod interviewed all three submittals. We used a point system to rate the companies and Waterplay Solutions Corp. was unanimously selected.

The cost for all equipment is \$249,999 and tax is \$23,749.91 for a total request not to exceed of \$273,749. By purchasing the equipment directly from Waterplay, we will save the City of SeaTac the contractors' usual markup of 15 to 20% or about \$40,000.

RECOMMENDATION(S): It is recommended that the City Council move to authorize the City Manager to execute a Contract with Waterplay Solutions Corp. that will not exceed \$273,749.

FISCAL IMPACT: The Parks & Recreation Department has a total of \$2,048,975 for construction included in the 2013 Capital Budget for the Angle Lake Park Phase II project.

ALTERNATIVE(S):

1. Do not proceed with the project at this time.
2. Reject all bids and re-bid the project.

ATTACHMENTS:

1. None.

SeaTac City Council
REQUEST FOR COUNCIL ACTION
Department Prepared by: CE

Agenda Bill #: **3489**

TITLE: A Motion authorizing the City Manager to execute an Agreement with Angle Lake Hotel, LLC for a proposed access easement at Angle Lake Park.

January 16, 2013	
<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Info. Only <input type="checkbox"/> Other	
Date Council Action Requested:	2/12/13
Ord/Res Exhibits:	
Review Dates:	CSS1/22/2013
Prepared By:	Albert Torrico, Senior Planner
Director:	<i>[Signature]</i> City Attorney: <i>[Signature]</i>
Finance:	<i>[Signature]</i> BARS #: <u>TBD</u>
City Manager:	<i>[Signature]</i> Applicable Fund Name: <u>General Fund</u>

MK
AKL

SUMMARY:

This Motion authorizes the City Manager to execute an Agreement with Angle Lake Hotel, LLC for a proposed access easement at Angle Lake Park.

DISCUSSION / ANALYSIS / ISSUES:

On April 21, 2009, the City executed an agreement granting an access easement from Angle Lake Park to a proposed hotel known at the time as the "Residence Inn". Building permits were never issued for the proposed project due to economic factors and as a result, the agreement expired on March 31, 2011. The developer, Ariel Development, seeks a new access easement for a new hotel, Hyatt Place, in the same location.

As before, granting an access easement to the Developer, would allow the use of the current signaled access road (S. 195th Street) located at the southern portion of Angle Lake Park, which will include a driveway to the hotel and fire access from Angle Lake Park to the eastern portion of the proposed hotel. The City also agrees to allow fire hydrants to be located in the adjoining park landscaping and for the construction of a "fire access only" driveway from the access easement through the adjoining landscaping to the hotel property.

In exchange, the Developer agrees to grant an easement for the City to design, construct and maintain a pedestrian path not greater than ten feet in width from the north edge to the south edge of said property. The path will be parallel to the lake bank at a distance from the waterline to be determined. The Developer also agrees to pay the City \$32,000, which will be used by the City at Angle Lake Park. The Developer also agrees to provide special traffic control measures during high impact events such as the International Festival and Independence Day, and pay a portion of the cost of maintenance for the access easement based on use load.

The proposed hotel development will provide approximately 150 rooms and will result in needed redevelopment of a parcel along Angle Lake and International Boulevard. In addition, it is estimated that the hotel will employ between 60-70 fulltime employees, as well as additional part-time employment. Finally, the City will benefit as the Developer has committed to provide funds for future improvements to Angle Lake Park.

RECOMMENDATION(S):

It is recommended that the Motion be carried.

FISCAL IMPACT:

The City will receive \$32,000 for improvements at Angle Lake Park. If the City Council wants to construct the pedestrian path along Angle Lake, the City would be responsible for design and construction of the path. Finally, the project will generate approximately \$190,000 in sales tax revenue, building permit fees, and additional sales tax and lodging tax revenue on an ongoing basis.

ALTERNATIVE(S):

Do not carry the Motion. However, the Developer has indicated that they will not be able to proceed with development of the project without any agreement.

