



**Signature Report**

**Ordinance**

**Proposed No.** 2023-0440.2

**Sponsors** Perry

1 AN ORDINANCE related to comprehensive planning;  
2 amending Ordinance 11955, Section 5, as amended, and  
3 K.C.C. 2.16.055, Ordinance 8300, Section 3, as amended,  
4 and K.C.C. 2.48.030, Ordinance 18326, Section 3, and  
5 K.C.C. 6.70.010, Ordinance 18326, Section 4, and K.C.C.  
6 6.70.020, Ordinance 18326, Section 5, and K.C.C.  
7 6.70.030, Ordinance 18326, Section 6, as amended, and  
8 K.C.C. 6.70.040, Ordinance 18326, Section 8, as amended,  
9 and K.C.C. 6.70.060, Ordinance 18326, Section 9, and  
10 K.C.C. 6.70.070, Ordinance 9163, Section 2, as amended,  
11 and K.C.C. 9.04.020, Ordinance 13625, Section 22, as  
12 amended, and K.C.C. 13.24.035, Ordinance 1709, Section  
13 7, as amended, and K.C.C. 13.24.090, Ordinance 18420,  
14 Section 37, and K.C.C. 14.01.360, Ordinance 18420,  
15 Section 61, as amended, and K.C.C. 14.40.0104, Ordinance  
16 8421, Section 3, as amended, and K.C.C. 14.56.020,  
17 Ordinance 8421, Section 4, as amended, and K.C.C.  
18 14.56.030, Ordinance 1488, Section 5, as amended, and  
19 K.C.C. 16.82.020, Ordinance 15053, Section 3, as  
20 amended, and K.C.C. 16.82.051, Ordinance 1488, Section

21 7, as amended, and K.C.C. 16.82.060, Ordinance 12560,  
22 Section 148, as amended, and K.C.C. 17.04.200, Ordinance  
23 12560, Section 149, as amended, and K.C.C. 17.04.280,  
24 Ordinance 16147, Section 2, as amended, and K.C.C.  
25 18.17.010, Ordinance 19402, Section 8, and K.C.C.  
26 18.17.050, Ordinance 17270, Section 2, as amended, and  
27 K.C.C. 18.25.010, Ordinance 17971, Section 4, as  
28 amended, and K.C.C. 28.30.030, Ordinance 13694,  
29 Section 42, as amended, and K.C.C. 19A.08.070,  
30 Ordinance 13694, Section 56, as amended, and K.C.C.  
31 19A.12.020, Ordinance 13694, Section 80, as amended,  
32 and K.C.C. 19A.28.020, Ordinance 18810, Section 3, and  
33 K.C.C. 20.08.037, Ordinance 263, Art. 3 (part), and K.C.C.  
34 20.08.060, Ordinance 263, Article 2, Section 1, as  
35 amended, and K.C.C. 20.12.010, Ordinance 3692, Section  
36 2, as amended, and K.C.C. 20.12.200, Ordinance 13147,  
37 Section 19, as amended, and K.C.C. 20.18.030, Ordinance  
38 13147, Section 20, as amended, and K.C.C. 20.18.040,  
39 Ordinance 3688, Section 813, as amended, and K.C.C.  
40 20.18.056, Ordinance 13147, Section 22, as amended, and  
41 K.C.C. 20.18.060, Ordinance 13147, Section 23, as  
42 amended, and K.C.C. 20.18.070, Ordinance 13147, Section  
43 27, and K.C.C. 20.18.110, Ordinance 13147, Section 30, as

44 amended, and K.C.C. 20.18.140, Ordinance 13147, Section  
45 32, and K.C.C. 20.18.160, Ordinance 14047, Section 9, and  
46 K.C.C. 20.18.170, Ordinance 14047, Section 10, and  
47 K.C.C. 20.18.180, Ordinance 12196, Section 9, as  
48 amended, and K.C.C. 20.20.020, Ordinance 16950, Section  
49 10, as amended, and K.C.C. 20.20.035, Ordinance 12196,  
50 Section 16, as amended, and K.C.C. 20.20.090, Ordinance  
51 12196, Section 17, as amended, and K.C.C. 20.20.100,  
52 Ordinance 12196, Section 19, as amended, and K.C.C.  
53 20.20.120, Ordinance 4461, Section 10, as amended, and  
54 K.C.C. 20.22.150, Ordinance 9544, Section 16, as  
55 amended, and K.C.C. 20.22.180, Ordinance 10511, Section  
56 7, as amended, and K.C.C. 20.36.100, Ordinance 15137,  
57 Section 10, as amended, and K.C.C. 20.36.190, Ordinance  
58 6949, Section 7, as amended, and K.C.C. 20.44.050,  
59 Ordinance 6949, Section 10, as amended, and K.C.C.  
60 20.44.080, Ordinance 4828, Section 2, as amended, and  
61 K.C.C. 20.62.020, Ordinance 4828, Section 4, as amended,  
62 and K.C.C. 20.62.040, Ordinance 10870, Section 17, as  
63 amended, and K.C.C. 21A.02.070, Ordinance 10870,  
64 Section 27, as amended, and K.C.C. 21A.04.060,  
65 Ordinance 10870, Section 28, as amended, and K.C.C.  
66 21A.04.070, Ordinance 10870, Section 29, as amended,

67 and K.C.C. 21A.04.080, Ordinance 10870, Section 30, as  
68 amended, and K.C.C. 21A.04.090, Ordinance 10870,  
69 Section 31, as amended, and K.C.C. 21A.04.100,  
70 Ordinance 10870, Section 32, as amended, and K.C.C.  
71 21A.04.110, Ordinance 10870, Section 33, and K.C.C.  
72 21A.04.120, Ordinance 10870, Section 44, as amended,  
73 and K.C.C. 21A.06.020, Ordinance 10870, Section 48, as  
74 amended, and K.C.C. 21A.06.040, Ordinance 10870,  
75 Section 5, and K.C.C. 21A.06.355, Ordinance 17710,  
76 Section 2, and K.C.C. 21A.06.7341, Ordinance 17710,  
77 Section 3, and K.C.C. 21A.06.7342, Ordinance 17710,  
78 Section 4, as amended, and K.C.C. 21A.06.7344,  
79 Ordinance 17710, Section 5, as amended, and K.C.C.  
80 21A.06.7346, Ordinance 17710, Section 6, as amended,  
81 and K.C.C. 21A.06.7348, Ordinance 10870, Section 84,  
82 and K.C.C. 21A.06.220, Ordinance 12243, Section 4, and  
83 K.C.C. 21A.06.247, Ordinance 15032, Section 4, and  
84 K.C.C. 21A.06.358, Ordinance 15606, Section 5, and  
85 K.C.C. 21A.06.196, Ordinance 10870, Section 92, as  
86 amended, and K.C.C. 21A.06.260, Ordinance 10870,  
87 Section 98, and K.C.C. 21A.06.290, Ordinance 10870,  
88 Section 101, as amended, and K.C.C. 21A.06.305,  
89 Ordinance 15051, Section 31, and K.C.C. 21A.06.333,

90 Ordinance 10870, Section 109, and K.C.C. 21A.06.345,  
91 Ordinance 10870, Section 125, as amended, and K.C.C.  
92 21A.06.425, Ordinance 17191, Section 22, as amended,  
93 and K.C.C. 21A.06.450, Ordinance 10870, Section 144, as  
94 amended, and K.C.C. 21A.06.520, Ordinance 10870,  
95 Section 148, and K.C.C. 21A.06.540, Ordinance 10870,  
96 Section 153, and K.C.C. 21A.06.565, Ordinance 10870,  
97 Section 172, and K.C.C. 21A.06.660, Ordinance 15051,  
98 Section 74, and K.C.C. 21A.06.732, Ordinance 10870,  
99 Section 191, and K.C.C. 21A.06.755, Ordinance 10870,  
100 Section 77, and K.C.C. 21A.06.185, Ordinance 14045,  
101 Section 7, and K.C.C. 21A.06.1013, Ordinance 10870,  
102 Section 252, as amended, and K.C.C. 21A.06.1060,  
103 Ordinance 10870, Section 634 (part), as amended, and  
104 K.C.C. 21A.06.1062, Ordinance 3688, Section 251, as  
105 amended, and K.C.C. 21A.06.1082C, Ordinance 13733,  
106 Section 5, as amended, and K.C.C. 21A.06.1273B,  
107 Ordinance 10870, Section 295, as amended, and K.C.C.  
108 21A.06.1275, Ordinance 10870, Section 114, and K.C.C.  
109 21A.06.370, Ordinance 10870, Section 297, as amended,  
110 and K.C.C. 21A.06.1285, Ordinance 10870, Section 315, as  
111 amended, and K.C.C. 21A.06.1375, Ordinance 10870,  
112 Section 330, as amended, and K.C.C. 21A.08.030,

113 Ordinance 10870, Section 331, as amended, and K.C.C.  
114 21A.08.040, Ordinance 10870, Section 332, as amended,  
115 and K.C.C. 21A.08.050, Ordinance 10870, Section 333, as  
116 amended, and K.C.C. 21A.08.060, Ordinance 10870,  
117 Section 334, as amended, and K.C.C. 21A.08.070,  
118 Ordinance 10870, Section 335, as amended, and K.C.C.  
119 21A.08.080, Ordinance 10870, Section 336, as amended,  
120 and K.C.C. 21A.08.090, Ordinance 10870, Section 337, as  
121 amended, and K.C.C. 21A.08.100, Ordinance 10870,  
122 Section 340, as amended, and K.C.C. 21A.12.030,  
123 Ordinance 10870, Section 341, as amended, and K.C.C.  
124 21A.12.040, Ordinance 10870, Section 344, as amended,  
125 and K.C.C. 21A.12.070, Ordinance 10870, Section 354, as  
126 amended, and K.C.C. 21A.12.170, Ordinance 10870,  
127 Section 355, as amended, and K.C.C. 21A.12.180,  
128 Ordinance 10870, Section 357, as amended, and K.C.C.  
129 21A.12.200, Ordinance 10870, Section 3559, as amended,  
130 and K.C.C. 21A.12.220, Ordinance 15032, Section 18, as  
131 amended, and K.C.C. 21A.14.025, Ordinance 10870,  
132 Section 364, as amended, and K.C.C. 21A.14.040,  
133 Ordinance 10870, Section 365, as amended, and K.C.C.  
134 21A.14.050, Ordinance 10870, Section 367, as amended,  
135 and K.C.C. 21A.14.070, , Ordinance 10870, Section 376, as

136 amended, and K.C.C. 21A.14.160, Ordinance 10870,  
137 Section 378, as amended, and K.C.C. 21A.14.180,  
138 Ordinance 14045, Section 35, and K.C.C. 21A.14.195,  
139 Ordinance 14045, Section 30, and K.C.C. 21A.14.225,  
140 Ordinance 11621, Section 99, as amended, and K.C.C.  
141 21A.14.280, Ordinance 14045, Section 43 and K.C.C.  
142 21A.14.330, Ordinance 10870, Section 387, as amended,  
143 and K.C.C. 21A.16.020, Ordinance 10870, Section 388, as  
144 amended, and K.C.C. 21A.16.030, Ordinance 10870,  
145 Section 390, as amended, and K.C.C. 21A.16.050,  
146 Ordinance 10870, Section 391, as amended, and K.C.C.  
147 21A.16.060, Ordinance 10870, Section 395, as amended,  
148 and K.C.C. 21A.16.100, Ordinance 10870, Section 406, as  
149 amended, and K.C.C. 21A.18.020 Ordinance 10870,  
150 Section 407, as amended, and K.C.C. 21A.18.030,  
151 Ordinance 10870, Section 410, as amended, and K.C.C.  
152 21A.18.050, Ordinance 10870, Section 414, as amended,  
153 and K.C.C. 21A.18.100, Ordinance 10870, Section 415, as  
154 amended, and K.C.C. 21A.18.110, Ordinance 10870,  
155 Section 417, and K.C.C. 21A.18.130, Ordinance 13022,  
156 Section 26, as amended, and K.C.C. 21A.20.190,  
157 Ordinance 10870, Section 444, as amended, and K.C.C.  
158 21A.22.060, Ordinance 3688, Section 303 and K.C.C.

159 21A.25.050, Ordinance 16958, Section 31, as amended,  
160 and K.C.C. 21A.25.100, Ordinance 16985, Section 32, as  
161 amended, and K.C.C. 21A.25.110, Ordinance 16985,  
162 Section 36, as amended, and K.C.C. 21A.25.140,  
163 Ordinance 16985, Section 39, as amended, and K.C.C.  
164 21A.25.160, Ordinance 3688, Section 413, as amended,  
165 and K.C.C. 21A.25.170, Ordinance 16985, Section 47, as  
166 amended, and K.C.C. 21A.25.220, Ordinance 13129,  
167 Section 2, as amended, and K.C.C. 21A.27.010, Ordinance  
168 13129, Section 11, as amended, and K.C.C. 21A.27.110,  
169 Ordinance 10870, Section 512, as amended, and K.C.C.  
170 21A.28.020, Ordinance 10870, Section 513, as amended,  
171 and K.C.C. 21A.28.030, Ordinance 10870, Section 514, as  
172 amended, and K.C.C. 21A.28.040, Ordinance 10870,  
173 Section 515, as amended, and K.C.C. 21A.28.050,  
174 Ordinance 10870, Section 523, as amended, and K.C.C.  
175 21A.28.130, Ordinance 10870, Section 524, as amended,  
176 and K.C.C. 21A.28.140, Ordinance 10870, Section 526, as  
177 amended, and K.C.C. 21A.28.160, Ordinance 10870,  
178 Section 525, as amended, and K.C.C. 21A.28.150,  
179 Ordinance 11621, Section 89, and K.C.C. 21A.28.152,  
180 Ordinance 11621, Section 90, as amended, and K.C.C.  
181 21A.28.154, Ordinance 11621, Section 91, as amended,



182 and K.C.C. 21A.28.156, Ordinance 10870, Section 530, as  
183 amended, and K.C.C. 21A.30.020, Ordinance 11168,  
184 Section 14, as amended, and K.C.C. 21A.30.075,  
185 Ordinance 10870, Section 536, as amended, and K.C.C.  
186 21A.30.080, Ordinance 15606, Section 20, as amended,  
187 and K.C.C. 21A.30.085, Ordinance 10870, Section 537, as  
188 amended, and K.C.C. 21A.30.090, Ordinance 10870,  
189 Section 547, as amended, and K.C.C. 21A.32.100,  
190 Ordinance 10870, Section 548, as amended, and K.C.C.  
191 21A.32.110, Ordinance 10870, Section 549, as amended,  
192 and K.C.C. 21A.32.120, Ordinance 10870, Section 555, as  
193 amended, and K.C.C. 21A.32.180, Ordinance 10870,  
194 Section 559, and K.C.C. 21A.32.220, Ordinance 17710,  
195 Section 14, as amended, and K.C.C. 21A.32.250,  
196 Ordinance 13274, Section 1, as amended, and K.C.C.  
197 21A.37.010, Ordinance 13274, Section 3, as amended, and  
198 K.C.C. 21A.37.020, Ordinance 13274, Section 5, as  
199 amended, and K.C.C. 21A.37.030, Ordinance 13274,  
200 Section 6, as amended, and K.C.C. 21A.37.040, Ordinance  
201 14190, Section 7, as amended, and K.C.C. 21A.37.050,  
202 Ordinance 14190, Section 8, as amended, and K.C.C.  
203 21A.37.060, Ordinance 13274, Section 7, as amended, and  
204 K.C.C. 21A.37.070, Ordinance 13274, Section 8, as

205 amended, and K.C.C. 21A.37.080, Ordinance 13733,  
206 Section 8, as amended, and K.C.C. 21A.37.100, Ordinance  
207 13733, Section 10, as amended, and K.C.C. 21A.37.110,  
208 Ordinance 13733, Section 11, as amended, and K.C.C.  
209 21A.37.120, Ordinance 13733, Section 12, as amended,  
210 and K.C.C. 21A.37.130, Ordinance 13733, Section 13, as  
211 amended, and K.C.C. 21A.37.140, Ordinance 10870,  
212 Section 579, as amended, and K.C.C. 21A.38.030,  
213 Ordinance 10870, Section 578, as amended, and K.C.C.  
214 21A.38.050, Ordinance 11567, Section 1, as amended, and  
215 K.C.C. 21A.38.100, Ordinance 12809, Section 5, as  
216 amended, and K.C.C. 21A.38.120, Ordinance 12823,  
217 Section 10, and K.C.C. 21A.38.150, Ordinance 17485,  
218 Section 43, as amended, and K.C.C. 21A.38.260,  
219 Ordinance 19146, Section 2083, and K.C.C. 21A.38.265,  
220 Ordinance 19555, Section 20, and K.C.C. 21A.38.280,  
221 Ordinance 11621, Section 112, as amended, and K.C.C.  
222 21A.43.030, Ordinance 11621, Section 114, as amended,  
223 and K.C.C. 21A.43.050, Ordinance 11621, Section 116, as  
224 amended, and K.C.C. 21A.43.070, Ordinance 11621,  
225 Section 117, and K.C.C. 21A.43.080, Ordinance 19555,  
226 Section 22, and K.C.C. 21A.48.010, Ordinance 19555,  
227 Section 24, and K.C.C. 21A.48.030, Ordinance 19555,

228 Section 25, and IK.C.C. 21A.48.040, Ordinance 19555,  
229 Section 26, and K.C.C. 21A.48.050, Ordinance 19555,  
230 Section 27, and K.C.C. 21A.48.060, Ordinance 19555,  
231 Section 28, and K.C.C. 21A.48.070, Ordinance 19555,  
232 Section 29, and K.C.C. 21A.48.080, Ordinance 16650,  
233 Section 1, as amended, and K.C.C. 21A.55.101, Ordinance  
234 19119, Section 2, and K.C.C. 21A.55.125, Ordinance  
235 19687, Section 10, and K.C.C. 21A.60.020, Ordinance  
236 19687, Section 13, and K.C.C. 21A.60.050, Ordinance  
237 19687, Section 18, and K.C.C. 21A.60.100, Ordinance  
238 3269, Section 2, and K.C.C. 24.08.010, Ordinance 13332,  
239 Section 34, as amended, and K.C.C. 27.10.190, and  
240 Ordinance 13332, Section 35, as amended, and K.C.C.  
241 27.10.200, adding a new section to K.C.C. chapter 13.28,  
242 adding a new section to K.C.C. chapter 14.01, adding a  
243 new section to K.C.C. chapter 20.12, adding new sections to  
244 K.C.C. chapter 20.18, adding new sections to K.C.C.  
245 chapter 21A.06, adding a new section to K.C.C. chapter  
246 21A.08, adding a new section to K.C.C. chapter 21A.14,  
247 adding a new section to K.C.C. chapter 21A.25, adding  
248 new sections to K.C.C. chapter 21A.28, adding a new  
249 section to K.C.C. chapter 21A.32, adding new sections to  
250 K.C.C. chapter 21A.37, adding new sections to K.C.C.

251 chapter 21A.38, adding a new section to K.C.C. chapter  
252 21A.48, adding a new section to K.C.C. chapter 24.08,  
253 adding a new chapter to K.C.C. Title 2, adding a new  
254 chapter to K.C.C. Title 18, adding a new chapter to K.C.C.  
255 Title 24, recodifying K.C.C 28.30.010, K.C.C. 8.30.020,  
256 K.C.C. 28.30.030, K.C.C. 21A.06.355, K.C.C.  
257 21A.06.7341, K.C.C. 21A.36.7342, K.C.C. 21A.06.7344,  
258 K.C.C. 21A.06.7346, K.C.C. 21A.06.7348, K.C.C.  
259 21A.06.358, K.C.C. 21A.06.185, K.C.C. 21A.06.370,  
260 K.C.C. 21A.28.160, and K.C.C. 21A.28.150, repealing  
261 Ordinance 14050, Section 17, and K.C.C. 14.70.300,  
262 Ordinance 9614, Section 103, as amended, and K.C.C.  
263 16.82.150, Ordinance 16267, Section 6, and K.C.C.  
264 16.82.151, Ordinance 15053, Section 15, as amended, and  
265 K.C.C. 16.82.152, Ordinance 15053, Section 16, and  
266 K.C.C. 16.82.154, Ordinance 18810, Section 6, and K.C.C.  
267 20.08.175, Ordinance 1096, Sections 1 and 2, as amended,  
268 and K.C.C. 20.12.090, Ordinance 8279, Section 1, as  
269 amended, and K.C.C. 20.12.150, Ordinance 18623, Section  
270 8, and K.C.C. 20.12.329, Ordinance 11620, Section 18, and  
271 K.C.C. 20.12.433, Ordinance 11620, Section 19, and  
272 K.C.C. 20.12.435, Ordinance 8380, Section 1, and K.C.C.  
273 20.14.010, Ordinance 8380, Appendix A, Ordinance 8380,

274 Appendix B, Ordinance 10238, Section 1, as amended, and  
275 K.C.C. 20.14.020, Ordinance 10293, Attachment A, as  
276 amended, Ordinance 10293, Sections 1, 2, 6, 7, and 9, as  
277 amended, and K.C.C. 20.14.025, Ordinance 10293,  
278 Attachment A, as amended, Ordinance 10513, Section 1, as  
279 amended, and K.C.C. 20.14.030, Ordinance 10513,  
280 Attachment A, as amended, Ordinance 11087, Section 1, as  
281 amended, and K.C.C. 20.14.040, Ordinance 11087,  
282 Attachment A, as amended, Ordinance 11111, Section 1, as  
283 amended, and K.C.C. 20.14.050, Ordinance 11111,  
284 Attachment A, as amended, Ordinance 11886, Sections 1  
285 and 4, as amended, and K.C.C. 20.14.060, Ordinance  
286 11886, Attachment A, as amended, Ordinance 12809,  
287 Section 1, as amended, and K.C.C. 20.14.070, Ordinance  
288 12809, Attachment A, as amended, Ordinance 14091,  
289 Section 1, and K.C.C. 20.14.080, Ordinance 14091,  
290 Attachment A, Ordinance 13147, Section 28, as amended,  
291 and K.C.C. 20.18.120, Ordinance 8998, Section 6, and  
292 K.C.C. 20.44.145, Ordinance 17191, Section 20, and  
293 K.C.C. 21A.06.318, Ordinance 10870, Section 106 and  
294 K.C.C. 21A.06.330, Ordinance 12171, Section 3, and  
295 K.C.C. 21A.06.533, Ordinance 10870, Section 196, and  
296 K.C.C. 21A.06.780, Ordinance 10870, Section 239, and

297 K.C.C. 21A.06.995, Ordinance 10870, Section 255, and  
298 K.C.C. 21A.06.1075, Ordinance 10870, Section 301, and  
299 K.C.C. 21A.06.1305, Ordinance 10870, Section 308, and  
300 K.C.C. 21A.06.1340, Ordinance 10870, Section 360, as  
301 amended, and K.C.C. 21A.12.230, Ordinance 16267,  
302 Section 30, as amended, and K.C.C. 21A.12.250,  
303 Ordinance 10870, Section 368, as amended, and K.C.C.  
304 21A.14.080, Ordinance 10870, Section 369, as amended,  
305 and K.C.C. 21A.14.090, Ordinance 10870, Section 379, as  
306 amended, and K.C.C. 21A.14.190, Ordinance 10870,  
307 Section 410, as amended, and K.C.C. 21A.18.060,  
308 Ordinance 10870, Section 550, and K.C.C. 21A.32.130,  
309 Ordinance 10870, Section 140, and K.C.C. 21A.32.140,  
310 Ordinance 10870, Section 560, and K.C.C. 21A.34.010,  
311 Ordinance 10870, Section 561, as amended, and K.C.C.  
312 21A.34.020, Ordinance 10870, Section 562, as amended,  
313 and K.C.C. 21A.34.030, Ordinance 10870, Section 563, as  
314 amended, and K.C.C. 21A.34.040, Ordinance 10870,  
315 Section 564, as amended, and K.C.C. 21A.34.050,  
316 Ordinance 10870, Section 565, as amended, and K.C.C.  
317 21A.34.060, Ordinance 10870, Section 566, and K.C.C.  
318 21A.34.070, Ordinance 10870, Section 567, and K.C.C.  
319 21A.34.080, Ordinance 16267, Section 68, as amended,

320 and K.C.C. 21A.37.055, Ordinance 10870, Section 581, as  
321 amended, and K.C.C. 21A.38.080, Ordinance 12823,  
322 Section 13, and K.C.C. 21A.38.180, Ordinance 18623,  
323 Section 9, and K.C.C. 21A.38.270, Ordinance 10870,  
324 Section 582, and K.C.C. 21A.39.010, Ordinance 10870,  
325 Section 583, as amended, and K.C.C. 21A.39.020,  
326 Ordinance 10870, Section 584, as amended, and K.C.C.  
327 21A.39.030, Ordinance 10870, Section 585, and K.C.C.  
328 21A.39.040, Ordinance 10870, Section 586, as amended,  
329 and K.C.C. 21A.39.050, Ordinance 10870, Section 587,  
330 and K.C.C. 21A.39.060, Ordinance 10870, Section 588,  
331 and K.C.C. 21A.39.070, Ordinance 10870, Section 589,  
332 and K.C.C. 21A.39.080, Ordinance 10870, Section 590,  
333 and K.C.C. 21A.39.090, Ordinance 10870, Section 591,  
334 and K.C.C. 21A.39.100, Ordinance 10870, Section 592,  
335 and K.C.C. 21A.39.110, Ordinance 10870, Section 593,  
336 and K.C.C. 21A.39.120, Ordinance 10870, Section 594,  
337 and K.C.C. 21A.39.130, Ordinance 12171, Section 8, and  
338 K.C.C. 21A.39.200, Ordinance 10870, Section 628, and  
339 K.C.C. 21A.44.070, Ordinance 12171, Section 9, and  
340 K.C.C. 21A.44.080, Ordinance 19555, Section 23, K.C.C.  
341 21A.48.020, Ordinance 13275, Section 1, as amended, and  
342 K.C.C. 21A.55.050, Ordinance 14662, Section 1, as

343 amended, and K.C.C. 21A.55.060, Ordinance 17877,  
344 Section 1, Ordinance 17877, Section 2, Ordinance 17877,  
345 Section 3, Ordinance 17878, Section 1, Ordinance 17878,  
346 Section 2, and Ordinance 17878, Section 3, Ordinance  
347 17950, Section 5, Ordinance 15170, Section 16, as  
348 amended, Ordinance 15170, Section 17, as amended,  
349 Ordinance 15170, Section 18, and K.C.C. 21A.32.145,  
350 Attachment A to Ordinance 13875, as amended, and  
351 Ordinance 16650, Attachment B, and establishing an  
352 effective date.

353 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

354 SECTION 1. Findings:

355 A. The last statutorily required comprehensive plan review and update mandated  
356 by the Washington state Growth Management Act ("the GMA") in RCW 36.70A.130 was  
357 met with the 2012 King County Comprehensive Plan in Ordinance 17485.

358 B. The Comprehensive Plan has been amended since 2012, including with  
359 adoption of the 2016 King County Comprehensive Plan, as amended.

360 C. The GMA requires King County to take action not later than December 31,  
361 2024, to review and, if needed, revise its comprehensive plan and development  
362 regulations to ensure the plan and regulations comply with the requirements of the GMA.  
363 This ordinance adopts the 2024 King County Comprehensive Plan ("2024 update"),  
364 which is compliant with the GMA and completes this statutorily required review and  
365 update.



366 D. The GMA and King County Code requires that King County adopt  
367 development regulations that are consistent with and implement the Comprehensive Plan.  
368 The changes to development regulations in this ordinance are needed to maintain  
369 conformity with the Comprehensive Plan. They bear a substantial relationship to and are  
370 necessary for the public health, safety, and general welfare of King County and its  
371 residents.

372 E. The changes to zoning contained in this ordinance are needed to maintain  
373 conformity with the Comprehensive Plan, as required by the GMA. As such, they bear a  
374 substantial relationship to, and are necessary for, the public health, safety, and general  
375 welfare of King County and its residents.

376 F. The Shoreline Management Act of 1971, chapter 90.58 RCW, requires King  
377 County to develop and administer a shoreline master program. Ordinance 16985 and  
378 Ordinance 17485 adopted a comprehensive update of King County's shoreline master  
379 program as required by RCW 90.58.080(2). Ordinance 19034 adopted a periodic review  
380 of King County's shoreline master program as required by RCW 90.58.080(4).

381 G. The changes included in this ordinance for the shoreline master program  
382 constitute a locally initiated amendment allowed under WAC 173-26-090. Changes  
383 include updates to shoreline policies and development regulations. Those changes are  
384 required to be approved by the Washington state Department of Ecology before they  
385 become effective.

386 H. The 2024 update was developed using early and continuous public  
387 engagement, as required by the GMA and consistent with the scope of work for the  
388 update, approved in 2022 via Motion 16142.

389 I. Ordinance 19384 directed the King County Growth Management Planning  
390 Council ("the GMPC") to review the Four-to-One program in the Countywide Planning  
391 Policies ("the CPPs"), Comprehensive Plan, and King County Code. The Four-to-One  
392 program, Comprehensive Plan, and King County Code amendments adopted in the 2024  
393 update are substantially consistent with the GMPC recommendations for the program and  
394 the related changes in the CPPs.

395 J. Motion 16287 directed the executive to complete a code study related to  
396 expanded multiunit housing types in low- and medium-density urban residential zones,  
397 also known as "middle housing." As required by the motion, a draft of the code study  
398 was issued in June 2023 as part of the Public Review Draft of the 2024 update, and a  
399 final report and associated recommended King County Code changes were included in  
400 the transmittal of the 2024 update.

401 K. The 2016 King County Comprehensive Plan launched a subarea planning  
402 program. Subarea plans are being created for the six rural Community Service Areas  
403 ("CSAs") and for the five large urban unincorporated potential annexation areas. The  
404 subarea planning program recognizes the county's role as a local service provider in the  
405 unincorporated area, including for localized long-range planning. Many areas of  
406 unincorporated King County have not had subarea planning since the 1990s or earlier.  
407 The subarea planning program provides improved coordination, accountability, and  
408 service delivery in the area of long-range planning for unincorporated areas of King  
409 County.

410 L. This ordinance adopts the Snoqualmie Valley/Northeast King County Subarea  
411 Plan as an element of the 2024 King County Comprehensive Plan, as well as related map  
412 amendments and modifications to property specific zoning conditions.

413 M. Ordinance 19613 adopted a moratorium prohibiting subdivisions of  
414 residentially zoned land in the Rural Town of Fall City and directed the executive to  
415 produce a work plan to address the issues and circumstances necessitating the  
416 moratorium. As required by the moratorium, the report and associated recommended  
417 King County Code and zoning changes were included in the transmittal of the  
418 Snoqualmie Valley/Northeast King County Subarea Plan.

419 N. Vashon-Maury Island Subarea Plan Workplan Action 1 adopted in Ordinance  
420 18623, as amended, directs the executive to comprehensively review and update the  
421 property specific development conditions, which are also known as P-Suffixes, and  
422 special district overlays, which are also known as SDOs, on Vashon-Maury Island.  
423 Workplan Action 1 required a report and a proposed ordinance to implement the  
424 recommendations in the report be transmitted to the Council for consideration by June 30,  
425 2022. Due to the COVID-19 pandemic, the timeline for completing the final evaluation  
426 was delayed beyond the required date. In 2022, the scope of work for the 2024 update  
427 directed inclusion of the report and King County Code changes as part of the 2024  
428 update. As required by the subarea plan and scope of work, the report and associated  
429 recommended King County Code changes were included in the transmittal of the 2024  
430 update.

431 O. Ordinance 18623 adopted the Vashon Rural Town Affordable Housing  
432 Special District Overlay ("the Vashon affordable housing overlay") and directed the

433 executive to complete a series of written evaluations assessing the efficacy of the scope  
434 and standards of the Vashon affordable housing overlay. As required by Ordinance  
435 18623, preliminary evaluations were issued in 2018, 2019, and 2020. A draft of the  
436 fourth and final required evaluation of the Vashon affordable housing overlay was  
437 required to be completed within ninety days of the occurrence of one the following,  
438 whichever comes first: issuance of the first permit necessary for construction that would  
439 result in a cumulative total of one hundred twenty affordable housing units within the  
440 overlay; or four years after the effective date of Ordinance 18623. No permits have been  
441 issued up to now utilizing the Vashon affordable housing overlay. Due to the COVID-19  
442 pandemic, the timeline for completing the draft final evaluation was delayed beyond four  
443 years and ninety days of the effective date of Ordinance 18623, which would have been  
444 March 24, 2022. In 2022, the scope of work for the 2024 update directed inclusion of a  
445 report on the fourth and final evaluation and any recommended implementing zoning and  
446 King County Code changes as part of the 2024 update. As required by Ordinance 18623  
447 and the scope of work, the report and implementing zoning and King County Code  
448 changes were included in the transmittal of the 2024 update.

449 P. The 2016 King County Comprehensive Plan, as amended, included Work Plan  
450 Action 17, which directed the executive to update the residential density incentive  
451 program in K.C.C. chapter 21A.34 in the 2024 update, as recommended by the related  
452 code study included in the transmittal of the 2020 update to the 2016 King County  
453 Comprehensive Plan. As required by Work Plan Action 17, this ordinance adopts  
454 updates to the residential density incentive program regulations, which repeals the

455 program and replaces it with updated regulations in the voluntary inclusionary housing  
456 program in K.C.C. chapter 21A.48.

457 Q. As part of the 2024 Comprehensive Plan update, the land use designation and  
458 zoning classifications were reviewed on parcel 1522049162 and the surrounding area in  
459 urban unincorporated King County near Kent. The site is the location of a pet cemetery,  
460 which was designated as a historic landmark in 2022. The current Industrial land use  
461 designation and zoning classification on the parcel does not allow the cemetery uses on  
462 the site as permitted or conditional uses. Urban residential zoning, and a corresponding  
463 land use designation, would allow the cemetery uses on the site to become legal  
464 conforming uses. The zoning of other cemeteries in unincorporated urban King County  
465 was also analyzed, based on a survey of cemeteries completed by the King County  
466 historic preservation program. The survey identified two cemeteries in the Potential  
467 Annexation Areas for Carnation and Duvall; however, because those are Cities in the  
468 Rural Area, they have different zoning considerations not applicable to this site within the  
469 contiguous Urban Growth Area. The survey identified one other currently operating  
470 urban unincorporated cemetery, which is also near Kent and has a R-1 zone  
471 classification; this was found to be a good model for the zoning of the pet cemetery site.  
472 A R-1 zone classification also best supports the historic designation by not imposing  
473 zoning that would allow for and incentivize more-intensive uses or densities on the site;  
474 the R-1 zone is the least-intensive zone classification allowed in the continuous Urban  
475 Growth Area. This zoning is supported by Comprehensive Plan policies P-221 and P-  
476 222.

- 477           R. The King County Comprehensive Plan and King County strategic climate  
478 action plan call on the county to act with urgency in addressing the climate crisis.  
479 Increasing the generation of renewable energy and reducing greenhouse gas emissions  
480 associated with waste are both critical to this effort. Specifically, the Comprehensive  
481 Plan calls on King County to:
- 482           1. Reduce greenhouse gas emissions from its operations and actions to meet  
483 ambitious emissions reduction targets (E-202, E-203);
  - 484           2. Achieve carbon neutrality within its solid waste division (E-205);
  - 485           3. Encourage the use of renewable energy and support its expansion through  
486 development regulations and incentive programs (E-209);
  - 487           4. Make properties it owns available for renewable energy production (F-304);
  - 488           5. Maximize the capture, use, and marketing of renewable energy at the Cedar  
489 Hills landfill (F-505);
  - 490           6. Provide leadership in, and foster the development and increased use of, clean,  
491 renewable, and alternative fuel and energy technologies, such as anaerobic digestion and  
492 co-digestion of organic material, with a particular emphasis on creating renewable natural  
493 gas (F-506);
  - 494           7. Work with industry partners to reduce energy and fossil fuel use and  
495 greenhouse gas emissions while promoting green jobs, products, and services (E-241);
  - 496           8. Encourage development of markets for reusable and recyclable materials (F-  
497 441);
  - 498           9. Allow for renewable energy technologies in the rural area (R-329);

499           10. Allow for infrastructure in the rural area that requires a rural location or that  
500 provides or supports infrastructure for nearby residents (R-321);

501           11. Allow for siting of green energy and distributed energy resources, while  
502 considering appropriate use of land and associate impacts, including protection of  
503 designated Natural Resource Lands and open spaces (F-515); and

504           12. Make land use decisions that consider the impacts of renewable energy  
505 siting with open space, agriculture, and housing needs (F-508).

506           S. The creation of a green energy overlay contributes to all of these goals by  
507 reducing permitting barriers to generating renewable energy and reducing greenhouse gas  
508 emissions from waste. The green energy overlay is appropriate for this chosen area  
509 because it is:

510           1. Sited on parcels with a long history of waste management and mineral  
511 extraction uses, making them unsuitable for housing, agriculture, or public open space;

512           2. Within one thousand feet of utility corridors, making it uniquely sited to  
513 provide energy to surrounding residents and the region while reducing transportation  
514 costs and emissions; and

515           3. Adjacent to the Cedar Hills Landfill, a prime source of emissions that can be  
516 captured and put to beneficial use as renewable natural gas.

517           SECTION 2.

518           A. Attachments A through J to this ordinance are adopted as the 2024 King  
519 County Comprehensive Plan.

520           B. The elements of the 2024 King County Comprehensive Plan in Attachment A  
521 to this ordinance are hereby amended to read as set forth in this ordinance and are  
522 incorporated herein by this reference.

523           C. The elements of the King County Shoreline Master Program in sections 47,  
524 186, 187, 188, 189, 190, 191, 192, and 193 of this ordinance and in King County  
525 Comprehensive Plan chapter six of Attachment A to this ordinance are hereby amended  
526 to read as set forth in this ordinance and are incorporated herein by this reference.

527           D. Attachment H to this ordinance is adopted as amendments to the Vashon-  
528 Maury Island Community Service Area Subarea Plan, as adopted in Ordinance 18623 and  
529 its attachments and as amended by Ordinances 18810 and 19146.

530           E. The Snoqualmie Valley/Northeast King County Subarea Plan in Attachment J  
531 to this ordinance is hereby adopted as an element of the 2024 King County  
532 Comprehensive Plan.

533           F. The land use and zoning amendments in sections 238 through 249 of this  
534 ordinance, sections 262 through 263 of this ordinance, section 279 of this ordinance, and  
535 Attachment I to this ordinance are hereby adopted as amendments to Appendix A to  
536 Ordinance 12824, as amended, and as the official land use and zoning controls for those  
537 portions of unincorporated King County defined in those sections of this ordinance and  
538 attachments to this ordinance.

539           G. The King County department of local services, permitting division, shall  
540 update the geographic information system data layers accordingly to reflect adoption of  
541 this ordinance.



542 H. "Appendix D Growth Targets and the Urban Growth Area" in Technical  
543 Appendices Volume 2 to the 1994 King County Comprehensive Plan is hereby readopted  
544 as "Appendix D 1994 Growth Targets and the Urban Growth Area."

545 I. "Appendix H Natural Resources" in Technical Appendices Volume 2 to the  
546 1994 King County Comprehensive Plan is hereby readopted as "Appendix E 1994  
547 Natural Resource Lands."

548 J. "Technical Appendix Q (King County School Siting Task Force report dated  
549 March 31, 2012)" in Attachment J to Ordinance 17485 is hereby readopted as "Appendix  
550 F (King County School Siting Task Force report dated March 31, 2012)."

551 SECTION 3. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are  
552 hereby amended to read as follows:

553 A. The department of local services is responsible for managing and being  
554 fiscally accountable for the permitting division and the road services division. The  
555 department shall also administer the county roads function as authorized in applicable  
556 sections of Titles 36 and 47 RCW and other laws, regulations, and ordinances as may  
557 apply. Consistent with Motion 15125, the department shall:

558 1. Work in partnership with each county council district to focus on  
559 coordinating, enhancing and improving municipal services provided to the county's  
560 unincorporated areas. To effectuate this partnership, the executive shall routinely and  
561 proactively meet and collaborate with councilmembers representing the unincorporated  
562 area about potential organizational, operational, and other changes to county programs or  
563 services that will affect unincorporated area residents;

564           2. Be available to brief the council's standing and regional committees on issues  
565 related to unincorporated area local services;

566           3. Develop and implement programs and strategies that emphasize:

567           a. improving the coordination of local services by county agencies through  
568 increased collaboration;

569           b. strengthening partnerships between the county, communities, and other  
570 entities;

571           c. improving the delivery, responsiveness, and quality of local services to the  
572 people, businesses, and communities of unincorporated King County through unified  
573 accountability;

574           d. improving local services through robust employee engagement while  
575 embracing equity and racial and social justice and continuous improvement;

576           e. strengthening unincorporated communities by supporting local planning and  
577 community initiatives; and

578           f. pursuing innovative funding strategies.

579           B.1. The department shall also manage the development and implementation of  
580 ~~((community service area))~~ subarea plans for the six rural community service area and  
581 five urban unincorporated potential annexation area geographies in coordination with the  
582 regional planning function in K.C.C. 2.16.025 and in accordance with the King County  
583 Comprehensive Plan and ~~((state))~~ Growth Management Act.

584           2. Each subarea plan shall be developed consistent with the King County  
585 Comprehensive Plan and shall:

586           a. be based on a scope of work established with the community;

587           b. establish a long-range vision, guiding principles, and policies to implement  
588 that vision. Policies in the subarea plan shall be consistent with and not redundant to  
589 policy direction in the Comprehensive Plan;

590           c. establish performance metrics and monitoring for implementation of the  
591 subarea plan. The performance metrics and monitoring shall be:

592                 (1)(a) for subarea geographies that have a subarea plan adopted as of  
593 December 2022, reviewed and jointly reported on by December 30, 2024, and every two  
594 years thereafter; and

595                 (b) for subarea geographies that do not have a subarea plan adopted as of  
596 December 2022, reviewed and reported on the timelines established in subsection  
597 B.2.c.(1)(a) of this section beginning no sooner than two years after adoption; and

598                 (2) informed and monitored by the community and the council;

599           d. use the tools and resources developed by the office of equity and racial and  
600 social justice to develop the scope of work and to develop, review, amend, adopt, and  
601 implement the subarea plan, including, but not limited to, community engagement,  
602 language access, and equity impact review tools. The county shall use, at minimum, the  
603 (~~"County engages in dialogue" and~~) "County and community work together" levels of  
604 engagement as outlined in the office of equity and racial and social justice's Community  
605 Engagement Guide for the scoping, development, review, amendment, adoption, and  
606 implementation of the subarea plan. The county shall include as an appendix to the  
607 subarea plan information detailing the community engagement completed during the  
608 development of the subarea plan and how the community engagement meets the  
609 requirements of this subsection B.2.d.;

610 e. incorporate the findings of an equity impact analysis and proposals to  
611 address equity impacts. During the development of the subarea plan, the public review  
612 draft shall include preliminary findings of any equity impacts that will be further refined  
613 and submitted as part of the subarea plan proposal;

614 f. include a review of policies specific to the subarea in the Comprehensive  
615 Plan and previously adopted subarea (~~(or community)~~) plans, and, where appropriate,  
616 transfer policies from those plans to the subarea plan; and

617 g. review the land use designations and zoning classifications in the subarea  
618 geography, including all special district overlays and property-specific development  
619 conditions, and transmit map amendments necessary to implement land use and zoning  
620 updates and the vision and policies within the subarea plan(~~(; and~~

621 ~~h. incorporate by reference the community needs list and associated~~  
622 ~~performance metrics as required in subsection C. of this section)).~~

623 3. Before transmittal of the subarea plan to the council, the executive shall  
624 coordinate and collaborate with the councilmember office or councilmember offices who  
625 represent the subarea geography on development of the subarea plan.

626 4. Each subarea plan shall be transmitted to the council for possible adoption as  
627 established in the schedule in the Comprehensive Plan and K.C.C. Title 20.

628 C.1. The department shall also manage the development and implementation of  
629 the list of services, programs, facilities, and capital improvements that are identified by  
630 the community, known as a community needs list, for each of the subarea geographies in  
631 subsection B. of this section. The community needs list shall be the responsibility of the  
632 executive to implement. The department of local services, in coordination with the

633 community, shall be responsible for monitoring the implementation of the community  
634 needs list.

635 2. Each community needs list shall:

636 a. be consistent with and implement the subarea plan described in subsection  
637 B. of this section and other county plans;

638 b. include potential services, programs, facilities, and capital improvements  
639 that respond to community-identified needs, including, but not limited to, those that build  
640 on the community's strengths and assets;

641 c. be developed, reviewed, prioritized, amended, adopted, and implemented  
642 using tools and resources developed by the office of equity and racial and social justice,  
643 including, but not limited to, community engagement, language access, and equity impact  
644 review tools. The county shall use, at minimum, the (~~"County engages in dialogue"~~  
645 ~~and~~) "County and community work together" level(~~(s)~~) of engagement as outlined in the  
646 office of equity and racial and social justice's Community Engagement Guide for the  
647 development, review, amendment, adoption, and implementation of the community needs  
648 list. The county shall include as an appendix to the community needs list information  
649 detailing the community engagement completed during the development of the  
650 community needs list and how the community engagement meets the requirements of this  
651 subsection C.2.c.

652 3. The community needs list shall be established as follows:

653 a. An initial catalog shall be compiled that identifies all requests from the  
654 community for potential services, programs, and improvements; and

655           b. The community service area program shall review the initial catalog and  
656 refine this document into a community needs list based on:

657           (1) review by the department whether and to what extent the request meets or  
658 strengthens the community vision, guiding principles, and policies established in the  
659 adopted subarea plan and other county plans;

660           (2) review by county agencies regarding consistency with other county plans,  
661 feasibility, budget constraints, timing, resources needs, and other barriers to  
662 implementation; and

663           (3) review by the community through ongoing community engagement to  
664 identify, discuss, and prioritize community needs;

665           c. For each item that is included in the community needs list, the following  
666 shall be included:

667           (1) the executive, in consultation with the community and the councilmember  
668 office or offices that represent the subarea geography, shall propose a prioritization of  
669 low, medium, or high priority;

670           (2) which county agencies are responsible for implementation; and

671           (3) an anticipated timeline for completion that reflects that future resources  
672 and budget appropriations may change the timeline. The county shall encourage  
673 creativity and flexibility in identifying potential partnerships with and opportunities for  
674 others, such as community-based organizations, to meet these needs;

675           d. For each request from the initial catalog that is not advanced to the  
676 community needs list, the executive shall state why the request was not advanced. The  
677 county shall clearly communicate why the request was not advanced to the community.

678 For items that cannot be accomplished by the county because they are outside of the  
679 scope of county operations, the county shall provide information on how noncounty  
680 entities may be able to accomplish the item, including consideration of potential  
681 partnerships with noncounty entities; and

682 e. The community needs list shall establish performance metrics to monitor the  
683 implementation of the community needs list and the overarching progress towards  
684 reaching the twenty-year vision established in the policies of the subarea plan. The  
685 performance metrics shall be:

686 (1) reviewed and reported on annually (~~for the community needs list and~~  
687 ~~biennially for the subarea plan~~); and

688 (2) informed and monitored by the community and the council.

689 4. Before transmittal of a new or updated community needs list to the council,  
690 the executive shall coordinate and collaborate with the councilmember office or  
691 councilmember offices who represent the subarea geography.

692 5. A community needs list shall be transmitted to the council for possible  
693 adoption (~~via~~) by ordinance as follows:

694 a. for subarea plans scheduled to be adopted in years where there is only a  
695 midbiennium review of the budget under K.C.C. 4A.100.010, concurrent with the  
696 transmittal of the applicable subarea plan as required in subsection B. of this section;

697 b. for subarea plans scheduled to be adopted the same year as the biennial  
698 budget adoption, concurrent with the executive's biennial budget transmittal(~~;~~

699           ~~(1) for those subarea geographies that have a subarea plan adopted during or~~  
700 ~~before June 2022, the initial catalog portion of the community needs list shall be~~  
701 ~~transmitted to the council as part of the 2021-2022 biennial budget; and~~

702           ~~(2) for those subarea geographies that do not have a subarea plan adopted~~  
703 ~~during or before June 2022, the community needs list shall be transmitted to the council~~  
704 ~~as part of the 2023-2024 biennial budget)); and~~

705           c. when identified by either the community service area work programs and  
706 associated community engagement outlined in subsection D. of this section or the  
707 services partnership agreements outlined in subsection ~~((E.))~~ F. of this section, or both.

708           6. The community needs lists shall be used to develop proposals for the  
709 executive's proposed ~~((biennial))~~ budget, including services, programs, infrastructure, and  
710 facilities that implement the list. As part of the executive's ~~((biennial))~~ budget  
711 transmittal, the executive shall include a description of how the proposed ~~((biennial))~~  
712 budget implements the list~~((, and for the 2021-2022 budget, how the executive's biennial~~  
713 ~~budget implements the initial catalog described in subsection C.5.b.(1) of this section))~~.

714           D.1. The department shall also manage the community service area framework  
715 adopted by Ordinance 17139, which shall be called the community service area program.  
716 The community service area program shall develop and implement programs and services  
717 to help all residents of unincorporated King County be more knowledgeable of, better  
718 served by, and heard by King County departments and agencies. The community service  
719 area program shall work with all county departments and agencies whose services,  
720 programs, and projects are of interest to unincorporated area residents, to promote  
721 successful public engagement.



- 722           2. A work program shall be, beginning in 2025, developed for each subarea  
723 geography described in subsection B. of this section and shall:
- 724           a. be consistent with and implement the applicable subarea plan as described in  
725 subsection B. of this section, the community needs list in subsection C. of this section,  
726 and other county plans;
- 727           b. address the required elements in Ordinance 17139;
- 728           c. list potential action items for the area;
- 729           d. list known planning activities for the area;
- 730           e. identify public meetings for the area;
- 731           f. include the current adopted community needs list as required in subsection  
732 C. of this section; and
- 733           g. establish an ongoing communications and community engagement plan  
734 using tools and resources developed by the office of equity and racial and social justice,  
735 including, but not limited to, community engagement, language access, and equity impact  
736 review tools. The county shall use, at minimum, the (~~"County engages in dialogue"~~  
737 ~~and~~) "County and community work together" level(~~(s)~~) of engagement as outlined in the  
738 office of equity and racial and social justice's Community Engagement Guide for the  
739 development, review, amendment, adoption, and implementation of the community needs  
740 list; and
- 741           h. establish performance metrics to monitor the implementation of the work  
742 program.
- 743           3. The community service area program shall provide regular updates to the  
744 councilmember or councilmembers who represent the subarea geography on the progress

745 of the work program throughout the year and shall publish regular reports on the work  
746 program to its website((;)) at least once per quarter.

747 4. The work program shall be updated on an annual basis.

748 E. The department of local services shall monitor and report on performance  
749 metrics for subarea plans described in subsection B. of this section, for community needs  
750 lists described in subsection C. of this section, and for the work program described in this  
751 subsection D. of this section.

752 1. The timing for reporting on performance metrics and monitoring shall be:

753 a. for transmitting a report to the council:

754 (1) for subarea geographies that have a subarea plan adopted as of December  
755 2022, reviewed and jointly reported on by December 30, 2024, and every two years  
756 thereafter; and

757 (2) for subarea geographies that do not have a subarea plan adopted as of  
758 December 2022, reviewed and reported on the timelines established in subsection  
759 B.2.c.(1)(a) of this section beginning no sooner than two years after adoption; and

760 b. for reporting outside of the timeframe in subsection E.1.a. of this section,  
761 reporting is required every year by the last business day of December, by posting the  
762 performance metrics and monitoring information on the department's website.

763 2. Performance monitoring shall be informed and monitored by the community  
764 and the council.

765 ~~((E-))~~E.1. The department shall also establish service partnership agreements with  
766 each executive branch agency that provides programs, services, or facilities in the  
767 unincorporated area, including those agencies that provide regional services to

768 unincorporated area residents and businesses. The service partnership agreements shall  
769 inform budget development for programs, services, or facilities in the unincorporated  
770 area.

771 2. Service partnerships agreements shall:

772 a. be consistent with and implement the subarea plans in subsection B. of this  
773 section, the community needs lists in subsection C. of this section, the community service  
774 area work programs in subsection D. of this section, and other county plans;

775 b. use tools and resources developed by the office of equity and racial and  
776 social justice by the partner agency to deliver the programs, services, and facilities  
777 described in the service partnership agreements((§)).

778 3. Each service partnership agreement shall include, at a minimum:

779 a. roles and responsibilities for the department of local services and the partner  
780 agency;

781 b. a general description of the programs, services, or facilities provided by the  
782 partner agency for unincorporated area residents and businesses and, where applicable, in  
783 the subarea geographies;

784 c. goals for the partner agency to achieve the emphasis on local service  
785 delivery described in Motion 15125 and this section, including:

786 (1) the desired outcomes for provision of each program, service, or facility;

787 and

788 (2) service level goals for each program, service, or facility;

789 d. performance metrics to monitor progress of implementing the outcomes and  
790 service level goals for each program, service, or facility;

791 e. use of the community service area work programs in local service delivery  
792 by the partner agency; and

793 f. the current adopted community needs lists and associated performance  
794 metrics for monitoring and reporting on the progress the county agencies have made on  
795 items on the lists that they are responsible for.

796 4. ~~((A schedule for completing the service partnership agreements with county  
797 agencies shall be established as part of the executive's proposed 2021-2022 biennial  
798 budget and is subject to council approval by motion. The schedule is expected to show  
799 service partnership agreements with all required agencies in effect no later than  
800 transmittal of the executive's proposed 2023-2024 biennial budget.~~

801 5.) The service partnership agreements, after they are established, shall be  
802 updated concurrent with the development of the annual or biennial budget and shall be  
803 transmitted to the council as part of the supporting material for the executive's proposed  
804 annual or biennial budget. In addition to the requirements for service partnership  
805 agreements described in this subsection ~~((E. of this section))~~ F., the updates shall include  
806 evaluation and reporting on the goals and performance metrics identified in the previous  
807 service partnership agreement and in the community needs list.

808 ~~((F.))~~ G. Until an ordinance that makes changes to the King County Code  
809 required in Ordinance 18791, Section 217, is effective, the permitting division shall be  
810 considered the successor agency to the department of permitting and environmental  
811 review. Therefore, upon effectiveness of Ordinance 18791 and until an ordinance  
812 required by Ordinance 18791, Section 217, is effective, where the code states or intends a  
813 decision to be made or action to be implemented by the department of permitting and

814 environmental review, those decisions or actions shall be performed by the permitting  
815 division.

816 ~~((G.))~~H.1. The duties of the permitting division shall include the following:

817 a. ensuring consistent and efficient administration of environmental, building  
818 and land use codes and regulations for commercial and residential projects by means of  
819 permit review and approval, construction inspections, and public information;

820 b. participating on the interbranch regional planning team as specified in  
821 K.C.C. 2.16.025;

822 c. administering the ~~((s))~~State Environmental Policy Act and acting as lead  
823 agency, including making the threshold determinations, determining the amount of  
824 environmental impact and reasonable mitigation measures and coordinating with other  
825 departments and divisions in the preparation of county environmental documents or in  
826 response to environmental documents from other agencies;

827 d. effective processing and timely review of land development proposals,  
828 including zoning variances, ~~((and))~~ zoning reclassification, master drainage plans,  
829 variances from the surface water design manual and the King County road standards,  
830 critical area, subdivision, right-of-way use, ~~((urban-planned development,))~~ clearing and  
831 grading, shoreline, special use, and conditional use applications;

832 e. pursuing and resolving code violations, including preparing for  
833 administrative or legal actions, evaluating the department's success in obtaining  
834 compliance with King County rules and regulations, and designing measures to improve  
835 compliance;

836 f. regulating the operation, maintenance, and conduct of county-licensed  
837 businesses, except taxicab, ~~((and))~~ for-hire, and transportation network company drivers  
838 and vehicles; and

839 g. developing and implementing an inspection program to identify fire hazards  
840 and require conformance with K.C.C. Title 17, reviewing building plans and applications  
841 for compliance with K.C.C. Title 17, and conducting inspections, including inspections of  
842 new construction, for compliance with K.C.C. Title 17.

843 2. The permitting division manager shall be the:

844 a. county planning director;

845 b. zoning adjuster;

846 c. responsible official for purposes of administering the ~~((s))~~State  
847 Environmental Policy Act;

848 d. county building official; and

849 e. county fire marshal.

850 3. The manager may delegate the functions in subsection ~~((G.2.))~~ H.2. of this  
851 section to qualified subordinates.

852 ~~((H.))~~ I. The road services division is responsible for designing, constructing,  
853 maintaining, and operating a comprehensive system of roadways and other transportation  
854 facilities and services to support a variety of transportation modes for the safe and  
855 efficient movement of people and goods and delivery of services. The duties of the  
856 division shall include the following:

857 1. Designing, constructing, and maintaining county roads, bridges, and  
858 associated drainage facilities;

859           2. Designing, installing, and maintaining county traffic signs, markings, and  
860 signals;

861           3. Designing, installing, and maintaining (~~(bicycle and pedestrian)~~) roadway  
862 active transportation facilities;

863           4. Managing intergovernmental contracts or agreements for services related to  
864 road maintenance and construction and to other transportation programs supporting the  
865 transportation plan;

866           5. Inspecting utilities during construction and upon completion for compliance  
867 with standards and specifications(~~(; assuring)~~), and ensuring that public facilities  
868 disturbed due to construction are restored;

869           6. Performing detailed project development of roads capital improvement  
870 projects that are consistent with the transportation element of the county's Comprehensive  
871 Plan, and coordinating such programming with other county departments and divisions  
872 assigned responsibilities for Comprehensive Plan implementation;

873           7. Incorporating into the roads capital improvement program those projects  
874 identified in the transportation needs report, (~~(community plans,)~~) related functional  
875 plans, and elsewhere consistent with the county's Comprehensive Plan;

876           8. Preparing, maintaining, and administering the county road standards;

877           9. Preparing and administering multiyear roads maintenance and capital  
878 construction plans and periodic updates;

879           10. Administering the transportation concurrency and mitigation payment  
880 programs; and

881           11.a. Performing the duties of the office of the county road engineer, which is  
882 hereby established as an administrative office of the road services division. The office of  
883 the county road engineer shall be an office of record, supervised by the county road  
884 engineer hired in accordance with RCW 36.80.010 and reporting to the manager of the  
885 road services division. The office of the county road engineer shall be located within the  
886 corporate limits of the county seat.

887           b. The county road engineer shall carry out all duties assigned to the county  
888 road engineer as prescribed by state statute, except as modified by the county executive  
889 as authorized in subsection ~~((H.11.e.))~~ I.11.c. of this section.

890           c. The county executive may assign professional engineering duties of the  
891 county road engineer to someone other than the county road engineer, except as  
892 otherwise assigned by the King County Code, and only if the individual assigned those  
893 duties shall be qualified as required under RCW 36.80.020. The executive shall provide  
894 to the county council and the Washington state County Road Administration Board, in  
895 writing, those specific professional engineering duties not assigned to the county road  
896 engineer, the name and position of each person responsible for carrying out those  
897 assigned duties, the specific reporting and working relationships with the county road  
898 engineer, and the duration for which those duties have been assigned.

899           SECTION 4. Ordinance 8300, Section 3, as amended, and K.C.C. 2.48.030 are  
900 hereby amended to read as follows:

901           A. It is the policy of King County to foster the excellence, vitality, and diversity  
902 of cultural programs in the county and to make opportunities to experience cultural  
903 programs available to all ~~((citizens))~~ residents of the county because:



904           1. King County recognizes that arts and heritage institutions and organizations,  
905 and professional artists, heritage specialists,<sup>2</sup> and historic preservationists, working in  
906 partnership with the region's tourism industry, attract visitors and enhance the county's  
907 national and international reputation as a cultural center.

908           2. King County recognizes that the transmission of historical and cultural values  
909 and traditions from one generation to the next is essential to the sense of identity of  
910 communities, ethnic and cultural groups, and of all ((~~citizens~~)) residents of King County.

911           3. King County recognizes that a healthy and well-balanced future ((~~citizenry~~))  
912 is dependent upon the promotion of comprehensive cultural education programs for  
913 today's youth and that cultural education, in the classroom and in the community, is an  
914 integral part of building audiences, appreciation,<sup>2</sup> and support for cultural programs.

915           4. King County recognizes that the loss or destruction of historic structures,  
916 sites,<sup>2</sup> and artifacts constitutes an irreplaceable loss to the quality of life and character of  
917 King County.

918           5. King County recognizes that its support for the cultural community should be  
919 distributed to major regional, midsized, emerging,<sup>2</sup> and community-based organizations.

920           6. King County recognizes that support for the development of cultural  
921 activities should be distributed throughout all parts of the county, including urban,  
922 suburban, rural,<sup>2</sup> and incorporated and unincorporated areas;

923           7. King County recognizes that meeting its goals for regional distribution of  
924 cultural activities requires regional planning, outreach to cities and communities  
925 throughout the county, and a regional investment strategy; and

926           8. King County recognizes that support for the work of individual artists and  
927 heritage specialists is important to ensure the continuance of diverse creative expression.

928           B. To carry out this policy, the cultural development authority is hereby  
929 authorized to develop and implement cultural programs in King County.

930           C. The county is committed to ensuring the success of cultural programs and  
931 facilitating strong partnerships between the county, cultural development authority, and  
932 cultural community. The executive shall ensure county departments and agencies  
933 perform their duties related to cultural programs and fully cooperate with the cultural  
934 development authority in its performance of its responsibilities.

935           D. King County shall consider equity and racial, social, and environmental  
936 justice in its promotion and protection of cultural resources.

937           SECTION 5. Sections 6 through 10 of this ordinance should constitute a new  
938 chapter in K.C.C. Title 2.

939           NEW SECTION. SECTION 6.

940           The rural area advisory commission is hereby established and shall be referred to  
941 as "the commission" throughout this chapter.

942           NEW SECTION. SECTION 7.

943           A. The commission shall advise the executive and the council on matters relating  
944 to rural land use and zoning, including but not limited to:

- 945           1. Existing and proposed legislation affecting rural area land use or zoning;  
946           2. Land use issues that impact the rural area;  
947           3. Proposed policies, programs, or actions affecting rural area land use or  
948 zoning; and

949           4. Supporting robust community engagement with rural residents on rural area  
950 issues.

951           B. Where the commission's duties overlap with those of the King County  
952 agriculture commission, King County rural forest commission, or water resource  
953 inventory area forums, the rural area advisory commission shall provide support and  
954 advice to those other commissions but shall give deference to the recommendations of  
955 those other commissions.

956           NEW SECTION. SECTION 8.

957           A. The commission shall consist of the following members:

958           1. For council districts containing rural area, two members who live or work in  
959 the rural area of each district, with no more than one member from any given subarea,  
960 unless that subarea is the only one in the district. Members shall be nominated by the  
961 councilmember from each district; and

962           2. Three at-large members nominated by the executive who live or work in the  
963 rural area or represent rural area interests.

964           B. Members should represent a broad range of rural interests and should reflect a  
965 diverse range of ethnicities, cultures, professional backgrounds, socioeconomic status,  
966 and place of origin.

967           C. Members shall serve for terms of three years and shall serve without  
968 compensation. Members shall not serve more than two consecutive terms.

969           D. The director of the department of local services and the director of the King  
970 Conservation District, or designees, may serve as nonvoting ex officio members of the  
971 commission.

972           NEW SECTION. SECTION 9.

973           A. The commission shall elect a chair and a vice chair annually, who shall each  
974 serve a one-year term.

975           B. The commission may adopt bylaws and other rules for its own conduct.

976           C. The commission shall convene as necessary, but at least biannually, to  
977 perform the duties outlined in section 7 of this ordinance.

978           D. The commission shall provide an annual briefing to the local services and land  
979 use committee or successor.

980           NEW SECTION. SECTION 10.

981           The commission shall be staffed by the department of local services.

982           SECTION 11. Ordinance 18326, Section 3, and K.C.C. 6.70.010 are hereby  
983 amended to read as follows:

984           It is the purpose of this chapter to establish business licensing standards for  
985 ~~((marijuana))~~ cannabis retail activities and businesses licensed by the Washington state  
986 Liquor and Cannabis Board and located in unincorporated King County, in order to  
987 promote and protect the health, safety, and general welfare of unincorporated King  
988 County's residents.

989           SECTION 12. Ordinance 18326, Section 4, and K.C.C. 6.70.020 are hereby  
990 amended to read as follows:

991           A person or entity shall not operate or maintain a retail ~~((marijuana))~~ cannabis  
992 business in unincorporated King County unless the business has obtained a business  
993 license issued by the director as provided by this chapter. A current ~~((marijuana))~~

994 cannabis retail business license issued under this chapter shall be prominently displayed  
995 on the licensed premises.

996 SECTION 13. Ordinance 18326, Section 5, and K.C.C. 6.70.030 are hereby  
997 amended to read as follows:

998 An application for a retail (~~((marijuana))~~) cannabis business license or license  
999 renewal (~~((must))~~) shall be submitted in the name of the person or persons or the entity  
1000 proposing to operate the business. The application shall be signed by each person, or a  
1001 responsible (~~((principle))~~) principal or officer of any entity, proposing to operate the  
1002 business, certified as true under penalty of perjury. All applications shall be submitted on  
1003 a form supplied by the director, and shall include the following:

1004 A. The full name, birthdate, and current residential street, email, and mailing  
1005 address of each person, including all partners if the applicant is a partnership, and all  
1006 officers or (~~((principles))~~) principals if the applicant is a corporation or limited liability  
1007 company, with a financial interest in the business; and the Universal Business Identifier  
1008 number, the identity of the registered agent, and the address of the (~~((principle))~~) principal  
1009 office, if the applicant is a corporation or limited liability company;

1010 B. The name, street address, and telephone number of the retail (~~((marijuana))~~)  
1011 cannabis business;

1012 C. A copy of the Washington state Liquor and Cannabis Board retail  
1013 (~~((marijuana))~~) cannabis license associated with the business address or, if a state license  
1014 has not been issued, a complete copy of a retail (~~((marijuana))~~) cannabis license application  
1015 submitted to and accepted by the Washington state Liquor and Cannabis Board; and

1016 D. A copy of a medical ((~~marijuana~~)) cannabis endorsement approval letter  
1017 issued by the Washington state Liquor and Cannabis Board, if applicable.

1018 SECTION 14. Ordinance 18326, Section 6, as amended, and K.C.C. 6.70.040 are  
1019 hereby amended to read as follows:

1020 An applicant for a retail ((~~marijuana~~)) cannabis business license or renewal under  
1021 this chapter shall pay an application fee at the time of application submittal. The  
1022 nonrefundable application fee for a retail ((~~marijuana~~)) cannabis business license or  
1023 renewal is one thousand dollars. The nonrefundable application fee for a retail  
1024 ((~~marijuana~~)) cannabis business license or renewal shall be reduced by fifty percent if, at  
1025 the time of application, the applicant shows proof of a current medical ((~~marijuana~~))  
1026 cannabis endorsement issued by the Washington state Liquor and Cannabis Board.

1027 SECTION 15. Ordinance 18326, Section 8, as amended, and K.C.C. 6.70.060 are  
1028 hereby amended to read as follows:

1029 A retail ((~~marijuana~~)) cannabis business license expires one year from the date the  
1030 business license is issued by the department of local services, permitting division. To  
1031 avoid a lapse in the effectiveness of a license, an application to renew a license ((~~must~~))  
1032 shall be submitted to the director, on a form provided by the director, at least thirty days  
1033 before the expiration of the business license. A retail ((~~marijuana~~)) cannabis business  
1034 license renewal expires one year from the previous license's expiration date.

1035 SECTION 16. Ordinance 18326, Section 9, and K.C.C. 6.70.070 are hereby  
1036 amended to read as follows:

1037 Within thirty days of the director's receipt of a complete retail ((~~marijuana~~))  
1038 cannabis business license application, the director shall issue or deny the license. Within

1039 thirty days of the director's receipt of a complete renewal application, the director shall  
1040 issue or deny the renewal.

1041 SECTION 17. Ordinance 9163, Section 2, as amended, and K.C.C. 9.04.020 are  
1042 hereby amended to read as follows:

1043 The definitions in this section apply throughout this chapter unless the context  
1044 clearly requires otherwise.

1045 A. "Adjustment" means a department-approved variation in the application of the  
1046 requirements of K.C.C. 9.04.050 and the Surface Water Design Manual to a particular  
1047 project in accordance with K.C.C. 9.04.050.C. "Adjustment" replaces "variance," which  
1048 was used in prior editions of the Surface Water Design Manual.

1049 B. "Applicant" means a property owner or a public agency or public or private  
1050 utility that owns a right-of-way or other easement or has been adjudicated the right to  
1051 such an easement under RCW 8.12.090, or any person or entity designated or named in  
1052 writing by the property or easement owner to be the applicant, in an application for a  
1053 development proposal, permit, or approval.

1054 C. "Basin" means a geographic area that contains and drains to a stream or river  
1055 named and noted on common maps, such as the Cedar river, Sammamish river, Green  
1056 river, Snoqualmie river, Skykomish river, or White river, or a geographic area that drains  
1057 to a nonflowing water body named and noted on common maps, such as Lake  
1058 Washington or Puget Sound.

1059 D. "Basin plan" means a plan and all implementing regulations and procedures  
1060 including, but not limited to, capital projects, public education activities, and land use

1061 management adopted by ordinance for managing surface water and stormwater within the  
1062 basin.

1063 E. "Best management practice" or "BMP" means any schedule of activities,  
1064 prohibition of practices, maintenance procedure, or structural and(~~/or~~) managerial  
1065 practice approved by King County, or any combination thereof, that, when used singly or  
1066 in combination, prevents or reduces the release of pollutants and other adverse impacts to  
1067 surface water, stormwater, and groundwater.

1068 F. "Closed depression" means an area greater than five thousand square feet at  
1069 overflow elevation that is low-lying and that has no or such a limited surface water outlet  
1070 that the area acts as a stormwater retention facility.

1071 G. "Construct or modify" means to install a new drainage pipe or ditch or to  
1072 make improvements to an existing drainage pipe or ditch, for purposes other than  
1073 maintenance, that either serves to concentrate previously unconcentrated surface water or  
1074 stormwater runoff or serves to increase, decrease, or redirect the conveyance of surface  
1075 water or stormwater runoff. "Construct or modify" does not include installation or  
1076 maintenance of a driveway culvert installed as part of a (~~(single-family)~~) single detached  
1077 residential building permit.

1078 H. "Construction stormwater pollution prevention BMP" means a control or  
1079 measure that prevents or reduces the discharge of pollutants and sediments resulting from  
1080 construction activities.

1081 I. "Conveyance system" means the drainage facilities and features, both natural  
1082 and constructed, that provide for the collection and transport of surface water or  
1083 stormwater runoff. The natural elements of the "conveyance system" include swales and



1084 small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of  
1085 the "conveyance system" include gutters, ditches, pipes, catch basins, channels, and most  
1086 flow control and water quality facilities.

1087 J. "Department" means the department of natural resources and parks or its  
1088 successor.

1089 K. "Development" means any activity that requires a permit or approval,  
1090 including, but not limited to, a building permit, grading permit, shoreline substantial  
1091 development permit, conditional use permit, special use permit, zoning variance or  
1092 reclassification, subdivision, short subdivision, (~~urban planned development,~~) binding  
1093 site plan, site development permit, or right-of-way use permit. "Development" does not  
1094 include forest management activities, as defined in K.C.C. chapter 21A.06.

1095 L. "Directed drainage review" means the drainage review for a proposed (~~single-~~  
1096 ~~family~~) single detached residential project or agricultural project that is not subject to  
1097 simplified or large project drainage review.

1098 M. "Director" means the director of the department of natural resources and  
1099 parks, or the authorized representatives of the director, including compliance officers and  
1100 inspectors whose responsibility includes the detection and reporting of code violations.

1101 N. "Drainage" means the collection, conveyance, containment, or discharge, or  
1102 any combination thereof, of stormwater runoff or surface water.

1103 O. "Drainage facility" means a constructed or engineered feature that collects,  
1104 conveys, stores, treats, or otherwise manages stormwater runoff or surface water.

1105 "Drainage facility" includes, but is not limited to, a constructed or engineered stream,  
1106 lake, wetland or closed depression, or a pipe, channel, ditch, gutter, flow control facility,

1107 flow control BMP, water quality facility, erosion and sediment control facility, and any  
1108 other structure and appurtenance that provides for drainage.

1109 P. "Drainage review" means an evaluation by King County staff of a proposed  
1110 project's compliance with the drainage requirements in the Surface Water Design Manual.  
1111 The types of drainage review include((:)) simplified drainage review, targeted drainage  
1112 review, directed drainage review, full drainage review, and large project drainage review.

1113 Q. "Erosion and sediment control" means any temporary or permanent measures  
1114 taken to reduce erosion, control siltation, and sedimentation and to ensure that sediment-  
1115 laden water does not leave the site or enter into wetlands or aquatic areas.

1116 R. "Financial guarantee" means a form of financial security posted to do one or  
1117 more of the following: ensure timely and proper completion of improvements; ensure  
1118 compliance with the King County Code; or provide secured warranty of materials, quality  
1119 of work of the improvements and design. "Financial guarantees" include assignments of  
1120 funds, cash deposit, surety bonds, or other forms of financial security acceptable to the  
1121 department of local services permitting division manager or designee. "Performance  
1122 guarantee," "maintenance guarantee," and "defect guarantee" are considered  
1123 subcategories of financial guarantee.

1124 S. "Flood hazard management plan" means a plan and all implementing goals,  
1125 objectives, guiding principles, policies, and programs, including, but not limited to,  
1126 capital projects, public outreach and education activities, and enforcement programs for  
1127 reduction of flood risks and prepared in accordance with RCW 86.12.200.

1128 T. "Flow control BMP" means small scale drainage facility or feature that is part  
1129 of a development site strategy to use processes such as infiltration, dispersion, storage,

1130 evaporation, transpiration, forest retention, and reduced impervious surface (~~foot print~~)  
1131 footprint to mimic predeveloped hydrology and minimize (~~stormwater~~) stormwater  
1132 runoff. "Flow control BMPs" include the methods and designs specified in the Surface  
1133 Water Design Manual. Flow control BMPs are also known as low impact development,  
1134 or LID, BMPs.

1135 U. "Flow control facility" means a drainage facility designed in accordance with  
1136 the drainage requirements in this chapter to mitigate the impacts of increased stormwater  
1137 runoff generated by site development. A "flow control facility" is designed either to hold  
1138 water for a considerable length of time and then release it by evaporation, plant  
1139 transpiration, or infiltration into the ground or to hold runoff for a short (~~period of~~) time  
1140 and then release it to the conveyance system.

1141 V. "Full drainage review" means the evaluation required by K.C.C. 9.04.030 for  
1142 any proposed project, unless the project is subject to simplified drainage review, directed  
1143 drainage review, targeted drainage review, or large project drainage review, that:

1144 1. Would result in two thousand square feet or more of new impervious surface,  
1145 replaced impervious surface, or new plus replaced impervious surface; or

1146 2. Would result in seven thousand square feet or more of land disturbing  
1147 activity.

1148 W. "Groundwater" means all water found in the soil and stratum beneath the land  
1149 surface or beneath the bed of any surface water.

1150 X. "High-use site" means the area of a commercial, industrial, or road  
1151 intersection site that generates a higher than average number of vehicle turnovers or has

1152 other characteristics that generate the potential for chronic oil accumulation. "High use  
1153 site" includes:

1154 1. The area of a commercial or industrial site subject to:

1155 a. an expected daily traffic count greater than one hundred vehicles per one  
1156 thousand square feet of gross building area;

1157 b. petroleum storage or transfer in excess of one thousand five hundred gallons  
1158 per year, not including routine heating oil storage or transfer at the end-user point of  
1159 delivery; or

1160 c. use, storage, or maintenance of a fleet of twenty-five or more diesel or jet  
1161 fuel vehicles each weighing over ten tons; or

1162 2. A road intersection with average daily traffic counts of twenty-five thousand  
1163 vehicles or more on the main roadway and fifteen thousand or more vehicles on any  
1164 intersecting roadway, excluding pedestrian or bicycle use improvement projects.

1165 Y. "Hydraulically connected" means connected through surface flow or water  
1166 features such as wetlands or lakes.

1167 Z. "Impervious surface" means a hard surface area that either prevents or retards  
1168 the entry of water into the soil mantle as under natural conditions before development or  
1169 that causes water to run off the surface in greater quantities or at an increased rate of flow  
1170 from the flow present under natural conditions before development. Common  
1171 impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways,  
1172 parking lots, storage areas, areas that are paved, graveled, or made of packed or oiled  
1173 earthen materials or other surfaces that similarly impede the natural infiltration of surface  
1174 water or stormwater. For purposes of applying the impervious surface thresholds in this

---

1175 chapter, permeable pavement, vegetated roofs, and underdrained pervious surfaces are  
1176 considered "impervious surface," while an open uncovered flow control or water quality  
1177 facility is not.

1178 AA. "Improvement" means a permanent, human-made, physical change to land  
1179 or real property including, but not limited to, buildings, streets, driveways, sidewalks,  
1180 crosswalks, parking lots, water mains, sanitary and storm sewers, drainage facilities, and  
1181 landscaping.

1182 BB. "Land disturbing activity" means an activity that results in a change in the  
1183 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.  
1184 "Land disturbing activity" includes, but is not limited to, demolition, construction,  
1185 clearing, grading, filling, excavation, and compaction. "Land disturbing activity" does  
1186 not include tilling conducted as part of agricultural practices, landscape maintenance, or  
1187 gardening.

1188 CC. "Lake management plan" means a plan describing the lake management  
1189 recommendations and requirements adopted by public rule for managing water quality  
1190 within individual lake basins.

1191 DD. "Large project drainage review" means the evaluation required by K.C.C.  
1192 9.04.030 for any proposed project that:

1193 1. ~~((Has an urban plan development land use designation in the King County~~  
1194 ~~Comprehensive Plan land use map;~~

1195 2.)) Would, at full buildout of the project site, result in fifty acres or more of  
1196 new impervious surface within a drainage subbasin or a number of subbasins  
1197 hydraulically connected across subbasin boundaries; or

1198            ~~((3-))~~ 2. Has a project site of fifty acres or more within a critical aquifer  
1199 recharge area, as defined in K.C.C. Title 21A.

1200            EE. "Licensed civil engineer" means a person registered with the State of  
1201 Washington as a professional engineer in civil engineering.

1202            FF. "Maintenance" means those usual activities taken to prevent a decline, lapse,  
1203 or cessation in the use of currently serviceable structures, facilities, equipment, or  
1204 systems, if there is no expansion of the structure, facilities, equipment, or system and  
1205 there are no significant hydrologic impacts. "Maintenance" includes the repair or  
1206 replacement of nonfunctional facilities or the replacement of existing structures with  
1207 different types of structures, if the repair or replacement is required by one or more  
1208 environmental permits or to meet current engineering standards and the functioning  
1209 characteristics of the original facility or structure are not changed.

1210            GG. "Master drainage plan" means a comprehensive drainage control plan  
1211 required for projects subject to large project drainage review and intended to prevent  
1212 significant adverse impacts to surface water and groundwater, both ~~((onsite))~~ on-site and  
1213 ~~((offsite))~~ off-site.

1214            HH. "Native vegetated surface" means a surface in which the soil conditions,  
1215 ground cover, and species of vegetation are like those of the original native condition for  
1216 the site, as more specifically ~~((set forth))~~ established in the Surface Water Design  
1217 Manual.

1218            II. "Natural discharge location" means the location where runoff leaves the  
1219 project site under existing site conditions as defined in the Surface Water Design Manual.

1220 JJ. "Natural hazard" means a condition in land or water, or both, that arises in  
1221 whole or in part out of natural processes and that creates a threat of immediate and  
1222 substantial harm. A "natural hazard" may include, but is not limited to, a beaver dam, a  
1223 debris dam in a stream, severe erosion at the base of a steep slope, or a stream displaced  
1224 from its original channel.

1225 KK. "New impervious surface" means the creation of impervious surface or the  
1226 addition of a more compacted surface such as the paving of existing dirt or gravel.

1227 LL. "New pervious surface" means the conversion of a native vegetated surface  
1228 or other native surface to a nonnative pervious surface, including, but not limited to,  
1229 pasture land, grassland, cultivated land, lawn, landscaping, or bare soil, or any alteration  
1230 of existing nonnative pervious surface that results in increased stormwater runoff as  
1231 defined in the Surface Water Design Manual.

1232 MM. "Pollution-generating impervious surface" means an impervious surface  
1233 considered to be a significant source of pollutants in stormwater runoff. "Pollution-  
1234 generating impervious surface" includes: those surfaces subject to vehicular use;  
1235 industrial activities; or storage of erodible or leachable materials, wastes, or chemicals  
1236 and that receive direct rainfall or the run-on or blow-in of rainfall. A covered parking  
1237 area would be included if runoff from uphill could regularly run through it or if rainfall  
1238 could regularly blow in and wet the pavement surface. Metal roofs are also considered  
1239 pollution-generating impervious surface unless they are treated to prevent leaching.  
1240 Roofs exposed to the venting of significant amounts of dusts, mists, or fumes from  
1241 manufacturing, commercial, or other indoor activities are also included, as are vegetated  
1242 roofs exposed to pesticides, fertilizers, or loss of soil.

1243 NN. "Pollution-generating pervious surface" means a nonimpervious surface  
1244 considered to be a significant source of pollutants in stormwater runoff. "Pollution-  
1245 generating pervious surfaces" include: surfaces subject to vehicular use, industrial  
1246 activities, storage of erodible or leachable materials, wastes or chemicals, and that receive  
1247 direct rainfall or the run-on or blow-in of rainfall; or surfaces subject to the use of  
1248 pesticides and fertilizers to the loss of soil. "Pollution-generating pervious surface"  
1249 includes, but is not limited to, the lawn and landscaped areas of a residential, commercial,  
1250 or industrial site or land use, golf course, park, sports field, and county-standard grassed  
1251 modular grid pavement.

1252 OO. "Project" means any proposed action to alter or develop a site that may also  
1253 require drainage review.

1254 PP. "Project site" means the portion of a site and any (~~offsite~~) off-site areas  
1255 subject to proposed project activities, alterations, and improvements including those  
1256 required by this chapter.

1257 QQ. "Redevelopment project" means a project that proposes to add, replace, or  
1258 modify impervious surface for purposes other than a residential subdivision or  
1259 maintenance on a site that:

- 1260 1. Is already substantially developed in a manner that is consistent with its  
1261 current zoning or with a legal nonconforming use; or
- 1262 2. Has an existing impervious surface coverage of thirty-five percent or more.

1263 RR. "Replaced impervious surface" means an existing impervious surface  
1264 proposed to be removed and reestablished as impervious surface, excluding impervious  
1265 surface removed for the sole purpose of installing utilities or performing maintenance.



1266 For structures, "removed" means the removal of buildings down to the foundation. For  
1267 other impervious surfaces, "removed" means the removal down to base course or bare  
1268 soil. For purposes of this definition, "base course" means the layer of crushed rock that  
1269 typically underlies an asphalt or concrete pavement.

1270 SS. "Salmon conservation plan" means a plan and all implementing regulations  
1271 and procedures including, but not limited to, land use management adopted by ordinance,  
1272 capital projects, public education activities, and enforcement programs for conservation  
1273 and recovery of salmon within a water resource inventory area designated by the state  
1274 under WAC 173-500-040.

1275 TT. "Shared facility" means a drainage facility designed to meet one or more of  
1276 the requirements of K.C.C. 9.04.050 for two or more separate projects contained within a  
1277 basin. "Shared facilities" usually include shared financial commitments for those  
1278 drainage facilities.

1279 UU. "Simplified drainage review" means the drainage review for a proposed  
1280 ~~((single-family))~~ single detached residential project or agricultural project that:

1281 1. Would result in impervious and new pervious surface insufficient to require a  
1282 flow control or water quality facility as specified in K.C.C. 9.04.050 and the Surface  
1283 Water Design Manual; and

1284 2. Meets the simplified drainage requirements and BMPs specified in the  
1285 Surface Water Design Manual, including flow control BMPs, construction stormwater  
1286 pollution prevention BMPs, and drainage plan submittal requirements.

1287 VV. "Site" means a single parcel, or either two or more contiguous parcels that  
1288 are under common ownership or documented legal control, or a portion of single parcel

1289 under documented legal control separate from the remaining parcel, used as a single  
1290 parcel for a proposed project for purposes of applying for authority from King County to  
1291 carry out a proposed project. For projects located primarily within dedicated rights-of-  
1292 way, "site" includes the entire width of right-of-way subject to improvements proposed  
1293 by the project.

1294 WW. "Stormwater" means the water produced during precipitation or snowmelt,  
1295 ~~((which))~~ that runs off, soaks into the ground, or is dissipated into the atmosphere.  
1296 Stormwater that runs off or soaks into the ground ultimately becomes surface water or  
1297 groundwater.

1298 XX. "Stormwater compliance plan" means a plan or study and all regulations and  
1299 procedures that have been adopted by the county to implement the plan or study,  
1300 including, but not limited to, capital projects, public education activities, and enforcement  
1301 programs for managing stormwater quantity and quality discharged from the county's  
1302 municipal separate storm sewer system in compliance with the National Pollutant  
1303 Discharge Elimination System permit program under the Clean Water Act.

1304 YY. "Stormwater runoff" means stormwater that flows over, or just below, the  
1305 surface where it fell or melted. "Stormwater runoff" contributes to and becomes surface  
1306 water or groundwater.

1307 ZZ. "Subbasin" means a geographic area that:

- 1308 1. Drains to a stream or water body named and noted on common maps; and
- 1309 2. Is contained within the basin of the stream or water body.

1310 AAA. "Surface water" means the water that exists on land surfaces before,  
1311 during, and after stormwater runoff occurs and includes, but is not limited to, the water

1312 found on ground surfaces and in drainage facilities, rivers, streams, springs, seeps, ponds,  
1313 lakes, wetlands, and Puget Sound. ((#)) "Surface water" also includes shallow  
1314 groundwater.

1315 BBB. "Surface Water Design Manual" means the manual, and supporting  
1316 documentation referenced or incorporated in the manual, describing surface and  
1317 stormwater design and analysis requirements, procedures, and guidance. The "Surface  
1318 Water Design Manual" is formally adopted by rule under the procedures of K.C.C.  
1319 chapter 2.98 and is available from the department of local services, permitting division,  
1320 or the department of natural resources and parks, water and land resources division, or  
1321 their successors.

1322 CCC. "Targeted drainage review" means an abbreviated evaluation required by  
1323 K.C.C. 9.04.030 for certain types of proposed projects that are not subject to full or large  
1324 project drainage review. Targeted drainage review may be required for some projects in  
1325 simplified drainage review.

1326 DDD. "Water quality facility" means a drainage facility designed in accordance  
1327 with the drainage requirements in this chapter to mitigate the impacts of increased  
1328 pollutants in stormwater runoff generated by site development. A "water quality facility"  
1329 uses processes that include, but are not limited to, settling, filtration, adsorption, and  
1330 absorption to decrease pollutant concentrations and loadings in stormwater runoff.

1331 SECTION 18. Ordinance 13625, Section 22, as amended, and K.C.C. 13.24.035  
1332 are hereby amended to read as follows:

1333           A. All development within the urban growth area shall be served by public sewer  
1334 service except on-site sewage systems may be allowed temporarily in some parts of the  
1335 urban growth area in accordance with K.C.C. 13.24.136.

1336           B.1. Public sewer service shall also be provided in rural towns when the service  
1337 provision has been approved by King County. As of May 17, 2021, Vashon and  
1338 Snoqualmie Pass are the only rural towns that have been approved for public sewer  
1339 service.

1340           2. The boundary of the Vashon sewer local service area is the boundary of the  
1341 rural town of Vashon as adopted in the King County Comprehensive Plan Land Use Map  
1342 in Attachment (~~A to Ordinance 19146~~) A to this ordinance.

1343           3. The boundary of the Snoqualmie Pass sewer local service area is the  
1344 boundary of the rural town of Snoqualmie Pass as adopted in the King County  
1345 Comprehensive Plan Land Use Map in Attachment A to Ordinance 19146.

1346           C. Public sewer service shall not be provided outside the urban growth area or  
1347 any rural town designated to receive the service, except as described in K.C.C. 13.24.134.

1348           D. Sewer extensions under subsections A. and C. of this section shall be  
1349 approved by the council, if it is determined that the extension meets the criteria in this  
1350 section and is consistent with all other adopted King County policies and regulations.  
1351 Decisions on sewer extensions in rural or resource areas shall be made by the council in  
1352 the form of a sewer comprehensive plan or an amendment to a sewer comprehensive  
1353 plan.

1354 E. The required elements of a sewerage general plan in RCW 36.94.010(3) are  
1355 included in the 1994 King County Comprehensive Plan and its technical appendix, as  
1356 adopted in K.C.C. Title 20.

1357 SECTION 19. Ordinance 1709, Section 7, as amended, and K.C.C. 13.24.090 are  
1358 hereby amended to read as follows:

1359 A. The utilities technical review committee shall ensure that the provisions of  
1360 K.C.C. 13.24.005 regarding the purposes of this chapter are carried out, and shall be  
1361 responsible for providing the notification to tribal governments provided for in K.C.C.  
1362 13.20.020 for actions under that section that fall within the authority of the committee.

1363 B. The utilities technical review committee shall:

1364 1. Review and make recommendations to the King County executive and the  
1365 King County council on the adequacy of all sewer and water system comprehensive plans  
1366 and related matters, and determine their consistency with the King County  
1367 Comprehensive Plan;

1368 2. Have the authority to approve additions and betterments to council-approved  
1369 sewer and water comprehensive plans without referral to the council in order to serve  
1370 developments that have received preliminary approval from the King County council;

1371 3.a. Serve as the appeal body to hear all issues relating to the creation of new  
1372 public water systems and the extension of existing public water service within the  
1373 boundaries of a critical water supply service area (~~as provided for in the utility service~~  
1374 ~~review procedures contained in the coordinated water system plans~~)), based on whether  
1375 an existing water purveyor can provide service in a timely and reasonable manner (WAC  
1376 246-293-190).

1377           b. An appeal under subsection B.3.a. of this section is subject to all of the  
1378 following:

1379           (1) A notice of appeal or request to find that water service is or is not  
1380 available in a timely and reasonable manner shall be filed with the utilities technical  
1381 review committee and shall be accompanied by a nonrefundable fee as prescribed in  
1382 K.C.C. 4A.710.100;

1383           (2) Written materials from the appellant and the water purveyor and any  
1384 interested parties may be submitted on forms developed by the utilities technical review  
1385 committee. The committee shall evaluate such submittals and any other submitted  
1386 written materials in light of applicable state laws, regulations, and policies. The  
1387 committee shall issue a final written determination, including findings and conclusions,  
1388 within thirty days of the date that the written record is complete;

1389           (3) The utilities technical review committee shall provide its written  
1390 determination together with the procedures for administrative appeals, to the appellant, to  
1391 the water purveyor, and to any person, who, before the determination, has requested  
1392 notice of the determination; and

1393           (4) The written determination by the utilities technical review committee shall  
1394 be the final county action, unless further appeal is made to the office of the hearing  
1395 examiner, in accordance with K.C.C. 20.22.040 and 20.22.080. In such an appeal to the  
1396 hearing examiner, the written determination shall constitute the department report for the  
1397 purposes of K.C.C. 20.22.130.

