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BEFORE THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

FALL CITY SUSTAINABLE
GROWTH,

Petitioner,

v.

KING COUNTY; MT. SI
INVESTMENTS, LLC; CEDAR 17
INVESTMENTS, LLC; CHA CHA 15
INVESTMENTS, LLC; TAYLOR
DEVELOPMENT, INC.

Respondents.

NO.

LAND USE PETITION

1. Name and Mailing Address of the Petitioner

The name and mailing address of the petitioner is Fall City Sustainable Growth, , c/o Mike Suelzle, 4580 Klahanie Dr. SE, Suite 250, Sammamish, WA 98029.

2. Name and Mailing Address of the Petitioner’s Attorneys

The names and mailing address of the petitioner’s attorneys are David A. Bricklin, Michael Rea, Bricklin & Newman, LLP, 123 NW 36th Street, Suite 205, Seattle, WA 98107, telephone 206-264-8600, bricklin@bnd-law.com, rea@bnd-law.com (with copies to cahill@bnd-law.com and miller@bnd-law.com).

1 3. The Name and Mailing Address of the Local Jurisdiction Whose Land Use Decision is at
2 Issue

3 The name and address of the local jurisdiction whose land use decisions are at issue is King
4 County, 516 3rd Ave., Seattle, WA 98104.

5 4. Identification of the Decision-Making Body or Officer

6 The King County Council denied appeals of three subdivision approvals. The denials are
7 contained in King County Ordinance Nos. 19673, 19674, and 19675 (attached hereto) as Exhibit
8 A (Mt. Si subdivision approval), Exhibit B (Cedar 23 subdivision approval), and Exhibit C (Cha
9 Cha subdivision approval), respectively.
10

11 5. Respondents and Identification of Each Person to be Made a Party Under RCW
12 36.70C.040(2)(b)-(d)

13 King County
14 516 3rd Ave.
Seattle, WA 98104

15 Mt. Si Investments, LLC
16 15 Lake Bellevue Drive South
Bellevue, WA 98005
17 Telephone: (425) 869-1300
Email: robert@taylordev.com

18 Cedar 17 Investments, LLC
19 15 Lake Bellevue Drive South
Bellevue, WA 98005
20 Telephone: (425) 869-1300
Email: robert@taylordev.com

21 Cha Cha 15 Investments, LLC
22 15 Lake Bellevue Drive South
23 Bellevue, WA 98005
24 Telephone: (425) 869-1300
Email: robert@taylordev.com

25 Taylor Development, Inc
26 15 Lake Bellevue Drive South
Bellevue, WA 98005
Telephone: (425) 869-1300

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6. Facts Demonstrating that the Petitioner Has Standing to Seek Judicial Review

6.1 The subdivisions at issue would create more than 50 new, tiny lots designed for urban-style development in the rural town of Fall City. Fall City is designated in the King County Comprehensive Plan as one of the three remaining “rural towns” in the County. As explained in more detail below, the petitioner has standing because the subdivisions will cause harm to the property rights and other protected interests of the petitioner’s members.

6.2 The petitioner, Fall City Sustainable Growth, is a non-profit community organization dedicated to protecting and enhancing Fall City’s rural character and environment.

6.3 Fall City Sustainable Growth’s members will suffer an “injury-in-fact” as a result of the challenged subdivisions. The group’s members work, recreate, and own residential property adjacent to or near the proposed subdivisions. Its members have an interest in protecting the aesthetics and character of their residential properties in accordance with the requirements of the State and County planning and development codes and regulations. Similarly, many of Fall City Sustainable Growth’s members purchased real estate in the area specifically because of its rural character. Those real property interests are prejudiced by a lack of fidelity to code and comprehensive plan provisions intended to protect Fall City’s rural character.

6.4 Likewise, Fall City Sustainable Growth’s members’ use and enjoyment of their properties will be adversely impacted by the allowance of urban-style development within the previously rural areas of Fall City. Areas that once contained attributes synonymous with rural character would be replaced with urban row-style, small lot housing that is inconsistent with the Comprehensive Plan’s policy to preserve rural character.

1 6.5 The injury suffered by Fall City Sustainable Growth’s members will be immediate
2 and concrete. The ordinances authorize the destruction of the natural landscape. Open space and
3 the town’s rural character will be forever lost.

4 6.6 The petitioner’s member’s interests were among those the County was required to
5 consider. Both the State and County review criteria for subdivisions require that each subdivision
6 protects the general welfare, which includes the rights and interests of petitioner’s members. RCW
7 58.17.110; KCC 20.22.180. The County’s Comprehensive Plan is defined by code as a means to
8 promote the general welfare. KCC 20.08.070.E.