ATTACHMENTS:

Proposed Angle Lake Access Easement

AGREEMENT REGARDING ANGLE LAKE PARK ACCESS EASEMENT

THIS AGREEMENT is made and entered into between the City of SeaTac ("City") and Angle Lake Hotel LLC ("Developer") on the following terms and conditions:

WHEREAS, Developer owns real property in the City of SeaTac, located at 19518 International Blvd. S., Assessor's Property Tax Parcel Number 042204-9123 and 19550 International Blvd. S., Assessor's Property Tax Parcel Number 042204-9272 (collectively referred to as the "Property");

WHEREAS, the Developer has proposed construction of a hotel on the property; and

WHEREAS, in order to develop the property as a hotel, the Developer has requested an access easement from the City through the access road leading into Angle Lake Park, and fire trucks only along the north and east sides of the future proposed hotel, in exchange for valuable consideration; and

WHEREAS, the City and the Developer believe that it is appropriate to enter into this Agreement in order to formalize the understanding between the parties;

NOW, THEREFORE, it is agreed by the City and the Developer as follows:

1. Purpose.

The purpose of this Agreement is to formalize an understanding between the City and the Developer for the granting of an access easement from Angle Lake Park, so that the Developer can access a hotel that is being proposed on the Property. Once a formal understanding is reached, the City and the Developer will expend additional resources to draft easements and other related documents.

2. Developer Agreement.

The Developer agrees to the following:

- a) For the property located on 19550 International Blvd (Tax Parcel Number 042204-9272), Developer will grant an easement for the City to design, construct and maintain a pedestrian path not greater than ten feet in width from the north edge to the south edge of said property ("Path Easement"). The Path Easement will be parallel to the lake bank as generally shown in Exhibit A, and the exact location will be determined once the location of the proposed hotel is determined by the Developer. Said easement shall be in a location that would reasonably allow for the design and construction of a pedestrian trail. The exact location of the Path Easement will be surveyed by the Developer, and an

easement document, map, and legal description and will be drafted by the Developer that is consistent with the depiction shown on Exhibit A.

- b) Pay the City \$32,000, which will be used by the City for Angle Lake Park purposes. The City Council reserves the right to determine the specific use of such funds, so long as the funds are used at Angle Lake Park. Such funds will be paid to the City prior to commencement of construction on the Property.
- c) At Developer's own cost, will pay for the cost of a police officer to conduct traffic control for the International Festival and the Fourth of July. It is intended that this condition will be incorporated into any documents formalizing the Access Easement once drafted.
- d) Pay a portion of the cost of maintenance for the access easement based on use load. It is intended that this condition will be incorporated into any documents formalizing the Access Easement once drafted.
- e) The entrance to Angle Lake Park may be used by the Developer for any construction related activity, upon the Developer obtaining a temporary construction easement from the City permitting such use. Conditions of a temporary construction easement will be determined by City staff at such time as sufficient construction details regarding the proposed hotel construction are determined, but may include restrictions to dates and times of access so as to not conflict with the uses at Angle Lake Park and requirements to ensure that ingress and egress from Angle Lake Park is not obstructed. The granting of a temporary construction easement will not be unreasonably withheld by the City.
- f) That reasonable efforts will be made to inform users of the proposed hotel that parking at Angle Lake Park for hotel purposes is prohibited. It is intended that this condition will be incorporated into any documents formalizing the Access Easement once drafted.
- g) Developer (and assigns) agrees to defend, indemnify, and hold harmless the City and its officers, officials, and employees from any and all liabilities, claims, or demands resulting from the Hotel, or its employees, invitees, guests, contractors, or vendors that result from the use of the easement, excepting for the sole negligence of the SeaTac or its officers, officials, or employees. It is intended that this condition will be incorporated into any documents formalizing the Access Easement once drafted.

3. City Agreement.

The City agrees to the following:

- a) Grant an access easement to the Developer, via the current access road located at the southern portion of Angle Lake Park ("Access Easement"), which will include a driveway to the hotel and fire access from Angle Lake Park to the eastern portion of the proposed hotel. The location of the Access Easement is generally shown in Exhibit A. The exact location of the Access Easement will be surveyed by the Developer, and an

easement document, map, and legal description and will be drafted by the Developer that is consistent with the depiction shown on Exhibit A.