1398 c. The utilities technical review committee is authorized to establish by rule the  
1399 procedures and timeframes for submittal to the committee of any requests for an appeal  
1400 as provided for under this chapter and K.C.C. chapter 13.28; and

1401 4. Issue the findings required under K.C.C. 13.24.132, 13.24.134, and 13.24.136  
1402 relative to sewer expansion in rural and resource areas. The determination that sewer  
1403 expansion in rural and resource areas is necessary shall be based on information  
1404 concerning the feasibility of alternative treatment technologies as provided by ~~((the))~~  
1405 public health – Seattle((-) & King County ((department of public health)).

1406 NEW SECTION. SECTION 20. There is hereby added to K.C.C. chapter 13.28  
1407 a new section to read as follows:

1408 In case of conflict or inconsistency between an adopted coordinated water system  
1409 plan and the King County Comprehensive Plan, the King County Comprehensive Plan  
1410 shall govern.

1411 NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter 14.01  
1412 a new section to read as follows:

1413 "Active transportation" means pedestrian, bicycle, and equestrian travel including,  
1414 but not limited to, the use of wheelchairs and personal assistive mobility devices powered  
1415 by electricity that are used by persons with physical impairments; skateboards and  
1416 scooters; and micromobility devices, such as motorized foot scooters and electric assisted  
1417 bicycles. Any moped, motorcycle, or, except as otherwise provided for in this definition,  
1418 personal assistive mobility device, is considered motorized transportation.

1419 SECTION 22. Ordinance 18420, Section 37, and K.C.C. 14.01.360 are hereby  
1420 amended to read as follows:

1421 “Transportation facilities” means principal, minor, and collector arterial roads and  
1422 state highways, as well as associated sidewalks, bike lanes, and other facilities supporting  
1423 ~~((nonmotorized travel))~~ one or more forms of active transportation.

1424 SECTION 23. Ordinance 18420, Section 61, as amended, and K.C.C. 14.40.0104  
1425 are hereby amended to read as follows:

1426 A. Upon receipt of a petition, the county road engineer shall determine whether  
1427 owners of the majority of the lineal footage of the frontage of the ~~((right-of-way))~~ right-  
1428 of-way proposed for vacation have signed the petition. If the county road engineer  
1429 determines the signatories of the petition own less than the majority of the lineal footage  
1430 of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation, the county road  
1431 engineer shall notify the petitioners that the petition does not have sufficient signatories.  
1432 The petitioners shall have thirty days from the date of that notice to supplement the  
1433 petition by filing with the department of local services, road services division, a sufficient  
1434 number of additional petition signatures to establish that a majority of owners of the  
1435 lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation  
1436 support the petition. Failure to include the signature of a majority of the owners of the  
1437 lineal footage of the frontage of the ~~((right-of-way))~~ right-of-way proposed for vacation is  
1438 grounds for the county road engineer to find that the petition is deficient. In that event,  
1439 no further action will be taken on the petition and the county road engineer shall inform  
1440 the petitioners of the determination.

1441 B. If either directed by the council in accordance with K.C.C. 14.40.010.A., or if  
1442 under subsection A. of this section the county road engineer determines that a petition is  
1443 valid, then the county road engineer shall examine the ~~((right-of-way))~~ right-of-way



1444 proposed to be vacated and abandoned and complete a report that complies with the  
1445 requirements in RCW 36.87.040, including the county road engineer's opinion of whether  
1446 the ~~((right-of-way))~~ right-of-way should be vacated. The report should address:

1447           1. Whether the county ~~((right-of-way))~~ right-of-way should be vacated and  
1448 abandoned;

1449           2. Whether the county ~~((right-of-way))~~ right-of-way is in use or has been in use;

1450           3. The condition of the ~~((right-of-way))~~ right-of-way;

1451           4. Whether it is advisable to preserve all or a portion of the ~~((right-of-way))~~  
1452 right-of-way for the county transportation system of the future, including use as a public  
1453 trail;

1454           5. Whether the public will be benefited by the vacation of the county ~~((right-of~~  
1455 ~~way))~~ right-of-way;

1456           6. The appraised value of the county ~~((right-of-way))~~ right-of-way or portion  
1457 thereof proposed for vacation as well as the county road engineer's recommendation for  
1458 compensation to be determined in accordance with the factors listed in K.C.C.

1459 14.40.020.A.;

1460           7.a. Whether the proposed county ~~((right-of-way))~~ right-of-way to be vacated  
1461 serves as access to property abutting the county ~~((right-of-way))~~ right-of-way that is  
1462 subject of the vacation request; and

1463           b. a recommendation for requiring access easements for all abutting properties  
1464 as a condition of granting the vacation;

1465           8.a. Whether the proposed county ~~((right-of-way))~~ right-of-way to be vacated  
1466 contains utilities; and

1467           b. a recommendation for retaining an easement for the construction, repair, and  
1468 maintenance of public utilities and services that are authorized at the time the ordinance  
1469 is adopted or are physically located on a portion of the ~~((right-of-way))~~ right-of-way  
1470 being vacated;

1471           9. Other matters that may be of interest, including any fees charged under  
1472 K.C.C. 14.40.0106.B.;

1473           10. Whether the proposed area to be vacated abuts a body of salt or fresh water  
1474 as ~~((set forth))~~ established in RCW 36.87.130;

1475           11. A list of the property owners whose property abuts the county ~~((right-of~~  
1476 ~~way))~~ right-of-way or any portion thereof proposed for vacation who are not petitioners;  
1477 and

1478           12. If not waived in accordance with K.C.C. 14.40.106.C. a list of all costs  
1479 incurred in preparing the report.

1480           C. Upon completion of the report by the county road engineer, the executive shall  
1481 transmit the report, any petition, and a proposed ordinance to the council. The hearing  
1482 examiner is appointed by the council to conduct the public hearing of any proposed  
1483 vacation of a county ~~((right-of-way))~~ right-of-way.

1484           SECTION 24. Ordinance 8421, Section 3, as amended, and K.C.C. 14.56.020 are  
1485 hereby amended to read as follows:

1486           There is established an an ~~((nonmotorized))~~ active transportation program. The  
1487 program shall consist of:

1488           A. ~~((†))~~The ~~((nonmotorized))~~ active transportation policies in the King County  
1489 Comprehensive Plan and the respective functional plans of the responsible county  
1490 agencies~~((;))~~;

1491           B. ~~((nonmotorized))~~ Active transportation project needs contained in agency  
1492 capital improvement programs; and

1493           C. ~~((e))~~Operational activities that:

1494           ~~((A))~~1. Identify and document the ~~((nonmotorized))~~ active transportation needs in  
1495 the county ~~((for bicyclists, pedestrians, equestrians and))~~, emphasizing special  
1496 populations such as school children or people with limited mobility and wheelchair users;

1497           ~~((B))~~2. Determine ways that ~~((nonmotorized))~~ active transportation can be  
1498 integrated into the current and future county transportation network and services,  
1499 including transit;

1500           ~~((C))~~3. Inform and educate the public on issues relating to ~~((nonmotorized))~~  
1501 active transportation, including compliance with traffic laws; ~~((and))~~ or

1502           ~~((D))~~4. Consider ~~((nonmotorized))~~ active transportation safety and other needs in  
1503 all related county programs, and encourage the same consideration on an interlocal and  
1504 regional basis.

1505           SECTION 25. Ordinance 8421, Section 4, as amended, and K.C.C. 14.56.030 are  
1506 hereby amended to read as follows:

1507           The department of local services, in consultation with the department of natural  
1508 resources of parks, shall:

1509           A. Implement the ~~((nonmotorized))~~ active transportation program;

1510 B. Provide support to any ad hoc (~~(nonmotorized)~~) active transportation advisory  
1511 committee; and

1512 C. Work with other (~~(jurisdictions)~~) authorities and nongovernmental  
1513 organizations to identify, develop, and promote programs that encourage the use of  
1514 (~~(nonmotorized)~~) active modes of transportation.

1515 SECTION 26. Ordinance 1488, Section 5, as amended, and K.C.C. 16.82.020 are  
1516 hereby amended to read as follows:

1517 (~~(Certain words and phrases used in this chapter, unless otherwise clearly~~  
1518 ~~indicated by their context, mean as follows:)) The definitions in this section apply  
1519 throughout this chapter unless the context clearly requires otherwise.~~

1520 A. "Applicant" means a property owner or a public agency or public or private  
1521 utility that owns a right-of-way or other easement or has been adjudicated the right to  
1522 such an easement in accordance with RCW 8.12.090, or any person or entity designated  
1523 or named in writing by the property or easement owner to be the applicant, in an  
1524 application for a development proposal, permit, or approval.

1525 B. "Bench" means a relatively level step excavated or constructed on the face of a  
1526 graded slope surface for drainage and maintenance purposes.

1527 C. "Civil engineer" means an engineer who is licensed as a professional engineer  
1528 in the branch of civil engineering by the state of Washington.

1529 D. "Clearing and grading permit" means the permit required by this chapter for  
1530 grading and clearing activities, including temporary permits.

1531 E. "Clearing" means the cutting, killing, grubbing, or removing of vegetation or  
1532 other organic material by physical, mechanical, chemical, or any other similar means.

1533            ~~((E-))~~ F. "Compaction" means the densification of a fill by mechanical means.

1534            ~~((F-))~~ G. "Cutting" means the severing of the main trunk or stem of woody

1535 vegetation at any point.

1536            ~~((G-))~~ H. "Department" means the department of local services or its successor.

1537            ~~((H-))~~ I. "Director" means the department of local services permitting division

1538 manager or designee.

1539            ~~((I-))~~ J. "Earth material" means any rock~~((S-))~~ or natural soil<sub>2</sub> or any combination

1540 thereof.

1541            ~~((J-))~~ K. "Erosion" means the wearing away of the ground surface as the result of

1542 the movement of wind, water<sub>2</sub> or ice.

1543            ~~((K-))~~ L. "Excavation" means the removal of earth material.

1544            ~~((L-))~~ M. "Fill" means a deposit of earth material or recycled or reprocessed

1545 waste material consisting primarily of organic or earthen materials, or any combination

1546 thereof, placed by mechanical means.

1547            ~~((M-))~~ N. "Geotechnical engineer" means an engineer who is licensed as a

1548 professional engineer by the state of Washington and who has at least four years of

1549 relevant professional employment.

1550            ~~((N-))~~ O.1. "Grade" means the elevation of the ground surface.

1551            ~~((O-))~~ 2. "Existing grade" means the grade before grading.

1552            ~~((P-))~~ 3. "Finish grade" means the final grade of the site that conforms to the

1553 approved plan as required in K.C.C. 16.82.060.

1554            ~~((Q-))~~ 4. "Rough grade" means the stage at which the grade approximately

1555 conforms to the approved plan as required in K.C.C. 16.82.060.

1556           ~~((O-))~~ P. "Grading" means any excavating, filling, or land-disturbing activity, or  
1557 combination thereof.

1558           ~~((P. "Grading and clearing permit" means the permit required by this chapter for  
1559 grading and clearing activities, including temporary permits.))~~

1560           Q. "Habitable space" means a space in a building for living, sleeping, eating, or  
1561 cooking. Bathrooms, toilet rooms, closets, halls, storage, or utility spaces, and similar  
1562 areas are not "habitable spaces."

1563           R. "Land disturbing activity" means an activity that results in a change in the  
1564 existing soil cover, both vegetative and nonvegetative, or to the existing soil topography.

1565           ~~((R-))~~ S. "Pruning" means cutting or removal of branches and leaving at least  
1566 two-thirds of the existing tree branch structure.

1567           T. "Reclamation" means the final grading and restoration of a site to establish the  
1568 vegetative cover, soil surface water, and groundwater conditions appropriate to  
1569 accommodate and sustain all ~~((permitted))~~ allowed uses of the proposed zone appropriate  
1570 for the site.

1571           ~~((S-))~~ U. "Shorelines" means those lands defined as shorelines in the state  
1572 Shoreline~~((s))~~ Management Act of 1971, chapter 90.58 RCW.

1573           ~~((F-))~~ V. "Site" means a single lot or parcel of land two or more contiguous lots  
1574 that are under common ownership or documented legal control, used as a single parcel  
1575 for a development proposal in order to calculate compliance with the standards and  
1576 regulations of this chapter. For purposes of this definition:

1577           1. "Documented legal control" includes fee simple or leasehold rights, or an  
1578 easement, or any combination thereof, that allows uses associated with the overall  
1579 development proposal; and

1580           2. Lots that are separated only by a public road right-of-way shall be considered  
1581 to be contiguous.

1582           ~~((U-))~~ W. "Slope" means inclined ground surface, the inclination of which is  
1583 expressed as a ratio of horizontal distance to vertical distance.

1584           ~~((V-))~~ X. "Structural engineer" means an engineer who is licensed as a  
1585 professional engineer in the branch of structural engineering by the state of Washington.

1586           ~~((W-))~~ Y. "Structure" means that which is built or constructed, an edifice or  
1587 building of any kind, or any piece of work artificially built up or composed of parts  
1588 jointed together in some definite manner.

1589           ~~((X-))~~ Z. "Tree" means a large woody perennial plant usually with a single main  
1590 stem or trunk and generally over twelve feet tall at maturity.

1591           ~~((Y-))~~ AA. "Tree crown" means the primary and secondary branches growing out  
1592 from the main stem, together with twigs and foliage.

1593           BB. "Understory" means the vegetation layer of a forest that includes shrubs,  
1594 herbs, grasses, and grass-like plants, but excludes native trees.

1595           ~~((Z-))~~ CC. "Vegetation" means any organic plant life growing at, below, or above  
1596 the soil surface.

1597           DD. "Wildfire risk assessment certification" means completion of a National Fire  
1598 Protection Association Assessing Structure Ignition Potential training, a National Fire  
1599 Protection Association Certified Wildfire Mitigation Specialist certification program, or a

1600 National Wildfire Coordinating Group S-215 training on Fire Operations in the Wildland  
1601 Urban Interface.

1602 SECTION 27. Ordinance 15053, Section 3, as amended, and K.C.C. 16.82.051  
1603 are hereby amended to read as follows:

1604 A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06  
1605 apply to the activities described in this section, if the terms are not defined in K.C.C.  
1606 16.82.020.

1607 B. The ~~((following))~~ activities in subsection D. of this section are ~~((excepted))~~  
1608 exempted from the requirement of obtaining a clearing or grading permit before  
1609 undertaking forest practices or clearing or grading activities, as long as those activities  
1610 conducted in critical areas are in compliance with the standards in this chapter and in  
1611 K.C.C. chapter 21A.24. Activities not requiring a clearing and grading permit may  
1612 require other permits, including, but not limited to, a floodplain development permit.

1613 C. Clearing and grading permit requirement exemptions shall be interpreted as  
1614 follows:

1615 1. The use of "NP" in a cell means that no clearing or grading permit is required  
1616 if the listed conditions are met;

1617 2. A number in a cell means the numbered condition in subsection E. of this  
1618 section applies, and:

1619 a. where a series of numbers separated by commas are in a cell, each of the  
1620 numbered conditions for that activity applies; and

1621 b. if more than one letter-number combination appears in a cell, at least one  
1622 letter-number combinations shall be met for a given exemption to apply;



1623           3. In cases where an activity may be included in more than one activity  
1624 category, the most-specific description of the activity shall govern whether a permit is  
1625 required((-));

1626           4. For activities involving more than one critical area, compliance with the  
1627 conditions applicable to each critical area is required((-); and

1628           5. Clearing and grading permits are required when a cell in this table is empty  
1629 and for activities not listed on the table. (~~Activities not requiring a clearing and grading~~  
1630 ~~permit may require other permits, including, but not limited to, a floodplain development~~  
1631 ~~permit.))~~

1632           D. Clearing and grading permit requirement exemptions.

<p>((<del>"NP" in a cell means no clearing or grading permit required if conditions are met. A number in a cell means the Numbered condition in subsection C. applies.</del>))</p> <p>"Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network</p>	Out	Coa	Erosi	Floo	Cha	Land	Seis	Vol	Stee	Criti	Wet	Aqu	Wild
	of	l	on	d	nnel	slide	mic	cani	p	cal	land	atic	life
	Criti	Min	Haza	Haz	Mig	Haza	Haz	c	Slop	Aqui	and	Are	Area
	cal	e	rd	ard	ratio	rd	ard	Haz	e	fer	Buff	a	and
	Are	Haz			n	and		ard	Haz	Rech	er	and	Buff
	a	ard				Buff			ard	arge		Buff	er
	((La					er			and	Area		er	
	nd))								Buff				
	<u>and</u>								er				
	Buff												
	er												
<b>ACTIVITY</b>													
<b>Grading and Clearing</b>													

Grading	NP 1, 2	NP 1, 2	NP 1, 2				NP 1, 2	NP 1, 2		NP 1, 2			
Clearing	NP 3 <u>NP</u> <u>23</u> NP 24	NP 3	NP 3	NP 3			NP 3	NP 3		NP 3	NP 4 NP 23	NP 4 NP 23	
Covering of garbage	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5
Emergency tree removal	NP	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6
Hazard tree removal	NP 25	NP 25	NP 25	NP 25			NP 25	NP 25		NP 25			
Removal of noxious weeds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Removal of invasive vegetation	NP 7	NP 7	NP 7	NP 7	NP 7		NP 7	NP 7		NP 7	NP 8	NP 8	NP 8
Forest management activity	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9

Emergency action	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10
<b>Roads</b>													
Grading within the roadway	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11			NP 11
Clearing within the roadway	NP	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12
Maintenance of driveway or private access road	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
Maintenance of bridge or culvert	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15
Construction of farm field access drive	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16
Maintenance of farm field access drive	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17
<b>Utilities</b>													

Construction or maintenance of utility corridors or facility within the right-of-way	NP 18	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 18	NP 19	NP 19	NP 19
Construction or maintenance of utility corridors or facility outside of the right-of-way	NP 1, 2, 3 <u>NP</u> <u>27</u> <u>NP</u> <u>28</u>		NP 1, 2, 3					NP 1, 2, 3	NP 1, 2, 3		NP 1, 2, 3			
Maintenance of existing surface water conveyance system	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11
Maintenance of existing surface water flow control and surface water quality treatment facility	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11

Maintenance or repair of flood protection facility	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20
Maintenance or repair of existing instream structure	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP 11	NP 11	NP
<b>Recreation areas</b>													
Maintenance of outdoor public park facility, trail, or publicly improved recreation area	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
<b>Habitat and science projects</b>													
Habitat restoration or enhancement project	NP	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP	NP 21	NP 21	NP 21
Drilling and testing for critical areas report	NP 1, 2	NP 1, 2	NP 1, 2	NP 22	NP 22	NP 22	NP 1, 2	NP 1, 2	NP 22	NP 1, 2	NP 22	NP 22	NP 22
<b>Agriculture</b>													

Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops, and related activity	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Grazing livestock	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Construction and maintenance of livestock manure storage facility	NP 16	NP 16	NP 16	NP 16	NP 16		NP 16	NP 16		NP 16	NP 16	NP 16	
Maintenance or replacement of agricultural drainage	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
Maintenance of agricultural waterway	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26	NP 26

Maintenance of farm pond, fish pond, livestock watering pond	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
<b>Other</b>													
Excavation of cemetery grave in established and approved cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Maintenance of cemetery grave	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	NP 13	NP 13
Maintenance of lawn, landscaping, and gardening for personal consumption	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	NP 13	NP 13
Maintenance of golf course	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP	NP	NP 13	NP 13	NP 13	NP 13	NP 13

1633 ((C-)) E. The following conditions apply:

- 1634 1. Excavation less than five feet in vertical depth, or fill less than three feet in  
 1635 vertical depth that, cumulatively (~~over time~~) on a single site since January 1, 2005, does  
 1636 not involve more than one hundred cubic yards on a single site.



1637           2. Grading that produces less than two thousand square feet of new impervious  
1638 surface on a single site added after January 1, 2005, or that produces less than two  
1639 thousand square feet of replaced impervious surface or less than two thousand square feet  
1640 of new plus replaced impervious surface after October 30, 2008. For purposes of this  
1641 subsection (~~(C.)~~)E.2., "new impervious surface" and "replaced impervious surface" are  
1642 defined in K.C.C. 9.04.020.

1643           3. Cumulative clearing of less than seven thousand square feet on a single site  
1644 since January 1, 2005, including, but not limited to, collection of firewood and removal  
1645 of vegetation for fire safety. This exception shall not apply to development proposals:

- 1646           a. regulated as a Class IV forest practice under chapter 76.09 RCW;
- 1647           b. in a critical drainage areas established by administrative rules;
- 1648           c. subject to clearing limits included in property-specific development  
1649 standards and special district overlays under K.C.C. chapter 21A.38; or
- 1650           d. subject to urban growth area significant tree retention standards under  
1651 K.C.C. 16.82.156 and K.C.C. Title 21A(~~(.38.230)~~).

1652           4. Cutting firewood for personal use in accordance with a forest management  
1653 plan or rural stewardship plan approved under K.C.C. Title 21A. For the purpose of this  
1654 condition, personal use shall not include the sale or other commercial use of the firewood.

1655           5. Limited to material at any solid waste facility operated by King County.

1656           6. Allowed to prevent imminent danger to persons or structures.

1657           7. Cumulative clearing of less than seven thousand square feet annually or  
1658 conducted in accordance with an approved farm management plan, forest management  
1659 plan, or rural stewardship plan.

- 1660           8. Cumulative clearing on a single site since January 1, 2005, of less than seven  
1661 thousand square feet and either:
- 1662           a. conducted in accordance with a farm management plan, forest management  
1663 plan, or a rural stewardship plan; or
- 1664           b. limited to removal with hand labor.
- 1665           9. When ~~((conducted))~~ conducted as a Class I, II, III or IV-S forest practice as  
1666 defined in chapter 76.09 RCW and Title 222 WAC.
- 1667           10. If done in compliance with K.C.C. 16.82.065.
- 1668           11. Only when conducted by or at the direction of a government agency in  
1669 accordance with the regional road maintenance guidelines and K.C.C. 9.04.050, creates  
1670 less than two thousand square feet of new impervious surface on a single site added after  
1671 January 1, 2005, and is not within or does not directly discharge to an aquatic area or  
1672 wetland. For purposes of this subsection ~~((C-))~~E.11., "new impervious surface" is  
1673 defined in K.C.C. 9.04.020.
- 1674           12. Limited to clearing conducted by or at the direction of a government agency  
1675 or by a private utility that does not involve:
- 1676           a. slope stabilization or vegetation removal on slopes; or  
1677           b. ditches that are used by salmonids.
- 1678           13. In conjunction with normal and routine maintenance activities, if:
- 1679           a. there is no alteration of a ditch or aquatic area that is used by salmonids:  
1680           b. the structure, condition, or site maintained was constructed or created in  
1681 accordance with law; and

1682 c. the maintenance does not expand the roadway, lawn, landscaping, ditch,  
1683 culvert, or other improved area being maintained.

1684 14. If a culvert is used by salmonids or conveys water used by salmonids and  
1685 there is no adopted farm management plan, the maintenance is limited to removal of  
1686 sediment and debris from the culvert and its inlet, invert, and outlet and the stabilization  
1687 of the area within three feet of the culvert where the maintenance disturbed or damaged  
1688 the bank or bed and does not involve the excavation of a new sediment trap adjacent to  
1689 the inlet.

1690 15. If used by salmonids, only in compliance with an adopted farm plan in  
1691 accordance with K.C.C. Title 21A and only if the maintenance activity is inspected by:

- 1692 a. The King Conservation District;
- 1693 b. King County department of natural resources and parks;
- 1694 c. King County department of local services, permitting division; or
- 1695 d. Washington state Department of Fish and Wildlife.

1696 16. Only if consistent with an adopted farm plan in accordance with K.C.C.  
1697 Title 21A.

1698 17. Only if consistent with a farm plan.

1699 18. In accordance with a ((franchise)) right-of-way construction permit.

1700 19. Only within the roadway in accordance with a ((franchise)) right-of-way  
1701 construction permit.

1702 20. When:

- 1703 a. conducted by a public agency;
- 1704 b. the height of the facility is not increased;

- 1705 c. the linear length of the facility is not increased;
- 1706 d. the footprint of the facility is not expanded waterward;
- 1707 e. done in accordance with the Regional Road Maintenance Guidelines;
- 1708 f. done in accordance with the adopted King County Flood Hazard
- 1709 Management Plan and the Integrated Streambank Protection Guidelines (Washington
- 1710 State Aquatic Habitat Guidelines Program, 2002); and
- 1711 ~~((f))~~g. monitoring is conducted for three years following maintenance or repair
- 1712 and an annual report is submitted to the department.
- 1713 21. Only if:
- 1714 a. the activity is not part of a mitigation plan associated with another
- 1715 development proposal or is not corrective action associated with a violation; and
- 1716 b. the activity is sponsored or ~~((co-sponsored))~~ cosponsored by a ~~((public))~~
- 1717 government agency that has natural resource management as its primary function ~~((or a~~
- 1718 ~~federally-recognized-tribe,))~~ and the activity is limited to:
- 1719 (1) revegetation of the critical area and its buffer with native vegetation or the
- 1720 removal of noxious weeds or invasive vegetation;
- 1721 (2) placement of weirs, log controls, spawning gravel, woody debris, and
- 1722 other specific salmonid habitat improvements;
- 1723 (3) hand labor except:
- 1724 (a) the use of riding mower or light mechanical cultivating equipment and
- 1725 herbicides or biological control methods when prescribed by the King County noxious
- 1726 weed control board for the removal of noxious weeds or invasive vegetation; or

1727 (b) the use of helicopters or cranes if they have no contact with or otherwise  
1728 disturb the critical area or its buffer.

1729 22. If done with hand equipment and does not involve any clearing.

1730 23. Limited to ~~((removal of vegetation for forest fire prevention purposes in~~  
1731 ~~accordance with best management practices approved by the King County fire marshal))~~  
1732 tree and vegetation clearing for the purposes of wildfire preparedness, except tree and  
1733 vegetation clearing subject to K.C.C. 16.82.156 or K.C.C. Title 21A or otherwise  
1734 requiring a permit, including, but not limited to, alterations within critical areas, as  
1735 follows:

1736 a. Within thirty feet of a residential structure containing habitable space, the  
1737 following is allowed:

1738 (1) vegetation removal:

1739 (a) within fifteen feet of the furthest attached exterior point of a residential  
1740 structure containing habitable space or a deck;

1741 (b) within ten feet of an installed above ground propane or liquefied  
1742 petroleum gas tank; and

1743 (c) underneath a tree crown to provide up to ten feet of clearance from the  
1744 ground to remove ladder fuels; and

1745 (2) removal and pruning of trees to provide:

1746 (a) ten feet of clearance from the ground to remove ladder fuels, as long as  
1747 pruning does not exceed one-third of tree height;

1748 (b) fifteen feet of clearance over driveways for emergency vehicle access;

1749 (c) eighteen feet between tree crowns; and

1750                    (d) ten feet between tree crowns and decks, chimneys, propane tanks,  
1751 liquefied petroleum gas tanks, overhead communication cables, overhead electrical wires,  
1752 or other structures; and

1753                    b. All activities in subsection E.23.a. of this section are also allowed up to one  
1754 hundred feet from a residential structure containing habitable space if such clearing is  
1755 advised in a wildfire risk assessment conducted by a professional holding a wildfire risk  
1756 assessment certification, or the activity is advised in a forest stewardship plan approved  
1757 by the department of natural resources and parks that includes best management practices  
1758 to reduce wildfire risk, except as follows:

1759                    (1) removal and pruning of trees to provide clearance between tree crowns is  
1760 limited to providing:

1761                    (a) twelve feet between tree crowns, when more than thirty feet and up to  
1762 sixty feet of a residential structure containing habitable space; and

1763                    (b) six feet between tree crowns, when more than sixty feet and up to one  
1764 hundred feet of a residential structure containing habitable space.

1765                    24. Limited to the removal of downed trees.

1766                    25. Except on properties that are:

1767                    a. subject to clearing limits included in property-specific development  
1768 standards and special district overlays under K.C.C. chapter 21A.38; or

1769                    b. subject to urban growth area significant tree retention standards under  
1770 K.C.C. 16.82.156.

1771                    26. Only if allowed under K.C.C. 21A.24.045.D.69. and if the maintenance  
1772 activity is inspected by the:

- 1773 a. King Conservation District;
- 1774 b. department of natural resources and parks;
- 1775 c. department of local services, permitting division; or
- 1776 d. Washington state Department of Fish and Wildlife.
- 1777 27. Pruning of trees to provide up to ten feet of clearance from overhead
- 1778 communication cables and electrical wire components of utility facilities, if:
- 1779 a. no debris is left following the pruning activity;
- 1780 b. authorized by a right-of-way construction permit;
- 1781 c. pruning activities around overhead electrical facilities do not extend fifteen
- 1782 feet beyond the right-of-way; and
- 1783 d. any work is approved by the property owner.
- 1784 28. Tree and vegetation clearing, except for overhead facilities in subsection
- 1785 E.27. of this section, and except for tree and vegetation clearing subject to K.C.C.
- 1786 16.82.156 or K.C.C. Title 21A or otherwise requiring a permit, as follows:
- 1787 a. Up to thirty feet measured horizontally from the utility facility structure, the
- 1788 following is allowed:
- 1789 (1) vegetation removal:
- 1790 (a) within fifteen feet of the furthest attached exterior point of a structure;
- 1791 and
- 1792 (b) underneath a tree crown to provide up to ten feet of clearance from the
- 1793 ground to remove ladder fuels;
- 1794 (2) removal and pruning of trees to provide:

1795            (a) ten feet of clearance from the ground to remove ladder fuels, as long as  
1796 pruning does not exceed one-third of tree height;

1797            (b) fifteen feet of clearance over driveways for emergency vehicle access;

1798            (c) eighteen feet between tree crowns; and

1799            (d) ten feet between tree crowns and structures; and

1800            (3) the screening function of any landscaping planted to provide screening in  
1801 K.C.C. chapter 21A.16 is maintained; and

1802            b. All of the activities in subsection E.28.a. of this section are also allowed up  
1803 to one hundred feet measured horizontally from the utility facility structure if such  
1804 clearing activity is advised in a wildfire risk assessment conducted by a professional  
1805 holding a wildfire risk assessment certification, or the activity is advised in a forest  
1806 stewardship plan approved by the department of natural resources and parks and that  
1807 includes best management practices to reduce wildfire risks, except that removal and  
1808 pruning of trees to provide clearance between tree crowns is limited to providing:

1809            (1) twelve feet between tree crowns, when more than thirty feet and up to  
1810 sixty feet measured horizontally from a utility facility structure; and

1811            (2) six feet between tree crowns, when more than sixty feet and up to one  
1812 hundred feet measured horizontally from a utility facility structure.

1813            SECTION 28. Ordinance 1488, Section 7, as amended, and K.C.C. 16.82.060 are  
1814 hereby amended to read as follows:

1815            A. To obtain a permit, the applicant shall first file an application in writing on a  
1816 form prescribed by the department that, in addition to the requirements of K.C.C.  
1817 20.20.040, shall include, at a minimum:



- 1818           1. Identification and description of the work to be covered by the permit for  
1819 which application is made;
- 1820           2. An estimate of the quantities of work involved by volume and the total area  
1821 cleared or graded as a percentage of the total site area;
- 1822           3. An identification and description of:
- 1823           a. all critical areas on the site or visible from the boundaries of the site; and  
1824           b. ~~((all clearing restrictions applicable to the site in K.C.C. 16.82.150,))~~ critical  
1825 drainage areas requirements established by administrative rules or property-specific  
1826 development standards and special district overlays under K.C.C. chapter 21A.38;
- 1827           4. Location of any open space tracts or conservation easements if required  
1828 under:
- 1829           a. ~~((K.C.C. 16.82.152;~~  
1830           ~~b.))~~ K.C.C. chapter 21A.14;  
1831           ~~((e.))~~ b. K.C.C. chapter 21A.37;  
1832           ~~((d.))~~ c. critical drainage areas; or  
1833           ~~((e.))~~ d. property-specific development standards or special district overlays  
1834 under K.C.C. chapter 21A.38;
- 1835           5. Plans and specifications that, at a minimum, include:
- 1836           a. property boundaries, easements, and setbacks;
- 1837           b. a 1:2000 scale vicinity map with a north arrow;
- 1838           c. horizontal and vertical scale;
- 1839           d. size and location of existing improvements on and within fifty feet of the  
1840 project, indicating which will remain and which will be removed;

1841 e. location of all proposed cleared areas;

1842 f. existing and proposed contours at maximum five foot intervals, and

1843 extending for one hundred feet beyond the project edge;

1844 g. at least two cross sections, one in each direction, showing existing and

1845 proposed contours and horizontal and vertical scales; and

1846 h. a proposed erosion and sediment control plan as required by K.C.C.

1847 16.82.095.

1848 B. Materials in addition to those required in subsection A. of this section may be

1849 necessary for the department to complete the review. The following materials shall be

1850 submitted when required by the department((~~-~~));

1851 1. Higher accuracy contours and more details of existing terrain and area

1852 drainage, limiting dimensions, elevations or finished contours to be achieved by the

1853 grading, and proposed drainage channels and related construction;

1854 2. If applicable, all drainage plans and documentation consistent with King

1855 County Surface Water Design Manual;

1856 3. Restoration plan if required under K.C.C. (~~(16.82.110)~~) 21A.22.081; and

1857 4. Studies prepared by qualified specialists, as necessary to substantiate any

1858 submitted materials and compliance with this chapter or other law, particularly if clearing

1859 or grading is proposed to take place in or adjacent to a critical area.

1860 C. Plans and specifications shall be prepared and signed by a civil engineer if

1861 they are prepared in conjunction with the proposed construction or placement of a

1862 structure, include permanent drainage facilities or, if required by the department, propose

1863 alterations in steep slope or landslide hazard areas.

1864 D. The department shall determine the number of copies of the required plans,  
1865 specifications, and supporting materials necessary to expedite review and may require  
1866 submittal of materials in alternative formats.

1867 E. The director may waive specific submittal requirements if they are determined  
1868 to be unnecessary for the acceptance and subsequent review of an application.

1869 F. Any plans, specifications, or supporting materials that are returned as a result  
1870 of permit denial or any other reason shall be returned to the applicant.

1871 SECTION 29. Ordinance 12560, Section 148, as amended, and K.C.C. 17.04.200  
1872 are hereby amended to read as follows:

1873 Section 104.1 of the International Fire Code is not adopted and the following is  
1874 substituted:

1875 **General (IFC 104.1).** The fire marshal is authorized to render interpretations of  
1876 this code and make and enforce such rules and regulations, in accordance with K.C.C.  
1877 chapters 2.98 and 2.100, for the prevention and control of fires and fire hazards as  
1878 necessary to execute the application and the intent of this code, including but not limited  
1879 to:

1880 1. Procedures to ensure that building permits for structures shall conform to the  
1881 requirements of this code.

1882 2. Procedures to ensure that applicable standards of this code shall be reviewed as  
1883 part of the subdivision, short subdivision, (~~urban planned development~~) rezone,  
1884 conditional use, special use, site development permit, binding site plan, and building  
1885 permit processes.

1886           3. Procedures to assure that the standard known as NFPA 13R shall be applied as  
1887 a minimum standard to all R occupancies.

1888           4. Procedures to allow for relaxation of the hydrant spacing requirements by as  
1889 much as 50 percent, except when such allowances would unreasonably reduce fire  
1890 protection to the area or structures served.

1891           SECTION 30. Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280  
1892 are hereby amended to read as follows:

1893           Section 104 of the International Fire Code is supplemented with the following:

1894           Notice to fire districts (IFC 104.12).

1895           A. ~~((Prior to))~~ Before submitting an application for a commercial building permit,  
1896 site development permit, binding site plan, a preliminary subdivision or short subdivision  
1897 approval, final subdivision or short subdivision, ~~((urban planned development,))~~ zoning  
1898 reclassification, conditional use, and special use permits to the department:

1899           1. the applicant shall submit a copy of the application to the fire district  
1900 providing fire protection services to the proposed development;

1901           2. subdivisions and short subdivisions applied for and/or recorded before  
1902 February 1, 1989, shall be submitted once to the applicable fire district for review at the  
1903 time of the first building permit by the applicant for that building permit;

1904           3. it shall be the responsibility of the fire district to issue a receipt to the  
1905 applicant the same day it receives a copy of a permit application. The receipt shall  
1906 constitute proof to the director of the notification;

1907           4. the applicant shall include the fire district receipt with the permit application  
1908 to the department;

1909           5. it shall be the responsibility of the fire district to notify the fire marshal of any  
1910 comments within seven days of the receipt of an applied for permit.

1911           SECTION 31. Ordinance 16147, Section 2, as amended, and K.C.C. 18.17.010  
1912 are hereby amended to read as follows:

1913           The definitions in this section apply throughout this chapter unless the context  
1914 clearly requires otherwise.

1915           A. "Alternative green building rating system" means a third-party green building  
1916 certification other than LEED or the King County Sustainable Infrastructure Scorecard.  
1917 The following are accepted alternative green building rating systems, but the executive  
1918 may also accept certification through other rating systems as appropriate:

- 1919           1. Built Green Four-Star, Built Green Five-Star<sub>2</sub>, or Built Green Emerald Star, or  
1920 any combination thereof;
- 1921           2. Envision;
- 1922           3. Evergreen Sustainable Development Standard;
- 1923           4. Fitwel;
- 1924           5. Greenroads;
- 1925           6. Living Building Challenge;
- 1926           7. Passive House;
- 1927           8. Salmon Safe;
- 1928           9. SITES; and
- 1929           10. WELL.

1930           B. "Built Green Four-Star," "Built Green Five-Star<sub>2</sub>" and "Built Green Emerald  
1931 Star" mean a third-party residential green building certification((7)) developed and

1932 administered by the Master Builders Association of King and Snohomish Counties.

1933 C. "Capital project" means capital project as defined in K.C.C. 4A.10.100.

1934 D. "Energy Star" means the energy certification rating system developed by the  
1935 United States Environmental Protection Agency that focuses on energy efficiency.

1936 E. "Envision" means a voluntary sustainable infrastructure rating system  
1937 administered by the Institute for Sustainable Infrastructure and developed by the Harvard  
1938 University Graduate School of Design, American Public Works Association, American  
1939 Society of Civil Engineers, and the American Council of Engineering Companies for  
1940 assessing sustainability and resilience in infrastructure.

1941 F. "Equity" means equity as defined in K.C.C. 2.10.210.

1942 G. "Equity and social justice credits" means credits awarded through the  
1943 Sustainable Infrastructure Scorecard for actions that identify and account for equity and  
1944 social justice practices and outcomes throughout the capital project development  
1945 lifecycle. The credits recognize project team efforts to advance process, distributional  
1946 and cross-generational equity.

1947 H. "Evergreen Sustainable Development Standard" means a sustainable building  
1948 program for affordable housing projects that receive housing trust funds, administered by  
1949 the Washington state Department of Commerce according to RCW 39.35D.080.

1950 I. "Facility" means all or any portion of buildings, structures, infrastructure, sites,  
1951 complexes, equipment, utilities, and conveyance lines.

1952 J. "Fitwel" means a third-party green building rating system administered by the  
1953 Center for Active Design that provides a standard that supports health-promoting  
1954 strategies in the built environment.

1955           K. "Green building team" means a group that includes representatives from  
1956 county agencies with capital project or building management staff including, but not  
1957 limited to, the Metro transit department, the department of natural resources and parks,  
1958 the department of executive services, the department of local services, permitting and  
1959 road services divisions, (~~the department of~~) public health – Seattle & King County, the  
1960 historic preservation program, and the department of community and human services.  
1961 The members represent staff with expertise in project management, construction  
1962 management, architecture, landscape architecture, environmental planning, design,  
1963 engineering, historic preservation and resource conservation, public health, building  
1964 energy systems, building management, budget analysis, equity and racial and social  
1965 justice, procurement, and other skills as needed. The green building team provides  
1966 assistance and helps to disseminate information to project managers in all county  
1967 agencies.

1968           L. "Greenroads" means the third-party green building rating system administered  
1969 by the Greenroads International nonprofit organization to measure and manage  
1970 sustainability on transportation projects.

1971           M. "GreenTools program" means the support team located within the solid waste  
1972 division of the department of natural resources and parks that provides green building  
1973 technical assistance to county divisions, cities, and the general public within the county.

1974           N. "Integrative process" means an approach to project design that seeks to  
1975 achieve high performance on a wide variety of well-defined environmental and social  
1976 goals while staying within budgetary and scheduling constraints. It relies on a  
1977 multidisciplinary and collaborative team whose members make decisions together based

1978 on a shared vision and a holistic understanding of the project. It is an iterative process  
1979 that follows the design through the entire project life, from predesign through operation.

1980 O. "Leadership in Energy and Environmental Design" or "LEED" means a  
1981 voluntary, consensus-based national standard for developing high-performance,  
1982 sustainable buildings, created by the United States Green Building Council.

1983 P. "LEED-eligible building" means any new construction or major remodel or  
1984 renovation capital project with one thousand gross square feet or more of new,  
1985 remodeled, or renovated floor area that is occupied or conditioned and that meets the  
1986 minimum program requirements for LEED certifications.

1987 Q. "Living Building Challenge" means a voluntary green building rating system  
1988 administered by the International Living Future Institute. The certification options are  
1989 Full Living, Petal, CORE, Zero Energy, and Zero Carbon.

1990 R. "Major remodel or renovation" means work that demolishes space down to the  
1991 shell structure and rebuilds it with new interior walls, ceilings, floor coverings, and  
1992 systems, when the work affects more than twenty-five percent of a building's square  
1993 footage and the affected space is one thousand square feet or larger.

1994 S. "Minor remodel or renovation" means any type of remodel or renovation that  
1995 does not qualify as a major remodel or renovation.

1996 T. "New construction" means a new building or structure.

1997 U. "Passive House" means a voluntary passive building energy standard  
1998 certification program through either the PHIUS+ certification administered by Passive  
1999 House Institute United States or the Passive House certification administered by Passive  
2000 House Institute.



2001 V. "Regional code collaboration" means interested jurisdictions across the Puget  
2002 Sound region working together to develop building, energy, fire, residential, plumbing,  
2003 mechanical, and zoning codes supporting the advancement of green building practices.

2004 W. "Retrocommissioning" means a detailed, systematic process for investigating  
2005 an existing building's operations and identifying ways to improve performance. The  
2006 primary focus is to identify operational improvements to obtain comfort and energy  
2007 savings.

2008 X. "Salmon Safe" means a voluntary peer-reviewed certification program, linking  
2009 site development land management practices with the protection of agricultural and urban  
2010 watersheds, founded by the Stewardship Partners.

2011 Y. "SITES" means a voluntary sustainability-focused framework program  
2012 administered by the Sustainable SITES Initiative and developed by the American Society  
2013 of Landscape Architects, the Lady Bird Johnson Wildflower Center, and the United  
2014 States Botanical Garden.

2015 Z. "Social cost of carbon" means social cost of carbon as defined in K.C.C.  
2016 18.20.015.

2017 AA. "Social justice" means social justice as defined in K.C.C. 2.10.210.

2018 ~~((AA.))~~ BB. "Strategic Climate Action Plan" means the King County Strategic  
2019 Climate Action Plan adopted by Motion 15866, or any subsequent Strategic Climate  
2020 Action Plan developed under K.C.C. chapter 18.25 and adopted by the council.

2021 ~~((BB.))~~ CC. "Sustainable development practices" are also known as green  
2022 building and means whole system approaches to the design, construction, and operation  
2023 of buildings and infrastructure that help to mitigate the negative environmental,

2024 economic, health, and social impacts of construction, demolition, operation, and  
2025 renovation while maximizing the facilities' positive fiscal, environmental, health, and  
2026 functional contribution. Sustainable development practices recognize the relationship  
2027 between natural and built environments and seek to minimize the use of energy, water,  
2028 and other natural resources while providing maximum benefits and contribution to  
2029 service levels to the system and the connecting infrastructures.

2030 ~~((CC))~~ DD. "Sustainable Infrastructure Scorecard" means a green building and  
2031 sustainable development rating system developed by the green building team for capital  
2032 projects that are not eligible for the LEED rating system.

2033 ~~((DD))~~ EE. "Transit-oriented development" means a capital project on King  
2034 County-owned property that includes the development of housing, commercial space,  
2035 services, or job opportunities in direct proximity to frequent public transportation and that  
2036 is wholly or partially planned or wholly or partially financed by the Metro transit  
2037 department.

2038 ~~((EE))~~ FF. "WELL" means a third-party green building rating system  
2039 administered by the International WELL Building Institute's collaboration with Green  
2040 Business Certification, Inc.

2041 SECTION 32. Ordinance 19402, Section 8, and K.C.C. 18.17.050 are hereby  
2042 amended to read as follows:

2043 A. Capital projects shall be subject to the following applicable green building  
2044 standards and corresponding requirements; capital projects shall register with the  
2045 applicable third-party rating system and achieve the appropriate certification. Small,  
2046 related capital projects that are part of a program may be certified as a program rather

2047 than at the individual-project level:

2048           1. Affordable housing capital projects subject to RCW 39.35D.080 that receive  
2049 moneys from the King County ~~((D))~~department of ~~((C))~~community and ~~((H))~~human  
2050 ~~((S))~~services or that are part of transit-oriented development shall achieve either  
2051 Evergreen Sustainable Development Standard requirements or the highest rating in an  
2052 applicable alternative green building rating system certification, or both;

2053           2. Buildings owned or lease-to-own by King County, excluding those to which  
2054 subsection A.1. of this section applies, shall achieve certification levels as follows:

2055           a. New construction of a LEED-eligible building shall achieve either LEED  
2056 platinum certification or the Living Building Challenge certification, or both; and

2057           b. A major remodel or renovation of a LEED-eligible building shall achieve  
2058 either LEED gold certification or the Living Building Challenge certification, or both;  
2059 and

2060           3. Capital projects owned or lease-to-own by King County that are not subject  
2061 to subsection A.1. or 2. of this section shall either achieve a platinum rating according to  
2062 a King County or division-specific Sustainable Infrastructure Scorecard or achieve the  
2063 highest certification through an applicable alternative green building rating system, or  
2064 both.

2065           B. All capital projects to which subsection A. of this section applies:

2066           1. Shall meet King County Surface Water Design Manual requirements,  
2067 regardless of jurisdiction location. If a project is located in a jurisdiction where the  
2068 surface water design manual standards and requirements are different than King  
2069 County's, the project shall implement the more stringent requirement;

2070           2. Shall achieve a minimum diversion rate of eighty percent for construction and  
2071 demolition materials, achieve an eighty-five percent diversion rate beginning in 2025 and  
2072 shall achieve zero waste of resources with economic value beginning in 2030;

2073           3. Shall achieve applicable King County equity and social justice credits for  
2074 capital projects regardless of the rating system used; ~~((and))~~

2075           4. Should use the practice of integrative process to maximize green building,  
2076 sustainable development, community benefit, and financial investment opportunities over  
2077 the life of the asset; and

2078           5. Should use the social cost of carbon in life-cycle assessments and decision  
2079 making related to facility construction and resource efficiency projects.

2080           C.1. For leases by a King County agency for King County operations at non-  
2081 King-County-owned facilities, the agency shall seek to incorporate the latest green  
2082 building and sustainable development practices in the county-occupied space.

2083           2. For new leases of King County-employee-occupied-space of longer than five  
2084 years, including lease-to-own projects, King County shall lease buildings that are  
2085 certified through the LEED rating system at silver level or higher, are Energy Star  
2086 Certified, or are certified through an alternative green building rating system, but only  
2087 when those ratings are consistent with the operational needs of the function. Buildings  
2088 that do not meet these standards can be leased by the county if plans and financing are in  
2089 place at the time of signing that will enable the building to meet this standard within  
2090 twenty-four months of lease signing.

2091           D. As part of the county's green building program, the county shall preserve and  
2092 restore the historic landmarks and properties eligible for landmark designation that are

2093 owned by the county, except in cases where a certificate of appropriateness is granted by  
2094 the King County landmarks commission.

2095 SECTION 33. Ordinance 17270, Section 2, as amended, and K.C.C. 18.25.010  
2096 are hereby amended to read as follows:

2097 A.1. (~~The county developed a strategic climate action plan in 2012 to establish~~  
2098 ~~long-term targets and guide actions within county services and operations to reduce~~  
2099 ~~greenhouse gas emissions and adapt to a changing climate. In accordance with this~~  
2100 ~~chapter, the executive updates the strategic climate action plan.)) In order to guide the  
2101 county's climate-related objectives and strategies, the executive shall develop an updated  
2102 strategic climate action plan at least every five years. Each update to the strategic climate  
2103 action plan shall be developed with an environmental justice framework in partnership  
2104 with those communities disproportionately impacted by climate change and in a manner  
2105 consistent with (~~Ordinance 16948, which establishes the county's fair and just principle~~)  
2106 K.C.C. 2.10.200, 2.10.210, 2.10.220, and 2.10.230. The strategic climate action plan  
2107 shall include the following:~~

2108 a. the identification of specific goals, strategies, measures, targets, and priority  
2109 actions for county services and operations to reduce emissions consistent with the  
2110 countywide goal of reducing greenhouse gas emissions (~~(twenty-five percent by 2020,))~~  
2111 fifty percent by 2030, seventy-five percent by 2040, and ((eighty)) ninety-five percent by  
2112 2050, with net-zero emissions through carbon sequestration and other strategies by that  
2113 year, compared to a 2007 baseline. The strategic climate action plan should address five  
2114 goal areas for reducing greenhouse gas emissions: transportation and land use; building  
2115 and facilities energy; green building; consumption and materials management, including

2116 the environmental purchasing program; and forestry and agriculture. Each goal area shall  
2117 address environmental justice and ensure that the strategies promote an equitable  
2118 distribution of any environmental benefit. The strategic climate action plan should  
2119 establish explicit and, whenever possible, quantifiable connections between the  
2120 overarching climate goals and specific strategies and actions;

2121           b.(1) a green jobs strategy. For purposes of this subsection A., a "green job"  
2122 means (~~one that generates an income large enough to support a household in King~~  
2123 ~~County and provides a benefit to the environment~~) a living wage position providing  
2124 environmental benefits, such as clean energy deployment, in high-demand industry  
2125 sectors such as construction, manufacturing, transportation, and professional services.

2126 The intent of the green jobs strategy is to encourage the development of green jobs along  
2127 the career spectrum.

2128           (2) the green jobs strategy shall be developed in consultation with members  
2129 of the King County climate and equity community taskforce identified in subsection  
2130 A.1.b.(2)(f) of this section, labor and workforce development organizations directed in  
2131 subsection A.7. of this section, and representatives of an environmental justice and  
2132 climate equity organization, education, business, building managers, utilities, scientists  
2133 with knowledge of the latest research on strategies to reduce emissions, tribes, local  
2134 governments, and regional groups such as the King County-Cities Climate Collaboration  
2135 and the Puget Sound Regional Council, and shall include:

2136           (a) specific actions King County and its partners can take to increase the  
2137 number of green jobs and apprenticeships throughout the region, including jobs in energy

2138 efficiency, renewable energy, green vehicles, and carbon sequestration, and King County  
2139 administrative, executive, policy, and technical jobs;

2140 (b) a proposal for and budget to develop a green job pipeline that focuses  
2141 especially on communities that have historically been underserved, and is informed by  
2142 recommendations of the climate and equity community task force;

2143 (c) identification of the industry sectors and job types with high-demand  
2144 green jobs in King County; and

2145 (d) actions King County can take to develop the green energy skills of King  
2146 County's own workforce, such as collaboration on development of apprenticeship and  
2147 pre-apprenticeship programs in sectors including energy efficiency, electrification,  
2148 electric vehicle maintenance, the maintenance of electric vehicle infrastructure, and  
2149 carbon sequestration technologies; ~~(and~~

2150 ~~(e) an initial green jobs strategy in the 2020 Strategic Climate Action Plan~~  
2151 ~~update, with findings and recommendations along with recommended next steps for~~  
2152 ~~refining the green jobs strategy as part of plan implementation, biennial budgets and~~  
2153 ~~future plan updates; and~~

2154 ~~(f.))~~ c. a community-driven strategy to achieve sustainable and resilient  
2155 communities. In order to achieve a community driven strategy, the executive shall  
2156 convene and partner with the King County climate and equity community task force to  
2157 develop the sustainable and resilient community strategy. The King County climate and  
2158 equity community task force shall be a racially and ethnically diverse group representing  
2159 various communities in King County that are on the frontline of climate change. The task

2160 force shall develop goals and guide priority areas for climate action based on community  
2161 values and concerns. The sustainable and resilient community strategy shall:

2162           ~~((i))~~(1) identify how climate change will impact communities of color, low-  
2163 income communities, and those disproportionately impacted by climate change;

2164           ~~((ii))~~(2) identify opportunities to take actions to address those impacts that  
2165 could include increasing the number of affordable housing units, developing pathways to  
2166 green jobs, preventing neighborhood displacement, increasing access to green spaces,  
2167 providing access to zero emissions mobility options, improving food security, reducing  
2168 pollution, and addressing health disparities; and

2169           ~~((iii))~~(3) based on assessment of climate impacts and extreme weather events  
2170 like heat waves on vulnerable communities, make recommendations for preparedness  
2171 strategies and actions to include in county emergency response plans, the flood hazard  
2172 management plan, and the regional hazard mitigation plan;

2173           ~~((e))~~d. the current assessment of climate change impacts in King County and  
2174 identification of goals, strategies, measures, targets, and priority actions within county  
2175 services and county operations to address climate change impacts. Each goal and  
2176 strategy shall address environmental justice and ensure that the strategies promote an  
2177 equitable distribution of any environmental benefit;

2178           ~~((f))~~e. performance measures and related targets for both operational  
2179 emissions and implementation of priority strategies, including the green job strategy, that  
2180 advance the strategic climate action plan and provide for assessment of progress relative  
2181 to overarching climate goals at the community scale; and



2182           ((e))f. an assessment of cost effectiveness for key county services and  
2183 operations building on the pilot cost effectiveness assessment in the 2015 strategic  
2184 climate action plan update.

2185           2. ~~((Consistent with the county's strategic planning cycle, updates will occur at  
2186 least every five years, unless more frequent updates are needed to respond to changing  
2187 information about emissions sources, performance relative to targets, new technologies,  
2188 or a changing regulatory context.))~~ The executive shall transmit the 2025 update((s)) to  
2189 the strategic climate action plan to the council for adoption by motion. All subsequent  
2190 updates shall be transmitted to the council for adoption by ordinance.

2191           3. In developing future updates to the strategic climate action plan, the  
2192 executive shall continue to review climate change-related plans being developed by other  
2193 municipalities, including the city of Seattle's climate action plan, and identify  
2194 opportunities and strengthen recommendations for partnership with cities, businesses, and  
2195 nonprofit organizations to advance actions to reduce greenhouse gas emissions and  
2196 prepare for and respond to climate change impacts.

2197           4. ~~((The council recognizes that science related to climate change and successful  
2198 climate solutions is evolving, and each update to the strategic climate action plan should  
2199 build upon and refine the strategies, activities and performance targets in accordance with  
2200 best available science, practices and progress toward emissions reductions targets.~~

2201           5. ~~Future updates shall include the requirements of subsection A.1. of this  
2202 section.~~

2203           6)). Progress in achieving strategic climate action plan performance measure  
2204 targets and accomplishment of priority actions identified in subsection A.1. of this

2205 section, as well as findings outlining recommendations for changes in policies, priorities,  
2206 and capital investments, shall be reported and transmitted to council ~~((biennially))~~ with  
2207 the update of the strategic climate action plan and at the midpoint between updates. The  
2208 progress report shall be included as part of the report required in K.C.C. 18.50.010.

2209 ~~((7))~~5. The executive shall convene a strategic climate action plan labor  
2210 advisory council ~~((or))~~ and seek input from county labor and workforce development  
2211 organizations, including the Martin Luther King, Jr. County Labor Council of  
2212 Washington, the Seattle Building and Construction Trades Council, and the Workforce  
2213 Development Council of Seattle-King County, on recommendations for policies,  
2214 programs, and partnerships to strengthen pathways to local green jobs and to provide  
2215 guidance on each update.

2216 6. The executive shall collaborate with Indian tribes, and with cities in King  
2217 County through the King County-Cities Climate Collaboration, on each update to the  
2218 strategic climate action plan.

2219 B. Future updates to climate-related objectives and strategies should be informed  
2220 by the most-recently adopted strategic climate action plan.

2221 C. The executive ~~((must transmit))~~ shall electronically file the legislation and  
2222 reports required ~~((to be submitted))~~ by this section ~~((in the form of a paper original and an~~  
2223 ~~electronic copy))~~ with the clerk of the council, who shall retain ~~((the original))~~ an  
2224 electronic copy and provide an electronic copy to all councilmembers, the council chief  
2225 of staff, and the lead staff for the transportation, economy, and environment committee or  
2226 its successor.

2227            SECTION 34. The following should constitute a new chapter in K.C.C. Title 18,  
2228 to follow K.C.C. chapter 18.35:

2229            A. K.C.C. 28.30.010, as recodified by this ordinance;

2230            B. K.C.C. 28.30.020, as recodified by this ordinance; and

2231            C. K.C.C. 28.30.030, as recodified by this ordinance.

2232            SECTION 35. The following are hereby recodified as new sections in K.C.C.  
2233 chapter 18.xx (the new chapter created in section 34 of this ordinance):

2234            A. K.C.C. 28.30.010;

2235            B. K.C.C. 28.30.020; and

2236            C. K.C.C. 28.30.030, as amended by this ordinance.

2237            SECTION 36. Ordinance 17971, Section 4, as amended, and K.C.C. 28.30.030  
2238 are hereby amended to read as follows:

2239            A. The King County Metro transit carbon offset and environmental attributes  
2240 program is hereby created and shall be administered by the Metro transit department.

2241            B. Transit carbon offsets shall be reviewed by an ((~~an~~)) independent third-party  
2242 organization with proven experience in emission mitigation activities to ensure that  
2243 transit carbon offsets meet the requirements of RCW 36.01.250.

2244            C. The Metro transit department shall make carbon offsets or environmental  
2245 attributes available for purchase by individuals or public or private entities, if doing so is  
2246 likely to be financially beneficial to the department.

2247            D. The wastewater treatment division and the solid waste division shall evaluate  
2248 the purchase of Metro transit department carbon offsets, as necessary, to achieve the  
2249 requirements of this chapter.

2250 E. When purchasing carbon offsets, the wastewater treatment division and the  
2251 solid waste division shall ensure the offsets meet the requirements of RCW 36.01.250. In  
2252 purchasing offsets, the wastewater treatment division and the solid waste divisions shall  
2253 purchase offsets from the Metro transit department before purchasing carbon offsets from  
2254 outside of the county if Metro transit department offsets are comparably priced.

2255 F. Revenue from the sale of carbon offsets or environmental attributes shall be  
2256 used by the Metro transit department solely for the purposes of reducing greenhouse gas  
2257 emissions through ~~((providing additional transit service hours))~~ mobility services or  
2258 investments that reduce the greenhouse gas emissions from transit operations beyond  
2259 standard operations, thereby achieving additionality.

2260 G. The executive shall ensure that transit carbon offsets or other environmental  
2261 attributes are not double counted in calculating the greenhouse gas emissions for King  
2262 County.

2263 SECTION 37. Ordinance 13694, Section 42, as amended, and K.C.C.  
2264 19A.08.070 are hereby amended to read as follows:

2265 A. A property owner may request that the department determine whether a lot  
2266 was legally created. The property owner shall demonstrate to the satisfaction of the  
2267 department that a lot was created in compliance with applicable state and local land  
2268 segregation statutes or codes in effect at the time the lot was created.

2269 B. A lot shall be recognized as a legal lot:

2270 1. If before October 1, 1972, it was:

2271 a. conveyed as an individually described parcel to separate, noncontiguous  
2272 ownerships through a fee simple transfer or purchase; or

- 2273           b. recognized as a separate tax lot by the county assessor;
- 2274           2. If created by a recorded subdivision before June 9, 1937, and it was served by
- 2275 one of the following before January 1, 2000:
- 2276           a. an approved sewage disposal; or
- 2277           b. an approved water system; ~~((or~~
- 2278           ~~e. a road that was:~~
- 2279           ~~(1) accepted for maintenance by the King County department of~~
- 2280 ~~transportation; or~~
- 2281           ~~(2) located within an access easement for residential use or in a road right-of-~~
- 2282 ~~way and consists of a smooth driving surface, including, but not limited to, asphalt,~~
- 2283 ~~concrete, or compact gravel, that complied with the King County road standards in effect~~
- 2284 ~~at the time the road was constructed;))~~
- 2285           3. If created by an approved short subdivision, including engineers subdivisions;
- 2286           4. If created by a recorded subdivision on or after June 9, 1937; or
- 2287           5. If created through the following alternative means of lot segregation provided
- 2288 for by state statute or county code:
- 2289           a. at a size five acres or greater, created by a record of survey recorded
- 2290 between August 11, 1969, and October 1, 1972, and that did not contain a dedication;
- 2291           b. at a size twenty acres or greater, created by a record of survey recorded
- 2292 before January 1, 2000, and not subsequently merged into a larger lot;
- 2293           c. at a size forty acres or greater created through a larger lot segregation made
- 2294 in accordance with RCW 58.18.010, approved by King County and not subsequently

2295 merged into a larger lot. Within the F zone, each lot of tract shall be of a size that meets  
2296 the minimum lot size requirements of K.C.C. 21A.12.040.A;

2297 d. through testamentary provisions or the laws of descent after August 10,  
2298 1969; or

2299 e. as a result of deeding land to a public body after April 3, 1977.

2300 C. In requesting a determination, the property owner shall submit evidence,  
2301 deemed acceptable to the department, such as:

2302 1. Recorded subdivisions or division of land into four lots or less;

2303 2. King County documents indicating approval of a short subdivision;

2304 3. Recorded deeds or contracts describing the lot or lots either individually or as  
2305 part of a conjunctive legal description (~~((e.g.))~~, such as Lot 1 and Lot 2(~~(+)~~)); or

2306 4. Historic tax records or other similar evidence, describing the lot as an  
2307 individual parcel. The department shall give great weight to the existence of historic tax  
2308 records or tax parcels in making its determination.

2309 D. Once the department has determined that the lot was legally created, the  
2310 department shall continue to acknowledge the lot as such, unless the property owner  
2311 reaggregates or merges the lot with another lot or lots in order to:

2312 1. Create a parcel of land that would qualify as a building site, or

2313 2. Implement a deed restriction or condition, a covenant, or court decision.

2314 E. The department's determination shall not be construed as a guarantee that the  
2315 lot constitutes a building site as defined in K.C.C. 19A.04.060. Testamentary lots created  
2316 after December 31, 1999, and before January 1, 2019, are exempt from meeting the  
2317 minimum lot area requirements in K.C.C. 21A.12.030 and 21A.12.040 for the applicable

2318 zoning district, if all other federal, state, and local statutes and regulations are met. All  
2319 other testamentary lots shall be required to meet all federal, state, and local statutes and  
2320 regulations, including minimum lot area requirements in K.C.C. 21A.12.030 and  
2321 21A.12.040.

2322 F. Reaggregation of lots after January 1, 2000, shall only be the result of a  
2323 deliberate action by a property owner expressly requesting the department for a  
2324 permanent merger of two or more lots through a boundary line adjustment under K.C.C.  
2325 chapter 19A.28.

2326 SECTION 38. Ordinance 13694, Section 56, as amended, and K.C.C.  
2327 19A.12.020 are hereby amended to read as follows:

2328 A. Preliminary subdivision approval shall be effective for a period of sixty  
2329 months.

2330 B. Preliminary subdivision approval shall be considered the basis upon which the  
2331 applicant may proceed toward development of the subdivision and preparation of the  
2332 final plat subject to all the conditions of the preliminary approval.

2333 C. If the final plat is being developed in divisions, and final plats for all of the  
2334 divisions have not been recorded within the time limits provided in this section,  
2335 preliminary subdivision approval for all unrecorded divisions shall become void. The  
2336 preliminary subdivision for any unrecorded divisions (~~((must again))~~) shall be submitted  
2337 again to the department with a new application, subject to the fees and regulations  
2338 applicable at the time of submittal.

2339 D. ~~((An urban planned development permit, fully contained community permit,  
2340 or development agreement approved pursuant to K.C.C. chapter 21A.39 may extend the~~

2341 ~~preliminary approval period beyond sixty months for any preliminary subdivision~~  
2342 ~~approved simultaneous or subsequent to the urban planned development permit or fully~~  
2343 ~~contained community permit. Such extensions may be made contingent upon satisfying~~  
2344 ~~conditions set forth in the urban planned development permit, fully contained community~~  
2345 ~~permit or development agreement. In no case shall the extended preliminary approval~~  
2346 ~~period exceed the expected buildout time period of the urban planned development or~~  
2347 ~~fully contained community as provided in the urban planned development permit, fully~~  
2348 ~~contained community permit or development agreement. This section shall apply to any~~  
2349 ~~approved urban planned development permit, fully contained community permit or~~  
2350 ~~development agreement in existence on January 1, 2000, or approved subsequent to~~  
2351 ~~January 1, 2000.~~

2352         ~~E. For any plat with more than four hundred lots that is also part of the county's~~  
2353 ~~four to one program, the preliminary subdivision approval shall be effective for eighty-~~  
2354 ~~four months. This subsection applies to any preliminary plat approved by either the~~  
2355 ~~council or the hearing examiner, or both, on or after January 1, 1998, that relates to a four~~  
2356 ~~to one program with proposed plats containing more than four hundred lots.~~

2357         ~~F. For any plat with more than fifty lots where fifty percent or more of those lots~~  
2358 ~~will constitute affordable housing which is housing for those that have incomes of less~~  
2359 ~~than eighty percent of median income for King County as periodically published by the~~  
2360 ~~United States Department of Housing and Urban Development, or its successor agency,~~  
2361 ~~and at least a portion of the funding for the project has been provided by federal, state or~~  
2362 ~~county housing funds, the preliminary subdivision shall be effective for seventy two~~



2363 months. This subsection applies to any plat that has received preliminary approval on or  
2364 after January 1, 1998.

2365 ~~G.1. For any plat that has received preliminary approval on or after December 1,~~  
2366 ~~2003, the preliminary subdivision approval shall be valid for a period of eighty four~~  
2367 ~~months. The department may make revisions to the fee estimate issued by the~~  
2368 ~~department under K.C.C. 27.02.065.~~

2369 ~~2. For any plat that received preliminary approval on or after December 1, 2003,~~  
2370 ~~pursuant to K.C.C. 21A.55.060, the preliminary subdivision approval shall be valid for a~~  
2371 ~~period of one hundred and eight months. The department may make revisions to the fee~~  
2372 ~~estimate issued by the department under K.C.C. 27.02.065.~~

2373 ~~3. This subsection shall retroactively apply to any plat that has received~~  
2374 ~~preliminary approval on or after December 1, 2003. This subsection expires December~~  
2375 ~~31, 2014.)) An applicant for a preliminary plat approved on or after January 1, 2015,~~  
2376 ~~who files a written request for extension with the director at least thirty days before the~~  
2377 ~~expiration of the preliminary subdivision, shall be granted a one-time, one-year~~  
2378 ~~extension, dated from the original preliminary approval date. Any subdivision not~~  
2379 ~~recorded within the time set forth in this subsection is null and void and the applicant is~~  
2380 ~~required to resubmit a new preliminary subdivision for approval, subject to all current~~  
2381 ~~regulations.~~

2382 SECTION 39. Ordinance 13694, Section 80, as amended, and K.C.C.  
2383 19A.28.020 are hereby amended to read as follows:

2384 Adjustment of boundary lines between adjacent lots shall be consistent with the  
2385 following review procedures and limitations:

2386           A. Applications for boundary line adjustments shall be reviewed as a Type 1  
2387 permit as provided in K.C.C. chapter 20.20. The review shall include examination for  
2388 consistency with the King County zoning code, K.C.C. Title 21A., shoreline master  
2389 program, K.C.C. chapter 21A.25, applicable board of health regulations, and, for  
2390 developed lots, fire and building codes;

2391           B. A lot created through a large lot segregation shall be consistent with the  
2392 underlying zoning and shall not be reduced to less than twenty acres within ten years of  
2393 the large lot segregation approval unless it is subdivided in accordance with K.C.C.  
2394 chapter 19A.12;

2395           C. ~~((Any adjustment of boundary lines must be approved by the department  
2396 before the t))~~ Transfer of property ownership between adjacent legal lots shall not occur  
2397 until the boundary line adjustment is approved;

2398           D. A boundary line adjustment proposal shall not:

2399           1. Result in the creation of an additional lot; ~~((or))~~  
2400           2. Result in the creation of more than one additional building site in the rural  
2401 area and natural resource lands or two additional building sites in the urban area;

2402           ~~((2.))~~ 3. Result in a lot that does not qualify as a building site ~~((pursuant to))~~  
2403 under this title;

2404           ~~((3.))~~ 4. Relocate an entire lot from one parent parcel into another parent parcel;

2405           ~~((4.))~~ 5. Reduce the overall area in a plat or short plat devoted to open space;

2406           ~~((5.))~~ 6. Be inconsistent with any restrictions or conditions of approval for a  
2407 recorded plat or short plat;

2408           ~~((6.))~~ 7. Involve lots ~~((which))~~ that do not have a common boundary; ~~((or))~~

2409           ~~((7-))~~ 8. Circumvent the subdivision or short subdivision procedures ~~((set forth))~~  
2410 in this title. Factors ~~((which))~~ that indicate that the boundary line adjustment process is  
2411 being used in a manner inconsistent with statutory intent include: numerous and frequent  
2412 adjustments to the existing lot boundary, a proposal to move a lot or building site to a  
2413 different location, and a large number of lots being proposed for a boundary line  
2414 adjustment; or

2415           9. Circumvent standards or procedures in K.C.C. Title 21A;

2416           E. The elimination of lines between two or more lots shall, in all cases, ~~((shall))~~  
2417 be considered a minor adjustment of boundary lines and shall not be subject to the  
2418 subdivision and short subdivision provisions of this title or to K.C.C. 19A.28.030. The  
2419 format and requirements of a minor adjustment under this subsection shall be specified  
2420 by the department;

2421           F. Recognized lots in an approved site plan for a conditional use permit, special  
2422 use permit, ~~((urban planned development,))~~ or commercial site development permit shall  
2423 be considered a single site and no lot lines on the site may be altered by a boundary line  
2424 adjustment to transfer density or separate lots to another property not included in the  
2425 original site plan of the subject development; and

2426           G. Lots that have been subject to a boundary line adjustment process that resulted  
2427 in the qualification of an additional building site shall not be ~~((permitted))~~ allowed to  
2428 utilize the boundary line adjustment process again for five years to create an additional  
2429 building site.

2430           SECTION 40. Ordinance 18810, Section 3, and K.C.C. 20.08.037 are hereby  
2431 amended to read as follows:

2432 "Area zoning and land use study" means a study that reviews the land use  
2433 designations and zoning classifications for a specified set of properties. "Area zoning  
2434 and land use studies" are typically focused on a ~~((broader set of policies than a subarea  
2435 study))~~ specific set of possible zoning and land use changes, and do not look at the larger  
2436 range of issues that a subarea plan would include. "Area zoning and land use studies"  
2437 consider specific potential changes to land use or zoning, or both, and analyze such  
2438 requests based on surrounding land use and zoning, current infrastructure and potential  
2439 future needs, and consistency with the King County Comprehensive Plan,  
2440 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies, and the Growth Management Act, chapter  
2441 36.70A RCW.

2442 SECTION 41. Ordinance 263, Art. 3 (part), and K.C.C. 20.08.060 are hereby  
2443 amended to read as follows:

2444 "Subarea plan" means a detailed local land use plan that implements, is consistent  
2445 with, and is an element of the Comprehensive Plan, containing specific policies,  
2446 guidelines, and criteria adopted by the council to guide development and capital  
2447 improvement decisions within specific subareas of the county. ~~((Subareas are))~~ Subarea  
2448 plans are used for distinct communities, specific geographic areas, community service  
2449 areas, or other types of districts having unified interests or similar characteristics within  
2450 the county. ~~((Subarea plans may include community plans, community service area  
2451 subarea plans, neighborhood plans, basin plans and plans addressing multiple areas  
2452 having common interests. The relationship between the 1994 King County  
2453 Comprehensive Plan and subarea plans is established by K.C.C. 20.12.015.))~~

2454            SECTION 42. Ordinance 263, Article 2, Section 1, as amended, and K.C.C.

2455 20.12.010 are hereby amended to read as follows:

2456            Under the King County Charter, the state Constitution, and the ~~((Washington~~  
2457 ~~state))~~ Growth Management Act, chapter 36.70A RCW, King County adopted the 1994  
2458 King County Comprehensive Plan via Ordinance 11575 and declared it to be the  
2459 Comprehensive Plan for King County until amended, repealed, or superseded. The  
2460 Comprehensive Plan has been reviewed and amended multiple times since its adoption in  
2461 1994. Amendments to the 1994 Comprehensive Plan to-date are currently reflected in the  
2462 ~~((2016))~~ 2024 King County Comprehensive Plan, as adopted in ~~((Ordinance 18427 and as~~  
2463 ~~amended by Ordinance 18623, Ordinance 18810, Ordinance 19034, Ordinance 19146 and~~  
2464 ~~Ordinance 19555))~~ this ordinance. The Comprehensive Plan shall be the principal  
2465 planning document for the orderly physical development of the county and shall be used  
2466 to guide subarea plans, functional plans, provision of public facilities and services,  
2467 review of proposed incorporations and annexations, development regulations, and land  
2468 development decisions.

2469            SECTION 43. Ordinance 3692, Section 2, as amended, and K.C.C. 20.12.200 are  
2470 hereby amended to read as follows:

2471            A. The King County shoreline master program consists of the following  
2472 elements, enacted on or before ~~((March 25, 2021))~~ the date of enactment of this  
2473 ordinance:

- 2474            1. The King county Comprehensive Plan chapter six;
- 2475            2. K.C.C. chapter 21A.25;
- 2476            3. The following sections of K.C.C. chapter 21A.24:

- 2477 a. K.C.C. 21A.24.045;
- 2478 b. K.C.C. 21A.24.051;
- 2479 c. K.C.C. 21A.24.055;
- 2480 d. K.C.C. 21A.24.070.A., B.2., C.2., D., and E.;
- 2481 e. K.C.C. 21A.24.125;
- 2482 f. K.C.C. 21A.24.130;
- 2483 g. K.C.C. 21A.24.133;
- 2484 h. K.C.C. 21A.24.200;
- 2485 i. K.C.C. 21A.24.210;
- 2486 j. K.C.C. 21A.24.220;
- 2487 k. K.C.C. 21A.24.275;
- 2488 l. K.C.C. 21A.24.280;
- 2489 m. K.C.C. 21A.24.290;
- 2490 n. K.C.C. 21A.24.300;
- 2491 o. K.C.C. 21A.24.310;
- 2492 p. K.C.C. 21A.24.316;
- 2493 q. K.C.C. 21A.24.318;
- 2494 r. K.C.C. 21A.24.325;
- 2495 s. K.C.C. 21A.24.335;
- 2496 t. K.C.C. 21A.24.340;
- 2497 u. K.C.C. 21A.24.355;
- 2498 v. K.C.C. 21A.24.358;
- 2499 w. K.C.C. 21A.24.365;

- 2500 x. K.C.C. 21A.24.380;
- 2501 y. K.C.C. 21A.24.382;
- 2502 z. K.C.C. 21A.24.386; and
- 2503 aa. K.C.C. 21A.24.388;
- 2504 4. The following:
- 2505 a. ~~((K.C.C. 20.18.040;~~
- 2506 ~~b.))~~ K.C.C. 20.18.050;
- 2507 ~~((e.))~~ b. K.C.C. 20.18.056;
- 2508 ~~((d.))~~ c. K.C.C. 20.18.057;
- 2509 ~~((e.))~~ d. K.C.C. 20.18.058;
- 2510 ~~((f.))~~ e. K.C.C. 20.22.160;
- 2511 ~~((g.))~~ f. K.C.C. 21A.32.045;
- 2512 ~~((h.))~~ g. K.C.C. 21A.44.090;
- 2513 ~~((i.))~~ h. K.C.C. 21A.44.100; and
- 2514 ~~((j.))~~ i. K.C.C. 21A.50.030.

2515 B. The shoreline management goals and policies constitute the official policy of  
2516 King County regarding areas of the county subject to shoreline ~~((management))~~  
2517 jurisdiction under chapter 90.58 RCW. As provided by WAC 173-26-191(2)(a), King  
2518 County's local administrative, enforcement, and permit review procedures shall conform  
2519 to chapter 90.58 RCW but shall not be a part of the master program.

2520 C. Amendments to the shoreline master program do not apply to the shoreline  
2521 jurisdiction until approved by the Washington state Department of Ecology as provided  
2522 in RCW 90.58.090. The department of local services, permitting division, shall, within

2523 ten days after the date of the Department of Ecology's approval, file a copy of the  
2524 Department of Ecology's approval, in the form of an electronic copy, with the clerk of the  
2525 council, who shall retain the original and provide electronic copies to all  
2526 councilmembers, the chief of staff, and the lead staff of the local services and land use  
2527 committee, or its successor.

2528 NEW SECTION. SECTION 44. There is hereby added to K.C.C. chapter 20.12  
2529 a new section to read as follows:

2530 The Snoqualmie Valley/Northeast King County Subarea Plan, dated June 2024,  
2531 contained in Attachment J to this ordinance is adopted as an element of the King County  
2532 Comprehensive Plan and, as such, constitutes official county policy for the geographic  
2533 area of unincorporated King County defined in the plan.

2534 SECTION 45. Ordinance 13147, Section 19, as amended, and K.C.C. 20.18.030  
2535 are hereby amended to read as follows:

2536 A. The King County Comprehensive Plan shall be amended in accordance with  
2537 this chapter, which, in compliance with RCW 36.70A.130(2), establishes a public  
2538 participation program whereby amendments are considered by the council no more  
2539 frequently than once a year as part of the update schedule established in this chapter,  
2540 except that the council may consider amendments more frequently to address:

2541 1. Emergencies, if, after public notice, and an opportunity for public testimony,  
2542 commensurate with the nature of the emergency, in the same manner as an emergency  
2543 ordinance under Section 230.30 of the charter;

2544 2. An appeal of the plan filed with the Central Puget Sound Growth  
2545 Management Hearings Board or with the court;



2546           3. The initial adoption of a subarea plan, which may amend the urban growth  
2547 area boundary only to redesignate land within a joint planning area;

2548           4. An amendment of the capital facilities element of the Comprehensive Plan  
2549 that occurs in conjunction with the adoption of the county budget under K.C.C.  
2550 4A.100.010; or

2551           5. The adoption or amendment of a shoreline master program under chapter  
2552 90.58 RCW.

2553           B. Every year the Comprehensive Plan may be updated to address technical  
2554 updates and corrections, to adopt ~~((community service area))~~ subarea plans, and to  
2555 consider amendments that do not require substantive changes to the Comprehensive Plan  
2556 or subarea plan policy language or do not require changes to the urban growth area  
2557 boundary, except as ~~((permitted in subsection B.9. and 11. Of this section))~~ allowed in  
2558 Comprehensive Plan chapter 12. The review may be referred to as the annual update.  
2559 ~~((The Comprehensive Plan, including subarea plans, may be amended in the annual~~  
2560 ~~update only to consider the following:~~

2561           ~~1. Technical amendments to policy, text, maps or shoreline environment~~  
2562 ~~designations;~~

2563           ~~2. The annual capital improvement plan;~~

2564           ~~3. The transportation needs report;~~

2565           ~~4. School capital facility plans;~~

2566           ~~5. Changes required by existing Comprehensive Plan policies;~~

2567           ~~6. Changes to the technical appendices and any amendments required thereby;~~

2568           ~~7. Comprehensive updates of subarea plans initiated by motion;~~

- 2569           ~~8. Changes required by amendments to the Countywide Planning Policies or~~  
2570 ~~state law;~~
- 2571           ~~9. Redesignation proposals under the four to one program as provided for in~~  
2572 ~~this chapter;~~
- 2573           ~~10. Amendments necessary for the conservation of threatened and endangered~~  
2574 ~~species;~~
- 2575           ~~11. Site specific land use map amendments that do not require substantive~~  
2576 ~~change to Comprehensive Plan policy language and that do not alter the urban growth~~  
2577 ~~area boundary, except to correct mapping errors;~~
- 2578           ~~12. Amendments resulting from subarea studies required by Comprehensive~~  
2579 ~~Plan policy that do not require substantive change to Comprehensive Plan policy~~  
2580 ~~language and that do not alter the urban growth area boundary, except to correct mapping~~  
2581 ~~errors;~~
- 2582           ~~13. Changes required to implement a study regarding the provision of~~  
2583 ~~wastewater services to a Rural Town. The amendments shall be limited to policy~~  
2584 ~~amendments and adjustment to the boundaries of the Rural Town as needed to implement~~  
2585 ~~the preferred option identified in the study;~~
- 2586           ~~14. Adoption of community service area subarea plans;~~
- 2587           ~~15. Amendments to the Comprehensive Plan update schedule that respond to~~  
2588 ~~adopted ordinances and improve alignment with the timing requirements in the~~  
2589 ~~Washington state Growth Management Act, chapter 36.70A RCW ("the GMA"), and~~  
2590 ~~alignment with multicounty and countywide planning activities; or~~
- 2591           ~~16. Amendments to the Comprehensive Plan Workplan to change deadlines.))~~

2592 C. Every ~~((eighth))~~ tenth year beginning in 2024, the county shall complete a  
2593 comprehensive review of the Comprehensive Plan in order to update it as appropriate and  
2594 to ensure continued compliance with the GMA. This review may provide for a  
2595 cumulative analysis of the twenty-year plan based upon official population growth  
2596 forecasts, benchmarks, and other relevant data in order to consider substantive changes to  
2597 the Comprehensive Plan and changes to the urban growth area boundary. The  
2598 comprehensive review shall ~~((begin one year in advance of the transmittal))~~ follow the  
2599 schedule established in K.C.C. 20.18.060 and may be referred to as the ~~((eight))~~ ten-year  
2600 update. The urban growth area boundaries shall be reviewed in the context of the  
2601 ~~((eight))~~ ten-year update and in accordance with countywide planning policy ~~((G-1))~~ FW-  
2602 1 and RCW 36.70A.130.

2603 D.1. At the midpoint of the ~~((eight))~~ ten-year update process, a limited update to  
2604 the Comprehensive Plan to address time-sensitive issues before to the next ~~((eight))~~ ten-  
2605 year update, may be authorized by motion. The update may be referred to as the  
2606 midpoint update. The midpoint update may include those substantive changes to the  
2607 Comprehensive Plan and amendments to the urban growth area boundary that are  
2608 identified in the scope of work. The midpoint update may also include additions or  
2609 amendments to the Comprehensive Plan Workplan related to a topic identified in the  
2610 scope of work.

2611 2. The motion shall specify the scope of the midpoint update, and identify that  
2612 the resources necessary to accomplish the work are available. A fiscal note for the scope  
2613 of the midpoint update shall be provided to the council by the executive within fifteen  
2614 business days of introduction of the proposed motion. If the executive determines an

2615 additional appropriation is necessary to complete the midpoint update, the executive may  
2616 transmit an ordinance requesting the additional appropriation.

2617           3. If the executive proposes a midpoint update, the executive shall transmit to  
2618 the council by the last business day in ~~((June))~~ March two years before the midpoint year  
2619 of the ~~((eight))~~ ten-year update schedule a proposed motion specifying the scope of work  
2620 for the midpoint update. The council shall have until ~~((September 15))~~ June 30 of that  
2621 year, to adopt a motion specifying the scope of work initiating a midpoint update, either  
2622 as transmitted or amended, or as introduced or amended. If the motion is approved by  
2623 ~~((September 15))~~ June 30, the scope shall proceed as established by the approved motion.  
2624 In the absence of council approval by ~~((September 15))~~ June 30, the executive shall  
2625 proceed to implement the scope as transmitted. If such a motion is adopted, the  
2626 executive shall transmit a midpoint update by the last business day of June of the  
2627 following year after adoption of the motion. The council shall have until June 30 of the  
2628 following year after transmittal to adopt a midpoint update.

2629           ~~((4. Before initiation of the first eight year update in 2024, substantive changes  
2630 to the Comprehensive Plan and amendments to the urban growth area boundary may be  
2631 considered. The amendments shall be considered in the 2020 Comprehensive Plan  
2632 update and shall be subject to the midpoint update process and requirements. The  
2633 executive shall transmit to the council by the first business day of January 2019 a  
2634 proposed motion specifying the scope of work for the proposed update consistent with  
2635 K.C.C. 20.18.030.D.1. The council shall have until the last business day of February  
2636 2019, to adopt the motion, either as transmitted or amended. In the absence of council  
2637 approval by the last business day of February 2019, the executive shall proceed to~~

2638 ~~implement the scope as proposed. If the motion is approved the last business day of~~  
2639 ~~February 2019, the scope shall proceed as established by the approved motion. The~~  
2640 ~~executive shall transmit to the council any proposed amendments for the 2020~~  
2641 ~~Comprehensive Plan update the by the last business day of September 2019. The council~~  
2642 ~~shall have until the last business day of July 2020 to adopt the 2020 Comprehensive Plan~~  
2643 ~~update.))~~

2644 E. The executive shall seek public comment on the Comprehensive Plan and any  
2645 proposed Comprehensive Plan update in accordance with the procedures in K.C.C.  
2646 20.18.160 before making a recommendation, which shall include publishing a public  
2647 review draft of the proposed Comprehensive Plan update, in addition to conducting the  
2648 public review and comment procedures required by SEPA. The public shall be afforded  
2649 at least one official opportunity to record public comment before the transmittal of a  
2650 recommendation by the executive to the council. County-sponsored councils and  
2651 commissions may submit written position statements that shall be considered by the  
2652 executive before transmittal and by the council before adoption, if they are received in a  
2653 timely manner. The executive's recommendations for changes to policies(~~(, text and~~  
2654 ~~maps))~~) shall include the elements listed in Comprehensive Plan policy (~~(I-207 and~~  
2655 ~~analysis of their financial costs and public benefits, any of which may be included in~~  
2656 ~~environmental review documents))~~ I-108. Proposed amendments to the Comprehensive  
2657 Plan shall be accompanied by any development regulations or amendments to  
2658 development regulations, including area zoning, necessary to implement the proposed  
2659 amendments.

2660            SECTION 46. Ordinance 13147, Section 20, as amended, and K.C.C. 20.18.040  
2661 are hereby amended to read as follows:

2662            A. Site-specific land use map (~~((or shoreline master program map))~~) amendments  
2663 may be considered during the annual (~~((update))~~), midpoint<sub>2</sub> (~~((update))~~) or (~~((eight))~~) ten-year  
2664 update, depending on the degree of change proposed.

2665            B. (~~((The following categories of s))~~)Site-specific land use map amendments (~~((or~~  
2666 ~~shoreline master program map))~~) that do not require substantive change to Comprehensive  
2667 Plan or subarea plan language and that do not alter the urban growth area boundary,  
2668 except to correct mapping errors, may be initiated by either the county or a property  
2669 owner for consideration in the annual update(~~(:~~

2670            1. ~~Amendments that do not require substantive change to Comprehensive Plan~~  
2671 ~~policy language and that do not alter the urban growth area boundary, except to correct~~  
2672 ~~mapping errors; and~~

2673            2. ~~Four to one proposals~~)).

2674            C. The following categories of site-specific land use map (~~((and shoreline master~~  
2675 ~~program))~~) amendments may be initiated by either the county or a property owner for  
2676 consideration in the (~~((eight))~~) ten-year update or midpoint update:

2677            1. Amendments that could be considered in the annual update;

2678            2. Amendments that require substantive change to Comprehensive Plan policy  
2679 language; and

2680            3. Amendments to the urban growth area boundary.

2681            SECTION 47. Ordinance 3688, Section 813, as amended, and K.C.C. 20.18.056  
2682 are hereby amended to read as follows:

2683 A. Shoreline environments designated by the master program may be considered  
2684 for redesignation during the annual, midpoint, or ((eight)) ten-year update ~~((or midpoint~~  
2685 ~~update))~~.

2686 B. A redesignation shall follow the process in K.C.C. 20.18.050.

2687 SECTION 48. Ordinance 13147, Section 22, as amended, and K.C.C. 20.18.060  
2688 are hereby amended to read as follows:

2689 A. Beginning in ~~((2022))~~ 2030, and every ~~((eight))~~ ten years thereafter, the  
2690 executive shall initiate the ten-year update to the Comprehensive Plan required by K.C.C.  
2691 20.18.030.C. The ten-year update process shall occur as follows:

2692 1.a. By September 15, 2031, and every ten years thereafter, the executive shall  
2693 transmit to the council a proposed motion specifying the scope of work for the proposed  
2694 ten-year update to the Comprehensive Plan ~~((that will occur in the following year under))~~  
2695 in subsection ~~((B-))~~ A.2. of this section.

2696 ~~((+))~~ The scoping motion shall include as an attachment to the motion the  
2697 following:

2698 ~~((a-))~~ (1) topical areas relating to amendments to policies, the land use map,  
2699 implementing development regulations, or any combination of those amendments that the  
2700 executive intends to consider for recommendation to the council; and

2701 ~~((b- an attachment to the motion advising the council of))~~ (2) the work  
2702 program the executive intends to follow to accomplish State Environmental Policy Act  
2703 review and public participation.

2704 ~~((2.a. For the eight year update required by RCW 36.70A.130 to be completed~~  
2705 ~~in 2024, the executive shall transmit to the council the scoping motion required in~~

2706 subsection A. of this section by ~~March 31, 2022~~. The council shall have until June 15,  
2707 2022, to approve the motion.

2708 ~~b. Beginning in 2030 and every eight years thereafter, the executive shall~~  
2709 ~~transmit to the council the scoping motion required in subsection A. of this section by the~~  
2710 ~~last business day of June.)~~

2711 b. The council shall have until ~~((September 15))~~ December 31 of that year to  
2712 approve the motion.

2713 ~~((3.))~~ In the absence of council approval, the executive shall proceed to  
2714 implement the scope of work as proposed in the motion transmitted by the executive. If  
2715 the motion is approved, the scope of work shall proceed as established by the approved  
2716 motion.

2717 ~~((B.))~~ 2. Except as otherwise provided in subsection ~~((C.))~~ B. of this section:

2718 ~~((1. For the eight year update required by RCW 36.70A.130 to be completed in~~  
2719 ~~2024, the executive shall transmit to the council by December 29, 2023, a proposed~~  
2720 ~~ordinance updating the Comprehensive Plan. The transmittal shall be accompanied by a~~  
2721 ~~public participation note, identifying the methods used by the executive to ensure early~~  
2722 ~~and continuous public participation in the preparation of amendments. The council shall~~  
2723 ~~have until December 31, 2024, to adopt the update to the Comprehensive Plan, in~~  
2724 ~~accordance with RCW 36.70A.130; and~~

2725 ~~2. Beginning in 2030))~~ a. By June 30, 2033, and every ~~((eighth))~~ ten years  
2726 thereafter, the executive shall transmit to the council ~~((by the last business day of June))~~ a  
2727 proposed ordinance ~~((updating))~~ for the ten-year Comprehensive Plan update. All  
2728 transmittals shall be accompanied by a public participation ~~((note))~~ summary, identifying



2729 the methods used by the executive to ensure early and continuous public participation in  
2730 the preparation of amendments.

2731           **b.** The council shall have until June 30 (~~(of the following year)~~), 2034, and  
2732 every ten years thereafter to adopt (~~(an)~~) the ten-year update to the Comprehensive Plan,  
2733 in accordance with RCW 36.70A.130.