9 6.7 By requiring that subdivisions protect the general welfare and be in the public
10 interest, the State and County legislatures intended that subdivisions protect the interests of the
11 adjacent and nearby community members, such as the petitioner’s members. Authorizing
12 subdivisions in the small town of Fall City that detract from the general welfare directly injures the
13 rights of individuals the County was required to consider, including the petitioner’s members.

14 6.8 The petitioner has exhausted the administrative appeals process for challenging the
15 County’s approval of the subdivisions. The hearing examiner’s approvals of the three preliminary
16 plats (subdivisions) were appealed to the King County Council in a consolidated appeal. The
17 Council held a hearing and denied the petitioner’s appeals on October 3, 2023. The Council’s
18 actions are final. KCC 20.22.250.A. There is no further administrative appeal.

19 6.9 A decision in favor of the petitioner on the issues raised in this appeal would
20 substantially eliminate or redress the injuries suffered by the group’s members. A favorable
21 decision would void the County’s approval of the noncompliant subdivisions and, thereby, would
22 protect the petitioner’s member’s property and other rights from the adverse impacts and
23 incompatible development on property within Fall City.

1 7. A Separate and Concise Statement of Each Error Alleged to Have Been Committed and the
2 Facts Upon Which the Petitioner Relies to Sustain the Statements of Error

3 7.1 The crux of this appeal is whether a county hearing examiner errs when she approves
4 a subdivision after concluding as a matter of law that the subdivision is not consistent with the
5 County’s Comprehensive Plan. The examiner concluded that the three plats at issue in this appeal
6 violate the Comprehensive Plan’s goals and policies intended to preserve the character of the
7 County’s rural areas. But she then decided she lacked legal authority to require compliance with
8 the Comprehensive Plan. The County Council sustained the examiner’s decision without entering
9 any findings, conclusion or comment on this determinative issue. Thus, the Court’s review is, in
10 essence, a review of the examiner’s legal determination that she lacked authority to assure that the
11 plats were consistent with the Comprehensive Plan.
12

13 7.2 The Growth Management Act requires King County to adopt a Comprehensive Plan
14 addressing a variety of land use issues. RCW 36.70A.070 (Comprehensive plans – Mandatory
15 elements).

16 7.3 King County’s Comprehensive Plan designates Fall City as a rural town, one of only
17 three in King County.
18

19 7.4 The goals and policies of the County’s Comprehensive Plan seek to preserve the
20 rural character of the County’s remaining rural areas. *See* King County Comprehensive Plan (2016)
21 at 3-1, 3-3, 3-5, 3-32.

22 7.5 The Comprehensive Plan includes a list of attributes that are associated with rural
23 character, including, amongst others, “traditional rural land uses of a size and scale that blend with
24 historic rural development.” King County Comprehensive Plan at 3-7.
25

26 7.6 The subdivision process in Washington is governed by RCW Chapter 58.17.

1 7.7 RCW 58.17.100 requires that all subdivisions be reviewed for conformance “to the
2 general purposes of the Comprehensive Plan and to planning standards and specifications as
3 adopted by the city, town or county.”

4 7.8 The State’s enabling statute for the hearing examiner system reinforces RCW
5 58.17.100’s requirement that a subdivision conform with the Comprehensive Plan, stating that an
6 examiner’s findings and conclusions “shall also set forth the manner in which the decision would
7 carry out and conform to the county’s comprehensive plan...” RCW 36.70.970(3)

8 7.9 Additionally, KCC 19A.08.060.N states that subdivisions may only be approved in
9 accordance with the Comprehensive Plan.

10 7.10 RCW 58.17.110 embodies the mandate that subdivisions conform to the
11 Comprehensive Plan by precluding approval of a subdivision unless it makes “appropriate
12 provisions for ... the general welfare” and only if “the public interest will be served.”

13 7.11 KCC 20.22.180 echoes the requirement that subdivisions be approved only if they
14 include provisions for the general welfare and are in the public interest.

15 7.12 KCC 20.08.070 defines the Comprehensive Plan as a “means of promoting the
16 general welfare.” Therefore, subdivisions that are not consistent with the Comprehensive Plan do
17 not make appropriate provisions for the general welfare. Because “adequate provision for the ...
18 general welfare” is a requirement of the subdivision criteria, RCW 58.17.110 and KCC 20.22.180,
19 a finding of inconsistency with the Plan should have led the examiner to reject the subdivisions.
20 The Council should have recognized this error. This alone is reason to vacate the County’s decision.