- b) Allow fire hydrants to be located in the adjoining park landscaping, at locations to be mutually agreed upon between the parties.
- c) Allow for the construction of a driveway from the access easement through the adjoining landscaping to the hotel property. The location of the driveway is generally shown in Exhibit A, and the exact location will be determined once the location of the proposed hotel is determined by the Developer.
- d) The City agrees to defend, indemnify, and hold harmless the Developer (and assigns) and its officers, officials, and employees from any and all liabilities, claims, or demands resulting from use of the Path Easement, except for the sole negligence of the Developer (and assigns) and its officers, officials, or employees. It is intended that this condition will be incorporated into any documents formalizing the Path Easement once drafted.

4. Change of Use.

It is understood that this Agreement is contingent upon the Developer constructing a hotel on the Property, generally as shown in Exhibit A. If the Developer chooses to develop a non-hotel use, or a use that is not consistent with the size and scope of the project as depicted on Exhibit A, this Agreement shall terminate.

5. Duration of this Agreement.

This Agreement shall expire on March 1, 2015, unless the Developer has applied for development permits for a hotel generally consistent with the depiction in Exhibit A, in which this Agreement shall expire upon the execution and recording of the Access Easement and the Path Easement. The Agreement may be extended prior to expiration upon agreement of the City and the Developer. However, any agreement to extend this Agreement on behalf of the City will require a majority vote of the SeaTac City Council.

6. Other Provisions.

- a. Voluntary Agreement. The Parties hereto intend and acknowledge that this Agreement is a voluntary contract binding upon the Parties hereto, as well as their successors and assigns and is being entered into in accordance with RCW 36.70B.170. The parties acknowledge that they are entering into this Agreement knowingly and voluntarily in consideration of the benefits to be derived therefrom.
- b. Notices. All notices required pursuant to this Agreement shall be sent to the following:

TO THE CITY:

City of SeaTac
4800 South 188th Street
SeaTac, WA 98188
Attn: City Manager

TO ANGLE LAKE HOTEL, LLC:

918 South Horton Street, Suite 1018
Seattle, WA 98134

c. Binding Effect. Subject to Paragraphs 4 and 5 above, this Agreement shall run with the land and shall be binding upon, and inure to the benefit of, the parties and their respective heirs, successors and assigns.

d. Governing Law. This Agreement is entered into under the laws of the State of Washington, and the Parties intend that Washington law shall apply to the interpretation hereof.

e. Enforcement. Venue and jurisdiction to enforce all obligations under this Agreement shall lie in the King County Superior Court. Time is of the essence of this Agreement. The parties shall have all rights and remedies available at law, in equity or by statute to enforce the terms of this Agreement. In addition, because of the nature of the obligations in this Agreement, the Parties may not have an adequate remedy by way of an action for damages, and thus the obligations under this Agreement may be enforced by an action for specific performance. Mediation with Judicial Dispute Resolution, LLC ("JDR") shall be a precondition to any litigation, *provided*, however, that this requirement shall not preclude either party from obtaining a restraining order, injunction or other equitable relief to preserve the status quo pending mediation and litigation.

f. Attorneys' fees and Costs. In the event either party commences proceedings in Superior Court to enforce this Agreement, each party shall be responsible for their own attorney's fees and costs.

g. Amendment. This Agreement may be modified only by written instrument duly executed by both Parties, after approval by a majority of the SeaTac City Council.