2734           (~~(C-)~~) **B.** Separate from (~~(the eight)~~) ten-year Comprehensive Plan updates  
2735 required in subsection (~~(B-)~~) A. of this section:

2736           1. Except as otherwise provided in subsection B.2. of this section, (~~(F)~~) in years  
2737 (~~(where there is a biennial budget proposed)~~) when the fiscal period is biennial, the  
2738 capital improvement program, an update or addendum where appropriate to the  
2739 transportation needs report, and the school capital facility plans shall be:

2740           a. transmitted by the executive to the council no later than transmittal of the  
2741 biennial budget; and

2742           b. adopted by the council in conjunction with the biennial budget; (~~(and)~~)

2743           2. Subsection B.1. of this section shall not apply to the transportation needs  
2744 report in years when a transmitted ten-year Comprehensive Plan update is being reviewed  
2745 by the council as required in subsection A.2. of this section; and

2746           3. In years when there is only a midbiennium review of the budget under K.C.C.  
2747 4A.100.010 or, under K.C.C. 4A.100.010.B., the fiscal period for some or all of the  
2748 county funds is on an annual basis, the capital improvement program and the school  
2749 capital facility plans shall be:

2750           a. transmitted by the executive to the council by October 1; and

2751           b. adopted by the council no later than adoption of the midbiennium review or  
2752 in conjunction with the annual budget.

2753           SECTION 49. Ordinance 13147, Section 23, as amended, and K.C.C. 20.18.070  
2754 are hereby amended to read as follows:

2755           A. The executive shall transmit to the council the annual update by the last  
2756 business day of June, except that the capital improvement program ~~((and the ordinances~~  
2757 ~~adopting updates to the))~~, transportation needs report<sub>2</sub>, and the school capital facility plans  
2758 shall be transmitted ~~((no later than the biennial budget transmittal and shall be adopted in~~  
2759 ~~conjunction with the budget. However, in those years when there is only a midbiennium~~  
2760 ~~review of the budget, the ordinances adopting the capital improvement plan and the~~  
2761 ~~school capital facility plans shall be transmitted by October 1, and adopted no later than~~  
2762 ~~the midbiennium review under K.C.C. 4A.100.010))~~ and adopted in accordance with the  
2763 schedules in K.C.C. 20.18.060.B.

2764           B. All transmittals shall be accompanied by a public participation ~~((note))~~  
2765 summary, identifying the methods used by the executive to assure early and continuous  
2766 public participation in the preparation of updates.

2767           C. Proposed amendments, including site-specific land use map amendments, that  
2768 are found to require preparation of an environmental impact statement, shall be  
2769 considered for inclusion in the next annual, midpoint<sub>2</sub>, or ~~((eight))~~ ten-year update  
2770 following completion of the appropriate environmental documents.

2771           SECTION 50. Ordinance 13147, Section 27, and K.C.C. 20.18.110 are hereby  
2772 amended to read as follows:

2773           A. Notice of the time, place, and purpose of a public hearing before the council to  
2774 consider amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or development regulations~~((;~~  
2775 ~~other than area zoning;))~~ shall at a minimum be given at least thirty days before the  
2776 hearing by the following methods:

2777           1. ~~((o))~~One publication in a newspaper of general circulation in the county ~~((at~~  
2778 ~~least thirty days before the hearing))~~.

2779           2. For land use designation and zoning classification proposals only:

2780           a. one additional publication in the area for which the area zoning is proposed,  
2781 if available;

2782           b. mailed to affected property owners, appropriate to the scope of the proposal,  
2783 whose names appear on the rolls of the King County assessor and shall at a minimum  
2784 include owners of properties within five hundred feet of affected property, at least twenty  
2785 property owners in the vicinity of the property, and to any individuals or organizations  
2786 that have formally requested to the department of local services, permitting division,  
2787 department of performance, strategy and budget, regional planning section, or council, to  
2788 be kept informed of applications in an identified area. If the additional publication  
2789 referenced in subsection A.2.a. of this section is not available, the mailing radius shall be  
2790 extended to one thousand feet, and at least forty property owners in the vicinity of the  
2791 property. The mail shall be postmarked at least thirty days before the hearing. If the  
2792 county sends the mailed notice by bulk mail, the certificate of mailing shall qualify as a  
2793 postmark. Failure to notify any specific property owner shall not invalidate an area  
2794 zoning proceeding or any resulting reclassification of land; and

2795           c. posted on the county website.

2796 B. Notice for site-specific land use map amendments ~~((will))~~ shall also be  
2797 provided ~~((pursuant))~~ in accordance with K.C.C. 20.18.050.

2798 C. The county shall endeavor to provide ~~((such))~~ notices required by this section  
2799 in nontechnical language. The notice shall indicate how the detailed description of the  
2800 ordinance required by K.C.C. 20.18.100 can be obtained by a member of the public.

2801 SECTION 51. Ordinance 13147, Section 30, as amended, and K.C.C. 20.18.140  
2802 are hereby amended to read as follows:

2803 A. In accordance with RCW 36.70A.470, a docket containing written  
2804 ~~((comments on))~~ requests for suggested Comprehensive ~~((p))~~ Plan or development  
2805 regulation amendments shall be coordinated by the department. The docket is the means  
2806 either to suggest a change or to identify a deficiency, or both, in the Comprehensive Plan  
2807 or development regulation. For the purposes of this section, "deficiency" refers to the  
2808 absence of required or potentially desirable contents of the Comprehensive Plan or  
2809 development regulation and does not refer to whether a development regulation  
2810 addressed a project's probable specific adverse environmental impacts that could be  
2811 mitigated in the project review process. Any interested party, including permit  
2812 applicants, ~~((citizens))~~ members of the public, and government agencies, may submit  
2813 items to the docket.

2814 B. ~~((All agencies of county government having responsibility for elements of the~~  
2815 ~~Comprehensive Plan or implementing development regulations))~~ 1. The department shall  
2816 provide a means by which ~~((citizens))~~ members of the public may docket written  
2817 comments on the plan or on development regulations. The department ~~((shall))~~ should  
2818 use public participation methods identified in K.C.C. 20.18.160 to ~~((solicit public use of))~~

2819 publicize the docket. The department shall provide a mechanism for docketing  
2820 amendments (~~((through))~~) on the ((Internet)) county's website.

2821 ~~((1-))~~ 2. All docketed comments relating to the Comprehensive Plan shall be  
2822 reviewed by the department and considered for an amendment to the Comprehensive  
2823 Plan.

2824 ~~((2-))~~ 3. Docketed comments relating to development regulations shall be  
2825 reviewed by the appropriate county agency. Those requiring a Comprehensive Plan  
2826 amendment shall be forwarded to the department and considered for an amendment to the  
2827 Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be  
2828 considered by the responsible county agency for amendments to the development  
2829 regulations.

2830 4. The deadline for submitting docketed comments is December 31 for  
2831 consideration in the update process for the following year.

2832 ~~((3-))~~ 5. Except as provided in subsection B.7. of this section:

2833 a. By the last business day of April, the department shall issue an executive  
2834 response to all docketed comments. Responses shall include: a classification of the  
2835 recommended changes as appropriate for the annual update, midpoint update (~~((or eight))~~),  
2836 ten-year update, or stand-alone development regulations update; and an executive  
2837 recommendation indicating whether (~~((or not))~~) the docketed items are to be included in  
2838 the next executive-recommended Comprehensive Plan update or a future stand-alone  
2839 development regulations update. If the docketed changes will not be included in the next  
2840 executive transmittal, the department shall indicate the reasons why, and shall inform the  
2841 proponent that they may petition the council during the legislative review process.

2842            ~~((4-))~~ b. By the last business day of April, the department shall forward to the  
2843 council a report including all docketed amendments and comments with an executive  
2844 response. The report shall include a statement indicating that the department has  
2845 complied with the notification requirements in this section. The executive shall attach to  
2846 the report copies of the docket requests and supporting materials submitted by the  
2847 proponents and copies of the executive response that was issued to the proponents.

2848            6. The docket report shall be made available on the county's website.

2849            7.a For docket requests received between scoping and transmittal of midpoint  
2850 and ten-year updates, the executive shall include, as a supplemental document with  
2851 transmittal of the update, an analysis and recommendation for docket requests received;  
2852 and

2853            b. For docket requests received between transmittal and adoption of midpoint  
2854 and ten-year updates, that are not addressed in the update, the executive shall include  
2855 those requests in the next year's docket report.

2856            ~~((5-))~~ 8. ((Upon)) After receipt of the docket report, during the next available  
2857 Comprehensive Plan update, the council shall include all proponents of docketed requests  
2858 in the mailing list for agendas to all committee meetings in which the Comprehensive  
2859 Plan will be reviewed (~~((during the next available update))~~). At the beginning of the  
2860 committee review process, the council shall develop a committee review schedule with  
2861 dates for committee meetings and any other opportunities for public testimony and for  
2862 proponents to petition the council to consider docket changes that were not recommended  
2863 by the executive and shall attach the review schedule to the agenda whenever the  
2864 Comprehensive Plan is to be reviewed.

2865           ~~((6 Docketed comments relating to development regulations shall be reviewed~~  
2866 ~~by the appropriate county agency. Those requiring a Comprehensive Plan amendment~~  
2867 ~~shall be forwarded to the department and considered for an amendment to the~~  
2868 ~~Comprehensive Plan. Those not requiring a Comprehensive Plan amendment shall be~~  
2869 ~~considered by the responsible county agency for amendments to the development~~  
2870 ~~regulations.~~

2871           ~~7. The docket report shall be made available through the Internet. The~~  
2872 ~~department shall endeavor to make the docket report available within one week of~~  
2873 ~~transmittal to the council.))~~

2874           C. In addition to the docket, the department shall provide opportunities for  
2875 receiving general public comments ~~((both before the docketing deadline each year, and~~  
2876 ~~during the executive's review periods before transmittal to the council. The opportunities~~  
2877 ~~may include, but are not limited to, the use of the following: comment cards, electronic~~  
2878 ~~or posted mail, Internet, public meetings with opportunities for discussion and feedback,~~  
2879 ~~printed summaries of comments received and twenty-four hour telephone hotlines. The~~  
2880 ~~executive shall assure that the opportunities for public comment are provided as early as~~  
2881 ~~possible for each stage of the process, to assure timely opportunity for public input.)) at~~  
2882 ~~any time, including as provided in K.C.C. 20.18.160.~~

2883           SECTION 52. Ordinance 13147, Section 32, and K.C.C. 20.18.160 are hereby  
2884 amended to read as follows:

2885           A. ~~((Pursuant to))~~ In accordance with RCW 36.70A.140, the county shall provide  
2886 for early and continuous public participation in the development and amendment of the  
2887 ~~((e))~~Comprehensive ~~((p))~~Plan and any implementing development regulations.

2888 B. The county's ~~((P))~~ public participation program shall at a minimum include the  
2889 following elements:

2890 1. ~~((Annual))~~ Broad dissemination of ~~((a schedule))~~ upcoming opportunities for  
2891 public participation, as they are available;

2892 2. ~~((Issuance of a citizen's guide to the comprehensive plan process that  
2893 provides i))~~ Information on ~~((citizen))~~ public participation in the ~~((e))~~ Comprehensive  
2894 ~~((p))~~ Plan process, a description of the procedure and schedule for amending the  
2895 ~~((e))~~ Comprehensive ~~((p))~~ Plan ~~((and/))~~ or implementing development regulation ~~((s))~~ s,  
2896 and ~~((a guide))~~ information on how to use the docket;

2897 3. Provision for broad dissemination of the proposal and alternatives appropriate  
2898 to the scope and significance of the proposal. The county shall make available to the  
2899 public printed and electronic information ~~((which))~~ that clearly defines and visually  
2900 portrays, when possible, the range of options under consideration by the county. ~~((This))~~  
2901 The information shall also include a description of any policy considerations, the  
2902 schedule for deliberation, opportunities for public participation, information on the  
2903 submittal and review procedures for written comments, and the name, email address, and  
2904 telephone number of the responsible official ~~((s))~~ s. The methods employed to provide  
2905 the information may include, but are not limited to, the use of the following: published  
2906 notice in ~~((the official county newspaper))~~ a newspaper of general circulation and other  
2907 appropriate publications ~~((, news media notification))~~; press releases; ~~((, mailed))~~ notice to  
2908 property owners and to ~~((citizens))~~ members of the public or groups with a known  
2909 interest in the proposal ~~((;))~~; public ~~((education and government channel electronic kiosks  
2910 and))~~ television; the internet ~~((;))~~; transit advertising ~~((;))~~; telephone ~~((and fax))~~



2911 information or comment lines(~~(7)~~); public review documents (~~(and displays in public~~  
2912 ~~facilities, speakers bureau, and printed or computerized graphics depicting the effect of~~  
2913 ~~the proposal)~~); posters; agency newsletters and mailing list; and social media. The  
2914 county shall endeavor to provide such notices in nontechnical language;

2915 4. Hosting, speaking at, or attending (~~(P)~~)public meetings to obtain comments  
2916 from the public or other agencies on a proposed plan, amendment to the  
2917 (~~(e)~~)Comprehensive (~~(p)~~)Plan, or implementing development regulation. Public meeting  
2918 means an informal meeting, hearing, workshop, or other public gathering of people for  
2919 the purpose of obtaining public comments and providing opportunities for open  
2920 discussion. (~~(All public meetings associated with review of the comprehensive plan or~~  
2921 ~~development regulations shall provide a means for the public to submit items for the~~  
2922 ~~docket.))~~ County-hosted public meetings shall be appropriately noticed to the public and  
2923 should be broadly disseminated at least one week advance, except that noticing of  
2924 meetings held by the King County council are subject to council rules in K.C.C. chapter  
2925 1.24. A (~~(public)~~) publicly available record of each county-hosted public meeting should  
2926 be maintained to include (~~(documentation of)~~) information about attendance, record of  
2927 any mailed notice, and a (~~(record)~~) recording of the meeting or a summary of public  
2928 comments (~~(not incorporated in the docket)~~);

2929 5. Other methods of public engagement to solicit feedback about the proposal,  
2930 appropriate to the scope and significance of the proposal, such as surveys, focus groups,  
2931 partnering with community-based organizations, and online engagement portals; and

2932 6. (~~(The county shall provide)~~) County-provided mechanisms to enable public  
2933 access to additional information. The county shall provide for publicly accessible (~~(and~~

2934 ~~complete~~) records of all (~~applications,~~) docketed amendment requests(~~(;)~~) and related  
2935 background information during normal business hours. The public may seek assistance  
2936 from the office of (~~citizen complaints~~) the ombuds to obtain time sensitive information.  
2937 (~~Methods of disseminating information may include, but are not limited to, the~~  
2938 ~~following: published notice of location of public review documents, use of the public~~  
2939 ~~education and government channel, use of electronic kiosks and the internet, telephone~~  
2940 ~~information lines with or without fax options, placement of documents in public libraries~~  
2941 ~~and community centers, speakers bureau and public displays.))~~

2942 C. (~~When technical matters are considered with regard to docketed issues, or to~~  
2943 ~~evaluate public testimony, due consideration shall be given to technical testimony from~~  
2944 ~~the public and third party analysis may be sought when appropriate.)) Along with the  
2945 executive's proposed Comprehensive Plan, the executive shall transmit to the council, as  
2946 supplementary material, a summary of the proposal in non-technical language and  
2947 translated into the top six languages other than English.~~

2948 D. Errors in exact compliance with the established procedures do not render the  
2949 Comprehensive Plan or development regulations invalid if the intent of the procedures is  
2950 met.

2951 E. Emergency Comprehensive Plan amendments, as authorized by K.C.C.  
2952 20.18.030, are exempt from the requirements of this section but still require some public  
2953 notice and an opportunity public testimony before adoption of the amendments.

2954 SECTION 53. Ordinance 14047, Section 9, and K.C.C. 20.18.170 are hereby  
2955 amended to read as follows:

2956           A. The purpose of the four-to-one program is to create a contiguous band of  
2957 natural area to the regional open space system adjacent to the original urban growth area  
2958 boundary, which was adopted in the 1994 King County Comprehensive Plan. ((The total  
2959 area added to the urban growth area as a result of this program shall not exceed four  
2960 thousand acres. The department shall keep a cumulative total for all parcels added under  
2961 this section. The total shall be updated annually through the plan amendment process.))

2962           B. Proposals under the four-to-one program:

2963           1. ~~((s))~~Shall be proposed via the docket process in K.C.C. 20.18.140, a scoping  
2964 motion for a midpoint or ten-year Comprehensive Plan update, or an area zoning and land  
2965 use study included in the public review draft of a Comprehensive Plan update; and

2966           2. ~~((p))~~Processed as land use amendments to the Comprehensive Plan, ((and  
2967 may be considered in the annual update, midpoint update or eight year update. Site  
2968 suitability and development conditions for both the urban and rural portions of the  
2969 proposal shall be established through the preliminary formal plat approval process.))

2970           C. A triparty agreement between the county, property owner, and city or town  
2971 affiliated for future annexation shall be required for all proposals. The triparty agreement  
2972 shall:

2973           1. Be approved by ordinance by the legislative bodies of the county and the city  
2974 or town;

2975           2. For county approval, be transmitted concurrent with transmittal of the  
2976 executive's proposed land use amendment and approved concurrent with council adoption  
2977 of the land use map amendment;

2978           3. Require the city or town to add the area proposed to be urban to the city's or  
2979 town's potential annexation area in the city's or town's comprehensive plan following  
2980 ratification of the Growth Management Planning Council's motion that makes a  
2981 recommendation on the proposal. The approval of the proposal shall be reflected in the  
2982 Countywide Planning Policies, on both the generalized land use categories map and the  
2983 potential annexation area map; and

2984           4. Specify conditions including, but not limited to, restrictions on residential  
2985 uses, required minimum density, timing and sequencing of development, annexation  
2986 requirements, or requirements regarding the conservation easement.

2987           D. If the countywide planning policy amendment that approves the proposal is  
2988 not ratified, the triparty agreement and four-to-one proposal shall be void and not take  
2989 effect, and the urban properties shall be redesignated to the rural area land use  
2990 designation and associated previous zoning during the next Comprehensive Plan update.

2991           E. A term conservation easement shall be placed on the ((open space)) natural  
2992 area ((at the time)) before the four-to-one proposal is approved by the council. ((Upon  
2993 final plat approval,)) The triparty agreement shall require the permanent dedication of the  
2994 ((open space shall be permanently dedicated in fee simple)) natural area to King County  
2995 before final plat approval. Dedication shall take the form of on-site or off-site fee simple,  
2996 off-site conservation easement, or on-site subdivision tract.

2997           ((D.)) F. Before taking legislative action on the land use map amendment,  
2998 ((P))proposals adjacent to incorporated area or potential annexation areas shall be  
2999 referred to the following entities for recommendations: the affected city ((and)) or town;

3000 Indian tribes; special purpose districts ((for recommendations)), such as sewer, water, and  
3001 school districts, as applicable; and state agencies, as applicable.

3002 G. For proposals adjacent to an incorporated area, conditions on the land use map  
3003 amendment and triparty agreement shall prohibit development proposals or activities  
3004 until the land is annexed into the adjacent city or town.

3005 SECTION 54. Ordinance 14047, Section 10, and K.C.C. 20.18.180 are hereby  
3006 amended to read as follows:

3007 Rural area land may be added to the urban growth area in accordance with the  
3008 following criteria:

3009 A. A proposal to add land to the urban growth area under this program shall meet  
3010 the following criteria:

3011 1. ~~((A permanent dedication to the King County open space system of four acres~~  
3012 ~~of open space is required for every one acre of land added to the urban growth area;~~

3013 2. ~~The land shall not be zoned agriculture (A);~~

3014 3. ~~The 1))~~Land added to the urban growth area shall ~~((: a. be physically~~  
3015 ~~contiguous to urban growth area as adopted in 1994 , unless the director determines that~~  
3016 ~~the land directly adjacent to the urban growth area contains critical areas that would be~~  
3017 ~~substantially harmed by development directly adjacent to the urban growth area and that~~  
3018 ~~all other criteria can be met; and~~

3019 b.)) not ~~((be in an area where))~~ interrupt an existing contiguous band of public  
3020 open space, parks, or watersheds ~~((already exists))~~ along the urban growth area boundary;

3021 ~~((4. The land added to the urban growth area shall be able to be served by~~  
3022 ~~sewers and other urban services;~~

3023           ~~5-))~~ 2. A road serving the land added to the urban area shall not be counted as  
3024 part of the required ~~((open space))~~ natural area;

3025           ~~((6-))~~ 3. Land added to the urban growth area for drainage facilities in support of  
3026 its development shall not require dedication of natural area; ((All urban facilities shall be  
3027 provided directly from the urban area and shall not cross the open space or rural area and  
3028 be located in the urban area except as permitted in subsection E of this section;

3029           ~~7- Open space areas shall retain a rural designation;~~

3030           ~~8-))~~ 4. The minimum depth of the ~~((open space buffer))~~ natural area shall be  
3031 ~~((one half of the property width, unless the director determines that a smaller buffer of))~~;

3032           a. no less than two hundred feet, unless the county determines that a smaller  
3033 depth is warranted due to the topography and critical areas on the site((, shall));

3034           b. generally parallel the urban growth area boundary; and

3035           c. ~~((shall be))~~ configured in such a way as to connect with open space on  
3036 adjacent properties~~((;))~~.

3037           5. The on-site natural area shall include a fifty-foot landscaped buffer to  
3038 surround the new urban area. The buffer shall include a mix of trees, shrubs, and  
3039 groundcover that are native to the area and that create a visual barrier or separator to the  
3040 new urban area. The county may determine that a larger buffer or different vegetation is  
3041 warranted in order to restore the natural area or habitat or would better protect natural  
3042 resources and functions and land use compatibility in the area;

3043           ~~((9-))~~ 6. The minimum size of the property to be considered is twenty acres.

3044 Smaller parcels may be combined to meet the twenty-acre minimum;

3045           ~~((10. Urban development under this section shall be limited to residential~~  
3046 ~~development and shall be at a minimum density of four dwelling units per acre;))~~ and  
3047           ~~((11.))~~ 7. The land to be retained ~~((in open space))~~ as natural area is not needed  
3048 for any facilities necessary to support the urban development; and  
3049           B. ~~((A proposal that adds two hundred acres or more to the urban growth area~~  
3050 ~~shall also meet the following criteria:~~  
3051               1. ~~The proposal shall include a mix of housing types including thirty percent~~  
3052 ~~below market rate units affordable to low, moderate and median income households;~~  
3053               2. ~~In a proposal in which the thirty percent requirement in subsection B.1 of this~~  
3054 ~~section is exceeded, the required open space dedication shall be reduced to three and one~~  
3055 ~~half acres of open space for every one acre added to the urban growth area;~~  
3056           C. ~~A proposal that adds less than two hundred acres to the urban growth area and~~  
3057 ~~that meets the affordable housing criteria in subsection B.1. of this section shall be~~  
3058 ~~subject to a reduced open space dedication requirement of three and one half acres of~~  
3059 ~~open space for every one acre added to the urban growth area;~~  
3060           D. ~~Requests for redesignation))~~ Proposals shall be evaluated to determine those  
3061 that are the highest quality, including, but not limited to, consideration of the following:  
3062               1. Preservation of fish and wildlife habitat, including wildlife habitat networks,  
3063 and habitat for endangered and threatened species;  
3064               2. Provision of regional open space connections;  
3065               3. Protection of wetlands, stream corridors, ground water, and water bodies;  
3066               4. Preservation of unique natural, biological, cultural, historical, or  
3067 archeological resources;

3068           5. The size of ~~((open space))~~ natural area dedication and connection to other  
3069 open space ~~((dedications))~~ along the urban growth area boundary; and

3070           6. The ability to provide extensions of urban services to the redesignated urban  
3071 areas; and

3072           ~~((E.))~~ C. The ~~((open space acquired))~~ land dedicated through ~~((this))~~ the four-to-  
3073 one program shall be preserved primarily as natural areas. ~~((, P))~~ Passive recreation, ((sites  
3074 or resource lands for)) farming, ~~((and))~~ or forestry may also be allowed as an alternative  
3075 to natural area. The following additional uses may be allowed only if located on a small  
3076 portion of the ~~((open space))~~ natural area and provided that these uses are found to be  
3077 compatible with the site's ~~((natural open space))~~ values and functions:

3078           1. Trails;

3079           2. Compensatory mitigation of wetland losses on the urban ~~((designated))~~  
3080 portion of the ~~((project))~~ proposal, consistent with the ~~((King County))~~ Comprehensive  
3081 Plan and K.C.C. chapter 21A.24; and

3082           3. Active recreation uses not to exceed five percent of the total ~~((open space))~~  
3083 natural area, including any off-site natural area dedicated for the proposal. ~~((The~~  
3084 ~~s))~~ Support services and facilities for the active recreation uses may only locate within the  
3085 active recreation area ~~((only,))~~ and shall not exceed five percent of the total acreage of the  
3086 active recreation area. The entire ~~((open space))~~ natural area, including any active  
3087 recreation site, is a regional resource. It shall not be used to satisfy the on-site active  
3088 recreation space requirements in K.C.C. 21A.14.180 for the urban portion of the four-to-  
3089 one property.



3090            NEW SECTION. SECTION 55. There is hereby added to K.C.C. chapter 20.18

3091 a new section to read as follows:

3092            For a four-to-one proposal that adds TBD or more dwelling units:

3093            A.1. TBD percent of the total number of dwelling units shall be affordable units.

3094            2. For proposals that include only owner-occupied market rate dwelling units,

3095 all affordable dwelling units shall be:

3096            a. Owner-occupied dwelling units;

3097            b. Affordable to residents earning up to TBD percent of area median income;

3098 and

3099            c. Affordable for at least fifty years from the date of initial occupancy.

3100            3. For proposals that include only rental dwelling units, all affordable dwelling

3101 units shall be:

3102            a. rental dwelling units;

3103            b. affordable to residents earning up to TBD percent of area median income;

3104 and

3105            c. Affordable for the life of the project.

3106            4. For proposals that include both homeownership and rental dwelling units:

3107            a. The proportion of affordable rental dwelling units to affordable owner-

3108 occupied dwelling units shall be identical to the proportion of market rate rental dwelling

3109 units to market rate owner-occupied dwelling units; and

3110            b. Meet the applicable affordability levels in subsections A.2. and A.3. of this

3111 section.

3112 B. Affordable dwelling units shall be developed consistent with K.C.C.  
3113 21A.48.050.A.

3114 C. The number of required affordable dwelling units shall be calculated  
3115 consistent with K.C.C. 21A.48.040.A. Accessory dwelling units shall not be used to  
3116 meet the requirements of this section.

3117 D. Developments subject to this section shall be subject to K.C.C. 21A.48.060  
3118 and K.C.C. 21A.48.080.

3119 NEW SECTION. SECTION 56. There is hereby added to K.C.C. chapter 20.18  
3120 a new section to read as follows:

3121 A. The effective date of an amendment that adds land to the urban growth area,  
3122 removes land from the agricultural production district or forest production district, or  
3123 removes land from the mineral resources map shall be after the following:

3124 1. Sixty days after the date of publication of notice of adoption of the  
3125 Comprehensive Plan; and

3126 2. If a petition for review to the growth management hearings board is timely  
3127 filed, upon issuance of the board's final order.

3128 B. The effective date required in subsection A. of this section shall be specified  
3129 in the ordinance adopting the amendments.

3130 SECTION 57. Ordinance 12196, Section 9, as amended, and K.C.C. 20.20.020  
3131 are hereby amended to read as follows:

3132 A. Land use permit decisions are classified into four types, based on who makes  
3133 the decision, whether public notice is required, whether a public hearing is required

3134 before a decision is made, and whether administrative appeals are provided. The types of  
3135 land use decisions are listed in subsection E. of this section.

3136           1. Type 1 decisions are made by the permitting division manager or designee  
3137 ("the director") of the department of local services ("the department"). Type 1 decisions  
3138 are nonappealable administrative decisions.

3139           2. Type 2 decisions are made by the director. Type 2 decisions are discretionary  
3140 decisions that are subject to administrative appeal.

3141           3. Type 3 decisions are quasi-judicial decisions made by the hearing examiner  
3142 following an open record hearing.

3143           4. Type 4 decisions are quasi-judicial decisions made by the council based on  
3144 the record established by the hearing examiner.

3145           B. Except as provided in K.C.C. 20.44.120.A.7. and K.C.C. 25.32.080, or unless  
3146 otherwise agreed to by the applicant, all Type 2, 3, and 4 decisions included in  
3147 consolidated permit applications that would require more than one type of land use  
3148 decision process may be processed and decided together, including any administrative  
3149 appeals, using the highest-numbered land use decision type applicable to the project  
3150 application.

3151           C. Certain development proposals are subject to additional procedural  
3152 requirements beyond the standard procedures established in this chapter.

3153           D. Land use permits that are categorically exempt from review under SEPA do  
3154 not require a threshold determination (determination of nonsignificance ["DNS"] or  
3155 determination of significance ["DS"]). For all other projects, the SEPA review  
3156 procedures in K.C.C. chapter 20.44 are supplemental to the procedures in this chapter.

3157

E. Land use decision types are classified as follows:

<p>TYPE 1</p>	<p><del>((F))</del>Decision by director, no administrative appeal<del>((F))</del></p>	<ul style="list-style-type: none"> <li>- <del>((F))</del>temporary use permit for a homeless encampment under K.C.C. chapter 21A.45, <u>except as required by K.C.C. 21A.45.100</u>;</li> <li>- building permit, site development permit, or clearing and grading permit that is not subject to SEPA, that is categorically exempt from SEPA as provided in K.C.C. 20.20.040, or for which the department has issued a determination of nonsignificance or mitigated determination of nonsignificance;</li> <li>- boundary line adjustment;</li> <li>- <del>((right of way))</del> <u>right-of-way permit</u>;</li> <li>- variance from K.C.C. chapter 9.04;</li> <li>- shoreline exemption;</li> <li>- decisions to require studies or to approve, condition, or deny a development proposal based on K.C.C. chapter 21A.24, except for decisions to approve, condition, or deny alteration exceptions;</li> <li>- decisions to approve, condition, or deny nonresidential elevation and dry floodproofing variances for agricultural buildings that do not</li> </ul>
---------------	---	---

		<p>equal or exceed a maximum assessed value of sixty-five thousand dollars under K.C.C. chapter 21A.24;</p> <ul style="list-style-type: none"> <li>– approval of a conversion-option harvest plan;</li> <li>– a binding site plan for a condominium that is based on a recorded final planned unit development, a building permit, an as-built site plan for developed sites, a site development permit for the entire site;</li> <li>– approvals for agricultural activities and agricultural support services authorized under K.C.C. 21A.42.300;</li> <li>– final short plat;</li> <li>– final plat;</li> <li>– critical area determination.</li> </ul>
<p>TYPE 2<sup>1,2</sup></p>	<p>((<del>€</del>))Decision by director appealable to hearing examiner, no further administrative appeal(<del>(€)</del>)</p>	<ul style="list-style-type: none"> <li>– (<del>(€)</del>)short plat;</li> <li>– short plat revision;</li> <li>– short plat alteration;</li> <li>– short plat vacation;</li> <li>– zoning variance;</li> <li>– conditional use permit;</li> <li>– temporary use permit under K.C.C. chapter</li> </ul>

		<p>21A.32;</p> <ul style="list-style-type: none"><li>- temporary use permit for a homeless encampment under K.C.C. 21A.45.100;</li><li>- shoreline substantial development permit<sup>3</sup>;</li><li>- building permit, site development permit, or clearing and grading permit for which the department has issued a determination of significance;</li><li>- reuse of public schools;</li><li>- reasonable use exceptions under K.C.C.</li></ul> <p>21A.24.070.B<sub>2</sub>;</p> <ul style="list-style-type: none"><li>- preliminary determinations under K.C.C.</li></ul> <p>20.20.030.B<sub>2</sub>;</p> <ul style="list-style-type: none"><li>- decisions to approve, condition, or deny alteration exceptions or variances to floodplain development regulations under K.C.C. chapter 21A.24;</li><li>- extractive operations under K.C.C. 21A.22.050;</li><li>- binding site plan;</li><li>- waivers from the moratorium provisions of K.C.C. 16.82.140 based upon a finding of special circumstances;</li></ul>
--	--	--

		<ul style="list-style-type: none"> <li>⊖ sea level rise risk area variance adopted in K.C.C. chapter 21A.23.</li> </ul>
<p>TYPE 3<sup>1</sup></p>	<p>((<del>Ⓣ</del>)Recommendation by director, hearing and decision by hearing examiner, no further administrative appeal(<del>Ⓣ</del>))</p>	<ul style="list-style-type: none"> <li>⊖ (<del>Ⓟ</del>)preliminary plat;</li> <li>⊖ plat alterations;</li> <li>⊖ preliminary plat revisions;</li> <li>⊖ plat vacations;</li> <li>⊖ special use.</li> </ul>
<p>TYPE 4<sup>1,4</sup></p>	<p>((<del>Ⓣ</del>)Recommendation by director, hearing and recommendation by hearing examiner, decision by county council on the record(<del>Ⓣ</del>))</p>	<ul style="list-style-type: none"> <li>⊖ (<del>Ⓩ</del>)zone reclassifications;</li> <li>⊖ shoreline environment redesignation;</li> <li>⊖ (<del>(urban planned development;))</del> amendment or deletion of P suffix conditions;</li> <li>⊖ deletion of special district overlay.</li> </ul>

3158 <sup>1</sup> See K.C.C. 20.44.120.C. for provisions governing procedural and substantive SEPA

3159 appeals and appeals of Type 2, 3, and 4 decisions.

3160 <sup>2</sup> When an application for a Type 2 decision is combined with other permits requiring  
 3161 Type 3 or 4 land use decisions under this chapter, the examiner, not the director, makes  
 3162 the decision.

3163 <sup>3</sup> A shoreline permit, including a shoreline variance or conditional use, is appealable to  
 3164 the state Shorelines Hearings Board and not to the hearing examiner.

3165 <sup>4</sup> Approvals that are consistent with the Comprehensive Plan may be considered by the  
3166 council at any time. Zone reclassifications that are not consistent with the  
3167 Comprehensive Plan require a site-specific land use map amendment and the council's  
3168 hearing and consideration shall be scheduled with the amendment to the Comprehensive  
3169 Plan under K.C.C. 20.18.040 and 20.18.060.

3170 F. The definitions in K.C.C. 21A.45.020 apply to this section.

3171 SECTION 58. Ordinance 16950, Section 10, as amended, and K.C.C. 20.20.035  
3172 are hereby amended to read as follows:

3173 When an applicant is required by K.C.C. (~~chapter~~) Title 21A(~~(.08)~~) to conduct a  
3174 community meeting, under this section, before filing of an application, notice of the  
3175 meeting shall be given and the meeting shall be conducted as follows:

3176 A. At least two weeks in advance, the applicant shall:

3177 1. Publish notice of the meeting in the local paper and mail and email to the  
3178 department; and

3179 2. Mail notice of the meeting to all property owners within five hundred feet or  
3180 at least twenty of the nearest property owners, whichever is greater, as provided in  
3181 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible  
3182 development, to be discussed at the community meeting. The mailed notice shall, at a  
3183 minimum, contain a brief description and purpose of the proposal, approximate location  
3184 noted on an assessor map with address and parcel number, photograph or sketch of any  
3185 existing or proposed structures, a statement that alternative sites proposed by (~~citizens~~)  
3186 the public can be presented at the meeting that will be considered by the applicant, a  
3187 contact name and telephone number to obtain additional information, and other



3188 information deemed necessary by the department of local services, permitting division.

3189 Because the purpose of the community meeting is to promote early discussion, applicants

3190 shall ~~((to))~~ note any changes to the conceptual information presented in the mailed

3191 notices when they submit ~~((an))~~ applications;

3192 B. At the community meeting at which at least one employee of the department

3193 of local services, permitting division, assigned by the permitting division manager or

3194 designee, shall be in attendance, the applicant shall provide information relative to the

3195 proposal and any modifications proposed to existing structures or any new structures and

3196 how the proposal is compatible with the character of the surrounding neighborhood.

3197 C. ~~((An))~~ At time of application, the applicant shall ~~((also))~~ provide ~~((with the~~

3198 ~~applicant's application))~~ a list of meeting attendees~~((;))~~ and those receiving mailed notice

3199 of the meeting and a record of the published meeting notice; and

3200 ~~((C))~~D. The applicant shall, in the notice required under subsection A.2. of this

3201 section, and at the community meeting required under subsection B. of this section,

3202 advise that persons interested in the applicant's proposal may monitor the progress of the

3203 permitting of that proposal by contacting the department or by viewing the department's

3204 website, the address of which will be provided in the notice and at the community

3205 meeting.

3206 SECTION 59. Ordinance 12196, Section 16, as amended, and K.C.C. 20.20.090

3207 are hereby amended to read as follows:

3208 A. In accordance with K.C.C. 20.20.100, the department shall provide notice of:

3209 1. ~~((Its-f))~~Final Type 1 decisions subject to SEPA, including the threshold

3210 determination, if any;

3211 2. (~~Its~~) Type 2 decisions; and

3212 3. (~~Its~~) Type 3 and 4 recommendations.

3213 B. The notice shall include the applicable procedures for either an administrative  
3214 appeal to, or further consideration by, the examiner.

3215 C. The notice shall be provided to:

3216 1. The applicant;

3217 2. If required by SEPA, the Department of Ecology and to agencies with  
3218 jurisdiction as defined in chapter 197-11 WAC;

3219 3. If required by chapter 90.58 RCW, the Department of Ecology and the  
3220 Attorney General;

3221 4. Any person who, before the decision or recommendation, had requested  
3222 notice of the decision or recommendation from, or submitted comments to, the  
3223 department; and

3224 5. Owners of record of property in an area within five hundred feet of the site.  
3225 The area shall be expanded when the department determines it is necessary to send  
3226 mailed notices to at least twenty different property owners.

3227 D. Except for decisions regarding shoreline substantial development permits,  
3228 shoreline variances and shoreline conditional uses, which are only appealable to the state  
3229 Shorelines Hearings Board, any administrative appeal or further consideration by the  
3230 examiner is subject to K.C.C. chapter 20.22.

3231 SECTION 60. Ordinance 12196, Section 17, as amended, and K.C.C. 20.20.100  
3232 are hereby amended to read as follows:



3245           1.a. Any period during which the applicant has been requested by the  
3246 department, the examiner, or the council to correct plans, perform required studies, or  
3247 provide additional information, including road variances and ~~((variances))~~ adjustments  
3248 required under K.C.C. chapter 9.04. The period shall be calculated from the date of  
3249 notice to the applicant of the need for additional information until the earlier of the date  
3250 the county advises the applicant that the additional information satisfies the county's  
3251 request or fourteen days after the date the information has been provided. If the county  
3252 determines that corrections, studies, or other information submitted by the applicant is  
3253 insufficient, it shall notify the applicant of the deficiencies and the procedures of this  
3254 section shall apply as if a new request for information had been made.

3255           ~~((a-))~~ b. The department shall set a reasonable deadline for the submittal of  
3256 corrections, studies, or other information, and shall provide written notification to the  
3257 applicant. The department may extend the deadline upon receipt of a written request  
3258 from an applicant providing satisfactory justification for an extension.

3259           ~~((b-))~~ c. When granting a request for a deadline extension, the department shall  
3260 give consideration to the number of days between the department receiving the request  
3261 for a deadline extension and the department ~~((mailing))~~ providing electronic notice of its  
3262 decision regarding that request;

3263           2. The period during which an environmental impact statement is being  
3264 prepared following a determination of significance under chapter 43.21C RCW, as ~~((set~~  
3265 ~~forth))~~ established in K.C.C. 20.44.050;

3266           3. The period during which an appeal is pending that prohibits issuing the  
3267 permit;

3268           4. Any period during which an applicant fails to post the property, if required by  
3269 this chapter, following the date notice is required until an affidavit of posting is provided  
3270 to the department by the applicant;

3271           5. Any time extension mutually agreed upon by the applicant and the  
3272 department; and

3273           6. Any time during which there is an outstanding fee balance that is sixty days  
3274 or more past due.

3275           D. Failure by the applicant to submit corrections, studies, or other information  
3276 acceptable to the department after two written requests under subsection C. of this section  
3277 shall be cause for the department to cancel or deny the application.

3278           E. The time limits established in this section shall not apply if a proposed  
3279 development:

3280           1. Requires either: an amendment to the Comprehensive Plan or a development  
3281 regulation; or modification or waiver of a development regulation as part of a  
3282 demonstration project;

3283           2. ~~((Requires approval of a new fully contained community as provided in RCW~~  
3284 ~~36.70A.350, master planned resort as provided in RCW 36.70A.360, or the siting of)) Is  
3285 an essential public facility as provided in RCW 36.70A.200; or~~

3286           3. Is revised by the applicant, when the revisions will result in a substantial  
3287 change in a project's review requirements, as determined by the department, in which  
3288 case the period shall start from the date at which the revised project application is  
3289 determined to be complete.

3290 F. The time limits established in this section may be exceeded on more complex  
3291 projects. If the department is unable to issue its Type 1 or Type 2 decision or its Type 3  
3292 or Type 4 recommendation within the time limits established by this section, it shall  
3293 provide written notice of this fact to the applicant. The notice shall include a statement of  
3294 reasons why the time limits have not been met and an estimated date for issuance of the  
3295 notice of a Type 1 or Type 2 decision or a Type 3 or Type 4 recommendation.

3296 G. The department shall require that all plats, short plats, building permits,  
3297 clearing and grading permits, conditional use permits, special use permits, site  
3298 development permits, shoreline substantial development permits, or binding site plans(~~(~~  
3299 ~~urban planned development permits, or fully contained community permits~~)), issued for  
3300 development activities on or within five hundred feet of designated agricultural lands,  
3301 forest lands, or mineral resource lands, contain a notice that the subject property is within  
3302 or near designated agricultural lands, forest lands, or mineral resource lands, on which a  
3303 variety of commercial activities may occur that are not compatible with residential  
3304 development for certain periods of limited duration.

3305 H. To the greatest extent practicable, the department shall make a final  
3306 determination on all permits required for a Washington state Department of  
3307 Transportation project on a state highway as defined in RCW 46.04.560 with an  
3308 estimated cost of less than five hundred million dollars no later than ninety days after  
3309 receipt of a complete permit application.

3310 SECTION 61. Ordinance 12196, Section 19, as amended, and K.C.C. 20.20.120  
3311 are hereby amended to read as follows:

3312           The ~~((director))~~ department shall ~~((issue a citizens guide to))~~ produce guides  
3313 describing permit processing, including making an appeal or participating in a hearing.  
3314 The department shall make them available to the public and shall post them to its website.

3315           SECTION 62. Ordinance 4461, Section 10, as amended, and K.C.C. 20.22.150  
3316 are hereby amended to read as follows:

3317           Examiner recommendations on an application for a zone reclassification shall  
3318 include findings on whether the application meets ~~((both of))~~ the following:

3319           A. The proposed rezone is consistent with the King County Comprehensive Plan,  
3320 including, but not limited to, policies, narrative, maps, and land use designations; ~~((and))~~

3321           B.1.a. The property is potentially zoned under K.C.C. 21A.04.170 for the  
3322 reclassification being requested; or

3323           ~~((2.))~~ b. An adopted subarea plan~~((, subarea study,))~~ or an area zoning and land  
3324 use study specifies that the property shall be subsequently considered through an  
3325 individual reclassification application; or

3326           ~~((3.))~~ 2. The requested reclassification is based on ~~((changed))~~ a substantial  
3327 change in unincorporated area conditions, including but not limited to:

3328           a. the availability of public facilities or infrastructure;

3329           b. development patterns on surrounding parcels; or

3330           c. the quantity or quality of critical areas, not caused by actions of the  
3331 applicant; and

3332           C. That the classification would not harm or diminish the surrounding area.

3333           SECTION 63. Ordinance 9544, Section 16, as amended, and K.C.C. 20.22.180  
3334 are hereby amended to read as follows:

3335 For a proposed preliminary plat, the examiner decision shall include findings as to  
3336 whether:

3337 A. Appropriate provisions are made for the public health, safety, and general  
3338 welfare and for such open spaces, drainage ways, streets or roads, alleys, other public  
3339 ways, transit stops, potable water supplies, sanitary wastes, parks and recreation,  
3340 playgrounds, schools, and school grounds, and all other relevant facts, including  
3341 sidewalks and other planning features that assure safe walking conditions for students  
3342 who walk to and from school; (~~and~~)

3343 B. The public use and interest will be served by platting the subdivision and  
3344 dedication; and

3345 C. When a subdivision uses transfer of development rights to exceed base  
3346 density, the additional density does not create unmitigated impacts beyond those created  
3347 by development at base density.

3348 SECTION 64. Ordinance 10511, Section 7, as amended, and K.C.C. 20.36.100  
3349 are hereby amended to read as follows:

3350 A. The definitions in this section apply throughout this section, as well as in  
3351 K.C.C. 20.36.040 and K.C.C. (~~(20.30.190)~~) 20.36.190, unless the context clearly requires  
3352 otherwise.

3353 B. To be eligible for open space classification under the public benefit rating  
3354 system, a property (~~(must)~~) shall contain one or more qualifying open space resources  
3355 and have at least five points as determined under this section. The department shall  
3356 review each application and recommend award of credit for current use of the property.



3357 In making the recommendation, the department shall utilize the point system described in  
3358 subsections C. and D. of this section.

3359 C. The following open space resources are each eligible for the points indicated:

3360 1. Active trail linkage - fifteen or twenty-five points. "Active trail linkage"  
3361 means land in private ownership through which the owner agrees to allow  
3362 ~~((nonmotorized))~~ public passage for active transportation, as defined in K.C.C. 14.01.xxx  
3363 (the new section created by section 21 of this ordinance), for the purpose of providing a  
3364 connection between trails within the county's regional trails system and local or regional  
3365 attractions or points of interest, for trail users including equestrians, pedestrians,  
3366 bicyclists, and other users. "Local or regional attractions or points of interest" include  
3367 other trails, parks, waterways, or other recreational and open space attractions, retail  
3368 centers, arts and cultural facilities, transportation facilities, residential concentrations, or  
3369 similar destinations. The linkage ~~((must))~~ shall be open to passage by the general public  
3370 and the property owner shall enter into an agreement with the county consistent with  
3371 applicable parks and recreation division policies to grant public access. To receive  
3372 twenty-five points, the property owner shall enter into an agreement with the county  
3373 regarding improvement of the trail, including trail pavement and maintenance. To  
3374 receive fifteen points, the property owner shall agree to allow a soft-surface, nonpaved  
3375 trail. The parks and recreation division is authorized to develop criteria for determining  
3376 the highest priority linkages for which it will enter into agreements with property owners;

3377 2. Aquifer protection area - five points. "Aquifer protection area" means  
3378 property that has a plant community in which native plants are dominant and that  
3379 includes an area designated as a critical aquifer recharge area under K.C.C. chapter

3380 21A.24 or applicable city critical aquifer recharge area regulations. At least fifty percent  
3381 of the enrolling open space area or a minimum of one acre of open space shall be  
3382 designated as a critical aquifer recharge area. If the enrolling open space area does not  
3383 have a plant community in which native plants are dominant, ~~((a plan for))~~ revegetation  
3384 ~~((must))~~ shall occur subject to a revegetation plan ~~((be submitted))~~ reviewed and  
3385 approved by the department~~((, and must be implemented according to the plan's proposed~~  
3386 ~~schedule of activities))~~;

3387 3. Buffer to public or current use classified land - three points. "Buffer to public  
3388 or current use classified land" means land that has a plant community in which native  
3389 plants are dominant or has other natural features, such as streams or wetlands, and that is  
3390 abutting and provides a buffer to a publicly owned park, trail, or forest, to land legally  
3391 required to remain in a natural state, to a state or federal highway, or to a property  
3392 participating in a current use taxation program under chapters 84.33 or 84.34 RCW. The  
3393 buffer ~~((must))~~ shall be at least fifty feet long and fifty feet in wide. Public roads may  
3394 separate the public land, or land in private ownership classified under chapters 84.33 or  
3395 84.34 RCW, from the buffering land, if the entire buffer is at least as wide and long as the  
3396 adjacent section of the road easement. Landscaping or other nonnative vegetation may  
3397 not separate the public land or land enrolled under chapters 84.33 or 84.34 RCW from the  
3398 native vegetation buffer. The department may grant an exception to the native vegetation  
3399 requirement for property along parkways with historic designation, upon review and  
3400 recommendation of the historic preservation officer of King County or the local  
3401 jurisdiction in which the property is located. Eligibility for this exception does not  
3402 extend to a property where plantings are required or existing plant communities are

3403 protected under local zoning codes, development mitigation requirements, or other local  
3404 regulations;

3405 4. Ecological enhancement land – eighteen points. "Ecological enhancement  
3406 land" means open space lands undergoing recovery of significantly degraded or lost  
3407 ecological function or processes. The following requirements shall be met:

3408 a. A jurisdiction, natural resource agency, or appropriate organization has  
3409 committed to sponsoring the ecological enhancement project, with secured funding in  
3410 place before the application's public hearing;

3411 b. The ecological enhancement project (~~(must)~~) shall include removing  
3412 significant human-made structures, alterations, or impediments such as shoreline  
3413 armoring, roads, culverts, and wetland fill that are detrimental to significant wildlife or  
3414 salmonid habitat. The intent of the removal (~~(must)~~) shall be to reestablish natural  
3415 function or processes to the project area;

3416 c. The owner is responsible for providing and implementing an ecological  
3417 enhancement plan for the proposed project. The approved enhancement plan (~~(must)~~)  
3418 shall include at least a statement of purpose, detailed description of work to be done, site  
3419 map of the project area, and specific timeline for the enhancement activities to be  
3420 completed. (~~and must be approved~~) The enhancement plan is subject to approval by the  
3421 department; and

3422 d. The owner shall annually provide to the department a monitoring report  
3423 detailing the enhancement efforts' success for five years following enrollment. The  
3424 owner shall also provide any additional monitoring reports required by K.C.C. 20.36.190.  
3425 The monitoring report (~~(must)~~) shall describe the progress and success of the

3426 enhancement project and ~~((must))~~ shall include photographs to document the success.

3427 Land receiving credit for this category may not receive credit for the rural stewardship

3428 land or resource restoration categories;

3429           5. Equestrian-pedestrian-bicycle trail linkage - thirty-five points. "Equestrian-  
3430 pedestrian-bicycle trail linkage" means land in private ownership that the property owner  
3431 allows the public to use as an off-road trail linkage for equestrian, pedestrian, or other  
3432 ~~((nonmotorized))~~ active transportation, as defined in K.C.C. 14.01.xxx (the new section  
3433 created by section 21 of this ordinance), uses, or that provides a trail link from a public  
3434 right-of-way to a trail system. Use of motorized vehicles is prohibited on trails receiving  
3435 a tax reduction for this category, except for maintenance or for medical, public safety, or  
3436 police emergencies. Public access is required only on that portion of the property  
3437 containing the trail. The landowner may impose reasonable restrictions on access that are  
3438 mutually agreed to by the landowner and the department, such as limiting use to daylight  
3439 hours. To be eligible as an equestrian-pedestrian-bicycle trail linkage, the owner shall  
3440 provide a trail easement to an appropriate public or private entity acceptable to the  
3441 department. The easement shall be recorded with the King County recorder's office or its  
3442 successor. In addition to the area covered by the trail easement, adjacent land used as  
3443 pasture, barn, or stable area and any corral or paddock may be included, if an approved  
3444 and implemented farm management plan is provided. Land necessary to provide a buffer  
3445 from the trail to other nonequestrian uses, land that contributes to the aesthetics of the  
3446 trail, such as a forest, and land set aside and marked for off road parking for trail users  
3447 may also be included as land eligible for current use taxation. Those portions of private  
3448 roads, driveways, or sidewalks open to the public for this purpose may also qualify.

3449 Fencing and gates are not allowed in the trail easement area, except those that are parallel  
3450 to the trail or linkage;

3451           6. Farm and agricultural conservation land - five points. "Farm and agricultural  
3452 conservation land" means land previously classified as farm and agricultural land under  
3453 RCW 84.34.020 that no longer meets the criteria of farm and agricultural land, or  
3454 traditional farmland not classified under chapter 84.34 RCW that has not been  
3455 irrevocably devoted to a use inconsistent with agricultural uses and has a high potential  
3456 for returning to commercial agriculture. The property (~~((must))~~) shall be used for farm and  
3457 agricultural activities or have a high probability of returning to agriculture and the  
3458 property owner (~~((must))~~) shall commit to returning the property to farm or agricultural  
3459 activities by implementing a farm management plan. An applicant (~~((must))~~) shall have an  
3460 approved farm management plan in accordance with K.C.C. 21A.24.051 that is  
3461 acceptable to the department and that is being implemented according to its proposed  
3462 schedule of activities before receiving credit for this category. Farm and agricultural  
3463 activities (~~((must))~~) shall occur on at least one acre of the property. Eligible land (~~((must))~~)  
3464 shall be zoned to allow agricultural uses and be owned by the same owner or held under  
3465 the same ownership. Land receiving credit for this category may not receive credit for  
3466 the contiguous parcels under separate ownership category;

3467           7. Forest stewardship land - five points. "Forest stewardship land" means  
3468 property that is managed according to an approved forest stewardship plan and that is not  
3469 enrolled in the designated forestland program under chapter 84.33 RCW. The property  
3470 (~~((must))~~) shall contain at least four acres of contiguous forestland, which may include land  
3471 undergoing reforestation, according to the approved plan. The owner shall have and

3472 implement a forest stewardship plan approved by the department. The forest stewardship  
3473 plan may emphasize forest retention, harvesting, or a combination of both. Land  
3474 receiving credit for this category may not receive credit for the resource restoration or  
3475 rural stewardship land categories;

3476           8. Historic landmark or archeological site: buffer to a designated site - three  
3477 points. "Historic landmark or archaeological site: buffer to a designated site" means  
3478 property adjacent to land constituting or containing a designated county or local historic  
3479 landmark or archeological site, as determined by King County's historic preservation  
3480 officer or by a manager of a certified local government program in the jurisdiction in  
3481 which the property is located. A property (~~must~~) shall have a plant community in which  
3482 native plants are dominant and provide a significant buffer for a designated landmark or  
3483 archaeological site listed on the county or other certified local government list or register  
3484 of historic places or landmarks. "Significant buffer" means land and plant communities  
3485 that provide physical, visual, noise, or other barriers and separation from adverse effects  
3486 to the historic resources due to adjacent land use;

3487           9. Historic landmark or archeological site: designated site – five points.  
3488 "Historic landmark or archaeological site: designated site" means land that constitutes or  
3489 contains a historic landmark designated by King County or other certified local  
3490 government program in the jurisdiction in which the property is located. Historic  
3491 landmarks include buildings, structures, districts, or sites of significance in the county's  
3492 historic or prehistoric heritage, such as Native American settlements, trails, pioneer  
3493 settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric and  
3494 historic archaeological sites, or traditional cultural properties. A property (~~must~~) shall

3495 be listed on a county or other certified local government list or register of historic places  
3496 or landmarks for which there is local regulatory protection. Eligible property may  
3497 include property that contributes to the historic character within designated historic  
3498 districts, as defined by the historic preservation officer of King County or other certified  
3499 local government jurisdiction. The King County historic preservation officer shall make  
3500 the determination on eligibility;

3501           10. Historic landmark or archeological site: eligible site - three points.  
3502 "Historic landmark or archaeological site: eligible site" means land that constitutes or  
3503 contains a historic property that has the potential of being designated by a certified local  
3504 government jurisdiction, including buildings, structures, districts, or sites of significance  
3505 in the county's historic or prehistoric heritage, such as Native American settlements,  
3506 pioneer settlements, farmsteads, roads, industrial works, bridges, burial sites, prehistoric  
3507 and historic archaeological sites, or traditional cultural properties. To be eligible, the  
3508 historic preservation officer of King County or other certified local government program  
3509 in the jurisdiction in which the property is located shall determine the property meets the  
3510 jurisdiction's criteria for designation and listing on the county or other local register of  
3511 historic places or landmarks for which there is local regulatory protection. Eligible  
3512 property may include contributing property within designated historic districts. Property  
3513 listed ~~((on))~~ in the state or national Registers of Historic Places may qualify under this  
3514 category;

3515           11. Public recreation area - five points. "Public recreation area" means land  
3516 devoted to providing active or passive recreation use or that complements or substitutes  
3517 for recreation facilities characteristically provided by public agencies. Use of motorized

3518 vehicles is prohibited, except for golf carts on golf courses, for maintenance<sub>2</sub> or for  
3519 medical, public safety<sub>2</sub> or police emergencies. The facilities ~~((must))~~ shall be open to the  
3520 general public or to specific public user groups, such as youth, seniors ~~((citizens))~~<sub>2</sub> or  
3521 people with disabilities. A property ~~((must))~~ shall be identified by the responsible agency  
3522 within whose jurisdiction the property is located as meeting the definition of public  
3523 recreation area. The property owner ~~((must))~~ shall use any best practices defined in  
3524 K.C.C. chapter 21A.06. If a fee is charged for use, it ~~((must))~~ shall be comparable to the  
3525 fee charged by a similar public facility;

3526 12. Rural open space - five points. "Rural open space" means an area of ten or  
3527 more contiguous acres of open space located outside of the urban growth area as  
3528 identified in the King County Comprehensive Plan that:

- 3529 a. has a plant community in which native plants are dominant; or  
3530 b. is former open farmland, woodlots, scrublands<sub>2</sub> or other lands that are in the  
3531 process of being replanted with native vegetation and for which the property owner is  
3532 implementing an approved farm management, ecological enhancement, forest  
3533 stewardship, rural stewardship<sub>2</sub> or resource restoration plan acceptable to the department;

3534 13. Rural stewardship land - five points. "Rural stewardship land" means land  
3535 zoned RA (rural area), A (agricultural)<sub>2</sub> or F (forest), that has an implemented rural  
3536 stewardship plan under K.C.C. chapter 21A.24 acceptable to the department. On RA-  
3537 zoned properties, the approved rural stewardship plan ~~((must))~~ shall meet the goals and  
3538 standards of K.C.C. 21A.24.055. On A- and F-zoned properties, credit for this category  
3539 is allowed if the plan meets the goals of K.C.C. 21A.24.055. A rural stewardship plan  
3540 includes, but is not limited to, identification of critical areas, location of structures and



3541 significant features, site-specific best management practices, a schedule for  
3542 implementation, and a plan for monitoring as provided in K.C.C. 21A.24.055. To be  
3543 eligible as rural stewardship land, the open space (~~(must)~~) shall be at least one acre and  
3544 feature a plant community in which native plants are dominant or be in the process of  
3545 native vegetation restoration, reforestation, or enhancement. Land receiving credit for  
3546 this category may not receive credit for the ecological enhancement land, resource  
3547 restoration, or forest stewardship land categories;

3548 14. Scenic resource, viewpoint or view corridor – five points.

3549 a. "Scenic resource" means an area of natural or recognized cultural features  
3550 visually significant to the aesthetic character of the county. The site (~~(must)~~) shall be  
3551 significant to the identity of the local area, (~~(must)~~) be visible to a significant number of  
3552 the general public from public rights-of-way, (~~(must)~~) be of sufficient size to  
3553 substantially preserve the scenic resource value, and (~~(must)~~) enroll at least ten acres of  
3554 open space.

3555 b. A "viewpoint" means a property that provides a view of an area visually  
3556 significant to the aesthetic character of the county. A site (~~(must)~~) shall provide a view of  
3557 a scenic natural or recognized cultural resource in King County or other visually  
3558 significant area, (~~(must)~~) allow unlimited public access, and (~~(must)~~) be identified by a  
3559 permanent sign readily visible from a road or other public right-of-way.

3560 c. A "view corridor" means a property that contributes to the aesthetics of a  
3561 recognized view corridor critical to maintaining a public view of a visually significant  
3562 scenic natural or recognized cultural resource. The site (~~(must)~~) shall contain at least one  
3563 acre of open space that contributes to a view corridor visible to the public and that

3564 provides views of a scenic natural resource area or recognized cultural resource  
3565 significant to the local area. The ~~((King County historic preservation officer or officer of~~  
3566 ~~another certified local government program in the jurisdiction in which the property is~~  
3567 ~~located must find the recognized)) site shall have a significant cultural areas ~~((to be~~  
3568 ~~significant and must find that the site)) and contain((s)) significant inventoried or  
3569 designated historic properties, as determined by the King County historic preservation  
3570 officer or officer of another certified local government program in the jurisdiction in  
3571 which the property is located in. Eligibility is subject to determination by the department  
3572 or applicable jurisdiction;~~~~

3573           15. Significant plant or ecological site - five points. "Significant plant or  
3574 ecological site" means an area that meets the criteria for Element Occurrence established  
3575 under the Washington Natural Heritage Program authorized by chapter 79.70 RCW. An  
3576 Element Occurrence is a particular, on-the-ground observation of a rare species or  
3577 ecosystem. An eligible site ~~((must))~~ shall be listed as an Element Occurrence by the  
3578 Washington Natural Heritage Program or be identified as a property that meets the  
3579 criteria for an Element Occurrence. The identification ~~((must))~~ shall be confirmed by a  
3580 qualified expert acceptable to the department. The department shall notify the  
3581 Washington Natural Heritage Program of any verified Element Occurrence on an  
3582 enrolling property. Commercial nurseries, arboretums, or other maintained garden sites  
3583 with native or nonnative plantings are ineligible for this category;

3584           16. Significant wildlife or salmonid habitat - five points.

3585           a. "Significant wildlife or salmonid habitat" means:

3586 (1) an area used by animal species listed as endangered, threatened, sensitive,  
3587 or candidate by the Washington state Department of Fish and Wildlife or Department of  
3588 Natural Resources or used by species of local significance that are listed by the King  
3589 County Comprehensive Plan or a local jurisdiction;

3590 (2) an area where the species listed in subsection C.16.a.(1) of this section are  
3591 potentially found with sufficient frequency for critical ecological processes, such as  
3592 reproduction, nesting, rearing, wintering, feeding, or resting, to occur;

3593 (3) a site that meets the criteria for priority habitats as defined by the  
3594 Washington state Department of Fish and Wildlife and that is so listed by the King  
3595 County Comprehensive Plan or by the local jurisdiction in which the property is located;  
3596 or

3597 (4) a site that meets criteria for a wildlife habitat conservation area as defined  
3598 by the department or a local jurisdiction.

3599 b. To be eligible, the department, by its own determination or by expert  
3600 determination acceptable to the department, (~~must~~) shall verify that qualified species are  
3601 present on the property or that the land fulfills the functions described in subsection  
3602 C.16.a. of this section. To receive credit for salmonid habitat, the owner shall provide a  
3603 buffer at least fifteen percent greater in width than required by any applicable regulation.  
3604 Property consisting mainly of disturbed or fragmented open space determined by the  
3605 department as having minimal wildlife habitat significance is ineligible;

3606 17. Special animal site - three points. "Special animal site" means a site that  
3607 includes a wildlife habitat network identified by the King County Comprehensive Plan or  
3608 individual jurisdictions through the Growth Management Act, chapter 36.70A RCW, or a

3609 biodiversity area and corridor identified by the Washington state Department of Fish and  
3610 Wildlife's priority habitats and species project as of the date of the application(~~(The~~  
3611 ~~property must be~~) as identified by King County or local or state jurisdiction or by expert  
3612 verification acceptable to the department or local jurisdiction. Property consisting mainly  
3613 of disturbed or fragmented open space determined by the department to have minimal  
3614 wildlife habitat significance is ineligible for this category;

3615           18. Surface water quality buffer – five, eight, or ten total points. "Surface water  
3616 quality buffer" means an undisturbed area that has a plant community in which native  
3617 plants are dominant abutting a lake, pond, stream, shoreline, wetland, or marine waters on  
3618 or abutting the property, that provides buffers beyond that required by any applicable  
3619 regulation. To receive five points, the buffer (~~(must)~~) shall be at least fifty percent wider  
3620 than the buffer required by any applicable regulation. To receive eight points, the buffer  
3621 (~~(must)~~) shall be at least two times the required width. To receive ten points, the buffer  
3622 (~~(must)~~) shall be at least three times the required width. The qualifying buffer (~~(must)~~)  
3623 shall be longer than twenty-five feet and (~~(must)~~) shall be preserved from clearing or  
3624 maintenance, unless this area is part of a department-approved ecological enhancement,  
3625 farm management, forest stewardship, rural stewardship, or resource restoration plan.  
3626 Grazing use by livestock on such land is prohibited;

3627           19. Urban open space - five points.  
3628           a. "Urban open space" means land located within the boundaries of a city or  
3629 within the urban growth area that has a plant community in which native plants are  
3630 dominant and that under the applicable zoning is eligible for more-intensive development

3631 or use. The enrolling area (~~(must)~~) shall be at least one acre, or be at least one-half acre if  
3632 the land meets one of the following criteria:

3633 (1) the land conserves and enhances natural or scenic resources;

3634 (2) the land protects streams or water supply;

3635 (3) the land promotes conservation of soils, wetlands, beaches, or tidal  
3636 marshes;

3637 (4) the land enhances the value to the public of adjacent parks, forests,  
3638 wildlife preserves, nature reservations or sanctuaries, or other open space;

3639 (5) the land enhances recreation opportunities for the general public; or

3640 (6) the land preserves visual quality along highways, roads, and streets or  
3641 scenic vistas.

3642 b. Owners of noncontiguous properties that together meet the minimum  
3643 acreage requirement may jointly apply under this category if each property is closer than  
3644 seventy-five feet to one other property in the application and if each property contains an  
3645 enrolling open space area at least as large as the minimum zoned lot size; and

3646 20. Watershed protection area - five points. "Watershed protection area" means  
3647 property contributing to the forest cover that provides run-off reduction and groundwater  
3648 protection. The property (~~(must)~~) shall consist of contiguous native forest or be in the  
3649 process of reforestation. The enrolling forested area (~~(must)~~) shall consist of additional  
3650 forest cover beyond that required by county or applicable local government regulation  
3651 and (~~(must)~~) shall be at least one acre or sixty-five percent of the property acreage,  
3652 whichever is greater. If reforestation or improvements to the forest health are necessary,  
3653 the property owner shall provide and implement an ecological enhancement, a forest

3654 stewardship, resource restoration, or rural stewardship plan that addresses this need and is  
3655 acceptable to the department.

3656 D. Property qualifying for an open space category in subsection C. of this section  
3657 may receive credit for additional points as follows:

3658 1. Conservation easement or historic preservation easement - eighteen points.

3659 "Conservation easement or historic preservation easement" means land on which an  
3660 easement is voluntarily placed that restricts, in perpetuity, further potential development  
3661 or other uses of the property. The easement (~~((must be approved))~~) is subject to approval  
3662 by the department and shall be recorded with the King County recorder's office or its  
3663 successor. The easement (~~((must))~~) shall be conveyed to the county or to an organization  
3664 acceptable to the department, such as a land trust or conservancy. Historic preservation  
3665 easements (~~((must also be approved))~~) are subject to approval by the historic preservation  
3666 officer of King County or of the local government jurisdiction in which the property is  
3667 located. An easement required by zoning, subdivision conditions, or other land use  
3668 regulation is not eligible unless an additional substantive easement area is provided  
3669 beyond that otherwise required;

3670 2. Contiguous parcels under separate ownership - two points.

3671 a. "Contiguous parcels under separate ownership" means at least two or more  
3672 parcels under different ownership where either:

3673 (1) the enrolling parcels and open space acreage abut each other without a  
3674 significant human-made barrier separating them; or

3675           (2) the enrolling parcels do not abut each other, but abut a publicly owned  
3676 open space, without a significant human-made barrier separating the publicly owned open  
3677 space and the open space portion of the parcels seeking open space classification.

3678           b. Award of this category requires a single application by multiple owners and  
3679 parcels with identical qualifying public benefit rating system resources. Only a single  
3680 application fee is required.

3681           c. Contiguous parcels of land with the same qualifying public benefit rating  
3682 system resources are eligible for treatment as a single parcel if open space classification  
3683 is sought under the same application except as otherwise prohibited by the farm and  
3684 agricultural conservation land category. Each parcel need not meet the minimum acreage  
3685 requirements for a resource category so long as the total area of all enrolling land  
3686 combined meets any required minimum acreage requirements. The owners of each  
3687 parcel included in the application (~~must~~) shall agree to identical terms and conditions  
3688 for enrollment in the program.

3689           d. Individual parcels or portions of parcels may be withdrawn or removed from  
3690 open space classification, consistent with all applicable rules and regulations. The  
3691 continued eligibility of all parcels and associated acreage remaining in open space  
3692 classification accepted under the same application is dependent upon the continued  
3693 qualification for a resource category or categories.

3694           e. Points are awarded for each participating owner above one owner and accrue  
3695 to all owners of a single application. The withdrawal or removal of all enrolled acreage  
3696 associated with an owner results in the loss of two points for each remaining owner;

3697           3. Easement and access – thirty-five points. "Easement and access" means that  
3698 the property has at least one qualifying open space resource, unlimited public access or  
3699 limited public access due to resource sensitivity, and a conservation easement or historic  
3700 preservation easement in perpetuity in a form and with conditions acceptable to the  
3701 department. ~~((To be eligible, a))~~A property ~~((must))~~ shall only be eligible in this category  
3702 if it receives credit for an open space category and for the conservation easement or  
3703 historic easement in perpetuity category. The owner ~~((must))~~ shall agree to allow public  
3704 access to the portion of the property designated for public access in the easement. An  
3705 easement required by zoning, subdivision conditions, or other land use regulation is not  
3706 eligible, unless there is additional easement area beyond that required. Credit for this  
3707 category may not overlap with the equestrian-pedestrian-bicycle trail linkage;

3708           4. Public access - points depend on type and frequency of access allowed.  
3709 "Public access " means the general public is allowed access on an ongoing basis for uses  
3710 such as recreation, education, or training. Access ~~((must))~~ shall be allowed on the portion  
3711 of the property that is designated for public access. The landowner may impose  
3712 reasonable restrictions on access, such as limiting use to daylight hours, agreed to by the  
3713 department. No physical barriers may limit reasonable public access or negatively affect  
3714 an open space resource. A property owner shall demonstrate that the property is open to  
3715 public access and is used by the public. Award of public access points for historic  
3716 properties is subject to approval by ~~((F))~~the historic preservation officer of King County  
3717 or a certified officer of another local government jurisdiction in which the property is  
3718 located ~~((must approve the award of public access points for historic properties))~~. The



3719 property owner may be required to furnish and maintain signage according to county  
3720 specifications.

3721 a. Unlimited public access - five points. Year-round access by the general  
3722 public is allowed without special arrangements with the property owner.

3723 b. Limited public access because of resource sensitivity - five points. Access  
3724 may be reasonably limited by the property owner due to the sensitive nature of the  
3725 resource, with access provided only to appropriate user groups. The access allowed  
3726 should generally be for an educational, scientific, or research purpose and may require  
3727 special arrangements with the owner.

3728 c. Seasonally limited public access - three points. Access by the public is  
3729 allowed only for part of the year due to seasonal conditions, as mutually agreed to  
3730 by the landowner and the department.

3731 d. Environmental education access - three points. The landowner enters into  
3732 an agreement with a school, with an organization with 26 U.S.C. Sec. 501(c)(3) tax  
3733 status, or, with the agreement of the department, with another community organization  
3734 that allows membership by the general public to provide environmental education to its  
3735 members or the public at large. The department (~~(must agree)~~) shall verify that the  
3736 enrolled portion of the property has value for environmental education purposes.

3737 e. None or members-only - zero points. No public access is allowed or the  
3738 access is allowed only by members of the organization using or owning the land; and

3739 5. Resource restoration – five points. "Resource restoration" means restoration  
3740 of an enrolling area of property benefiting an area in an open space resource category.  
3741 Emphasis is placed on the restoration of native vegetation associated with anadromous

3742 fish rearing habitat, riparian zones, migration corridors and wildlife, forest, stream, and  
3743 wetland habitats. The owner shall provide and implement a restoration plan approved by  
3744 the department. The plan may be developed in cooperation with a natural resource expert  
3745 or agency. The approved restoration plan ~~((must))~~ shall, at a minimum, include a purpose  
3746 statement, a description of restoration work to be done, a detailed site map of the area to  
3747 be restored, a specific timeline for the restoration activities to be completed and a  
3748 monitoring schedule for the restoration project's first five years. Historic resource  
3749 restoration ~~((must be approved))~~ is subject to approval by the King County historic  
3750 preservation officer or officer of another certified local government in the jurisdiction in  
3751 which the property is located and ~~((must))~~ shall be accompanied by a long-term  
3752 maintenance plan. The owner shall also provide to the department a yearly monitoring  
3753 report for at least five years following enrollment in the public benefit rating system  
3754 program. The report ~~((must))~~ shall describe the progress and success of the restoration  
3755 project and ~~((must))~~ shall include photographs to document the success. Land receiving  
3756 credit for this category may not receive credit for the ecological enhancement land, forest  
3757 stewardship land, or rural stewardship land categories.

3758 SECTION 65. Ordinance 15137, Section 10, as amended, and K.C.C. 20.36.190  
3759 are hereby amended to read as follows:

3760 A. ~~((The definitions in K.C.C. 20.36.100 apply to this section.~~

3761 ~~B.))~~ A property may achieve a maximum ninety-percent reduction in appraised  
3762 value for that portion of the land enrolled in the public benefit rating system. A plant  
3763 community where native plants are dominant that does not independently contain a  
3764 qualifying open space resource can participate if it is contiguous to and provides a benefit

3765 to a portion of the property being awarded credit for a qualifying open space priority  
3766 resource. The department shall evaluate the property for the presence of open space  
3767 resource categories. Abutting parcels of land with the same open space resources, owned  
3768 by one or more landowners, may be eligible for consideration as a single parcel if open  
3769 space classification is sought under the same application; however, property pursuing  
3770 credit for the farm and agricultural conservation land category, which (~~must~~) shall be  
3771 owned by the same owner or held under the same ownership. For buffer measurements  
3772 under this chapter, the width is the distance perpendicular to the edge of the resource and  
3773 the length of the buffer is parallel to the resource. The entire buffer width may be  
3774 averaged to qualify for a resource category.

3775 ~~(C)~~B. The presence or occurrence of an eligible open space resource may be  
3776 verified by:

- 3777 1. Reference to a recognized source, such as:
- 3778 a. the natural heritage data base;
  - 3779 b. the state office of historic preservation;
  - 3780 c. state, national, county or city registers of historic places;
  - 3781 d. the Washington state recreation and conservation office inventory of dry  
3782 accretion beach and shoreline features;
  - 3783 e. a shoreline master program;
  - 3784 f. parks and recreation studies; or
  - 3785 g. studies by the state Department of Fish and Wildlife or Department of  
3786 Natural Resources;

3787           2. Reference to a map developed by the county or other recognized authority;  
3788 or

3789           3. Using the best available source, such as a recognized expert in the particular  
3790 resource being reviewed.

3791           ~~((D.))~~ C. When more than one reasonable interpretation can be supported by the  
3792 text of this chapter, the department may make a determination relating to the open space  
3793 resource definitions and eligibility standards in accordance with the purpose and intent of  
3794 this chapter. The department may calculate the appropriate area of land to receive credit  
3795 for a particular priority resource to support the assessor's determination of the  
3796 accompanying tax reduction for each priority resource.

3797           ~~((E.))~~ D. Management or preservation of the open space resources is a condition  
3798 for acceptance into the program. Each open space resource ~~((must))~~ shall be maintained  
3799 in the same or better condition as it was when approved for enrollment. The property  
3800 owner shall not engage in any activity that reduces the value of the open space resource,  
3801 unless that activity is required for public safety and is conducted lawfully under  
3802 appropriate permits. As a condition of enrollment into the program, the department may  
3803 require the owner to develop a plan acceptable to the department to restore any property  
3804 whose open space resources are degraded. In addition, if an existing approved plan for  
3805 farm and agricultural conservation land, ecological enhancement land, forest stewardship  
3806 land, rural stewardship land, or resource restoration category has a management schedule  
3807 or management goals that are out of date or otherwise require change, the owner is  
3808 responsible for revising the plan. Plan revisions are subject to review and approval by  
3809 ~~((F))~~ the department ~~((must review and accept any plan revisions)).~~

---

3810           ~~((F-))~~ E. The county may base acceptance of property into the public benefit  
3811 rating system on specific conditions or requirements being met, including, but not limited  
3812 to, granting easements.

3813           ~~((G-))~~ F. Except as otherwise provided in this chapter, the following properties or  
3814 areas are not eligible for open space classification:

- 3815           1. Improvements or structures on eligible open space land;
- 3816           2. Properties that do not contain a qualifying open space resource;
- 3817           3. Open space areas protected by a native growth, forest retention<sub>2</sub> or other  
3818 covenant that is required as part of a development process or subdivision, or required by  
3819 zoning or other land use regulations; however, such an area is eligible as ecological  
3820 enhancement, or forest stewardship or rural stewardship land if implementation of the  
3821 associated plan provides resource improvements within the enrolling open space. Such  
3822 an area is also eligible as public recreation area, equestrian-pedestrian-bicycle<sub>2</sub> or active  
3823 trail linkage due to the public's use and benefit. Additionally:

3824           a. Enrollment of at least ten percent additional open space acres, beyond that  
3825 restricted or required by applicable covenant or regulation, is necessary to qualify for  
3826 additional resource categories not referenced in this subsection ~~((G))~~F.3. but not  
3827 including those additional resource categories referenced in subsection ~~((G))~~F.3.b. of this  
3828 section; and

3829           b.~~((-))~~ The minimum ten percent additional open space acres provided ~~((must~~  
3830 ~~be acceptable))~~ shall, to the satisfaction of the department<sub>2</sub>, ((and)) feature a plant  
3831 community where native plants are dominant or should be dominant after implementing  
3832 an approved farm management, ecological enhancement, forest stewardship, resource

3833 restoration, or rural stewardship plan associated with the approved open space resource or  
3834 bonus category;

3835 4. Any portion of a property dominated by or whose resource value is  
3836 compromised by invasive plant species, unless the department has received a resource  
3837 restoration, rural stewardship, ecological enhancement, farm management, or forest  
3838 stewardship plan and determined that the plan adequately addresses the invasive plant  
3839 species concern and is being implemented; and

3840 5. Homesite and other areas developed for residential or personal use, such as  
3841 garden, landscaping and driveway, except for historic resources.

3842 ~~((H.))~~ G. The department may monitor the participating portion of the property to  
3843 evaluate its current use and continuing compliance with the conditions of enrollment.

3844 1. Monitoring may include scheduled, physical inspections of the property and  
3845 in-office review using aerial photography, mapping software, or other available  
3846 technologies.

3847 2. Program staff may require an owner of enrolled property to submit a  
3848 monitoring report on an annual or less frequent basis. The report ~~((must))~~ shall include a  
3849 brief description of how the property still qualifies for each awarded resource category,  
3850 photographs from established points on the property, and any owner observations by the  
3851 owner. The owner ~~((must))~~ shall submit this report to the department by email, the  
3852 program's website, or by other mutually agreed upon method. An environmental  
3853 consultant need not prepare this report.

3854 3. An owner of property receiving credit for farm and agricultural conservation  
3855 land, ecological enhancement land, forest stewardship land, or rural stewardship land, all

3856 of which require a stewardship or management plan, shall annually provide a monitoring  
3857 report that describes progress in implementing the plan and includes a brief description of  
3858 activities taken to implement the plan and photographs from established points on the  
3859 property. The owner shall submit this report to the department by email or by other  
3860 mutually agreed upon method. An environmental consultant need not prepare this report.

3861 ~~((H.))~~ H. Failure by the owner to meet the conditions of the approval or to  
3862 maintain the uses of the property that were the basis for the original approval is grounds  
3863 for the department to reevaluate the property under the public benefit rating system. If  
3864 the reevaluation shows the property or a portion of the property is no longer eligible to  
3865 participate in the program, the county shall take action to remove the current use  
3866 classification and determine the amount of deferred taxes, interest, and penalty owed by  
3867 the landowner. If the reevaluation shows the property or a portion thereof is no longer  
3868 eligible as approved but that the property still qualifies for one or more public benefit  
3869 rating system resource categories, then the overall credit award shall be adjusted to reflect  
3870 the reevaluation. The new credit award may result in a current use assessment at a lower  
3871 percentage of appraised value than was originally approved. A landowner may appeal a  
3872 determination under this subsection by following K.C.C. 20.36.130.B.

3873 SECTION 66. Ordinance 6949, Section 7, as amended, and K.C.C. 20.44.050 are  
3874 hereby amended to read as follows:

3875 The procedures and standards for preparation of environmental impact statements  
3876 and other environmental documents pursuant to WAC 197-11-400 through 197-11-460 and  
3877 197-11-600 through 197-11-640 are adopted, subject to the following:

3878           A. Pursuant to WAC 197-11-408(2)(a), all comments on determinations of  
3879 significance and scoping notices shall be in writing, except where a public meeting on EIS  
3880 scoping occurs pursuant to WAC 197-11-410(1)(b).

3881           B. Pursuant to WAC 197-11-420, 197-11-620, and 197-11-625, the county  
3882 department acting as lead agency shall be responsible for preparation and content of an EIS  
3883 and other environmental documents. The department shall contract with consultants as  
3884 necessary for the preparation of environmental documents. The department may consider  
3885 the opinion of the applicant regarding the qualifications of the consultant but the  
3886 department shall retain sole authority for selecting persons or firms to author, co-author,  
3887 provide special services or otherwise participate in the preparation of required  
3888 environmental documents.

3889           C. Consultants or subconsultants selected by King County to prepare  
3890 environmental documents for a private development project proposal shall not: act as  
3891 agents for the applicant in preparation or acquisition of associated underlying permits; have  
3892 a financial interest in the proposal for which the environmental document is being  
3893 prepared; or perform any work or provide any services for the applicant in connection with  
3894 or related to the proposal.

3895           D. The department shall establish and maintain one or more lists of qualified  
3896 consultants who are eligible to receive contracts for preparation of environmental  
3897 documents for project proposals. Separate lists may be maintained to reflect specialized  
3898 qualifications or expertise. When the department requires consultant services to prepare  
3899 environmental documents for project proposals, the department shall select a consultant  
3900 from the lists and negotiate a contract for such services. The department director may



3901 waive these requirements as provided for in rules adopted to implement this section.  
3902 ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the department of  
3903 local services shall adopt public rules that establish processes to: create and maintain a  
3904 qualified consultant list; select consultants from the list; remove consultants from the list;  
3905 provide a method by which applicants may request a reconsideration of selected  
3906 consultants based upon costs, qualifications or timely production of the environmental  
3907 document; and waive the consultant selection requirements of this chapter on any basis  
3908 provided by K.C.C. chapter 2.93.

3909 E. All costs of preparing the environment document shall be borne by the  
3910 applicant. ~~((Subject to K.C.C. 20.44.145 and p))~~Pursuant to K.C.C. chapter 2.98, the  
3911 department of local services shall promulgate administrative rules that establish a trust fund  
3912 for consultant payment purposes, define consultant payment schedules, prescribe  
3913 procedures for treating interest from deposited funds and develop other procedures  
3914 necessary to implement this chapter.

3915 F. In the event an applicant decides to suspend or abandon the project, the  
3916 applicant must provide formal written notice to the department and consultant. The  
3917 applicant shall continue to be responsible for all ~~((monies))~~ moneys expended by the  
3918 division or consultants to the point of receipt of notification to suspend or abandon, or other  
3919 obligations or penalties under the terms of any contract let for preparation of the  
3920 environmental documents.

3921 G. The department shall only publish an EIS when it believes that the EIS  
3922 adequately disclose: the significant direct, indirect, and cumulative adverse impacts of the  
3923 proposal and its alternatives; mitigation measures proposed and committed to by the

3924 applicant, and their effectiveness in significantly mitigating impacts; mitigation measures  
3925 that could be implemented or required; and unavoidable significant adverse impacts.

3926 Unless otherwise agreed to by the applicant, a final environmental impact statement shall  
3927 be issued by the department within two hundred seventy days following the issuance of a  
3928 DS for the proposal, except for public projects and nonproject actions, unless the  
3929 department determines at the time of issuance of the DS that a longer period will be  
3930 required because of the extraordinary size of the proposal or the scope of the environmental  
3931 impacts resulting therefrom; provided that the additional time shall not exceed ninety days  
3932 unless agreed to by the applicant.

3933 H. The following periods shall be excluded from the two-hundred-seventy-day  
3934 period for issuing a final environmental impact statement:

3935 1. Any period during which the applicant has failed to pay required environmental  
3936 review fees to the department;

3937 2. Any period during which the applicant has been requested to provide additional  
3938 information required for preparation of the environmental impact statement, and

3939 3. Any period during which the applicant has not authorized the department to  
3940 proceed with preparation of the environmental impact statement.

3941 SECTION 67. Ordinance 6949, Section 10, as amended, and K.C.C. 20.44.080  
3942 are hereby amended to read as follows:

3943 A. The procedures and standards of WAC 197-11-650 through 197-11-660  
3944 regarding substantive authority and mitigation, and WAC 197-11-158, regarding reliance  
3945 on existing plans, laws and regulations, are adopted.

3946 B. For the purposes of RCW 43.21C.060 and WAC 197-11-660, the following  
3947 policies, plans, rules, and regulations, and all amendments thereto, are designated as  
3948 potential bases for the exercise of King County's substantive authority under SEPA,  
3949 subject to RCW 43.21C.240 and subsection C of this section:

- 3950 1. The policies of the state Environmental Policy Act, RCW 43.21C.020.
- 3951 2. As specified in K.C.C. chapter 20.12, the King County Comprehensive Plan,  
3952 its addenda and revisions, ~~((and community and))~~ subarea plans, and functional plans  
3953 ~~((and housing report, and as specified in K.C.C. chapter 20.14, surface water~~  
3954 ~~management program basin plans))~~.
- 3955 3. The King County Zoning Code, as adopted in K.C.C. Title 21A.
- 3956 4. The King County Agricultural Lands Policy, as adopted in K.C.C. Title 26.
- 3957 5. The King County Landmarks Preservation Code, as adopted in K.C.C.  
3958 chapter 20.62.
- 3959 6. The King County Shoreline ~~((Management))~~ Master ~~((Plan))~~ Program, as  
3960 adopted in K.C.C. ~~((Title))~~ chapter 21A.25.
- 3961 7. The King County Surface Water Runoff Policy, as adopted in K.C.C. chapter  
3962 9.04, including the Covington Master Drainage Plan, as adopted in K.C.C. chapter 20.14.
- 3963 8. The King County Road Standards, as adopted in K.C.C. chapter 14.42.
- 3964 9. The Comprehensive Plan for Transportation adopted by Resolution No. 6617  
3965 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
3966 the county council in K.C.C. 28.01.030.

3967           10. The Comprehensive Sewerage Disposal Plan adopted by Resolution No. 23  
3968 of the council of the Municipality of Metropolitan Seattle and readopted and ratified by  
3969 the county council in K.C.C. 28.01.030.

3970           11. The rules and regulations for construction and use of local sewage facilities  
3971 set forth in K.C.C. chapters 28.81 through 28.84.

3972           12. The rules and regulations on the consistency of sewer projects with local  
3973 land use plans and policies set forth in Ordinance 11034, as amended.

3974           13. The rules and regulations for the disposal of industrial waste into the  
3975 sewerage system set forth in Ordinance 11034, as amended.

3976           14. ~~((The Duwamish Clean Water Plan adopted by the council of the  
3977 Municipality of Metropolitan Seattle and readopted and ratified by the county council by  
3978 Ordinance 11032, Section 28, as amended.~~

3979           ~~15.))~~ The Washington Department of Ecology's Best Management Practices for  
3980 the Use of Municipal Sludge.

3981           C. Within the urban growth area, substantive SEPA authority to condition or  
3982 deny new development proposals or other actions shall be used only in cases where  
3983 specific adverse environmental impacts are not addressed by regulations as set forth  
3984 below or unusual circumstances exist. In cases where the county has adopted the  
3985 following regulations to systematically avoid or mitigate adverse impacts, those standards  
3986 and regulations will normally constitute adequate mitigation of the impacts of new  
3987 development: K.C.C. chapter 9.04, Surface Water Runoff Policy, K.C.C. chapter 9.08,  
3988 Surface Water Management Program, K.C.C. chapter 9.12, Water Quality, K.C.C.  
3989 chapter 14.42, King County Road Standards, K.C.C. chapter 16.82, Clearing and

3990 Grading, K.C.C. chapter 21A.12, Development Standards – Density and Dimensions,  
3991 K.C.C. chapter 21A.14, Development Standards – Design Requirements, K.C.C. chapter  
3992 21A.16, Development Standards – Landscaping and Water Use, K.C.C. chapter 21A.18,  
3993 Development Standards – Parking and Circulation, K.C.C. chapter 21A.20, Development  
3994 Standards – Signs, K.C.C. chapter 21A.22, Development Standards – Mineral Extraction,  
3995 K.C.C. chapter 21A.24, Critical Areas, K.C.C. chapter 21A.26, Development Standards –  
3996 Communication Facilities, K.C.C. chapter 21A.28, Development Standards – Adequacy  
3997 of Public Facilities and Services. Unusual circumstances related to a site or to a proposal,  
3998 as well as environmental impacts not mitigated by the regulations listed in this  
3999 subsection, will be subject to site-specific or project-specific SEPA mitigation.

4000         This subsection shall not apply if the county's development regulations cited in  
4001 this subsection are amended after April 22, 1996, unless the amending ordinance contains  
4002 a finding, supported by documentation, that the requirements for environmental analysis,  
4003 protection<sub>2</sub> and mitigation measures in this chapter, provide adequate analysis of and  
4004 mitigation for the specific adverse environmental impacts to which the requirements  
4005 apply.

4006         D. Outside the urban growth area, in the course of project review, including any  
4007 required environmental analysis, the responsible official may determine that requirements  
4008 for environmental analysis, protection<sub>2</sub> and mitigation measures in the county's  
4009 development regulations or comprehensive plans adopted under chapter 36.70A RCW  
4010 and in other applicable local, state<sub>2</sub> or federal laws and rules provide adequate analysis  
4011 and mitigation for specific adverse environmental impacts of the project, if the following  
4012 criteria are met:

4013           1. In the course of project review, the responsible official shall identify and  
4014 consider the specific probable adverse environmental impacts of the proposed action and  
4015 then make a determination whether these specific impacts are adequately addressed by  
4016 the development regulations. If they are not, the responsible official shall apply  
4017 mitigation consistent with the applicable requirements of the comprehensive plan,  
4018 subarea plan element of the comprehensive plan, or other local, state, or federal rules or  
4019 laws; and

4020           2. The responsible official bases or conditions its approval on compliance with  
4021 these requirements or mitigation measures.

4022           E. Any decision to approve, deny, or approve with conditions pursuant to RCW  
4023 43.21C.060 shall be contained in the responsible official's decision document. The  
4024 written decision shall contain facts and conclusions based on the proposal's specific  
4025 adverse environmental impacts, or lack thereof, as identified in an environmental  
4026 checklist, EIS, threshold determination, other environmental document including an  
4027 executive department's staff report and recommendation to a decision maker, or findings  
4028 made pursuant to a public hearing authorized or required by law or ordinance. The  
4029 decision document shall state the specific plan, policy, or regulation that supports the  
4030 SEPA decision and, if mitigation beyond existing development regulations is required,  
4031 the specific adverse environmental impacts and the reasons why additional mitigation is  
4032 needed to comply with SEPA.

4033           F. This chapter shall not be construed as a limitation on the authority of King  
4034 County to approve, deny, or condition a proposal for reasons based upon other statutes,  
4035 ordinances, or regulations.