21 7.13 In all three of the subdivisions, the examiner reviewed the subdivision application
22 materials and concluded as a matter of law that the subdivisions were not consistent with the
23 County’s Comprehensive Plan. The examiner emphasized multiple aspects of the subdivisions that
24
25
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1 failed to preserve rural character (*e.g.*, small lot sizes, minimum setbacks, no space for recreational
2 vehicles, amongst others).

3 7.14 Despite concluding that the plats do not conform with the Comprehensive Plan, she
4 approved them. She stated she lacked authority to deny on the basis of nonconformity with the
5 Comprehensive Plan, yet she never mentioned, let alone analyzed, the codes cited above that
6 mandate conformity.
7

8 7.15 The examiner thought that she was obligated to approve the subdivisions because
9 they complied with a separate part of the County’s code—its density standards. The examiner was
10 wrong. The codes require both (1) compliance with density standards and (2) conformity with the
11 Comprehensive Plan. That the subdivisions comply with density standards does not negate the State
12 and County codes that require subdivisions to also conform with the Comprehensive Plan.
13

14 7.16 The examiner and the Council should have recognized that the code provisions cited
15 above mandate that a subdivision be consistent with the Comprehensive Plan, and that the
16 subdivisions should have been denied upon finding that they were inconsistent. To determine
17 otherwise was an error of law and/or a clearly erroneous misapplication of the law to the facts.

18 8. Request for Relief

19 Petitioner respectfully requests that the Court issue an order under the Land Use Petition
20 Act, RCW 36.70C.130(1), which:
21

22 8.1 Reverses King County’s approval of the subdivisions at issue;

23 8.2 Directs the County to review any subsequent subdivision applications for
24 consistency with the County’s Comprehensive Plan.

25 8.3 Awards petitioner its statutory attorney’s fees and costs; and

26 8.4 Provides such other relief as is just and equitable under the circumstances.

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Dated this 23rd day of October, 2023.

Respectfully submitted,

BRICKLIN & NEWMAN, LLP

By: s/David A. Bricklin
David A. Bricklin, WSBA No. 7583
Michael Rea, WSBA No. 60592
123 NW 36th Street, Suite 205
Seattle, WA 98107
bricklin@bnd-law.com
rea@bnd-law.com
Attorneys for Petitioner
Fall City Sustainable Growth

EXHIBIT A



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19673

Proposed No. 2023-0049.2

Sponsors Upthegrove

1 AN ORDINANCE approving a stipulation adopting an
2 additional condition of approval for and denying an appeal
3 of the Mt. Si preliminary plat, located at 32433 SE
4 Redmond Fall City Road, Fall City, department of local
5 services, permitting division file no. PLAT210002.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Hearing examiner pro tem Alison Moss approved four preliminary
8 subdivision applications: Fall City II (PLAT200003, Prop. Ord. 2022-0443) on February
9 1, 2023; Cedar 23 (PLAT 210005, Prop. Ord. 2023-0003) on March 22, 2023; Mt. Si
10 (PLAT210002, Prop. Ord. 2023-0049) on April 13, 2023, clarified on May 9, 2023; and
11 Cha (PLAT210006, Prop. Ord. 2023-0138) on May 23, 2023. All four were timely
12 appealed.

13 SECTION 2. Pursuant to the applicant and appellant's August 28, 2023,
14 stipulation, the council adopts as an added Condition of Approval for the Mt. Si
15 preliminary plat the following language:

16 The Applicant, or its heirs, successors, and assigns shall not undertake site
17 grading and/or clearing until it has completed a site risk survey ("SRS")
18 and a hydrogeology report ("HGR"), as described in WAC 246-272B-
19 2050 and has received a written WDOH Notice of Determination to
20 proceed to engineering under either WAC 246-272B- 2050(2)(a) or WAC

Ordinance 19673

21 246-272B-2050(4)(a). Nothing in the foregoing shall preclude the
22 Applicant, or its heirs, successors, and assigns from applying for and
23 processing a grading permit while the LOSS is under WDOH review.
24 Per the terms of that stipulation, the appeal of the Mt. Si preliminary plat is reduced to the
25 "rural character" issue.

26 SECTION 3. The appeal of the Mt. Si preliminary plat, located at 32433 SE

Ordinance 19673

- 27 Redmond Fall City Road, Fall City, department of local services, permitting division file
- 28 no. PLAT210002, is denied.