ANGLE LAKE PLAZA LLC

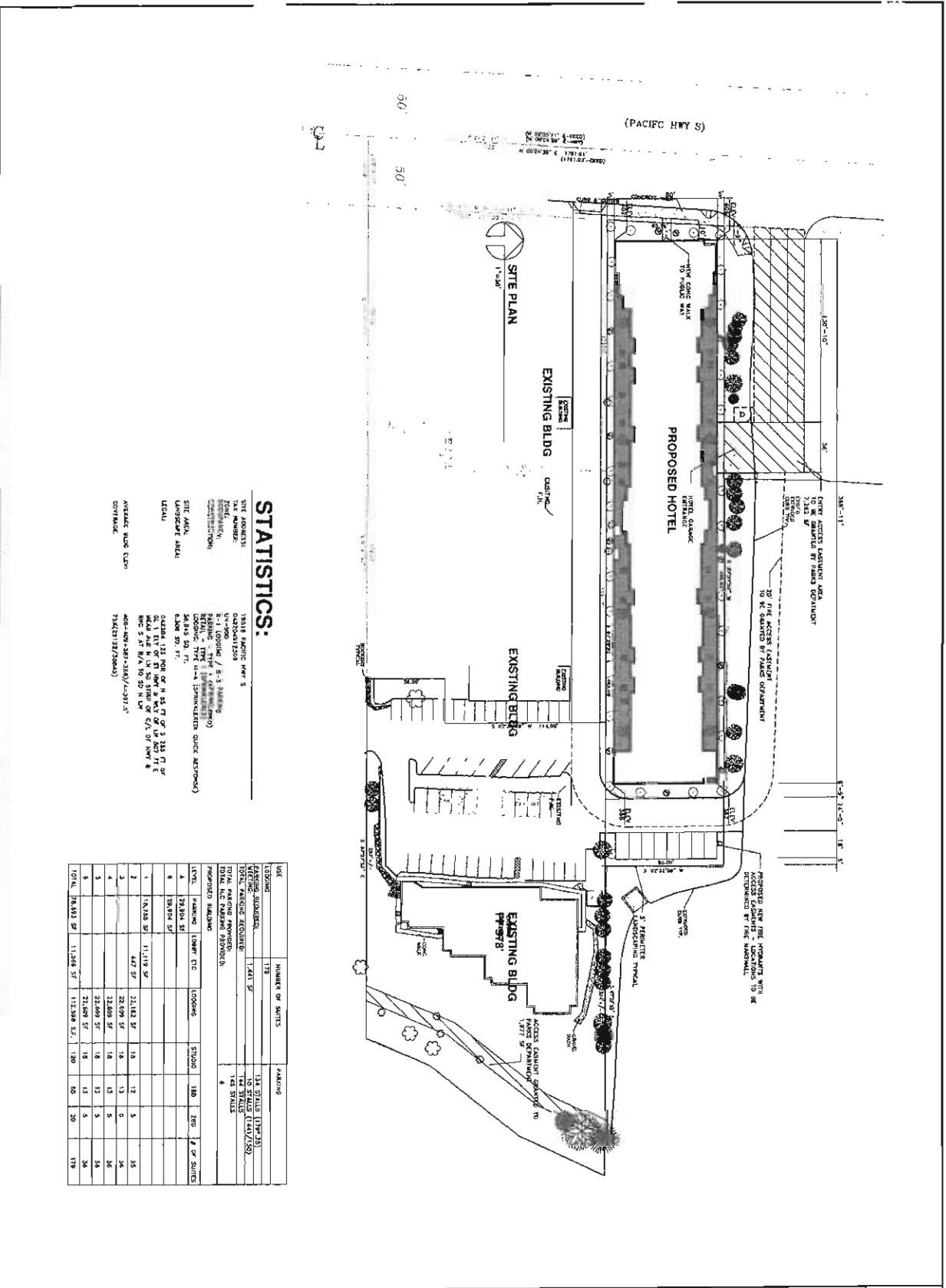
CITY OF SEATAC

By: _____

By: Todd Cutts, City Manager

Date: _____

Date: _____



STATISTICS:

19518 PACIFIC HWY S
 SITE ADDRESS:
 TOTAL AREA: 134,341 SQ. FT.
 ZONE: R-1
 CONSTRUCTION: 3-1 (LOBBY) / 3-5 (HOTEL)
 SITE AREA: 134,341 SQ. FT.
 UNIMPOSED AREA: 134,341 SQ. FT.
 AVIATION MAP CLASS: 734(03)(27)(900)

LOT	NUMBER OF SUITS	PARKING
1	178	134 STALLS (134/178)
2	178	134 STALLS (134/178)
3	178	134 STALLS (134/178)
4	178	134 STALLS (134/178)
5	178	134 STALLS (134/178)
6	178	134 STALLS (134/178)
TOTAL	1,026 SUITS	782 STALLS

LDC architects
 Interior design group, architects
 1319 deker ave. north, suite 200
 mpls, mn 55412

project title:
 RESIDENCE INN
 19518 PACIFIC HWY S

DEVELOPED BY:
 ARELL DEVELOPMENT

SEATTLE, WA

sheet title:
 SITE PLAN

sheet no.:
 A-1.0

consultants:
 date: 10-3-97