4036            SECTION 68. Ordinance 4828, Section 2, as amended, and K.C.C. 20.62.020 are  
4037 hereby amended to read as follows:

4038            The following words and terms shall, when used in this chapter, be defined as  
4039 follows unless a different meaning clearly appears from the context:

4040            A. "Alteration" is any construction, demolition, removal, modification,  
4041 excavation, restoration, or remodeling of a landmark.

4042            B. "Building" is a structure created to shelter any form of human activity, such as  
4043 a house, barn, ~~((church))~~ religious facility, hotel, or similar structure. Building may refer  
4044 to a historically related complex, such as a courthouse and jail or a house and barn.

4045            C. "Certificate of appropriateness" is written authorization issued by the  
4046 commission or its designee permitting an alteration to a significant feature of a  
4047 designated landmark.

4048            D. "Commission" is the landmarks commission created by this chapter.

4049            E. "Community landmark" is an historic resource which has been designated  
4050 pursuant to K.C.C. 20.62.040 but which may be altered or changed without application  
4051 for or approval of a certificate of appropriateness.

4052            F. "Designation" is the act of the commission determining that an historic  
4053 resource meets the criteria established by this chapter.

4054            G. "Designation report" is a report issued by the commission after a public  
4055 hearing setting forth its determination to designate a landmark and specifying the  
4056 significant feature or features thereof.

4057            H. "Director" is the director of the King County department of local services  
4058 permitting division manager or designee.

4059 I. "District" is a geographically definable area, urban, ~~((or))~~ rural, or natural  
4060 resource lands, possessing a significant concentration, linkage, or continuity of sites,  
4061 buildings, structures, or objects united by past events or aesthetically by plan or physical  
4062 development. A district may also comprise individual elements separated geographically  
4063 but linked by association or history.

4064 J. "Heritage" is a discipline relating to historic preservation and archaeology,  
4065 history, ethnic history, traditional cultures, and folklore.

4066 K. "Historic preservation officer" is the King County historic preservation officer  
4067 or designee.

4068 L. "Historic resource" is a district, site, building, structure, or object significant in  
4069 national, state or local history, architecture, archaeology, and culture.

4070 M. "Historic resource inventory" is an organized compilation of information on  
4071 historic resources considered to be significant according to the criteria listed in K.C.C.  
4072 20.62.040.A. The historic resource inventory is kept on file by the historic preservation  
4073 officer and is updated from time to time to include newly eligible resources and to reflect  
4074 changes to resources.

4075 N. "Incentives" are such compensation, rights, or privileges, or combination  
4076 thereof, which the council, or other local, state, or federal public body or agency, by  
4077 virtue of applicable present or future legislation, may be authorized to grant to or obtain  
4078 for the owner or owners of designated landmarks. Examples of economic incentives  
4079 include but are not limited to tax relief, conditional use permits, rezoning, street vacation,  
4080 ~~((planned unit development,))~~ transfer of development rights, facade easements, gifts,



4081 preferential leasing policies, private or public grants in aid, beneficial placement of public  
4082 improvements, or amenities, or the like.

4083 O. "Interested person of record" is any individual, corporation, partnership, or  
4084 association that notifies the commission or the council in writing of its interest in any  
4085 matter before the commission.

4086 P. "Landmark" is an historic resource designated as a landmark pursuant to  
4087 K.C.C. 20.62.070.

4088 Q. "Nomination" is a proposal that an historic resource be designated a landmark.

4089 R. "Object" is a material thing of functional, aesthetic, cultural, historical, or  
4090 scientific value that may be, by nature or design, movable yet related to a specific setting  
4091 or environment.

4092 S. "Owner" is a person having a fee simple interest, a substantial beneficial  
4093 interest of record or a substantial beneficial interest known to the commission in an  
4094 historic resource. Where the owner is a public agency or government, that agency shall  
4095 specify the person or persons to receive notices under this chapter.

4096 T. "Person" is any individual, partnership, corporation, group, or association.

4097 U. "Person in charge" is the person or persons in possession of a landmark  
4098 including, but not limited to, a mortgagee or vendee in possession, an assignee of rents, a  
4099 receiver, executor, trustee, lessee, tenant, agent, or any other person directly or indirectly  
4100 in control of the landmark.

4101 V. "Preliminary determination" is a decision of the commission determining that  
4102 an historic resource which has been nominated for designation is of significant value and  
4103 is likely to satisfy the criteria for designation.

4104 W. "Significant feature" is any element of a landmark which the commission has  
4105 designated pursuant to this chapter as of importance to the historic, architectural or  
4106 archaeological value of the landmark.

4107 X. "Site" is the location of a significant event, a prehistoric or historic occupation  
4108 or activity, or a building or structure, whether standing, ruined, or vanished, where the  
4109 location itself maintains an historical or archaeological value regardless of the value of  
4110 any existing structures.

4111 Y. "Structure" is any functional construction made usually for purposes other  
4112 than creating human shelter.

4113 SECTION 69. Ordinance 4828, Section 4, as amended, and K.C.C. 20.62.040 are  
4114 hereby amended to read as follows:

4115 A. An historic resource may be designated as a King County landmark if it is  
4116 more than forty years old or, in the case of a landmark district, contains resources that are  
4117 more than forty years old, and possesses integrity of location, design, setting, materials,  
4118 quality of work, feeling, or association, or any combination of the foregoing aspects of  
4119 integrity, sufficient to convey its historic character, and:

4120 1. Is associated with events that have made a significant contribution to the  
4121 broad patterns of national, state, or local history;

4122 2. Is associated with the lives of persons significant in national, state, or local  
4123 history;

4124 3. Embodies the distinctive characteristics of a type, period, style, or method of  
4125 design or construction, or that represents a significant and distinguishable entity whose  
4126 components may lack individual distinction;

4127           4. Has yielded, or may be likely to yield, information important in prehistory or  
4128 history; or

4129           5. Is an outstanding work of a designer or builder who has made a substantial  
4130 contribution to the art.

4131           B. An historic resource may be designated a community landmark because it is  
4132 an easily identifiable visual feature of a neighborhood or the county and contributes to the  
4133 distinctive quality or identity of such a neighborhood or county or because of its  
4134 association with significant historical events or historic themes, association with  
4135 important or prominent persons in the community or county, or recognition by local  
4136 ~~((citizens))~~ individuals for substantial contribution to the neighborhood or community.

4137 An improvement or site qualifying for designation solely by virtue of satisfying criteria  
4138 set out in this section shall be designated a community landmark and shall not be subject  
4139 to K.C.C. 20.62.080.

4140           C. Cemeteries, birthplaces, or graves of historical figures, properties owned by  
4141 religious institutions or used for religious purposes, structures that have been moved from  
4142 their original locations, reconstructed historic buildings, properties primarily  
4143 commemorative in nature, and properties that have achieved significance within the past  
4144 forty years shall not be considered eligible for designation. However, such ~~((a property))~~  
4145 properties shall be eligible for designation if they are~~((:~~

4146           ~~1. A))~~ an integral part of districts that meet the criteria set out in subsection A. of  
4147 this section or if ~~((it is))~~ they are:

4148           ~~((2. A))~~ 1. ((~~(~~¶~~)~~) Religious ~~((property))~~ properties deriving primary significance  
4149 from architectural or artistic distinction or historical importance;

4150           ~~((3.-A))~~ 2. ~~((b))~~ Buildings or structures removed from ~~((its))~~ their original  
4151 locations but that ~~((is))~~ are significant primarily for ~~((its))~~ their architectural value, or  
4152 ~~((which is))~~ that are the surviving structure most importantly associated with ~~((a))~~ historic  
4153 persons or events;

4154           ~~((4.-A))~~ 3. ~~((b))~~ Birthplaces, graves, or residences of ~~((a))~~ historical figures of  
4155 outstanding importance if there ~~((is))~~ are no other appropriate sites or buildings directly  
4156 associated with the historical ~~((figure's))~~ figures' productive ~~((life))~~ lives;

4157           ~~((5.-A cemetery))~~ 4. Cemeteries that derive~~((s its))~~ their primary significances  
4158 from graves of persons of transcendent importance, from age, from distinctive design  
4159 features, or from association with historic events;

4160           ~~((6.-A))~~ 5. ~~((r))~~ Reconstructed buildings when accurately executed in a suitable  
4161 environment and presented in a dignified manner or as part of ~~((a))~~ restoration master  
4162 plans, and when no other buildings or structures with the same association ~~((has))~~ have  
4163 survived;

4164           ~~((7.-A property))~~ 6. Properties commemorative in intent if design, age,  
4165 tradition, or symbolic value ~~((has))~~ have invested ~~((it))~~ them with ~~((its))~~ their own  
4166 historical significance; or

4167           ~~((8.-A property))~~ 7. Properties achieving significance within the past forty years  
4168 if ~~((it is))~~ they are of exceptional importance.

4169           SECTION 70. Ordinance 10870, Section 17, as amended, and K.C.C.  
4170 21A.02.070 are hereby amended to read as follows:

4171           A. All references to the Standard Industrial Classification (SIC) are to the titles  
4172 and descriptions found in the Standard Industrial Classification Manual, 1987 edition,

4173 prepared by United States Office of Management and Budget, which is hereby adopted  
4174 by reference. The ~~((SIC))~~ is used, with modifications to suit the purposes of this  
4175 title, to list and define land uses authorized to be located in the various zones consistent  
4176 with the ~~((comprehensive plan))~~ land use map.

4177 B. The SIC categorizes each land use under a general two-digit major group  
4178 number, or under a more specific three- or four-digit industry group or industry number.  
4179 A use shown on a land use table with a two-digit number includes all uses listed in the  
4180 SIC for that major group. A use shown with a three-digit or four-digit number includes  
4181 only the uses listed in the SIC number for that industry group or industry.

4182 C. An asterisk ~~(( ))~~, shown as "\*(( ))" in the SIC number column of a land use  
4183 table means that the SIC definition for the specific land use identified has been modified  
4184 by this title. The definition may include one or more SIC ~~((subclassification))~~ numbers,  
4185 or may define the use without reference to the SIC.

4186 D. The ~~((D))~~ director shall determine whether a proposed land use not specifically  
4187 listed in a land use table or specifically included within a SIC ~~((classification))~~ number is  
4188 allowed in a zone. The director's determination shall be based on whether ~~((or not))~~  
4189 permitting the proposed use in a particular zone is consistent with the purposes of this  
4190 title and the zone's purpose ~~((as set forth))~~ established in K.C.C. chapter 21A.04, by  
4191 considering the following factors:

4192 1. The physical characteristics of the use and its supporting structures, including  
4193 but not limited to scale, traffic, and other impacts, and hours of operation;

4194 2. Whether ~~((or not))~~ the use complements or is compatible with other uses  
4195 ~~((permitted))~~ allowed in the zone; and

4196           3. The SIC (~~(classification)~~) number, if any, assigned to the business or other  
4197 entity that will carry on the primary activities of the proposed use.

4198           E. If a proposed land use subject to subsection D. of this section is an essential  
4199 public facility under the Growth Management Act, it shall be evaluated using the special  
4200 use permit process and consistent with the Growth Management Act, the King County  
4201 Countywide Planning Policies, and the King County Comprehensive Plan.

4202           SECTION 71. Ordinance 10870, Section 27, as amended, and K.C.C.  
4203 21A.04.060 are hereby amended to read as follows:

4204           A. The purpose of the rural zone (RA) is to provide for an area-wide long-term  
4205 rural character and to minimize land use conflicts with nearby agricultural or forest  
4206 production districts or mineral extraction sites. These purposes are accomplished by:

4207           1. Limiting residential densities and (~~(permitted)~~) allowed uses to those that are  
4208 compatible with rural character and nearby resource production districts and sites and are  
4209 able to be adequately supported by rural service levels;

4210           2. Allowing small-scale farming and forestry activities and tourism and  
4211 recreation uses that can be supported by rural service levels and that are compatible with  
4212 rural character;

4213           3. Increasing required setbacks to minimize conflicts with adjacent agriculture,  
4214 forest, or mineral zones; and

4215           4. Requiring tracts created through clustering (~~(development)~~) to be designated  
4216 as permanent open space or as permanent resource use.

4217           B. Use of this zone is appropriate in the rural area(~~(s)~~) designated by the  
4218 Comprehensive Plan as follows:

4219           1. RA-2.5 in the rural area((s)) where the predominant lot pattern is below five  
4220 acres in size for lots established (~~((prior to))~~) before the adoption of the 1994  
4221 Comprehensive Plan;

4222           2. RA-5 in the rural area((s)) where (~~((the predominant lot pattern is five acres or  
4223 greater but less than ten acres in size and the area is generally environmentally  
4224 unconstrained))~~);

4225           a. the land is more than a quarter mile from designated natural resource lands;

4226           b. the land is physically suitable for development with minimal critical areas;

4227 and

4228           c. this density would not harm or diminish the surrounding area, burden  
4229 infrastructure, increase development pressure, or be inconsistent with the development  
4230 patterns promoted by the Comprehensive Plan;

4231           3.a. RA-10 in the rural area((s)) where (~~((the predominant lot pattern is ten acres  
4232 or greater but less than twenty acres in size. RA-10 is also applied on land that is  
4233 generally environmentally constrained, as defined by county, state or federal law, to  
4234 protect critical habitat and regionally significant resource areas (RSRAs). The RA-10  
4235 zone is also applied to lands within one-quarter mile of a forest or agricultural production  
4236 district or an approved long-term mineral extraction site.))~~);

4237           (1) the land is adjacent to or within one-quarter mile of designated natural  
4238 resource lands;

4239           (2) the land contains moderate or significant critical areas; or

4240           (3) a density of one dwelling unit per five acres would harm or diminish the  
4241 surrounding area, burden infrastructure, increase development pressure, or be inconsistent  
4242 with the development patterns promoted by the Comprehensive Plan; and

4243           b. On Vashon-Maury Island, RA-10 zoning shall be maintained on areas zoned  
4244 RA-10 as of 1994 and on areas with a predominant lot size of ten acres or greater that are  
4245 identified on the Areas Highly Susceptible to Groundwater Contamination map; and

4246           4. RA-20 in Rural Forest Focus (~~(Districts)~~) Areas designated by the King  
4247 County Comprehensive Plan. This level of density should also be considered when a  
4248 larger parcel with an agricultural, forestry, or mineral land use designation is redesignated  
4249 to a rural area land use designation.

4250           SECTION 72. Ordinance 10870, Section 28, as amended, and K.C.C.  
4251 21A.04.070 are hereby amended to read as follows:

4252           A. The purposes of the urban reserve zone (UR) are to: phase growth and  
4253 demand for urban services, and to reserve large tracts of land for possible future growth  
4254 in portions of King County designated by the Comprehensive Plan for future urban  
4255 growth while allowing reasonable interim uses of property; or to reflect designation by  
4256 the Comprehensive Plan of a property or area as part of the urban growth area when a  
4257 detailed plan for urban uses and densities has not been completed, or where adequate  
4258 public facilities and services are not available or yet needed. These purposes are  
4259 accomplished by:

- 4260           1. Allowing for rural, agricultural, and other low-density uses;
- 4261           2. Allowing for limited residential growth, either contiguous to existing urban  
4262 public facilities(~~(s)~~) or at a density supportable by existing rural public service levels; and



4263 3. Requiring ~~((clustered residential developments))~~ clustering where feasible, to  
4264 prevent establishment of uses and lot patterns ~~((which))~~ that may foreclose future  
4265 alternatives and impede efficient later development at urban densities.

4266 B. Use of this zone is appropriate in ~~((urban areas, rural towns or in rural city  
4267 expansion areas))~~ the Urban Growth Area for Cities in the Rural Area designated by the  
4268 Comprehensive Plan~~((, when such areas do not have adequate public facilities and  
4269 services or are not yet needed to accommodate planned growth, do not yet have detailed  
4270 land use plans for urban uses and densities, or are designated as sites for a potential urban  
4271 planned development or new fully contained communities))~~.

4272 SECTION 73. Ordinance 10870, Section 29, as amended, and K.C.C.  
4273 21A.04.080 are hereby amended to read as follows:

4274 A. The purpose of the urban residential zone (R) is to implement  
4275 ~~((e))~~Comprehensive ~~((p))~~Plan goals and policies for housing quality, diversity, and  
4276 affordability, and to efficiently use urban residential land, public services, and ~~((energy))~~  
4277 utilities. These purposes are accomplished by:

4278 1. Providing, in the R-1 zone, predominantly single detached residences at a  
4279 relatively low residential density;

4280 2. Providing, in the R-4 through R-8 zones, for a mix of ((predominantly))  
4281 single detached ((dwelling units)) residences, duplexes, houseplexes, and other  
4282 development types, with a variety of densities and sizes in locations appropriate for  
4283 ~~((urban))~~ lower or moderate residential densities;

4284 ~~((2.))~~ 3. Providing, in the R-12 through R-48 zones, for a mix of predominantly  
4285 apartments and townhouses ((dwelling units)), mixed-use, and other development types,

4286 with a variety of densities and sizes in locations appropriate for ~~((urban))~~ moderate to  
4287 higher residential densities;

4288 ~~((3-))~~ 4. Allowing only those accessory and complementary nonresidential uses  
4289 that are compatible with urban residential communities; and

4290 ~~((4-))~~ 5. Establishing density designations to facilitate advanced area-wide  
4291 planning for public facilities and services, and to protect ~~((environmentally sensitive~~  
4292 ~~sites))~~ critical areas from over~~((-))~~development.

4293 B. Use of ~~((this))~~ these zones ~~((is))~~ are appropriate in urban areas, ~~((activity))~~  
4294 centers, or ~~((R))~~ rural ~~((T))~~ towns designated by the Comprehensive Plan as follows:

4295 1. The R-1 zone:

4296 a. on or adjacent to lands with area-wide environmental constraints where  
4297 ~~((development))~~ clustering is required ~~((to cluster))~~ away from ~~((sensitive))~~ critical  
4298 areas~~((;))~~;

4299 b. on lands designated as urban separators ~~((or))~~ wildlife habitat network  
4300 ~~((where development is required to cluster away from the axis of the corridor on))~~ or  
4301 critical aquifer recharge areas~~((, and on Regionally and Locally Significant Resource~~  
4302 ~~Areas (RSRAs/LSRAs))~~); or

4303 c. in well-established subdivisions of the same density~~((, which))~~ that are  
4304 served at the time of development by public or private facilities and services adequate to  
4305 support planned densities;

4306 2. The R-4 through R-8 zones on ~~((urban))~~ lands that are predominantly  
4307 environmentally unconstrained and are served at the time of development, by adequate  
4308 public sewers, water supply, roads, and other needed public facilities and services; and

4309           3. The R-12 through R-48 zones on lands in and next to ~~((U))~~unincorporated  
4310 ~~((A))~~activity ~~((C))~~centers, in ~~((C))~~community or ~~((N))~~neighborhood ~~((B))~~business  
4311 ~~((C))~~centers, in mixed-use development, on small, scattered lots integrated into existing  
4312 residential areas, or in ~~((R))~~rural ~~((T))~~towns, that are served at the time of development  
4313 by adequate public sewers, water supply, roads, and other needed public facilities and  
4314 services.

4315           SECTION 74. Ordinance 10870, Section 30, as amended, and K.C.C.  
4316 21A.04.090 are hereby amended to read as follows:

4317           A. The purpose of the neighborhood business zone (NB) is to provide convenient  
4318 daily retail and personal services for a limited service area and to minimize impacts of  
4319 commercial activities on nearby properties and ~~((in urban areas on properties with the  
4320 land use designation of commercial outside of center,))~~ to provide for limited residential  
4321 development. These purposes are accomplished by:

4322           1. Limiting nonresidential uses to those retail or personal services ~~((which))~~ that  
4323 can serve the everyday needs of a surrounding urban or rural residential area;

4324           2. Allowing for ~~((mixed-use (housing and retail/service)))~~ mixed-use  
4325 developments ~~((and))~~;

4326           3. Allowing for townhouse developments as a sole use on properties in the  
4327 urban area with the land use designation of commercial outside of center; and

4328           ~~((3-))~~ 4. Excluding industrial and community/regional business-scaled uses.

4329           B. Use of this zone is appropriate in ~~((urban))~~ unincorporated activity centers,  
4330 community business centers, neighborhood business centers, commercial outside of  
4331 centers, rural towns, or rural neighborhood commercial centers designated by the

4332 ((e))Comprehensive ((p))Plan, on sites ((which)) that are served at the time of  
4333 development by adequate public sewers when located in urban areas or adequate on-site  
4334 sewage disposal when located in rural areas, water supply, roads, and other needed public  
4335 facilities and services.

4336 SECTION 75. Ordinance 10870, Section 31, as amended, and K.C.C.  
4337 21A.04.100 are hereby amended to read as follows:

4338 A. The purpose of the community business zone (CB) is to provide convenience  
4339 and comparison retail and personal services for local service areas ((which)) that exceed  
4340 the daily convenience needs of adjacent neighborhoods but ((which)) that cannot be  
4341 served conveniently by larger unincorporated activity centers, and to provide retail and  
4342 personal services in locations within unincorporated activity centers that are not  
4343 appropriate for extensive outdoor storage or auto related and industrial uses. These  
4344 purposes are accomplished by:

4345 1. Providing for limited small-scale offices as well as a wider range of the retail,  
4346 professional, governmental, and personal services than are found in neighborhood  
4347 business areas;

4348 2. Allowing for ((mixed-use (housing and retail/service))) mixed-use  
4349 developments; and

4350 3. Excluding commercial uses with extensive outdoor storage or auto related  
4351 and industrial uses.

4352 B. Use of this zone is appropriate in ((urban and)) unincorporated activity  
4353 centers, community business centers, commercial outside of centers, or rural towns that  
4354 are designated by the Comprehensive Plan ((and community plans)) and that are served at

4355 the time of development by adequate public sewers, water supply, roads, and other  
4356 needed public facilities and services.

4357 SECTION 76. Ordinance 10870, Section 32, as amended, and K.C.C.  
4358 21A.04.110 are hereby amended to read as follows:

4359 A. The purpose of the regional business zone (RB) is to provide for the broadest  
4360 mix of comparison retail, wholesale, service, and ~~((recreation/))~~ recreational and cultural  
4361 uses with compatible storage and fabrication uses, serving regional market areas and  
4362 offering significant employment opportunities. These purposes are accomplished by:

4363 1. Encouraging compact development that is supportive of transit and pedestrian  
4364 travel, through higher nonresidential building heights and floor area ratios than those  
4365 found in community business centers;

4366 2. Allowing for outdoor sales and storage, regional shopping areas, and limited  
4367 fabrication uses; ~~((and))~~

4368 3. Concentrating large-scale commercial and office uses to facilitate the  
4369 efficient provision of public facilities and services; and

4370 4. Allowing for mixed-use developments in urban areas.

4371 B. Use of this zone is appropriate in ~~((urban activity centers or rural towns))~~  
4372 commercial outside of centers that are designated by the Comprehensive Plan ~~((and~~  
4373 ~~community plans))~~ that are served at the time of development by adequate public sewers,  
4374 water supply, roads, and other needed public facilities and services.

4375 SECTION 77. Ordinance 10870, Section 33, and K.C.C. 21A.04.120 are hereby  
4376 amended to read as follows:

4377 A. The purpose of the office zone (O) is to provide for pedestrian and transit-  
4378 oriented high-density employment uses together with limited complementary retail and  
4379 urban density residential development in locations ~~((within activity centers))~~ where the  
4380 full range of commercial activities is not desirable. These purposes are accomplished by:

- 4381 1. Allowing for uses that will take advantage of pedestrian-oriented site and  
4382 street improvement standards;
- 4383 2. Providing for higher building heights and floor area ratios than those found in  
4384 community business centers;
- 4385 3. Reducing the ratio of required parking to building floor area;
- 4386 4. Allowing for on-site convenient daily retail and personal services for  
4387 employees and residences; ~~((and))~~
- 4388 5. Excluding ~~((auto))~~ vehicle-oriented, outdoor, or other retail sales and services  
4389 ~~((which))~~ that do not provide for the daily convenience needs of on-site and nearby  
4390 employees or residents; and
- 4391 6. Allowing for mixed-use developments.

4392 B. Use of this zone is appropriate in unincorporated activity centers, community  
4393 business centers, neighborhood business centers, commercial outside of centers, or rural  
4394 towns designated by the Comprehensive Plan ~~((and community plans which))~~ that are  
4395 served at the time of development by adequate public sewers, water supply, roads, and  
4396 other needed public facilities and services.

4397 SECTION 78. Ordinance 10870, Section 44, as amended, and K.C.C.  
4398 21A.06.020 are hereby amended to read as follows:

4399            Accessory use, residential: an accessory use to a residential use, including, but  
4400 not limited to:

4401            A. Accessory living quarters and dwellings;

4402            B. Fallout or bomb shelters;

4403            C. Keeping household pets or operating a hobby cattery or hobby kennel;

4404            D. On-site rental office;

4405            E. Pools, private docks or piers;

4406            F. Antennae for private telecommunication services;

4407            G. Storage of yard maintenance equipment;

4408            H. Storage of private vehicles, such as motor vehicles, boats, trailers or planes;

4409            I. Greenhouses;

4410            J. Recreation space and play areas required under K.C.C. 21A.14.180 (~~and play~~  
4411 ~~areas required under K.C.C. 21A.14.190~~));

4412            K. Home occupations and home industries under K.C.C. chapter 21A.30; and

4413            L. Consumer-scale renewable energy systems.

4414            NEW SECTION. SECTION 79. There is hereby added to K.C.C. chapter  
4415 21A.06 a new section to read as follows:

4416            Adult family home: a residence in which a person or persons provide personal  
4417 care, special care, room, and board to more than one but not more than six adults who are  
4418 not related by blood or marriage to the person or persons providing the services. An adult  
4419 family home may provide services to up to eight adults upon approval from the  
4420 department under RCW 70.128.066.

4421            SECTION 80. Ordinance 10870, Section 48, as amended, and K.C.C.

4422 21A.06.040 are hereby amended to read as follows:

4423            Agricultural product sales: the retail sale of items resulting from the practice of  
4424 agriculture, including primary horticulture products such as fruits, vegetables, grains,  
4425 seed, feed, and plants, primary animal products such as eggs, milk, and meat, or  
4426 secondary and value-added products resulting from processing, sorting, or packaging of  
4427 primary agricultural products such as jams, cheeses, dried herbs, or similar items.

4428 Agricultural product sales do not include (~~((marijuana))~~) cannabis, usable (~~((marijuana))~~)  
4429 cannabis, or (~~((marijuana))~~) cannabis-infused products.

4430            NEW SECTION. SECTION 81. There is hereby added to K.C.C. chapter  
4431 21A.06 a new section to read as follows:

4432            Anaerobic digester: an airtight, oxygen-free container that is fed animal manure or  
4433 other solid waste and that uses a biological process to stabilize organic matter and  
4434 produce methane gas for energy generation or other beneficial use.

4435            SECTION 82. K.C.C. 21A.06.355, as amended by this ordinance, is hereby  
4436 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.067.

4437            SECTION 83. Ordinance 10870, Section 5, and K.C.C. 21A.06.355 are hereby  
4438 amended to read as follows:

4439            (~~((Dwelling unit, a))~~) Apartment: (~~((a dwelling unit contained in))~~) a building  
4440 consisting of (~~((two))~~) ten or more dwelling units (~~((which may be stacked, or one or more~~  
4441 ~~dwelling with nonresidential uses))~~) sharing a common roof, wall, or floor. A houseplex  
4442 with one or more accessory dwelling units is not considered an apartment.



4443            NEW SECTION. SECTION 84. There is hereby added to K.C.C. chapter  
4444 21A.06 a new section to read as follows:

4445            At imminent risk of becoming homeless: a household that will lose their primary  
4446 nighttime residence as follows:

4447            A. The residence will be lost within fourteen days of the date of application for  
4448 homeless assistance;

4449            B. No subsequent residence has been identified; and

4450            C. The household lacks the resources or support networks needed to obtain other  
4451 permanent housing, such as family, friends, or faith-based or other social networks.

4452            NEW SECTION. SECTION 85. There is hereby added to K.C.C. chapter  
4453 21A.06 a new section to read as follows:

4454            At risk of chronic homelessness: a household that includes at least one adult:

4455            A. With a developmental, physical, or behavioral health disability;

4456            B. That is currently experiencing homelessness for at least ten months in the  
4457 previous three years, or has experienced homelessness for a cumulative total of twelve  
4458 months within the previous five years; and

4459            C. That has been incarcerated within the previous five years in a jail or prison,  
4460 that has been detained or involuntarily committed under chapter 71.05 RCW, or identifies  
4461 as a member of a population that is demographically overrepresented among persons  
4462 experiencing homelessness in King County.

4463            SECTION 86. K.C.C. 21A.06.7341, as amended by this ordinance, is hereby  
4464 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.162.

4465            SECTION 87. Ordinance 17710, Section 2, and K.C.C. 21A.06.7341 are hereby  
4466 amended to read as follows:

4467            ~~((Marijuana))~~ Cannabis: all parts of the plant cannabis, whether growing or not,  
4468 with a percentage concentration of delta-9 tetrahydrocannabinol content per dry weight of  
4469 any part of the plant cannabis, or per volume or weight of ~~((marijuana))~~ cannabis product  
4470 greater than 0.3 percent on a dry weight basis; the seeds thereof; the resin extracted from  
4471 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or  
4472 preparation of the plant, its seeds, or resin. ~~((Marijuana))~~ Cannabis does not include the  
4473 mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds  
4474 of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of  
4475 the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the  
4476 sterilized seed of the plant ~~((which))~~ that is incapable of germination.

4477            SECTION 88. K.C.C. 21A.06.7342, as amended by this ordinance, is hereby  
4478 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7341, as  
4479 recodified by this ordinance.

4480            SECTION 89. Ordinance 17710, Section 3, and K.C.C. 21A.06.7342 are hereby  
4481 amended to read as follows:

4482            ~~((Marijuana))~~ Cannabis greenhouse: a structure with a glass or rigid plastic roof  
4483 and glass or rigid plastic walls designed and used to create an artificial climate for the  
4484 growing of ~~((marijuana))~~ cannabis as licensed by the Washington state Liquor ~~((Control))~~  
4485 and Cannabis Board for the ~~((marijuana))~~ cannabis production that is of sufficient  
4486 strength and stability to comply with the structural design load requirements of the

4487 building code and that is not used as a place for human habitation or by the general  
4488 public.

4489 SECTION 90. K.C.C. 21A.06.7344, as amended by this ordinance, is hereby  
4490 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7342, as  
4491 recodified by this ordinance.

4492 SECTION 91. Ordinance 17710, Section 4, as amended, and K.C.C.  
4493 21A.06.7344 are hereby amended to read as follows:

4494 ((~~Marijuana~~)) Cannabis processor: a facility licensed by the Washington state  
4495 Liquor and Cannabis Board to process ((~~marijuana~~)) cannabis into useable ((~~marijuana~~))  
4496 cannabis and ((~~marijuana~~)) cannabis-infused products, package, and label useable  
4497 ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused products for sale in retail  
4498 outlets, and sell useable ((~~marijuana~~)) cannabis and ((~~marijuana~~)) cannabis-infused  
4499 products at wholesale to ((~~marijuana~~)) cannabis retailers. ((~~Marijuana~~)) Cannabis  
4500 processors are classified as follows:

4501 A. ((~~Marijuana~~)) Cannabis processor I -- processing that is limited to:

- 4502 1. Drying, curing, and trimming; and  
4503 2. Packaging.

4504 B. ((~~Marijuana~~)) Cannabis process– II -- all elements of processing including:

- 4505 1. All ((~~marijuana~~)) Cannabis processor I activities;  
4506 2. Extracting concentrates and infusing products;  
4507 3. Mechanical and chemical processing; and  
4508 4. Packaging.

4509            SECTION 92. K.C.C. 21A.06.7346, as amended by this ordinance, is hereby  
4510 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7344, as  
4511 recodified by this ordinance.

4512            SECTION 93. Ordinance 17710, Section 5, as amended, and K.C.C.  
4513 21A.06.7346 are hereby amended to read as follows:

4514            ~~((Marijuana))~~ Cannabis producer: a facility licensed by the Washington state  
4515 Liquor and Cannabis Board for the production and sale at wholesale of ~~((marijuana))~~  
4516 cannabis to ~~((marijuana))~~ cannabis processors and other ~~((marijuana))~~ cannabis  
4517 producers.

4518            SECTION 94. K.C.C. 21A.06.7348, as amended by this ordinance, is hereby  
4519 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.7346, as  
4520 recodified by this ordinance.

4521            SECTION 95. Ordinance 17710, Section 6, as amended, and K.C.C.  
4522 21A.06.7348 hereby amended to read as follows:

4523            ~~((Marijuana))~~ Cannabis retailer: a facility licensed by the Washington state  
4524 Liquor and Cannabis Board where useable ~~((marijuana))~~ cannabis and ~~((marijuana))~~  
4525 cannabis-infused products may be sold at retail.

4526            SECTION 96. Ordinance 10870, Section 84, and K.C.C. 21A.06.220 are hereby  
4527 amended to read as follows:

4528            Community residential facility ("CRF"): living quarters meeting applicable  
4529 federal and state standards that function as a single ~~((housekeeping unit))~~ household and  
4530 provide supportive services, including but not limited to counseling, rehabilitation and  
4531 medical supervision, excluding drug and alcohol detoxification, which is classified ~~((in~~

4532 ~~K.C.C. 21A.08.050~~) as health care services and residential care services in K.C.C.  
4533 21A.08.xxx (the new section created by section 148 of this ordinance), and excluding a  
4534 secure community transition facility as defined in (~~R.C.W.~~) RCW 71.09.020 and in this  
4535 chapter. For purposes of domestic violence shelters, minors living with a parent shall not  
4536 be counted as part of the maximum number of residents. Community Residential  
4537 Facilities are further classified as follows:

- 4538 A. Community Residential Facility - I -- Nine to ten residents and staff;
- 4539 B. Community Residential Facility - II -- Eleven or more residents and staff.

4540 If staffed by nonresident staff, each twenty-four staff hours per day equals one full-time  
4541 residing staff member for purposes of subclassifying CRFs.

4542 SECTION 97. Ordinance 12243, Section 4, and K.C.C. 21A.06.247 are hereby  
4543 amended to read as follows:

4544 Construction and trade~~(s)~~: establishments that provide services related to  
4545 construction of buildings and infrastructure, and other improvements to property. Such  
4546 establishments include~~(s)~~ SIC Major ~~((group no.'s))~~ Groups 15-17~~((s))~~ and SIC Industry  
4547 ~~((group no.))~~ Group 078~~((f))~~ Landscape and Horticultural Services~~((f))~~.

4548 SECTION 98. K.C.C. 21A.06.358, as amended by this ordinance, is hereby  
4549 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.252.

4550 SECTION 99. Ordinance 15032, Section 4, and K.C.C. 21A.06.358 are hereby  
4551 amended to read as follows:

4552 ~~((Dwelling unit, e))~~ Cottage housing: ((a)) three or more small single detached  
4553 ~~((single family dwelling unit located on a commonly owned parcel with common open~~  
4554 ~~space)) residences sited around a central common space on a commonly owned parcel.~~

4555            SECTION 100. Ordinance 15606, Section 5, and K.C.C. 21A.06.196 are hereby  
4556 amended to read as follows:

4557            Clustering: development of a subdivision at the existing zoned density that  
4558 reduces the size of individual lots and creates natural open space for the preservation of  
4559 critical areas(~~(, parks and permanent open space or as a reserve for future development))~~)  
4560 or resource land for forestry or agriculture.

4561            NEW SECTION. SECTION 101. There is hereby added to K.C.C. chapter  
4562 21A.06 a new section to read as follows:

4563            Congregate residence: a building that contains sleeping units or dwelling units, or  
4564 both, with communal facilities such as sanitation facilities, kitchen facilities, recreation  
4565 space, or lounges.

4566            NEW SECTION. SECTION 102. There is hereby added to K.C.C. chapter  
4567 21A.06 a new section to read as follows:

4568            Crisis care center: a facility that provides same-day access to crisis stabilization  
4569 services for people in behavioral health crisis including walk-in behavioral health urgent  
4570 care clinic, a twenty-three-hour observation unit or similar facility, a crisis stabilization  
4571 unit for up to fourteen days of care, and post-crisis support services.

4572            SECTION 103. Ordinance 10870, Section 92, as amended, and K.C.C.  
4573 21A.06.260 are hereby amended to read as follows:

4574            Critical facility: a facility necessary to protect the public health, safety, and  
4575 welfare including, but not limited to, a facility defined under the occupancy categories of  
4576 "essential facilities," "hazardous facilities," and "special occupancy structures" in the  
4577 structural ~~((forces))~~ design chapter ~~((or succeeding chapter))~~ in K.C.C. Title 16. Critical

4578 facilities also include nursing and personal care facilities, schools, senior ~~((citizen))~~  
4579 assisted housing, ~~((public roadway))~~ county-owned bridges, and sites that produce, use,  
4580 or store hazardous substances or hazardous waste, not including the temporary storage of  
4581 consumer products containing hazardous substances or hazardous waste intended for  
4582 household use or for retail sale on the site.

4583 SECTION 104. Ordinance 10870, Section 98, and K.C.C. 21A.06.290 are hereby  
4584 amended to read as follows:

4585 Destination resort: an establishment for outdoor resource-based recreation and  
4586 intended to utilize and provide access to outdoor recreational opportunities~~((, including~~  
4587 ~~related))~~. Accessory services, such as ~~((food))~~ retail, eating and drinking places,  
4588 ~~((overnight))~~ temporary lodging, recreation equipment rentals, entertainment, and ~~((other~~  
4589 ~~conveniences for guests of the resort))~~ personal services are allowed as part of a  
4590 destination resort.

4591 SECTION 105. Ordinance 10870, Section 101, as amended, and K.C.C.  
4592 21A.06.305 are hereby amended to read as follows:

4593 Development agreement:((

4594 ~~A. A recorded agreement between a UPD applicant and King County which~~  
4595 ~~incorporates the site plans, development standards, and other features of an Urban Plan~~  
4596 ~~Development as described in K.C.C. chapter 21A.39; or~~

4597 ~~B.))~~ An agreement authorized under RCW 36.70B.170 through 36.70B.210.

4598 SECTION 106. Ordinance 15051, Section 31, and K.C.C. 21A.06.333 are hereby  
4599 amended to read as follows:

4600 Drainage subbasin: ~~((a drainage area identified as a drainage subbasin in a~~  
4601 ~~county approved basin plan or, if not identified, a drainage))~~ an area that drains to a body  
4602 of water that is named and mapped and contained within a ~~((drainage))~~ larger basin.

4603 NEW SECTION. SECTION 107. There is hereby added to K.C.C. chapter  
4604 21A.06 a new section to read as follows:

4605 Duplex: a building containing two dwelling units designed sharing a common  
4606 roof, wall, or floor. Individual units may be side-by-side or stacked one on top of the  
4607 other. A single detached residence with accessory dwelling unit is not considered a  
4608 duplex.

4609 SECTION 108. Ordinance 10870, Section 109, and K.C.C. 21A.06.345 are  
4610 hereby amended to read as follows:

4611 Dwelling unit: one or more rooms designed for occupancy by a person or family  
4612 for living and sleeping purposes, containing kitchen facilities and rooms with internal  
4613 accessibility, for use solely by the dwelling's occupants~~((;-d))~~. Dwelling units include  
4614 ~~((but are not limited to bachelor, efficiency and))~~ studio apartments, factory-built housing  
4615 and manufactured and mobile homes.

4616 NEW SECTION. SECTION 109. There is hereby added to K.C.C. chapter  
4617 21A.06 a new section to read as follows:

4618 Emergency shelter: a facility providing short-term overnight accommodations or  
4619 day, cooling, or warming centers.

4620 NEW SECTION. SECTION 110. There is hereby added to K.C.C. chapter  
4621 21A.06 a new section to read as follows:



4622           Emergency supportive housing: housing where persons experiencing chronic  
4623 homelessness or at risk of chronic homelessness can reside temporarily, and that offers  
4624 housing-oriented services, case management, and other support or assistance services.

4625           NEW SECTION. SECTION 111. There is hereby added to K.C.C. chapter  
4626 21A.06 a new section to read as follows:

4627           Experiencing chronic homelessness: a household that includes at least one adult  
4628 with a disability, that is currently experiencing homelessness for at least twelve  
4629 consecutive months or has experienced multiple episodes homelessness for a cumulative  
4630 twelve months within the previous three years.

4631           SECTION 112. Ordinance 10870, Section 125, as amended, and K.C.C.  
4632 21A.06.425 are hereby amended to read as follows:

4633           Examiner: the ~~((zoning and subdivision))~~ office of the hearing examiner.

4634           SECTION 113. Ordinance 17191, Section 22, as amended, and K.C.C.  
4635 21A.06.450 are hereby amended to read as follows:

4636           Family: ~~((an individual; two))~~ one or more persons ~~((related by blood, marriage  
4637 or state registered domestic partnership under chapter 26.60 RCW; a group of two or  
4638 more disabled residents protected under the Federal Housing Act Amendments, who are  
4639 not related by blood, marriage or state registered domestic partnership under chapter  
4640 26.60 RCW,))~~ living together as a single housekeeping unit~~((; a group of eight or fewer  
4641 residents, who are not related by blood, marriage or state registered domestic partnership  
4642 under chapter 26.60 RCW, living together as a single housekeeping unit; or a group  
4643 living arrangement where eight or fewer residents receive supportive services such as  
4644 counseling, foster care, or medical supervision at the dwelling unit by resident or non-~~

4645 ~~resident staff. For purposes of this definition, minors living with parent shall not be~~  
4646 ~~counted as part of the maximum number of residents)).~~

4647         SECTION 114. Ordinance 10870, Section 144, as amended, and K.C.C.  
4648 21A.06.520 are hereby amended to read as follows:

4649         Forest practice: any forest practice as defined in RCW ~~((79.06.020))~~ 76.09.020.

4650         SECTION 115. Ordinance 10870, Section 148, and K.C.C. 21A.06.540 are  
4651 hereby amended to read as follows:

4652         General business service: an establishment engaged in providing services to  
4653 businesses or individuals, with no outdoor storage or fabrication, including only uses  
4654 located in SIC Major Groups ~~((Nos.))~~ and Industry Groups:

- 4655         A. 60-Depository Institutions;
- 4656         B. 61-Nondepository Credit Institutions;
- 4657         C. 62-Security and Commodity Brokers, Dealers, Exchanges, and Services;
- 4658         D. 63-Insurance Carriers;
- 4659         E. 65-Real Estate, except 653 (Real Estate Agents and Directors);
- 4660         F. 67-Holding and Other Investment Offices;
- 4661         G. 7299 Miscellaneous Personal Services, not elsewhere classified;
- 4662         H. 73-Business Services, except Industry Group and Industry Nos.:
- 4663         I. 7312-Outdoor Advertising Services; and
- 4664         J. 86-Membership Organizations, including administrative offices of organized  
4665 religions found in 8661, but excluding ~~((churches and places of worship))~~ religious  
4666 facilities.

4667            SECTION 116. Ordinance 10870, Section 153, and K.C.C. 21A.06.565 are  
4668 hereby amended to read as follows:

4669            Grading: any excavation, filling, ~~((removing the duff layer))~~ or land disturbing  
4670 activity, or ~~((any))~~ combination thereof.

4671            NEW SECTION. SECTION 117. There is hereby added to K.C.C. chapter  
4672 21A.06 a new section to read as follows:

4673            Household: one or more persons living together as a single housekeeping unit.

4674            NEW SECTION. SECTION 118. There is hereby added to K.C.C. chapter  
4675 21A.06 a new section to read as follows:

4676            Houseplex: a building containing between three and nine dwelling units sharing a  
4677 common roof, wall, or floor. A single detached residence or duplex with one or more  
4678 accessory dwelling units is not considered a houseplex.

4679            SECTION 119. Ordinance 10870, Section 172, and K.C.C. 21A.06.660 are  
4680 hereby amended to read as follows:

4681            Kennel, commercial: an establishment or facility where four or more dogs are  
4682 kept for commercial purposes, including, but not limited to, boarding, breeding and  
4683 training. A commercial kennel does not include a dog daycare facility.

4684            SECTION 120. Ordinance 15051, Section 74, and K.C.C. 21A.06.732 are hereby  
4685 amended to read as follows:

4686            ~~Manufactured home: ((or mobile home: a structure, transportable in one or more~~  
4687 ~~sections, that in the traveling mode is eight body feet or more in width or thirty-two body~~  
4688 ~~feet or more in length; or when erected on site, is three hundred square feet or more in~~  
4689 ~~area; which is built on a permanent chassis and is designated for use with or without a~~

4690 ~~permanent foundation when attached to the required utilities; which contains plumbing,~~  
4691 ~~heating, air conditioning and electrical systems; and shall include any structure that meets~~  
4692 ~~all the requirements of this section, or of chapter 296-150M WAC, except the size~~  
4693 ~~requirements for which the manufacturer voluntarily complies with the standards and~~  
4694 ~~files the certification required by the federal Department of Housing and Urban~~  
4695 ~~Development.)~~ A factory-built dwelling built in accordance with regulations adopted  
4696 under the National Manufactured Housing Construction and Safety Standards Act of  
4697 1974. ((The term "m"))Manufactured home(("or "mobile home")) does not include a  
4698 (("))recreational vehicle.(("))

4699 NEW SECTION. SECTION 121. There is hereby added to K.C.C. chapter  
4700 21A.06 a new section to read as follows:

4701 Manufactured home community: a development with two or more pads or spaces  
4702 designed to accommodate manufactured homes or mobile homes. Manufactured home  
4703 communities may include utilities, parking, common spaces, and other shared amenities.

4704 NEW SECTION. SECTION 122. There is hereby added to K.C.C. chapter  
4705 21A.06 a new section to read as follows:

4706 Microshelter: a structure that is less than two hundred square feet and designed  
4707 for people to temporarily reside.

4708 NEW SECTION. SECTION 123. There is hereby added to K.C.C. chapter  
4709 21A.06 a new section to read as follows:

4710 Microshelter village: a permanent site containing multiple microshelters and may  
4711 provide cooking facilities or meals, hygiene facilities, including restrooms and showers,  
4712 and a shared gathering space.

4713            NEW SECTION. SECTION 124. There is hereby added to K.C.C. chapter  
4714 21A.06 a new section to read as follows:

4715            Mixed-use: a site containing one or more dwelling units and nonresidential uses.

4716            SECTION 125. Ordinance 10870, Section 191, and K.C.C. 21A.06.755 are  
4717 hereby amended to read as follows:

4718            ~~((See manufactured home.))~~ Mobile home: a factory-built dwelling built prior to  
4719 June 15, 1976, to standards other than the United States department of housing and urban  
4720 development code, and acceptable under applicable state codes in effect at the time of  
4721 construction or introduction of the home into the state. Mobile home does not include a  
4722 recreational vehicle.

4723            NEW SECTION. SECTION 126. There is hereby added to K.C.C. chapter  
4724 21A.06 a new section to read as follows:

4725            Natural area: Properties or tracts whose primary purpose is to conserve and  
4726 restore ecological value. They may not be completely natural and undisturbed but may  
4727 be important in preserving rare or vanishing flora, fauna, geological sites, or features of  
4728 scientific, traditional, cultural, or educational value. These sites may allow public use in  
4729 ways that avoid and minimize harm to the ecological resources of the site to the  
4730 maximum extent feasible.

4731            NEW SECTION. SECTION 127. There is hereby added to K.C.C. chapter  
4732 21A.06 a new section to read as follows:

4733            Outdoor resource-based recreation: recreational activities that rely upon their  
4734 setting in or near natural resource lands for their enjoyment, including but not limited to,

4735 hiking, rafting, biking, skiing, horseback riding, fishing, climbing, or similar activities  
4736 necessitating an outdoor setting.

4737 NEW SECTION. SECTION 128. There is hereby added to K.C.C. chapter  
4738 21A.06 a new section to read as follows:

4739 Permanent supportive housing: subsidized housing with comprehensive support  
4740 services, such as healthcare, treatment, or employment services, and that is designed for  
4741 persons experiencing homelessness and living with a complex and disabling behavioral  
4742 or physical health condition.

4743 NEW SECTION. SECTION 129. There is hereby added to K.C.C. chapter  
4744 21A.06 a new section to read as follows:

4745 Recuperative housing: housing that is designed for persons experiencing  
4746 homelessness who require continuous treatment or medical care but do not require  
4747 hospitalization.

4748 SECTION 130. K.C.C. 21A.06.185, as amended by this ordinance, is hereby  
4749 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.980.

4750 SECTION 131. Ordinance 10870, Section 77, and K.C.C. 21A.06.185 hereby  
4751 amended to read as follows:

4752 ~~((Church, synagogue or temple))~~ Religious facility: a place where religious  
4753 services are conducted, including a church, synagogue, temple, or mosque. Religious  
4754 facilities includes those uses located in SIC Industry ~~((No.))~~ Group 866 and ~~((including))~~  
4755 accessory uses in the primary or accessory buildings, such as religious education  
4756 facilities, reading rooms, assembly rooms, and residences for nuns and clergy. ~~((This~~  
4757 ~~definition))~~ Religious facilities do not include facilities for training of religious orders.

---

4758            SECTION 132. Ordinance 14045, Section 7, and K.C.C. 21A.06.1013 are hereby  
4759 amended to read as follows:

4760            Rural equestrian community trail: an existing trail (~~(within the Equestrian~~  
4761 ~~Community))~~ located in the A, F<sub>2</sub> or RA zones that has historically been used by the  
4762 public for riding horses, and that may also have historically been used by or is suitable  
4763 for use by other (~~(non-motorized))~~ active transportation, as defined in K.C.C. 14.01.xxx  
4764 (the new section created by section 21 of this ordinance), trail users.

4765            NEW SECTION. SECTION 133. There is hereby added to K.C.C. chapter  
4766 21A.06 a new section to read as follows:

4767            Safe parking: a site designated for unsheltered people to reside in a recreational  
4768 vehicle or vehicle and may provide on-site services and utilities.

4769            SECTION 134. Ordinance 10870, Section 252, as amended, and K.C.C.  
4770 21A.06.1060 are hereby amended to read as follows:

4771            Senior (~~(citizen)~~): a person aged (~~(62))~~ sixty-two or older.

4772            SECTION 135. Ordinance 10870, Section 634 (part), as amended, and K.C.C.  
4773 21A.06.1062 are hereby amended to read as follows:

4774            Senior (~~(citizen)~~) assisted housing: (~~(housing in)~~) a building consisting of two or  
4775 more dwelling units or sleeping units restricted to occupancy by (~~(at least one senior~~  
4776 ~~citizen per unit))~~ seniors, and may include the following support services(~~(, as deemed~~  
4777 ~~necessary))~~):

- 4778            A. Food preparation and dining areas;
- 4779            B. Group activity areas;
- 4780            C. Medical supervision; and

4781 D. Similar activities.

4782 SECTION 136. Ordinance 3688, Section 251, as amended, and K.C.C.

4783 21A.06.1082C are hereby amended to read as follows:

4784 Shoreline stabilization: a structure ~~((or))~~, device, ~~((including, but not limited to,~~  
4785 ~~breakwaters, bulkheads, jetties, groins and riprap, that is placed so as to prevent))~~ or  
4786 action used to address erosion impacts or to alter ~~((the))~~ normal currents, wave actions, or  
4787 other natural forces or actions of a waterbody. Shoreline stabilization falls on a spectrum  
4788 of measures from non-structural, soft structural, and hard, including, but not limited to,  
4789 relocation of structures, building setbacks, upland drainage control, revegetation, beach  
4790 nourishment, drift log placement, riprap, groins, revetments, bulkheads, and seawalls.

4791 Shoreline stabilization does not include flood protection facilities.

4792 NEW SECTION. SECTION 137. There is hereby added to K.C.C. chapter

4793 21A.06 a new section to read as follows:

4794 Sleeping unit: a room designed for occupancy by a person or family for living and  
4795 sleeping purposes, and may contain a sanitation facility or kitchen facility, but not both.

4796 Such rooms that are also part of a dwelling unit are not sleeping units.

4797 NEW SECTION. SECTION 138. There is hereby added to K.C.C. chapter

4798 21A.06 a new section to read as follows:

4799 Social services: an establishment providing social services and rehabilitation

4800 services, including only uses located in SIC Industry Groups:

4801 A. 832 - Individual and Family Social Services;

4802 B. 833 - Job Training and Vocational Rehabilitation Services; and

4803 C. 839 - Social Services, Not Elsewhere Classified.



4804            SECTION 139. Ordinance 13733, Section 5, as amended, and K.C.C.

4805            21A.06.1273B are hereby amended to read as follows:

4806            TDR bank fund: the fund established under K.C.C. ~~((4.08.327))~~ 4A.200.730.

4807            SECTION 140. Ordinance 10870, Section 295, as amended, and K.C.C.

4808            21A.06.1275 are hereby amended to read as follows:

4809            Temporary use permit: permit to allow a use of limited duration and/or  
4810 frequency, or to allow multiple related events over a specified period. A temporary use  
4811 permit does not include the construction or establishment of any permanent use,  
4812 alteration, or structure.

4813            SECTION 141. K.C.C. 21A.06.370, as amended by this ordinance, is hereby  
4814 recodified as a new section in K.C.C. chapter 21A.06 to follow K.C.C. 21A.06.1280.

4815            SECTION 142. Ordinance 10870, Section 114, and K.C.C. 21A.06.370 are  
4816 hereby amended to read as follows:

4817            ~~((Dwelling unit, t))~~ Townhouse: a site with one or more buildings containing  
4818 ~~((one))~~ a total of ten or more dwelling units that ((occupies)) occupy space from the  
4819 ground to the roof((,)) and that ((is attached to one or more other townhouse dwellings  
4820 ~~by))~~ share common walls with one or more dwelling units.

4821            SECTION 143. Ordinance 10870, Section 297, as amended, and K.C.C.

4822            21A.06.1285 are hereby amended to read as follows:

4823            Trails: human-made pathways, including elevated boardwalks, bridges, and  
4824 stairs, designed and intended for ~~((use by pedestrians, bicyclists, equestrians and other~~  
4825 ~~nonmotorized recreational users))~~ one or more forms of active transportation, as defined  
4826 in K.C.C. 14.01.xxx (the new section created by section 21 of this ordinance).

4827 NEW SECTION. SECTION 144. There is hereby added to K.C.C. chapter

4828 21A.06 a new section to read as follows:

4829 Unsheltered person. An individual sleeping in a place not meant for human  
 4830 habitation.

4831 SECTION 145. Ordinance 10870, Section 315, as amended, and K.C.C.

4832 21A.06.1375 are hereby amended to read as follows:

4833 Warehousing and wholesale trade: establishments involved in the storage and/or  
 4834 sale of bulk goods for resale or assembly, excluding establishments offering the sale of  
 4835 bulk goods to the general public which is classified as a retail use in K.C.C. 21A.08.070  
 4836 and excluding local distribution gas storage tanks. These establishments shall include  
 4837 only SIC Major Groups ~~((Nos.))~~ 50 and 51 and SIC Industry Groups ~~((Nos.))~~ 422 and  
 4838 423, excluding fossil fuels and fossil fuel facilities.

4839 SECTION 146. Ordinance 10870, Section 330, as amended, and K.C.C.

4840 21A.08.030 are hereby amended to read as follows:

4841 A. Residential land uses.

<b>P-Permitted Use</b>		<b>RESOUR</b>			<b>R</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDU</b>				
<b>C-Conditional Use</b>		<b>CE</b>			<b>U</b>					<b>STRIAL</b>				
<b>S-Special Use</b>					<b>R</b>									
					<b>A</b>									
					<b>L</b>									
<b>SIC</b>	<b>SPECIFIC</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>R</b>	<b>U</b>	<b><u>R</u></b>	<b><del>((R</del></b>	<b><u>R</u></b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
<b>#</b>	<b>LAND USE</b>				<b>A</b>	<b>R</b>	<b><u>1</u></b>	<b><del>4</del></b>	<b>12</b>					

							<b>8))</b>	<b>=</b>					
							<b><u>R-</u></b>	<b><u>R-</u></b>					
							<b><u>4-</u></b>	<b>48</b>					
							<b><u>R-</u></b>						
							<b><u>8</u></b>						
	<b>((DWELLING UNITS,)) <u>HOUSING</u> TYPES:</b>												
*	Single Detached <u>Residence</u>	P ( C1 2))	P2	P ( C1 2))	P ( C1 2))	<u>P</u>	P ( C1 2))	P ( C1 2))	P(( (C1 15) ) <u>16</u>				
*	<u>Duplex</u>			<u>C4</u>	<u>C4</u>	<u>P</u>	<u>P1</u> <u>2</u>	<u>P1</u> <u>2</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	
*	<u>Houseplex</u>			<u>C4</u>	<u>C4</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	<u>P3</u>	
*	Townhouse			C4	C4	<u>P</u>	P(( C1 2))	P	P3	P3	P3	P3	
*	Apartment			C4	C4		P(( 5	P	P3	P3	P3	P3	

							€5 )						
*	((Mobile)) <u>Manufactured</u> Home ((Park)) <u>Community</u>			S1 3			((€ 8)) <u>P</u>	P					
*	Cottage Housing						P1 5	<u>P1</u> <u>5</u>					
	<b>((GROUP RESIDENCES:</b>												
*	Community Residential Facility I			€	€		P1 4.a €	P	P3	P3	P3	P3	
*	Community Residential Facility II						P1 4.b	P	P3	P3	P3	P3	)
*	((Dormitory)) <u>Congregate</u> <u>Residence</u>			C6	C6	<u>C6</u>	C6	P	<u>P1</u> <u>1</u>	<u>P11</u>	<u>P11</u>	<u>P1</u> <u>1</u>	
*	Senior ((Citizen)) Assisted				P4	<u>P4</u>	P(( 4))	P	P3	P3	P3	P3	

	Housing												
	<b>ACCESSORY USES:</b>												
*	Residential Accessory Uses	P7	P7		P7	P7	<u>P7</u>	P7	P7	P7	P7	P7	P7
*	Home Occupation	P1	P1		P1	P1	<u>P1</u>	P1	P1	P1	P18	P18	P1
		8	8		8	8	<u>8</u>	8	8	8			8
*	Home Industry	C			C	C	<u>C</u>	C					
	<b>((TEMPORAR Y LODGING:</b>												
7011	Hotel/Motel (1)										P	P	P
*	<del>Bed and Breakfast Guesthouse</del>	<del>P9</del>			<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P9</del>	<del>P10</del>	<del>P10</del>	
7041	<del>Organization Hotel/Lodging Houses</del>							<del>P1</del>				<del>P10</del>	

4842 B. Development conditions.

4843 1. ~~((Except bed and breakfast guesthouses.))~~ Repealed.

4844 2. In the forest production district, the following conditions apply:

4845 a. Site disturbance associated with development of any new residence shall be

4846 limited to three acres. Site disturbance shall mean all land alterations including, but not

4847 limited to, grading, utility installation, landscaping, clearing for crops, on-site sewage

4848 disposal systems, and driveways. Additional site disturbance for agriculture, including  
4849 raising livestock, up to the smaller of thirty-five percent of the lot or seven acres, may be  
4850 approved only if a farm management plan is prepared in accordance with K.C.C. chapter  
4851 21A.30. Animal densities shall be based on the area devoted to animal care and not the  
4852 total area of the lot;

4853           b. A forest management plan shall be required for any new residence in the  
4854 forest production district, that shall be reviewed and approved by the King County  
4855 department of natural resources and parks before building permit issuance; and

4856           c. The forest management plan shall incorporate a fire protection element that  
4857 includes fire safety best management practices developed by the department.

4858           3. Only as part of a mixed-use development subject to the conditions of K.C.C.  
4859 chapter 21A.14, except that:

4860           a. in the NB zone on properties with a land use designation of commercial  
4861 outside of center (CO) in the urban areas, stand-alone townhouse developments are  
4862 ((permitted)) allowed subject to K.C.C. 21A.12.040, 21A.14.030, 21A.14.060, and  
4863 21A.14.180; and

4864           b. in the rural area outside of rural towns on historic properties listed in the  
4865 National Register of Historic Places or designated as a King County landmark, mixed-use  
4866 is not required.

4867           4. Only in a building listed ((on)) in the National Register ((as an historic site))  
4868 of Historic Places or designated as a King County landmark ((subject to K.C.C. chapter  
4869 21A.32)).

4870           5.a. ((In the R-1 zone, apartment units are permitted, if:

4871           ~~(1) At least fifty percent of the site is constrained by unbuildable critical~~  
4872 ~~areas. For purposes of this subsection, unbuildable critical areas includes wetlands,~~  
4873 ~~aquatic areas and slopes forty percent or steeper and associated buffers; and~~

4874           ~~(2) The density does not exceed a density of eighteen units per acre of net~~  
4875 ~~buildable area.~~

4876           ~~b. In the R-4 through R-8 zones, apartment are permitted if the density does~~  
4877 ~~not exceed a density of eighteen units per acre of net buildable area.~~

4878           ~~c. If the proposal will exceed base density for the zone in which it is proposed,~~  
4879 ~~a conditional use permit is required.)) Repealed.~~

4880           6. Only as accessory to a school, college, university, or ~~((church))~~ religious  
4881 facility.

4882           7.a. Accessory dwelling units are subject to the following standards:

4883           ~~(1) ((Only one accessory dwelling per primary single detached dwelling or~~  
4884 ~~townhouse unit;~~

4885           ~~(2) Only allowed in the same building as the primary dwelling unit, except~~  
4886 ~~that detached accessory dwelling units are allowed when there is no more than one~~  
4887 ~~primary dwelling unit on the lot, and the following conditions are met:~~

4888           ~~(a) the lot must be three thousand two hundred square feet or greater if~~  
4889 ~~located in the urban area or a rural town; or~~

4890           ~~(b) the lot must meet the minimum lot area for the applicable zone if located~~  
4891 ~~in the rural area but not in a rural town, except that if one transferable development right~~  
4892 ~~is purchased from the Rural Area or Natural Resource Lands under K.C.C. chapter~~

4893 ~~21A.37, a detached accessory dwelling unit is allowed on a RA-5 zoned lot that is two~~  
4894 ~~and one half acres or greater;~~

4895           (3)) The accessory dwelling unit shall not exceed one thousand square feet  
4896 of heated floor area and one thousand square feet of unheated floor area except:

4897           (a) when the accessory dwelling unit is wholly contained within a basement  
4898 or attic of the primary dwelling unit, this limitation does not apply; or

4899           (b) for detached accessory dwelling units, the floor area contained in a  
4900 basement does not count toward the floor area maximum; (~~or~~

4901           ~~(c) on a site zoned RA if one transferable development right is purchased~~  
4902 ~~from the Rural Area or Natural Resource Lands under K.C.C. chapter 21A.37, the~~  
4903 ~~accessory dwelling unit is permitted a maximum heated floor area of one thousand five~~  
4904 ~~hundred square feet and one thousand five hundred square feet of unheated floor area;~~

4905           (4)) (2) Accessory dwelling units that are not wholly contained within an  
4906 existing dwelling unit shall not exceed the base height established in K.C.C. 21A.12.030;

4907           ~~((5) When the primary and accessory dwelling units are located in the same~~  
4908 ~~building, or in multiple buildings connected by a breezeway or other structure, only one~~  
4909 ~~entrance may front a street;~~

4910           (6)) (3) Attached accessory dwelling units shall have at least one common  
4911 wall with the primary dwelling unit and appear to be contained within one structure.

4912 Connection through a breezeway or covered pathway shall not constitute an attached  
4913 accessory dwelling unit unless the breeze way or covered pathway is:

4914           (a) is less than ten feet in length;



4915                    (b) shares a common wall with both the accessory dwelling unit and primary  
4916 residence;

4917                    (c) is completely enclosed; and

4918                    (d) is heated space;

4919                    (4) No additional off-street parking spaces are required for accessory  
4920 dwelling units;

4921                    ~~((7) The primary dwelling unit or the accessory dwelling unit shall be~~  
4922 ~~occupied either by the owner of the primary dwelling unit or by an immediate family~~  
4923 ~~member of the owner. Immediate family members are limited to spouses, siblings,~~  
4924 ~~parents, grandparents, children and grandchildren, either by blood, adoption or marriage,~~  
4925 ~~of the owner. The accessory dwelling unit shall be converted to another permitted use or~~  
4926 ~~shall be removed if neither dwelling unit is occupied by the owner or an immediate~~  
4927 ~~family member;~~

4928                    ~~(8))~~ (5) An applicant seeking to build an accessory dwelling unit shall file a  
4929 notice approved by the department of executive services, records and licensing services  
4930 division, that identifies the dwelling unit as accessory. The notice shall run with the land.  
4931 The applicant shall submit proof that the notice was filed before the department approves  
4932 any permit for the construction of the accessory dwelling unit. The required contents and  
4933 form of the notice shall be ~~((set forth))~~ established in administrative rules;

4934                    ~~((9))~~ (6) Accessory dwelling units are ~~((not allowed))~~ prohibited in the F  
4935 zone;

4936                    (7) For lots in the urban area:

- 4937                    (a) Two accessory dwelling units are allowed per lot in the following  
4938 configurations:
- 4939                    (i) one attached accessory dwelling unit and one detached accessory  
4940 dwelling unit;
- 4941                    (ii) two attached accessory dwelling units; or
- 4942                    (iii) two detached accessory dwelling units, which may be either one or  
4943 two detached structures;
- 4944                    (b) Accessory dwelling units may be converted from existing structures,  
4945 including but not limited to garages, even if the existing structure is legally  
4946 nonconforming with respect to setbacks or maximum impervious surface percentage; and
- 4947                    (c) No public street improvements are required for accessory dwelling units;  
4948 and
- 4949                    (8) For lots in the rural area or on natural resource lands:
- 4950                    (a) One accessory dwelling unit is allowed per lot;
- 4951                    (b) Only allowed in the same building as the primary dwelling unit, except  
4952 that detached accessory dwelling units are allowed when:
- 4953                    (i) there is no more than one primary dwelling unit on the lot; and
- 4954                    (ii) the lot is three thousand two hundred square feet or greater if located in  
4955 a rural town or meets the minimum lot area for the applicable zone if located in the rural  
4956 area but not in a rural town or on natural resource lands;
- 4957                    (c) When the primary and accessory dwelling unit are located in the same  
4958 building, or in multiple buildings connected by a breezeway or covered pathway, only  
4959 one entrance may front a street;

4960            ~~((10))~~ (d) Accessory dwelling units should be designed to be compatible  
4961 with the primary dwelling unit and the surrounding properties, including material, colors,  
4962 and building forms; and

4963            ~~((11))~~ (e) The applicant should consider a siting alternatives study that  
4964 analyzes placement options of the accessory dwelling unit on the property to minimize  
4965 impacts to privacy and views for surrounding property owners.

4966            b. Accessory living quarters:

4967               (1) are limited to one per lot;

4968               (2) are allowed only on lots of three thousand two hundred square feet or  
4969 greater when located in the urban area or a rural town;

4970               (3) shall not exceed the base height as established in K.C.C. 21A.12.030;

4971               (4) shall not exceed one thousand square feet of heated floor area and one  
4972 thousand square feet of unheated floor area; and

4973               (5) are ~~((not allowed))~~ prohibited in the F zone.

4974            c. One single or twin engine, noncommercial aircraft shall be ~~((permitted))~~  
4975 allowed only on lots that abut, or have a legal access that is not a county right-of-way, to  
4976 a waterbody or landing field, but only if there are:

4977               (1) no aircraft sales, service, repair, charter, or rental; and

4978               (2) no storage of aviation fuel except that contained in the tank or tanks of the  
4979 aircraft.

4980            d. Buildings for residential accessory uses in the RA and A zone shall not  
4981 exceed five thousand square feet of gross floor area, except for buildings related to  
4982 agriculture or forestry.

- 4983           8. (~~Mobile home parks shall not be permitted in the R-1 zones.~~) Repealed.
- 4984           9. (~~Only as accessory to the permanent residence of the operator, and:~~
- 4985           a. ~~Serving meals shall be limited to paying guests; and~~
- 4986           b. ~~The number of persons accommodated per night shall not exceed five,~~
- 4987 ~~except that a structure that satisfies the standards of the International Building Code as~~
- 4988 ~~adopted by King County for R-1 occupancies may accommodate up to ten persons per~~
- 4989 ~~night.~~) Repealed.
- 4990           10. (~~Only if part of a mixed use development, and subject to the conditions of~~
- 4991 ~~subsection B.9. of this section.~~) Repealed.
- 4992           11. (~~Townhouses are permitted, but shall be subject to a conditional use permit~~
- 4993 ~~if exceeding base density.~~) Allowed as part of a mixed-use development and meeting
- 4994 provisions in K.C.C. 21A.14.xxx (the new section created by section 166 of this
- 4995 ordinance).
- 4996           12. (~~Required before approving more than one dwelling on individual lots,~~
- 4997 ~~except on lots in subdivisions, short subdivisions or binding site plans approved for~~
- 4998 ~~multiple unit lots, and except as provided for accessory dwelling units in subsection B.7.~~
- 4999 ~~of this section.~~) A duplex is allowed on a lot that is four thousand five hundred square
- 5000 feet or greater, despite base density requirement established in K.C.C. 21A.12.030, if
- 5001 under K.C.C. chapter 21A.37:
- 5002           (1) The lot is located in Snoqualmie Pass rural town and one transferable
- 5003 development right is purchased from the rural area or natural resource lands; or

5004                    (2) The lot is located in the urban area and one-half transferable development  
5005 right is purchased from the rural area or natural resource lands, or one transfer of  
5006 development right is purchased from the urban area.

5007                    13. No new ~~((mobile))~~ manufactured home ~~((parks))~~ communities are allowed  
5008 in ~~((a rural))~~ the RA zone.

5009                    14. ~~((a. Limited to domestic violence shelter facilities.~~

5010                    ~~b. Limited to domestic violence shelter facilities with no more than eighteen~~  
5011 ~~residents or staff.))~~ Repealed.

5012                    15. ~~((Only in the R4-R8 zones s))~~ Subject to the following standards:

5013                    a. Developments shall contain only cottage housing units with no fewer than  
5014 three units. If the site contains an existing ~~((home))~~ residence that is not being  
5015 demolished, the existing ~~((house))~~ residence is not required to comply with the height  
5016 limitation in K.C.C. 21A.12.020.B.25. or the floor area and footprint limits in K.C.C.  
5017 21A.14.025.B.; and

5018                    b. Cottage housing developments should consider including a variety of  
5019 housing sizes, such as units with a range of bedroom sizes or total floor area~~((; and~~

5020                    ~~c. Before filing an application with the department, the applicant shall hold a~~  
5021 ~~community meeting in accordance with K.C.C. 20.20.035)).~~

5022                    16. The development for a single detached ~~((single-family))~~ residence shall be  
5023 consistent with the following:

5024                    a. The lot ~~((must have))~~ legally existed before March 1, 2005;

5025 b. The lot has a Comprehensive Plan land use designation of (~~Rural~~  
 5026 ~~Neighborhood Commercial Center or Rural Area~~) rural neighborhood commercial center  
 5027 or rural area; and

5028 c. The dimensional standards of this title for the RA-5 zone shall apply to the  
 5029 single detached residences.

5030 17. (~~Only in the R-1 zone as an accessory to a golf facility and consistent with~~  
 5031 ~~K.C.C. 21A.08.040.~~) Repealed.

5032 18. Allowed if consistent with K.C.C. chapter 21A.30.

5033 SECTION 147. Ordinance 10870, Section 331, as amended, and K.C.C.

5034 21A.08.040 are hereby amended to read as follows:

5035 A. Recreational(~~/~~) and cultural land uses.

<b>P-Permitted Use</b>		<b>RESOURC</b>			<b>R</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDUS</b>				
<b>C-Conditional Use</b>		<b>E</b>			<b>U</b>					<b>TRIAL</b>				
<b>S-Special Use</b>					<b>R</b>									
					<b>A</b>									
					<b>L</b>									
<b>SI</b>	<b>SPECIFIC LAND</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>R</b>	<b>U</b>	<b><u>R-</u></b>	<b><del>(R</del></b>	<b><u>R-</u></b>	<b>N</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>
<b>C#</b>	<b>USE</b>				<b>A</b>	<b>R</b>	<b><u>1</u></b>	<b><del>1-</del></b>	<b>12</b>	<b>B</b>				
					<b><u>(18</u></b>			<b><del>8)</del></b>	<b>=</b>					
					<b>)</b>			<b><u>R-</u></b>	<b><u>R-</u></b>					
								<b><u>4-</u></b>	<b>48</b>					
								<b><u>R-</u></b>						

							<u>8</u>							
	<b>PARK/RECREATION:</b>													
*	Park	P 1	P1	P1	P1	P1	<u>P1</u>	P1	P1	P	P	P	P	P1 3
*	Trails	P	P	P	P	P	<u>P</u>	P	P	P	P	P	P	P
*	Campgrounds		P1 6 C1 6a	P1 6	P1 6 C1 6a	P1 6 C1 6a								P1 6 C1 6a
*	Destination Resorts		S <u>3</u> <u>0</u>		S(( 48) ) <u>30</u>	(( €) )							((€) )	
*	Marina		C3		C(( 4)) <u>5</u>	C( 4) ) <u>5</u>	<u>C5</u>	C(( 4)) <u>5</u>	C(( 4)) <u>5</u>	P5	P	P	P	P
*	Recreational Vehicle Park		P1 9	P1 9	C2 (a nd 48) ) P1	C2 P1 9								

					9									
*	Sports Club (17)				C4 (a nd 18) )  2	<u>P3</u> 1 C( (4) )  2	<u>P3</u> 1 <u>C3</u> (4)  2	<u>P3</u> 1 C(( (4)  32	<u>P3</u> 1 C(( (4)  32	<u>P3</u> 1 C  32	P	P		
*	Ski Area		S		S(( 18) )									
*	Recreational Camp		C		P2 4 C									
	<b>AMUSEMENT/ENTERTAINMENT:</b>													
*	Adult Entertainment Business										P6	P6	P6	
*	Theater										P	P	P	P2 5
78	Theater, Drive-in											C		



33														
79 3	Bowling Center										P	P		P
*	Golf <u>Course</u> Facility				C7 ( <del>a</del> <del>nd</del> 18) )	P7	<u>P7</u>	P7	P7					
79 99 (1 4)	Amusement and Recreation Services		P2 1	P2 1	P8 P2 1 C1 5 ( <del>a</del> <del>nd</del> 18) )	P8 P2 1 P2 2 C1 5	<u>P8</u> <u>P2</u> <u>1</u> <u>P2</u> <u>2</u> <u>C1</u> <u>5</u>	P8 P2 1 P2 2 C1 5	P8 P2 1 P2 2 C1 5	P2 1 P2 2	P P	P P	P2 1	P2 1
*	Indoor Paintball Range										P26	P26		P2 6
*	Outdoor Paintball Range				C2 7	C2 7								
*	Shooting Range		C9		C9							C10		P1

					((a nd 18) )									0
*	Amusement Arcades									P	P			
79 96	Amusement Park											C		
*	Outdoor Performance Center		S		C1 2 S(( 18) )		<u>P2</u> 0	P2 0	P2 0			S		
	<b>CULTURAL:</b>													
82 3	Library				P1 1	P1 1	<u>P1</u> <u>1C</u>	P1 1C	P2 8	P	P	P	P	
84 1	Museum	C 23	C2 3		P1 1	P1 1	<u>P1</u> <u>1C</u>	P1 1C	P2 8	P	P	P	P	P
84 2	Arboretum	P	P		P	P	<u>P</u>	P	P	P	P	P	P	

*	Conference Center				P2	P2	<u>P2</u>	P2	P2	P	P	P	P	
					9C	9C	<u>9</u>	9	9					
					12	12	<u>C</u>	C	C					

5036 B. Development conditions.

5037 1. The following conditions and limitations shall apply, where appropriate:

5038 a. No stadiums on sites less than ten acres;

5039 b. Lighting for structures and fields shall be directed away from ((~~rural area~~  
5040 ~~and residential~~)) RA, UR, and R zones;

5041 c. Structures or service yards shall maintain a minimum distance of fifty feet  
5042 from property lines adjoining ((~~rural area and residential~~)) RA, UR, and R zones, except  
5043 for fences and mesh backstops;

5044 d. Facilities in the A zone shall be limited to trails and trailheads, including  
5045 related accessory uses such as parking and sanitary facilities; and

5046 e. Overnight camping is allowed only in an approved campground.

5047 2. Recreational vehicle parks are subject to the following conditions and  
5048 limitations:

5049 a. The maximum length of stay of any vehicle shall not exceed one hundred  
5050 eighty days during a three-hundred-sixty-five-day period;

5051 b. The minimum distance between recreational vehicle pads shall be no less  
5052 than ten feet; and

5053 c. Sewage shall be disposed in a system approved by ((~~the~~)) public health -  
5054 Seattle((-) & King County ((~~health department~~)).

5055 3. Limited to day moorage. The marina shall not create a need for off-site  
5056 public services beyond those already available before the date of application.

5057 4. Subject to the following:

5058 a. Not ~~((permitted))~~ allowed in the RA-10 or RA-20 zones. ~~((Limited to~~  
5059 ~~recreation facilities subject to the following conditions and limitations:))~~

5060 ~~((a-))~~ b. The bulk and scale shall be compatible with ~~((residential or))~~ rural  
5061 character of the area;

5062 ~~((b. For sports clubs, t))~~ c. The gross floor area shall not exceed ten thousand  
5063 square feet unless the building is on the same site or adjacent to a site where a public  
5064 facility is located; ~~((or unless the building is a nonprofit facility located in the urban area;~~  
5065 ~~and~~

5066 ~~e-))~~ d. Use is limited to residents of a specified residential development or to  
5067 sports clubs providing supervised instructional or athletic programs;

5068 e. Outdoor amplified noise is not allowed; and

5069 f. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5070 5. Limited to day moorage.

5071 6.a. Adult entertainment businesses shall be prohibited within three hundred  
5072 thirty feet of any property zoned RA, UR<sub>1</sub> or R or containing schools, licensed daycare  
5073 centers, public parks or trails, community centers, public libraries<sub>2</sub> or ~~((churches))~~  
5074 religious facilities. In addition, adult entertainment businesses shall not be located closer  
5075 than three thousand feet to any other adult entertainment business. These distances shall  
5076 be measured from the property line of the parcel or parcels proposed to contain the adult

5077 entertainment business to the property line of the parcels zoned RA, UR, or R or that  
5078 contain the uses identified in this subsection B.6.a.

5079           b. Adult entertainment businesses shall not be ~~((permitted))~~ allowed within an  
5080 area likely to be annexed to a city subject to an executed interlocal agreement between  
5081 King County and a city declaring that the city will provide opportunities for the location  
5082 of adult businesses to serve the area. The areas include those identified in the maps  
5083 attached to Ordinance 13546.

5084           7.a. Clubhouses, maintenance buildings, equipment storage areas, and driving  
5085 range tees shall be at least fifty feet from ~~((rural area and residential))~~ RA, UR, and R  
5086 zoned property lines.

5087           **b.** Lighting for practice greens and driving range ball impact areas shall be  
5088 directed away from adjoining ~~((rural area and residential))~~ RA, UR, and R zones.

5089           **c.** Applications shall comply with adopted best management practices for golf  
5090 course development.

5091           **d.** Within the RA zone, those facilities shall be ~~((permitted))~~ allowed only in  
5092 the RA-5 and RA-2.5 zones.

5093           **e.** Not ~~((permitted))~~ allowed in designated rural forest focus area ~~((, regionally~~  
5094 ~~significant resource areas or locally significant resource areas))~~.

5095           **f.** Ancillary facilities associated with a golf course are limited to practice  
5096 putting greens, maintenance buildings, and other structures housing administrative offices  
5097 or activities that provide convenience services to players. These convenience services are  
5098 limited to a pro shop, food services, and dressing facilities and shall occupy a total of no  
5099 more than ten thousand square feet.

5100 g. ~~((Furthermore, t))~~The residential density that is otherwise ~~((permitted))~~  
5101 allowed by the zone shall not be used on other portions of the site through clustering or  
5102 on other sites through the transfer of density provision. This ~~((residential density))~~  
5103 clustering or transfer limitation shall be reflected in a deed restriction that is recorded at  
5104 the time applicable permits for the development of the golf course are issued; and

5105 ~~((b))~~h. In addition to ancillary facilities, an organizational hotel/lodging house  
5106 shall be allowed as an accessory use, subject to the following:

5107 (1) only allowed in the R-1 zone;

5108 (2) only allowed with a privately owned golf course facility that legally  
5109 existed as of January 1, 2019;

5110 (3) only allowed as an incidental or subordinate use to a principal golf course  
5111 facility use;

5112 (4) a maximum of twenty-four sleeping units is allowed; and

5113 (5) shall be connected to and served by public sewer.

5114 8. Limited to golf driving ranges, only as:

5115 a. accessory to golf courses; or

5116 b. accessory to a recreation or multiuse park.

5117 9.a. New structures and outdoor ranges shall maintain a minimum distance of  
5118 fifty feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R

5119 zones, but existing facilities shall be exempt.

5120 b. Ranges shall be designed to prevent stray or ricocheting projectiles, pellets,  
5121 or arrows from leaving the property.

5122 c. Site plans shall include: safety features of the range; provisions for reducing  
5123 sound produced on the firing line; elevations of the range showing target area, backdrops,  
5124 or butts; and approximate locations of buildings on adjoining properties.

5125 d. Subject to the licensing provisions of K.C.C. Title 6.

5126 10.a. Only in an enclosed building, and subject to the licensing provisions of  
5127 K.C.C. Title 6;

5128 b. Indoor ranges shall be designed and operated so as to provide a healthful  
5129 environment for users and operators by:

5130 (1) installing ventilation systems that provide sufficient clean air in the user's  
5131 breathing zone, and

5132 (2) adopting appropriate procedures and policies that monitor and control  
5133 exposure time to airborne lead for individual users.

5134 11. Only as accessory to a park or in a building listed ~~((on))~~ in the National  
5135 Register of Historic Places as an historic site or designated as a King County landmark  
5136 subject to K.C.C. chapter 21A.32.

5137 12.~~((a))~~ Only as accessory to a nonresidential use established through a  
5138 discretionary permit process, if the scale is limited to ensure compatibility with  
5139 surrounding neighborhoods~~((; and~~

5140 ~~b. In the UR zone, only if the property is located within a designated~~  
5141 ~~unincorporated rural town))~~.

5142 13. Subject to the following:

5143 a. The park shall abut an existing park on one or more sides, intervening roads  
5144 notwithstanding;

5145           b. No bleachers or stadiums are (~~permitted~~) allowed if the site is less than ten  
5146 acres, and no public amusement devices for hire are (~~permitted~~) allowed;

5147           c. Any lights provided to illuminate any building or recreational area shall be  
5148 so arranged as to reflect the light away from any premises upon which a dwelling unit is  
5149 located; and

5150           d. All buildings or structures or service yards on the site shall maintain a  
5151 distance not less than fifty feet from any property line and from any public street.

5152           14.a. Excluding amusement and recreational uses classified elsewhere in this  
5153 chapter.

5154           b. Fireworks display services, also known as public displays of fireworks, are  
5155 allowed in all zones, subject to the requirements of K.C.C. chapter 17.11.

5156           15. For amusement and recreation services not otherwise provided for in this  
5157 chapter:

5158           a. In the RA zones, not subject to regulation under K.C.C. Title 6 and only on  
5159 sites at least five acres or larger;

5160           b. Retail sales are limited to incidental sales to patrons of the amusement or  
5161 recreation service; and

5162           c. Does not involve the operation of motor vehicles or off-road vehicles,  
5163 including, but not limited to, motorcycles and go-carts.

5164           16. Subject to the following conditions:

5165           a. The length of stay per party in campgrounds shall not exceed one hundred  
5166 eighty days during a three-hundred-sixty-five-day period; and



5167           b. Only for campgrounds that are part of a proposed or existing county park,  
5168 that are subject to review and public meetings through the department of natural  
5169 resources and parks.

5170           17. Only for stand-alone sports clubs that are not part of a park.

5171           18. Subject to review and approval of conditions to comply with trail corridor  
5172 provisions of K.C.C. chapter 21A.14 (~~when located in an RA zone~~).

5173           19. Only as an accessory to a recreation or multiuse park.

5174           20. Only as an accessory to a recreation or multiuse park of at least twenty acres  
5175 located within the urban growth area or on a site immediately adjacent to the urban  
5176 growth area with the floor area of an individual outdoor performance center stage limited  
5177 to three thousand square feet.

5178           21. Limited to rentals of sports and recreation equipment with a total floor area  
5179 of no more than seven hundred fifty square feet and only as accessory to a park, or in the  
5180 RA zones, to a recreation or multiuse park.

5181           22. Only as accessory to a large active recreation and multiuse park and limited  
5182 to:

5183           a. water slides, wave pools, and associated water recreation facilities; and

5184           b. rentals of sports and recreation equipment.

5185           23. Limited to natural resource and heritage museums and only allowed in a  
5186 farm or forestry structure, including, but not limited to, barns or sawmills, existing as of  
5187 December 31, 2003.

5188           24. Use is (~~permitted~~) allowed without a conditional use permit only when in  
5189 compliance with all of the following conditions:

5190           a. The use is limited to camps for youths or for persons with special needs due  
5191 to a disability, as defined by the American With Disabilities Act of 1990, or due to a  
5192 medical condition and including training for leaders for those who use the camp;

5193           b. Active recreational activities shall not involve the use of motorized vehicles  
5194 such as cross-country motorcycles or all-terrain vehicles or the use of firearms. The  
5195 prohibition on motorized vehicles does not apply to such vehicles that may be necessary  
5196 for operation and maintenance of the facility or to a client-specific vehicle used as a  
5197 personal mobility device;

5198           c.(1) Except as provided in subsection B.24.c.(2)(b) of this section, the number  
5199 of overnight campers, not including camp personnel, in a new camp shall not exceed:

5200                   (a) one hundred and fifty for a camp between twenty and forty acres; or

5201                   (b) for a camp greater than forty acres, but less than two hundred and fifty  
5202 acres, the number of users allowed by the design capacity of a water system and on-site  
5203 sewage disposal system approved by ~~((the department of))~~ public health~~((;))~~ = Seattle~~((/))~~  
5204 & King County, up to a maximum of three hundred and fifty; and

5205           (2) Existing camps shall be subject to the following:

5206                   (a) For a camp established before August 11, 2005, with a conditional use  
5207 permit and that is forty acres or larger, but less than one hundred and sixty acres, the  
5208 number of overnight campers, not including camp personnel, may be up to one hundred  
5209 ~~((and))~~ fifty campers over the limit established by subsection B.24.c.(1)(b) of this section.

5210                   (b) For a camp established before August 11, 2005, with a conditional use  
5211 permit and that is one hundred ~~((and))~~ sixty acres or larger, but less than two hundred  
5212 acres, the number of overnight campers, not including camp personnel, may be up to

5213 three hundred (~~and~~) fifty campers over the limit established by subsection B.24.c.(1)(b)  
5214 of this section. The camp may terminate operations at its existing site and establish a  
5215 new camp if the area of the camp is greater than two hundred (~~and~~) fifty acres and the  
5216 number of overnight campers, not including camp personnel, shall not exceed seven  
5217 hundred.

5218 d. The length of stay for any individual overnight camper, not including camp  
5219 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

5220 e. The camp facilities, such as a medical station, food service hall, and activity  
5221 rooms, shall be of a scale to serve overnight camp users;

5222 f. The minimum size of parcel for such use shall be twenty acres;

5223 g. Except for any permanent caretaker residence, all new structures where  
5224 camp users will be housed, fed, or assembled shall be no less than fifty feet from  
5225 properties not related to the camp;

5226 h. In order to reduce the visual impacts of parking areas, sports and activity  
5227 fields, or new structures where campers will be housed, fed, or assembled, the applicant  
5228 shall provide a Type 3 landscape buffer no less than twenty feet wide between the nearest  
5229 property line and such parking area, field, or structures, by retaining existing vegetation  
5230 or augmenting as necessary to achieve the required level of screening;

5231 i. If the site is adjacent to an arterial roadway, access to the site shall be  
5232 directly onto (~~said~~) the arterial unless direct access is unsafe due inadequate sight  
5233 distance or extreme grade separation between the roadway and the site;

5234 j. If direct access to the site is via local access streets, transportation demand  
5235 management measures, such as use of carpools, buses, or vans to bring in campers, shall  
5236 be used to minimize traffic impacts;

5237 k. Any lights provided to illuminate any building or recreational area shall be  
5238 so arranged as to reflect the light away from any adjacent property; and

5239 l. A community meeting shall be convened by the applicant before submittal  
5240 of an application for permits to establish a camp, or to expand the number of camp users  
5241 on an existing camp site as provided in subsection B.24.c.(2)(b) of this section. Notice of  
5242 the meeting shall be provided at least two weeks in advance to all property owners within  
5243 five hundred feet, or at least twenty of the nearest property owners, whichever is greater.  
5244 The notice shall at a minimum contain a brief description of the project and the location,  
5245 as well as ~~(5)~~ contact persons and numbers.

5246 25. Limited to theaters primarily for live productions located within a ~~(R)~~ rural  
5247 ~~(F)~~ town designated by the King County Comprehensive Plan.

5248 26.a. Only in an enclosed building; and

5249 b. A copy of the current liability policy of not less than one million dollars for  
5250 bodily injury or death shall be maintained in the department.

5251 27. Minimum standards for outdoor paintball recreation fields:

5252 a. The minimum site area is twenty-five acres;

5253 b. Structure shall be no closer than one hundred feet from any lot line adjacent  
5254 to a ~~(rural area or residential)~~ RA, UR, and R zoned property;

5255 c. The area where paintballs are discharged shall be located more than three  
5256 hundred feet of any lot line and more than five hundred feet from the lot line of any

5257 adjoining (~~rural area or residential~~) RA, UR, and R zoned property. The department  
5258 may allow for a lesser setback if it determines through the conditional use permit review  
5259 that the lesser setback in combination with other elements of the site design provides  
5260 adequate protection to adjoining properties and rights-of-ways;

5261           d. A twenty-foot high nylon mesh screen shall be installed around all play  
5262 areas and shall be removed at the end of each day when the play area is not being used.  
5263 The department may allow for the height of the screen to be lowered to no less than ten  
5264 feet if it determines through the conditional use permit review that the lower screen in  
5265 combination with other elements of the site design provides adequate protection from  
5266 discharged paintballs;

5267           e. All parking and spectator areas, structures, and play areas shall be screened  
5268 from adjoining (~~rural area or residential~~) RA, UR, and R zoned property and public  
5269 (~~rights of way~~) rights-of-way with Type 1 landscaping at least ten feet wide;

5270           f. Any retail sales conducted on the property shall be accessory and incidental  
5271 to the (~~permitted~~) allowed activity and conducted only for the participants of the site;

5272           g. A plan of operations specifying days and hours of operation, number of  
5273 participants and employees, types of equipment to be used by users of the site, safety  
5274 procedures, type of compressed air fuel to be used on the site, and storage and  
5275 maintenance procedures for the compressed air fuel shall be provided for review in  
5276 conjunction with the conditional use permit application. All safety procedures shall be  
5277 reviewed and approved by department of public safety before submittal of the conditional  
5278 use permit application. All activities shall be in compliance with National Paintball  
5279 League standards;

5280 h. The hours of operation shall be limited to Saturdays and Sundays and  
5281 statutory holidays from 8:30 ~~((A.M.))~~ a.m. to 8:30 ~~((P.M.))~~ p.m., and further restricted as  
5282 applicable to daylight hours;

5283 i. No more than one hundred paintball players shall be allowed on the site at  
5284 any one time;

5285 j. ~~((No-))~~ Outdoor lights or amplified sounds ~~((shall be permitted))~~ are  
5286 prohibited;

5287 k. The facility shall have direct access to a road designated as a major collector  
5288 (or higher) in the Comprehensive Plan unless the department determines through the  
5289 conditional use permit review that the type and amount of traffic generated by the facility  
5290 is such that it will not cause an undue impact on the neighbors or adversely affect safety  
5291 of road usage;

5292 l. The facility shall be secured at the close of business each day;

5293 m. All equipment and objects used in the paintball activities shall be removed  
5294 from the site within ninety days of the discontinuance of the paintball use; and

5295 n. A copy of the current liability policy of not less than one million dollars for  
5296 bodily injury or death shall be submitted with the conditional use permit application and  
5297 shall be maintained in the department.