Ordinance 19673 was introduced on 2/7/2023 and passed as amended by the Metropolitan King County Council on 10/3/2023, by the following vote:

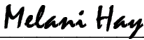
Yes: 7 - Dembowski, Kohl-Welles, Perry, McDermott,
Upthegrove, von Reichbauer and Zahilay
Excused: 2 - Balducci and Dunn

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

E76CE01F07B14EF...
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Hay, Clerk of the Council

Attachments: None

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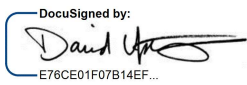
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dave.upthegrove@kingcounty.gov
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Melani Hay
melani.hay@kingcounty.gov
Clerk of the Council
King County Council
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cherie camp
cherie.camp@kingcounty.gov
Legislative Clerk - Ccl
King County Council
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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact King County-Department of 02:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cipriano.dacanay@kingcounty.gov

To advise King County-Department of 02 of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at cipriano.dacanay@kingcounty.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from King County-Department of 02

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with King County-Department of 02

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.

EXHIBIT B



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19674

Proposed No. 2023-0003.2

Sponsors Upthegrove

1 AN ORDINANCE approving a stipulation adopting an
2 additional condition of approval for and denying an appeal
3 of the Cedar 23 preliminary plat, located at 4218 and 4250
4 324th Avenue SE, Fall City, department of local services,
5 permitting division file no. PLAT210005.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Hearing examiner pro tem Alison Moss approved four preliminary
8 subdivision applications: Fall City II (PLAT200003, Prop. Ord. 2022-0443) on February
9 1, 2023; Cedar 23 (PLAT 210005, Prop. Ord. 2023-0003) on March 22, 2023; Mt. Si
10 (PLAT210002, Prop. Ord. 2023-0049) on April 13, 2023, clarified on May 9, 2023; and
11 Cha (PLAT210006, Prop. Ord. 2023-0138) on May 23, 2023. All four were timely
12 appealed.

13 SECTION 2. Pursuant to the applicant and appellant's August 28, 2023,
14 stipulation, the council adopts as an added Condition of Approval for the Cedar 23
15 preliminary plat the following language:

16 The Applicant, or its heirs, successors, and assigns shall not undertake site
17 grading and/or clearing until it has completed a site risk survey ("SRS")
18 and a hydrogeology report ("HGR"), as described in WAC 246-272B-
19 2050 and has received a written WDOH Notice of Determination to
20 proceed to engineering under either WAC 246-272B- 2050(2)(a) or WAC

Ordinance 19674

21 246-272B-2050(4)(a). Nothing in the foregoing shall preclude the
22 Applicant, or its heirs, successors, and assigns from applying for and
23 processing a grading permit while the LOSS is under WDOH review.

24 Per the terms of that stipulation, the appeal of the Cedar 23 preliminary plat, located at
25 4135 332nd Avenue SE, Fall City, department of local services, permitting division file
26 no. PLAT200003, is reduced to the "rural character" issue.

27 SECTION 3. The appeal of the Cedar 23 preliminary plat, located at 4135 332nd


Ordinance 19674

- 28 Avenue SE, Fall City, department of local services, permitting division file no.
- 29 PLAT200003, is denied.


Ordinance 19674 was introduced on 1/31/2023 and passed as amended by the Metropolitan King County Council on 10/3/2023, by the following vote:

Yes: 7 - Dembowski, Kohl-Welles, Perry, McDermott,
Upthegrove, von Reichbauer and Zahilay
Excused: 2 - Balducci and Dunn

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

E76CE01F07B14EF...
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Hay, Clerk of the Council

Attachments: None

Certificate Of Completion

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	Cherie.Camp@kingcounty.gov
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Signer Events

Dave Upthegrove
dave.upthegrove@kingcounty.gov
Chair
Security Level: Email, Account Authentication (None)

Signature

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Melani Hay
melani.hay@kingcounty.gov
Clerk of the Council
King County Council
Security Level: Email, Account Authentication (None)

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Electronic Record and Signature Disclosure:
Accepted: 9/30/2022 11:27:12 AM
ID: 639a6b47-a4ff-458a-8ae8-c9251b7d1a1f

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

cherie camp
cherie.camp@kingcounty.gov
Legislative Clerk - Ccl
King County Council
Security Level: Email, Account Authentication (None)

COPIED

Sent: 10/5/2023 12:33:34 PM

Carbon Copy Events	Status	Timestamp
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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	10/5/2023 11:44:39 AM
Certified Delivered	Security Checked	10/5/2023 12:33:28 PM
Signing Complete	Security Checked	10/5/2023 12:33:33 PM
Completed	Security Checked	10/5/2023 12:33:34 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, King County-Department of 02 (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cipriano.dacanay@kingcounty.gov

To advise King County-Department of 02 of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at cipriano.dacanay@kingcounty.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

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- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify King County-Department of 02 as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County-Department of 02 during the course of your relationship with King County-Department of 02.