5298 28. Before filing an application with the department, the applicant shall hold a  
5299 community meeting in accordance with K.C.C. 20.20.035.

5300 29. Only as accessory to a recreation or multiuse park of least twenty acres  
5301 located within the urban growth area or on a site immediately adjacent to the urban

5302 growth area or in a building listed ~~((on))~~ in the National Register of Historic Places as an  
5303 historic site or designated as a King County landmark subject to K.C.C. chapter 21A.32.

5304 30.a. Before submitting an application, the applicant shall hold a community  
5305 meeting consistent with K.C.C. 20.20.035.

5306 b. Except for trails, residential and recreational structures and facilities shall be  
5307 setback at least one hundred feet from adjacent roadways and access easements; and at  
5308 least three hundred feet from F, M, A, RA, UR, and R zoned properties.

5309 c. The site area shall be a minimum of ten acres and shall be at least five miles  
5310 from the urban growth area boundary;

5311 d. Temporary lodging units shall:

5312 (1) not exceed two units per acre and one hundred units total;

5313 (2) be proportionately scaled and limited based on developed site area,  
5314 availability of recreation opportunities, and distance to urban area zones allowing for  
5315 temporary lodging;

5316 e. The site shall be within ten miles of at least three off-site, outdoor resource-  
5317 based recreation activities;

5318 f. The destination resort shall provide at least two on-site outdoor resource-  
5319 based recreation activities;

5320 g. Applications shall identify all aspects of the proposal, including residential,  
5321 commercial, and recreational uses;

5322 h. Accessory on-site uses shall be at a size and scale to serve primarily the  
5323 guests of the destination resort;

5324            i. When occurring in the forest zone, forest production district, or rural forest  
5325 focus areas, the proposal shall demonstrate that the predominate land area will remain  
5326 viable for forest resource-based uses or preservation of forestry resources, or both; and

5327            j. When occurring in the forest production district, only allowed if compatible  
5328 with long-term forestry, protection of Indian tribal cultural resources, and other resource  
5329 management goals of the Comprehensive Plan.

5330            31. Subject to the following:

5331            a. Limited to a maximum of two thousand five hundred square feet of gross  
5332 floor area;

5333            b. Amplified noise is prohibited;

5334            c. The maximum on-site parking ratio shall be two spaces per one thousand  
5335 square feet and required parking shall not be located between the building and the street;  
5336 and

5337            d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5338            32. Subject to the following:

5339            a. Amplified noise is prohibited;

5340            b. Limited to a maximum of ten thousand square feet of gross floor area unless  
5341 the building either is on the same site or adjacent to a site where a public facility is  
5342 located or is nonprofit facility located in the urban area; and

5343            c. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5344            NEW SECTION. SECTION 148. There is hereby added to K.C.C. chapter

5345 21A.08 a new section to read as follows:    A. Health care services and residential care  
5346 services land uses.



<b>P-Permitted Use</b>		<b>RESOU</b>			<b>R</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDU</b>				
<b>C-Conditional Use</b>		<b>RCE</b>			<b>U</b>					<b>STRIAL</b>				
<b>S-Special Use</b>					<b>R</b>									
					<b>A</b>									
					<b>L</b>									
<b>SIC</b>	<b>SPECIFIC</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>R</b>	<b>UR</b>	<b>R-</b>	<b>R-</b>	<b>R-</b>	<b>NB</b>	<b>C</b>	<b>R</b>	<b>O</b>	<b>I</b>
<b>#</b>	<b>LAND USE</b>				<b>A</b>		<b>1</b>	<b>4 –</b>	<b>12</b>		<b>B</b>	<b>B</b>		
					<b>(1</b>			<b>R-</b>	<b>–</b>					
					<b>9)</b>			<b>8</b>	<b>R-</b>					
								<b>48</b>						
	<b>HEALTH CARE SERVICES</b>													
801-04	Doctor's Office/Outpatient Clinic				P1 C	P1 C		P2 C3	P3	P	P	P	P	
806	Hospital							C1	P6 C1		P	P	C	
807	Medical/Dental Lab										P	P	P	P
808-09	Miscellaneous Health										P	P	P	

*	Social Services				P1 C	P1 C	P1 C	P1 C	P	P	P	P	P	
*	Crisis Care Center				P1 C4		P1 C4	P1 C	P	P	P	P	P	P7
	<b>RESIDENTIAL CARE SERVICES</b>													
805	Nursing and Personal Care Facilities							P1 C	P	P	P	P	P	
*	Adult Family Home	P	P 15		P	P	P	P	P	P	P5	P5	P5	
*	Community Residential Facility I				C	C	P8. a C	P8. a C	P	P5	P5	P5	P5	
*	Community Residential Facility II						P8. b	P8. b	P	P5	P5	P5	P5	
*	Permanent Supportive Housing							C9	P1 0	P10	P1 0	P1 0	P1 0	
*	Recuperative							C1	C1	C1	C1	C1	C1	

	Housing						1	1	1	1	1	1	
*	Emergency Supportive Housing						C1	C1	C1	C1	C1	C1	
							1	1	1	1	1	1	
*	Emergency Shelter						C1	C1	C1	C1	C1	C1	
							1	1	1	1	1	1	
*	Microshelter Villages						C1	P1	P12	P1	P1	P1	
							2	2		2	2	2	
*	Safe Parking						C1	P1	P13	P1	P1	P1	
							3	3		3	3	3	
836	Other Residential Care (14)						C	P	P	P	P	P	

5347 B. Development conditions.

5348 1. Only as a reuse of a public school facility or surplus nonresidential facility  
5349 subject to K.C.C. chapter 21A.32.

5350 2.a. Only as a reuse of a public school facility or surplus nonresidential facility  
5351 subject to K.C.C. chapter 21A.32; and

5352 b. The maximum on-site parking ratio shall be two spaces per one thousand  
5353 square feet and required parking shall not be located between the building and the street.

5354 3. The maximum on-site parking ratio shall be two spaces per one thousand  
5355 square feet and required parking shall not be located between the building and the street.

5356 4.a. Only allowed on lots of at least four and one-half acres; and

5357 b. Located within one mile of an interstate highway.

5358           5. Only as part of a mixed-use development subject to the conditions of K.C.C.  
5359 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed  
5360 in the National Register of Historic Places or designated as a King County landmark.

5361           6. Limited to SIC Industries 8063-Psychiatric Hospitals and 8069-Specialty  
5362 Hospitals, Except Psychiatric.

5363           7. Only allowed in the Preston Industrial Area.

5364           8.a. Limited to domestic violence shelter facilities.

5365           b. Limited to domestic violence shelter facilities with no more than eighteen  
5366 residents and staff.

5367           9. Subject to the following standards:

5368           a. Allowed only in the urban area and rural towns;

5369           b. Located on the same site as a religious facility, public agency, or social  
5370 services use; and

5371           c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and  
5372 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

5373           10. Subject to the following standards:

5374           a. Allowed only in the urban area and rural towns;

5375           b. Only as part of a mixed-use development subject to the conditions of K.C.C.  
5376 chapter 21A.14, except in the rural area outside of rural towns on historic properties listed  
5377 in the National Register of Historic Places or designated as a King County landmark; and

5378           c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E. and  
5379 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140.

5380           11. Subject to the following standards:

- 5381           a. Allowed only in the urban area and rural towns;
- 5382           b. In the R-4 through R-8 zones, only when located on the same site as a  
5383 religious facility, public agency, or social service use;
- 5384           c. Exempt from bicycle parking requirements in K.C.C. 21A.18.030.E, and  
5385 electric vehicle parking infrastructure requirements in K.C.C. 21A.18.140; and
- 5386           d. The application shall include:
- 5387           (1) A description of the staffing and operational characteristics, including  
5388 sanitation and basic safety measures required for the facility;
- 5389           (2) Occupancy policies, including a description of the population to be served  
5390 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
5391 behavior;
- 5392           (3) A plan for managing the exterior appearance of the site, including keeping  
5393 the site litter free;
- 5394           (4) A plan for addressing reported concerns and making this information  
5395 publicly available, including a phone number, email, and point of contact at the site of the  
5396 facility for the community to report concerns;
- 5397           (5) A plan for outreach with surrounding property owners and residents  
5398 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
5399 and
- 5400           (6) Plans and narrative documenting compliance with all applicable codes,  
5401 including:
- 5402           (a) an elevation of the building or buildings to be occupied;
- 5403           (b) a floor plan that describes the capacities of the buildings for the uses

5404 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
5405 residents, if any; and

5406 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
5407 storage areas, gardens, recreation areas, and site improvements.

5408 12. Subject to the following standards:

5409 a. Allowed in the urban area or rural towns;

5410 b. In the R-4 through R-8 zones, only when located on the same site as a  
5411 religious facility, public agency, or social service use;

5412 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16, bicycle  
5413 parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure  
5414 requirements in K.C.C. 21A.18.140;

5415 d. The application shall include:

5416 (1) A description of the staffing and operational characteristics, including  
5417 sanitation and basic safety measures required for the facility;

5418 (2) Occupancy policies, including a description of the population to be served  
5419 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
5420 behavior;

5421 (3) A plan for managing the exterior appearance of the site, including keeping  
5422 the site litter free;

5423 (4) A plan for addressing reported concerns and making this information  
5424 publicly available, including a phone number, email, and point of contact at the site of the  
5425 facility for the community to report concerns;

5426 (5) A plan for outreach with surrounding property owners and residents

5427 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
5428 and

5429 (6) Plans and narrative documenting compliance with all applicable codes,  
5430 including:

5431 (a) an elevation of the building or buildings to be occupied;

5432 (b) a floor plan that describes the capacities of the buildings for the uses  
5433 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
5434 residents, if any; and

5435 (c) a site plan showing property lines, buildings, driveways, parking, fences,  
5436 storage areas, gardens, recreation areas, and site improvements;

5437 e. A setback of ten feet shall be along any property line adjoining a residential  
5438 zone; and

5439 f. The use shall be buffered with:

5440 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

5441 (2) a six-foot high, view obscuring fence.

5442 13. Subject to the following standards:

5443 a. Allowed in the urban area or rural towns;

5444 b. In the R-4 through R-8 zones, only when located on the same site as a  
5445 religious facility, public agency, or social services use;

5446 c. Exempt from landscaping requirements in K.C.C. chapter 21A.16, bicycle  
5447 parking requirements in K.C.C. 21A.18.030.E., and electric vehicle parking infrastructure  
5448 requirements in K.C.C. 21A.18.140;

5449 d. The application shall include:

- 5450           (1) A description of the staffing and operational characteristics, including  
5451 sanitation and basic safety measures required for the facility;
- 5452           (2) Occupancy policies, including a description of the population to be served  
5453 and a code of conduct that includes, at a minimum, a prohibition of threatening or unsafe  
5454 behavior;
- 5455           (3) A plan for managing the exterior appearance of the site, including keeping  
5456 the site litter free;
- 5457           (4) A plan for addressing reported concerns and making this information  
5458 publicly available, including a phone number, email, and point of contact at the site of the  
5459 facility for the community to report concerns;
- 5460           (5) A plan for outreach with surrounding property owners and residents  
5461 addressing items such as noise, smoking areas, parking, security procedures, and litter;  
5462 and
- 5463           (6) Plans and narrative documenting compliance with all applicable codes,  
5464 including:
- 5465               (a) an elevation of the building or buildings to be occupied;
- 5466               (b) a floor plan that describes the capacities of the buildings for the uses  
5467 intended, room dimensions, and a designation of the rooms to be used for nonambulatory  
5468 residents, if any; and
- 5469               (c) a site plan showing property lines, buildings, driveways, parking, fences,  
5470 storage areas, gardens, recreation areas, and site improvements;
- 5471           e. A setback of ten feet shall be along any property line adjoining a residential  
5472 zone;



5473 f. The use shall be buffered with:

5474 (1) ten feet of Type II landscaping consistent with K.C.C. 21A.16.040; or

5475 (2) a six-foot high, view obscuring fence;

5476 g. When safe parking is located on a site with an established primary use, the

5477 director may reduce the minimum number of on-site parking spaces consistent with

5478 K.C.C. chapter 21A.18;

5479 h. A safe parking site shall provide restroom and potable water access within the

5480 buildings or portable facilities and handwashing stations on the property; and

5481 i. If recreational vehicles are hosted at the safe parking site, provision shall be

5482 made for potable water and for proper disposal of grey water and black water waste from

5483 the vehicles.

5484 14. Excluding residential care uses classified elsewhere in this chapter.

5485 15. In the forest production district, the following conditions apply:

5486 a. Site disturbance shall be limited to three acres. Site disturbance shall mean

5487 all land alterations including, but not limited to, grading, utility installation, landscaping,

5488 clearing for crops, on-site sewage disposal systems, and driveways. Additional site

5489 disturbance for agriculture, including raising livestock, up to the smaller of thirty-five

5490 percent of the lot or seven acres, may be approved only if a farm management plan is

5491 prepared in accordance with K.C.C. chapter 21A.30. Animal densities shall be based on

5492 the area devoted to animal care and not the total area of the lot;

5493 b. A forest management plan shall be required in the forest production district,

5494 that shall be reviewed and approved by the King County department of natural resources

5495 and parks before building permit issuance; and

5496 c. The forest management plan shall incorporate a fire protection element that  
 5497 includes fire safety best management practices developed by the department.

5498 19. Subject to review and approval of conditions to comply with trail corridor  
 5499 provisions of K.C.C. chapter 21A.14.

5500 SECTION 149. Ordinance 10870, Section 332, as amended, and K.C.C.

5501 21A.08.050 are hereby amended to read as follows:

5502 A. General services land uses.

P-Permitted Use		RESOUR			R	RESIDENTIAL				COMMERCIAL/IND				
C-Conditional Use		CE			U					USTRIAL				
S-Special Use					R									
					A									
SI	SPECIFI	A	F	M	RA	UR	<u>R-1</u>	(( <del>R</del>	<u>R-12</u>	N	C	RB	O	I
C#	C LAND USE				<u>(31)</u>			1- 8)) <u>R-4</u> = <u>R-8</u>	<u>-R-</u> 48	B	B			
	PERSONAL SERVICE S:													

72	General Personal Service							((€) ) <u>P25</u> <u>P25</u> ((€ (€ 37))	((€) <u>P25</u> ((€ 7))	P	P	P	P3	P3
72 16	Drycleanin g Plants													P
72 18	Industrial Lauderers													P
72 61	Funeral Home/Cre matory				C4	<u>C4</u>	C4	C4		P	P			
*	Cemetery, Columbari um or Mausoleu m (5)				P24 C((5 and 34))	P24 C(( 5))	<u>P24</u> <u>C</u>	P24 C(( 5))	P24 C((5 )	P 24	P2 4	P24 C(( 5))	P2 4	
*	((Day Care)) <u>Daycare I</u> <u>and II (6)</u>	P 6			P((6 )	P(( 6))	<u>P</u> P(( 6))	P P	P P	P P	P P	P(( 7))	P( (7 )	
(( *	<u>Day Care</u>				P8	P8		P8	P8	P	P	P	P7	P7

	H				€	€		€	€					)
((0 74	Veterinary Clinic	P 9			P9 €10 and 31	P9 €10				P 10 0	P1 0	P10		P) )
75 3	Automotive Repair (1)									P 11	P	P		P
75 4	Automotive Service									P 11	P	P		P
76	Miscellaneous Repair (44)				P32	P32	<u>P32</u>	P32	P32	P 32	P	P		P
((8 66) )* _	((Church, Synagogue , Temple))  <u>Religious Facility</u>				P12 C27 (and 31))	P12 C	<u>P12</u> <u>C</u>	P12 C	P12 C	P	P	P	P	
((8 3	Social Services (2)				P12 P13 €31	P12 P13 €		P12 P13 €	P12 P13 €	P	P	P	P))	
07	<u>Veterinary</u>	<u>P</u>			<u>P9</u>	<u>P9</u>				<u>P</u>	<u>P1</u>	<u>P10</u>		<u>P</u>

<u>4</u>	<u>Clinic</u>	<u>9</u>			<u>C10</u>	<u>C10</u>				<u>10</u>	<u>0</u>			
07 52	Animal specialty services				C P35 P36	C				P	P	P	P	P
*	Stable	P 14 C			P14 C((3 4))	P14 C	<u>P14</u> <u>C</u>	P 14 C						
*	Commerci al Kennel or Commerci al Cattery	P 42			C43	C43					C4 3	P43		
<u>*</u>	<u>Dog</u> <u>training</u> <u>facility</u>	<u>C</u> <u>34</u>			<u>C34</u>	<u>C34</u>				<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>
*	Theatrical Production Services										P3 0	P28		
*	Artist Studios				P28	P28	<u>P28</u>	P28	P28	P	P	P	P2 9	P
*	Interim Recycling				P21	P21	<u>P21</u>	P21	P21	P 22	P2 2	P	P2 1	P

	Facility												
((*	Dog training facility	C 34			C34	C34				P	P	P	P)
	<b>HEALTH SERVICE S:</b>												
80 1- 04	Office/Out patient Clinic				P12 C13a	P12 C13 a		P12 C13 a C37	P12 C13a C37	P	P	P	P
80 5	Nursing and Personal Care Facilities							C		P	P		
80 6	Hospital						C13 a	C13a		P	P	C	
80 7	Medical/D ental Lab									P	P	P	P
80 8-	Miscellane ous Health									P	P	P))	

09													
	<b><u>TEMPORARY LODGING:</u></b>												
<u>7011</u>	<u>Hotel/Motel (45)</u>									<u>P</u>	<u>P</u>	<u>P</u>	
<u>*</u>	<u>Bed and Breakfast Guesthouses</u>	<u>P</u> <u>46</u>		<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P46</u>	<u>P</u> <u>46</u>	<u>P4</u> <u>7</u>	<u>P47</u>		
<u>7041</u>	<u>Organization Hotel/Lodging Houses</u>					<u>P48</u>					<u>P</u>		
	<b><u>EDUCATION SERVICES:</u></b>												
<u>*</u>	<u>Elementary School</u>			<u>P39</u> <u>P40</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P1</u> <u>6</u>	<u>P16</u> <u>P40</u>	<u>P1</u> <u>6</u>	

										P4 0		P4 0	
*	Middle/Junior High School				P40 C39 <del>((and 31))</del>	P <u>P</u>	P	P		P1 6 C4 0	P16 C40	P1 6 C4 0	
*	Secondary or High School				C39 <del>((and 31))</del> C41 <del>((and 31))</del>	P26 <u>P26</u>	P26	P26		P1 6 C1 5	P16 C15	P1 6	
*	Vocational School					P( <del>13a</del> ) <u>P12</u> C	P( <del>13a</del> ) <u>C</u>	P( <del>13a</del> ) <u>12</u> C	P( <del>13a</del> ) <u>12</u> C		P15	P1 7	P
*	Specialized Instruction School		P 1 8		P19 C20 <del>((and 31))</del>	P19 C20 <u>P19</u> <u>C20</u>	P19	P19 C20	P	P	P	P1 7	P 38
*	School District					P23 C <u>C</u>	P23 C	P23 C	C 15	P1 5	P15	P1 5	P1 5



Support Facility																				
---------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

- 5503 B. Development conditions.
- 5504 1. Except SIC Industry ~~((No.))~~ 7534-Tire Retreading, see manufacturing  
5505 permitted use table.
- 5506 2. Except SIC Industry Groups ~~((Nos.))~~:
- 5507 a. 835-Day Care Services, and
- 5508 b. Community residential facilities.
- 5509 3. Limited to SIC Industry Groups and ~~((Group and Industry Nos.))~~ Industries:
- 5510 a. 723-Beauty Shops;
- 5511 b. 724-Barber Shops;
- 5512 c. 725-Shoe Repair Shops and Shoeshine Parlors;
- 5513 d. 7212-Garment Pressing and Agents for Laundries and Drycleaners; and
- 5514 e. 217-Carpet and Upholstery Cleaning.
- 5515 4. Only as accessory to a cemetery~~((, and prohibited from the UR zone only if~~  
5516 ~~the property is located within a designated unincorporated Rural Town))~~.
- 5517 5. Structures shall maintain a minimum distance of one hundred feet from  
5518 property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones.
- 5519 6. ~~((Only as accessory to residential use, and:~~  
5520 ~~a.))~~ Outdoor play areas shall be completely enclosed by a solid wall or fence,  
5521 with no openings except for gates, and have a minimum height of six feet~~((; and~~  
5522 ~~b. Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
5523 ~~from property lines adjoining rural area and residential zones.))~~

5524           7. (~~Permitted as an accessory use. See commercial/industrial accessory, K.C.C.~~  
5525 ~~21A.08.060.A.~~) Repealed.

5526           8. (~~Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32,~~  
5527 ~~or an accessory use to a school, church, park, sport club or public housing administered~~  
5528 ~~by a public agency, and:~~

5529           a. ~~Outdoor play areas shall be completely enclosed by a solid wall or fence,~~  
5530 ~~with no openings except for gates and have a minimum height of six feet;~~

5531           b. ~~Outdoor play equipment shall maintain a minimum distance of twenty feet~~  
5532 ~~from property lines adjoining rural area and residential zones;~~

5533           c. ~~Direct access to a developed arterial street shall be required in any~~  
5534 ~~residential zone; and~~

5535           d. ~~Hours of operation may be restricted to assure compatibility with~~  
5536 ~~surrounding development)) Repealed.~~

5537           9. As a home occupation only, but the square footage limitations in K.C.C.  
5538 chapter 21A.30 for home occupations apply only to the office space for the veterinary  
5539 clinic, and:

5540           a. Boarding or overnight stay of animals is allowed only on sites of five acres  
5541 or more;

5542           b. No burning of refuse or dead animals is allowed;

5543           c. The portion of the building or structure in which animals are kept or treated  
5544 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be  
5545 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
5546 concrete or other impervious material; and

5547 d. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5548 10.a. No burning of refuse or dead animals is allowed;

5549 b. The portion of the building or structure in which animals are kept or treated  
5550 shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be  
5551 surrounded by an eight-foot-high solid wall and the floor area shall be surfaced with  
5552 concrete or other impervious material; and

5553 c. The provisions of K.C.C. chapter 21A.30 relative to animal keeping are met.

5554 11. The repair work or service shall only be performed in an enclosed building,  
5555 and no outdoor storage of materials. SIC Industry ((No.)) 7532-Top, Body, and  
5556 Upholstery Repair Shops and Paint Shops is ~~((not allowed))~~ prohibited.

5557 12. Only as a reuse of a public school facility or surplus nonresidential facility  
5558 subject to K.C.C. chapter 21A.32. Before filing an application with the department, the  
5559 applicant shall hold a community meeting in accordance with K.C.C. 20.20.035.

5560 13.~~((a. Except as otherwise provided in subsection B.13.b. of this section, only~~  
5561 ~~as a reuse of a surplus nonresidential facility subject to K.C.C. chapter 21A.32.~~

5562 ~~b. Allowed for a social service agency on a site in the NB zone that serves~~  
5563 ~~transitional or low income housing located within three hundred feet of the site on which~~  
5564 ~~the social service agency is located.~~

5565 ~~c. Before filing an application with the department, the applicant shall hold a~~  
5566 ~~community meeting in accordance with K.C.C. 20.20.035.)) Repealed.~~

5567 14. Covered riding arenas are subject to K.C.C. 21A.30.030 and shall not  
5568 exceed twenty thousand square feet, but stabling areas, whether attached or detached,  
5569 shall not be counted in this calculation.

5570 15. If located outside of the urban (~~(growth)~~) area, limited to projects that are of  
5571 a size and scale designed to primarily serve the (~~(Rural Area and Natural Resource~~  
5572 ~~Lands)~~) rural area and natural resource lands and shall be located within a rural town.

5573 16. If located outside of the urban (~~(growth)~~) area, shall be designed to primarily  
5574 serve the (~~(Rural Area and Natural Resource Lands)~~) rural area and natural resource lands  
5575 and shall be located within a rural town. In CB, RB<sub>2</sub> and O, for K-12 schools with no  
5576 more than one hundred students.

5577 17. All instruction (~~(must be)~~) shall occur within an enclosed structure.

5578 18. Limited to resource management education programs.

5579 19. Only as accessory to residential use, and:

5580 a. Students shall be limited to twelve per one-hour session;

5581 b. Except as provided in subsection B.19.c. of this section, all instruction  
5582 (~~(must be)~~) shall occur within an enclosed structure;

5583 c. Outdoor instruction may be allowed on properties at least two and one-half  
5584 acres in size. Any outdoor activity (~~(must)~~) shall comply with the requirements for  
5585 setbacks in K.C.C. chapter 21A.12; and

5586 d. Structures used for the school shall maintain a distance of twenty-five feet  
5587 from property lines adjoining (~~(rural area and residential)~~) RA, UR, and R zones.

5588 20. Subject to the following:

5589 a. Structures used for the school and accessory uses shall maintain a minimum  
5590 distance of twenty-five feet from property lines adjoining (~~(residential)~~) UR and R zones;

5591 b. On lots over two and one-half acres:

5592 (1) Retail sale of items related to the instructional courses is ~~((permitted))~~  
5593 allowed, if total floor area for retail sales is limited to two thousand square feet;

5594 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed  
5595 with ~~((Seattle King County department of))~~ public health - Seattle & King County  
5596 approval, if total floor area for food sales is limited to one thousand square feet and is  
5597 located in the same structure as the school; and

5598 (3) Other incidental student-supporting uses are allowed, if such uses are  
5599 found to be both compatible with and incidental to the principal use; and

5600 c. On sites over ten acres, located in a ~~((designated Rural Town))~~ rural town  
5601 and zoned ~~((any one or more of UR,))~~ R-1 ~~((and))~~ or R-4:

5602 (1) ~~((Retail sale of items related to the instructional courses is ((permitted))~~  
5603 allowed, provided total floor area for retail sales is limited to two thousand square feet;

5604 (2) Sale of food prepared in the instructional courses is ~~((permitted))~~ allowed  
5605 with ~~((Seattle King County department of))~~ public health - Seattle & King County  
5606 approval, if total floor area for food sales is limited to one thousand seven hundred fifty  
5607 square feet and is located in the same structure as the school;

5608 (3) Other incidental student-supporting uses are allowed, if the uses are found  
5609 to be functionally related, subordinate, compatible with and incidental to the principal  
5610 use;

5611 (4) The use shall be integrated with allowable agricultural uses on the site;

5612 (5) Advertised special events shall comply with the temporary use  
5613 requirements of this chapter; and

5614 (6) Existing structures that are damaged or destroyed by fire or natural event,  
5615 if damaged by more than fifty percent of their prior value, may reconstruct and expand an  
5616 additional sixty-five percent of the original floor area but need not be approved as a  
5617 conditional use if the ~~((#))~~ use otherwise complies with ~~((development condition in))~~ this  
5618 subsection B.20.c. ~~((of this section))~~ and this title.

5619 21. Limited to:

5620 a. drop box facilities accessory to a public or community use such as a school,  
5621 fire station, or community center; or

5622 b. in the RA zone only, a facility accessory to a retail nursery, garden center  
5623 and farm supply store ~~((that))~~ may accept ~~((s))~~ earth materials, vegetation, organic waste,  
5624 construction, and demolition materials, or source separated organic materials, if:

5625 (1) the site is five acres or greater;

5626 (2) all material is deposited into covered containers or onto covered  
5627 impervious areas;

5628 (3) the facility and any driveways or other access to the facility maintain a  
5629 setback of at least twenty five feet from adjacent properties;

5630 (4) the total area of the containers and covered impervious area is ten  
5631 thousand square feet or less;

5632 (5) ten feet of type II landscaping is provided between the facility and  
5633 adjacent properties;

5634 (6) no processing of the material is conducted on-site; and

5635 (7) access to the facility is not from a local access street.

5636           22. With the exception of drop box facilities for the collection and temporary  
5637 storage of recyclable materials, all processing and storage of material shall be within  
5638 enclosed buildings. Yard waste processing is not ~~((permitted))~~ allowed.

5639           23. Only if adjacent to an existing or proposed school.

5640           24. Limited to columbariums accessory to a ~~((church))~~ religious facility.~~((, but~~  
5641 ~~¶))~~Required landscaping and parking shall not be reduced.

5642           25.a. ~~((Not permitted in R-1 and 4))~~Limited to a maximum of two thousand five  
5643 hundred square feet in the R-4 through R-8 zones and five thousand square feet ((per  
5644 establishment and subject to the additional requirements in K.C.C. 21A.12.230.)) in the  
5645 R-12 through R-48 zones;

5646           b. Amplified noise is prohibited;

5647           c. The maximum on-site parking ratio shall be two spaces per one thousand  
5648 square feet and required parking shall not be located between the building and the street;  
5649 and

5650           d. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5651           26.a. New high schools permitted in the ~~((rural and the urban residential and~~  
5652 ~~urban reserve))~~ RA, UR, and R zones shall be subject to the review process in K.C.C.  
5653 21A.42.140.

5654           b. Renovation, expansion, modernization, or reconstruction of a school, or the  
5655 addition of relocatable facilities, is ~~((permitted))~~ allowed.

5656           27. Limited to projects that do not require or result in an expansion of sewer  
5657 service outside the urban growth area. In addition, such use shall not be ~~((permitted))~~  
5658 allowed in the RA-20 zone.

5659           28. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
5660 21A.32 or as a joint use of an existing public school facility.

5661           29. All studio use (~~((must be))~~) shall occur within an enclosed structure.

5662           30. Adult use facilities shall be prohibited within six hundred sixty feet of any  
5663 (~~((rural area and residential))~~) RA, UR, and R zones, any other adult use facility, school,  
5664 licensed daycare centers, parks, community centers, public libraries, or (~~((churches))~~)  
5665 religious facilities that conduct religious or educational classes for minors.

5666           31. Subject to review and approval of conditions to comply with trail corridor  
5667 provisions of K.C.C. chapter 21A.14 (~~((when located in an RA zone))~~).

5668           32. Limited to repair of sports and recreation equipment:

5669           a. as accessory to a recreation or multiuse park in the urban (~~((growth))~~) area; or

5670           b. as accessory to a park and limited to a total floor area of seven hundred fifty  
5671 square feet.

5672           33. Repealed.

5673           34. Subject to the following:

5674           a. the lot is at least five acres;

5675           b. in the A zones, area used for dog training shall be located on portions of  
5676 agricultural lands that are unsuitable for other agricultural purposes, such as areas within  
5677 the already developed portion of such agricultural lands that are not available for direct  
5678 agricultural production or areas without prime agricultural soils;

5679           c. structures and areas used for dog training shall maintain a minimum distance  
5680 of seventy-five feet from property lines; and



5681 d. all training activities shall be conducted within fenced areas or in indoor  
5682 facilities. Fences (~~(must)~~) shall be sufficient to contain the dogs.

5683 35. Limited to animal rescue shelters and provided that:

5684 a. the property shall be at least four acres;

5685 b. buildings used to house rescued animals shall be (~~(no less than)~~) set back at  
5686 least fifty feet from property lines, except on Vashon-Maury Island, the setback shall be  
5687 at least twenty-five feet;

5688 c. outdoor animal enclosure areas shall be located no less than thirty feet from  
5689 property lines and shall be fenced in a manner sufficient to contain the animals;

5690 (~~(d. the facility shall be operated by a nonprofit organization registered under~~  
5691 ~~the Internal Revenue Code as a 501(c)(3) organization;)) and~~

5692 d. ((e. the facility shall maintain normal)) hours of operation (~~((no earlier than))~~)  
5693 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

5694 36. Limited to kennel-free dog boarding and daycare facilities, and:

5695 a. the property shall be at least four and one-half acres;

5696 b. buildings housing dogs shall be no less than seventy-five feet from property  
5697 lines;

5698 c. outdoor exercise areas shall be located no less than thirty feet from property  
5699 lines and shall be fenced in a manner sufficient to contain the dogs;

5700 d. the number of dogs allowed on the property at any one time shall be limited  
5701 to the number allowed for hobby kennels, as provided in K.C.C. 11.04.060.B; and

5702 e. training and grooming are ancillary services that may be provided only to  
5703 dogs staying at the facility; and

5704 f. ~~((the facility shall maintain normal h))~~Hours of operation ~~((no earlier than))~~  
5705 shall be limited to 7:00 a.m. ((and no later than)) through 7:00 p.m.

5706 37. ~~((Not permitted in R-1 and subject to the additional requirements in K.C.C.~~  
5707 ~~21A.12.250.))~~ Repealed.

5708 38. Driver training is limited to driver training schools licensed under chapter  
5709 46.82 RCW.

5710 39. A school may be located outside of the urban growth area only if allowed  
5711 under King County Comprehensive Plan policies.

5712 40. Only as a reuse of an existing public school.

5713 41. A high school may be allowed as a reuse of an existing public school if  
5714 allowed under King County Comprehensive Plan policies.

5715 42. Commercial kennels and commercial catteries in the A zone are subject to  
5716 the following:

5717 a. Only as a home occupation, but the square footage limitations in K.C.C.  
5718 chapter 21A.30.085 for home occupations apply only to the office space for the  
5719 commercial kennel or commercial cattery; and

5720 b. Subject to K.C.C. 21A.30.020, except:

5721 (1) A building or structure used for housing dogs or cats and any outdoor  
5722 runs shall be set back one hundred and fifty feet from property lines;

5723 (2) The portion of the building or structure in which the dogs or cats are kept  
5724 shall be soundproofed;

5725 (3) Impervious surface for the kennel or cattery shall not exceed twelve  
5726 thousand square feet; and

5727 (4) Obedience training classes are not allowed except as provided in  
 5728 subsection B.34. of this section.

5729 43. Commercial kennels and commercial catteries are subject to K.C.C.  
 5730 21A.30.020.

5731 44. ~~((If the m))~~ Miscellaneous repair ~~((is))~~ associated with agriculture activities  
 5732 ~~((it will))~~ shall be reviewed in accordance with K.C.C. 21A.08.090.

5733 45. Except bed and breakfast guesthouses.

5734 46. Subject to the following:

5735 a. Only as accessory use to the permanent residence of the operator;

5736 b. Served meals shall be limited to paying guests; and

5737 c. Limited to no more than five rooms accommodating up to ten guests.

5738 47. Only if part of a mixed-use development, and subject to the conditions of  
 5739 subsection B.46. of this section.

5740 48. Only in the R-1 zone, as an accessory to a golf course facility and consistent  
 5741 with K.C.C. 21A.08.040.

5742 SECTION 150. Ordinance 10870, Section 333, as amended, and K.C.C.

5743 21A.08.060 are hereby amended to read as follows:

5744 A. Government/business services land uses.

<b>P-Permitted Use</b>		<b>RESOURC</b>			<b>RU</b>	<b>RESIDENTIAL</b>				<b>COMMERCIAL/INDUS</b>				
<b>C-Conditional Use</b>		<b>E</b>			<b>RA</b>					<b>TRIAL</b>				
<b>S-Special Use</b>					<b>L</b>									
<b>SIC</b>	<b>SPECIFIC</b>	<b>A</b>	<b>F</b>	<b>M</b>	<b>R</b>	<b>UR</b>	<b><u>R-</u></b>	<b>((</b>	<b><u>R-</u></b>	<b>NB</b>	<b>CB</b>	<b>RB</b>	<b>O</b>	<b>I</b>

#	LAND USE				A		<u>1</u>	R	12					(30
					<u>3</u>			<del>4</del>	=					)
					<u>3)</u>			8))	<u>R-</u>					
								<u>R-</u>	48					
								<u>4</u>						
								=						
								<u>R-</u>						
								<u>8</u>						
	<b>GOVERNMENT SERVICES:</b>													
*	Public agency or utility office				P3 C5	P3 C5	<u>P3</u> <u>C</u>	P3 C	P3 C	P	P	P	P	P1 6
*	Public agency or utility yard				P2 7	P27	<u>P2</u> <u>7</u>	P2 7	P2 7			P		P
*	Public agency archives											P	P	P
921	Court										P4	P	P	
922 1	Police Facility				P7	P7	<u>P7</u>	P7	P7	P7	P	P	P	P
922 4	Fire Facility				C6 (a nd	C6	<u>C6</u>	C6	C6	P	P	P	P	P

					33 )									
*	Utility Facility  (41)	P2 9 C 28	P2 9 C 28	P2 9 C 28	P2 9 C2 8  (a nd 33 )	P29 C28	<u>P2</u> 9 <u>C2</u> 8	P2 9 C2 8	P2 9 C2 8	P	P	P	P	P
*	Commuter Parking Lot				C (3 3)) P1 9	C P19	<u>C</u> <u>P1</u> 9	C P1 9	C <u>P1</u> 9	P	P	P	P	P3 5
*	Private Stormwater Management Facility	P8	P8	P8	P8	P8	<u>P8</u>	P8	P8	P8	P8	P8	P8	P8
*	Vactor Waste Receiving Facility	P	P	P	P1 8	P18	<u>P1</u> 8	P1 8	P1 8	P3 1	P31	P3 1	P3 1	P
	<b>BUSINESS</b>													

<b>SERVICES:</b>														
*	Construction and Trade				P3 4							P	P9	P
*	Individual Transportation and Taxi									P25	P	P1 0	P	
421	Trucking and Courier Service									P11	P1 2	P1 3	P	
*	Warehousing( <del>(7</del> (1)) and Wholesale Trade (1)													P
*	Self-service Storage (36)								( <del>P</del> 14) )	P3 7	P	P	P	P
422 1 422 2	Farm Product Warehousing, Refrigeration, and Storage (38)													P
*	Log Storage (38)		P		P2 6 ( <del>#</del>									P

					nd 33 )								
47	Transportation Service												P3 9
473	Freight and Cargo Service										P	P	P
472	Passenger Transportation Service									P	P	P	
48	Communication Offices										P	P	P
482	Telegraph and other Communications									P	P	P	P
*	General Business Service								P	P	P	P	P1 6
*	Professional Office								P	P	P	P	P1 6
731 2	Outdoor Advertising Service										P	P1 7	P

735	Miscellaneous Equipment Rental										P17	P	P1 7	P
751	Automotive Rental and Leasing										P	P		P
752	Automotive Parking								P2 0a	P20 b	P2 1	P2 0a	P	
*	Off-Street Required Parking Lot			P3 2	P32	<u>P3</u> 2	P3 2	P3 2	P3 2	P32	P3 2	P3 2	P3 2	
794 1	Professional Sport Teams/Promoters											P	P	
873	Research, Development, and Testing											P2	P2	P2
*	Heavy Equipment and Truck Repair													P
	<b>ACCESSORY USES:</b>													
*	Commercial/Indus trial Accessory Uses			P 2	P2 2				P2 2	P22	P	P	P	



*	Helistop				40	C23	<u>C2</u>	C2	C2	C2	C23	C2	C2	C2
							<u>3</u>	3						

- 5745           B. Development conditions.
- 5746           1. Except self-service storage.
- 5747           2. Except SIC Industry (~~(No.))~~ 8732-Commercial Economic, Sociological, and
- 5748 Educational Research, see general business service/office.
- 5749           3.a. Only as a reuse of a public school facility or a surplus nonresidential facility
- 5750 subject to K.C.C. chapter 21A.32; or
- 5751           b. only when accessory to a fire facility and the office is no greater than one
- 5752 thousand five hundred square feet of floor area.
- 5753           4. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter
- 5754 21A.32.
- 5755           5. New utility office locations only if there is no commercial/industrial zoning
- 5756 in the utility district, and not in the RA-10 or RA-20 zones unless it is demonstrated that
- 5757 no feasible alternative location is possible(~~(, and provided further that this condition~~
- 5758 ~~applies to the UR zone only if the property is located within a designated unincorporated~~
- 5759 ~~Rural Town))~~.
- 5760           6.a. All buildings and structures shall maintain a minimum distance of twenty
- 5761 feet from property lines adjoining (~~(rural area and residential))~~ RA, UR, and R zones;
- 5762           b. Any buildings from which fire-fighting equipment emerges onto a street
- 5763 shall maintain a distance of thirty-five feet from such street;
- 5764           c. No outdoor storage; and

5765 d. Excluded from the RA-10 and RA-20 zones unless it is demonstrated that no  
5766 feasible alternative location is possible.

5767 7. Limited to storefront police offices. Such offices shall not have:

5768 a. holding cells;

5769 b. suspect interview rooms (except in the NB zone); or

5770 c. long-term storage of stolen properties.

5771 8. Private stormwater management facilities serving development proposals

5772 located on commercial/industrial zoned lands shall also be located on

5773 commercial/industrial lands, unless participating in an approved shared facility drainage

5774 plan. Such facilities serving development within an area designated urban in the King

5775 County Comprehensive Plan shall only be located in the urban area.

5776 9. No outdoor storage of materials.

5777 10. Limited to office uses.

5778 11. Limited to self-service household moving truck or trailer rental accessory to

5779 a gasoline service station.

5780 12. Limited to self-service household moving truck or trailer rental accessory to

5781 a gasoline service station and SIC Industry ((No.)) 4215-Courier Services, except by air.

5782 13. Limited to SIC Industry ((No.)) 4215-Courier Services, except by air.

5783 14. ~~((Accessory to an apartment development of at least twelve units provided:~~

5784 a. ~~The gross floor area in self service storage shall not exceed the total gross~~

5785 ~~floor area of the apartment dwellings on the site;~~

5786 b. ~~All outdoor lights shall be deflected, shaded and focused away from all~~

5787 ~~adjoining property;~~

5788 e. ~~The use of the facility shall be limited to dead storage of household goods;~~

5789 d. ~~No servicing or repair of motor vehicles, boats, trailers, lawn mowers or~~

5790 ~~similar equipment;~~

5791 e. ~~No outdoor storage or storage of flammable liquids, highly combustible or~~

5792 ~~explosive materials or hazardous chemicals;~~

5793 f. ~~No residential occupancy of the storage units;~~

5794 g. ~~No business activity other than the rental of storage units; and~~

5795 h. ~~A resident director shall be required on the site and shall be responsible for~~

5796 ~~maintaining the operation of the facility in conformance with the conditions of approval.~~

5797 i. ~~Before filing an application with the department, the applicant shall hold a~~

5798 ~~community meeting in accordance with K.C.C. 20.20.035-)) Repealed.~~

5799 15. Repealed.

5800 16. Only as an accessory use to another permitted use.

5801 17. No outdoor storage.

5802 18. Only as an accessory use to a public agency or utility yard, or to a transfer

5803 station.

5804 19. Limited to new commuter parking lots designed for thirty or fewer parking

5805 spaces or commuter parking lots located on existing parking lots for ~~((churches))~~

5806 religious facilities, schools, or other ~~((permitted))~~ allowed nonresidential uses that have

5807 excess capacity available during commuting~~((; provided that))~~, but only if the new or

5808 existing lot is adjacent to a designated arterial that has been improved to a standard

5809 acceptable to the department of local services;

5810 20.a. No tow-in lots for damaged, abandoned, or otherwise impounded vehicles,

5811 and

5812 b. Tow-in lots for damaged, abandoned, or otherwise impounded vehicles shall

5813 be:

5814 (1) ~~((permitted))~~ allowed only on parcels located within Vashon Town

5815 Center;

5816 (2) accessory to a gas or automotive service use; and

5817 (3) limited to no more than ten vehicles.

5818 21. No dismantling or salvage of damaged, abandoned, or otherwise impounded

5819 vehicles.

5820 22. Storage limited to accessory storage of commodities sold at retail on the

5821 premises or materials used in the fabrication of commodities sold on the premises.

5822 23. Limited to emergency medical evacuation sites in conjunction with police,

5823 fire, or health service facility. ~~((Helistops are prohibited from the UR zone only if the~~

5824 ~~property is located within a designated unincorporated Rural Town.))~~

5825 24. Allowed as accessory to an allowed use.

5826 25. Limited to private road ambulance services with no outside storage of

5827 vehicles.

5828 26. Limited to two acres or less.

5829 27a. Utility yards only on sites with utility district offices; or

5830 b. Public agency yards are limited to material storage for road maintenance

5831 facilities.

5832 28. Limited to local distribution gas storage tanks that pipe to individual

5833 residences but excluding liquefied natural gas storage tanks.

5834 29. Excluding local distribution gas storage tanks.

5835 30. For I-zoned sites located outside the urban growth area designated by the  
5836 King County Comprehensive Plan, uses shall be subject to the provisions for rural  
5837 industrial uses in K.C.C. (~~chapter 21A.12~~) 21A.14.280.

5838 31. Vactor waste treatment, storage, and disposal shall be limited to liquid  
5839 materials. Materials shall be disposed of directly into a sewer system(,) or shall be  
5840 stored in tanks, (~~or other~~) covered structures(~~, as well as~~), or enclosed buildings.

5841 32. (~~Provided~~) Only if:

5842 a. Off-street required parking for a land use located in the urban area (~~must~~)  
5843 shall be located in the urban area;

5844 b. Off-street required parking for a land use located in the rural area (~~must~~)  
5845 shall be located in the rural area; and

5846 c. (~~(1) Except as provided in subsection B.32.c.(2) of this section, or~~) Off-street  
5847 required parking (~~must~~) shall be located on a lot that would (~~permit~~) allow, either  
5848 outright or through a land use permit approval process, the land use the off-street parking  
5849 will serve.

5850 (~~(2) For a social service agency allowed under K.C.C. 21A.08.050B.13.b. to~~  
5851 ~~be located on a site in the NB zone, off-street required parking may be located on a site~~  
5852 ~~within three hundred feet of the social service agency, regardless of zoning classification~~  
5853 ~~of the site on which the parking is located.~~)

5854 33. Subject to review and approval of conditions to comply with trail corridor  
5855 provisions of K.C.C. chapter 21A.14 when located in an RA zone.

5856 34. Limited to landscape and horticultural services (SIC Industry Group 078)  
5857 that are accessory to a retail nursery, garden center and farm supply store. Construction  
5858 equipment for the accessory use shall not be stored on the premises.

5859 35. Allowed as a primary or accessory use to an allowed industrial-zoned land  
5860 use.

5861 36. ~~((Repealed-))~~ Prohibited in the White Center unincorporated activity center.

5862 37. Use shall be limited to the NB zone on parcels outside of the ~~((U))~~urban  
5863 ~~((Growth))~~ ~~((A))~~area, ~~((R))~~rural ~~((F))~~towns, and ~~((Rural Neighborhoods))~~ rural  
5864 neighborhood commercial centers and the building floor area devoted to such use shall  
5865 not exceed ten thousand square feet.

5866 38. If the farm product warehousing, refrigeration and storage, or log storage, is  
5867 associated with agriculture activities it will be reviewed in accordance with K.C.C.  
5868 21A.08.090.

5869 39. Excluding fossil fuel facilities.

5870 40. Helistops are ~~((not allowed))~~ prohibited in the RA zone as an accessory to a  
5871 government or business services use, ~~((but may be allowed in that zone))~~ except as part of  
5872 a search and rescue facility~~((s))~~ subject to K.C.C. 21A.08.100.B.30.

5873 41. As part of an application for an addition, expansion, or upgrade of electric  
5874 transmission and distribution lines or the siting new gas or hazardous liquid transmission  
5875 pipelines, the applicant shall submit an equity impact review of the proposal using tools  
5876 developed by the office of equity and racial and social justice. The results from the  
5877 equity impact review shall be used to assess equity impacts and opportunities during  
5878 county permit review and may be used to inform determinations of project approval.

5879 SECTION 151. Ordinance 10870, Section 334, as amended, and K.C.C.

5880 21A.08.070 are hereby amended to read as follows:

5881 A. Retail land uses.

P-Permitted Use C-Conditional Use S-Special Use		RESOURCE			RU RA L	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
		A	F	M		UR	<u>R-</u> 1	((R 1- 8)) <u>R-</u> 4 - <u>R-</u> 8	<u>R-</u> 12 = <u>R-</u> 48	NB	CB	R B	O	I ( 30 )
*	Building Materials and Hardware Stores		P2 3							P2	P	P		
*	Retail Nursery,	P1 C1			P1 C1					P <sub>3</sub> 1	P	P		

	Garden Center, and Farm Supply Stores													
*	Forest Products Sales	P3 and 4	P4		P3 and 4							P		
*	Departmen t and Variety Stores						((€ 14a ) P1 4 C1 5	P(( 14) ) 16	P5	P	P			
54	Food Stores				<u>C3</u> <u>0</u>		((€ 15a ) P1 4 C1 5	P(( 15) ) <u>16</u>	<u>P3</u> <u>1</u>	P	P	C	P6	



*	Agricultural Product Sales (28)								P2 5	P2 5	P2 5	P2 5	P2 5	P2 5
*	Farmers Market	P2 4	P2 4		P2 4	P2 4	<u>P2</u> <u>4</u>	P2 4	P2 4	P2 4	P2 4	P2 4	P2 4	P2 4
*	Motor Vehicle and Boat Dealers											P8		P
55 3	Auto Supply Stores										P9	P9		P
55 4	Gasoline Service Stations									P	P	P		P
56	Apparel and Accessory Stores										P	P		
*	Furniture and Home Furnishing										P	P		

	s Stores													
58	Eating and Drinking Places				P2 1 C1 9		<u>P2</u> 0 <del>(C</del> 16) ) <u>P1</u> <u>4</u> <u>C1</u> <u>5</u>	P2 0 P1 6	P2 0 P1 6	P1 0	P	P	P	P
*	Remote Tasting Room				P1 3						P7	P7		
*	Drug Stores						<u>P1</u> <u>4C</u> 15	P(( 45) )16	<u>P3</u> <u>1</u>	P	P	C		
*	((Marijuan a)) <u>Cannabis</u> retailer										P2 6 C2 7	P2 6 C 27		
59 2	Liquor Stores										P	P		

59	Used										P	P		
3	Goods: Antiques/ Secondhand Shops													
*	Sporting Goods and Related Stores			P2 2 an d 29	P2 2 and 29	P2 2 and 29	<u>P2</u> 2 and <u>29</u>	P2 2 and 29	P2 2 and 29	P2 2 and 29	P2 9	P2 9	P2 2 an d 29	P2 2 an d 29
*	Book, Stationery, Video, and Art Supply Stores						<u>P1</u> 4 C1 5(( a))	P(( 45) )16	<u>P3</u> 1	P	P			
*	Jewelry Stores										P	P		
*	Monument s, Tombston es, and Graveston											P		

	es												
*	Hobby, Toy, Game Shops									<u>P3</u> <u>1</u>	P	P	
*	Photograp hic and Electronic Shops									<u>P3</u> <u>1</u>	P	P	
*	Fabric Shops										P	P	
59 8	Fuel Dealers										C1 1	P	P
*	Florist Shops							<u>P1</u> <u>4</u> C1 5(( a))	P(( 45) ) <u>16</u>	<u>P3</u> <u>1</u>	P	P	P
*	Personal Medical Supply Stores										P	P	

*	Pet Shops									P <sub>3</sub> <u>1</u>	P	P		
*	Bulk Retail										P	P		
*	Auction Houses											P1 2		P
*	Livestock Sales (28)													P

5882 B. Development conditions.

5883 1.a. As a permitted use, covered sales areas shall not exceed a total area of two  
 5884 thousand square feet, unless located in a building designated as historic resource under  
 5885 K.C.C. chapter 20.62. With a conditional uses permit, covered sales areas of up to three  
 5886 thousand five hundred square feet may be allowed. Greenhouses used for the display of  
 5887 merchandise other than plants shall be considered part of the covered sales area.

5888 Uncovered outdoor areas used to grow or display trees, shrubs, or other plants are not  
 5889 considered part of the covered sales area;

5890 b. The site area shall be at least four and one-half acres;

5891 c. Sales may include locally made arts and crafts; and

5892 d. Outside lighting is (~~permitted~~) allowed if no off-site glare is allowed.

5893 2.a. Only hardware stores; and

5894 b. In rural neighborhood commercial centers, limited to fifteen thousand  
 5895 square feet of gross floor area.

5896 3.a. Limited to products grown on-site.

- 5897            b. Covered sales areas shall not exceed a total area of five hundred square feet.
- 5898            4. No permanent structures or signs.
- 5899            5. Limited to SIC Industry (~~(No.)~~) 5331-Variety Stores, and further limited to a
- 5900 maximum of two thousand square feet of gross floor area.
- 5901            6. Limited to a maximum of five thousand square feet of gross floor area.
- 5902            7. Off-street parking is limited to a maximum of one space per fifty square feet
- 5903 of tasting and retail areas.
- 5904            8. Excluding retail sale of trucks exceeding one-ton capacity.
- 5905            9. Only the sale of new or reconditioned automobile supplies is (~~(permitted)~~)
- 5906 allowed.
- 5907            10. Excluding SIC Industry (~~(No.)~~) 5813-Drinking Places.
- 5908            11. No outside storage of fuel trucks and equipment.
- 5909            12. Excluding vehicle and livestock auctions.
- 5910            13. (~~(Permitted)~~) Allowed as part of the demonstration project authorized by
- 5911 K.C.C. 21A.55.110.
- 5912            14.a. (~~(Not in R-1 and limited to SIC Industry No. 5331-Variety Stores,~~
- 5913 ~~4))~~Limited to a maximum of ((five)) one thousand square feet of gross floor area;(~~(, and~~
- 5914 ~~subject to K.C.C. 21A.12.230; and~~
- 5915            ~~b. Before filing an application with the department, the applicant shall hold a~~
- 5916 ~~community meeting in accordance with K.C.C. 20.20.035.))~~
- 5917            b. Drive-throughs are prohibited, except for detached buildings for eating and
- 5918 drinking places that do not exceed two hundred square feet and are located at an
- 5919 intersection with an arterial;
-

- 5920            c. Amplified noise is prohibited;
- 5921            d. The maximum on-site parking ratio shall be two spaces per one thousand
- 5922 square feet and required parking shall not be located between the building(s) and the
- 5923 street; and
- 5924            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
- 5925            15. ~~((a. Not permitted in R-1 and I))~~ Limited to a maximum of ~~((five))~~ two
- 5926 thousand five hundred square feet of gross floor area; ~~((and subject to K.C.C.~~
- 5927 21A.12.230; and
- 5928            ~~b. Before filing an application with the department, the applicant shall hold a~~
- 5929 ~~community meeting in accordance with K.C.C. 20.20.035.)~~
- 5930            b. Drive-throughs are prohibited, except for detached buildings for eating and
- 5931 drinking places that do not exceed two hundred square feet and are located at an
- 5932 intersection with an arterial;
- 5933            c. Amplified noise is prohibited;
- 5934            d. The maximum on-site parking ratio shall be two spaces per one thousand
- 5935 square feet and required parking shall not be located between the building(s) and the
- 5936 street; and
- 5937            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.
- 5938            16.a. ~~((Not permitted in R-1 and excluding SIC Industry No. 5813 Drinking~~
- 5939 ~~Places, and I))~~ Limited to a maximum of five thousand square feet of gross floor area;
- 5940 ~~((and subject to K.C.C. 21A.12.230, except as provided in subsection B.20. of this~~
- 5941 ~~section; and~~

5942            ~~b. Before filing an application with the department, the applicant shall hold a~~  
5943 ~~community meeting in accordance with K.C.C. 20.20.035.))~~

5944            b. Drive-throughs are prohibited, except for detached buildings for eating and  
5945 drinking places that do not exceed two hundred square feet and are located at an  
5946 intersection with an arterial;

5947            c. Amplified noise is prohibited;

5948            d. The maximum on-site parking ratio shall be two spaces per one thousand  
5949 square feet and required parking shall not be located between the building and the street;  
5950 and

5951            e. Hours of operation shall be limited to 7:00 a.m. through 10:00 p.m.

5952            17. Repealed.

5953            18. Repealed.

5954            19. Only as:

5955            a. an accessory use to an ~~((permitted))~~ allowed manufacturing or retail land  
5956 use, limited to espresso stands to include sales of beverages and incidental food items,  
5957 and not to include drive-through sales; or

5958            b. an accessory use to a recreation or multiuse park, limited to a total floor area  
5959 of three thousand five hundred square feet.

5960            20. Only as:

5961            a. an accessory use to a recreation or multiuse park; or

5962            b. an accessory use to a park and limited to a total floor area of one thousand  
5963 five hundred square feet.



5964           21. Accessory to a park, limited to a total floor area of seven hundred fifty  
5965 square feet.

5966           22. Only as an accessory use to:

5967           a. a large active recreation and multiuse park in the urban growth area; or

5968           b. a park, or a recreation or multiuse park in the RA zones, and limited to a  
5969 total floor area of seven hundred ~~((and))~~ fifty square feet.

5970           23. Only as accessory to SIC Industry Group ~~((No.))~~ 242-Sawmills and SIC  
5971 Industry ~~((No.))~~ 2431-Millwork and;

5972           a. limited to lumber milled on-site; and

5973           b. the covered sales area is limited to two thousand square feet. The covered  
5974 sales area does not include covered areas used to display only milled lumber.

5975           24. Requires at least five farmers selling their own products at each market and  
5976 the annual value of sales by farmers should exceed the annual sales value of nonfarmer  
5977 vendors.

5978           25. Limited to sites located within the urban growth area and:

5979           a. The sales area shall be limited to three hundred square feet and ~~((must))~~  
5980 shall be removed each evening;

5981           b. There ~~((must))~~ shall be legal parking that is easily available for customers;  
5982 and

5983           c. The site ~~((must))~~ shall be in an area that is easily accessible to the public,  
5984 will accommodate multiple shoppers at one time and does not infringe on neighboring  
5985 properties.

5986           26.a. Per lot, limited to a maximum aggregated total of two thousand square feet  
5987 of gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis.

5988           b. Notwithstanding subsection B.26.a. of this section, the maximum  
5989 aggregated total gross floor area devoted to, and in support of, the retail sale of  
5990 ~~((marijuana))~~ cannabis may be increased to up to three thousand square feet if the retail  
5991 outlet devotes at least five hundred square feet to the sale, and the support of the sale, of  
5992 medical ~~((marijuana))~~ cannabis, and the operator maintains a current medical  
5993 ~~((marijuana))~~ cannabis endorsement issued by the Washington state Liquor and Cannabis  
5994 Board.

5995           c. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis  
5996 activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot  
5997 having any area devoted to retail ~~((marijuana))~~ cannabis activity; and a lot line of a lot  
5998 having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within  
5999 one thousand feet of any lot line of any lot having any area devoted to existing retail  
6000 ~~((marijuana))~~ cannabis activity.

6001           d. Whether a new retail ~~((marijuana))~~ cannabis activity complies with this  
6002 locational requirement shall be determined based on the date a conditional use permit  
6003 application submitted to the department of local services, permitting division, became or  
6004 was deemed complete, and:

6005           (1) if a complete conditional use permit application for the proposed retail  
6006 ~~((marijuana))~~ cannabis use was not submitted, or if more than one conditional use permit  
6007 application became or was deemed complete on the same date, then the director shall

6008 determine compliance based on the date the Washington state Liquor and Cannabis Board  
6009 issues a Notice of ((~~Marijuana~~)) Cannabis Application to King County;

6010 (2) if the Washington state Liquor and Cannabis Board issues more than one  
6011 Notice of ((~~Marijuana~~)) Cannabis Application on the same date, then the director shall  
6012 determine compliance based on the date either any complete building permit or change of  
6013 use permit application, or both, were submitted to the department declaring retail  
6014 ((~~marijuana~~)) cannabis activity as an intended use;

6015 (3) if more than one building permit or change of use permit application was  
6016 submitted on the same date, or if no building permit or change of use permit application  
6017 was submitted, then the director shall determine compliance based on the date a complete  
6018 business license application was submitted; and

6019 (4) if a business license application was not submitted or more than one  
6020 business license application was submitted, then the director shall determine compliance  
6021 based on the totality of the circumstances, including, but not limited to, the date that a  
6022 retail ((~~marijuana~~)) cannabis license application was submitted to the Washington state  
6023 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered  
6024 into a lease or purchased the lot at issue for the purpose of retail ((~~marijuana~~)) cannabis  
6025 use, and any other facts illustrating the timing of substantial investment in establishing a  
6026 licensed retail ((~~marijuana~~)) cannabis use at the proposed location.

6027 e. Retail ((~~marijuana~~)) cannabis businesses licensed by the Washington state  
6028 Liquor and Cannabis Board and operating within one thousand feet of each other as of  
6029 August 14, 2016, and retail ((~~marijuana~~)) cannabis businesses that do not require a permit  
6030 issued by King County, that received a Washington state Liquor and Cannabis Board

6031 license to operate in a location within one thousand feet of another licensed retail  
6032 ~~((marijuana))~~ cannabis business ~~((prior to))~~ before August 14, 2016, and that King  
6033 County did not object to within the Washington state Liquor and Cannabis Board  
6034 ~~((marijuana))~~ cannabis license application process, shall be considered nonconforming  
6035 and may remain in ~~((their))~~ the business' current location, subject to the provisions of  
6036 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

6037 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;

6038 and

6039 (2) the gross floor area of a nonconforming retail outlet may be increased up  
6040 to the limitations in subsection B.26.a. and B.26.b. of this section.

6041 27. Per lot, limited to a maximum aggregated total of five thousand square feet  
6042 gross floor area devoted to, and in support of, the retail sale of ~~((marijuana))~~ cannabis,  
6043 and~~((;))~~:

6044 a. Any lot line of a lot having any area devoted to retail ~~((marijuana))~~ cannabis  
6045 activity ~~((must))~~ shall be one thousand feet or more from any lot line of any other lot  
6046 having any area devoted to retail ~~((marijuana))~~ cannabis activity; and any lot line of a lot  
6047 having any area devoted to new retail ~~((marijuana))~~ cannabis activity may not be within  
6048 one thousand feet of any lot line of any lot having any area devoted to existing retail  
6049 ~~((marijuana))~~ cannabis activity; ~~((and))~~

6050 b. Whether a new retail ~~((marijuana))~~ cannabis activity complies with this  
6051 locational requirement shall be determined based on the date a conditional use permit  
6052 application submitted to the department of local services, permitting division, became or  
6053 was deemed complete, and:

6054 (1) if a complete conditional use permit application for the proposed retail  
6055 ~~((marijuana))~~ cannabis use was not submitted, or if more than one conditional use permit  
6056 application became or was deemed complete on the same date, then the director shall  
6057 determine compliance based on the date the Washington state Liquor and Cannabis Board  
6058 issues a Notice of ~~((Marijuana))~~ Cannabis Application to King County;

6059 (2) if the Washington state Liquor and Cannabis Board issues more than one  
6060 Notice of ~~((Marijuana))~~ Cannabis Application on the same date, then the director shall  
6061 determine compliance based on the date either any complete building permit or change of  
6062 use permit application, or both, were submitted to the department declaring retail  
6063 ~~((marijuana))~~ cannabis activity as an intended use;

6064 (3) if more than one building permit or change of use permit application was  
6065 submitted on the same date, or if no building permit or change of use permit application  
6066 was submitted, then the director shall determine compliance based on the date a complete  
6067 business license application was submitted; and

6068 (4) if a business license application was not submitted or more than one  
6069 business license application was submitted, then the director shall determine compliance  
6070 based on the totality of the circumstances, including, but not limited to, the date that a  
6071 retail ~~((marijuana))~~ cannabis license application was submitted to the Washington state  
6072 Liquor and Cannabis Board identifying the lot at issue, the date that the applicant entered  
6073 into a lease or purchased the lot at issue for the purpose of retail ~~((marijuana))~~ cannabis  
6074 use, and any other facts illustrating the timing of substantial investment in establishing a  
6075 licensed retail ~~((marijuana))~~ cannabis use at the proposed location; and

6076 c. Retail (~~(marijuana)~~) cannabis businesses licensed by the Washington state  
6077 Liquor and Cannabis Board and operating within one thousand feet of each other as of  
6078 August 14, 2016, and retail (~~(marijuana)~~) cannabis businesses that do not require a permit  
6079 issued by King County, that received a Washington state Liquor and Cannabis Board  
6080 license to operate in a location within one thousand feet of another licensed retail  
6081 (~~(marijuana)~~) cannabis business (~~(prior to)~~) before August 14, 2016, and that King  
6082 County did not object to within the Washington state Liquor and Cannabis Board  
6083 (~~(marijuana)~~) cannabis license application process, shall be considered nonconforming  
6084 and may remain in (~~(their)~~) the business' current location, subject to the provisions of  
6085 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses, except:

6086 (1) the time periods identified in K.C.C. 21A.32.045.C. shall be six months;  
6087 and

6088 (2) the gross floor area of a nonconforming retail outlet may be increased up  
6089 to the limitations in subsection B.27. of this section, subject to K.C.C. 21A.42.190.

6090 28. If the agricultural product sales or livestock sales is associated with  
6091 agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.

6092 29. Businesses selling firearms that have a storefront, have hours during which  
6093 it is open for business, and post advertisements or signs observable to passersby that  
6094 firearms are available for sale shall be located at least five hundred feet or more from any  
6095 elementary, middle/junior high, and secondary or high school properties. Businesses  
6096 selling firearms in existence before June 30, 2020, shall be considered nonconforming  
6097 and may remain in their current location, subject to the provisions of K.C.C. 21A.32.020  
6098 through 21A.32.075 for nonconforming uses.

6099 30. Only within a former grange hall incorporated under chapter 24.28 RCW  
 6100 and listed in the National Register of Historic Places or designated as a King County  
 6101 landmark subject to K.C.C. chapter 21A.32 and if the parcel is located within one  
 6102 thousand feet of a rural neighborhood commercial center as designated by the King  
 6103 County Comprehensive Plan.

6104 31. In rural neighborhood commercial centers, limited to fifteen thousand  
 6105 square feet of gross floor area.

6106 SECTION 152. Ordinance 10870, Section 335, as amended, and K.C.C.  
 6107 21A.08.080 are hereby amended to read as follows:

6108 A. Manufacturing land uses.

P-Permitted Use		RESOURCE			RURAL	RESIDENTIAL				COMMERCIAL/INDUSTRIAL				
C-Conditional Use														
S-Special Use														
SIC #	SPECIFIC LAND USE	A	F	M	RA	UR	<u>R-1</u>	<del>((R-8))</del>	<u>R-12</u>	NB	CB	RB	O	I (11)
								<u>R-4</u>	=					
								<del>- R-</del>	<u>R-</u>					
								<u>8</u>	48					
20	Food and Kindred Products (28)									P2	P2	P2 C		P2 C
*	Winery/Brewery /Distillery Facility I				P32									

*	Winery/Brewery /Distillery Facility II	P3			P3 C30					P17	P17	P29		P31
	Winery/Brewery /Distillery Facility III	C12			C12					C29	C29	C29		C31
*	Materials Processing Facility		P13 C	P14 C15	P16 C									P
22	Textile Mill Products													C
23	Apparel and other Textile Products											C		P
24	Wood Products, except furniture	P4 P18	P4 P18		P4 P18 C((S))	P4						C6		P
25	Furniture and Fixtures		P19		P19							C		P
26	Paper and Allied Products													C
27	Printing and Publishing									P7	P7	P7C	P7 C	P
*	<del>((Marijuana))</del> Cannabis Processor I	P20			P27						P21 C22	P21 C22		
*	<del>((Marijuana))</del> Cannabis Processor II										P23 C24	P23 C24		P25 C26
28	Chemicals and Allied													C



	Products													
2911	Petroleum Refining and Related Industries													C
30	Rubber and Misc. Plastics Products													C
31	Leather and Leather Goods											C		<u>P33</u> <u>C</u>
32	Stone, Clay, Glass, and Concrete Products									P((6)) 9	P9			P
33	Primary Metal Industries													C
34	Fabricated Metal Products													P
35	Industrial and Commercial Machinery													P
351- 55	Heavy Machinery and Equipment													C
357	Computer and Office Equipment											C	C	P
36	Electronic and other Electric Equipment											C		P



82	Production/Distribution													
----	-------------------------	--	--	--	--	--	--	--	--	--	--	--	--	--

6109            B. Development conditions.

6110            1. Repealed.

6111            2. Except slaughterhouses.

6112            3.a. In the A zone, only allowed on sites where the primary use is SIC Industry

6113 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small

6114 Animals;

6115            b. Only allowed on lots of at least two and one-half acres, except that this

6116 requirement shall not apply on Vashon-Maury Island to winery, brewery, or distillery

6117 business locations in use and licensed to produce by the Washington state Liquor and

6118 Cannabis Board before January 1, 2019, and that in the RA zone, for sites that contain a

6119 building designated as historic resource under K.C.C. chapter 20.62, only allowed on lots

6120 of at least two acres;

6121            c. The aggregated floor area of structures and areas for winery, brewery,

6122 distillery facility uses shall not exceed three thousand five hundred square feet, unless

6123 located in whole or in part in a structure designated as historic resource under K.C.C.

6124 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to

6125 winery, brewery, distillery facility uses shall not exceed seven thousand square feet in the

6126 RA zone and five thousand square feet in the A zone. Decks that are not occupied and

6127 not open to the public are excluded from the calculation for maximum aggregated floor

6128 area;

6129            d. Structures and parking areas for winery, brewery, distillery facility uses

6130 shall maintain a minimum distance of seventy-five feet from interior property lines

6131 adjoining rural area and residential zones, unless located in a building designated as  
6132 historic resource under K.C.C. chapter 20.62, except that on Vashon-Maury Island this  
6133 setback requirement shall not apply to structures and parking areas in use on December 4,  
6134 2019, by existing winery, brewery or distillery business locations licensed to produce by  
6135 the Washington state Liquor and Cannabis Board before January 1, 2019;

6136 e. In the A zone, sixty percent or more of the products processed must be  
6137 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
6138 applicant shall submit a projection of the source of products to be produced;

6139 f. At least two stages of production of wine, beer, cider or distilled spirits, such  
6140 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
6141 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
6142 least one of the stages of production occurring on-site shall include crushing, fermenting  
6143 or distilling;

6144 g. In the A zone, structures and area for non-agricultural winery, brewery,  
6145 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
6146 for agricultural purposes, such as areas within the already developed portion of such  
6147 agricultural lands that are not available for direct agricultural production, or areas without  
6148 prime agricultural soils. No more than one acre of agricultural land may be converted to  
6149 a nonagricultural accessory use;

6150 h. Tasting and retail sales of products produced on-site may occur only as  
6151 accessory to the primary winery, brewery, distillery production use and may be provided  
6152 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
6153 limited to no more than thirty percent of the aggregated floor area and shall be included

6154 in the aggregated floor area limitation in subsection B.3.c. of this section. The limitation  
6155 on tasting and retail sales of products produced on-site shall not apply on Vashon-Maury  
6156 Island to winery, brewery, or distillery business locations in use and licensed to produce  
6157 by the Washington state Liquor and Cannabis Board before January 1, 2019, or on sites  
6158 in the RA zone that contain a building designated as historic resource under K.C.C.  
6159 chapter 20.62. Incidental retail sales of merchandise related to the products produced on-  
6160 site is allowed subject to the restrictions described in this subsection B.3. Hours of  
6161 operation for on-site tasting of products shall be limited as follows: Mondays, Tuesdays,  
6162 Wednesdays and Thursdays, tasting room hours shall be limited to 11:00 a.m. through  
6163 7:00 p.m.; and Fridays, Saturdays and Sundays, tasting room hours shall be limited to  
6164 11:00 a.m. through 9:00 p.m.;

6165 i. Access to the site shall be directly to and from an arterial roadway, except  
6166 that this requirement shall not apply on Vashon-Maury Island to winery, brewery,  
6167 distillery facility business locations in use and licensed to produce by the Washington  
6168 state Liquor and Cannabis Board before January 1, 2019;

6169 j. Off-street parking is limited to a maximum of one hundred fifty percent of  
6170 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6171 k. The business operator shall obtain an adult beverage business license in  
6172 accordance with K.C.C. chapter 6.74;

6173 l. Events may be allowed with an approved temporary use permit under K.C.C.  
6174 chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.; and

6175 m. The impervious surface associated with the winery, brewery, distillery  
6176 facility use shall not exceed twenty-five percent of the site, or the maximum impervious

6177 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
6178 whichever is less.

6179 4. Limited to rough milling and planing of products grown on-site with portable  
6180 equipment.

6181 5. (~~Limited to SIC Industry Group No. 242-Sawmills and SIC Industry No.~~  
6182 ~~2431-Millwork. For RA-zoned sites, if using lumber or timber grown off-site, the~~  
6183 ~~minimum site area is four and one-half acres.)) Repealed.~~

6184 6. Limited to uses found in SIC Industry No. 2434-Wood Kitchen Cabinets and  
6185 No. 2431-Millwork, (excluding planing mills).

6186 7. Limited to photocopying and printing services offered to the general public.

6187 8. Only within enclosed buildings, and as an accessory use to retail sales.

6188 9. Only within enclosed buildings.

6189 10. Limited to boat building of craft not exceeding forty-eight feet in length.

6190 11. For I-zoned sites located outside the urban growth area designated by the  
6191 King County Comprehensive Plan, uses shown as a conditional use in the table of K.C.C.  
6192 21A.08.080.A. shall be prohibited, and all other uses shall be subject to the provisions for  
6193 rural industrial uses (~~(as set forth)~~) in K.C.C. (~~(chapter 21A.12)~~) 21A.14.280.

6194 12.a. In the A zone, only allowed on sites where the primary use is SIC Industry  
6195 Group No. 01-Growing and Harvesting Crops or No. 02-Raising Livestock and Small  
6196 Animals;

6197 b. The aggregated floor area of structures and areas for winery, brewery,  
6198 distillery facility uses shall not exceed a total of eight thousand square feet. Decks that

6199 are not occupied and not open to the public are excluded from the calculation for  
6200 maximum aggregated floor area;

6201           c. Only allowed on lots of at least four and one-half acres. If the aggregated  
6202 floor area of structures for winery, brewery, distillery uses exceeds six thousand square  
6203 feet, the minimum site area shall be ten acres;

6204           d. Wineries, breweries, and distilleries shall comply with Washington state  
6205 Department of Ecology and King County board of health regulations for water usage and  
6206 wastewater disposal, and must connect to an existing Group A water system. The  
6207 definitions and limits of Group A water systems are described in K.C.C. 13.24.007, and  
6208 provision of water service is described in K.C.C. 13.24.138, 13.24.140 and 13.24.142;

6209           e. Structures and parking areas for winery, brewery distillery facility uses shall  
6210 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
6211 rural area and residential zones, unless located in a building designated as historic  
6212 resource under K.C.C. chapter 20.62;

6213           f. In the A Zone, sixty percent or more of the products processed must be  
6214 grown on-site. At the time of the initial application under K.C.C. chapter 6.74, the  
6215 applicant shall submit a projection of the source of products to be processed;

6216           g. At least two stages of production of wine, beer, cider or distilled spirits,  
6217 such as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized  
6218 by the Washington state Liquor and Cannabis Board production license, shall occur on-  
6219 site. At least one of the stages of on-site production shall include crushing, fermenting or  
6220 distilling;

6221           h. In the A zone, structures and areas for non-agricultural winery, brewery,  
6222 distillery facility uses shall be located on portions of agricultural lands that are unsuitable  
6223 for agricultural purposes, such as areas within the already developed portion of such  
6224 agricultural lands that are not available for direct agricultural production, or areas without  
6225 prime agricultural soils. No more than one acre of agricultural land may be converted to  
6226 a nonagricultural accessory use;

6227           i. Tasting and retail sales of products produced on-site may occur only as  
6228 accessory to the primary winery, brewery, distillery production use and may be provided  
6229 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
6230 limited to no more than thirty percent of the aggregated floor area and shall be included  
6231 in the aggregated floor area limitation in subsection B.12.b. and c. of this section.  
6232 Incidental retail sales of merchandise related to the products produced on-site is allowed  
6233 subject to the restrictions described in this subsection. Hours of operation for on-site  
6234 tasting of products shall be limited as follows: Mondays, Tuesdays, Wednesdays and  
6235 Thursdays, tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and  
6236 Fridays, Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m.  
6237 through 9:00 p.m.;

6238           j. Access to the site shall be directly to and from an arterial roadway;

6239           k. Off-street parking maximums shall be determined through the conditional  
6240 use permit process, and should not be more than one hundred fifty percent of the  
6241 minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6242           l. The business operator shall obtain an adult beverage business license in  
6243 accordance with K.C.C. chapter 6.74;



6244 m. Events may be allowed with an approved temporary use permit under  
6245 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;  
6246 and

6247 n. The impervious surface associated with the winery, brewery, distillery  
6248 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
6249 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
6250 whichever is less.

6251 13. Only on the same lot or same group of lots under common ownership or  
6252 documented legal control, which includes, but is not limited to, fee simple ownership, a  
6253 long-term lease, or an easement, and:

6254 a. does not include retail sales of processed materials, and

6255 b.(1) as accessory to a primary forestry use and at a scale appropriate to  
6256 process the organic waste generated on the site; or

6257 ~~((b.))~~ (2) as a continuation of a sawmill or lumber manufacturing use only for  
6258 that period to complete delivery of products or projects under contract at the end of the  
6259 sawmill or lumber manufacturing activity.

6260 14. Only on the same lot or same group of lots under common ownership or  
6261 documented legal control, which includes, but is not limited to, fee simple ownership, a  
6262 long-term lease, or an easement, and:

6263 a. does not include retail sales of processed materials; and

6264 b.(1) as accessory to a primary mineral use and may only process materials  
6265 generated from on-site or properties within three miles of the site; or

6266            ~~((b-))~~ (2) as a continuation of a mineral processing use only for that period to  
6267 complete delivery of products or projects under contract at the end of mineral extraction.

6268            15. Continuation of a materials processing facility after reclamation in  
6269 accordance with an approved reclamation plan.

6270            16. Only a site that is ten acres or greater and ~~((that))~~ in accordance with the  
6271 following:

6272            a. the site does not use local access streets that abut lots developed for  
6273 residential use;

6274            b. the materials processing use meets the requirements of K.C.C. 21A.12.220  
6275 and K.C.C. chapter 21A.16;

6276            c. the materials processing use obtains and maintains an operational grading  
6277 permit;

6278            d. storage of fill material, as defined in K.C.C. chapter 16.82, does not exceed  
6279 three thousand cubic yards;

6280            e. processed fill material, as defined in K.C.C. chapter 16.82, are primarily  
6281 from the rural area and natural resource lands; and

6282            f. Does not include retail sales of processed materials.

6283            17.a. The aggregated floor area of structures and areas for winery, brewery,  
6284 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
6285 located in whole or in part in a structure designated as historic resource under K.C.C.  
6286 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
6287 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks

6288 that are not occupied and not open to the public are excluded from the calculation for  
6289 maximum aggregated floor area;

6290           b. Structures and parking areas for winery, brewery, distillery facility uses  
6291 shall maintain a minimum distance of seventy-five feet from interior property lines  
6292 adjoining rural area and residential zones, unless located in a building designated as  
6293 historic resource under K.C.C. chapter 20.62;

6294           c. Tasting and retail sale of products produced on-site, and merchandise related  
6295 to the products produced on-site, may be provided in accordance with state law. The area  
6296 devoted to on-site tasting or retail sales shall be included in the aggregated floor area  
6297 limitation in subsection B.17.a. of this section;

6298           d. Off-street parking for the tasting and retail areas shall be limited to a  
6299 maximum of one space per fifty square feet of tasting and retail areas;

6300           e. The business operator shall obtain an adult beverage business license in  
6301 accordance with K.C.C. chapter 6.74; and

6302           f. Events may be allowed with an approved temporary use permit under K.C.C.  
6303 chapter 21A.32.

6304           18. Limited to:

6305           a. SIC Industry Group (~~(No.)~~) 242-Sawmills and SIC Industry (~~(No.)~~) 2431-  
6306 Millwork, as follows:

6307           (1) If using lumber or timber grown off-site, the minimum site area is four  
6308 and one-half acres; and

6309           (2) In the A and RA zones:

6310           (a) The facility shall be limited to an annual production of no more than one  
6311 hundred fifty thousand board feet;

6312           ~~((3))~~ (b) Structures housing equipment used in the operation shall be located  
6313 at least one-hundred feet from adjacent properties with ~~((residential or rural area))~~ R, UR,  
6314 and RA zoning;

6315           ~~((4))~~ (c) Deliveries and customer visits shall be limited to ~~((the hours of))~~  
6316 8:00 a.m. to 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

6317           ~~((5))~~ (d) In the RA zone, the facility's driveway shall have adequate entering  
6318 sight distance required by the 2007 King County Road Design and Construction  
6319 Standards. An adequate turn around shall be provided on-site to prevent vehicles from  
6320 backing out on to the roadway that the driveway accesses; and

6321           ~~((6))~~ (e) Outside lighting is limited to avoid off-site glare; and

6322           b. SIC Industry ~~((No.))~~ 2411-Logging.

6323           19. Limited to manufacture of custom made wood furniture or cabinets.

6324           20.a. Only allowed on lots of at least four and one-half acres;

6325           b. Only as an accessory use to a Washington state Liquor ~~((Control))~~ and  
6326 Cannabis Board licensed ~~((marijuana))~~ cannabis production facility on the same lot;

6327           c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6328           d. Only with documentation that the operator has applied for a Puget Sound  
6329 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6330 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6331 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6332 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6333 e. Accessory (~~((marijuana))~~) cannabis processing uses allowed under this section  
6334 are subject to all limitations applicable to (~~((marijuana))~~) cannabis production uses under  
6335 K.C.C. 21A.08.090.

6336 21.a. Only in the CB and RB zones located outside the urban growth area;

6337 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6338 c. Only with documentation that the operator has applied for a Puget Sound  
6339 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6340 (~~((marijuana))~~) cannabis producers or (~~((marijuana))~~) cannabis processors, or both, shall  
6341 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6342 before (~~((marijuana))~~) cannabis products are imported onto the site;

6343 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
6344 support of, processing (~~((marijuana))~~) cannabis together with any separately authorized  
6345 production of (~~((marijuana))~~) cannabis shall be limited to a maximum of two thousand  
6346 square feet; and

6347 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6348 every (~~((marijuana))~~) cannabis-related entity occupying space in addition to the two-  
6349 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
6350 (~~((set forth))~~) required in subsection B.22. of this section.

6351 22.a. Only in the CB and RB zones located outside the urban growth area;

6352 b. Per lot, the aggregated total gross floor area devoted to the use of, and in  
6353 support of, processing (~~((marijuana))~~) cannabis together with any separately authorized  
6354 production of (~~((marijuana))~~) cannabis shall be limited to a maximum of thirty thousand  
6355 square feet;

6356 c. With a lighting plan, only if required by K.C.C. 21A.12.220.G.; and  
6357 d. Only with documentation that the operator has applied for a Puget Sound  
6358 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6359 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6360 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6361 before ~~((marijuana))~~ cannabis products are imported onto the site.

6362 23.a. Only in the CB and RB zones located inside the urban growth area;  
6363 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6364 c. Only with documentation that the operator has applied for a Puget Sound  
6365 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6366 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6367 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6368 before ~~((marijuana))~~ cannabis products are imported onto the site;

6369 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
6370 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized  
6371 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of two thousand  
6372 square feet; and

6373 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6374 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
6375 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
6376 ~~((set forth))~~ required in subsection B.24. of this section.

6377 24.a. Only in the CB and RB zones located inside the urban growth area;  
6378 b. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6379 c. Only with documentation that the operator has applied for a Puget Sound  
6380 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6381 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6382 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6383 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6384 d. Per lot, the aggregated total gross floor area devoted to the use of, and in  
6385 support of, processing ~~((marijuana))~~ cannabis together with any separately authorized  
6386 production of ~~((marijuana))~~ cannabis shall be limited to a maximum of thirty thousand  
6387 square feet.

6388 25.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6389 b. Only with documentation that the operator has applied for a Puget Sound  
6390 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6391 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6392 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6393 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6394 c. Per lot, limited to a maximum aggregate total of two thousand square feet of  
6395 gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis  
6396 together with any separately authorized production of ~~((marijuana))~~ cannabis.

6397 26.a. With a lighting plan, only if required by K.C.C. 21A.12.220.G.;

6398 b. Only with documentation that the operator has applied for a Puget Sound  
6399 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6400 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall

6401 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6402 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6403 c. Per lot, limited to a maximum aggregate total of thirty thousand square feet  
6404 of gross floor area devoted to, and in support of, the processing of ~~((marijuana))~~ cannabis  
6405 together with any separately authorized production of ~~((marijuana))~~ cannabis.

6406 27.a. ~~((Marijuana))~~ Cannabis processors in all RA zoned areas except for  
6407 Vashon-Maury Island, that do not require a conditional use permit issued by King  
6408 County, that receive a Washington state Liquor and Cannabis Board license business  
6409 ~~((prior to))~~ before October 1, 2016, and that King County did not object to within the  
6410 Washington state Liquor and Cannabis Board ~~((marijuana))~~ cannabis license application  
6411 process, shall be considered nonconforming as to subsection B.27.e. of this section,  
6412 subject to the provisions of K.C.C. 21A.32.020 through 21A.32.075 for nonconforming  
6413 uses;

6414 b. Only with a lighting plan that complies with K.C.C. 21A.12.220.G.;

6415 c. Only with documentation that the operator has applied for a Puget Sound  
6416 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6417 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6418 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6419 before ~~((marijuana))~~ cannabis products are imported onto the site;

6420 d. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
6421 Island;

6422 e. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
6423 except on Vashon-Maury Island;



- 6424 f. Only as an accessory use to a Washington state Liquor Cannabis Board  
6425 licensed ((~~marijuana~~)) cannabis production facility on the same lot; and
- 6426 g. Accessory ((~~marijuana~~)) cannabis processing uses allowed under this section  
6427 are subject to all limitations applicable to ((~~marijuana~~)) cannabis production uses under  
6428 K.C.C. 21A.08.090.
- 6429 28. If the food and kindred products manufacturing or processing is associated  
6430 with agricultural activities it will be reviewed in accordance with K.C.C. 21A.08.090.
- 6431 29.a. Tasting and retail sales of products produced on-site, and merchandise  
6432 related to the products produced on-site, may be provided in accordance with state law;
- 6433 b. Structures and parking areas for winery, brewery, distillery facility uses  
6434 shall maintain a minimum distance of seventy-five feet from interior property lines  
6435 adjoining rural area and residential zones, unless located in a building designated as  
6436 historic resource under K.C.C. chapter 20.62;
- 6437 c. For winery, brewery, distillery facility uses that do not require a conditional  
6438 use permit, off-street parking for the tasting and retail areas shall be limited to a  
6439 maximum of one space per fifty square feet of tasting and retail areas. For winery,  
6440 brewery, distillery facility uses that do require a conditional use permit, off-street parking  
6441 maximums shall be determined through the conditional use permit process, and off-street  
6442 parking for the tasting and retail areas should be limited to a maximum of one space per  
6443 fifty square feet of tasting and retail areas;
- 6444 d. The business operator shall obtain an adult beverage business license in  
6445 accordance with K.C.C. chapter 6.74; and

6446 e. Events may be allowed with an approved temporary use permit under  
6447 K.C.C. chapter 21A.32.

6448 30.a. Only allowed on lots of at least two and one-half acres;

6449 b. The aggregated floor area of structures and areas for winery, brewery,  
6450 distillery facility uses shall not exceed three thousand five hundred square feet, unless  
6451 located in whole or in part in a structure designated as historic resource under K.C.C.  
6452 chapter 20.62, in which case the aggregated floor area of structures and areas devoted to  
6453 winery, brewery, distillery facility uses shall not exceed five thousand square feet. Decks  
6454 that are not occupied and not open to the public are excluded from the calculation for  
6455 maximum aggregated floor area;

6456 c. Structures and parking areas for winery, brewery, distillery facility uses  
6457 shall maintain a minimum distance of seventy-five feet from interior property lines  
6458 adjoining rural area and residential zones, unless located in a building designated as  
6459 historic resource under K.C.C. chapter 20.62;

6460 d. Tasting and retail sales of products produced on-site may only occur as  
6461 accessory to the primary winery, brewery, distillery production use and may be provided  
6462 in accordance with state law. The area devoted to on-site tasting or retail sales shall be  
6463 limited to no more than thirty percent of the aggregated floor area and shall be included  
6464 in the aggregated floor area limitation in subsection B.30.b. of this section. Incidental  
6465 retail sales of merchandise related to the products produced on-site is allowed subject to  
6466 the restrictions described in this subsection. Hours of operation for on-site tasting of  
6467 products shall be limited as follows: Mondays, Tuesdays, Wednesdays and Thursdays,  
6468 tasting room hours shall be limited to 11:00 a.m. through 7:00 p.m.; and Fridays,

6469 Saturdays and Sundays, tasting room hours shall be limited to 11:00 a.m. through 9:00  
6470 p.m.;

6471 e. Access to the site shall be directly to and from a public roadway;

6472 f. Off-street parking is limited to a maximum of one hundred fifty percent of  
6473 the minimum required for winery, brewery, distillery facilities in K.C.C. 21A.18.030;

6474 g. The business operator shall obtain an adult beverage business license in  
6475 accordance with K.C.C. chapter 6.74;

6476 h. Events may be allowed with an approved temporary use permit under  
6477 K.C.C. chapter 21A.32 or in compliance with the exemption in K.C.C. 21A.32.110.E.;

6478 i. At least two stages of production of wine, beer, cider or distilled spirits, such  
6479 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
6480 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
6481 least one of the stages of production occurring on-site shall include crushing, fermenting  
6482 or distilling; and

6483 j. The impervious surface associated with the winery, brewery, distillery  
6484 facility use shall not exceed twenty-five percent of the site, or the maximum impervious  
6485 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
6486 whichever is less.

6487 31.a. Limited to businesses with non-retail brewery and distillery production  
6488 licenses from the Washington state Liquor and Cannabis board. Wineries and remote  
6489 tasting rooms for wineries shall not be allowed;

6490 b. Tasting and retail sale of products produced on-site and merchandise related  
6491 to the products produced on-site may be provided in accordance with state law. The area

6492 devoted to on-site tasting or retail sales shall not exceed one thousand five hundred  
6493 square feet;

6494 c. Structures and parking areas for brewery and distillery facility uses shall  
6495 maintain a minimum distance of seventy-five feet from interior property lines adjoining  
6496 rural area and residential zones, unless located in a building designated as historic  
6497 resource under K.C.C. chapter 20.62;

6498 d. For brewery and distillery facility uses that do not require a conditional use  
6499 permit, off-street parking for the tasting and retail areas shall be limited to a maximum of  
6500 one space per fifty square feet of tasting and retail areas. For brewery and distillery  
6501 facility uses that do require a conditional use permit, off-street parking maximums shall  
6502 be determined through the conditional use permit process, and off-street parking for the  
6503 tasting and retail areas should be limited to a maximum of one space per fifty square feet  
6504 of tasting and retail areas;

6505 e. The business operator shall obtain an adult beverage business license in  
6506 accordance with K.C.C. chapter 6.74; and

6507 f. Events may be allowed with an approved temporary use permit under K.C.C.  
6508 chapter 21A.32.

6509 32.a. The aggregated floor area of structures and areas for winery, brewery,  
6510 distillery facility uses shall not exceed one thousand five hundred square feet;

6511 b. Structures and parking areas for winery, brewery, distillery facility uses  
6512 shall maintain a minimum distance of seventy-five feet from interior property lines  
6513 adjoining rural area and residential zones, unless located in a building designated as  
6514 historic resource under K.C.C. chapter 20.62;

6515 c. One on-site parking stall shall be allowed for the winery, brewery, distillery  
6516 facility I use;

6517 d. The business operator shall obtain an adult beverage business license in  
6518 accordance with K.C.C. chapter 6.74;

6519 e. At least two stages of production of wine, beer, cider or distilled spirits, such  
6520 as crushing, fermenting, distilling, barrel or tank aging, or finishing, as authorized by the  
6521 Washington state Liquor and Cannabis Board production license, shall occur on-site. At  
6522 least one of the stages of production occurring on-site shall include crushing, fermenting  
6523 or distilling;

6524 f. No product tasting or retail sales shall be allowed on-site;

6525 g. Events may be allowed in accordance with K.C.C. 21A.32.120.B.6; and

6526 h. The impervious surface associated with the winery, brewery, distillery  
6527 facility use shall not exceed twenty-five percent of the site or the maximum impervious  
6528 surface for the zone in accordance with K.C.C. 21A.12.030.A. or 21A.12.040.A.,  
6529 whichever is less.

6530 33. Except leather tanning and finishing.

6531 34. Except gasoline powered motorcycles.

6532 SECTION 153. Ordinance 10870, Section 336, as amended, and K.C.C.

6533 21A.08.090 are hereby amended to read as follows:

6534 A. Resource land uses.

<b>P-Permitted Use</b>	<b>RESOURC</b>	<b>R</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL/IN</b>
<b>C-Conditional Use</b>	<b>E</b>	<b>U</b>		<b>DUSTRIAL</b>

S-Special Use					R A L									
SIC#	SPECIFIC LAND USE	A	F	M	R	U	<u>R</u>	((	R	N	C	R	O	I
					A	R	<u>-1</u>	R	=	B	B	B		
								+	12					
								8)	=					
								)	<u>R</u>					
								<u>R</u>	-					
								<u>-4</u>	48					
								=						
								<u>R</u>						
								<u>-8</u>						
12	Coal Mining													
13	Oil and Gas Extraction													
* -	<u>Anaerobic Digester</u>	<u>P1</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>C3</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
		<u>3</u>			<u>1</u>	<u>0</u>	<u>30</u>	<u>30</u>	<u>30</u>					
		<u>C</u>			<u>3</u>									
					<u>C</u>									
	<b>AGRICULTURE:</b>													
01	Growing and	P	P		P	P	<u>P</u>	P	<u>P</u>	<u>P2</u>	<u>P2</u>	<u>P2</u>	<u>P</u>	P

	Harvesting Crops								<u>29</u>	<u>9</u>	<u>9</u>	<u>9</u>	<u>29</u>	
02	Raising Livestock and Small Animals (6)	P	P		P	P								P
*	Agricultural Activities	P2 4C	P2 4C		P 2 4 C	P2 4C	<u>P</u> <u>29</u> <u>C</u> <u>29</u>	<u>P</u> <u>29</u> <u>C</u> <u>29</u>	<u>P</u> <u>29</u> <u>C</u> <u>29</u>	<u>P2</u> <u>9</u>	<u>P2</u> <u>9</u>	<u>P2</u> <u>9</u>	<u>P</u> <u>29</u>	
*	Agricultural Support Services	P2 5C	P2 5C		P 2 6 C	P2 6C	<u>P</u> <u>26</u> <u>C</u>	<u>P</u> 26 C		P2 7 C 28	P2 7 C 28			
*	<del>((Marijuana))</del> <u>Cannabis</u> producer	P1 5 C2 2			P 1 6 C 1 7							P1 8 C 19	P1 8 C 19	P2 0 C 21
*	Agriculture Training Facility	C1 0												
*	Agriculture-related special needs camp	P1 2												

((*	<del>Agricultural Anaerobic Digester</del>	<del>P1 3))</del>												
	<b>FORESTRY:</b>													
08	Growing ((&)) <u>and</u> Harvesting Forest Production	P	P	P 7	P	P	<u>P</u>	P						P
*	Forest Research		P		P	P							P 2	P
	<b>FISH AND WILDLIFE MANAGEMENT :</b>													
0921	Hatchery/Fish Preserve (1)	P	P		P	P	<u>C</u>	C						P
0273	Aquaculture (1)	P	P		P	P	<u>C</u>	C						P
*	Wildlife Shelters	P	P		P	P								
	<b>MINERAL:</b>													
10, 14	Mineral Extraction and Processing		P9 C	P C 1 1										
2951,	Asphalt/Concrete		P8	P										P



3271, 3273	Mixtures and Block		C1 1	8 C 1 1										
	<b>ACCESSORY USES:</b>													
*	Resource Accessory Uses	P3 P2 3	P4	P 5	P 3	P3								P4
*	Farm Worker Housing	P1 4			P 1 4									

- 6535 B. Development conditions.
- 6536 1. May be further subject to K.C.C. chapter 21A.25.
- 6537 2. Only forest research conducted within an enclosed building.
- 6538 3. Farm residences in accordance with K.C.C. 21A.08.030.
- 6539 4. Excluding housing for agricultural workers.
- 6540 5. Limited to either maintenance or storage facilities, or both, in conjunction
- 6541 with mineral extraction or processing operation.
- 6542 6. Allowed in accordance with K.C.C. chapter 21A.30.
- 6543 7. Only in conjunction with a mineral extraction site plan approved in
- 6544 accordance with K.C.C. chapter 21A.22.

6545           8. Only on the same lot or same group of lots under common ownership or  
6546 documented legal control, which includes, but is not limited to, fee simple ownership, a  
6547 long-term lease<sub>2</sub> or an easement:

6548           a. as accessory to a primary mineral extraction use; or

6549           b. as a continuation of a mineral processing only for that period to complete  
6550 delivery of products or projects under contract at the end of a mineral extraction(~~(; or~~

6551           ~~e. for a public works project under a temporary grading permit issued in~~  
6552 ~~accordance with K.C.C. 16.82.152)).~~

6553           9. Limited to mineral extraction and processing:

6554           a. on a lot or group of lots under common ownership or documented legal  
6555 control, which includes<sub>2</sub> but is not limited to, fee simple ownership, a long-term lease<sub>2</sub> or  
6556 an easement;

6557           b. that are located greater than one-quarter mile from an established residence;

6558 and

6559           c. that do not use local access streets that abut lots developed for residential  
6560 use.

6561           10. Agriculture training facilities are allowed only as an accessory to existing  
6562 agricultural uses and are subject to the following conditions:

6563           a. The impervious surface associated with the agriculture training facilities  
6564 shall comprise not more than ten percent of the allowable impervious surface  
6565 ~~((permitted))~~ allowed under K.C.C. 21A.12.040;

6566           b. New or the expansion of existing structures, or other site improvements,  
6567 shall not be located on class 1, 2<sub>2</sub> or 3 soils;

6568 c. The director may require reuse of surplus structures to the maximum extent  
6569 practical;

6570 d. The director may require ~~((the clustering of))~~ new structures ~~((with))~~ to be  
6571 sited near existing structures;

6572 e. New structures or other site improvements shall be set back a minimum  
6573 distance of seventy-five feet from property lines adjoining ~~((rural area and residential))~~  
6574 RA, UR, and R zones;

6575 f. Bulk and design of structures shall be compatible with the architectural style  
6576 of the surrounding agricultural community;

6577 g. New sewers shall not be extended to the site;

6578 h. Traffic generated shall not impede the safe and efficient movement of  
6579 agricultural vehicles, nor shall it require capacity improvements to rural roads;

6580 i. Agriculture training facilities may be used to provide educational services to  
6581 the surrounding rural/agricultural community or for community events. Property owners  
6582 may be required to obtain a temporary use permit for community events in accordance  
6583 with K.C.C. chapter 21A.32;

6584 j. Use of lodging and food service facilities shall be limited only to activities  
6585 conducted in conjunction with training and education programs or community events  
6586 held on-site;

6587 k. Incidental uses, such as office and storage, shall be limited to those that  
6588 directly support education and training activities or farm operations; and

6589           1. The King County agriculture commission shall be notified of and have an  
6590 opportunity to comment upon all proposed agriculture training facilities during the permit  
6591 process in accordance with K.C.C. chapter 21A.40.

6592           11. Continuation of mineral processing and asphalt/concrete mixtures and block  
6593 uses after reclamation in accordance with an approved reclamation plan.

6594           12.a. Activities at the camp shall be limited to agriculture and agriculture-  
6595 oriented activities. In addition, activities that place minimal stress on the site's  
6596 agricultural resources or activities that are compatible with agriculture are (~~permitted~~)  
6597 allowed.

- 6598           (1) passive recreation;
- 6599           (2) training of individuals who will work at the camp;
- 6600           (3) special events for families of the campers; and
- 6601           (4) agriculture education for youth.

6602           b. Outside the camp center, as provided for in subsection B.12.e. of this  
6603 section, camp activities shall not preclude the use of the site for agriculture and  
6604 agricultural related activities, such as the processing of local food to create value-added  
6605 products and the refrigeration and storage of local agricultural products. The camp shall  
6606 be managed to coexist with agriculture and agricultural activities both on-site and in the  
6607 surrounding area.

6608           c. A farm plan shall be required for commercial agricultural production to  
6609 ensure adherence to best management practices and soil conservation.

6610           d.(1) The minimum site area shall be five hundred acres. Unless the property  
6611 owner has sold or transferred the development rights as provided in subsection B.12.c.(3)

6612 of this section, a minimum of five hundred acres of the site (~~(must)~~) shall be owned by a  
6613 single individual, corporation, partnership, or other legal entity and (~~(must)~~) shall remain  
6614 under the ownership of a single individual, corporation, partnership, or other legal entity  
6615 for the duration of the operation of the camp.

6616 (2) Nothing in subsection B.12.d.(1) of this section prohibits the property  
6617 owner from selling or transferring the development rights for a portion or all of the site to  
6618 the King County farmland preservation program or, if the development rights are  
6619 extinguished as part of the sale or transfer, to a nonprofit entity approved by the director;

6620 e. The impervious surface associated with the camp shall comprise not more  
6621 than ten percent of the allowable impervious surface (~~(permitted)~~) allowed under K.C.C.  
6622 21A.12.040;

6623 f. Structures for living quarters, dining facilities, medical facilities, and other  
6624 nonagricultural camp activities shall be located in a camp center. The camp center shall  
6625 be no more than fifty acres and shall be depicted on a site plan. New structures for  
6626 nonagricultural camp activities shall be (~~(clustered with)~~) sited near existing structures;

6627 g. To the extent practicable, existing structures shall be reused. The applicant  
6628 shall demonstrate to the director that a new structure for nonagricultural camp activities  
6629 cannot be practicably accommodated within an existing structure on the site, though  
6630 cabins for campers shall be (~~(permitted)~~) allowed only if they do not already exist on-site;

6631 h. Camp facilities may be used to provide agricultural educational services to  
6632 the surrounding rural and agricultural community or for community events. If required  
6633 by K.C.C. chapter 21A.32, the property owner shall obtain a temporary use permit for  
6634 community events;

6635 i. Lodging and food service facilities shall only be used for activities related to  
6636 the camp or for agricultural education programs or community events held on-site;

6637 j. Incidental uses, such as office and storage, shall be limited to those that  
6638 directly support camp activities, farm operations, or agricultural education programs;

6639 k. New nonagricultural camp structures and site improvements shall maintain a  
6640 minimum set-back of seventy-five feet from property lines adjoining (~~rural area and~~  
6641 ~~residential~~) RA, UR, and R zones;

6642 l. Except for legal nonconforming structures existing as of January 1, 2007,  
6643 camp facilities, such as a medical station, food service hall, and activity rooms, shall be  
6644 of a scale to serve overnight camp users;

6645 m. Landscaping equivalent to a type III landscaping screen, as provided for in  
6646 K.C.C. 21A.16.040, of at least twenty feet shall be provided for nonagricultural structures  
6647 and site improvements located within two hundred feet of an adjacent (~~rural area and~~  
6648 ~~residential~~) RA, UR, and R zoned property not associated with the camp;

6649 n. New sewers shall not be extended to the site;

6650 o. The total number of persons staying overnight shall not exceed three  
6651 hundred;

6652 p. The length of stay for any individual overnight camper, not including camp  
6653 personnel, shall not exceed ninety days during a three-hundred-sixty-five-day period;

6654 q. Traffic generated by camp activities shall not impede the safe and efficient  
6655 movement of agricultural vehicles nor shall it require capacity improvements to rural  
6656 roads;

6657           r. If the site is adjacent to an arterial roadway, access to the site shall be  
6658 directly onto the arterial unless the county road engineer determines that direct access is  
6659 unsafe;

6660           s. If direct access to the site is via local access streets, transportation  
6661 management measures shall be used to minimize adverse traffic impacts;

6662           t. Camp recreational activities shall not involve the use of motor vehicles  
6663 unless the motor vehicles are part of an agricultural activity or are being used for the  
6664 transportation of campers, camp personnel, or the families of campers. Camp personnel  
6665 may use motor vehicles for the operation and maintenance of the facility. Client-specific  
6666 motorized personal mobility devices are allowed; and

6667           u. Lights to illuminate the camp or its structures shall be arranged to reflect the  
6668 light away from any adjacent property.

6669           13. Limited to digester receiving plant and animal and other organic waste from  
6670 agricultural activities, and including electrical generation, as follows:

6671           a. the digester (~~((must))~~) shall be included as part of a Washington state  
6672 Department of Agriculture approved dairy nutrient plan;

6673           b. the digester (~~((must))~~) shall process at least seventy percent livestock manure  
6674 or other agricultural organic material from farms in the vicinity, by volume;

6675           c. imported organic waste-derived material, such as food processing waste,  
6676 may be processed in the digester for the purpose of increasing methane gas production for  
6677 beneficial use, but (~~((not))~~) shall not exceed thirty percent of volume processed by the  
6678 digester; and

6679 d. the use (~~(must)~~) shall be accessory to an operating dairy or livestock  
6680 operation.

6681 14. Farm worker housing. Either:

6682 a. Temporary farm worker housing subject to the following conditions:

6683 (1) The housing (~~(must)~~) shall be licensed by the Washington state

6684 Department of Health under chapter 70.114A RCW and chapter 246-358 WAC;

6685 (2) Water supply and sewage disposal systems (~~(must be approved)~~) are

6686 subject to approval by (~~(the Seattle King County department of)~~) public health – Seattle

6687 & King County;

6688 (3) To the maximum extent practical, the housing should be located on

6689 nonfarmable areas that are already disturbed and should not be located in the floodplain

6690 or in a critical area or critical area buffer; and

6691 (4) The property owner shall file with the department of executive services,

6692 records and licensing services division, a notice approved by the department identifying

6693 the housing as temporary farm worker housing and that the housing shall be occupied

6694 only by agricultural employees and their families while employed by the owner or

6695 operator or on a nearby farm. The notice shall run with the land; or

6696 b. Housing for agricultural employees who are employed by the owner or

6697 operator of the farm year-round as follows:

6698 (1) Not more than:

6699 (a) one agricultural employee dwelling unit on a site less than twenty acres;

6700 (b) two agricultural employee dwelling units on a site of at least twenty

6701 acres and less than fifty acres;



6702 (c) three agricultural employee dwelling units on a site of at least fifty acres  
6703 and less than one-hundred acres; and

6704 (d) four agricultural employee dwelling units on a site of at least one-  
6705 hundred acres, and one additional agricultural employee dwelling unit for each additional  
6706 one hundred acres thereafter;

6707 (2) If the primary use of the site changes to a nonagricultural use, all  
6708 agricultural employee dwelling units shall be removed;

6709 (3) The applicant shall file with the department of executive services, records  
6710 and licensing services division, a notice approved by the department that identifies the  
6711 agricultural employee dwelling units as accessory and that the dwelling units shall only  
6712 be occupied by agricultural employees who are employed by the owner or operator year-  
6713 round. The notice shall run with the land. The applicant shall submit to the department  
6714 proof that the notice was filed with the department of executive services, records and  
6715 licensing services division, before the department approves any permit for the  
6716 construction of agricultural employee dwelling units;

6717 (4) An agricultural employee dwelling unit shall not exceed a floor area of  
6718 one thousand square feet and may be occupied by no more than eight unrelated  
6719 agricultural employees;

6720 (5) To the maximum extent practical, the housing should be located on  
6721 nonfarmable areas that are already disturbed;

6722 (6) One off-street parking space shall be provided for each agricultural  
6723 employee dwelling unit; and

6724 (7) The agricultural employee dwelling units shall be constructed in  
6725 compliance with K.C.C. Title 16.

6726 15. (~~marijuana~~) Cannabis production by (~~marijuana~~) cannabis producers  
6727 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6728 standards:

6729 a. Only allowed on lots of at least four and one-half acres;

6730 b. With a lighting plan, only if required by and that complies with K.C.C.  
6731 21A.12.220.G.;

6732 c. Only with documentation that the operator has applied for a Puget Sound  
6733 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6734 (~~marijuana~~) cannabis producers or (~~marijuana~~) cannabis processors, or both, shall  
6735 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6736 before (~~marijuana~~) cannabis products are imported onto the site;

6737 d. Production is limited to outdoor, indoor within (~~marijuana~~) cannabis  
6738 greenhouses, and within structures that are nondwelling unit structures that exist as of  
6739 October 1, 2013, subject to the size limitations in subsection B.15.e. of this section;

6740 e. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6741 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
6742 aggregated total of two thousand square feet and shall be located within a fenced area or  
6743 (~~marijuana~~) cannabis greenhouse that is no more than ten percent larger than that  
6744 combined area, or may occur in nondwelling unit structures that exist as of October 1,  
6745 2013;

6746 f. Outdoor production area fencing as required by the Washington state Liquor  
6747 and Cannabis Board, ~~((marijuana))~~ cannabis greenhouses and nondwelling unit structures  
6748 shall maintain a minimum street setback of fifty feet and a minimum interior setback of  
6749 thirty feet; and

6750 g. If the two-thousand-square-foot-per-lot threshold of plant canopy combined  
6751 with area used for processing under K.C.C. 21A.08.080 is exceeded, each and every  
6752 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-  
6753 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~  
6754 required in subsection B.22. of this section.

6755 16. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
6756 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6757 standards:

6758 a. ~~((Marijuana))~~ Cannabis producers in all RA zoned areas except for Vashon-  
6759 Maury Island, that do not require a conditional use permit issued by King County, that  
6760 receive a Washington state Liquor and Cannabis Board license business before October  
6761 1, 2016, and that King County did not object to within the Washington state Liquor and  
6762 Cannabis Board ~~((marijuana))~~ cannabis license application process, shall be considered  
6763 nonconforming as to subsection B.16.d. and h. of this section, subject to the provisions of  
6764 K.C.C. 21A.32.020 through 21A.32.075 for nonconforming uses;

6765 b. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with  
6766 K.C.C. 21A.12.220.G.;

6767 c. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
6768 Island;

6769           d. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
6770 except on Vashon-Maury Island;

6771           e. Only with documentation that the operator has applied for a Puget Sound  
6772 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6773 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6774 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6775 before ~~((marijuana))~~ cannabis products are imported onto the site;

6776           f. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis  
6777 greenhouses, and within nondwelling unit structures that exist as of October 1, 2013,  
6778 subject to the size limitations in subsection B.16.g. of this section; and

6779           g. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6780 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
6781 aggregated total of two thousand square feet and shall be located within a fenced area or  
6782 ~~((marijuana))~~ cannabis greenhouse, that is no more than ten percent larger than that  
6783 combined area, or may occur in nondwelling unit structures that exist as of October 1,  
6784 2013;

6785           h. Outdoor production area fencing as required by the Washington state Liquor  
6786 and Cannabis Board and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum  
6787 street setback of fifty feet and a minimum interior setback of one hundred feet; and a  
6788 minimum setback of one hundred fifty feet from any existing residence; and

6789           i. If the two-thousand-square-foot-per-lot threshold of plant canopy within  
6790 fenced areas or ~~((marijuana))~~ cannabis greenhouses is exceeded, each and every  
6791 ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-thousand-

6792 square-foot threshold area on that lot shall obtain a conditional use permit as ~~((set forth))~~  
6793 required in subsection B.17. of this section.

6794 17. ~~((Marijuana))~~ Cannabis production by ~~((marijuana))~~ cannabis producers  
6795 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6796 standards:

6797 a. Only allowed on lots of at least four and one-half acres on Vashon-Maury  
6798 Island;

6799 b. Only allowed in the RA-10 or the RA-20 zone, on lots of at least ten acres,  
6800 except on Vashon-Maury Island;

6801 c. In ~~((all rural area))~~ RA zones, only with a lighting plan that complies with  
6802 K.C.C. 21A.12.220.G.;

6803 d. Only with documentation that the operator has applied for a Puget Sound  
6804 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6805 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6806 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6807 before ~~((marijuana))~~ cannabis products are imported onto the site;

6808 e. Production is limited to outdoor and indoor within ~~((marijuana))~~ cannabis  
6809 greenhouses subject to the size limitations in subsection B.17.f. of this section;

6810 f. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6811 any area used for processing under K.C.C. 21A.08.080 shall be limited to a maximum  
6812 aggregated total of thirty thousand square feet and shall be located within a fenced area or  
6813 ~~((marijuana))~~ cannabis greenhouse that is no more than ten percent larger than that  
6814 combined area; and

6815 g. Outdoor production area fencing as required by the Washington state Liquor  
6816 and Cannabis Board, and ~~((marijuana))~~ cannabis greenhouses shall maintain a minimum  
6817 street setback of fifty feet and a minimum interior setback of one hundred feet, and a  
6818 minimum setback of one hundred fifty feet from any existing residence.

6819 18.a. Production is limited to indoor only;

6820 b. With a lighting plan only as required by and that complies with K.C.C.  
6821 21A.12.220.G.;

6822 c. Only with documentation that the operator has applied for a Puget Sound  
6823 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6824 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6825 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6826 before ~~((marijuana))~~ cannabis products are imported onto the site; and

6827 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6828 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6829 aggregated total of two thousand square feet and shall be located within a building or  
6830 tenant space that is no more than ten percent larger than the plant canopy and separately  
6831 authorized processing area; and

6832 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6833 every ~~((marijuana))~~ cannabis-related entity occupying space in addition to the two-  
6834 thousand-square foot threshold area on that parcel shall obtain a conditional use permit as  
6835 ~~((set forth))~~ required in subsection B.19. of this section.

6836 19.a. Production is limited to indoor only;

6837           b. With a lighting plan only as required by and that complies with K.C.C.

6838 21A.12.220.G.;

6839           c. Only with documentation that the operator has applied for a Puget Sound  
6840 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6841 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6842 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6843 before ((~~marijuana~~)) cannabis products are imported onto the site; and

6844           d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6845 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6846 aggregated total of thirty thousand square feet and shall be located within a building or  
6847 tenant space that is no more than ten percent larger than the plant canopy and separately  
6848 authorized processing area.

6849           20.a. Production is limited to indoor only;

6850           b. With a lighting plan only as required by and that complies with K.C.C.

6851 21A.12.220.G.;

6852           c. Only with documentation that the operator has applied for a Puget Sound  
6853 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6854 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6855 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6856 before ((~~marijuana~~)) cannabis products are imported onto the site;

6857           d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6858 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6859 aggregated total of two thousand square feet and shall be located within a building or

6860 tenant space that is no more than ten percent larger than the plant canopy and separately  
6861 authorized processing area; and

6862 e. If the two-thousand-square-foot-per-lot threshold is exceeded, each and  
6863 every ((~~marijuana~~)) cannabis-related entity occupying space in addition to the two-  
6864 thousand-square-foot threshold area on that lot shall obtain a conditional use permit as  
6865 ((~~set forth~~)) required in subsection B.21. of this section.

6866 21.a. Production is limited to indoor only;

6867 b. With a lighting plan only as required by and that complies with K.C.C.  
6868 21A.12.220.G.;

6869 c. Only with documentation that the operator has applied for a Puget Sound  
6870 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6871 ((~~marijuana~~)) cannabis producers or ((~~marijuana~~)) cannabis processors, or both, shall  
6872 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6873 before ((~~marijuana~~)) cannabis products are imported onto the site; and

6874 d. Per lot, the plant canopy, as defined in WAC 314-55-010, combined with  
6875 any area used for processing under K.C.C. 21A.08.080, shall be limited to a maximum  
6876 aggregated total of thirty thousand square feet and shall be located within a building or  
6877 tenant space that is no more than ten percent larger than the plant canopy and separately  
6878 authorized processing area.

6879 22. ((~~Marijuana~~)) Cannabis production by ((~~marijuana~~)) cannabis producers  
6880 licensed by the Washington state Liquor and Cannabis Board is subject to the following  
6881 standards:



- 6882           a. With a lighting plan only as required by and that complies with K.C.C.  
6883 21A.12.220.G.;
- 6884           b. Only allowed on lots of at least four and one-half acres;
- 6885           c. Only with documentation that the operator has applied for a Puget Sound  
6886 Clean Air Agency Notice of Construction Permit. All department permits issued to either  
6887 ~~((marijuana))~~ cannabis producers or ~~((marijuana))~~ cannabis processors, or both, shall  
6888 require that a Puget Sound Clean Air Agency Notice of Construction Permit be approved  
6889 before ~~((marijuana))~~ cannabis products are imported onto the site;
- 6890           d. Production is limited to outdoor, indoor within ~~((marijuana))~~ cannabis  
6891 greenhouses, and within structures that are nondwelling unit structures that exist as of  
6892 October 1, 2013, subject to the size limitations in subsection B.22. e. and f. of this  
6893 section;
- 6894           e. On lots less than ten acres, per lot, the plant canopy, as defined in WAC  
6895 314-55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall  
6896 be limited to a maximum aggregated total of five thousand square feet and shall be  
6897 located within a fenced area or ~~((marijuana))~~ cannabis greenhouse that is no more than  
6898 ten percent larger than that combined area, or may occur in nondwelling unit structures  
6899 that exist as of October 1, 2013;
- 6900           f. On lots ten acres or more, per lot, the plant canopy, as defined in WAC 314-  
6901 55-010, combined with any area used for processing under K.C.C. 21A.08.080 shall be  
6902 limited to a maximum aggregated total of ten thousand square feet, and shall be located  
6903 within a fenced area or ~~((marijuana))~~ cannabis greenhouse that is no more than ten

6904 percent larger than that combined area, or may occur in nondwelling unit structures that  
6905 exist as of October 1, 2013; and

6906 g. Outdoor production area fencing as required by the Washington state Liquor  
6907 and Cannabis Board, (~~marijuana~~) cannabis greenhouses and nondwelling unit structures  
6908 shall maintain a minimum street setback of fifty feet and a minimum interior setback of  
6909 one hundred feet, and a minimum setback of one hundred fifty feet from any existing  
6910 residence.

6911 23. The storage and processing of (~~non-manufactured~~) nonmanufactured  
6912 source separated organic waste that originates from agricultural operations and that does  
6913 not originate from the site, if:

6914 a. agricultural is the primary use of the site;

6915 b. the storage and processing are in accordance with best management  
6916 practices included in an approved farm plan; and

6917 c. except for areas used for manure storage, the areas used for storage and  
6918 processing do not exceed three acres and ten percent of the site.

6919 24.a. For activities relating to the processing of crops or livestock for  
6920 commercial purposes, including associated activities such as warehousing, storage,  
6921 including refrigeration, and other similar activities and excluding winery, brewery,  
6922 distillery facility I, II, III and remote tasting room:

6923 (1) limited to agricultural products and sixty percent or more of the products  
6924 processed (~~must~~) shall be grown in the Puget Sound counties. At the time of initial  
6925 application, the applicant shall submit a projection of the source of products to be  
6926 produced;

6927 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
6928 half acres;

6929 (3)(a) as a permitted use, the floor area devoted to all processing shall not  
6930 exceed two thousand square feet, unless located in a building designated as an historic  
6931 resource under K.C.C. chapter 20.62. The agricultural technical review committee, as  
6932 established in K.C.C. 21A.42.300, may review and approve an increase in the processing  
6933 floor area as follows: up to three thousand five hundred square feet of floor area may be  
6934 devoted to all processing in the RA zones or on farms less than thirty-five acres located in  
6935 the A zones or up to seven thousand square feet on farms greater than thirty-five acres in  
6936 the A zone; and

6937 (b) as a permitted use, the floor area devoted to all warehousing,  
6938 refrigeration, storage, or other similar activities shall not exceed two thousand square  
6939 feet, unless located in a building designated as historic resource under K.C.C. chapter  
6940 20.62. The agricultural technical review committee, as established in K.C.C.  
6941 21A.42.300, may review and approve an increase of up to three thousand five hundred  
6942 square feet of floor area devoted to all (~~warehousing~~) warehousing, storage, including  
6943 refrigeration, or other similar activities in the RA zones or on farms less than thirty-five  
6944 acres located in the A zones or up to seven thousand square feet on farms greater than  
6945 thirty-five acres in the A zone;

6946 (4) in the A zone, structures and areas used for processing, warehousing,  
6947 (~~refrigeration~~) refrigeration, storage, and other similar activities shall be located on  
6948 portions of agricultural lands that are unsuitable for other agricultural purposes, such as

6949 areas within the already developed portion of such agricultural lands that are not  
6950 available for direct agricultural production, or areas without prime agricultural soils; and  
6951 (5) structures and areas used for processing, warehousing, storage, including  
6952 refrigeration, and other similar activities shall maintain a minimum distance of seventy-  
6953 five feet from property lines adjoining ~~((rural area and residential))~~ RA, UR, and R zones,  
6954 unless located in a building designated as historic resource under K.C.C. chapter 20.62.

6955 b. For activities relating to the retail sale of agricultural products, except  
6956 livestock:

6957 (1) sales shall be limited to agricultural products and locally made arts and  
6958 crafts;

6959 (2) in the RA and UR zones, only allowed on sites at least four and one-  
6960 half acres;

6961 (3) as a permitted use, the covered sales area shall not exceed two thousand  
6962 square feet, unless located in a building designated as a historic resource under K.C.C.  
6963 chapter 20.62. The agricultural technical review committee, as established in K.C.C.  
6964 21A.42.300, may review and approve an increase of up to three thousand five hundred  
6965 square feet of covered sales area;

6966 (4) forty percent or more of the gross sales of agricultural product sold  
6967 through the store ~~((must))~~ shall be sold by the producers of primary agricultural products;

6968 (5) sixty percent or more of the gross sales of agricultural products sold  
6969 through the store shall be derived from products grown or produced in the Puget Sound  
6970 counties. At the time of the initial application, the applicant shall submit a reasonable  
6971 projection of the source of product sales;

6972 (6) tasting of products, in accordance with applicable health regulations, is  
6973 allowed;

6974 (7) storage areas for agricultural products may be included in a farm store  
6975 structure or in any accessory building; and

6976 (8) outside lighting is ~~((permitted))~~ allowed if there is no off-site glare.

6977 c. Retail sales of livestock is ~~((permitted))~~ allowed only as accessory to  
6978 raising livestock.

6979 d. Farm operations, including equipment repair and related facilities, except  
6980 that:

6981 (1) the repair of tools and machinery is limited to those necessary for the  
6982 operation of a farm or forest;

6983 (2) in the RA and UR zones, only allowed on sites of at least four and one-  
6984 half acres;

6985 (3) the size of the total repair use is limited to one percent of the farm size  
6986 in the A zone, and up to one percent of the size in other zones, up to a maximum of five  
6987 thousand square feet unless located within an existing farm structure, including, but not  
6988 limited to, barns, existing as of December 31, 2003; and

6989 (4) Equipment repair shall not be ~~((permitted))~~ allowed in the Forest zone.

6990 e. The agricultural technical review committee, as established in K.C.C.  
6991 21A.42.300, may review and approve reductions of minimum site sizes in the ~~((rural and  
6992 residential))~~ RA, UR, and R zones and minimum setbacks from ~~((rural and residential))~~  
6993 RA, UR, and R zones.

- 6994           25. The department may review and approve establishment of agricultural  
6995 support services in accordance with the code compliance review process in K.C.C.  
6996 21A.42.300 only if:
- 6997           a. project is sited on lands that are unsuitable for direct agricultural production  
6998 based on size, soil conditions, or other factors and cannot be returned to productivity by  
6999 drainage maintenance; and
  - 7000           b. the proposed use is allowed under any Farmland Preservation Program  
7001 conservation easement and zoning development standards.
- 7002           26. The agricultural technical review committee, as established in K.C.C.  
7003 21A.42.300, may review and approve establishment of agricultural support services only  
7004 if the project site:
- 7005           a. adjoins or is within six hundred sixty feet of the agricultural production  
7006 district;
  - 7007           b. has direct vehicular access to the agricultural production district;
  - 7008           c. except for farmworker housing, does not use local access streets that abut  
7009 lots developed for residential use; and
  - 7010           ~~((b-))~~ d. has a minimum lot size of four and one-half acres.
- 7011           27. The agricultural technical review committee, as established in K.C.C.  
7012 21A.42.300, may review and approve establishment of agricultural support services only  
7013 if the project site:
- 7014           a. is outside the urban growth area~~((5))~~;
  - 7015           b. adjoins or is within six hundred sixty feet of the agricultural production  
7016 district~~((5))~~;

- 7017 c. has direct vehicular access to the agricultural production district((7));
- 7018 d. except for farmworker housing, does not use local access streets that abut
- 7019 lots developed for residential use; and
- 7020 e. has a minimum lot size of four and one-half acres.
- 7021 28. Only allowed on properties that are outside the urban growth area.
- 7022 29.a. Permitted as a primary use or an accessory use, except in accordance with
- 7023 subsection B.29.g. of this section.
- 7024 b. A sufficient water supply shall be available to support cultivation practices
- 7025 on-site;
- 7026 c. The site shall be designed and maintained to prevent water and fertilizer
- 7027 runoff onto adjacent properties;
- 7028 d. Compost materials shall be stored at least twenty feet from interior lot lines
- 7029 and in a manner that minimizes odors and is not visible from adjacent properties;
- 7030 e. Raising livestock and small animals, animal mortality management, and on-
- 7031 site animal waste storage, disposal, and processing is not allowed; and
- 7032 f. In the R-1 through R-48 zones:
- 7033 (1) The total lot area devoted to the use shall not exceed four thousand square
- 7034 feet.
- 7035 (2) Structures used for agricultural activities:
- 7036 (a) shall not exceed one thousand square feet in gross floor area per lot;
- 7037 (b) shall not exceed twelve feet in height, including any pitched roof;
- 7038 (c) shall be limited to raised garden beds, greenhouses, hoop houses, storage
- 7039 sheds, cold frames, and rain barrel systems; and

7040 (d) are also subject to the development standards that would apply to an  
7041 accessory structure in the zone, if the use is accessory.

7042 (3) Only mechanical equipment designed for household use may be used;

7043 (4) Retail sales and all other public use shall begin no earlier than 8:00 a.m.  
7044 and end by 7:00 p.m.;

7045 (5) Commercial deliveries and pickups are limited to one per day. On-site  
7046 sales are not considered commercial pickups;

7047 (6) No more than two motor vehicles dedicated to the use shall be stored on-  
7048 site, each with a gross vehicle weight of ten thousand pounds or less;

7049 (7) One identification sign is allowed, not exceeding one-hundred square  
7050 inches in area;

7051 g. A conditional use permit is required on properties twenty acres or more in  
7052 size in the R-1 zone, or to exceed the limitations of subsection B.29.f. of this section in  
7053 the R-1 through R-48 zones. Conditional use permits shall not be granted for properties  
7054 with an urban separator land use designation.

7055 30. Digester shall be limited to processing of waste generated on-site only.

7056 SECTION 154. Ordinance 10870, Section 337, as amended, and K.C.C.

7057 21A.08.100 are hereby amended to read as follows:

7058 A. Regional land uses.

<b>P-Permitted Use</b>	<b>RESOURCE</b>	<b>R</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL/INDUS</b>
<b>C-Conditional Use</b>		<b>U</b>		<b>TRIAL</b>
<b>S-Special Use</b>		<b>R</b>		



					A L									
SIC #	SPECIFIC LAND USE	A	F	M	R A	U R	<u>R-</u> <u>1</u>	(( <del>R-</del> - 8)) <u>R-</u> <u>4-</u> <u>R-</u> <u>8</u>	<u>R-</u> 12 = <u>R-</u> 48	N B	C B	RB	O	I (15 )
*	Jail						<u>S</u>	S	S	S	S	S	S	S
*	Jail Farm/Camp	S	S		S	S								
*	Work Release Facility				S1 9	S1 9	<u>S</u>	S	S	S	S	S	S	
*	Public Agency Animal Control Facility		S		S	S						S		P
*	Public Agency Training Facility		S		S3						S3	S3	S3	C4

*	Hydroelectric Generation Facility		C14 <u>S14</u> <u>b</u>		C1 4 S1 <u>4b</u>	C1 4 S1 <u>4b</u>	<u>C1</u> <u>4</u> <u>S1</u> <u>4b</u>	C1 4 S1 <u>4b</u>						
*	Search and Rescue Facility				C3 0 S3 0									
*	Non- hydroelectric Generation Facility	C12 S29	C12 S29	C12 S28	C1 2 S2 9	C1 2 S2 9	<u>C1</u> <u>2</u> <u>S2</u> <u>9</u>	C1 2 S2 9	C1 2 S2 9	C1 2 S2 9	C1 2 S2 9	C12 S29	C1 2 S2 9	P1 2 S2 9
*	Renewable Energy Generation Facility	C28	C28	C	C	C	<u>C</u>	C	C	C	C	C	C	C
*	Fossil Fuel Facility													S2 7
*	Communicatio n Facility (17)	C6c S	P		C6 c S	C6 c S	<u>C6</u> <u>c S</u>	C6 c S	C6 c S	C6 c S	P	P	P	P
*	Earth Station	P6b C	P		C6 a S	C6 a S	<u>C6</u> <u>a S</u>	C6 a S	C6 a S	P6 b	P	P	P	P

										C				
*	Energy Resource Recovery Facility		S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Soil Recycling Facility		S	S	S									C
*	Landfill		S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Transfer Station			S	S	S	<u>S</u>	S	S	S	S	S		P
*	Wastewater Treatment Facility				S	S	<u>S</u>	S	S	S	S	S	S	C
*	Municipal Water Production	S	P13 S	S	S	S	<u>S</u>	S	S	S	S	S	S	S
*	Airport/Helip ort	S7	S7		S	S	<u>S</u>	S	S	S	S	S	S	S
*	Regional Transit Authority Facility						P2 5							

*	Rural Public Infrastructure Maintenance Facility				C2 3									P
*	Transit Bus Base						<u>S</u>	S	S	S	S	S	S	P
*	Transit Comfort Facility				P2 6		<u>P2</u> <u>6</u>	P2 6	P2 6	P2 6	P2 6	P26	P2 6	P2 6
*	School Bus Base				C5 S2 0	C5 S	<u>C5</u> <u>S</u>	C5 S	C5 S	S	S	S	S	P
7948	Racetrack				S8	S8	<u>S8</u>	S8	S8	S8	S8	S8	S8	S2 4
*	Regional Motor Sports Facility													P
*	County Fairgrounds Facility				P2 1 S2 2									
*	Fairground										S	S		S

8422	Zoo/Wildlife Exhibit(2)		S9		S9	S	<u>S</u>	S	S		S	S		
7941	Stadium/Arena											S		S
8221 - 8222	College/Univer sity(1)	P10	P10		P1 0	P1 0	<u>P1</u> 0	P1 0	P1 0	P1 0	P	P	P	P
					C1 1	C1 1	<u>C1</u> 1	C1 1 S	C1 1 S	C1 1 S				
					S1 8	S1 8								
*	Zoo Animal Breeding Facility	P16	P16		P1 6									

7059 B. Development conditions.

7060 1. Except technical institutions. See vocational schools on general services land

7061 use table, K.C.C. 21A.08.050.

7062 2. Except arboretum. See K.C.C. 21A.08.040, (~~recreation~~) recreational and

7063 cultural land use table.

7064 3. Except weapons armories and outdoor shooting ranges.

7065 4. Except outdoor shooting range.

7066 5. Only in conjunction with an existing or proposed school.

7067 6.a. Limited to no more than three satellite dish antennae.

7068 b. Limited to one satellite dish antenna.

7069 c. Limited to tower consolidations.

- 7070           7. Limited to landing field for aircraft involved in forestry or agricultural  
7071 practices or for emergency landing sites.
- 7072           8. Except racing of motorized vehicles.
- 7073           9. Limited to wildlife exhibit.
- 7074           10. Only as a reuse of a public school facility subject to K.C.C. chapter 21A.32.
- 7075           11. Only as a reuse of a surplus nonresidential facility subject to K.C.C. chapter  
7076 21A.32.
- 7077           12.a. Limited to gas extraction as an accessory use to a waste management  
7078 process, such as wastewater treatment, landfill waste management, livestock manure, and  
7079 composting processes, and excluding anaerobic digesters.
- 7080           b. an equity impact review of the proposal using tools developed by the office  
7081 of equity and racial and social justice. The results from the equity impact review shall be  
7082 used to assess equity impacts and opportunities during county permit review and may be  
7083 used to inform determinations of project approval.
- 7084           13. Excluding impoundment of water using a dam.
- 7085           14.a. Limited to facilities that comply with the following:
- 7086           ~~((a-))~~ (1) Any new diversion structure shall not:
- 7087           ~~((1))~~ a) exceed a height of eight feet as measured from the streambed; or
- 7088           ~~((2))~~ b) impound more than three surface acres of water at the normal  
7089 maximum surface level;
- 7090           ~~((b-))~~ (2) There shall be no active storage;
- 7091           ~~((c-))~~ (3) The maximum water surface area at any existing dam or diversion  
7092 shall not be increased;

7093            ~~((d.))~~ (4) An exceedance flow of no greater than fifty percent in mainstream  
7094 reach shall be maintained;

7095            ~~((e.))~~ (5) Any transmission line shall ~~((be limited to a))~~ comply with the  
7096 following:

7097            ~~((1))~~ a) be limited to right-of-way of five miles or less; and

7098            ~~((2))~~ b) be limited to capacity of two hundred thirty KV or less;

7099            ~~((f.))~~ (6) Any new, permanent access road shall be limited to five miles or less;  
7100 and

7101            ~~((g.))~~ (7) The facility shall only be located above any portion of the stream  
7102 used by anadromous fish.

7103            b. The applicant shall submit an equity impact review of the proposal using  
7104 tools developed by the office of equity and racial and social justice. The results from the  
7105 equity impact review shall be used to assess equity impacts and opportunities during  
7106 county permit review and may be used to inform determinations of project approval.

7107            15. For I-zoned sites located outside the urban growth area designated by the  
7108 King County Comprehensive Plan, uses shown as a conditional or special use in K.C.C.  
7109 21A.08.100.A., except for ~~((waste water))~~ wastewater treatment facilities and racetracks,  
7110 shall be prohibited. All other uses, including ~~((waste water))~~ wastewater treatment  
7111 facilities, shall be subject to the provisions for rural industrial uses in K.C.C. ~~((chapter~~  
7112 ~~21A.12))~~ 21A.14.280.

7113            16. The operator of such a facility shall provide verification to the department of  
7114 natural resources and parks or its successor organization that the facility meets or exceeds  
7115 the standards of the Animal and Plant Health Inspection Service of the United States

7116 Department of Agriculture and the accreditation guidelines of the American Zoo and  
7117 Aquarium Association.

7118           17. The following provisions of the table apply only to major communication  
7119 facilities. Minor communication facilities shall be reviewed in accordance with the  
7120 processes and standard outlined in K.C.C. chapter 21A.27.

7121           18. Only for facilities related to resource-based research.

7122           19. Limited to work release facilities associated with natural resource-based  
7123 activities.

7124           20. Limited to projects (~~(which)~~) that do not require or result in an expansion of  
7125 sewer service outside the urban growth area, unless a finding is made that no cost-  
7126 effective alternative technologies are feasible, in which case a tightline sewer sized only  
7127 to meet the needs of the school bus base and serving only the school bus base may be  
7128 used. Renovation, expansion, modernization, or reconstruction of a school bus base is  
7129 (~~(permitted)~~) allowed but shall not require or result in an expansion of sewer service  
7130 outside the urban growth area, unless a finding is made that no cost-effective alternative  
7131 technologies are feasible, in which case a tightline sewer sized only to meet the needs of  
7132 the school bus base.

7133           21. Only in conformance with the King County Site Development Plan Report,  
7134 through modifications to the plan of up to ten percent are allowed for the following:

7135           a. building square footage;

7136           b. landscaping;

7137           c. parking;

7138           d. building height; or



7139 e. impervious surface.

7140 22. A special use permit shall be required for any modification or expansion of  
7141 the King County fairgrounds facility that is not in conformance with the King County  
7142 Site Development Plan Report or that exceeds the allowed modifications to the plan  
7143 identified in subsection B.21. of this section.

7144 23. The facility shall be primarily devoted to rural public infrastructure  
7145 maintenance and is subject to the following conditions:

7146 a. The minimum site area shall be ten acres, unless:

7147 (1) the facility is a reuse of a public agency yard; or

7148 (2) the site is separated from a county park by a street or utility right-of-way;

7149 b. Type 1 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
7150 between any stockpiling or grinding operations and adjacent residential zoned property;

7151 c. Type 2 landscaping as provided in K.C.C. chapter 21A.16 shall be provided  
7152 between any office and parking lots and adjacent residential zoned property;

7153 d. Access to the site does not use local access streets that abut residential zoned  
7154 property, unless the facility is a reuse of a public agency yard;

7155 e. Structural setbacks from property lines shall be as follows:

7156 (1) Buildings, structures, and stockpiles used in the processing of materials  
7157 shall be no closer than:

7158 (a) one hundred feet from any residential zoned properties, except that the  
7159 setback may be reduced to fifty feet when the grade where the building or structures are  
7160 proposed is fifty feet or greater below the grade of the residential zoned property;

7161 (b) fifty feet from any other zoned property, except when adjacent to a  
7162 mineral extraction or materials processing site;

7163 (c) the greater of fifty feet from the edge of any public street or the setback  
7164 from residential zoned property on the far side of the street; and

7165 (2) Offices, scale facilities, equipment storage buildings, and stockpiles shall  
7166 not be closer than fifty feet from any property line except when adjacent to M or F zoned  
7167 property or when a reuse of an existing building. Facilities necessary to control access to  
7168 the site, when demonstrated to have no practical alternative, may be located closer to the  
7169 property line;

7170 f. On-site clearing, grading, or excavation, excluding that necessary for  
7171 required access, roadway, or storm drainage facility construction, shall not be  
7172 ~~((permitted))~~ allowed within fifty feet of any property line except along any portion of the  
7173 perimeter adjacent to M or F zoned property. If native vegetation is restored, temporary  
7174 disturbance resulting from construction of noise attenuation features located closer than  
7175 fifty feet shall be ~~((permitted))~~ allowed; and

7176 g. Sand and gravel extraction shall be limited to forty thousand yards per year.

7177 24. The following accessory uses to a motor race track operation are allowed if  
7178 approved as part of the special use permit:

7179 a. motocross;

7180 b. autocross;

7181 c. skidpad;

7182 d. garage;

7183 e. driving school; and

7184 f. fire station.

7185 25. Regional transit authority facilities shall be exempt from setback and height  
7186 requirements.

7187 26. Transit comfort facility shall:

7188 a. only be located outside of the urban growth area boundary;

7189 b. be exempt from street setback requirements; and

7190 c. be no more than ((200)) two hundred square feet in size.

7191 27.a. Required for all new, modified, or expanded fossil fuel facilities.

7192 Modification or expansion includes, but is not limited to:

7193 (1) new uses or fuel types within existing facilities;

7194 (2) changes to the type of refining, manufacturing, or processing;

7195 (3) changes in the methods or volumes of storage or transport of raw  
7196 materials or processed products;

7197 (4) changes in the location of the facilities on-site;

7198 (5) replacement of existing facilities;

7199 (6) increases in power or water demands; or

7200 (7) increases in production capacity.

7201 b. Before filing an application with the department, the applicant shall hold a  
7202 community meeting in accordance with K.C.C. 20.20.035.

7203 c. As part of permit application submittal for new, modified, or expanded fossil  
7204 fuel facilities, the applicant shall submit the following documentation:

7205 (1) an inventory of similar existing facilities in King County and neighboring  
7206 counties, including their locations and capacities;

- 7207 (2) a forecast of the future needs for the facility;
- 7208 (3) an ~~((analysis of the potential social and economic impacts and benefits to~~  
7209 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact  
7210 review of the proposal using tools developed by the office of equity and racial and social  
7211 justice. The results from the equity impact review shall be used to assess equity impacts  
7212 and opportunities during county permit review and may be used to inform determinations  
7213 of project approval;
- 7214 (4) an analysis of alternatives to the facility, including location, conservation,  
7215 demand management, and other strategies;
- 7216 (5) an analysis of economic and environmental impacts, including mitigation,  
7217 of any similar existing facilities and of any new site~~((s))~~ or sites under consideration as  
7218 an alternative to expansion of an existing facility;
- 7219 (6) an extensive public involvement strategy that strives to effectively engage  
7220 a wide range of racial, ethnic, cultural, and socioeconomic groups, including  
7221 communities that are the most impacted;
- 7222 (7) considered evaluation of any applicable prior review conducted by a  
7223 public agency, local government, or ~~((stakeholder group))~~ interested party; and
- 7224 (8) a greenhouse gas impact analysis prepared by the applicant, the results of  
7225 which shall be used to identify and mitigate the impacts of such facilities.
- 7226 d.(1) As part of permit application submittal, the applicant shall demonstrate  
7227 financial responsibility in an amount necessary to compensate for the cost of  
7228 decommissioning, and for the maximum damages that might occur from an explosion

7229 resulting from a worst-case release, as defined in the 40 C.F.R. Sec. 68.3, of flammable  
7230 gases and flammable liquids.

7231 (2) The amount of financial responsibility necessary to compensate for  
7232 damages that might occur from an explosion shall be determined by the director based on  
7233 a study of the maximum potential damages. The study shall:

7234 (a) incorporate the volume of oils, gases, refrigerants, and other flammable  
7235 or explosive chemicals stored, used, or generated within the facility;

7236 (b) consider such matters as: the frequency of facility operations; facility  
7237 layout and vegetation that could cause flammable vapor accumulation; the damages that  
7238 could result from the explosion to public and private structures on-site and off-site, public  
7239 infrastructure and environmental resources and functions; and the potential loss of life  
7240 and injury to persons on-site and to members of the public;

7241 (c) include modeling and disclosure of a nil or very low wind condition  
7242 vapor cloud explosion scenario;

7243 (d) be prepared by a person accredited in vapor cloud explosion analysis, or  
7244 an equally qualified individual as authorized by the director, at the applicant's expense;  
7245 and

7246 (e) undergo third-party validation by a qualified entity to be hired upon  
7247 mutual agreement of the applicant and the department, at the applicant's expense.

7248 (3) The amount of financial responsibility necessary to compensate for  
7249 facility decommissioning shall be determined by the director based on a  
7250 decommissioning plan for the closure of the facility. The plan shall include, but need not  
7251 be limited to, the following:

7252 (a) listing of the hazardous substances, as defined in RCW 70A.305.020,  
7253 that will be stored, handled or generated within the facility; the range of potential release  
7254 volumes requiring cleanup in the event of failures of technological or safety catchment  
7255 features; and whether such releases have the potential to contaminate groundwater or  
7256 surface waters on or adjacent to the site;

7257 (b) the range of cleanup activities that would be required to address such  
7258 hazardous substances;

7259 (c) detailed estimates of the cost to implement the plan, including  
7260 conducting cleanup and facility closure, based on the cost of hiring a third party to  
7261 conduct all activities. All cost estimates (~~must~~) shall be in current dollars and may not  
7262 include a net present value adjustment or offsets for salvage value of wastes or other  
7263 property; and

7264 (d) methods for estimating closure costs.

7265 (4)(a) Financial responsibility shall be provided for the duration of fossil fuel  
7266 facility operations, to be verified in periodic review of the facilities in keeping with  
7267 K.C.C. chapter 21A.22. Financial responsibility required by this subsection B.27.e. may  
7268 be established by any one of, or a combination of, the following methods acceptable to  
7269 the department:

7270 i. evidence of insurance;

7271 ii. surety bonds issued by a bonding company authorized to do business in  
7272 the United States; and

7273 iii. other evidence of financial responsibility deemed acceptable by the  
7274 department.

7275 (b) Self-bonding, as defined in the 30 C.F.R. Sec. 800.5, shall not be an  
7276 accepted method of providing financial responsibility.

7277 (5) Where enforcement of this subsection B.27.e. would conflict with chapter  
7278 36.32 RCW, the director may request the applicant to sign an agreement to complete  
7279 retention of required financial responsibility consistent with K.C.C. 27A.30.060, in an  
7280 amount equivalent to that indicated by the study of the damages, prior to the issuance of a  
7281 clearing and grading permit.

7282 e. New, modified, or expanded fossil fuel facilities shall:

7283 (1) not be located within one thousand feet (~~from~~) of any schools, medical  
7284 care facilities, or places of assembly that have occupancies of greater than one thousand  
7285 persons;

7286 (2) not be located within two hundred fifty feet (~~from~~) of a regulated  
7287 wetland or aquatic area, except when a larger buffer is required under K.C.C. chapter  
7288 21A.24, the buffer in K.C.C. chapter 21A.24 shall apply;

7289 (3) maintain an interior setback of at least two hundred feet;

7290 (4) store fossil fuels completely within enclosed structures, tanks, or similar  
7291 facilities;

7292 (5) be accessed directly to and from an arterial roadway; and

7293 (6) comply with all applicable regulations in K.C.C. chapter 21A.22.

7294 f. Proposals shall only be approved when the following conditions are met:

7295 (1) the proposed facility can confine or mitigate all operational impacts;

7296 (2) the facility can adequately mitigate conflicts with adjacent land uses;

7297           (3) the full scope of environmental impacts, including life cycle greenhouse  
7298 gas emissions and public health, have been evaluated and appropriately conditioned or  
7299 mitigated as necessary, consistent with the County's substantive State Environmental  
7300 Policy Act authority;

7301           (4) the applicant can comply with applicable federal and state regulations,  
7302 including the Clean Water Act, Clean Air Act, and Endangered Species Act;

7303           (5) the applicant has demonstrated early, meaningful, and robust consultation  
7304 with Indian tribes, the public, and surrounding property owners to assess impacts to  
7305 Indian tribal treaty-protected cultural and fisheries resources; and

7306           (6) risks to public health and public safety can be mitigated.

7307           28. Limited to uses that will not convert more than two acres of farmland or  
7308 forestland, or ~~((2.5))~~ two and one-half percent of the farmland or forestland, whichever is  
7309 less.

7310           29.a. Before filing an application with the department, the applicant shall hold a  
7311 community meeting in accordance with K.C.C. 20.20.035.

7312           b. As part of permit application submittal for non-hydroelectric generation  
7313 facilities, the applicant shall submit the following documentation:

7314           (1) an inventory of similar existing facilities in King County and neighboring  
7315 counties, including their locations and capacities;

7316           (2) a report demonstrating that the facility would serve a significant portion  
7317 of the county, metropolitan region, or is part of a statewide or national system;

7318           (3) a forecast of the future needs for the facility;



7319 (4) an ~~((analysis of the potential social and economic impacts and benefits to~~  
7320 ~~jurisdictions and local communities receiving or surrounding the facility))~~ equity impact  
7321 review of the proposal using tools developed by the office of equity and racial and social  
7322 justice. The results from the equity impact review shall be used to assess equity impacts  
7323 and opportunities during county permit review and may be used to inform determinations  
7324 of project approval;

7325 (5) an analysis of alternatives to the facility, including location, conservation,  
7326 demand management, and other strategies;

7327 (6) an analysis of economic and environmental impacts, including mitigation,  
7328 of any similar existing facilities and of any new site or sites under consideration as an  
7329 alternative to expansion of an existing facility;

7330 (7) an extensive public involvement strategy ~~((which))~~ that strives to  
7331 effectively engage a wide range of racial, ethnic, cultural, and socioeconomic groups,  
7332 including communities that are the most impacted; and

7333 (8) considered evaluation of any applicable prior review conducted by a  
7334 public agency, local government or ~~((stakeholder group))~~ interested party; and

7335 (9) a greenhouse gas impact analysis prepared by the applicant, the results of  
7336 which shall be used to identify and mitigate the impacts of such facilities.

7337 c.(1) As part of permit application submittal, an applicant shall demonstrate  
7338 financial responsibility in an amount necessary to compensate for decommissioning, and  
7339 for the maximum damages that might occur from an explosion resulting from a worst-  
7340 case release, as defined in 40 C.F.R. Sec. 68.3, of flammable gases and flammable  
7341 liquids.

7342           (2) The amount of financial responsibility needed to compensate for damages  
7343 that might occur from an explosion shall be as determined by the director based on a  
7344 study of the maximum damages. The study shall:

7345           (a) incorporate the volume of oils, gases, refrigerants, and other flammable  
7346 or explosive chemicals stored, used, or generated within the facility;

7347           (b) consider such matters as: the frequency of facility operations; facility  
7348 layout and vegetation that could cause flammable vapor accumulation; the damages that  
7349 could result from the explosion to public and private structures on-site and off-site, public  
7350 infrastructure and environmental resources and functions; and the potential loss of life  
7351 and injury to persons on-site and to members of the public;

7352           (c) include modeling and disclosure of a nil or very low wind condition  
7353 vapor cloud explosion scenario;

7354           (d) be prepared by a person accredited in vapor cloud explosion analysis, or  
7355 an equally qualified individual as authorized by the director, at the applicant's expense;  
7356 and

7357           (e) undergo third-party validation by a qualified entity to be hired upon  
7358 mutual agreement of the applicant and the department, at the applicant's expense.

7359           (3) The amount of financial responsibility necessary to compensate for  
7360 facility decommissioning shall be determined by the director based on a  
7361 decommissioning plan for the closure of the facility. The plan shall include, but need not  
7362 be limited to, the following:

7363           (a) listing of the hazardous substances, as defined in RCW 70A.305.020,  
7364 that will be stored, handled, or generated within the facility; the range of potential release

7365 volumes requiring cleanup in the event of failures of technological or safety catchment  
7366 features; and whether such releases have the potential to contaminate groundwater or  
7367 surface waters on or adjacent to the site;

7368 (b) the range of cleanup activities that would be required to address such  
7369 hazardous substances;

7370 (c) detailed estimates of the cost to implement the plan, including  
7371 conducting cleanup and facility closure, based on the cost of hiring a third party to  
7372 conduct all activities. All cost estimates (~~(must)~~) shall be in current dollars and may not  
7373 include a net present value adjustment or offsets for salvage value of wastes or other  
7374 property; and

7375 (d) methods for estimating closure costs.

7376 (4)(a) Financial responsibility shall be provided for the duration of facility  
7377 operations, to be verified in the periodic review of the facilities required by subsection  
7378 B.29.d. of this section. Financial responsibility required by this subsection B.29.c. may  
7379 be established by any one of, or a combination of, the following methods acceptable to  
7380 the department:

7381 i. evidence of insurance;

7382 ii. surety bonds issued by a bonding company authorized to do business in  
7383 the United States; (~~and~~) or

7384 iii. other evidence of financial responsibility deemed acceptable by the  
7385 department.

7386 (b) Self-bonding, as defined by 30 C.F.R. Sec. 800.5, shall not be an accepted  
7387 method of providing financial responsibility.

7388 (5) Where enforcement of this subsection B.29.c. would conflict with chapter  
7389 36.32 RCW, the director may request the applicant to sign an agreement to complete  
7390 retention of required financial responsibility consistent with K.C.C. 27A.30.060, in an  
7391 amount equivalent to that indicated by the study of the damages, prior to the issuance of a  
7392 clearing and grading permit.

7393 d. Non-hydroelectric generation facilities shall be subject to a periodic review  
7394 meeting the same standards given in K.C.C. 21A.22.050.

7395 30.a. For all search and rescue facilities:

7396 (1) the minimum lot size is four and one half acres;

7397 (2) structures and parking areas for search and rescue facilities shall maintain  
7398 a minimum distance of seventy-five feet from interior lot lines that adjoin (~~rural area and~~  
7399 ~~residential~~) RA, UR, and R zones, unless located in a building designated as historic  
7400 resource under K.C.C. chapter 20.62;

7401 (3) use of the search and rescue facility is limited to activities directly relating  
7402 to the search and rescue organization, except that the facility may be used by law  
7403 enforcement and other public emergency responders for training and operations related to  
7404 search and rescue activities; and

7405 (4) the applicant (~~must~~) shall demonstrate the absence of existing search and  
7406 rescue facilities that are adequate to conduct search and rescue operations in the rural  
7407 area.

7408 b. A special use permit is required when helicopter fueling, maintenance, or  
7409 storage is proposed.

7410 SECTION 155. Ordinance 10870, Section 340, as amended, and K.C.C.

7411 21A.12.030 are hereby amended to read as follows:

7412 A. Densities and dimensions – residential and rural zones.

((RURAL ))  STANDARDS	<u>RURAL</u>				RESIDENTIAL								
	R A- 2. 5	R A- 5	RA -10	RA -20	UR	R-1 (17 ) (29 )	R-4	R-6	R-8	R- 12	R- 18	R- 24	R- 48
Base Density:	0.2	0.2	0.1	0.05	0.2	1	4	6	8	12	18	24	48
Dwelling Unit/Acre	2	2	du/ ac	du/a c	du/ ac	du/ ac	du/ ac	du/ ac	du/ ac	du /ac	du /ac	du /ac	du/ ac
(15) ((28))	(2 8)	(2 8)	(28 )	(28 )	(21)	(6)	(6)	(6)					
Maximum Density:	0.4					1.5 du/ ac	6 du/ ac	9 du/ ac	12 du/ ac	18 du /ac	27 du /ac	36 du /ac	72 du/ ac
Dwelling Unit/Acre	/ac	/ac				(1)	((2 2))	(1)	(1)	(1)	(1)	(1)	(1)
((4))	(2 0)						(1)	12 du/ ac	16 du/ ac	24 du	36 du	48 du	96 du/ ac

							8 du/ ac (27 )	ac (27 )	ac (27 )	/ac (2 7)	/ac (2 7)	/ac (2 7)	ac (27 )
Minimum Density: (2)							85 % (12 ) ( <del>12</del> ) ( <del>12</del> ) (23 )	85 % (12 ) ( <del>12</del> ) ( <del>12</del> )	85 % (12 ) ( <del>12</del> ) ( <del>12</del> )	80 % ( <del>18</del> ) ( <del>18</del> ) ( <del>18</del> )	75 % ( <del>18</del> ) ( <del>18</del> ) ( <del>18</del> )	70 % ( <del>18</del> ) ( <del>18</del> ) ( <del>18</del> )	65 % ( <del>18</del> ) ( <del>18</del> ) ( <del>18</del> )
Minimum Lot Area (13)	1. 87 5 ac	3. 75 ac	7.5 ac	15 ac			10, 000 sf (30 )						
Minimum Lot Width (3)	13 5 ft	13 5 ft	135 ft	135 ft	35 ft (7)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft

Minimum Street Setback (3)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (9)	30 ft (7)	20 ft ((2 9))	10 ft ((2 0-ft 0))	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)
Minimum Interior Setback (3) (16)	5 ft (9)	10 ft (9)	10 ft (9)	10 ft (9)	5 ft (7)	5 ft ((2 9))	5 ft ((1 0-ft 0))	5 ft (30)	5 ft (30)	5 ft (30)	5 ft (30)	5 ft (30)	5 ft ((1 0-ft 0))
Base Height (25a)	40 ft	40 ft	40 ft	40 ft	35 ft	35 ft ((2 9))	35 ft ((2 5-ft 25 a))	35 ft ((2 5-ft 25 a))	35 ft ((2 5-ft 25 a))	60 ft	60 ft	60 ft	60 ft

Maximum Height (25b) (31)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	75 ft (4)	<del>((3</del> <del>0-ft</del> <del>(25</del> <del>b)))</del> <del>45</del> <del>ft</del> <del>(14</del> <del>c)</del> <del>)</del> <del>75</del> <del>ft</del> <del>(4)</del>	45 ft (14	45 ft (14	<u>65</u> ft (1	75 ft (4)	75 ft (4)	75 ft (4)
Maximum Impervious Surface: Percentage (5) (26)	25 % (1	20 % (1	15 % (11	12.5 % (11)	30 % (11)	30 % (11	55 % ( <del>((2</del> <del>6)))</del> <del>((2</del> <del>6)))</del> <del>((2</del> <del>6)))</del>	70 % ( <del>((2</del> <del>6)))</del> <del>6)))</del>	75 % ( <del>((2</del> <del>6)))</del> <del>6)))</del>	85 % ( <del>((</del> <del>26</del> <del>)))</del> <del>3</del> <del>0)</del>	85 % ( <del>((</del> <del>26</del> <del>)))</del> <del>3</del> <del>0)</del>	85 % ( <del>((</del> <del>26</del> <del>)))</del> <del>3</del> <del>0)</del>	90 % ( <del>((2</del> <del>6)))</del> <del>(30</del> <del>)</del>

7413

B. Development conditions.

7414

1. ~~((This maximum density may be achieved o))~~Only through the application of:



7415 a. (~~residential density incentives in accordance with K.C.C. chapter 21A.34~~  
7416 ~~or~~) transfer(~~s~~) of development rights in accordance with K.C.C. chapter 21A.37, (~~or~~  
7417 ~~any combination of density incentive or density transfer~~) except for properties within the  
7418 Skyway-West Hill or North Highline subarea geographies; (~~or~~)

7419 b. (~~for properties within the Skyway West Hill or North Highline community~~  
7420 ~~service area subarea geographies, only as provided in the~~) the inclusionary housing  
7421 (~~regulations~~) program in K.C.C. chapter 21A.48;

7422 c. K.C.C. 21A.08.030.B.12.; or

7423 d. development of nine or fewer units on a site located within a half-mile  
7424 walkshed of a high-capacity or frequent transit stop as mapped by the Metro transit  
7425 department.

7426 2. Also see K.C.C. 21A.12.060 and K.C.C. 21A.12.085.

7427 3. These standards may be modified under the provisions for zero-lot-line and  
7428 townhouse developments.

7429 4.a. (~~Portions of a~~) A nonresidential structure may exceed the base height if  
7430 one additional foot of street and interior setback is provided for each foot above the base  
7431 height (~~limit~~). The following restrictions apply:

7432 (1) for netting or fencing and support structures for the netting or fencing  
7433 used to contain golf balls in the operation of golf courses or golf driving ranges, the  
7434 maximum height shall not exceed seventy-five feet, except for recreation or multiuse  
7435 parks, where the maximum height shall not exceed one hundred twenty-five feet, unless a  
7436 golf ball trajectory study requires a higher fence. All such netting, fencing, and support  
7437 structures are exempt from the additional interior setback requirement, regardless of

7438 whether located in a recreation or multiuse park;

7439 (2) properties (~~within the Skyway West Hill or North Highline community~~  
7440 ~~service area subarea geographies~~) with inclusionary housing developed in accordance  
7441 with K.C.C. chapter 21A.48 shall not increase height through this method; and

7442 (3) for all other structures, the maximum height achieved through this method  
7443 shall not exceed seventy-five feet.

7444 b. Accessory dwelling units and accessory living quarters shall not exceed base  
7445 heights, except that this requirement shall not apply to accessory dwelling units  
7446 constructed wholly within an existing dwelling unit.

7447 5. Applies to each individual lot. Impervious surface area standards for:

7448 a. Regional uses shall be established at the time of permit review;

7449 b. Nonresidential uses in (~~rural area and residential~~) RA, UR, and R zones  
7450 shall comply with K.C.C. 21A.12.120 and 21A.12.220;

7451 c. Individual lots in the R-4 through R-6 zones that are less than nine thousand  
7452 seventy-six square feet in area shall be subject to the applicable provisions of the nearest  
7453 comparable R-6 or R-8 zone; and

7454 d. A lot may be increased beyond the total amount (~~permitted~~) allowed in this  
7455 chapter subject to approval of a conditional use permit.

7456 6. (~~Mobile~~) Manufactured and mobile home (~~(parks)~~) communities shall be  
7457 allowed a base density of (~~six~~) twelve dwelling units per acre.

7458 7. The standards of the R-4 zone apply if a lot is less than fifteen thousand  
7459 square feet in area.

7460 8. At least twenty linear feet of driveway shall be provided between any garage,

7461 carport, or other fenced parking area and the street property line. The linear distance  
7462 shall be measured along the center line of the driveway from the access point to such  
7463 garage, carport, or fenced area to the street property line.

7464 9.a. Residences shall have a setback of at least one hundred feet from any  
7465 property line adjoining A, M, or F zones or existing extractive operations. However,  
7466 residences on lots less than one hundred fifty feet in width adjoining A, M, or F zones or  
7467 existing extractive operations shall have a setback from the rear property line equal to  
7468 fifty percent of the lot width and a setback from the side property equal to twenty-five  
7469 percent of the lot width.

7470 b. Except for residences along a property line adjoining A, M, or F zones or  
7471 existing extractive operations, lots between one acre and two and one-half acres in size  
7472 shall conform to the requirements of the R-1 zone and lots under one acre shall conform  
7473 to the requirements of the R-4 zone.

7474 ~~10.(a. For developments consisting of three or more single detached dwellings  
7475 located on a single parcel, the setback shall be ten feet along any property line abutting  
7476 R-1 through R-8, RA, and UR zones, except for structures in on-site play areas required  
7477 in K.C.C. 21A.14.190, which shall have a setback of five feet.~~

7478 ~~b. For townhouse and apartment development, the setback shall be twenty feet  
7479 along any property line abutting R-1 through R-8, RA, and UR zones, except for  
7480 structures in on-site play areas required in K.C.C. 21A.14.190, which shall have a setback  
7481 of five feet, unless the townhouse or apartment development is adjacent to property upon  
7482 which an existing townhouse or apartment development is located.)~~ Repealed.

7483 11. Lots smaller than one-half acre in area shall comply with standards of the

7484 nearest comparable R-4 through R-8 zone. For lots that are one-half acre in area or  
7485 larger, the maximum impervious surface area allowed shall be at least ten thousand  
7486 square feet. On any lot over one acre in area, an additional five percent of the lot area  
7487 may be used for buildings related to agricultural or forestry practices. For lots smaller  
7488 than two acres but larger than one-half acre, an additional ten percent of the lot area may  
7489 be used for structures that are determined to be medically necessary, if the applicant  
7490 submits with the permit application a notarized affidavit, conforming with K.C.C.  
7491 21A.32.170A.2.

7492           12. For purposes of calculating minimum density, the applicant may request that  
7493 the minimum density factor be modified based upon the weighted average slope of the  
7494 net buildable area of the site in accordance with K.C.C. 21A.12.087.

7495           13. The minimum lot area does not apply to lot clustering proposals as provided  
7496 in K.C.C. chapter 21A.14.

7497           14. This maximum height is only allowed as follows:

7498           a. ~~((in R-6 and R-8 zones,))~~ for a building with a footprint built on slopes  
7499 exceeding a fifteen percent finished grade; ~~((and))~~

7500           b. ~~((in R-18, R-24 and R-48 zones:~~

7501           ~~(1) for properties within the Skyway West Hill or North Highline community~~  
7502 ~~service area subarea geographies, only if meeting the requirements of))~~ through the

7503 inclusionary housing regulations in accordance with K.C.C. chapter 21A.48; or

7504           ~~((2) for all other properties, using residential density incentives and transfer~~  
7505 ~~of density credits in accordance with this title.))~~

7506           c. A structure may exceed the base height if one additional foot of street and

7507 interior setback is provided for each foot above the base height.

7508 15. Density applies only to dwelling units and not to sleeping units.

7509 16. Vehicle access points from garages, carports, or fenced parking areas shall  
7510 be set back from the property line on which a joint use driveway is located to provide a  
7511 straight line length of at least twenty-six feet as measured from the center line of the  
7512 garage, carport, or fenced parking area, from the access point to the opposite side of the  
7513 joint use driveway.

7514 17.a. Clustering in accordance with K.C.C. 21A.14.040 shall be required for  
7515 ~~((All))~~ subdivisions and short subdivisions in the R-1 zone ~~((shall be required to be~~  
7516 ~~elustered))~~ if the property is located within or contains:

7517 (1) ~~((a floodplain))~~ alluvial fan hazard areas;

7518 (2) ~~((a))~~ critical aquifer recharge area;

7519 (3) ~~((a regionally or locally significant resource area))~~ moderate or severe  
7520 coal mine hazard areas;

7521 (4) flood hazard areas;

7522 (5) landslide hazard areas;

7523 (6) the riparian area of a type S or F aquatic area;

7524 (7) steep slope hazard area;

7525 (8) category I or II wetlands or their buffers;

7526 (9) existing or planned public parks or trails, or connections to such facilities;

7527 ~~(((5) a category type S or F aquatic area or category I or II wetland;~~

7528 ~~((6) a steep slope; or~~

7529 ~~((7))~~ (10) an urban separator or wildlife habitat network designated by the

7530 Comprehensive Plan (~~or a community plan~~).

7531           b. The development shall be clustered away from critical areas or the axis of  
7532 designated corridors such as urban separators or the wildlife habitat network to the extent  
7533 possible and the open space shall be placed in a separate tract (~~that includes at least fifty~~  
7534 ~~percent of the site~~). Open space tracts shall be permanent and shall be dedicated to a  
7535 (~~homeowner's~~) homeowners association or other suitable organization, as determined  
7536 by the director, and meet the requirements in K.C.C. 21A.14.040. On-site critical area  
7537 and buffers and designated urban separators shall be placed within the open space tract to  
7538 the extent possible. Passive recreation, with no development of recreational facilities,  
7539 and natural-surface pedestrian and equestrian trails are acceptable uses within the open  
7540 space tract.

7541           18. (~~See K.C.C. 21A.12.085.~~) Only through application of:

7542           a. inclusionary housing regulations in accordance with K.C.C. chapter 21A.48;

7543 or

7544           b. transfer of development rights in accordance with K.C.C. chapter 21A.37,

7545 except for properties within the Skyway-West Hill or North Highline subarea

7546 geographies.

7547           19. All subdivisions and short subdivisions in R-1 and RA zones within the  
7548 North Fork and Upper Issaquah Creek subbasins of the Issaquah Creek Basin (the North  
7549 Fork and Upper Issaquah Creek subbasins are identified in the Issaquah Creek Basin and  
7550 Nonpoint Action Plan) and the portion of the Grand Ridge (~~subarea of the East~~  
7551 ~~Sammamish Community Planning Area~~) area of the Snoqualmie Valley/Northeast King  
7552 County subarea geography that drains to Patterson Creek shall have a maximum

7553 impervious surface area of eight percent of the gross acreage of the plat. Distribution of  
7554 the allowable impervious area among the platted lots shall be recorded on the face of the  
7555 plat. Impervious surface of roads need not be counted towards the allowable impervious  
7556 area. Where both lot- and plat-specific impervious limits apply, the more restrictive shall  
7557 be required.

7558           20. This density may only be achieved on RA\_2.5 zoned parcels receiving  
7559 density from rural forest focus areas through a transfer of density credit (~~((pursuant to))~~)  
7560 under K.C.C. chapter 21A.37.

7561           21. Base density may be exceeded, if the property is located in a designated  
7562 (~~((rural city u))~~)Urban ((g))Growth ((a))Area for Cities in the Rural Area and each  
7563 proposed lot contains an occupied legal residence that predates 1959.

7564           22.~~((a. The maximum density is four dwelling units per acre for properties  
7565 zoned R-4 when located in the Rural Town of Fall City.~~

7566           ~~b. For properties within the Skyway West Hill or North Highline community  
7567 service area subarea geographies, only as provided in the inclusionary housing  
7568 regulations in K.C.C. chapter 21A.48.)) Repealed.~~

7569           23. ~~((The subdivision or short subdivision of property within the Rural Town of  
7570 Fall City is not required to meet with the minimum density requirements of this chapter.))  
7571 Repealed.~~

7572           24. The impervious surface standards for the county fairground facility are  
7573 established in the King County Fairgrounds Site Development Plan, Attachment A to  
7574 Ordinance 14808<sub>2</sub>, on file at the department of natural resources and parks and the  
7575 department of local services, permitting division. Modifications to that standard may be

7576 allowed provided the square footage does not exceed the approved impervious surface  
7577 square footage established in the King County Fairgrounds Site Development Plan  
7578 Environmental Checklist, dated September 21, 1999, Attachment B to Ordinance 14808,  
7579 by more than ten percent.

7580 25. For cottage housing developments only:

7581 a. The base height is twenty-five feet.

7582 b. Buildings that have pitched roofs with a minimum slope of six over twelve  
7583 may achieve a maximum height of thirty feet at the ridge of the roof.

7584 26. Impervious surface does not include access easements serving neighboring  
7585 property and driveways to the extent that they extend beyond the street setback due to  
7586 location within an access panhandle or due to the application of King County Code  
7587 requirements to locate features over which the applicant does not have control.

7588 27. Only through the application of:

7589 a. ~~((For properties within the Skyway West Hill or North Highline community~~  
7590 ~~service area subarea geographies, only in accordance with the))~~ the inclusionary housing  
7591 ~~((regulations))~~ program in K.C.C. chapter 21A.48~~((-)); or~~

7592 b. ~~((For all other properties, only in accordance with K.C.C.~~  
7593 ~~21A.34.040.F.1.g., F.6.))~~ the transfer of development rights affordable housing pilot  
7594 program in accordance with K.C.C. 21A.37.130.A.2.

7595 28. On a site zoned RA with a building listed ~~((in))~~ in the ~~((the))~~ National  
7596 ~~((the))~~ Register of ~~((the))~~ Historic ~~((the))~~ Places, additional dwelling units in excess of the  
7597 maximum density may be allowed under K.C.C. 21A.12.042.

7598 29. Height and setback requirements shall not apply to regional transit authority



7599 facilities.

7600 30. Properties within the North Highline (~~community service area~~) subarea  
 7601 geography shall meet the setback and GreenCenter requirements in K.C.C. chapter  
 7602 21A.60.

7603 ~~((30. Applies only in the Rural Town of Fall City between the effective date of  
 7604 Ordinance 19690 and thirteen months after the effective date of Ordinance 19690.))~~

7605 31. Properties in the Vashon Rural Town shall have a maximum height limit of  
 7606 three stories. Floors above two stories shall be set back an additional ten feet from the  
 7607 street property line in this section.

7608 SECTION 156. Ordinance 10870, Section 341, as amended, and K.C.C.

7609 21A.12.040 are hereby amended to read as follows:

7610 A. Densities and dimensions - resource and commercial/industrial zones.

	RESOURCE				COMMERCIAL/INDUSTRIAL				
STANDARDS	A-10	A-35	F	M	NB	CB	RB	O	I
Base Density:	0.1	.0286	.0125		4 du/ac	4 du/ac	<del>((36 du/ac</del>	4 du/ac	
Dwelling Unit/Acre (19)	du/a	du/a	du/a		8 du/ac	48 du/ac	<del>(2))</del>	(1) du/ac	
	c	c	c		(2)	(2)	48 du/ac	48 du/ac	
							<del>((1))</del>	(2)	
							(2)		

Maximum Density: Dwelling Unit/Acre					12 du/ac (3)	72 du/ac <del>((16))</del>	<del>((48 du/ac</del>	<u>4 du/ac</u>	
					16 du/ac (15)	<u>(3)</u> 96 du/ac <del>((17))</del>	<del>(3))</del> 72 du/ac <del>((16))</del>	<u>(1)</u> 72 du/ac <del>((16))</del>	
						<u>(16)</u>	<u>(3)96 du/ac</u> <del>((17))</del>	<u>(3)</u> 96 du/ac <del>((17))</del>	
							<u>(16)</u>	<u>(16)</u>	
Minimum Lot Area	10 acres	35 acres	80 acres	10 acres					
Maximum Lot Depth/Width Ratio	4 to 1	4 to 1							
Minimum Street	30 ft	30 ft (4)	50 ft	(12)	10 ft (5) (21)	10 ft (5) (21)	10 ft (5)	10 ft (21)	25 ft

Setback	(4 )		(4)				(21)		
Minimum Interior Setback	10 ft (4 )	10 ft (4)	100 ft (4)	(12 )	10 ft (18)	20 ft (7) (21)	20 ft (7)	20 ft (7)	20 ft (7)
Base Height	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	35 ft	45 ft	45 ft
Maximum Height (17)	75 ft (10) (10)	75 ft (10)	75 ft (10)	75 ft (10)	<u>40 ft</u> (22) 45 ft (6) 65 ft ((20)) (15) 75 ft (10)	<u>40 ft</u> (22) 60 ft (6) 65 ft ((17)) (20) 75 ft (10) 80 ft ((20)) (15)	<u>40 ft</u> (22) 65 ft (6) 75 ft (10) 85 ft ((20)) (15)	<u>40 ft</u> (22) 65 ft (6) 75 ft (10) 85 ft ((20)) (15)	<u>40 ft</u> (22) 65 ft (6) 75 ft (10) 85 ft ((20)) (15)
Maximum					1/1 (9)	1.5/1 (9)	2.5/1	2.5/1	2.5

m							(9)	(9)	/1
Floor/Lot									
Ratio:									
Square									
Feet									
Maximu	15	10%	10		85%	85%	90%	75%	90
m	%	35%	%		(21)	(21)	(21)	(21)	%
Impervio	35	(11)	35						
us	%		%						
Surface:	(1		(11)						
Percenta	1)								
ge									
(13)									

7611

B. Development conditions.

7612

1. ~~((In the RB zone on property located within the Potential Annexation Area of~~

7613

~~a rural city, this density is not allowed.))~~ For properties with a designation of rural

7614

neighborhood commercial center through the application of mixed-use development

7615

standards. Such properties shall not exceed this base density except under subsection

7616

B.2.c. of this section.

7617

2. These densities are allowed only in:

7618

a. the urban area and rural towns through the application of mixed-use

7619

development standards; ~~((and,))~~

7620

b. ~~((in))~~ the NB zone on property in the urban area designated commercial

7621 outside of center, for stand-alone townhouse development; and

7622 c. the rural area outside of rural towns on historic properties within existing  
7623 buildings listed in the National Register of Historic Places or designated as a King  
7624 County landmark, for multiunit residential uses.

7625 3. ~~((These densities may only be achieved))~~ Only through the application of:

7626 a. ~~((for properties within the Skyway-West Hill or North Highline community~~  
7627 ~~service area subarea geographies, as provided in))~~ the inclusionary housing  
7628 ~~((regulations))~~ program in K.C.C. chapter 21A.48; or

7629 b. ~~((for all other properties, through the application of residential density~~  
7630 ~~incentives or))~~ transfer of development rights ~~((in mixed-use developments and,))~~ in  
7631 accordance with K.C.C. chapter 21A.37, except for properties within the Skyway-West  
7632 Hill or North Highline subarea geographies;~~((in the NB zone on property in the urban~~  
7633 ~~area designated commercial outside of center, for stand-alone townhouse development.~~  
7634 ~~See K.C.C. chapters 21A.34 and 21A.37.))~~

7635 4.a. in the F zone, scaling stations may be located thirty-five feet from property  
7636 lines. Residences shall have a setback of at least thirty feet from all property lines.

7637 b. for lots between one acre and two and one-half acres in size, the setback  
7638 requirements of the R-1 zone shall apply. For lots under one acre, the setback  
7639 requirements of the R-4 zone shall apply.

7640 ~~((e. for developments consisting of three or more single detached dwellings~~  
7641 ~~located on a single parcel, the setback shall be ten feet along any property line abutting~~  
7642 ~~R-1 through R-8, RA, and UR zones.))~~

7643 5. Gas station pump islands shall be placed no closer than twenty-five feet to

7644 street front lines.

7645 6. This maximum height allowed only for:

7646 a. mixed-use developments; and

7647 b. ~~((for))~~ stand-alone townhouse development in the NB zone on property

7648 designated commercial outside of center in the urban area.

7649 7. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,

7650 and R zones.

7651 8. Required on property lines adjoining ~~((rural area and residential))~~ RA, UR,

7652 and R zones for industrial uses established by conditional use permits.

7653 9. The floor-to-lot ratio for ~~((mixed-use))~~ mixed-use developments shall

7654 conform to K.C.C. chapter 21A.14 or ~~((if meeting the requirements of))~~ K.C.C. chapter

7655 21A.48.

7656 10. Portions of a structure may exceed the base height if one additional foot of

7657 street and interior setback is provided for each foot above the base height, up to a

7658 maximum of seventy-five feet. The following restrictions apply:

7659 a. ~~((for))~~ netting or fencing, and support structures for the netting or fencing

7660 used to contain golf balls in the operation of golf courses or golf driving ranges ~~((, the~~

7661 ~~maximum height shall not exceed seventy five feet. All such netting, fencing, and~~

7662 ~~support structures))~~ are exempt from the additional interior setback requirement; and

7663 b. properties ~~((within the Skyway West Hill or North Highline community~~

7664 ~~service area subarea planning geographies))~~ with inclusionary housing developed in

7665 accordance with K.C.C. chapter 21A.48 shall not increase height through this method

7666 ~~((e. mixed-use developments outside the Skyway West Hill or North Highline~~

7667 ~~community service subarea geographies are not subject to a height restriction when using~~  
7668 ~~this method; and~~

7669 ~~d. for all other structures, the maximum height achieved through this method~~  
7670 ~~shall not exceed seventy five feet)).~~

7671 11. Applicable only to lots containing less than one acre of lot area.

7672 Development on lots containing less than fifteen thousand square feet of lot area shall be  
7673 governed by impervious surface standards of the nearest comparable R-4 through R-8  
7674 zone.

7675 12. See K.C.C. 21A.22.060 for setback requirements in the mineral zone.

7676 13. The impervious surface area for any lot may be increased beyond the total  
7677 amount (~~(permitted)~~) allowed in this chapter subject to approval of a conditional use  
7678 permit.

7679 14. Required on property lines adjoining (~~(rural area and residential)~~) RA, UR,  
7680 and R zones unless a stand-alone townhouse development on property designated  
7681 commercial outside of center in the urban area is (~~(proposed to be located)~~) adjacent to  
7682 property upon which an existing townhouse development is located.

7683 15.~~((a. For properties within the Skyway West Hill or North Highline~~  
7684 ~~community service area subarea geographies, o))~~Only through the application of (~~(as~~  
7685 ~~provided in)~~) the inclusionary housing (~~((regulations))~~) program in K.C.C. chapter 21A.48.

7686 ~~b. For all other properties, only as provided for walkable communities under~~  
7687 ~~K.C.C. 21A.34.040.F.8. well-served by transit or for mixed-use development through the~~  
7688 ~~application of rural area and residential density incentives under K.C.C.~~  
7689 ~~21A.34.040.F.1.g.))~~

7690 16. Only through the application of:

7691 a. ~~((For properties within the Skyway West Hill or North Highline community~~  
7692 ~~service area subarea geographies, only as provided in))~~ the inclusionary housing  
7693 ~~((regulations in))~~ program in K.C.C. chapter 21A.48((-); or

7694 b. ~~((For all other properties, only for mixed use development through the~~  
7695 ~~application of residential density incentives under K.C.C. chapter 21A.34 or the))~~ transfer  
7696 of development rights affordable housing pilot program ((under)) in the urban area and  
7697 rural towns in accordance with K.C.C. ((chapter)) 21A.37.130.A.2. ((In the RB zone on  
7698 property located within the Potential Annexation Area of a rural city, this density is not  
7699 allowed.))

7700 17.~~((a. For properties within the Skyway West Hill or North Highline~~  
7701 ~~community service area subarea geographies, only as provided in the inclusionary~~  
7702 ~~housing regulations in K.C.C. chapter 21A.48.~~

7703 b. ~~For all other properties, only for mixed use development through the~~  
7704 ~~application of residential density incentives under K.C.C. chapter 21A.34 or the transfer~~  
7705 ~~of development rights under K.C.C. chapter 21A.37.))~~ Except for the White Center  
7706 unincorporated activity center, ((U))upper-level setbacks are required for any facade  
7707 facing a pedestrian street for any portion of the structure greater than forty-five feet in  
7708 height. The upper-level setback shall be at least one foot for every two feet of height  
7709 above forty-five feet, up to a maximum required setback of fifteen feet. The first four  
7710 feet of horizontal projection of decks, balconies with open railings, eaves, cornices, and  
7711 gutters shall be ((permitted)) allowed in required setbacks. ((In the RB zone on property  
7712 located within the Potential Annexation Area of a rural city, this density is not allowed.))



7713           18. Required on property lines adjoining (~~rural area and residential~~) RA, UR,  
7714 and R zones only for a social service agency office reusing a residential structure in  
7715 existence on January 1, 2010.

7716           19. On a site zoned A with a building designated as a county landmark in  
7717 accordance with the procedures in K.C.C. 20.62.070, additional dwelling units in excess  
7718 of the maximum density may be allowed under K.C.C. 21A.12.042.

7719           20. This maximum height allowed only for properties (~~within the Skyway West~~  
7720 ~~Hill or North Highline community service area subarea geographies, if meeting the~~  
7721 ~~requirements of~~) in the Snoqualmie Pass Rural Town developed with inclusionary  
7722 housing under K.C.C. chapter 21A.48.

7723           21. Properties within the North Highline (~~community service area~~) subarea  
7724 geography shall meet the setback and GreenCenter requirements in K.C.C. chapter  
7725 21A.60.

7726           22. Properties in Vashon Rural Town shall have a maximum height limit of  
7727 three stories. Floors above two stories shall be set back an additional ten feet from the  
7728 street property line in this section.

7729           SECTION 157. Ordinance 10870, Section 344, as amended, and K.C.C.  
7730 21A.12.070 are hereby amended to read as follows:

7731           (~~Permitted~~) Allowed number of units, (~~or~~) lots, or floor area shall be  
7732 determined as follows:

7733           A. The allowed number of dwelling units or lots (~~(f)~~), which is "base  
7734 density(†)," shall be computed by multiplying the site area specified in K.C.C.  
7735 21A.12.080 by the applicable residential base density number;

7736 B. The maximum density (unit or lot) limits shall be computed by adding the  
7737 bonus or transfer units authorized by K.C.C. chapters ((~~21A.34,~~) 21A.37 and 21A.48 to  
7738 the base units computed under subsection A. of this section;

7739 C. The allowed floor area, which excludes structured or underground parking  
7740 areas and areas housing mechanical equipment, shall be computed by applying the floor-  
7741 to-lot area ratio to the project site area specified in K.C.C. 21A.12.080;

7742 D. If calculations result in a fraction, the fraction shall be rounded to the nearest  
7743 whole number as follows, except as provided in subsection E. of this section and K.C.C.  
7744 21A.48.050:

7745 1. Fractions of 0.50 or above shall be rounded up; and

7746 2. Fractions below 0.50 shall be rounded down; and

7747 E. For subdivisions and short subdivisions in the RA and A zones, rounding up of  
7748 the number of development units or lots is not allowed.

7749 SECTION 158. Ordinance 10870, Section 354, as amended, and K.C.C.

7750 21A.12.170 are hereby amended to read as follows:

7751 Provided that the required setbacks from regional utility corridors of K.C.C.

7752 21A.12.140, the adjoining half-street or designated arterial setbacks of K.C.C.