EXHIBIT C



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19675

Proposed No. 2023-0138.2

Sponsors Upthegrove

1 AN ORDINANCE approving a stipulation adopting an
2 additional condition of approval for and denying an appeal
3 of the Cha preliminary plat, located at 4142 324th Avenue
4 SE, Fall City, department of local services, permitting
5 division file no. PLAT210006.

6 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

7 SECTION 1. Hearing examiner pro tem Alison Moss approved four preliminary
8 subdivision applications: Fall City II (PLAT200003, Prop. Ord. 2022-0443) on February
9 1, 2023; Cedar 23 (PLAT 210005, Prop. Ord. 2023-0003) on March 22, 2023; Mt. Si
10 (PLAT210002, Prop. Ord. 2023-0049) on April 13, 2023, clarified on May 9, 2023; and
11 Cha (PLAT210006, Prop. Ord. 2023-0138) on May 23, 2023. All four were timely
12 appealed.

13 SECTION 2. Pursuant to the applicant and appellant's August 28, 2023,
14 stipulation, the council adopts as an added Condition of Approval for the Cha preliminary
15 plat the following language:

16 The Applicant, or its heirs, successors, and assigns shall not undertake site
17 grading and/or clearing until it has completed a site risk survey ("SRS")
18 and a hydrogeology report ("HGR"), as described in WAC 246-272B-
19 2050 and has received a written WDOH Notice of Determination to
20 proceed to engineering under either WAC 246-272B- 2050(2)(a) or WAC

Ordinance 19675

21 246-272B-2050(4)(a). Nothing in the foregoing shall preclude the
22 Applicant, or its heirs, successors, and assigns from applying for and
23 processing a grading permit while the LOSS is under WDOH review.
24 Per the terms of that stipulation, the appeal of the Cha preliminary plat is reduced to the
25 "rural character" issue.
26 SECTION 3. The appeal of the Cha preliminary plat, located at 4142 324th


Ordinance 19675

- 27 Avenue SE, Fall City, department of local services, permitting division file no.
- 28 PLAT210006, is denied.


Ordinance 19675 was introduced on 4/4/2023 and passed as amended by the Metropolitan King County Council on 10/3/2023, by the following vote:

Yes: 7 - Dembowski, Kohl-Welles, Perry, McDermott,
Upthegrove, von Reichbauer and Zahilay
Excused: 2 - Balducci and Dunn

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

E76CE01F07B14EF...
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Hay, Clerk of the Council

Attachments: None

Certificate Of Completion

Envelope Id: 267FEDB085F0488B977470C6F355A59B	Status: Completed
Subject: Complete with DocuSign: Ordinance 19675.doc	
Source Envelope:	
Document Pages: 3	Signatures: 2
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Cherie Camp
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	401 5TH AVE
	SEATTLE, WA 98104
	Cherie.Camp@kingcounty.gov
	IP Address: 198.49.222.20


Record Tracking

Status: Original	Holder: Cherie Camp	Location: DocuSign
10/5/2023 11:44:54 AM	Cherie.Camp@kingcounty.gov	
Security Appliance Status: Connected	Pool: FedRamp	
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Signer Events

Dave Upthegrove
dave.upthegrove@kingcounty.gov
Chair
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

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Signature Adoption: Uploaded Signature Image
Using IP Address: 67.160.80.216

Timestamp

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Viewed: 10/5/2023 12:14:33 PM
Signed: 10/5/2023 12:14:58 PM

Electronic Record and Signature Disclosure:

Accepted: 10/5/2023 12:14:33 PM
ID: 2e84409d-add0-482d-83ae-a3d18698c70b

Melani Hay
melani.hay@kingcounty.gov
Clerk of the Council
King County Council
Security Level: Email, Account Authentication (None)

DocuSigned by:

8DE1BB375AD3422...
Signature Adoption: Pre-selected Style
Using IP Address: 198.49.222.20

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Signed: 10/5/2023 12:33:07 PM

Electronic Record and Signature Disclosure:

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ID: 639a6b47-a4ff-458a-8ae8-c9251b7d1a1f

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cherie camp
cherie.camp@kingcounty.gov
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King County Council
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Signing Complete	Security Checked	10/5/2023 12:33:07 PM
Completed	Security Checked	10/5/2023 12:33:08 PM

Payment Events	Status	Timestamps
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To advise King County-Department of 02 of your new email address

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- ii. send us an email to cipriano.dacanay@kingcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

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