7753 21A.12.160<sub>2</sub>, and the sight distance requirements of K.C.C. 21A.12.210 are maintained,

7754 structures may extend into or be located in required setbacks, including setbacks as

7755 required by K.C.C. 21A.12.220.B, as follows:

7756 A. Fireplace structures, bay or garden windows, enclosed stair landings, closets,

7757 or similar structures may project into any setback, provided such projections are:

7758 1. Limited to two per facade;

- 7759           2. Not wider than ten feet; and
- 7760           3. Not more than twenty-four inches into an interior setback or thirty inches into
- 7761 a street setback;
- 7762           B. Uncovered porches and decks that exceed eighteen inches above the finished
- 7763 grade may project:
- 7764           1. Eighteen inches into interior setbacks; and
- 7765           2. Five feet into the street setback;
- 7766           C. Uncovered porches and decks not exceeding eighteen inches above the
- 7767 finished grade may project to the property line;
- 7768           D. Eaves may not project more than:
- 7769           1. Eighteen inches into an interior setback;
- 7770           2. Twenty-four inches into a street setback; or
- 7771           3. Eighteen inches across a lot line in a zero-lot-line development;
- 7772           E. Fences with a height of six feet or less may project into or be located in any
- 7773 setback;
- 7774           F. Rockeries, retaining walls, and curbs may project into or be located in any
- 7775 setback. Except for structures that cross the setback perpendicularly to property lines or
- 7776 that abut a critical area, these structures:
- 7777           1. Shall not exceed a height of six feet in the R-1 through R-18, UR, RA<sub>2</sub> and
- 7778 resource zones;
- 7779           2. Shall not exceed a height of eight feet in the R-24 and R-48 zones; and

7780           3. Shall not exceed the building height for the zone in commercial/industrial  
7781 zones, measured in accordance with the standards established in the King County  
7782 Building Code, K.C.C. Title 16;

7783           G. Fences located on top of rockeries, retaining walls, or berms are subject to the  
7784 requirements of K.C.C. 21A.14.220;

7785           H. Telephone, power, light, and flag poles;

7786           I. The following may project into or be located within a setback, but may only  
7787 project into or be located within a five-foot interior setback area if an agreement  
7788 documenting consent between the owners of record of the abutting properties is recorded  
7789 with the records and licensing services division prior to the installment or construction of  
7790 the structure:

7791           1. Sprinkler systems, electrical, and cellular equipment cabinets and other  
7792 similar utility boxes and vaults;

7793           2. Security system access controls;

7794           3. Structures, except for buildings, associated with trails and on-site recreation  
7795 spaces and play areas required in K.C.C.21A.14.180 ~~((and K.C.C. 21A.14.190))~~ such as  
7796 benches, picnic tables, and drinking fountains; and

7797           4. Surface water management facilities as required by K.C.C. 9.04;

7798           J. Freestanding air conditioners and heat pumps ~~((may project into or be located  
7799 within a setback abutting a residential property, but may only be located closer than five  
7800 feet of an abutting residential property if an agreement documenting consent between the  
7801 owners of record of the abutting properties is recorded with the records and licensing  
7802 services division prior to permit issuance.))~~;

7803 K. Mailboxes and newspaper boxes may project into or be located within street  
7804 setbacks;

7805 L. Fire hydrants and associated appendages;

7806 M. Metro bus shelters may be located within street setbacks;

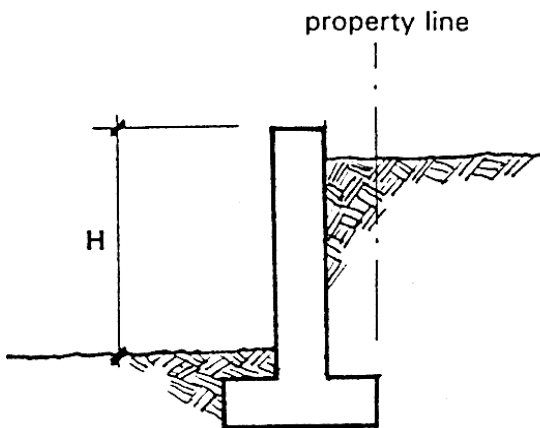
7807 N. Unless otherwise allowed in K.C.C. 21A.20.080, free standing and monument  
7808 signs four feet or less in height, with a maximum sign area of twenty square feet, may  
7809 project into or be located within street setbacks;

7810 O. On a parcel in the RA zone, in the interior setback that adjoins a property  
7811 zoned NB or CB, structures housing refrigeration equipment that extends no more than  
7812 ten feet into the setback and is no more than sixty feet in length; and

7813 P. Stormwater conveyance and control facilities, both above and below ground,  
7814 provided such projections are:

- 7815 1. Consistent with setback, easement, and access requirements specified in the  
7816 Surface Water Design Manual; or  
7817 2. In the absence of said specifications, not within five feet of the property line.

**RETAINING WALL IN SETBACK**



**H max. 6' in R1 - R18, UR, RA  
& Resource Zones**

**H max. 8' in R24 and R 48 Zones, and  
not to exceed building height  
requirement in Commerical/Industrial  
Zones**

7818  
7819

7820            SECTION 159. Ordinance 10870, Section 355, as amended, and K.C.C.

7821            21A.12.180 are hereby amended to read as follows:

7822            The following structures may be erected above the height limits of K.C.C.

7823            21A.12.030((-)) through 21A.12.050.

7824            A. Roof structures housing or screening elevators, stairways, tanks, ventilating  
7825 fans, or similar equipment required for building operation and maintenance; and

7826            B. Fire or parapet walls((-)); skylights((-)); flagpoles((-)); chimneys((-);  
7827 smokestacks((-)); ~~((church))~~ religious facility steeples, crosses, and spires,  
7828 communication transmission and receiving structures, utility line towers and poles, and  
7829 similar structures.

7830            SECTION 160. Ordinance 10870, Section 357, as amended, and K.C.C.

7831            21A.12.200 are hereby amended to read as follows:

7832            When a lot or site is divided by a zone boundary, the following applies:

7833            A. If a lot or site contains both ~~((rural area and residential))~~ RA, UR, or R zoning  
7834 and nonresidential zoning, the zone boundary between the ~~((rural area and residential))~~  
7835 RA, UR, or R zone and the nonresidential zone shall be considered a lot line for  
7836 determining ~~((permitted))~~ allowed building height and required setbacks on the site((-);

7837            B. If a lot or site contains residential zones of varying density:

7838            1. Any residential density transfer within the lot or site shall be allowed if:

7839            a. the density, as a result of moving dwelling units from one lot to another lot  
7840 within a site or across zone ~~((lines))~~ boundaries within a single lot, does not exceed one  
7841 hundred fifty percent of the base density on any of the lots or portions of a lot to which  
7842 the density is transferred;

- 7843           b. the transfer does not reduce the minimum density achievable on the lot or  
7844 site;
- 7845           c. the transfer enhances the efficient use of needed infrastructure;
- 7846           d. the transfer does not result in significant adverse impacts to the low density  
7847 portion of the lot or site;
- 7848           e. the transfer contributes to preservation of ~~((environmentally sensitive))~~  
7849 critical areas, wildlife corridors, or other natural features; and
- 7850           f. the transfer does not result in significant adverse impacts to adjoining lower  
7851 density properties;
- 7852           2. Residential density transfers from one lot to another lot within a site or from  
7853 one portion of a lot to another portion of a lot across a zone ~~((line shall not be allowed))~~  
7854 boundary is prohibited in the RA zone;
- 7855           3. Residential density transfers ~~((shall not be allowed))~~ to a lot or portion of a  
7856 lot zoned R-1 is prohibited;
- 7857           4. Compliance with the criteria in this subsection B<sub>2</sub> shall be evaluated during  
7858 review of any development proposals in which such a transfer is proposed; and
- 7859           ~~((5. Residential density transfers from one lot to another lot within a site or from  
7860 one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be  
7861 considered development above the base density for purposes of requiring a conditional  
7862 use permit for apartments or townhouses in the R-1 through R-8 zones.))~~
- 7863           C. Uses on each portion of the lot shall only be those ~~((permitted))~~ allowed in  
7864 each zone in accordance with K.C.C. chapter 21A.08.

7865            SECTION 161. Ordinance 10870, Section 359, as amended, and K.C.C.

7866            21A.12.220 are hereby amended to read as follows:

7867            (~~Except for utility facilities, uses listed in K.C.C. 21A.08.100, and nonresidential~~

7868            ~~uses regulated by 21A.12.230, all n~~) Nonresidential uses, except for those uses listed in

7869            subsection H., located in the RA, UR, or R zones shall be subject to the following

7870            requirements:

7871            A. Impervious surface coverage shall not exceed:

7872                1. Forty percent of the site in the RA zone.

7873                2. Seventy percent of the site in the UR and the R-1 through R-8 zones.

7874                3. Eighty percent of the site in the R-12 through R-48 zones.

7875            B. Buildings and structures, except fences and wire or mesh backstops, shall not

7876            be closer than 30 feet to any property line, except as provided in subsection C. of this

7877            section.

7878            C. Single detached (~~dwelling~~) residence allowed as accessory to a (~~church~~)

7879            religious facility or school shall conform to the setback requirements of the zone.

7880            D. Parking areas are (~~permitted~~) allowed within the required setback area from

7881            property lines, provided such parking areas are located outside of the required landscape

7882            area.

7883            E. Sites shall abut or be accessible from at least one public street functioning at a

7884            level consistent with King County Road Design Standards. New high school sites shall

7885            abut or be accessible from a public street functioning as an arterial per the King County

7886            Design Standards.

7887            F. The base height shall conform to the zone in which the use is located.



7888 G. Building illumination and lighted signs shall be designed so that no direct rays  
7889 of light are projected into neighboring residences or onto any street right-of-way.

7890 H. The following nonresidential uses shall not be subject to the requirements of  
7891 this section:

7892 1. Sports clubs;

7893 2. General personal service;

7894 3. Retail uses in K.C.C. 21A.08.070; and

7895 4. Utility facilities.

7896 SECTION 162. Ordinance 15032, Section 18, as amended, and K.C.C.

7897 21A.14.025 are hereby amended to read as follows:

7898 ~~((For cottage housing developments in the R4-R8 zones:))~~

7899 A. The total area of the common open space ~~((must))~~ shall be at least two  
7900 hundred and fifty square feet per unit and at least fifty percent of the units ~~((must))~~ shall  
7901 be ~~((clustered))~~ sited around the common space.

7902 B. The total floor area of each unit, except for two hundred and fifty square feet  
7903 of any enclosed parking, is limited to one thousand two hundred square feet. The  
7904 footprint of each unit, including any enclosed parking, is limited to nine hundred square  
7905 feet. A front or wraparound porch of up to one hundred square feet is ~~((permitted))~~  
7906 allowed and ~~((is not to be included))~~ shall not be counted in the floor area or footprint  
7907 calculation.

7908 C. Fences within the cottage housing unit development are limited to three feet in  
7909 height. Fences along the perimeter of the cottage housing development are limited to six  
7910 feet.

7911 D. Individual cottage housing units (~~((must))~~) shall be at least ten feet apart.

7912 E. Each dwelling unit that abuts common open space shall have either a primary  
7913 entry or a covered porch, or both, oriented to the common open space.

7914 F. Each dwelling unit within forty feet of a public right-of-way, not including  
7915 alleys, shall have a facade oriented to the public right-of-way that includes a porch, an  
7916 entrance, or a bay window that projects a minimum of six inches and is a minimum of  
7917 four feet in width. If a dwelling unit is within forty feet of more than one public right-of-  
7918 way, the department shall determine which right-of-way towards which the facade  
7919 elements shall be oriented. Materials used on this facade shall wrap the corners of the  
7920 unit.

7921 SECTION 163. Ordinance 10870, Section 364, as amended, and K.C.C.  
7922 21A.14.040 are hereby amended to read as follows:

7923 A. Residential lot clustering is allowed in the R, UR, and RA zones. (~~((If~~  
7924 ~~residential lot clustering is proposed, the following requirements shall be met:))~~)

7925 B. Tracts created through lot clustering shall be designated as permanent open  
7926 space as follows:

7927 1. Tracts shall not be altered or disturbed except as specified on recorded  
7928 documents creating the open space;

7929 2. Active recreational facilities are prohibited. Acceptable uses within open  
7930 space tracts are passive recreation, natural-surface pedestrian and equestrian foot trails,  
7931 and passive recreational facilities;

7932 3. Tracts may be retained under ownership by the subdivider or retained in  
7933 undivided interest by the residents of the development and maintained by a homeowners

7934 association. The department may require tracts to be dedicated to an appropriate  
7935 managing public agency or qualifying private entity such as a nature conservancy; and

7936 4. If access to the open space is provided, the access shall be located in a  
7937 separate tract;

7938 ~~((A. In the R zones, any designated open space tract resulting from lot clustering~~  
7939 ~~shall not be altered or disturbed except as specified on recorded documents creating the~~  
7940 ~~open space. Open spaces may be retained under ownership by the subdivider, conveyed~~  
7941 ~~to residents of the development or conveyed to a third party. If access to the open space~~  
7942 ~~is provided, the access shall be located in a separate tract;~~

7943 ~~B.))~~ C. In the RA zone:

7944 1. No more than eight lots of less than two and one-half acres shall be allowed  
7945 in a cluster;

7946 2. No more than eight lots of less than two and one-half acres shall be served by  
7947 a single cul-de-sac street;

7948 3. Clusters containing two or more lots of less than two and one-half acres,  
7949 whether in the same or adjacent developments, shall be separated from similar clusters by  
7950 at least one hundred twenty feet;

7951 4. ~~((The overall amount, and the individual degree of clustering shall be limited~~  
7952 ~~to a level that can be adequately served by rural facilities and services, including, but not~~  
7953 ~~limited to, on-site sewage disposal systems and rural roadways;~~

7954 ~~5.))~~ A fifty-foot Type II landscaping screen, as defined in K.C.C. 21A.16.040,  
7955 shall be provided along the frontage of all public roads when adjoining differing types of  
7956 development such as commercial and industrial uses, between differing types of

7957 residential development and to screen industrial uses from the street. The planting  
7958 materials shall consist of species that are native to the Puget Sound region. Preservation  
7959 of existing healthy vegetation is encouraged and may be used to augment new plantings  
7960 to meet the requirements of this section;

7961 ~~((6. Except as provided in subsection B.7. of this section, open space tracts~~  
7962 ~~created by clustering in the RA zone shall be designated as permanent open space.~~  
7963 ~~Acceptable uses within open space tracts are passive recreation, with no development of~~  
7964 ~~active recreational facilities, natural surface pedestrian and equestrian foot trails and~~  
7965 ~~passive recreational facilities. A resource tract created under K.C.C. 16.82.152.E. may be~~  
7966 ~~considered an open space tract for purposes of this subsection B.6;~~

7967 ~~7.a.))~~ 5.a. In the RA zone, a resource tract may be created through ~~((a cluster~~  
7968 ~~development))~~ clustering in lieu of an open space tract. ~~((A resource tract created under~~  
7969 ~~K.C.C. 16.82.152.E. may be considered a resource tract for purposes of this subsection~~  
7970 ~~B.7.))~~ The resource tract may be used as a working forest or farm if:

7971 (1) the department determines the resource tract is suitable for forestry or  
7972 agriculture; and

7973 (2) the applicant submits a forest management plan prepared by a professional  
7974 forester that has been approved by the King County department of natural resources and  
7975 parks, or a farm management plan developed by the King Conservation District. The  
7976 management plan ~~((must))~~ shall:

7977 (a) ensure that forestry or farming will remain as a sustainable use of the  
7978 resource tract;

7979 (b) set impervious surface and clearing limitations and identify the type of  
7980 buildings or structures that will be allowed within the resource tract; and

7981 (c) if critical areas are included in the resource tract, clearly distinguish  
7982 between the primary purpose of the resource portion of the tract and the primary purpose  
7983 of the critical area portion of the tract as required under K.C.C. 21A.24.180.

7984 b. The recorded plat or short plat shall designate the resource tract as a  
7985 working forest or farm.

7986 c. ~~((If the applicant conveys the resource tract to residents of the development,~~  
7987 ~~the resource tract shall be retained in undivided interest by the residents of the~~  
7988 ~~subdivision or short subdivision.~~

7989 ~~d.))~~ A homeowners association shall be established to ensure implementation  
7990 of the forest management plan or farm management plan if the resource tract is retained  
7991 in undivided interest by the residents of the subdivision or short subdivision.

7992 ~~((e.))~~ d. The applicant shall file a notice with the King County department of  
7993 executive services, records and licensing services division. The required contents and  
7994 form of the notice shall be ~~((set forth))~~ established in a public rule. The notice shall  
7995 inform the property owner or owners that the resource tract is designated as a working  
7996 forest or farm~~((;))~~ that ~~((must))~~ shall be managed in accordance with the ~~((provisions~~  
7997 ~~established in the))~~ approved forest management plan or farm management plan.

7998 ~~((f.))~~ e. The applicant shall provide to the department proof of the approval of  
7999 the forest management plan or farm management plan and the filing of the notice  
8000 required in subsection ~~((B.7.g.))~~ C.5.f. of this section before recording of the final plat or  
8001 short plat.

8002            ~~((g-))~~ f. The notice shall run with the land.

8003            ~~((h-))~~ h. Natural-surface pedestrian and equestrian foot trails, passive  
8004 recreation, and passive recreational facilities, with no development of active recreational  
8005 facilities, are allowed uses in resource tracts; and

8006            ~~((&-))~~ 6. The requirements of subsection ~~((B-))~~ C.1., 2., or 3. of this subsection  
8007 may be modified or waived by the director if the property is encumbered by critical areas  
8008 containing habitat for, or there is the presence of, species listed as threatened or  
8009 endangered under the Endangered Species Act when it is necessary to protect the habitat;  
8010 and

8011            ~~((C-))~~ D. In the R-1 zone, open space tracts ~~((created by clustering required by~~  
8012 ~~K.C.C. 21A.12.030))~~ shall be located and configured to create urban separators and  
8013 greenbelts, as required by the Comprehensive Plan, ~~((or))~~ subarea plans, or open space  
8014 functional plans, to connect and increase protective buffers for critical areas, to connect  
8015 and protect wildlife habitat corridors designated by the Comprehensive Plan and to  
8016 connect existing or planned public parks or trails. ~~((The department may require open~~  
8017 ~~space tracts created under this subsection to be dedicated to an appropriate managing~~  
8018 ~~public agency or qualifying private entity such as a nature conservancy. In the absence of~~  
8019 ~~such a requirement, open space tracts shall be retained in undivided interest by the~~  
8020 ~~residents of the subdivision or short subdivision. A homeowners association shall be~~  
8021 ~~established for maintenance of the open space tract.))~~

8022            SECTION 164. Ordinance 10870, Section 365, as amended, and K.C.C.  
8023 21A.14.050 are hereby amended to read as follows:

8024 Subdivision of UR zoned property of ten or more acres shall ~~((be required to be~~  
8025 ~~clustered and))~~ provide a reserve tract ~~((shall be created))~~ for future development ~~((in~~  
8026 ~~accordance with the following))~~ as follows:

8027 A. The reserve tract shall be no less than seventy-five percent of the net  
8028 developable area of the property to be subdivided.

8029 B. The reserve tract shall be configured to contain lands with topography and  
8030 natural features that allow future conversion of the reserve tract to residential  
8031 development at urban densities.

8032 C. The reserve tract may contain a single dwelling unit, only if:

8033 1. The unit was included in the overall density calculations for the original  
8034 subdivision creating the reserve tract; and

8035 2. The unit was noted on the face of the original subdivision (plat or short plat).

8036 D. The reserve tract shall not be altered or disturbed except as specified on the  
8037 face of the original subdivision (plat or short plat).

8038 E. The reserve tract may be retained under the ownership of the subdivider,  
8039 conveyed to residents of the subdivisions, or conveyed to a third party. Regardless of  
8040 ownership of the reserve tract, all restrictions relative to the reserve tract shall apply.

8041 F. The reserve tract shall not be used to satisfy the recreation space requirement  
8042 of the original subdivision.

8043 G. The layout of the lots and roadways created in the original subdivision shall  
8044 facilitate future development of the reserve tract.

8045 H. The reserve tract shall not be eligible for further subdivision until ~~((such time~~  
8046 ~~that))~~ reclassification of the reserve tract occurs in accordance with the ~~((community~~  
8047 ~~plan))~~ area zoning process ~~((outlined))~~ in K.C.C. 20.08.030.

8048 I. Any proposed subsequent development on the reserve tract shall be governed  
8049 by the development standards in effect at the time of such development.

8050 SECTION 165. Ordinance 10870, Section 367, as amended, and K.C.C.

8051 21A.14.070 are hereby amended to read as follows:

8052 A. The standards of ~~((K.C.C. 21A.14.080 through 21A.14.090))~~ this section shall  
8053 apply to ~~((all))~~ new ~~((apartment))~~ developments with more than nine ~~((exceeding four))~~  
8054 dwelling or sleeping units ~~((new townhouse development and new group residences~~  
8055 ~~except Class I Community Residential Facilities ("CRF-I")))~~. Expansions of existing  
8056 development that involve ~~((four or))~~ more than nine dwelling or sleeping units shall be  
8057 subject to compliance with ~~((K.C.C. 21A.14.080 to 21A.14.090))~~ with this section.

8058 B. On sites abutting an alley constructed to a width of at least twenty feet,  
8059 parking areas shall be placed to the rear of buildings with primary vehicular access via  
8060 the alley, except when waived by the director due to physical site limitations.

8061 1. When alley access is provided, no additional driveway access from the public  
8062 street shall be allowed except as necessary to access parking under the structure or for  
8063 fire protection.

8064 2. When the number of uncovered common parking spaces for attached  
8065 dwelling and group residences exceed thirty spaces and when there is alley access, no  
8066 more than fifty percent of these uncovered parking spaces shall be allowed between the



8067 street property line and any building, except when authorized by the director due to  
8068 physical site limitations.

8069 C. Developments shall provide building facade modulation on facades exceeding  
8070 sixty feet and adjoining streets or properties zoned R-1 through R-4. The following  
8071 standards shall apply:

8072 1. The maximum wall length without modulation shall be thirty feet;

8073 2. The sum of the modulation depth and the modulation width shall be no less  
8074 than eight feet. Neither the modulation depth nor the modulation width shall be less than  
8075 two feet; and

8076 3. Any other technique approved by the director that achieves the intent of this  
8077 section.

8078 NEW SECTION. SECTION 166. There is hereby added to K.C.C. chapter  
8079 21A.14 a new section to read as follows:

8080 A. A congregate residence shall include at least one common kitchen facility. In a  
8081 congregate residence with more than two floors, at least one common kitchen facility is  
8082 required on each floor with sleeping units. In a congregate residence consisting of more  
8083 than one building, at least one common kitchen facility is required in each building.

8084 2. A sleeping unit that does not include sanitation facilities in the sleeping unit  
8085 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

8086 3. Communal areas, such as common kitchen facilities, lounges, recreation  
8087 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to  
8088 all residents of the congregate residence and shall meet the following standards:

8089 a. The total floor area of communal areas shall be at least twelve percent of the  
8090 total floor area of all sleeping and dwelling units; and

8091 b. Service areas, including, but not limited to hallways and corridors, supply or  
8092 janitorial storage areas, operations and maintenance areas, staff areas, and offices may  
8093 not be counted toward the communal area total floor area requirement.

8094 SECTION 167. Ordinance 10870, Section 376, as amended, and K.C.C.

8095 21A.14.160 are hereby amended to read as follows:

8096 New ~~((mobile))~~ manufactured home ~~((parks))~~ communities shall be developed  
8097 subject to the following standards:

8098 A. ~~((A mobile home park))~~ The site shall be at least three acres in area;

8099 B. Residential densities ~~((in a mobile home park))~~ shall be as follows:

8100 1. ~~((Six))~~ Twelve dwelling units per acre in the R-4 through R-8 zones; and

8101 2. The base density of the zone in which the ~~((park))~~ site is located in ~~((all R-6))~~  
8102 the R-12 through R-48 zones; ~~((and~~

8103 ~~3. Mobile home parks shall be eligible to achieve the maximum density~~  
8104 ~~permitted in the zone by providing the affordable housing benefit for mobile home parks~~  
8105 ~~set forth in K.C.C. 21A.34;))~~

8106 C. Both insignia and non-insignia ~~((mobile))~~ manufactured homes may be  
8107 installed ~~((in mobile home parks))~~, provided that non-insignia ~~((mobile))~~ manufactured  
8108 homes shall meet the minimum livability and safety requirements ~~((set forth))~~ in K.C.C.  
8109 Title 16, Building Code;

8110 D. ~~((A mobile home park shall be exempt from))~~ The impervious surface limits  
8111 ~~((set forth))~~ in K.C.C. chapter 21A.12 shall not apply;

8112 E. At least one of the off-street parking spaces required for each ((mobile))  
8113 manufactured home shall be located on or adjacent to each ((mobile)) manufactured  
8114 home pad;

8115 F. Internal roads and sidewalks shall provide access to each ((mobile))  
8116 manufactured home space and shall be constructed in accordance with the adopted King  
8117 County road standards for residential minor access streets;

8118 G. There shall be a minimum of ten feet of separation maintained between all  
8119 ((mobile)) manufactured homes on the site, unless the flexible setback option ((set forth))  
8120 in K.C.C. 21A.14.170 is used. Accessory structures shall be located no closer than:

8121 1. Ten feet to ((mobile)) manufactured homes on adjacent spaces, unless  
8122 constructed of noncombustible materials, in which case the minimum setback shall be  
8123 five feet;

8124 2. Five feet to accessory structures of ((mobile)) manufactured homes on  
8125 adjacent spaces; and

8126 3. Five feet to the ((mobile)) manufactured home or other accessory structures  
8127 on the same space, except a carport or garage may be attached to the ((mobile))  
8128 manufactured home, and the separation may be waived when such structures are  
8129 constructed of noncombustible materials;

8130 H. All ((mobile)) manufactured homes and ((RVs)) recreational vehicles  
8131 supported by piers shall be fully skirted; and

8132 I. ((A mobile home park may include a s))Storage areas for ((RVs)) recreational  
8133 vehicles owned by residents of the park are allowed, provided the storage area contains

8134 no utility hook-ups and ~~((no RV))~~ recreational vehicle within the storage area ~~((shall be))~~  
8135 are not used as living quarters.

8136 SECTION 168. Ordinance 10870, Section 378, as amended, and K.C.C.  
8137 21A.14.180 are hereby amended to read as follows:

8138 A. ~~((Residential))~~ The standards of this section shall apply to new  
8139 developments~~((, other than cottage housing developments, of))~~ with nine or more ~~((than~~  
8140 four)) dwelling or sleeping units. ~~((in the UR and R-4 through R-48 zones, stand-alone~~  
8141 townhouse developments in the NB zone on property designated commercial outside of  
8142 center in the urban area of more than four units, and mixed-use developments of more  
8143 than four units, shall provide r)) Recreation space for leisure, play, and sport activities  
8144 shall be provided as follows:

8145 1. Residential subdivisions, townhouses, and apartments developed at a density  
8146 of eight units or less per acre: three hundred ninety square feet per unit;

8147 2. ~~((Mobile))~~ Manufactured home ~~((park))~~ community: two hundred sixty  
8148 square feet per unit;

8149 3. Residential subdivisions developed at a density of greater than eight units per  
8150 acre: one hundred seventy square feet per unit; and

8151 4. Apartments and townhouses developed at a density of greater than eight units  
8152 per acre and mixed-use:

8153 a. Studio and one bedroom: ninety square feet per unit;

8154 b. Two bedrooms: one hundred seventy square feet per unit; and

8155 c. Three or more bedrooms: one hundred seventy square feet per unit.

8156 B. Recreation space shall be placed in a designated recreation space tract if part  
8157 of a subdivision. The tract shall be dedicated to a (~~homeowner's~~) homeowners  
8158 association or other workable organization acceptable to the director, to provide  
8159 continued maintenance of the recreation space tract consistent with K.C.C. 21A.14.200.

8160 C. Any recreation space located outdoors that is not part of a (~~storm-water~~)  
8161 stormwater tract developed in accordance with subsection F. of this section shall:

8162 1. Be of a grade and surface suitable for recreation improvements and have a  
8163 maximum grade of five percent;

8164 2. Be on the site of the proposed development;

8165 3. Be located in an area where the topography, soils, hydrology, and other  
8166 physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a  
8167 configuration that allows for passive and active recreation;

8168 4. Be centrally located with good visibility of the site from roads and sidewalks;

8169 5. Have no dimensions less than thirty feet, except trail segments;

8170 6. Be located in one designated area, unless the director determines that  
8171 residents of large subdivisions, townhouses, and apartment developments would be better  
8172 served by multiple areas developed with recreation or play facilities;

8173 7. Have a street roadway or parking area frontage along ten percent or more of  
8174 the recreation space perimeter, except trail segments, if the required outdoor recreation  
8175 space exceeds five thousand square feet and is located in a single detached or townhouse  
8176 subdivision;

8177 8. Be accessible and convenient to all residents within the development; and

8178           9. Be located adjacent to, and be accessible by, trail or walkway to any existing  
8179 or planned municipal, county, or regional park, public open space, or trail system(  
8180 ~~which may~~) that may be located on adjoining property.

8181           D. Indoor recreation areas may be credited towards the total recreation space  
8182 requirement, if the director determines that the areas are located, designed, and improved  
8183 in a manner that provides recreational opportunities functionally equivalent to those  
8184 recreational opportunities available outdoors. For senior (~~citizen~~) assisted housing,  
8185 indoor recreation areas need not be functionally equivalent (~~but~~) and may include social  
8186 areas, game and craft rooms, and other multipurpose entertainment and education areas.

8187           E. Play equipment or age-appropriate facilities shall be provided within dedicated  
8188 recreation space areas according to the following requirements:

8189           1. (~~For developments of five dwelling units or more, a~~) A tot lot or children's  
8190 play area within the recreation space on-site, that includes age-appropriate play  
8191 equipment and benches, shall be provided (~~(consistent with K.C.C. 21A.14.190;)~~), except  
8192 if the use is either senior assisted housing or located within one quarter mile walking  
8193 distance of a public park that is accessible without crossing an arterial street. The tot lot  
8194 or children's play area shall:

8195           a. Provide at least forty-five square feet per dwelling unit, with a minimum  
8196 size of four hundred square feet;

8197           b. Be adjacent to main pedestrian paths or near building entrances;

8198           c. Meet the requirements of this section; and

8199           d. Provide play equipment that meets, at a minimum, the Consumer Product  
8200 Safety Standards for equipment, soft surfacing, and spacing.

8201           2. For developments of five to twenty-five dwelling units, one of the following  
8202 recreation facilities shall be provided in addition to the tot lot or children's play area:

8203           a. playground equipment;

8204           b. sport court;

8205           c. sport field;

8206           d. tennis court; or

8207           e. any other recreation facility proposed by the applicant and approved by the  
8208 director;

8209           3. For developments of twenty-six to fifty dwelling units, at least two or more of  
8210 the recreation facilities listed in subsection E.2. of this section shall be provided in  
8211 addition to the tot lot or children's play area; and

8212           4. For developments of more than fifty dwelling units, one or more of the  
8213 recreation facilities listed in subsection E.2. of this section shall also be provided for  
8214 every twenty-five dwelling units in addition to the tot lot or children's play area. If  
8215 calculations result in a fraction, the fraction shall be rounded to the nearest whole number  
8216 as follows:

8217           a. Fractions of 0.50 or above shall be rounded up; and

8218           b. Fractions below 0.50 shall be rounded down.

8219           F. In subdivisions, recreation areas that are contained within the on-site  
8220 stormwater tracts, but are located outside of the one hundred year design water surface,  
8221 may be credited for up to fifty percent of the required square footage of the on-site  
8222 recreation space requirement on a foot-per-foot basis, subject to the following criteria:

8223           1. The stormwater tract and any on-site recreation tract shall be contiguously  
8224 located. At final plat recording, contiguous stormwater and recreation tracts shall be  
8225 recorded as one tract and dedicated to the (~~(homeowner's)~~) homeowners association or  
8226 other organization as approved by the director;

8227           2. The drainage facility shall be constructed to meet the following conditions:

8228           a. The side slope of the drainage facility shall not exceed thirty-three percent  
8229 unless slopes are existing, natural, and covered with vegetation;

8230           b. A bypass system or an emergency overflow pathway shall be designed to  
8231 handle flow exceeding the facility design and located so that it does not pass through  
8232 active recreation areas or present a safety hazard;

8233           c. The drainage facility shall be landscaped and developed for passive  
8234 recreation opportunities such as trails, picnic areas, and aesthetic viewing; and

8235           d. The drainage facility shall be designed so they do not require fencing under  
8236 the King County Surface Water Design Manual.

8237           G. When the tract is a joint use tract for a drainage facility and recreation space,  
8238 King County is responsible for maintenance of the drainage facility only and requires a  
8239 drainage easement for that purpose.

8240           H.1. A recreation space plan shall be submitted to the department and reviewed  
8241 and approved with engineering plans.

8242           (~~(1.)~~) 2. The recreation space plans shall address all portions of the site that will  
8243 be used to meet recreation space requirements of this section, including drainage facility.  
8244 The plans shall show dimensions, finished grade, equipment, landscaping, and  
8245 improvements, as required by the director, to demonstrate that the requirements of the on-



8246 site recreation space and play areas in K.C.C. 21A.14.180 (~~and play areas in K.C.C.~~  
8247 ~~21A.14.190~~) have been met.

8248 ~~((2-))~~ 3. If engineering plans indicate that the on-site drainage facility or  
8249 stormwater tract (~~((must))~~) is required to be increased in size from that shown in  
8250 preliminary approvals, the recreation plans (~~((must))~~) shall show how the required  
8251 minimum recreation space under K.C.C. 21A.14.180.A. will be met.

8252 SECTION 169. Ordinance 14045, Section 35, and K.C.C. 21A.14.195 are hereby  
8253 amended to read as follows:

8254 Financial guarantees for construction of recreation facilities required under  
8255 K.C.C. 21A.14.180 (~~and 21A.14.190~~) shall be provided consistent with K.C.C. Title  
8256 27A.

8257 SECTION 170. Ordinance 14045, Section 30, and K.C.C. 21A.14.225 are hereby  
8258 amended to read as follows:

8259 A. Tracts and easements containing hazardous liquid and gas transmission  
8260 pipelines and required setbacks from such pipelines may include the following uses,  
8261 subject to other regulations applicable to each use and approval of the holder of the  
8262 easement: utility structures that are not normally occupied and that are necessary for the  
8263 operation of the pipeline, landscaping, trails, open space, keeping of animals, agriculture,  
8264 forestry, commercial signage, minor communication facilities and (~~((the))~~) utility structures  
8265 that are not normally occupied and that are necessary for the operation of the minor  
8266 communication facility, and other compatible uses as specified on the face of the  
8267 recorded plat or short plat; (~~((provided that))~~) however, structures designed for human  
8268 occupancy shall never be allowed within pipeline tracts, easements, or setbacks.

8269 B. Hazardous liquid and gas transmission pipelines shall not be located in aquifer  
8270 recharge areas, landslide hazard areas, or erosion hazard areas. When it is impractical to  
8271 avoid such areas, special engineering precautions should be taken to protect public health,  
8272 safety, and welfare.

8273 C. As part of an application for the new, modified, or expanded gas or hazardous  
8274 liquid transmission pipelines, the applicant shall submit an equity impact review of the  
8275 proposal using tools developed by the office of equity and racial and social justice. The  
8276 results from the equity impact review shall be used to assess equity impacts and  
8277 opportunities during county permit review and may be used to inform determinations of  
8278 project approval.

8279 SECTION 171. Ordinance 11621, Section 99, as amended, and K.C.C.  
8280 21A.14.280 are hereby amended to read as follows:

8281 A. The purpose of the rural industries section is to establish standards for  
8282 development on industrial (I) zoned ((development)) properties in the rural area((s)). Site  
8283 and building designs, buffering, and compatible commercial and industrial uses are  
8284 required to maintain rural character.

8285 B. The following development standards shall apply to uses locating in the  
8286 ~~((industrial-))~~I(( )) zone within the rural area;

8287 1. All uses occurring outside an enclosed building shall be screened from  
8288 adjoining rural residential uses;

8289 2. All buildings shall be set back fifty-feet from perimeter streets and from  
8290 ~~((rural area and residential))~~ RA, UR, and R zones;

8291           3. The total ~~((permitted))~~ allowed floor area\lot area ratio shall not exceed one  
8292 hundred percent for a development consisting of multiple lots and one hundred twenty-  
8293 five percent on any individual building lot;

8294           4. The total ~~((permitted))~~ allowed impervious lot coverage shall not exceed  
8295 seventy percent for a development consisting of multiple lots and eighty percent on any  
8296 individual building lot;

8297           5. The landscaping standards in K.C.C. chapter 21A.16 are modified as follows:

8298           a. Twenty-foot-wide Type II landscaping shall be provided along exterior  
8299 streets~~((s))~~;

8300           b. Twenty-foot-wide Type I landscaping shall be provided along property lines  
8301 adjacent to rural residential zoned areas; and

8302           c. Fifteen-foot-wide Type II landscaping shall be provided along lines adjacent  
8303 to nonresidential zoned areas.

8304           6. Outdoor lighting shall be focused downward and configured to minimize  
8305 intrusion of light into surrounding rural residential areas;

8306           7. Refuse collection~~((s))~~, recycling ~~((areas))~~, and loading or delivery areas shall  
8307 be located at least one hundred feet from ~~((rural area and residential))~~ RA, UR, and R  
8308 zones and screened with a solid view obscuring barrier;

8309           8. Off street parking standards shall be no less than one space for every one  
8310 thousand square feet of floor area and no greater than one space for every five hundred  
8311 square feet of floor area;

8312           9. Sign are allowed as follows:

8313           a. Signs shall not exceed an area of sixty-four square feet per sign;

8314 b. Pole signs (~~((shall not be permitted))~~) are prohibited; and

8315 c. Signs shall not be internally illuminated;

8316 10. The director shall approve building design, materials, and color. Buildings  
8317 shall be designed and use accent materials (~~((e.g.))~~) such as wood and brick(~~(t)~~),

8318 nonreflective glass, and muted colors to be compatible with rural character; (~~(and)~~)

8319 11. Building height shall be limited to forty feet; and

8320 12. Uses shall not require substantial investments in infrastructure, such as

8321 water, sewers, or transportation, or facilities that generate substantial volumes of heavy

8322 gross-weight truck trips.

8323 SECTION 172. Ordinance 14045, Section 43 and K.C.C. 21A.14.330 are hereby  
8324 amended to read as follows:

8325 In the RA zone, all subdivisions and short subdivisions shall be recorded with a  
8326 condition prohibiting any covenant that would (~~((preclude the keeping of horses or other~~  
8327 ~~large livestock))~~) restrict farming or forestry.

8328 SECTION 173. Ordinance 10870, Section 387, as amended, and K.C.C.

8329 21A.16.020 are hereby amended to read as follows:

8330 (~~((Except for communication facilities regulated pursuant to K.C.C. 21A.26, a))~~)All

8331 new development listed in K.C.C. 21A.16.030 shall be subject to the landscaping

8332 provisions of this chapter, (~~((provided that))~~) except that:

8333 A. Communication facilities regulated under K.C.C. chapter 21A.26 are not  
8334 subject to these provisions; and

8335 B. (~~((specific))~~)Landscaping and tree retention provisions for uses (~~((established~~  
8336 ~~through))~~) requiring a conditional use permit(~~((s))~~) or a special use permit(~~((s or an urban~~

8337 ~~planned development application~~) shall be determined (~~during~~) through the applicable  
8338 review process.

8339 SECTION 174. Ordinance 10870, Section 388, as amended, and K.C.C.  
8340 21A.16.030 are hereby amended to read as follows:

8341 To facilitate the application of this chapter, the land uses of K.C.C. chapter  
8342 21A.08 have been grouped in the following manner:

8343 A. Residential development refers to those uses listed in K.C.C. 21A.08.030 and  
8344 K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance), except  
8345 those uses listed under Accessory uses, (~~and~~) as follows:

8346 1. Attached(~~/group residences~~) housing refers to:

8347 a. townhouses(~~, except as provided in subsection A.2.a. of this section~~);

8348 b. apartments (~~and detached dwelling units developed on common property at~~  
8349 ~~a density of twelve or more units per acre~~);

8350 c. senior (~~citizen~~) assisted housing;

8351 d. (~~temporary lodging~~) congregate residence;

8352 e. (~~group residences other than Type I community residential facilities~~)  
8353 manufactured home communities;

8354 f. (~~mobile home parks; and~~) residential care services uses; and

8355 2. (~~Single family~~) Detached residential development refers to:

8356 a. single detached residences, including residential subdivisions and short

8357 subdivisions (~~, including attached and detached dwelling units on individually platted or~~  
8358 ~~short platted lots~~);

- 8359            b. ~~((any detached dwelling units located on a lot including cottage housing~~  
8360 ~~units))~~ duplexes;
- 8361            c. houseplexes;
- 8362            d. adult family homes; and
- 8363            ~~((e. Type I))~~ e. community residential facilities I;
- 8364            B. Commercial development refers to those uses in:
- 8365            1. K.C.C. 21A.08.040 as amusement/entertainment uses, except golf facilities;
- 8366            2. K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance)  
8367 as health care services, except hospitals;
- 8368            3. K.C.C. 21A.08.050 except recycling centers, ~~((health and))~~ educational  
8369 services, daycare I and II, ~~((churches, synagogues and temples))~~ religious facilities, and  
8370 miscellaneous repair as allowed in the A and RA zones; and
- 8371            3. K.C.C. 21A.08.070, except forest product sales and agricultural product sales  
8372 as allowed in the A, F<sub>2</sub> and RA zones and building, hardware<sub>2</sub> and garden materials as  
8373 allowed in the A zones;
- 8374            C. Industrial development refers to those uses listed in:
- 8375            1. K.C.C. 21A.08.050 as recycling center;
- 8376            2. K.C.C. 21A.08.060, except government services and farm product  
8377 warehousing, refrigeration<sub>2</sub> and storage as allowed in the A zones;
- 8378            3. K.C.C. 21A.08.080, except food and kindred products as allowed in the A  
8379 and F zones; and
- 8380            4. K.C.C. 21A.08.090 as mineral extraction and processing;
- 8381            D. Institutional development refers to those uses listed in:

- 8382 1. K.C.C. 21A.08.040 as cultural uses, except arboretums;
- 8383 2. K.C.C. 21A.08.050 as ~~((churches, synagogues and temples,))~~ religious
- 8384 facilities ~~((health services))~~ and education services except specialized instruction schools
- 8385 ~~((permitted))~~ allowed as an accessory use;
- 8386 3. K.C.C. 21A.08.060 as government services; ~~((and))~~
- 8387 4. Search and rescue facilities; and
- 8388 5. Hospitals.
- 8389 E. Utility development refers to those uses listed in K.C.C. 21A.08.060 as utility
- 8390 facilities; and
- 8391 F. Uses in K.C.C. chapter 21A.08 that are not listed in subsections A. through E.
- 8392 of this section shall not be subject to landscaping and tree retention requirements except
- 8393 as ~~((specified in any))~~ determined through the applicable review of a conditional use
- 8394 permit, ~~((or))~~ special use permit~~((s))~~, or ~~((reviews conducted))~~ by the agricultural
- 8395 technical review committee in accordance with K.C.C. 21A.42.300.

8396 SECTION 175. Ordinance 10870, Section 390, as amended, and K.C.C.

8397 21A.16.050 are hereby amended to read as follows:

8398 The average width of perimeter landscaping along street frontages shall be

8399 provided as follows:

8400 A. Twenty feet of Type II landscaping shall be provided for an institutional use,

8401 excluding playgrounds and playfields;

8402 B. Ten feet of Type II landscaping shall be provided for an industrial

8403 development;

8404 C. Ten feet of Type II landscaping shall be provided for an ~~((above-ground))~~  
8405 aboveground utility facilities development, excluding distribution and transmission  
8406 corridors, located outside a public right-of-way;

8407 D. Ten feet of Type III landscaping shall be provided for a commercial or  
8408 attached~~((group residence))~~ housing development; and

8409 E. For single~~((family))~~ detached subdivisions and short subdivisions in the urban  
8410 ~~((growth))~~ area:

8411 1. Trees shall be planted at the rate of one tree for every forty feet of frontage  
8412 along all public streets;

8413 2. The trees shall be:

8414 a. Located within the street right-of-way if ~~((permitted))~~ allowed by the  
8415 custodial state or local agency;

8416 b. No more than twenty feet from the street right-of-way line if located within  
8417 a lot;

8418 c. Maintained by the adjacent landowner unless part of a county maintenance  
8419 program; and

8420 d. A species approved by the county if located within the street right-of way  
8421 and compatible with overhead utility lines.

8422 3. The trees may be spaced at irregular intervals to accommodate sight distance  
8423 requirements for driveways and intersections.

8424 SECTION 176. Ordinance 10870, Section 391, as amended, and K.C.C.

8425 21A.16.060 are hereby amended to read as follows:



8426           The average width of perimeter landscaping along interior lot lines shall be  
8427 provided as follows:

8428           A. Twenty feet of Type I landscaping shall be included in a commercial or  
8429 industrial development along any portion adjacent to a residential development;

8430           B. Five feet of Type II landscaping shall be included in an attached(~~(group~~  
8431 ~~residence)) housing development, except that along portions of the development adjacent  
8432 to property developed with single detached residences or vacant property that is zoned  
8433 RA, UR, R-1, R-4, R-6, or (~~(R-1-8))~~ R-8, the requirement shall be ten feet of Type II  
8434 landscaping;~~

8435           C. Ten feet of Type II landscaping shall be included in an industrial development  
8436 along any portion adjacent to a commercial or institutional development; and

8437           D. Ten feet of Type II landscaping shall be included in an institutional use,  
8438 excluding playgrounds and playfields, or an aboveground utility facility development,  
8439 excluding distribution or transmission corridors, when located outside a public right-of-  
8440 way.

8441           SECTION 177. Ordinance 10870, Section 395, as amended, and K.C.C.

8442 21A.16.100 are hereby amended to read as follows:

8443           The following alternative landscape options may be allowed, subject to county  
8444 approval, only if they accomplish equal or better levels of screening, or when existing  
8445 conditions on or adjacent to the site, such as significant topographic differences,  
8446 vegetation, structures, or utilities would render application of this chapter ineffective or  
8447 result in scenic view obstruction:

8448           A. The amount of required landscape area may be reduced to ensure that the total  
8449 area for required landscaping, and/or the area remaining undisturbed for the purpose of  
8450 wildlife habitat or corridors does not exceed ~~((15))~~ fifteen percent of the net developable  
8451 area of the site. For the purpose of this subsection A., the net developable area of the site  
8452 shall not include areas deemed unbuildable due to their location within sensitive areas  
8453 and any associated buffers~~((:))~~;

8454           B. The average width of the perimeter landscape strip may be reduced up to  
8455 ~~((25))~~ twenty-five percent along any portion where:

8456           1. Berms at least three feet in height or architectural barriers at least six feet in  
8457 height are incorporated into the landscape design; or

8458           2. The landscape materials are incorporated elsewhere on-site;

8459           C. In pedestrian district overlays, street perimeter landscaping may be waived  
8460 provided a site plan, consistent with the applicable adopted area zoning document, is  
8461 approved that provides street trees and other pedestrian-related amenities;

8462           D. Landscaping standards for uses located in a rural town or rural neighborhood  
8463 ~~((business))~~ commercial centers designated by the ~~((e))~~ Comprehensive ~~((p))~~ Plan may be  
8464 waived or modified by the director if deemed necessary to maintain the historic character  
8465 of the area. Where a ~~((local or))~~ subarea plan with design guidelines has been adopted,  
8466 the director shall base the landscaping modifications on the policies and guidelines of  
8467 such plan~~((:))~~;

8468           E. When an existing structure precludes installation of the total amount of  
8469 required site perimeter landscaping, such landscaping material shall be incorporated on  
8470 another portion of the site~~((:))~~;

8471 F. Single-stemmed deciduous tree species that cannot generally be planted and  
8472 established in larger sizes may have a caliper of less than 1.5 inches; ~~((and))~~

8473 G. The number of trees and shrubs to be provided in required perimeter and  
8474 parking area landscaping may be reduced up to ~~((25))~~ twenty-five percent when a  
8475 development uses landscaping materials consisting of species typically associated with  
8476 the Puget Sound Basin in the following proportions:

8477 1. Seventy-five percent of groundcover and shrubs~~((7))~~; and

8478 2. Fifty percent of trees~~((7))~~;

8479 H. The department shall, ~~((pursuant to))~~ in accordance with K.C.C. chapter 2.98,  
8480 develop and maintain an advisory listing of trees recommended for new plantings. Such  
8481 list shall describe their general characteristics and suitability, and provide guidelines for  
8482 their inclusion within required landscape areas; and

8483 I. Crops may be planted in place of up to twenty-five percent of required Type II  
8484 or Type III landscaping in a commercial, residential, or institutional development.

8485 SECTION 178. Ordinance 10870, Section 406, as amended, and K.C.C.  
8486 21A.18.020 are hereby amended to read as follows:

8487 A. Before an occupancy permit may be granted for any new or enlarged building  
8488 or for a change of use in any existing building, the use shall be required to meet the  
8489 requirements of this chapter. In addition, K.C.C. 21A.18.110~~((-))~~I. and J. establish  
8490 residential parking limitations applicable to existing~~((, as well as))~~ and new~~((7))~~  
8491 residential uses.

8492 B. If this chapter does not specify a parking requirement for a land use, the  
8493 director shall establish the minimum requirement based on a study of anticipated parking

8494 demand. Transportation demand management actions taken at the site shall be considered  
8495 in determining anticipated demand. If the site is located in an unincorporated activity  
8496 center or community business center, the minimum requirement shall be set at a level less  
8497 than the anticipated demand, but at no less than seventy-five percent of the anticipated  
8498 demand. In the study, the applicant shall provide sufficient information to demonstrate  
8499 that the parking demand for a specific land use will be satisfied. Parking studies shall be  
8500 prepared by a professional engineer with expertise in traffic and parking analyses, or an  
8501 equally qualified individual as authorized by the director.

8502 C. If the required amount of off-street parking has been proposed to be provided  
8503 off-site, the applicant shall provide written contracts with affected landowners showing  
8504 that required off-street parking shall be provided in a manner consistent with this chapter.  
8505 The contracts shall be reviewed by the director for compliance with this chapter, and if  
8506 approved, the contracts shall be recorded with the records and licensing services division  
8507 as a deed restriction on the title to all applicable properties. These deed restrictions may  
8508 not be revoked or modified without authorization by the director.

8509 D. Upon request from the ~~((proponent of any use subject to the this chapter))~~  
8510 applicant, the director may waive or modify the requirements of this chapter for uses  
8511 located in a rural town, rural neighborhood center, any commercial zone located in a rural  
8512 area or natural resource ~~((production district))~~ lands ~~((designated by the Comprehensive~~  
8513 ~~Plan))~~, or any agricultural product production, processing or sales use allowed in the A or  
8514 F zones, ~~((the director may waive or modify this chapter))~~ in order to protect or enhance  
8515 the historic character of the area, to reduce the need for pavement or other impervious  
8516 surfaces, to recognize the seasonal nature of any such activity, or to minimize the

8517 conversion of agriculturally productive soils. Where a ~~((neighborhood or))~~ subarea plan  
8518 with design guidelines that includes the subject property has been adopted, the director  
8519 shall base allowable waivers or modifications on the policies and guidelines in such a  
8520 plan.

8521 SECTION 179. Ordinance 10870, Section 407, as amended, and K.C.C.

8522 21A.18.030 are hereby amended to read as follows:

8523 A.1. Except as modified in K.C.C. 21A.18.070.B. through D., the required  
8524 number of off-street parking ~~((areas))~~ spaces shall ~~((contain at a minimum the number of~~  
8525 ~~parking spaces as stipulated in the following))~~ be provided in accordance with the table in  
8526 subsection A.4. of this section.

8527 2. Off-street parking ratios ~~((expressed as number of spaces per square feet~~  
8528 ~~means))~~ shall be based on the usable or net square footage of floor area, exclusive of  
8529 ~~((non-public))~~ non-occupied areas. ~~((Non-public))~~ For the purposes of this section, "non-  
8530 occupied areas" include, but are not limited to, building maintenance areas, storage areas,  
8531 closets, or restrooms.

8532 3. If the formula for determining the number of off-street parking spaces results  
8533 in a fraction, the number of off-street parking spaces shall be rounded to the nearest  
8534 whole number with fractions of 0.50 or greater rounding up and fractions below 0.50  
8535 rounding down.

8536 4. Minimum Required Parking Spaces.

LAND USE	MINIMUM PARKING SPACES REQUIRED
<b>RESIDENTIAL (K.C.C. 21A.08.030.A.):</b>	

<u>Any residential use within a 1/2 mile walkshed of a high-capacity or frequent transit stop</u>	<u>1.2 per dwelling unit or the minimum required for the use, whichever is lower</u>
<u>Inclusionary housing (K.C.C. chapter 21A.48)</u>	<u>1.0 per dwelling unit</u>
Single detached residence/Townhouse	2.0 per dwelling unit
<u>Duplex or Houseplex</u>	<u>1.5 per dwelling unit</u>
Apartment:	
Studio units	1.2 per dwelling unit
One bedroom units	1.5 per dwelling unit
Two bedroom units	1.7 per dwelling unit
Three bedroom units or larger	2.0 per dwelling unit
<del>((Mobile))</del> <u>Manufactured home</u> <del>((park))</del> <u>community</u>	2.0 per dwelling unit
Senior <del>((citizen))</del> assisted <u>housing</u>	1 per 2 dwelling or sleeping units
<del>((Community residential facilities</del>	<del>1 per two bedrooms))</del>
<del>((Dormitory, including religious))</del> <u>Congregate residence</u>	1 per <del>((two bedrooms))</del> <u>2 dwelling or sleeping units</u>
<del>((Hotel/Motel including</del> <del>organizational hotel/lodging</del>	<del>1 per bedroom</del>

<del>Bed and breakfast guesthouse</del>	<del>1 per guest room, plus 2 per facility))</del>
Cottage housing	1 per dwelling unit
<b><u>HEALTH CARE SERVICES AND RESIDENTIAL CARE SERVICES (K.C.C. 21A.08.XXX (the new section created by section 148 of this ordinance))</u></b>	
<u>Health Care and Residential Care Services</u>	<u>1 per 300 square feet of office, labs, examination or patient room</u>
<u>Exceptions:</u>	
<u>Hospital</u>	<u>1 per bed</u>
<u>Nursing and personal care facility</u>	<u>1 per 4 beds</u>
<u>Adult family home</u>	<u>2 per home</u>
<u>Community residential facilities</u>	<u>1 per 2 bedrooms</u>
<u>Permanent supportive housing</u>	<u>1 per 2 employees plus 1 per 20 dwelling units</u>
<u>Recuperative housing</u>	<u>1 per 2 employees plus 1 per 10 sleeping unit</u>
<u>Emergency supportive housing</u>	<u>1 per 2 employees plus 1 per 20 sleeping unit</u>
<u>Microshelter villages</u>	<u>1 per 2 employees plus 1 per 20 microshelters</u>
<b><u>((RECREATION/)) RECREATIONAL AND CULTURAL (K.C.C. 21A.08.040.A.):</u></b>	
<del>((Recreation/))</del> <u>Recreational and</u>	1 per 300 square feet

cultural uses	
Exceptions:	
Bowling center	5 per lane
Golf course	3 per hole, plus 1 per 300 square feet of clubhouse facilities
Tennis Club	4 per tennis court plus 1 per 300 square feet of clubhouse facility
Golf driving range	1 per tee
Park/playfield/paintball	(director)
Theater	1 per 3 fixed seats
Conference center	Greater of 1 per 3 fixed seats plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per room, whichever results in the greater number of spaces).
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>GENERAL SERVICES (K.C.C. 21A.08.050.A):</b>	
General services uses	1 per 300 square feet
Exceptions:	
Funeral home/Crematory	1 per 50 square feet of chapel area
Daycare I	2 per facility
Daycare II	2 per facility, plus 1 space for each 20 children
(Churches, synagogue,	1 per 5 fixed seats, plus 1 per 50 square feet of



<del>temple</del> ) <u>Religious facility</u>	gross floor area without fixed seats used for assembly purposes
<del>((Outpatient and</del> <del>))Veterinary</del> <del>clinic ((offices))</del>	1 per 300 square feet of office, labs, and examination rooms
<del>((Nursing and personal</del> <del>care Facilities</del>	<del>1 per 4 beds</del>
<del>Hospital</del>	<del>1 per bed))</del>
<u>Hotel/Motel</u>	<u>1 per room</u>
<u>Organizational</u> <u>hotel/lodging</u>	<u>1 per room</u>
<u>Bed and breakfast</u> <u>guesthouse</u>	<u>1 per guest room, plus 2 per facility</u>
Elementary schools	1 per classroom, plus 1 per 50 students
<del>((Secondary schools))</del>	
Middle/junior high schools	1 per classroom, plus 1 per 50 students
<u>Secondary or ((H))high</u> schools	1 per classroom, plus 1 per 10 students
<u>Secondary or ((H))high</u> schools with stadiums	<del>((g))</del> <u>Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium</u>
Vocational schools	1 per classroom, plus 1 per <del>((five))</del> <u>5</u> students
Specialized instruction	1 per classroom, plus 1 per <del>((two))</del> <u>2</u> students

Schools	
Artist Studios	0.9 per 1,000 square feet of area used for studios
<b>GOVERNMENT/BUSINESS SERVICES (K.C.C. 21A.08.060.A<sub>2</sub>):</b>	
Government/business services uses((:))	1 per 300 square feet
Exceptions:	
Public agency yard	1 per 300 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas
Public agency archives	0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas
Courts	3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas
Police facility	(director)
Fire facility	(director)
Construction and trade	1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area
Warehousing and storage	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area
Self-service storage	1 per 3,500 square feet of storage area, plus 2 for any resident director's unit
Outdoor advertising services	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area

Heavy equipment repair	1 per 300 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas
Office	1 per 300 square feet
<b>LAND USE</b>	<b>MINIMUM PARKING SPACES REQUIRED</b>
<b>RETAIL((AWHOLESALE)) (K.C.C. 21A.08.070.A<sub>2</sub>):</b>	
Retail (( <del>trade</del> )) uses((:))	1 per 300 square feet
Exceptions:	
Food stores, less than 15,000 square feet	3 plus 1 per 350 square feet
Gasoline service stations (( <del>w/</del> ) <u>without</u> grocery	3 per facility, plus 1 per service bay
Gasoline service stations (( <del>w/</del> ) <u>with</u> grocery, no service bays	1 per facility, plus 1 per 300 square feet of store
Restaurants	1 per 75 square feet in dining or lounge areas
Remote tasting rooms	1 per 300 square feet of tasting and retail areas
Wholesale trade uses	0.9 per 1,000 square feet
((Retail and wholesale trade mixed use	1 per 300 square feet))
<b>MANUFACTURING (K.C.C. 21A.08.080.A<sub>2</sub>):</b>	
Manufacturing uses	0.9 per 1,000 square feet
Winery/Brewery/Distillery	0.9 per 1,000 square feet, plus 1 per 300 square

Facility II and III	feet of tasting and retail areas
<b>RESOURCES (K.C.C. 21A.08.090.A<sub>2</sub>):</b>	
Resource uses	(director)
<b>REGIONAL (K.C.C. 21A.08.100.A<sub>2</sub>):</b>	
Regional uses	(director)

8537 B. An applicant may request a modification of the minimum required number of  
 8538 parking spaces by (~~providing~~) demonstrating that parking demand can be met with a  
 8539 reduced parking requirement. In such cases, the director may approve a reduction of up  
 8540 to fifty percent of the minimum required number of spaces.

8541 C. When the county has received a shell building permit application, off-street  
 8542 parking requirements shall be based on the possible tenant improvements or uses  
 8543 authorized by the zoning classification and compatible with the limitations of the shell  
 8544 permit. When the range of possible uses result in different parking requirements, the  
 8545 director will establish the amount of parking based on a likely range of uses.

8546 D. Where other provisions of this code stipulate maximum parking allowed or  
 8547 reduced minimum parking requirements, those provisions shall apply.

8548 E.1. In any development required to provide six or more parking spaces, bicycle  
 8549 parking shall be provided. Bicycle parking shall be bike racks or locker-type parking  
 8550 facilities unless otherwise specified.

8551 (~~1.~~) 2. Off-street parking areas shall contain at least one bicycle parking space  
 8552 for every twelve spaces required for motor vehicles except as follows:

8553 a. The director may reduce (~~(bike rack)~~) bicycle parking facilities for patrons  
8554 when it is demonstrated that bicycle activity will not occur at that location.

8555 b. The director may require additional spaces when it is determined that the  
8556 use or its location will generate a high volume of bicycle activity. Such a determination  
8557 will include, but not be limited to, the following uses:

8558 (1) Park/playfield(~~(7)~~);

8559 (2) Marina(~~(7)~~);

8560 (3) Library/museum/arboretum(~~(7)~~);

8561 (4) Elementary/secondary school(~~(7)~~);

8562 (5) Sports club(~~(7)~~); or

8563 (6) Retail business (when located along a developed bicycle trail or  
8564 designated bicycle route).

8565 ~~((2-))~~ 3. Bicycle (~~(facilities)~~) parking for patrons shall be located within 100 feet  
8566 of the building entrance and shall be designed to allow either a bicycle frame or wheels to  
8567 be locked to a structure attached to the pavement.

8568 ~~((3-))~~ 4. All bicycle parking and storage shall be located in safe, visible areas  
8569 that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime  
8570 use.

8571 ~~((4-))~~ 5. When more than ten people are employed on-site, enclosed locker-type  
8572 parking facilities for employees shall be provided. The director shall allocate the  
8573 required number of parking spaces between bike rack parking and enclosed locker-type  
8574 parking facilities.

8575            ~~((5-))~~ 6. One indoor bicycle storage space shall be provided for every two  
8576 dwelling units in townhouses and apartments ~~((residential uses))~~, unless individual  
8577 garages are provided for every unit. The director may reduce the number of ~~((bike rack))~~  
8578 bicycle parking spaces if indoor storage facilities are available to all residents.

8579            SECTION 180. Ordinance 10870, Section 410, as amended, and K.C.C.  
8580 21A.18.050 are hereby amended to read as follows:

8581            A. For community residential facilities and senior assisted housing, ~~((F))~~ the  
8582 minimum parking requirement ~~((of one off-street parking space per two bedrooms for  
8583 CRF's and one off-street parking space per two senior citizen assisted housing units))~~  
8584 may be reduced by up to ~~((50))~~ fifty percent, as determined by the director based on the  
8585 following considerations:

- 8586            1. Availability of private, convenient transportation services to meet the needs  
8587 of ~~((the CRF))~~ residents;
- 8588            2. Accessibility to and frequency of public transportation; and
- 8589            3. Pedestrian access to health, medical, and shopping facilities;

8590            B. If a ~~((CRF))~~ community residential facility or senior ~~((citizen))~~ assisted  
8591 housing is no longer used for such purposes, additional off-street parking spaces shall be  
8592 required in compliance with this chapter ~~((prior to))~~ before the issuance of a new  
8593 certificate of occupancy.

8594            SECTION 181. Ordinance 10870, Section 414, as amended, and K.C.C.  
8595 21A.18.100 are hereby amended to read as follows:

8596 A. (~~Non-residential~~) Nonresidential uses. All (~~permitted~~) nonresidential uses  
8597 shall provide pedestrian and bicycle (~~access~~) facilities within and onto the site(~~)~~ as  
8598 follows:

8599 1. Access points onto the site shall be provided:

8600 (~~(a)~~) a. approximately every (~~(800)~~) eight hundred to (~~(1,000)~~) one thousand  
8601 feet along existing and proposed perimeter sidewalks and walkways(~~)~~; and

8602 (~~(b)~~) b. at all arrival points to the site, including abutting street intersections,  
8603 crosswalks, and transit stops(~~)~~;

8604 2. (~~In addition, a~~) Access points to and from adjacent lots shall be coordinated  
8605 to provide pedestrian and bicycle circulation patterns between developments; and

8606 3. In the urban area, sidewalks, walkways, and bicycle facilities in commercial  
8607 developments shall be sufficient width and surface material to support anticipated  
8608 bicyclist volumes and pedestrian access to all ages and abilities.

8609 B. Residential uses.

8610 (~~(1)~~) All (~~permitted~~) residential uses of five or more dwelling units shall  
8611 provide pedestrian and bicycle (~~access~~) facilities within and onto the site(~~)~~ as follows:

8612 1. Access points onto the site shall be provided:

8613 (~~(a)~~) a. approximately every (~~(800)~~) eight hundred to (~~(1,000)~~) one thousand  
8614 feet along existing and proposed perimeter sidewalks and walkways(~~)~~; and

8615 (~~(b)~~) b. at all arrival points to the site, including abutting street intersections,  
8616 crosswalks, and transit and school bus stops(~~)~~;

8617 2. (~~In addition, a~~) Access points to and from adjacent lots shall be coordinated  
8618 to provide pedestrian and bicycle circulation patterns between sites(~~)~~;





8632 C. Walkways shall form an on-site circulation system that minimizes the conflict  
8633 between pedestrians and traffic at all points of pedestrian access to on-site parking and  
8634 building entrances. Walkways shall be provided when the pedestrian access point onto  
8635 the site, or any parking space, is more than ~~((75))~~ seventy-five feet from the building  
8636 entrance or principal on-site destination and as follows:

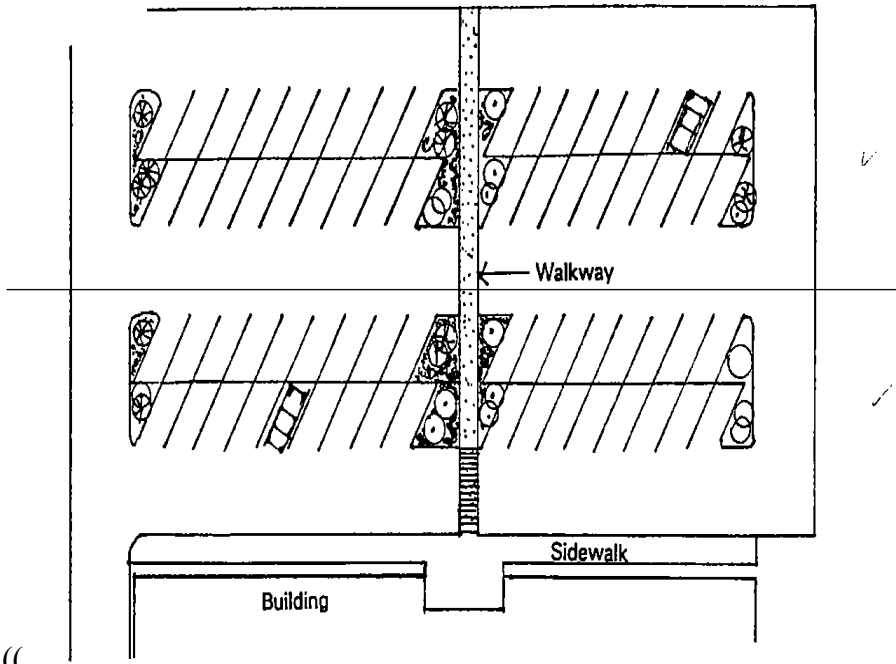
8637 1. All developments ~~((which))~~ that contain more than one building shall provide  
8638 walkways between the principal entrances of the buildings;

8639 2. All ~~((non-residential))~~ nonresidential buildings set back more than ~~((100))~~  
8640 one hundred feet from the public right-of-way shall provide for direct pedestrian access  
8641 from the building to buildings on adjacent lots; and

8642 3. Walkways across parking areas shall be located as follows:

8643 a. Walkways running parallel to the parking rows shall be provided for every  
8644 six rows. Rows without walkways shall be landscaped or contain barriers or other means  
8645 to encourage pedestrians to use the walkways; and

8646 b. Walkways running perpendicular to the parking rows shall be no further  
8647 than twenty parking spaces. Landscaping, barriers, or other means shall be provided  
8648 between the parking rows to encourage pedestrians to use the walkways~~((;))~~.



8649 ((

8650 **WALKWAYS RUNNING PERPENDICULAR TO PARKING))**

8651 D. Pedestrian and bicycle access and walkways shall meet the following  
8652 minimum design standards:

8653 1. Access and walkways shall be well lit and physically separated from  
8654 driveways and parking spaces by landscaping, berms, barriers, grade separation, or other  
8655 means to protect pedestrians from vehicular traffic;

8656 2. Access and walkways shall be a minimum of ((48)) forty-eight inches of  
8657 unobstructed width and meet the surfacing standards of the King County Road Standards  
8658 for walkways or sidewalks;

8659 3. The minimum standard for walkways required to be accessible for persons  
8660 with disabilities shall be designed and constructed to comply with the current State  
8661 Building Code regulations for barrier-free accessibility; and

8662 4. A crosswalk shall be required when a walkway crosses a driveway or a paved  
8663 area accessible to vehicles(~~(; and)~~).

8664 E. Blocks in excess of (~~(660)~~) six hundred sixty feet shall be provided with a  
8665 crosswalk at the approximate midpoint of the block.

8666 F.1. The director may waive or modify the requirements of this section when:

8667 ~~((1-))~~ a. ~~((E))~~ existing or proposed improvements would create an unsafe  
8668 condition or security concern;

8669 ~~((2-))~~ b. ~~((F))~~ there are topographical constraints, or existing or required  
8670 structures effectively block access;

8671 ~~((3-))~~ c. ~~((F))~~ the site is in ~~((a))~~ the rural area or natural resource lands outside  
8672 of or not contiguous to an activity center, park, common tract, dedicated open space,  
8673 school, transit stop, or other public facility;

8674 ~~((4-))~~ d. ~~((F))~~ the land use would not generate the need for pedestrian or bicycle  
8675 access; or

8676 ~~((5-))~~ e. the public is not allowed access to the subject land use~~((;))~~; and

8677 2. The director's waiver may not be used to modify or waive the requirements of  
8678 K.C.C. 21A.18.100 relating to sidewalks and safe walking conditions for students.

8679 G. ~~((The provisions of))~~ This section shall not apply on school district property.

8680 SECTION 182. Ordinance 10870, Section 415, as amended, and K.C.C.

8681 21A.18.110 are hereby amended to read as follows:

8682 A. Off-street parking areas shall not be located more than six hundred feet from  
8683 the building they are required to serve for all uses except those specified as follows(~~(;))~~;  
8684 where an off-street parking area does not abut the building it serves, the required

8685 maximum distance shall be measured from the nearest building entrance that the parking  
8686 area serves:

8687 1. For ~~((all))~~ single detached ~~((dwellings))~~ residences, duplex, or houseplexes,  
8688 the parking spaces shall be located on the same lot they are required to serve;

8689 2. For all other residential ~~((dwellings))~~ developments, at least a portion of  
8690 parking areas shall be located within one hundred fifty feet from the building or buildings  
8691 they are required to serve;

8692 3. For all nonresidential uses ~~((permitted))~~ allowed in ~~((rural area and~~  
8693 ~~residential))~~ RA, UR, and R zones, the parking spaces shall be located on the site they are  
8694 required to serve and at least a portion of parking areas shall be located within one  
8695 hundred fifty feet from the nearest building entrance they are required to serve;

8696 4. In ~~((designated))~~ unincorporated activity centers, community business  
8697 centers, and neighborhood business centers, parking lots shall be located to the rear or  
8698 sides of buildings. Relief from this subsection A.4, may be granted by the director only if  
8699 the applicant can demonstrate that there is no practical site design to meet this  
8700 requirement. The director may allow only the number of parking spaces that cannot be  
8701 accommodated to the rear or sides of buildings to be located to the front of buildings;

8702 5. Parking lots shall be so arranged as to permit the internal circulation of  
8703 vehicles between parking aisles without ~~((re-entering))~~ reentering adjoining public  
8704 streets; and

8705 6. Accessible ((P))parking stalls and access ~~((for the disabled))~~ shall be  
8706 provided in accordance with ~~((K.C.C. 21A.18.060))~~ chapter 19.27 RCW and chapter  
8707 70.92 RCW.

8708 B. The minimum parking space and aisle dimensions for the most common  
 8709 parking angles are shown on the table in this subsection. For parking angles other than  
 8710 those shown on the chart, the minimum parking space and aisle dimensions shall be  
 8711 determined by the director. Regardless of the parking angle, one-way aisles shall be at  
 8712 least ten feet wide, and two-way aisles shall be at least twenty feet wide. If dead-end  
 8713 aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking  
 8714 plans for angle parking shall use space widths no less than eight feet six inches for a  
 8715 standard parking space design and eight feet for a compact car parking space design.

8716 MINIMUM PARKING STALL AND AISLE DIMENSIONS

<b>(A)</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>PARKING</b>	<b>STALL</b>	<b>CURB</b>	<b>STALL</b>	<b>AISLE</b>	<b>UNIT DEPTH</b>
<b>G</b>	<b>WIDTH</b>	<b>LENGT</b>	<b>DEPT</b>	<b>WIDTH</b>	<b>1-WAY 2-</b>
<b>ANGLE</b>		<b>H</b>	<b>H</b>	<b>1-WAY 2-</b>	<b>WAY</b>
				<b>WAY</b>	
0—0	8.0* Min—8.5 Desired 9.0	20.0* 22.5 22.5	8.0 8.5 9.0	12.0 20.0 12.0 20.0 12.0 20.0	** ** 29.0—37.0 30.0—38.0
30—30	8.0* Min—8.5 Desired 9.0	16.0* 17.0 18.0	15.0 16.5 17.0	10.0 20.0 10.0 20.0 10.0 20.0	** ** 42.0—53.0 44.0—54.0
45—45	8.0* Min—8.5	11.5* 12.0	17.0*	12.0 20.0 12.0 20.0	** ** 50.0—58.0

	<del>Desired 9.0</del>	12.5		12.0 20.0	51.0 59.0
60 60	8.0*	9.6*	18.0	18.0 20.0	** **
	<del>Min 8.5</del>	10.0	20.0	18.0 20.0	58.0 60.0
	<del>Desired 9.0</del>	10.5	21.0	18.0 20.0	60.0 62.0
90	8.0*	8.0*	16.0*	24.0 24.0	** **
	<del>Min 8.5</del>	8.5	18.0	24.0 24.0	60.0 60.0
	<del>Desired 9.0</del>	9.0	18.0	23.0 24.0	60.0 60.0))

8717

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	
<u>PARKING</u>	<u>STALL</u>	<u>CURB</u>	<u>STALL</u>	<u>AISLE WIDTH</u>	
<u>ANGLE</u>	<u>WIDTH</u>	<u>LENGTH</u>	<u>DEPTH</u>	<u>1-WAY</u>	<u>2-WAY</u>
0	<u>Compact: 8.0 feet</u>	<u>20.0 feet</u>	<u>8.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>22.5 feet</u>	<u>8.5 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>22.5 feet</u>	<u>9.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
30	<u>Compact: 8.0 feet</u>	<u>16.0 feet</u>	<u>15.0 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>17.0 feet</u>	<u>16.5 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>18.0 feet</u>	<u>17.0 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>
45	<u>Compact: 8.0 feet</u>	<u>11.5 feet</u>	<u>17.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>12.0 feet</u>	<u>18.5 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>12.5 feet</u>	<u>19.0 feet</u>	<u>12.0 feet</u>	<u>20.0 feet</u>
60	<u>Compact: 8.0 feet</u>	<u>9.6 feet</u>	<u>18.0 feet</u>	<u>18.0 feet</u>	<u>20.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>10.0 feet</u>	<u>20.0 feet</u>	<u>18.0 feet</u>	<u>20.0 feet</u>

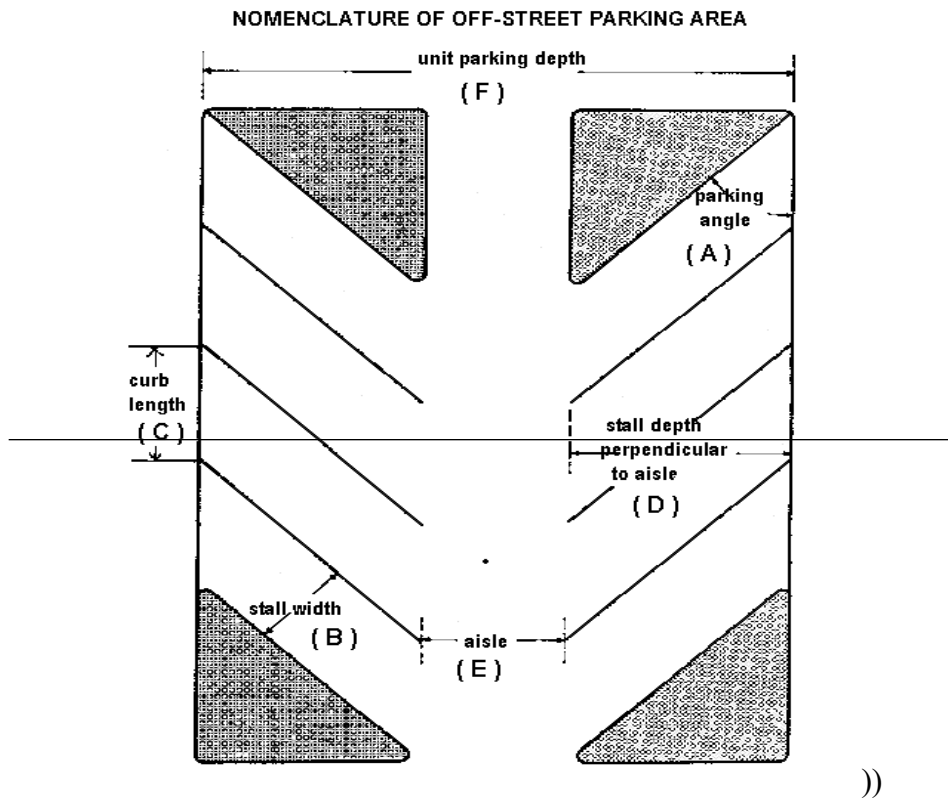
	<u>Desired 9.0 feet</u>	<u>10.5 feet</u>	<u>21.0 feet</u>	<u>18.0 feet</u>	<u>20.0 feet</u>
90	<u>Compact: 8.0 feet</u>	<u>8.0 feet</u>	<u>16.0 feet</u>	<u>24.0 feet</u>	<u>24.0 feet</u>
	<u>Minimum 8.5 feet</u>	<u>8.5 feet</u>	<u>18.0 feet</u>	<u>24.0 feet</u>	<u>24.0 feet</u>
	<u>Desired 9.0 feet</u>	<u>9.0 feet</u>	<u>18.0 feet</u>	<u>24.0 feet</u>	<u>24.0 feet</u>

8718

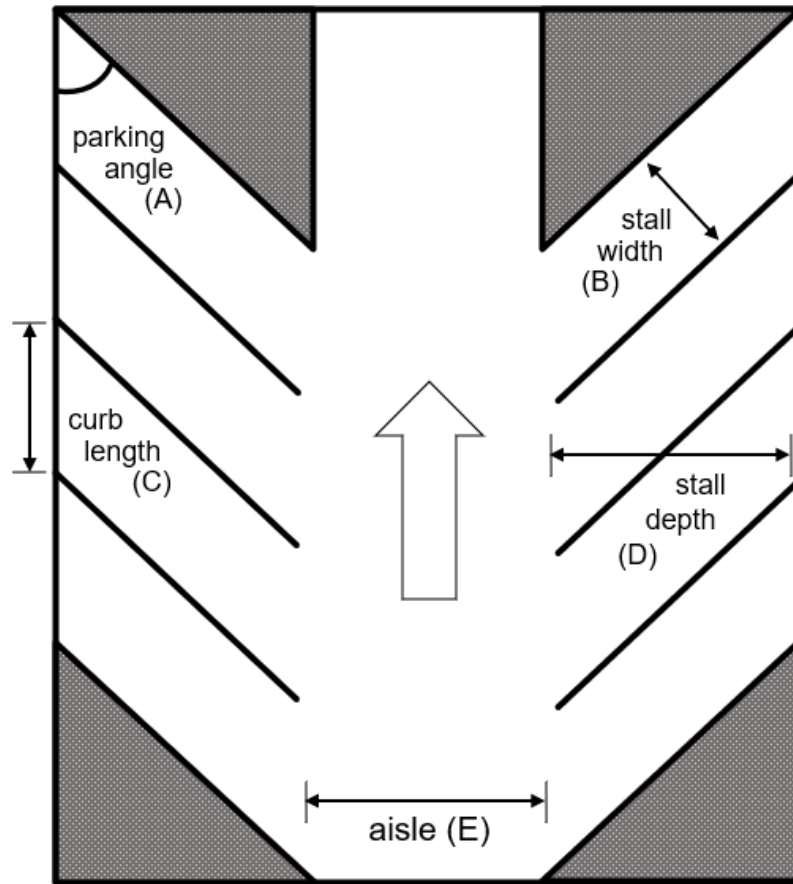
((\* for compact stalls only

8719

\*\* variable with compact and standard combinations



8720



8721

8722 C. Any parking spaces abutting a required landscaped area on the driver or  
8723 passenger side of the vehicle shall provide an additional eighteen inches above the  
8724 minimum space width requirement to provide a place to step other than in the landscaped  
8725 area. The additional width shall be separated from the adjacent parking space by a  
8726 parking space division stripe.

8727 D. The parking stall depth may be reduced if vehicles overhang a walkway or  
8728 landscaping under the following conditions:

- 8729 1. Wheelstops or curbs are installed;



- 8730           2. The remaining walkway provides a minimum of forty-eight inches of  
8731 unimpeded passageway for pedestrians;
- 8732           3. The amount of space depth reduction is limited to a maximum of eighteen  
8733 inches; and
- 8734           4. Landscaping is designed in accordance with K.C.C. 21A.16.070.E.
- 8735           E. Driveways providing ingress and egress between off-street parking areas and  
8736 abutting streets shall be designed, located, and constructed in accordance with K.C.C.  
8737 chapter 14.42, Road Standards. Driveways for single detached (~~dwelling, no more than~~  
8738 ~~twenty feet in width,)) residences may cross required setbacks or landscaped areas to  
8739 provide access between the off-street parking areas and the street, (~~provided~~) if the  
8740 driveway is no more than twenty feet in width and eliminates no more than fifteen  
8741 percent of the required landscaping or setback area (~~is eliminated by the driveway~~)).~~
- 8742 Joint use driveways may be located within required landscaping or setback areas.
- 8743 Driveways for all other developments may cross or be located within required setbacks or  
8744 landscaped areas to provide access between the off-street parking areas and the street, if  
8745 no more than ten percent of the required landscaping is displaced by the driveway and the  
8746 driveway is located no closer than five feet from any property line except where  
8747 intersecting the street.
- 8748           F. Parking spaces (~~required under this title~~) shall be located as follows:
- 8749           1. For single detached (~~dwelling units~~) residences, duplex, or houseplexes the  
8750 required parking spaces shall be outside of any required setbacks or landscaping, but  
8751 driveways crossing setbacks and required landscaping may be used for parking.

8752 However, if the driveway is a joint use driveway, ~~((no))~~ a vehicle parked on the driveway  
8753 shall not obstruct any joint user's access to the driveway or parking spaces;

8754 2. For all other developments, parking spaces may be ~~((permitted))~~ allowed by  
8755 the director in setback areas in accordance with an approved landscape plan; and

8756 3. For nonresidential uses in ~~((rural area and residential))~~ RA, UR, and R zones,  
8757 parking is ~~((permitted))~~ allowed in setback areas in accordance with K.C.C. 21A.12.220.

8758 G. Lighting shall be provided for safety of traffic and pedestrian circulation on  
8759 the site. It shall be designed to minimize direct illumination of abutting properties and  
8760 adjacent streets. The director shall have the authority to waive the requirement to provide  
8761 lighting.

8762 H. Tandem or end-to-end parking is allowed in residential developments.  
8763 ~~((Apartment or townhouse d))~~ Developments may have tandem parking areas for each  
8764 dwelling unit but shall not combine parking for separate dwelling units in tandem parking  
8765 areas.

8766 I. All vehicle parking and storage for single detached ~~((dwellings))~~ residences  
8767 ~~((must))~~ shall be in a garage~~((s))~~ or carport or on an approved impervious surface. Any  
8768 impervious surface used for vehicle parking or storage ~~((must))~~ shall have direct and  
8769 unobstructed driveway access.

8770 J. The total number of vehicles parked or stored outside of a building on a single  
8771 ~~((family))~~ detached lot in the R-1 through R-8 zones, excluding recreational vehicles and  
8772 trailers, shall not exceed six vehicles on lots that are twelve thousand five hundred square  
8773 feet or less and eight vehicles on lots that are greater than twelve thousand five hundred  
8774 square feet.

8775 K. Vanpool and carpool parking areas shall meet the following minimum design  
8776 standards:

8777 1. A minimum vertical clearance of seven feet three inches shall be provided to  
8778 accommodate van vehicles if designated vanpool and carpool parking spaces are located  
8779 in a parking structure; and

8780 2. A minimum turning radius of twenty-six feet four inches with a minimum  
8781 turning diameter, curb to curb, of fifty-two feet five inches shall be provided from  
8782 parking aisles to adjacent vanpool and carpool parking spaces.

8783 L. Direct access from the street right-of-way to off-street parking areas shall be  
8784 subject to K.C.C. 21A.28.120.

8785 M. No dead-end alley may provide access to more than eight off-street parking  
8786 spaces.

8787 N. Any parking stalls located in enclosed buildings (~~must~~) shall be totally  
8788 within the enclosed building.

8789 SECTION 183. Ordinance 10870, Section 417, and K.C.C. 21A.18.130 are  
8790 hereby amended to read as follows:

8791 A. (~~In any d~~) Development containing more than (~~20~~) twenty parking  
8792 spaces(~~;~~) may designate up to (~~50~~) fifty percent of the total number of spaces (~~may be~~  
8793 ~~sized to accommodate~~) for compact cars(~~,~~).

8794 B. Residential developments with less than twenty parking spaces may designate  
8795 up to 40 percent of the total number of spaces as compact.

8796 C. Parking spaces for compact cars are subject to the following:

8797            ~~((A.))~~ 1. Each space shall be clearly identified as a compact car space by  
8798 painting the word "COMPACT" in capital letters, a minimum of 8 inches high, on the  
8799 pavement at the base of the parking space and centered between the striping; and

8800            ~~((B.))~~ 2. Aisle widths shall conform to the standards set for standard size cars(~~(;~~  
8801 ~~and))~~).

8802            ~~((C.—Apartment developments with less than twenty parking spaces may  
8803 designate up to 40 percent of the required parking spaces as compact spaces.))~~

8804            SECTION 184. Ordinance 13022, Section 26, as amended, and K.C.C.  
8805 21A.20.190 are hereby amended to read as follows:

8806            Community identification signs are ~~((permitted))~~ allowed subject to the following  
8807 ~~((provisions))~~:

8808            A. ~~((Only Unincorporated Activity Center, urban planned development, Rural  
8809 Town))~~ Unincorporated activity centers and rural towns~~((, or designated and delineated  
8810 by the Comprehensive Plan,))~~ are eligible to be identified with community identification  
8811 signs~~((—Identification signs for Unincorporated Activity Centers, urban planned  
8812 developments or Rural Towns shall be))~~ placed along the boundaries identified by the  
8813 Comprehensive Plan;

8814            B. Two types of community identification signs are ~~((permitted))~~ allowed.  
8815 Primary signs are intended to mark the main arterial street entrances to a ~~((designated  
8816 community, Unincorporated Activity Center, urban planned development, Rural Town))~~  
8817 unincorporated activity center or rural town. Auxiliary signs are intended to mark  
8818 entrances to a ~~((designated community, Unincorporated Activity Center, urban planned~~

8819 ~~development, Rural Town,))~~ unincorporated activity center or rural town along local  
8820 access streets;

8821 C. Primary signs are subject to the following ~~((provisions))~~:

8822 1. No more than four primary signs shall be allowed per ~~((Unincorporated~~  
8823 ~~Activity Center, urban planned development, Rural Town or designated community))~~  
8824 unincorporated activity center or rural town;

8825 2. Each primary sign shall be no more than thirty-two square feet in area and no  
8826 more than six feet in height; and

8827 3. Primary signs shall only be located along arterial streets, outside of the right-  
8828 of-way;

8829 D. Auxiliary community identification signs are subject to the following  
8830 ~~((provisions))~~:

8831 1. There shall be no limits on the number of auxiliary community identification  
8832 signs allowed per ~~((Unincorporated Activity Center, urban planned development, Rural~~  
8833 ~~Town or designated community,))~~ unincorporated activity center or rural town; and

8834 2. Each auxiliary sign shall be no more than two square feet, and shall be  
8835 located only outside of the right-of-way; ~~((and))~~

8836 E. No commercial advertisement shall be ~~((permitted))~~ allowed on either primary  
8837 or auxiliary signs except as follows:

8838 1. When located on property within the RA, UR, and R-1~~((and R-12))~~ through  
8839 R-48 zones, signs may have a logo or other symbol of a community service or business  
8840 group, such as Kiwanis, Chamber of Commerce, or a similar group, sponsoring  
8841 construction of the sign or signs. Any ~~((permitted))~~ allowed logo or symbol shall be

8842 limited to an area of no more than two square feet on primary signs and no more than  
8843 seventy-two square inches on auxiliary signs; or

8844 2. When located on properties within the NB, CB, RB, O<sub>2</sub> and I zones, signs  
8845 may have a logo or other symbol of the company, community service, or business group  
8846 sponsoring construction of the sign or signs. Any (~~permitted~~) allowed logo or symbol  
8847 shall be limited to an area of no more than four square feet on primary signs and no more  
8848 than seventy-two square inches on auxiliary signs; and

8849 F. Community identification signs shall be exempt from the provisions of K.C.C.  
8850 21A.20.060.A. that require signs to be on-premise.

8851 SECTION 185. Ordinance 10870, Section 444, as amended, and K.C.C.  
8852 21A.22.060 are hereby amended to read as follows:

8853 Except as otherwise provided in K.C.C. 21A.22.040, in addition to requirements  
8854 in this title, all uses regulated under this chapter shall comply with the following  
8855 standards:

8856 A. The minimum site area shall be ten acres;

8857 B. On sites larger than twenty acres, activities shall occur in phases to minimize  
8858 environmental impacts. The size of each phase shall be determined during the review  
8859 process(~~(;)~~) in accordance with the following:

8860 1. On sites one hundred acres or less, each phase shall not be more than twenty-  
8861 five acres;

8862 2. On sites more than one hundred acres, each phase shall not be more than fifty  
8863 acres. Phases that include areas of greater than twenty-five acres shall have setbacks  
8864 double those specified in subsections E. and F. of this section;

8865           3. A third phase shall not be initiated until reclamation of the first phase is  
8866 substantially complete. More than two phases shall not be allowed to operate at a time  
8867 without previous phases having been reclaimed. The status of reclamation shall be  
8868 determined by:

8869           a. the Washington state Department of Natural Resources, unless authority has  
8870 been ceded to the county under RCW 78.44.390; or

8871           b. the county for sites that are exempt from chapter 78.44 RCW and that are  
8872 subject to K.C.C. 21A.22.081; and

8873           4. Minor variation from the standards in subsections B.1. through 3. of this  
8874 section may be requested and approved as part of the permit review process where it is  
8875 demonstrated to be needed or beneficial for compliant operation of the mineral extraction  
8876 based on regulations for protection of water quality, environmental conditions, or safety;

8877           C. If the department determines they are necessary to eliminate a safety hazard,  
8878 fences or alternatives to fences shall be:

8879           1. Provided in a manner that discourages access to areas of the site where:

8880           a. active extracting, processing, stockpiling, and loading of materials is  
8881 occurring;

8882           b. boundaries are in common with residential or commercial zone property or  
8883 public lands; or

8884           c. any unstable slope or any slope exceeding a grade of forty percent is present;

8885           2. At least six feet in height above the grade measured at a point five feet  
8886 outside the fence and the fence material shall have no opening larger than two inches;

8887           3. Installed with lockable gates at all openings or entrances;

8888 4. No more than four inches from the ground to fence bottom; and

8889 5. Maintained in good repair;

8890 D. Warning and trespass signs advising of the use shall be placed on the  
8891 perimeter of the site adjacent to RA, UR<sub>2</sub> or R zones at intervals no greater than two  
8892 hundred feet along any unfenced portion of the site where the items noted in subsection  
8893 C.1. of this section are present;

8894 E. Structural setbacks from property lines shall be as follows:

8895 1. Buildings, structures<sub>2</sub> and stockpiles used in the processing of materials shall  
8896 be no closer than:

8897 a. one hundred feet from any residential zoned properties except that the  
8898 setback may be reduced to fifty feet when the grade where such building or structures are  
8899 proposed is fifty feet or greater below the grade of the residential zoned property;

8900 b. fifty feet from any other zoned property, except when adjacent to another  
8901 use regulated under this chapter; and

8902 c. the greater of fifty feet from the edge of any public street or the setback from  
8903 residential zoned property on the far side of the street; and

8904 2. Offices, scale facilities, equipment storage buildings<sub>2</sub> and stockpiles,  
8905 including those for reclamation, shall not be closer than fifty feet from any property line  
8906 except when adjacent to another use regulated under this chapter or M or F zoned  
8907 property. Facilities necessary to control access to the site, when demonstrated to have no  
8908 practical alternative, may be located closer to the property line;

8909 F. On-site clearing, grading<sub>2</sub> or excavation, excluding that necessary for required  
8910 access, roadway<sub>2</sub> or storm drainage facility construction<sub>2</sub> or activities in accordance with



8911 an approved reclamation plan, shall not be (~~permitted~~) allowed within fifty feet of any  
8912 property line except along any portion of the perimeter adjacent to another use regulated  
8913 under this chapter or M or F zoned property. If native vegetation is restored, temporary  
8914 disturbance resulting from construction of noise attenuation features located closer than  
8915 fifty feet shall be (~~permitted~~) allowed;

8916 G. Landscaping consistent with type 1 screening under K.C.C. chapter 21A.16,  
8917 except using only plantings native to the surrounding area, shall be provided along any  
8918 portion of the site perimeter where site disturbances associated with a use regulated under  
8919 this chapter are performed, except where adjacent to another use regulated under this  
8920 chapter, forestry operation, or M or F-zoned property;

8921 H. Relevant clearing and grading operating standards from K.C.C. chapter 16.82  
8922 shall be applied; (~~and~~)

8923 I. Lighting shall:

8924 1. Be limited to that required for security, lighting of structures and equipment,  
8925 and vehicle operations; and

8926 2. Not directly glare onto surrounding properties; and

8927 J. Uses, buildings, structures, storage of equipment, and stockpile of materials not  
8928 directly related to an approved mineral extraction use, reclamation plan, materials  
8929 processing use, or fossil fuel facility, are prohibited.

8930 SECTION 186. Ordinance 3688, Section 303 and K.C.C. 21A.25.050 are hereby  
8931 amended to read as follows:

8932 A. The requirements of the shoreline master program apply to all uses and  
8933 development occurring within the shoreline jurisdiction. The King County shoreline

---

8934 jurisdiction consists of shorelines, shorelines of statewide significance, and shorelands as  
8935 defined in RCW 90.58.030 and K.C.C. chapter 21A.06, and the one-hundred-year  
8936 floodplain.

8937           B. The shoreline jurisdiction does not include tribal reservation lands and lands  
8938 held in trust by the federal government for tribes. Nothing in the King County shoreline  
8939 master program or action taken under that program shall affect any treaty right to which  
8940 the United States is a party.

8941           C. The lakes and segments of rivers and streams constituting the King County  
8942 shoreline jurisdiction are set forth in Attachment H to Ordinance 19146. The King  
8943 County shoreline jurisdiction is shown on a map adopted in chapter 6 of the King County  
8944 Comprehensive Plan. If there is a discrepancy between the map and the criteria  
8945 established in subsection A. of this section, the criteria shall constitute the official King  
8946 County shoreline jurisdiction. The county shall update the shoreline master program to  
8947 reflect the new designation within three years of the discovery of the discrepancy.

8948           NEW SECTION. SECTION 187. There is hereby added to K.C.C. chapter  
8949 21A.25 a new section to read as follows:

8950           When a critical area report is required by this chapter, the applicant shall submit a  
8951 report documenting the presence, type, and function of ecological critical areas. If the  
8952 development proposal will affect only a part of the development proposal site, the  
8953 department may limit the scope of the critical area report to include only that part of the  
8954 site that is affected by the development proposal. The report shall document how the  
8955 proposal avoids and minimizes impacts to the greatest extent feasible and document  
8956 measures taken to mitigate unavoidable impacts to ensure the proposal causes no net loss

8957 of ecological function. The applicant may combine a critical area report with any studies  
8958 required by other laws and regulations.

8959 SECTION 188. Ordinance 16958, Section 31, as amended, and K.C.C.  
8960 21A.25.100 are hereby amended to read as follows:

8961 A. The shoreline use table in this section determines whether a specific use is  
8962 allowed within each of the shoreline environments. The shoreline environment is located  
8963 on the vertical column and the specific use is located on the horizontal row of the table.  
8964 The specific uses are grouped by the shoreline use categories in WAC 173-26-241. The  
8965 specific uses are defined by those uses in K.C.C. chapter 21A.08. The table should be  
8966 interpreted as follows:

- 8967 1. If the cell is blank in the box at the intersection of the column and the row,  
8968 the use is prohibited in that shoreline environment;
- 8969 2. If the letter "P" appears in the box at the intersection of the column and the  
8970 row, the use may be allowed within the shoreline environment;
- 8971 3. If the letter "C" appears in the box at the intersection of the column and the  
8972 row, the use may be allowed within the shoreline environment subject to the shoreline  
8973 conditional use review procedures specified in K.C.C. 21A.44.100((-));
- 8974 4. If a number appears in the box at the intersection of the column and the row,  
8975 the use may be allowed subject to the appropriate review process in this section, the  
8976 general requirements of this chapter and the specific development conditions indicated  
8977 with the corresponding number in subsection C. of this section. If more than one number  
8978 appears after a letter, all numbers apply((-));

8979 5. If more than one letter-number combination appears in the box at the  
 8980 intersection of the column and the row, the use is allowed in accordance with each letter-  
 8981 number combination((-));

8982 6. A shoreline use may be allowed in the aquatic environment only if that  
 8983 shoreline use is allowed in the adjacent shoreland environment((-); and

8984 7. This section does not authorize a land use that is not allowed by the  
 8985 underlying zoning, but may add additional restrictions or conditions or prohibit specific  
 8986 land uses within the shoreline jurisdiction. When there is a conflict between the  
 8987 ~~((permitted))~~ allowed land uses in K.C.C. chapter 21A.08 and shoreline uses in this  
 8988 section, preference for shoreline uses shall first be given to water-dependent uses, then to  
 8989 water related uses, and finally to water enjoyment uses. All uses in the shoreline  
 8990 jurisdiction ~~((must))~~ shall comply with all relevant county code provisions and with the  
 8991 King County Shoreline Master Program.

8992 B. Shoreline uses.

<del>((P--Permitted Use</del>	High	Resident	Rur	Conserva	Resour	Fores	Natur	Aqua
<del>C--Shoreline</del>	Intensi	ial	al	ncy	ce	try	al	tic
<del>Conditional Use</del>	ty							
<del>Blank--Prohibited</del>								
<del>Shoreline uses are</del>								
<del>allowed only if the</del>								
<del>underlying zoning</del>								
<del>allows the use.</del>								

Shoreline uses are allowed in the aquatic environment only if the adjacent upland environment allows the use.))								
<b>Agriculture</b>								
Agriculture (K.C.C. 21A.08.090)		P	P	P	P	P	P1	
<b>Aquaculture (fish and wildlife management K.C.C. 21A.08.090)</b>								
Nonnative marine finfish aquaculture								
Commercial salmon net pens								
Noncommercial native salmon net	P2	P2	P2	P2	P2	P2	P2	P2

pens								
Native non-salmonid finfish net pens		C2	C2	C2				C2
Geoduck aquaculture	C2	C2	C2	C2	C2	C2	C2	C2
Aquaculture, not otherwise listed	P2	P2	P2	P2	P2	P2	P2	P2
<b>Boating Facilities</b>								
Marinas (K.C.C. 21A.08.040)	C3	C3	C3					C3
<b>Commercial Development</b>								
General services (K.C.C. 21A.08.050)	P4	P5	P5					
Business services, except SIC Industry ((No-)) 1611, automotive parking, and off-street required	P6							

parking lot (K.C.C. 21A.08.060)								
Retail (K.C.C. 21A.08.070)	P7	P8						
<b>Government Services</b>								
Government services except commuter parking lot, utility facility, and private stormwater management facility (K.C.C. 21A.08.060)	P9	P9	P9	P9	P9	P9	P9	C10
<b>Forest Practices</b>								
Forestry (K.C.C. 21A.08.090)		P11	P11	P11	P11	P11	C11	
<b>Industry</b>								
Manufacturing (K.C.C. 21A.08.080)	P12							

<b>In-stream structural uses</b>								
Hydroelectric generation facility, wastewater treatment facility, and municipal water production (K.C.C. 21A.08.100)	C13	C13	C13			C13		C13
In-stream utility facilities (K.C.C. 21A.08.060)	P14	P14	P14	P14	P14	P14	P14	C14
In-stream transportation portion of SIC 1611 highway and street construction (K.C.C. 21A.08.060)								C15
In-stream fish and wildlife								C16



management, except aquaculture (K.C.C. 21A.08.090)								
<b>Mining</b>								
Mineral uses (K.C.C. 21A.08.090)					C17	C17		C17
<b>Recreational Development</b>								
Recreational( <del>/</del> ) <u>and</u> cultural except for marinas and docks and piers (K.C.C. 21A.08.040)	P18	P19	P19	P20		P19	P21	C
<b>Residential Development</b>								
Single detached ( <del>dwelling units</del> ) <u>residences</u> (K.C.C. 21A.08.030) <u>and</u>		P	P	P	P	C22	C22	

<p><u>adult family homes</u> <u>and community</u> <u>residential facility I</u> <u>(K.C.C.</u> <u>21A.08.xxx (the</u> <u>new section created</u> <u>by section 148 of</u> <u>this ordinance)</u></p>								
<p><u>Houseplex,</u> <del>((F))</del>townhouse, apartment, <del>((mobile))</del> <u>manufactured home</u> <del>((park))</del> <u>community, cottage</u> housing (K.C.C. 21A.08.030)</p>	P23	P			P			
<p><del>((Group</del> <del>residences))</del> <u>Congregate</u> <u>residence and</u> <u>senior assisted</u></p>	P23	P						

<u>housing</u> (K.C.C. 21A.08.030), <u>community residential facility II and permanent supportive housing</u> (K.C.C. 21A.08.xxx (the new section created by section 148 of this ordinance))								
Accessory uses (K.C.C. 21A.08.030)	P24	P24	P24	P24	P24	C22 and 24	C22 and 24	
Temporary lodging (K.C.C. 21A.08.030)	P23	P27	P27	C27	C27			
Live-aboards	P28	P28	P28					P28
<b>Transportation and parking</b>								
Transportation facilities	P29	P29	P29	C29	P29	P29	C29	C29

Commuter parking lot (K.C.C. 21A.08.060)								
Automotive parking (K.C.C. 21A.08.060)								
Off-street required parking lot (K.C.C. 21A.08.060)								
<b>Utilities</b>								
Utility facility (K.C.C. 21A.08.060)	P26	P26	P26	P26	P26	P26	P26	C26
<b>Regional land uses</b>								
Regional uses except hydroelectric generation facility, wastewater treatment facility, and municipal water production	P30							

(K.C.C. 21A.08.100)								
------------------------	--	--	--	--	--	--	--	--

8993 C. Development conditions:

8994 1. In the Natural environment, limited to low intensity agriculture, such as  
8995 livestock use with an animal unit density of no more than one per two acres in the  
8996 shoreline jurisdiction, seasonal hay mowing and related activities, and horticulture not to  
8997 exceed twenty percent of the site area located within the shoreline jurisdiction.

8998 2.a. The supporting infrastructure for aquaculture may be located landward of  
8999 the aquaculture operation, subject to the limitations of K.C.C. Title 21A.

9000 b. The aquaculture operation (~~must~~) shall meet the standards in K.C.C.  
9001 21A.25.110.

9002 c. In aquatic areas adjacent to the residential shoreline environment, net pen  
9003 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
9004 high water mark of this environment, unless the department allows a specific lesser  
9005 distance that it determines is appropriate based upon a visual impact analysis. Other  
9006 types of floating culture facilities may be located within one thousand five hundred feet  
9007 of the ordinary high water mark if supported by a visual impact analysis.

9008 d. In aquatic areas adjacent to the rural shoreline environment, net pen  
9009 facilities shall be located no closer than one thousand five hundred feet from the ordinary  
9010 high water mark of this environment, unless the department allows a specific lesser  
9011 distance that it determines is appropriate based upon a visual impact analysis.

9012 e. In the natural shoreline environment and aquatic areas adjacent to the natural  
9013 shoreline environment, commercial net pens are prohibited and other aquaculture

9014 activities are limited to activities that do not require structures, facilities, or mechanized  
9015 harvest practices and that will not alter the natural systems, features, or character of the  
9016 site.

9017 f. Farm-raised geoduck aquaculture requires a shoreline substantial  
9018 development permit if a specific project or practice causes substantial interference with  
9019 normal public use of the surface waters.

9020 g. A conditional use permit is required for new commercial geoduck  
9021 aquaculture only, consistent with WAC 173-26-241(3)(b). All subsequent cycles of  
9022 planting and harvest shall not require a new conditional permit.

9023 3.a. New marinas are not allowed along the east shore of Maury Island, from  
9024 Piner Point to Point Robinson.

9025 b. Marinas (~~(must)~~) shall meet the standards in K.C.C. 21A.25.120.

9026 4. Water dependent general services land uses in K.C.C. 21A.08.050 are  
9027 allowed. (~~Non-water~~) Nonwater-dependent general services land uses in K.C.C.  
9028 21A.08.050 are only allowed on sites that are not contiguous with the ordinary high water  
9029 mark or on sites that do not have an easement that provides direct access to the water.

9030 5.a. Water-dependent general services land uses in K.C.C. 21A.08.050 are  
9031 allowed.

9032 b. (~~Non-water~~)Nonwater-dependent general services land uses in K.C.C.  
9033 21A.08.050 are only allowed as part of a shoreline mixed-use development that includes  
9034 water-dependent uses.

9035 c. ~~((Non-water))~~Nonwater-oriented general services land uses ~~((must))~~ shall  
9036 provide a significant public benefit by helping to achieve one or more of the following  
9037 shoreline master program goals:

9038 (1) economic development for water-dependent uses;  
9039 (2) public access;  
9040 (3) water-oriented recreation;  
9041 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife  
9042 habitat; and  
9043 (5) protection and restoration of historic properties.

9044 6. Water-dependent business services uses in K.C.C. 21A.08.050 are allowed.  
9045 Water-related business services uses are only allowed as part of a shoreline mixed-use  
9046 development and only if they support a water-dependent use. The water-related business  
9047 services uses ~~((must))~~ shall comprise less than one-half of the square footage of the  
9048 structures or the portion of the site within the shoreline jurisdiction.

9049 7.a Water-dependent retail uses in K.C.C. 21A.08.050 are allowed.

9050 b. ~~((Non-water))~~Nonwater-dependent retail uses in K.C.C. 21A.08.050 are  
9051 only allowed as part of a shoreline mixed-use development if the ~~((non-water))~~nonwater-  
9052 dependent retail use supports a water-dependent use. ~~((Non-water))~~Nonwater-dependent  
9053 uses ~~((must))~~ shall comprise less than one-half of the square footage of the structures or  
9054 the portion of the site within the shoreline jurisdiction.

9055 c. ~~((Non-water))~~Nonwater-oriented retail uses ~~((must))~~ shall provide a  
9056 significant public benefit by helping to achieve one or more of the following shoreline  
9057 master program goals:

- 9058 (1) economic development for water-dependent uses;
- 9059 (2) public access;
- 9060 (3) water-oriented recreation;
- 9061 (4) conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
- 9062 habitat; and
- 9063 (5) protection and restoration of historic properties.
- 9064 8. Water-dependent retail uses in K.C.C. 21A.08.050 are allowed. (~~Non-~~
- 9065 ~~water~~)Nonwater-dependent retail uses in K.C.C. 21A.08.050 are only allowed if the
- 9066 retail use provides a significant public benefit by helping to achieve one or more of the
- 9067 following shoreline master program goals:
- 9068 a. economic development for water-dependent uses;
- 9069 b. public access;
- 9070 c. water-oriented recreation;
- 9071 d. conservation of critical areas, scenic vistas, aesthetics, or fish and wildlife
- 9072 habitat; and
- 9073 e. protection and restoration of historic properties.
- 9074 9.a. Water-dependent government services in K.C.C. 21A.08.060 are allowed.
- 9075 b. (~~Non-water~~)Nonwater-dependent government services in K.C.C.
- 9076 21A.08.060 are only allowed as part of a shoreline mixed-use development if the (~~non-~~
- 9077 ~~water~~)nonwater-dependent government use supports a water-dependent use. (~~Non-~~
- 9078 ~~water~~)Nonwater-dependent uses (~~(must)~~) shall comprise less than one-half of the square
- 9079 footage of the structures or the portion of the site within the shoreline jurisdiction. Only



9080 low-intensity water-dependent government services are allowed in the Natural  
9081 environment.

9082 10. The following standards apply to government services uses within the  
9083 Aquatic environment:

9084 a. Stormwater and sewage outfalls are allowed if upland treatment and  
9085 infiltration to groundwater, streams, or wetlands is not feasible and there is no impact on  
9086 critical saltwater habitats, salmon migratory habitat, and the nearshore zone. However,  
9087 stormwater and sewage outfalls are not allowed in the Maury Island Aquatic Reserve,  
9088 except from Piner Point to Point Robinson;

9089 b. Water intakes shall not be located near fish spawning, migratory, or rearing  
9090 areas. Water intakes (~~((must))~~) shall adhere to Washington state Department of Fish and  
9091 Wildlife fish screening criteria. To the maximum extent practical, intakes should be  
9092 placed at least thirty feet below the ordinary high water mark;

9093 c. Desalination facilities shall not be located near fish spawning, migratory,  
9094 or rearing areas. Intakes should generally be placed deeper than thirty feet below the  
9095 ordinary high water mark and (~~((must))~~) shall adhere to Washington state Department Fish  
9096 and Wildlife fish screening criteria. Discharge of desalination wastewater or  
9097 concentrated mineral is not allowed in the Maury Island Aquatic Reserve, except that  
9098 outside the Inner and Outer Harbormaster Harbor, discharge may be considered if there is  
9099 no impact on critical saltwater habitats, salmon migratory habitat, and the nearshore zone;

9100 d. Cable crossings for telecommunications and power lines shall:

9101 (1) be routed around or drilled below aquatic critical habitat or species;

9102                   (2) be installed in sites free of vegetation, as determined by physical or video  
9103 seabed survey;

9104                   (3) be buried, preferably using directional drilling, from the uplands to  
9105 waterward of the deepest documented occurrence of native aquatic vegetation; and

9106                   (4) use the best available technology;

9107                   e. Oil, gas, water, and other pipelines shall meet the same standards as cable  
9108 crossings and in addition:

9109                   (1) pipelines (~~(must)~~) shall be directionally drilled to depths of seventy feet or  
9110 one half mile from the ordinary high water mark; and

9111                   (2) use the best available technology for operation and maintenance;

9112                   f. Breakwaters are not allowed within the Maury Island Aquatic Reserve or  
9113 within the Aquatic environment adjacent to the Conservancy and Natural shorelines.

9114                   11. In the Natural environment, limited to low intensity forest practices that  
9115 conserve or enhance the health and diversity of the forest ecosystem or ecological and  
9116 hydrologic functions conducted for the purpose of accomplishing specific ecological  
9117 enhancement objectives. In all shoreline environments, forest practices (~~(must)~~) shall  
9118 meet the standards in K.C.C. 21A.25.130.

9119                   12. Manufacturing uses in the shoreline environment (~~(must)~~) shall give  
9120 preference first to water-dependent manufacturing uses and second to water-related  
9121 manufacturing uses:

9122                   a. (~~(Non-water)~~)Nonwater-oriented manufacturing uses are allowed only:

- 9123 (1) as part of a shoreline mixed-use development that includes a water-  
9124 dependent use, but only if the water-dependent use comprises over fifty percent of the  
9125 floor area or portion of the site within the shoreline jurisdiction;
- 9126 (2) on sites where navigability is severely limited; or
- 9127 (3) on sites that are not contiguous with the ordinary high water mark or on  
9128 sites that do not have an easement that provides direct access to the water; and
- 9129 (4) all ~~((non-water))~~nonwater-oriented manufacturing uses ~~((must))~~ shall also  
9130 provide a significant public benefit, such as ecological restoration, environmental clean-  
9131 up, historic preservation, or water-dependent public education;
- 9132 b. public access is required for all manufacturing uses unless it would result in  
9133 a public safety risk or is incompatible with the use;
- 9134 c. shall be located, designed, and constructed in a manner that ensures that  
9135 there are no significant adverse impacts to other shoreline resources and values~~((-))~~;
- 9136 d. restoration is required for all new manufacturing uses; and
- 9137 e. boat repair facilities are not ~~((permitted))~~ allowed within the Maury Island  
9138 Aquatic Reserve, except as follows:
- 9139 (1) engine repair or maintenance conducted within the engine space without  
9140 vessel haul-out;
- 9141 (2) topside cleaning, detailing, and bright work;
- 9142 (3) electronics servicing and maintenance;
- 9143 (4) marine sanitation device servicing and maintenance that does not require  
9144 haul-out;
- 9145 (5) vessel rigging; and

9146 (6) minor repairs or modifications to the vessel's superstructure and hull  
9147 above the waterline that do not exceed twenty-five percent of the vessel's surface area  
9148 above the waterline.

9149 13. The water-dependent in-stream portion of a hydroelectric generation facility,  
9150 wastewater treatment facility, and municipal water production are allowed, including the  
9151 upland supporting infrastructure, and shall provide for the protection and preservation, of  
9152 ecosystem-wide processes, ecological functions, and cultural resources, including, but not  
9153 limited to, fish and fish passage, wildlife and water resources, shoreline critical areas,  
9154 hydrogeological processes, and natural scenic vistas.

9155 14. New in-stream portions of utility facilities may be located within the  
9156 shoreline jurisdiction if:

9157 a. there is no feasible alternate location;

9158 b. provision is made to protect and preserve ecosystem-wide processes,  
9159 ecological functions, and cultural resources, including, but not limited to, fish and fish  
9160 passage, wildlife and water resources, shoreline critical areas, hydrogeological processes,  
9161 and natural scenic vistas; and

9162 c. the use complies with the standards in K.C.C. 21A.25.260.

9163 15. Limited to in-stream infrastructure, such as bridges, and ~~((must))~~ shall  
9164 consider the priorities of the King County Shoreline Protection and Restoration Plan  
9165 when designing in-stream transportation facilities. In-stream structures shall provide for  
9166 the protection and preservation~~((;))~~ of ecosystem-wide processes, ecological functions,  
9167 and cultural resources, including, but not limited to, fish and fish passage, wildlife and

9168 water resources, shoreline critical areas, hydrogeological processes, and natural scenic  
9169 vistas.

9170 16. Limited to hatchery and fish preserves.

9171 17. Mineral uses:

9172 a. ~~((must))~~ shall meet the standards in K.C.C. chapter 21A.22;

9173 b. ~~((must))~~ shall be dependent upon a shoreline location;

9174 c. ~~((must))~~ shall avoid and mitigate adverse impacts to the shoreline

9175 environment during the course of mining and reclamation to achieve no net loss of

9176 shoreline ecological function. In determining whether there will be no net loss of

9177 shoreline ecological function, the evaluation may be based on the final reclamation

9178 required for the site. Preference shall be given to mining proposals that result in the

9179 creation, restoration, or enhancement of habitat for priority species;

9180 d. ~~((must))~~ shall provide for reclamation of disturbed shoreline areas to achieve

9181 appropriate ecological functions consistent with the setting;

9182 e. may be allowed within the active channel of a river only as follows:

9183 (1) removal of specified quantities of sand and gravel or other materials at

9184 specific locations will not adversely affect the natural processes of gravel transportation

9185 for the river system as a whole;

9186 (2) the mining and any associated permitted activities will not have

9187 significant adverse impacts to habitat for priority species nor cause a net loss of

9188 ecological functions of the shoreline; and

9189 (3) if no review has been previously conducted under this subsection C.17.e.,

9190 ~~((prior to))~~ before renewing, extending, or reauthorizing gravel bar and other in-channel

9191 mining operations in locations where they have previously been conducted, the  
9192 department shall require compliance with this subsection C.17.e. If there has been prior  
9193 review, the department shall review previous determinations comparable to the  
9194 requirements of this section C.17.e. to ensure compliance with this subsection under  
9195 current site conditions; and

9196 f. ~~((Must))~~ shall comply with K.C.C. 21A.25.190.

9197 18. Only water-dependent recreational uses are allowed, except for public parks  
9198 and trails, in the High Intensity environment and ~~((must))~~ shall meet the standards in  
9199 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

9200 19. Water-dependent and water-enjoyment recreational uses are allowed in the  
9201 Residential, Rural, and Forestry environments and ~~((must))~~ shall meet the standards in  
9202 K.C.C. 21A.25.140 for public access and K.C.C. 21A.25.150 for recreation.

9203 20. In the Conservancy environment, only the following recreation uses are  
9204 allowed and ~~((must))~~ shall meet the standards in K.C.C. 21A.25.140 for public access and  
9205 K.C.C. 21A.25.150 for recreation:

9206 a. parks; and

9207 b. trails.

9208 21. In the Natural environment, only passive and low-impact recreational uses  
9209 are allowed.

9210 22. Single detached ~~((dwelling units must))~~ residences shall be located outside  
9211 of the aquatic area buffer and set back from the ordinary high water mark to the  
9212 maximum extent practical.

9213           23. Only allowed as part of a water-dependent shoreline mixed-use development  
9214 where water-dependent uses comprise more than half of the square footage of the  
9215 structures on the portion of the site within the shoreline jurisdiction.

9216           24. Residential accessory uses (~~(must)~~) shall meet the following standards:

9217           a. docks, piers, moorage, buoys, floats, or launching facilities (~~(must meet)~~)  
9218 shall comply with the standards in K.C.C. 21A.25.180;

9219           b. residential accessory structures located within the aquatic area buffer shall  
9220 be limited to a total footprint of one-hundred fifty square feet; and

9221           c. accessory structures shall be sited to preserve visual access to the shoreline  
9222 to the maximum extent practical.

9223           25. New highway and street construction is allowed only if there is no feasible  
9224 alternate location. Only low-intensity transportation infrastructure is allowed in the  
9225 Natural environment.

9226           26. Utility facilities are subject to the standards in K.C.C. 21A.25.260.

9227           27. Only bed and breakfast guesthouses.

9228           28. Only in a marina.

9229           29. Transportation facilities are subject to the standards in K.C.C. 21A.25.280.

9230           30. Only solid waste transfer stations and subject to K.C.C. 21A.25.260.

9231           SECTION 189. Ordinance 16985, Section 32, as amended, and K.C.C.

9232 21A.25.110 are hereby amended to read as follows:

9233           An applicant for an aquaculture facility (~~(must)~~) shall use the sequential measures  
9234 in K.C.C. 21A.25.080. The following standards apply to aquaculture:

9235           A. Unless the applicant demonstrates that the substrate modification will result in

9236 an increase in native habitat diversity, aquaculture that involves little or no substrate  
9237 modification shall be given preference over aquaculture that involves substantial  
9238 substrate modification and the degree of proposed substrate modification shall be limited  
9239 to the maximum extent practical.

9240 B. The installation of submerged structures, intertidal structures and floating  
9241 structures shall be limited to the maximum extent practical.

9242 C. Aquaculture proposals that involve substantial substrate modification or  
9243 sedimentation through dredging, trenching, digging, mechanical clam harvesting or other  
9244 similar mechanisms, shall not be (~~permitted~~) allowed in areas where the proposal would  
9245 adversely impact critical saltwater habitats.

9246 D. Aquaculture activities that after implementation of mitigation measures would  
9247 have a significant adverse impact on natural, dynamic shoreline processes or that would  
9248 result in a net loss of shoreline ecological functions shall be prohibited.

9249 E. Aquaculture should not be located in areas that will result in significant  
9250 conflicts with navigation or other water-dependent uses.

9251 F. Aquaculture facilities shall be designed, located and managed to prevent the  
9252 spread of diseases to native aquatic life or the spread of new nonnative species.

9253 G. Aquaculture practices shall be designed to minimize use of artificial chemical  
9254 substances and shall use chemical compounds that are least persistent and have the least  
9255 impact on plants and animals. Herbicides and pesticides shall be used only in  
9256 conformance with state and federal standard and to the minimum extent needed for the  
9257 health of the aquaculture activity.

9258 H. Noncommercial native salmon net pen facilities that involve minimal



9259 supplemental feeding and limited use of chemicals or antibiotics as provided in  
9260 subsection G. of this section may be located in King County marine waters if they are  
9261 consistent with subsections S. and Y. of this section and are:

- 9262 1. Native salmon net pens operated by tribes with treaty fishing rights;
- 9263 2. For the limited penned cultivation of wild salmon stocks during a limited  
9264 portion of their lifecycle to enhance restoration of native stocks; or
- 9265 3. For rearing to adulthood in order to harvest eggs as part of a captive brood  
9266 stock recovery program for endangered species.

9267 I. If uncertainty exists regarding potential impacts of a proposed aquaculture  
9268 activity and for all experimental aquaculture activities, unless otherwise provided for, the  
9269 department may require baseline and periodic operational monitoring by a county-  
9270 approved consultant, at the applicant's expense, and shall continue until adequate  
9271 information is available to determine the success of the project and the magnitude of any  
9272 probable significant adverse environmental impacts. Permits for such activities shall  
9273 include specific performance measures and provisions for adjustment or termination of  
9274 the project at any time if monitoring indicates significant, adverse environmental impacts  
9275 that cannot be adequately mitigated.

9276 J. Aquaculture developments approved on an experimental basis shall not exceed  
9277 five acres in area, except land-based projects and anchorage for floating systems, and  
9278 three years in duration. The department may issue a new permit to continue an  
9279 experimental project as many times as it determines is necessary and appropriate.

9280 K. The department may require aquaculture operations to carry liability insurance  
9281 in an amount commensurate with the risk of injury or damage to any person or property

9282 as a result of the project. Insurance requirements shall not be required to duplicate  
9283 requirements of other agencies.

9284 L. If aquaculture activities are authorized to use public facilities, such as boat  
9285 launches or docks, King County may require the applicant to pay a portion of the cost of  
9286 maintenance and any required improvements commensurate with the use of those  
9287 facilities.

9288 M. New aquatic species that are not previously cultivated in Washington state  
9289 shall not be introduced into King County saltwaters or freshwaters without prior written  
9290 approval of the Director of the Washington state Department of Fish and Wildlife and the  
9291 Director of the Washington Department of Health. This prohibition does not apply to:  
9292 Pacific, Olympia, Kumomoto, Belon or Virginica oysters; Manila, Butter, or Littleneck  
9293 clams; or Geoduck clams.

9294 N. Unless otherwise provided in the shoreline permit issued by the department,  
9295 repeated introduction of an approved organism after harvest in the same location shall  
9296 require approval by the county only at the time the initial aquaculture use permit is  
9297 issued. Introduction, for purposes of this section, shall mean the placing of any aquatic  
9298 organism in any area within the waters of King County regardless of whether it is a native  
9299 or resident organism within the county and regardless of whether it is being transferred  
9300 from within or without the waters of King County.

9301 O. For aquaculture projects, (~~over-water~~) overwater structures shall be allowed  
9302 only if necessary for the immediate and regular operation of the facility. (~~Over-water~~)  
9303 Overwater structures shall be limited to the((s)) storage of necessary tools and apparatus  
9304 in containers of not more than three feet in height, as measured from the surface of the

9305 raft or dock.

9306 P. Except for the sorting or culling of the cultured organism after harvest and the  
9307 washing or removal of surface materials or organisms before or after harvest, no  
9308 processing of any aquaculture product shall occur in or over the water unless specifically  
9309 approved by permit. All other processing and processing facilities shall be located  
9310 landward of the ordinary high water mark.

9311 Q. Aquaculture wastes shall be disposed of in a manner that will ensure strict  
9312 compliance with all applicable governmental waste disposal standards, including, but not  
9313 limited to, the Federal Clean Water Act, Section 401, and chapter 90.48 RCW, Water  
9314 Pollution Control. No garbage, wastes or debris shall be allowed to accumulate at the site  
9315 of any aquaculture operation.

9316 R. Unless approved in writing by the National Marine Fisheries Service or the  
9317 U.S. Fish and Wildlife Service, predator control shall not involve the killing or  
9318 harassment of birds or mammals. Approved controls include, but are not limited to,  
9319 double netting for seals, overhead netting for birds and three-foot high fencing or netting  
9320 for otters. The use of other nonlethal, nonabusive predator control measures shall be  
9321 contingent upon receipt of written approval from the National Marine Fisheries Service  
9322 or the U.S. Fish and Wildlife Service, as required.

9323 S. Finfish net pens and rafts shall meet the following criteria in addition to the  
9324 other applicable regulations of this section:

9325 1. Finfish net pens shall not be located in Quartermaster Harbor. For the  
9326 purposes of this subsection, "Quartermaster Harbor" means the area of Puget Sound north  
9327 of a straight line drawn from the southwest tip of Vashon-Maury Island, which is Piner

9328 Point, to the southeast tip of Vashon-Maury Island, which is Neill Point;

9329           2. Finfish net pens shall meet, at a minimum, state approved administrative  
9330 guidelines for the management of net pen cultures. In the event there is a conflict in  
9331 requirements, the more restrictive requirement shall prevail;

9332           3. Finfish net pens shall not occupy more than two surface acres of water area,  
9333 excluding booming and anchoring requirements. Anchors that minimize disturbance to  
9334 substrate, such as helical anchors, shall be employed. Such operations shall not use  
9335 chemicals or antibiotics;

9336           4. Aquaculture proposals that include new or added net pens or rafts shall not be  
9337 located closer than one nautical mile to any other aquaculture facility that includes net  
9338 pens or rafts. The department may authorize a lesser distance if the applicant  
9339 demonstrates to the satisfaction of the department that the proposal will be consistent  
9340 with the environmental and aesthetic policies and objectives of this chapter and the  
9341 shoreline master program. The applicant shall demonstrate to the satisfaction of the  
9342 department that the cumulative impacts of existing and proposed operations would not be  
9343 contrary to the policies and regulations of the program;

9344           5. Net cleaning activities shall be conducted on a frequent enough basis so as  
9345 not to violate state water quality standards. When feasible, the cleaning of nets and other  
9346 apparatus shall be accomplished by air drying, spray washing or hand washing; and

9347           6. In the event of a significant fish kill at the site of a net pen facility, the finfish  
9348 aquaculture operator shall submit a timely report to public health – Seattle & King  
9349 County, environmental health division, and the department stating the cause of death and  
9350 shall detail remedial actions to be implemented to prevent reoccurrence.

9351 T. All floating and submerged aquaculture structures and facilities in navigable  
9352 waters shall be marked in accordance with United States Coast Guard requirements.

9353 U. The rights of treaty tribes to aquatic resources within their usual and  
9354 accustomed areas shall be addressed through direct coordination between the applicant  
9355 and the affected tribes through the permit review process.

9356 V. Aquaculture structures and equipment shall be of sound construction and shall  
9357 be so maintained. Abandoned or unsafe structures and equipment shall be removed or  
9358 repaired promptly by the owner. Where any structure might constitute a potential hazard  
9359 to the public in the future, the department shall require the posting of a bond  
9360 commensurate with the cost of removal or repair. The department may abate an  
9361 abandoned or unsafe structure in accordance with K.C.C. Title 23.

9362 W. Aquaculture shall not be approved where it will adversely impact eelgrass and  
9363 macroalgae.

9364 X. Commercial salmon net pens and nonnative marine finfish aquaculture are  
9365 prohibited.

9366 Y. Finfish net pens shall be consistent with the applicable aquaculture regulations  
9367 in this section and shall meet the following criteria and requirements:

9368 1. Each finfish net pen application shall provide a current, peer-reviewed  
9369 science review of environmental issues related to finfish net pen aquaculture;

9370 2. The department shall only approve a finfish net pen application if the  
9371 department determines the scientific review demonstrates:

9372 a. that the project construction and activities will achieve no net loss of  
9373 ecological function in a manner that has no significant adverse short-term impact and no

9374 documented adverse long-term impact to applicable elements of the environment,  
9375 including, but not limited to, habitat for native salmonids, water quality, eel grass beds,  
9376 other aquaculture, other native species, the benthic community below the net pen or other  
9377 environmental attributes; and

9378           b. that the finfish net pen does not involve significant risk of cumulative  
9379 adverse effects, including, but not limited to, risk of interbreeding with wild salmon or  
9380 reduction of genetic fitness of wild stocks, parasite or disease transmission or other  
9381 adverse effects on native species or threatened or endangered species and their habitats;

9382           3. The department's review shall:

9383           a. include an assessment of the risk to endangered species, non-endangered  
9384 species, and other biota that could be affected by the finfish net pen; and

9385           b. evaluate and model water quality impacts utilizing current information,  
9386 technology, and assessment models. The project proponent shall be financially  
9387 responsible for this water quality assessment;

9388           4. Finfish net pens shall be designed, constructed and maintained to prevent  
9389 escapement of fish in all foreseeable circumstances, including, but not limited to, tide,  
9390 wind and wave events of record, floating and submerged debris, and tidal action;

9391           5. Finfish net pens shall not be located:

9392           a. within three hundred feet of an area containing eelgrass or a kelp bed;

9393           b. within one thousand five hundred feet of an ordinary high water mark; or

9394           c. in a designated Washington state Department of Natural Resources aquatic  
9395 reserve;

9396           6. A finfish net pen may not be used to mitigate the impact of a development

9397 proposal; and

9398           7. For finfish net pens that are not noncommercial native salmon net pens, the  
9399 conditional use permit for the net pen (~~(must)~~) shall be renewed every five years. An  
9400 updated scientific review shall be conducted as part of the renewal and shall include a  
9401 new risk assessment and evaluation of the impact of the operation of the finfish net pen  
9402 during the previous five years.

9403           Z. Geoduck aquaculture shall be consistent with WAC 173-26-241(3)(b).

9404           SECTION 190. Ordinance 16985, Section 36, as amended, and K.C.C.

9405 21A.25.140 are hereby amended to read as follows:

9406           A. Except as otherwise provided in subsection B. of this section, public access  
9407 shall be required for:

9408           1. Attached residential developments;

9409           2. New (~~(subdivisions)~~) land divisions of more than four lots;

9410           3. Developments for water enjoyment, water related and (~~(non-water)~~)nonwater-  
9411 dependent uses;

9412           4. Publicly owned land, including, but not limited to, land owned by public  
9413 agencies and public utilities;

9414           5. Marinas; and

9415           6. Publicly financed shoreline stabilization projects.

9416           B. Public access shall:

9417           1. Connect to other public and private public access and recreation facilities on  
9418 adjacent parcels to the maximum extent practical;

9419           2. Be sited to ensure public safety is considered; and

9420 3. Be open to the general public;

9421 C. Public access is not required if the applicant demonstrates to the satisfaction of  
9422 the department that public access would be incompatible with the proposed use because  
9423 of safety or security issues, would result in adverse impacts to the shoreline environment  
9424 that cannot be mitigated or there are constitutional or other legal limitations that preclude  
9425 requiring public access;

9426 D. Public pedestrian and bicycle pathways and recreation areas constructed as  
9427 part of a private development proposal should enhance access and enjoyment of the  
9428 shoreline and provide features in scale with the development, such as:

9429 1. View points;

9430 2. Places to congregate in proportion to the scale of the development;

9431 3. Benches and picnic tables;

9432 4. Pathways; and

9433 5. Connections to other public and private public access and recreation  
9434 facilities; and

9435 E. Private access from single detached residences to the shoreline shall:

9436 1. Not exceed three feet in width;

9437 2. Avoid removal of significant trees and other woody vegetation to the  
9438 maximum extent practical; and

9439 3. Avoid a location that is parallel to the shoreline to the maximum extent  
9440 practical.

9441 SECTION 191. Ordinance 16985, Section 39, as amended, and K.C.C.

9442 21A.25.160 are hereby amended to read as follows:



9443           A. The shoreline modification table in this section determines whether a specific  
9444 shoreline modification is allowed within each of the shoreline environments. The  
9445 shoreline environment is located on the vertical column and the specific use is located on  
9446 the horizontal row of the table. The specific modifications are grouped by the shoreline  
9447 modification categories in WAC 173-26-231. The table should be interpreted as follows:

9448           1. If the cell is blank in the box at the intersection of the column and the row,  
9449 the modification is prohibited in that shoreline environment;

9450           2. If the letter "P" appears in the box at the intersection of the column and the  
9451 row, the modification may be allowed within the shoreline environment;

9452           3. If the letter "C" appears in the box at the intersection of the column and the  
9453 row, the modification may be allowed within the shoreline environment subject to the  
9454 shoreline conditional use review procedures specified in K.C.C. 21A.44.100;

9455           4. If a number appears in the box at the intersection of the column and the row,  
9456 the modification may be allowed subject to the appropriate review process indicated in  
9457 this section and the specific development conditions indicated with the corresponding  
9458 number immediately following the table, and only if the underlying zoning allows the  
9459 modification. If more than one number appears at the intersection of the column and  
9460 row, both numbers apply;

9461           5. If more than one letter-number combination appears in the box at the  
9462 intersection of the column and the row, the modification is allowed within that shoreline  
9463 environment subject to different sets of limitations or conditions depending on the review  
9464 process indicated by the letter, the specific development conditions indicated in the  
9465 development condition with the corresponding number immediately following the table;

9466 6. A shoreline modification may be allowed in the aquatic environment only if  
 9467 that shoreline modification is allowed in the adjacent shoreland environment; and

9468 7. This section does not authorize a shoreline modification that is not allowed  
 9469 by the underlying zoning, but may add additional restrictions or conditions or prohibit  
 9470 specific modifications within the shoreline jurisdiction. All shoreline modifications in  
 9471 the shoreline jurisdiction (~~(must)~~) shall comply with all relevant county code provisions  
 9472 and with the King County shoreline master program.

9473 B. Shoreline modifications.

	High Intens ity	Residenti al	Rur al	Conserva ncy	Resour ce	Fores try	Natur al	Aquat ic
<b>Shoreline stabilization</b>								
Shoreline stabilization, not including flood protection facilities	P1	P1	P1	C1	P1	C1		P1 C1
Flood protection facilities	P2	P2	P2	P2	P2		P2	P2
<b>Piers and docks</b>								
Docks, piers, moorage, buoys,	P3	P3	P3	C3	C3	C3		P3 C3

floats, or launching facilities								
<b>Fill</b>								
Filling	P4 C4	P4 C4	P4 C4	P4 C4	P4 C4	C4	C4	P4 C4
<b>Breakwaters, jetties, groins, and weirs</b>								
Breakwaters, jetties, groins, and weirs	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5	P5 C5
<b>Dredging and dredge material disposal</b>								
Excavation, dredging, dredge material disposal	P6 C6	P6 C6	P6 C6	P6 C6	P6 C6	C6	C6	P6 C6
<b>Shoreline habitat and natural systems enhancement projects</b>								

Habitat and natural systems enhancement projects	P7	P7	P7	P7	P7	P7	P7	P7
<b>Vegetation management</b>								
Removal of existing intact native vegetation	P8	P8	P8	P9	P8	P8	P9	P9

9474 C. Development conditions.

9475 1. New and replacement shoreline stabilization, including bulkheads, (~~must~~)

9476 shall meet the standards in K.C.C. 21A.25.170;

9477 2.a. Flood protection facilities (~~must~~) shall be consistent with the standards in  
 9478 K.C.C. chapter 21A.24, the King County Flood Hazard Management Plan adopted  
 9479 January 16, 2007, and the Integrated Stream Protection Guidelines (Washington state  
 9480 departments of Fish and Wildlife, Ecology, and Transportation, 2003). New structural  
 9481 flood hazard protection measures are allowed in the shoreline jurisdiction only when the  
 9482 applicant demonstrates by a scientific and engineering analysis that the structural  
 9483 measures are necessary to protect existing development, that nonstructural measures are  
 9484 not feasible and that the impact on ecological functions and priority species and habitats  
 9485 can be successfully mitigated so as to assure no net loss of shoreline ecological functions.  
 9486 New flood protection facilities designed as shoreline stabilization (~~must meet~~) shall  
 9487 comply with the standards in K.C.C. 21A.25.170.

9488           b. Relocation, replacement, or expansion of existing flood control facilities  
9489 within the Natural environment are (~~(permitted)~~) allowed, subject to the requirements of  
9490 the King county Flood Hazard Reduction Plan and consistent with the Washington State  
9491 Aquatic Guidelines Program's Integrated Streambank Protection Guidelines and  
9492 bioengineering techniques used to the maximum extent practical. New facilities would  
9493 only be (~~(permitted)~~) allowed consistent with an approved watershed resources inventory  
9494 area (WRIA) salmon recovery plan under chapter 77.85 RCW.

9495           3. Docks, piers, moorage, buoys, floats, or launching facilities (~~(must meet)~~)  
9496 shall comply with the standards in K.C.C. 21A.25.180;

9497           4.a. Filling (~~(must meet)~~) shall comply with the standards in K.C.C.  
9498 21A.25.190.

9499           b. A shoreline conditional use permit is required to:

9500           (1) Place fill waterward of the ordinary high water mark for any use except  
9501 ecological restoration or for the maintenance and repair of flood protection facilities; and

9502           (2) Dispose of dredged material within shorelands or wetlands within a  
9503 channel migration zone;

9504           c. Fill shall not be placed in critical saltwater habitats except when all of the  
9505 following conditions are met:

9506           (1) the public's need for the proposal is clearly demonstrated and the proposal  
9507 is consistent with protection of the public trust, as embodied in RCW 90.58.020;

9508           (2) avoidance of impacts to critical saltwater habitats by an alternative  
9509 alignment or location is not feasible or would result in unreasonable and disproportionate  
9510 cost to accomplish the same general purpose;

9511 (3) the project including any required mitigation, will result in no net loss of  
9512 ecological functions associated with critical saltwater habitat; and

9513 (4) the project is consistent with the state's interest in resource protection and  
9514 species recovery((-)); and

9515 d. In a channel migration zone, any filling shall protect shoreline ecological  
9516 functions, including channel migration.

9517 5.a. Breakwaters, jetties, groins, and weirs:

9518 (1) are only allowed where necessary to support water dependent uses, public  
9519 access, approved shoreline stabilization, or other public uses, as determined by the  
9520 director;

9521 (2) are not allowed in the Maury Island Aquatic Reserve except as part of a  
9522 habitat restoration project or as an alternative to construction of a shoreline stabilization  
9523 structure;

9524 (3) shall not intrude into or over critical saltwater habitats except when all of  
9525 the following conditions are met:

9526 (a) the public's need for the structure is clearly demonstrated and the  
9527 proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020;

9528 (b) avoidance of impacts to critical saltwater habitats by an alternative  
9529 alignment or location is not feasible or would result in unreasonable and disproportionate  
9530 cost to accomplish the same general purpose;

9531 (c) the project including any required mitigation, will result in no net loss of  
9532 ecological functions associated with critical saltwater habitat; and

9533 (d) the project is consistent with the state's interest in resource protection  
9534 and species recovery.

9535 b. Groins are only allowed as part of a restoration project sponsored or  
9536 cosponsored by a public agency that has natural resource management as a primary  
9537 function.

9538 c. A conditional shoreline use permit is required, except for structures installed  
9539 to protect or restore shoreline ecological functions.

9540 6. Excavation, dredging, and filling (~~must meet~~) shall comply with the  
9541 standards in K.C.C. 21A.25.190. A shoreline conditional use permit is required to  
9542 dispose of dredged material within shorelands, ~~((or))~~ wetlands, or side channels within a  
9543 channel migration zone.

9544 7.a. If the department determines the primary purpose is restoration of the  
9545 natural character and ecological functions of the shoreline, a shoreline habitat and natural  
9546 systems enhancement project may include shoreline modification of vegetation, removal  
9547 of nonnative or invasive plants, and shoreline stabilization, including the installation of  
9548 large woody debris, dredging, and filling. Mitigation actions identified through  
9549 biological assessments required by the National Marine Fisheries Services and applied to  
9550 flood hazard mitigation projects may include shoreline modifications of vegetation,  
9551 removal of nonnative or invasive plants, and shoreline stabilization, including the  
9552 installation of large woody debris, dredging, and filling.

9553 b. Within the ~~((U))~~urban ~~((G))~~growth ~~((A))~~area, the county may grant relief  
9554 from shoreline master program development standards and use regulations resulting from

9555 shoreline restoration projects consistent with criteria and procedures in WAC 173-27-  
9556 215.

9557 8. Within the critical area and critical area buffer, vegetation removal is subject  
9558 to K.C.C. chapter 21A.24.

9559 9. Except for forest practices conducted under K.C.C. 21A.25.130, existing  
9560 native vegetation located outside of the critical area and critical area buffer shall be  
9561 retained to the maximum extent practical. Within the critical area and critical area buffer,  
9562 vegetation removal is subject to K.C.C. chapter 21A.24.

9563 SECTION 192. Ordinance 3688, Section 413, as amended, and K.C.C.  
9564 21A.25.170 are hereby amended to read as follows:

9565 A. New structural ~~((S))~~ shoreline stabilization, including additions that increase or  
9566 expand existing structural shoreline stabilization, shall not be ~~((considered an outright use~~  
9567 ~~and shall be permitted only))~~ allowed except when determined necessary by the  
9568 department ~~((determines that shoreline protection is necessary))~~ for the protection of  
9569 ~~((existing legally established primary))~~ structures and projects consistent with this  
9570 section. ~~((, new or existing non-water dependent development, new or existing water-~~  
9571 ~~dependent development or projects restoring ecological functions or remediating~~  
9572 ~~hazardous substance discharges. Vegetation, berms, bioengineering techniques and other~~  
9573 ~~nonstructural alternatives that preserve the natural character of the shore shall be~~  
9574 ~~preferred over riprap, concrete revetments, bulkheads, breakwaters and other structural~~  
9575 ~~stabilization. Riprap using rock or other natural materials shall be preferred over~~  
9576 ~~concrete revetments, bulkheads, breakwaters and other structural stabilization. Lesser~~  
9577 ~~impacting measures should be used before more impacting measures.))~~



9578 B. New development shall be located and designed to avoid the need for future  
9579 shoreline stabilization measures.

9580 1. Subdivisions and short subdivisions shall not create lots that require shoreline  
9581 stabilization for reasonable development to occur.

9582 2. New development on steep slopes shall be set back a sufficient distance to  
9583 ensure that shoreline stabilization is not needed for the life of the development.

9584 C. ~~((Structural))~~ New or enlarged shoreline stabilization for existing primary  
9585 structures, including single detached residences, may be ~~((permitted subject to the~~  
9586 standards in this chapter and as follows)) allowed when:

9587 1. ~~((The applicant provides a))~~ A geotechnical analysis ~~((that))~~ demonstrates  
9588 that ~~the structure is in danger from shoreline erosion ~~((from))~~ caused by tidal action,~~  
9589 ~~currents, or waves, ~~((or currents is imminently threatening or that, unless the structural~~~~  
9590 ~~shoreline stabilization is constructed, damage is expected to occur within three years))~~  
9591 ~~and not upland drainage, erosion, landslide hazard areas, or unauthorized clearing or~~  
9592 ~~grading;~~

9593 2. On-site drainage is directed away from the shoreline edge; ~~((The erosion is~~  
9594 ~~not caused by upland conditions;))~~

9595 3. ~~((The proposed structural shoreline protection will provide greater protection~~  
9596 than feasible, nonstructural alternatives such as slope drainage systems, vegetative  
9597 growth stabilization, gravel berms and beach nourishment;)) The shoreline stabilization  
9598 will not result in a net loss of shoreline ecological functions; and

9599 4. ~~((The proposal is the minimum necessary to protect existing legally~~  
9600 established primary structures, new or existing non-water dependent development, new

9601 ~~or existing water-dependent development or projects restoring ecological functions or~~  
9602 ~~remediating hazardous substance discharges; and~~

9603 ~~5. Adequate mitigation measures will be provided to maintain existing shoreline~~  
9604 ~~processes and critical fish and wildlife habitat and ensure no net loss or function of~~  
9605 ~~intertidal or riparian habitat.))~~ The at-risk structure or use cannot be relocated in order to  
9606 remove the need for shoreline stabilization.

9607 D. New shoreline stabilization for new nonwater-dependent uses, including  
9608 single detached residences, may be allowed when:

9609 1. A geotechnical analysis documents a need to protect primary structures from  
9610 shoreline erosion caused by tidal action, currents, or waves, and not upland drainage,  
9611 erosion, or landslide hazard areas or unauthorized clearing or grading;

9612 2. Nonstructural measures, such as placing the development further from the  
9613 shoreline, planting vegetation, or installing on-site drainage improvements, are not  
9614 feasible or not sufficient; and

9615 3. The shoreline stabilization will not result in a net loss of shoreline ecological  
9616 functions.

9617 E. New shoreline stabilization for water-dependent uses, including single  
9618 detached residences, may be allowed when:

9619 1. A geotechnical analysis documents a need to protect primary structures from  
9620 imminent risk of damage of shoreline erosion;

9621 2. Nonstructural measures, such as planting vegetation, or installing on-site  
9622 drainage improvements, are not feasible or not sufficient; and

9623           3. The shoreline stabilization will not result in a net loss of shoreline ecological  
9624 functions.

9625           F. New shoreline stabilization for ecological function restoration projects or  
9626 hazardous substance remediation projects may be allowed when:

9627           1. Nonstructural measures, such as placing the development further from the  
9628 shoreline, planting vegetation, or installing on-site drainage improvements, are not  
9629 feasible or not sufficient; and

9630           2. The shoreline stabilization will not result in a net loss of shoreline ecological  
9631 functions.

9632           G. Existing structural shoreline stabilization may be replaced with a similar  
9633 structure provided the following is met:

9634           1. The existing shoreline stabilization can no longer adequately serve its  
9635 purpose;

9636           2. The ((C-S))shoreline stabilization ((to replace existing shoreline  
9637 stabilization)) shall be placed landward of the existing shoreline stabilization and moved  
9638 as far landward of the ordinary high water mark as possible;((, but may be placed  
9639 waterward directly abutting the old structure only in cases where removal of the old  
9640 structure would result in greater impact on ecological functions. In critical saltwater  
9641 habitats,))

9642           3. The existing shoreline stabilization shall ((not)) be removed; ((allowed to  
9643 remain in place if the existing shoreline stabilization is resulting in the loss of ecological  
9644 functions. Adequate mitigation measures that maintain existing shoreline processes and

9645 critical fish and wildlife habitat must be provided that ensures no net loss or function of  
9646 intertidal or riparian habitat.))

9647 4. The replacement structure shall be the minimum size necessary to protect  
9648 upland development and uses;

9649 5. The replacement structure shall not enlarge or increase the size of the existing  
9650 shoreline stabilization; and

9651 6. The shoreline stabilization shall not result in a net loss of ecological function.

9652 H. Shoreline stabilization shall:

9653 1. Minimize the adverse impact on the property of others to the maximum extent  
9654 practical;

9655 2. Use the least impactful shoreline stabilization measure, such as softer or  
9656 nonstructural measures, unless demonstrated to not be sufficient to protect primary  
9657 structures. Measures are provided as follows in order from the most preferred to least  
9658 preferred:

9659 a. nonstructural actions;

9660 b. soft shoreline stabilization; and

9661 c. hard shoreline stabilization;

9662 ~~((D. The))~~ 3. Have a maximum height of ((the proposed shoreline stabilization  
9663 shall be)) no more than one foot above the elevation of ((extreme high water)) the highest  
9664 observed tide on tidal waters, as determined by ((the National Ocean Survey published  
9665 by)) the nearest National Oceanic and Atmospheric Administration long-term tidal gauge,  
9666 or four feet in height on lakes((:));

9667            4. Be the minimum width necessary to provide protection against erosion from  
9668 waves, currents, and tidal action;

9669            ~~((E. Shoreline stabilization is))~~ 5. Be prohibited along feeder bluffs and critical  
9670 saltwater habitat, unless a geotechnical report demonstrates an imminent danger to a  
9671 legally established structure or public improvement. If allowed, shoreline stabilization  
9672 along feeder bluffs and critical saltwater habitat ((must)) shall be designed to have the  
9673 least impact on these resources and on sediment conveyance systems((-));

9674            ~~((F. Shoreline stabilization shall minimize the adverse impact on the property of~~  
9675 ~~others to the maximum extent practical.~~

9676            ~~G. Shoreline stabilization shall not))~~ 6. Not be used to create new lands((-));

9677            ~~((H. Shoreline stabilization shall not))~~ 7. Not interfere with surface or subsurface  
9678 drainage into the water body((-));

9679            ~~((I.))~~ 8. Not use creosote timbers, treated wood, ((A))automobile bodies or other  
9680 ((junk or waste)) materials that may release ((undesirable)) toxic substances ((material  
9681 shall not be used for shoreline stabilization.));

9682            ~~((J. Shoreline stabilization shall be))~~ 9. Be designed so as not to constitute a  
9683 hazard to navigation and to not substantially interfere with visual access to the water((-));

9684            ~~((K. Shoreline stabilization shall be designed so as not to))~~ 10. Not create a need  
9685 for shoreline stabilization ((elsewhere.)) on adjacent or down-current properties; and

9686            ~~((L. Shoreline stabilization shall comply))~~ 11. Comply with the Marine Shoreline  
9687 Design Guidelines in marine waters (Washington state Department of Fish and Wildlife  
9688 2014) or the Integrated Stream Protection Guidelines (Washington state departments of

9689 Fish and Wildlife, Ecology, and Transportation, 2003) ~~((and shall be designed to allow~~  
9690 ~~for appropriate public access to the shoreline))~~ in fresh water.

9691 ~~((M.))~~ H. The department shall provide a notice to an applicant for new  
9692 development or redevelopment located within the shoreline jurisdiction on ~~((Vashon and~~  
9693 ~~Maury))~~ Vashon-Maury Island that the development may be impacted by sea level rise  
9694 and recommend that the applicant voluntarily consider setting the development back  
9695 further than required by this title to allow for future sea level rise.

9696 SECTION 193. Ordinance 16985, Section 47, as amended, and K.C.C.  
9697 21A.25.220 are hereby amended to read as follows:

9698 A. The shoreline dimensions table in subsections B. and C. of this section  
9699 establishes the shoreline standards within each of the shoreline environments. The  
9700 shoreline environment is located on the vertical column and the density and dimensions  
9701 standard is located on the horizontal row of the table. The table should be interpreted as  
9702 follows:

9703 1. If the cell is blank in the box at the intersection of the column and the row, the  
9704 standards are the same as for the underlying zoning.

9705 2. If the cell has a number in the box at the intersection of the column and the  
9706 row, that number is the density or dimension standard for that shoreline environment.

9707 3. If the cell has a parenthetical number in the box at the intersection of the  
9708 column and the row, that parenthetical number identifies specific conditions  
9709 ~~((immediately following the table))~~ in subsection C. of this section that ~~((are related))~~  
9710 apply to the density and dimension standard for that environment.

9711 B. The dimensions enumerated in this section apply within the shoreline  
 9712 jurisdiction. If there is a conflict between the dimension standards in this section and  
 9713 K.C.C. chapter 21A.12, the more restrictive shall apply.  
 9714 **Shoreline dimensions.**

	HIGH INTEN SITY	RESIDE NTIAL	RUR AL	CONSER VANCY	RESO URCE	FORES TRY	NATU RAL	AQU ATIC
<b>Stand ards</b>								
Base height	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	35 feet (1)	30 feet (1)	35 feet (1)
Maxi mum densit y ( <u>dwell ing units per acre</u> )	6 (4)	6 (4)						
Minim			5	5 acres	10	80	80	

um lot area			acres (2)	(2)	acres	acres	acres	
Minimum lot width		50 feet	100 feet	150 feet	150 feet	150 feet	330 feet	
Imper vious surf ace				10% (3)				

9715 C. Development conditions.

9716 1. This height can be exceeded consistent with the base height for the zone only  
 9717 if the structure will not obstruct the view of a substantial number of residences on areas  
 9718 adjoining the shoreline or if overriding considerations of the public interest will be  
 9719 served, and only for:

- 9720 a. agricultural buildings;
- 9721 b. water dependent uses and water related uses; and
- 9722 c. regional light rail transit support structures, but no more than is reasonably  
 9723 necessary to address the engineering, operational, environmental issues at the location of  
 9724 the structure;

9725 2. The minimum lot areas may be reduced as follows:

- 9726 a. to no less than 10,000 square feet or the minimum lot areas for the zone,  
 9727 whichever is greater, through lot averaging; and



9728           b. when public access is provided and clustering is used, to no less than 8,000  
9729 square feet(( $\frac{5}{7}$ )) or the minimum lot area for the zone, whichever is greater((~~through~~  
9730 ~~cluster development, as provided in K.C.C. chapter 21A.14~~)).

9731           3. For lots created before the December 10, 2010, if achieving the ten percent  
9732 maximum impervious surface limit is not feasible, the amount of impervious surface shall  
9733 be limited to the maximum extent practical but not to exceed the amount of impervious  
9734 surface allowed under K.C.C. 21A.12.030 and 21A.12.040.

9735           4. Except for a mixed-use development, the density of the underlying zoning or  
9736 6 dwelling units per acre, whichever is lower. A mixed-use development may have the  
9737 density of the underlying zone.

9738           SECTION 194. Ordinance 13129, Section 2, as amended, and K.C.C.  
9739 21A.27.010 are hereby amended to read as follows:

9740           A. When a new transmission support structure is proposed, a community meeting  
9741 shall be convened by the applicant ((~~prior to~~)) before submittal of an application.

9742           ((~~A.~~)) B. At least two weeks in advance, notice of the meeting shall be provided  
9743 as follows:

- 9744           1. Published in the local paper and mailed to the department, and
- 9745           2. Mailed notice shall be provided to all property owners within five hundred  
9746 feet or at least twenty of the nearest property owners, whichever is greater, as required by  
9747 K.C.C. 21A.26.170 of any potential sites, identified by the applicant for possible  
9748 development, to be discussed at the community meeting. When the proposed  
9749 transmission support structure exceeds a height of one hundred twenty feet, the mailed  
9750 notice shall be provided to all property owners within one thousand feet. The mailed

9751 notice shall at a minimum contain a brief description and purpose of the project, the  
9752 estimated height, approximate location noted on an assessor map with address and parcel  
9753 number, a photo or sketch of the proposed facility, a statement that alternative sites  
9754 proposed by ~~((citizens))~~ the public can be presented at the meeting that will be considered  
9755 by the applicant, a contact name and telephone number to obtain additional information,  
9756 and other information deemed necessary by King County. Because the purpose of the  
9757 community meeting is to promote early discussion, applicants are encouraged to note any  
9758 changes to the conceptual information presented in the mailed notice when they submit  
9759 an application.

9760 ~~((B-))~~ C. At the community meeting at which at least one employee of the  
9761 department of local services, permitting division, assigned by the permitting division  
9762 manager or designee, shall be in attendance, the applicant shall provide information  
9763 relative to existing transmission support structures and other nonresidential structures,  
9764 such as water towers and electrical transmission lines, within one-quarter mile of  
9765 potential sites, and shall discuss reasons why those existing structures are unfeasible.  
9766 Furthermore, any alternative sites within one-quarter mile, identified by community  
9767 members and provided to the applicant in writing at least five days in advance of the  
9768 meeting, shall be evaluated by the applicant to the extent possible given the timeframe,  
9769 and discussed at the meeting. A listing of the sites, identified in writing and provided to  
9770 the applicant at or before the community meetings, shall be submitted to the department  
9771 with the proposed application. Applicants shall also provide a list of meeting attendees  
9772 and those receiving mailed notice and a record of the published meeting notice at the time  
9773 of application submittal.

9774            SECTION 195. Ordinance 13129, Section 11, as amended, and K.C.C.

9775            21A.27.110 are hereby amended to read as follows:

9776            A. The mounting of antenna upon existing structures, such as light and power  
9777 poles, located within publicly or privately maintained street, utility, and railroad rights-  
9778 of-way((s)) is permitted outright. If an existing structure within a street, utility, or  
9779 railroad rights-of-ways cannot accommodate an antenna due to structural deficiency or  
9780 does not have the height required to provide adequate signal coverage, the structure may  
9781 be replaced with a new structure that will serve the original purpose and will not exceed  
9782 the original height by forty feet. However, minor communication facilities within street,  
9783 utility, and railroad right-of-way that propose the construction of a separate structure used  
9784 solely for antenna shall be subject to the zoning provisions applicable to the property  
9785 abutting the portion of right-of-way where the structure is proposed except that the  
9786 setbacks specified in the zoning code shall not apply. Setbacks shall be those specified in  
9787 the road design standards. In cases where the abutting property on either side of the  
9788 right-of-way has different zoning, the more restrictive zoning provisions shall apply.

9789            B. The placement of antenna on existing or replacement structures within street,  
9790 utility, or railroad rights-of-way is the preferred alternative in residential neighborhoods  
9791 and in the ((Rural Areas)) rural area and natural resource lands and the feasibility of such  
9792 placement shall be considered by the county whenever evaluating a proposal for a new  
9793 transmission support structure, except for a new structure that is proposed to collocate  
9794 antenna for two or more separate service providers.

9795            SECTION 196. Ordinance 10870, Section 512, as amended, and K.C.C.

9796            21A.28.020 are hereby amended to read as follows:

9797           A. All new development proposals including any use, activity, or structure  
9798 allowed by K.C.C. chapter 21A.08 that requires King County approval shall be  
9799 adequately served by the following facilities and services (~~(prior to the time of)~~) before  
9800 occupancy, recording, or other land use approval, as further specified in this chapter:

- 9801           1. ~~((s))~~Sewage disposal;
- 9802           2. ~~((w))~~Water supply;
- 9803           3. ~~((s))~~Surface water management;
- 9804           4. ~~((r))~~Roads and access;
- 9805           5. ~~((f))~~Fire protection service; and
- 9806           6. ~~((s))~~Schools.

9807           B. All new development proposals for building permits, plats, short plats, (~~urban~~  
9808 ~~planned developments, fully contained communities~~) and binding site plans, that will be  
9809 served by a sewer or water district, shall include a certificate of water availability and a  
9810 certificate of sewer availability to demonstrate compliance with this chapter and other  
9811 provisions of the King County Code, the King County Comprehensive Plan, and the  
9812 Growth Management Act.

9813           C. Regardless of the number of sequential permits required, (~~the provisions of~~)  
9814 this chapter shall be applied only once to any single development proposal. If changes  
9815 and modifications result in impacts not considered when the proposal was first approved,  
9816 the county shall consider the revised proposal as a new development proposal.

9817           SECTION 197. Ordinance 10870, Section 513, as amended, and K.C.C.  
9818 21A.28.030 are hereby amended to read as follows:

9819 All new development shall be served by an adequate public or private sewage  
9820 disposal system, including both collection and treatment facilities as follows:

9821 A. A public sewage disposal system is adequate for a development proposal  
9822 ~~((provided that))~~ only if:

9823 1. For the issuance of a building permit, preliminary plat or short plat approval,  
9824 or other land use approval, the applicant demonstrates that the site of the proposed  
9825 development is or can be served by an existing disposal system consistent with K.C.C.  
9826 Title 13, and the disposal system has been approved by the department as being  
9827 consistent with applicable state and local design and operating guidelines;

9828 2. For the issuance of a certificate of occupancy for a building or change of use  
9829 permit, the approved public sewage disposal system as ~~((set forth))~~ required in subsection  
9830 A.1. of this section is installed to serve each building or lot;

9831 3. For recording a final plat, final short plat, or binding site plan, the approved  
9832 public sewage disposal system ~~((set forth))~~ required in subsection A.1. of this section  
9833 shall be installed to serve each lot respectively~~((;))~~ or a bond or similar security shall be  
9834 deposited with King County for the future installation of an adequate sewage disposal  
9835 system. The bond may be assigned to a utility to assure the construction of the facilities  
9836 within two years of recording; and

9837 4. For a zone reclassification ~~((or urban planned development permit))~~, the  
9838 timing of installation of required sewerage improvements shall be contained in the  
9839 approving ordinance as specified in K.C.C. 20.22.250; and

9840 B. A private individual sewage system is adequate, if an on-site sewage disposal  
9841 system for each individual building or lot is installed to meet the requirements and

9842 standards of ~~((the department of))~~ public health – Seattle & King County as to lot size,  
9843 soils, and system design ~~((prior to))~~ before issuance of a certificate of occupancy for a  
9844 building or change of use permit.

9845 NEW SECTION. SECTION 198. There is hereby added to K.C.C. chapter  
9846 21A.28 a new section to read as follows:

9847 Developments using a community on-site sewage system or large on-site sewage  
9848 system may be allowed only in the following circumstances in the rural area and natural  
9849 resource lands:

9850 A. Existing on-site systems are failing within an area and public health - Seattle  
9851 & King County concurs that long-term individual on-site sewage system repairs are not  
9852 feasible or water quality is threatened by the presence of or potential health hazards  
9853 resulting from inadequate on-site wastewater disposal methods;

9854 B. An authorized public agency will manage the system;

9855 C. The system is designed only to serve existing structures and lots.

9856 Modifications to existing uses and lots shall not be allowed if the modification triggers an  
9857 expansion of sewage capacity above the original approval of the system.

9858 D. The system shall not be used to exceed base density for the zone, special  
9859 district overlays, or P-suffix conditions. Substandard vacant lots shall be combined to the  
9860 extent feasible to meet rural density policies and regulations;

9861 E. A system serving residentially developed lots cannot be used to:

9862 1. Expand existing nonresidential uses in size or scale;

9863 2. Establish new nonresidential uses; or

9864 3. Serve commercially zoned properties; and

9865 F. For a system serving commercially developed lots:

9866 1. The system is used only to serve commercially zoned properties;

9867 2. Property-specific development conditions are imposed that establish a range  
9868 of allowed uses that can be adequately served by the system at the time of its  
9869 construction; and

9870 3. The allowed uses are not more expansive than those allowed in the  
9871 underlying zone.

9872 SECTION 199. Ordinance 10870, Section 514, as amended, and K.C.C.  
9873 21A.28.040 are hereby amended to read as follows:

9874 All new development shall be served by an adequate public or private water  
9875 supply system as follows:

9876 A. A public water system is adequate for a development proposal only if:

9877 1. For the issuance of a building permit, preliminary plat or short plat approval,  
9878 or other land use approval, the applicant demonstrates that the site of the proposed  
9879 development is or can be served by an ((the)) existing water supply system ((available to  
9880 serve the site)) that:

9881 a. complies with the applicable planning, operating, and design requirements  
9882 of:

9883 (1) chapters WAC 246-290 and 246-291;

9884 (2) K.C.C. chapters 14.42 and 14.44 and K.C.C. Title 17;

9885 (3) coordinated water system plans;

9886 (4) K.C.C. Titles 12 and 13 and other applicable rules of the King County  
9887 board of health;

9888 (5) applicable rules of the Washington state Board of Health, Department of  
9889 Health, Utilities and Transportation Commission, and Department of Ecology;

9890 (6) applicable provisions of King County groundwater management plans and  
9891 watershed plans;

9892 (7) applicable provisions of the King County Comprehensive Plan and  
9893 development regulations; and

9894 (8) any limitation or condition imposed by the county-approved  
9895 comprehensive plan of the water purveyor;

9896 b. ~~((F))~~ the proposed improvements to an existing water system have been  
9897 reviewed by the department and determined to comply with the design standards and  
9898 conditions specified in subsection A.1.a. of this section; and

9899 c. ~~((A))~~ a proposed new water supply system has been reviewed by the  
9900 department and determined to comply with the design standards and conditions specified  
9901 in subsection A.1.a. of this section;

9902 2. Before issuance of a certificate of occupancy for a building or change of use  
9903 permit, the approved public water system, and any system improvements required in  
9904 subsection A.1. of this section are installed to serve each building or lot respectively;

9905 3. For recording a final plat, final short plat, or binding site plan, either the  
9906 approved public water supply system or system improvements in required subsection  
9907 A.1. of this section ~~((are))~~ shall be installed to serve each lot or a bond or similar security  
9908 shall be deposited with King County and may be assigned to a purveyor to assure the  
9909 construction of required water facilities in Group A systems as defined by board of health  
9910 regulations, within two years of recording; and



9911 4. For a zone reclassification (~~((or urban planned development permit))~~), the  
9912 timing of installation of required water system improvements (~~((is included))~~) shall be  
9913 contained in the approving ordinance as specified in K.C.C. 20.22.250.

9914 B. An on-site individual water system is adequate and the plat or short plat may  
9915 receive preliminary and final approval, and a building or change of use permit may be  
9916 issued as provided in K.C.C. 13.24.138 and 13.24.140.

9917 SECTION 200. Ordinance 10870, Section 515, as amended, and K.C.C.  
9918 21A.28.050 are hereby amended to read as follows:

9919 All new development shall be served by an adequate surface water management  
9920 system as follows:

9921 A. The proposed system is adequate if the development proposal site is served by  
9922 a surface water management system approved by the department as being consistent with  
9923 the design, operating, and procedural requirements of the King County Surface Water  
9924 Design Manual and K.C.C. Title 9;

9925 B. For a subdivision(~~(s)~~) or zone reclassification (~~((or urban planned~~  
9926 ~~development))~~), the phased installation of required surface water management  
9927 improvements shall be stated in the approving ordinance as specified in K.C.C.  
9928 20.22.250. Such phasing may require that a bond or similar security be deposited with  
9929 King County; and

9930 C. A request for an adjustment of the requirements of the Surface Water Design  
9931 Manual and K.C.C. Title 9 shall be reviewed in accordance with K.C.C. 9.04.050 and  
9932 does not require a variance from this title unless relief is requested from a (~~(building~~  
9933 ~~height, setback, landscaping or other)) development standard in K.C.C. Title 21A~~

9934 ~~((chapters 21A.12, 21A.14, 21A.16, 21A.18, 21A.20, 21A.22, 21A.24, 21A.26, 21A.28~~  
9935 ~~and 21A.30)).~~

9936         SECTION 201. Ordinance 10870, Section 523, as amended, and K.C.C.  
9937 21A.28.130 are hereby amended to read as follows:

9938         All new development shall be served by adequate fire protection as follows:

9939         A. The site of the development proposed is served by a water supply system that  
9940 provides at least minimum fire flow and a road system or fire lane system that provides  
9941 life safety and rescue access, and other fire protection requirements for buildings as  
9942 required by K.C.C. Titles 16 and 17;

9943         B. For a zone reclassification ~~((or urban planned development))~~, the timing of  
9944 installation of required fire protection improvements shall be stated in the approving  
9945 ordinance as specified in K.C.C. 20.22.250, secured with a bond or similar security, and  
9946 deposited with King County; and

9947         C. A variance request from the requirements established by K.C.C. Title 17, Fire  
9948 Code, shall be reviewed in accordance with K.C.C. 17.08.090 or chapter 1 of the  
9949 currently adopted edition of the International Fire Code and does not require a variance  
9950 from this title unless relief is requested from a building height, setback, landscaping, or  
9951 other development standard in K.C.C. chapters 21A.12 through 21A.30.

9952         SECTION 202. Ordinance 10870, Section 524, as amended, and K.C.C.  
9953 21A.28.140 are hereby amended to read as follows:

9954         A. The school concurrency standard set out in ~~((Section))~~ K.C.C. 21A.28.160  
9955 shall apply to applications for preliminary plats ~~((or Urban Planned Development (UPD)~~  
9956 ~~approval))~~, ~~((mobile))~~ manufactured home ~~((parks))~~ communities, ~~((requests for~~

9957 ~~multifamily zoning;~~) and building permits for ~~((multifamily))~~ multiunit housing projects  
9958 ~~((which))~~ that have not been previously evaluated for compliance with the concurrency  
9959 standard.

9960 B. The county's finding of concurrency shall be made at the time of preliminary  
9961 plat ~~((or UPD))~~ or binding site plan approval~~((, at the time that a request to actualize~~  
9962 ~~potential multifamily zoning is approved, at the time a mobile home park site plan is~~  
9963 ~~approved;))~~ or ~~((prior to))~~ before building permit issuance for ~~((multifamily))~~ multiunit  
9964 housing projects ~~((which))~~ that have not been previously established for compliance with  
9965 the concurrency standard. ~~((Once such a finding has been made, the development shall~~  
9966 ~~be considered as vested for purposes of the concurrency determination.))~~

9967 C. Excluded from the application of the concurrency standard are:

9968 1. ~~((b))~~Building permits for individual single ~~((family dwellings))~~ detached  
9969 residences;

9970 2. ~~((any form of housing exclusively for senior citizens, including nursing~~  
9971 ~~homes and retirement centers))~~ Senior assisted housing;

9972 3. ~~((shelters for temporary placement, relocation facilities and transitional~~  
9973 ~~housing facilities.))~~ Uses identified in K.C.C. 21A.08.xxx (the new section created by  
9974 section 148 of this ordinance);

9975 4. Replacement, reconstruction, or remodeling of existing dwelling units;

9976 5. Short subdivisions; and

9977 6. ~~((Building permits for residential units in preliminary planned unit~~  
9978 ~~developments which were under consideration by King County on January 22, 1991;~~

9979           7. ~~Building permits for residential units in recorded planned unit developments~~  
9980 ~~approved pursuant to K.C.C. Title 21 that have not yet expired per K.C.C. 21.56.060;~~

9981           8. ~~Building permits applied for by December 31, 1993, related to rezone~~  
9982 ~~applications to actualize potential zoning which were under consideration by King~~  
9983 ~~County on January 22, 1991;~~

9984           9. ~~Building permits applied for by December 31, 1993, related to residential~~  
9985 ~~development proposals for site plan review to fulfill P-Suffix requirements of multifamily~~  
9986 ~~zoning which were under consideration by King County on January 22, 1991; and~~

9987           10.) Any residential building permit for any development proposal for which a  
9988 concurrency determination has already been made ~~((pursuant to the terms of))~~ in  
9989 accordance with K.C.C. Title 21A.

9990           D. All of the development activities ~~((which))~~ that are excluded from the  
9991 application of the concurrency standard are subject to school impact fees imposed  
9992 ~~((pursuant to))~~ under K.C.C. Title 27.

9993           E. The assessment and payment of impact fees are governed by and shall be  
9994 subject to the provisions in K.C.C. Title 27 addressing school impact fees.

9995           F. A ~~((certification))~~ finding of concurrency for a school district shall not  
9996 preclude the county from collecting impact fees for the district. Impact fees may be  
9997 assessed and collected as long as the fees are used to fund capital and system  
9998 improvements needed to serve the new development, and as long as the use of such fees  
9999 is consistent with ~~((the requirements of C))~~ chapter 82.02 RCW and this chapter.

10000 ~~((Pursuant to))~~ In accordance with ((C))chapter 82.02 RCW, impact fees may also be  
10001 used to recoup capital and system improvement costs previously incurred by a school

10002 district to the extent that new growth and development will be served by the previously  
10003 constructed improvements or incurred costs.

10004 SECTION 203. K.C.C. 21A.28.160, as amended by this ordinance, is hereby  
10005 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.140.

10006 SECTION 204. Ordinance 10870, Section 526, as amended, and K.C.C.  
10007 21A.28.160 are hereby amended to read as follows:

10008 A. Schools shall be considered to have been provided concurrently with the  
10009 development (~~(which)~~) that will impact the schools if:

10010 1. The permanent and interim improvements necessary to serve the development  
10011 are planned to be in place at the time the impacts of development are expected to occur;  
10012 or

10013 2. The necessary financial commitments are in place to assure the completion of  
10014 the needed improvements to meet the school district's standard of service within ~~((3))~~  
10015 three years of the time that the impacts of development are expected to occur. Necessary  
10016 improvements are those facilities identified by the school district in its capital facilities  
10017 plan as reviewed and adopted by King County.

10018 B. Any combination of the following shall constitute the "necessary financial  
10019 commitments" for the purposes of subsection A. of this section:

10020 1. The school district either has received voter approval of ~~((and/))~~ a bond or has  
10021 bonding authority, or both;

10022 2. The school district has received approval for federal, state, or other ~~((funds))~~  
10023 moneys;

10024           3. The school district has received a secured commitment from a developer that  
10025 the developer will construct the needed permanent school facility, and the school district  
10026 has found such a facility to be acceptable and consistent with its capital facilities plan;  
10027 ~~((and/))~~or

10028           4. The school district has other assured funding, including, but not limited to  
10029 school impact fees ~~((which))~~ that have been paid.

10030           C. Compliance with ~~((this))~~ the concurrency requirement of this section shall be  
10031 sufficient to satisfy ~~((the provisions of))~~ RCW 58.17.060 and ~~((RCW))~~ 58.17.110.

10032           SECTION 205. K.C.C. 21A.28.150, as amended by this ordinance, is hereby  
10033 recodified as a new section in K.C.C. chapter 21A.28 to follow K.C.C. 21A.28.160, as  
10034 recodified by this ordinance.

10035           SECTION 206. Ordinance 10870, Section 525, as amended, and K.C.C.  
10036 21A.28.150 are hereby amended to read as follows:

10037           A. In making a threshold determination ~~((pursuant to))~~ in accordance with SEPA,  
10038 either the director ~~((and/))~~or the hearing examiner, or both, in the course of reviewing  
10039 proposals for residential development including applications for plats ~~((or UPD's))~~,  
10040 ~~((mobile))~~ manufactured home ~~((parks))~~ communities, ~~((or multi-family zoning))~~ binding  
10041 site plans, and ~~((multifamily))~~ multiunit building permits, shall consider the school  
10042 district's capital facilities plan as adopted by the council.

10043           B. Documentation ~~((which))~~ that the school district is required to submit  
10044 ~~((pursuant to section))~~ under K.C.C. 21A.28.152 or K.C.C. Title 20((-)) shall be  
10045 incorporated into the record in every case without requiring the school district to offer  
10046 such plans and data into the record. The school district is also authorized to present

10047 testimony and documents demonstrating a lack of concurrency in the school district and  
10048 the inability of the school district to accommodate the students to be generated by a  
10049 specific development.

10050 C. Based upon a finding that the impacts generated by the plat, ~~((the UPD,))~~  
10051 ~~((mobile))~~ manufactured home ~~((park))~~ communities, or the ~~((multi-family))~~ multiunit  
10052 development were generally not anticipated at the time of the last council review and  
10053 approval of a school district capital plan and were not included in the school district's  
10054 long-range forecast, the director may require or recommend phasing or provision of the  
10055 needed facilities and~~((/or))~~ sites as appropriate to address the deficiency or deny or  
10056 condition approval, consistent with ~~((the provisions of))~~ this chapter, the State  
10057 Subdivision Act, and ~~((the State Environmental Policy Act))~~ SEPA.

10058 D. Determinations of the examiner or director regarding concurrency can be  
10059 appealed only ~~((pursuant to))~~ in accordance with the provisions for appeal of the  
10060 development permit process for which the determination has been made. Where no other  
10061 administrative appeal process is available, an appeal may be taken to the hearing  
10062 examiner using the appeal procedures for variances. Any errors in the formula identified  
10063 as a result of an appeal should be referred to the council for possible modifications.

10064 E. Where the council has not adopted an impact fee ordinance for a particular  
10065 school district, ~~((the language of))~~ this section shall not affect the authority or duties of  
10066 the examiner or the director ~~((pursuant to the State Environmental Policy Act))~~ under  
10067 SEPA or the State Subdivision Act.

10068 SECTION 207. Ordinance 11621, Section 89, and K.C.C. 21A.28.152 are hereby  
10069 amended to read as follows:

10070 A. On an annual basis, each school district shall electronically submit the  
10071 following materials to the chair of the ~~((S))~~ school ~~((T))~~ technical ~~((R))~~ review  
10072 ~~((C))~~ committee created ~~((pursuant to section))~~ in accordance with K.C.C. 21A.28.154:

10073 1. The school district's capital facilities plan adopted by the school board  
10074 ~~((which))~~ that is consistent with the Growth Management Act~~((:))~~;

10075 2. The school district's enrollment projections over the next six ~~((6))~~ years, its  
10076 current enrollment, and ~~((the district's enrollment projections and))~~ actual enrollment  
10077 from the previous year~~((:))~~;

10078 3. The school district's standard of service~~((:))~~, which may include criteria such  
10079 as class size, student-teacher ratios, sports field sizes, building requirements, or other  
10080 criteria established by state statute or school district policy;

10081 4. An inventory and evaluation of school district facilities ~~((which))~~ that address  
10082 the school district's standard of service~~((:))~~; and

10083 5. The school district's overall capacity over the next six ~~((6))~~ years, which  
10084 shall be a function of the school district's standard of service as measured by the number  
10085 of students ~~((which))~~ that can be housed in school district facilities.

10086 B. To the extent that the school district's standard of service reveals a deficiency  
10087 in its current facilities, the school district's capital facilities plan ~~((must))~~ shall  
10088 demonstrate a plan for achieving the standard of service, and ~~((must))~~ shall identify the  
10089 sources of funding for building or acquiring the necessary facilities to meet the standard  
10090 of service.

10091 C. Facilities to meet future demand shall be designed to meet the adopted  
10092 standards of service. If sufficient funding is not projected to be available to fully fund a



10093 school district capital facilities plan ((which)) that meets the standard of service, the  
10094 school district's capital plan should document the reason for the funding gap.

10095 D. In accordance with RCW 82.02.070, ((F))if an impact fee ordinance has been  
10096 adopted on behalf of a school district, the King County finance and business operations  
10097 division, or successor agency, shall send the chair of the committee a report showing the  
10098 source and amount of all fees collected, interest earned on behalf of each school district,  
10099 the amount of moneys distributed to each school district, and the system improvements  
10100 that were financed in whole or in part by impact fees and the amount of moneys  
10101 expended as reported by the school district. The chair of the committee shall provide a  
10102 copy of each report to the respective school district.

10103 E. Each school district shall ((also submit an annual)) annually report on their use  
10104 of moneys to the ((School Technical Review)) chair of the ((C))committee showing the  
10105 capital improvements ((which)) that were financed in whole or in part by the impact fees.  
10106 The chair of the committee shall use the information to confirm expenditures with the  
10107 department of executive services, finance and business operations division, and to verify  
10108 compliance with RCW 82.02.070.

10109 SECTION 208. Ordinance 11621, Section 90, as amended, and K.C.C.  
10110 21A.28.154 are hereby amended to read as follows:

10111 A. There is hereby created ((a)) the school technical review committee ((within  
10112 King County. The committee shall consist of three county staff persons,)) consisting of  
10113 the following representatives:

10114 1. ((o))One ((each)) from the department of local services((s));

10115            2. One from the regional planning unit of the office of performance, strategy,  
10116 and budget; and

10117            3. One from the county council staff, as an ex officio member.

10118            B. The representative from the department of local services shall serve as the  
10119 chair of the committee.

10120            C. The committee shall be charged with reviewing each school district's capital  
10121 facilities plan~~((;))~~; enrollment projections~~((;))~~; standard of service~~((, the district's))~~;  
10122 overall capacity for the next six years to ensure consistency with the Growth  
10123 Management Act, King County Comprehensive Plan, and adopted ~~((community))~~ subarea  
10124 plans~~((;))~~; and ~~((the district's))~~ calculation and rationale for proposed impact fees.

10125            ~~((C. Notice of the time and place of the committee meeting where the district's~~  
10126 ~~documents will be considered shall be provided to the district.))~~

10127            D. Committee meetings shall be open to the public. The chair of the committee  
10128 shall post online public notice of the time and place of a committee meeting least two  
10129 weeks in advance of the meeting. Materials submitted under K.C.C. 21A.28.152.A. shall  
10130 be posted online at the same time as the meeting notice.

10131            E. At the meeting where the committee will review or act upon the school  
10132 district's documents, ~~((the))~~ school district representatives ~~((shall have the right to))~~ may  
10133 attend ~~((or to be represented, and shall be permitted to))~~ and present testimony to the  
10134 committee. ~~((Meetings shall also be open to the public.~~

10135            ~~E-))~~ E. In its review, the committee shall consider the following factors:

10136            1. Whether the school district's forecasting system for enrollment projections  
10137 has been demonstrated to be reliable and reasonable~~((;))~~;

- 10138           2. The historic levels of funding and voter support for bond issues in the school  
10139 district;
- 10140           3. The inability of the school district to obtain the anticipated state funding or to  
10141 receive voter approval for school district bond issues;
- 10142           4. An emergency or emergencies in the school district (~~((which))~~) that required  
10143 the closing of a school facility or facilities resulting in a sudden and unanticipated decline  
10144 in districtwide capacity; (~~((and))~~)
- 10145           5. The standards of service set by school districts in similar types of  
10146 communities. While community differences will be (~~((permitted))~~) allowed, the standard  
10147 established by the school district should be reasonably consistent with the standards set  
10148 by other school districts in communities of similar socioeconomic profile; and
- 10149           6. The standards identified by the state concerning the ratios of certificated  
10150 instructional staff to students.
- 10151           ~~((F.))~~ G. In the event that the school district's standard of service reveals a  
10152 deficiency in its current facilities, the committee shall review the school district's capital  
10153 facilities plan to determine whether the school district has identified all sources of  
10154 funding necessary to achieve the standard of service.
- 10155           ~~((G.))~~ H. The school district in developing the financing plan component of the  
10156 capital facilities plan shall plan on a six-year horizon and shall (~~((demonstrate its best~~  
10157 ~~efforts by taking))~~) document that it took the following steps:
- 10158           1. Establish a six-year financing plan, and propose the necessary bond issues  
10159 and levies required by and consistent with that plan and as approved by the school board  
10160 and consistent with RCW 28A.53.020, 84.52.052 and 84.52.056, as amended; and

10161           2. Apply to the state for funding, and comply with the state requirement for  
10162 eligibility to the best of the school district's ability.

10163           ~~((H.))~~ I. The committee ~~((is authorized to))~~ may request ~~((the))~~ that a school  
10164 district ~~((to))~~ review and ~~((to))~~ resubmit its capital facilities plan, ~~((or to))~~ establish a  
10165 different standard of service, or ~~((to))~~ review its capacity for accommodating new  
10166 students, or any combination thereof, under any of the following circumstances:

10167           1. The standard of service established by the school district is not reasonable in  
10168 light of the factors ~~((set forth))~~ in subsection ~~((E.))~~ F. of this section~~((.))~~;

10169           2. The committee finds that the school district's standard of service cannot  
10170 reasonably be achieved in light of the secured financial commitments and the historic  
10171 levels of support in the school district; or

10172           3. Any other basis that is consistent with this section.

10173           ~~((I.))~~ J. If a school district fails to submit its capital facilities plan for review by  
10174 the committee, King County shall assume the school district has adequate capacity to  
10175 accommodate growth for the following six years.

10176           ~~((J.))~~ K. The chair of the committee shall document the outcome of the  
10177 committee meeting each school district's capital facility plan and associated proposed  
10178 impact fees in a report. The report shall include analysis consistent with subsections E.  
10179 through I. of this section. The chair of ~~((F))~~ the committee shall submit copies of its  
10180 ~~((recommendation of concurrency for each school district))~~ report to the director, ~~((to~~  
10181 ~~the))~~ hearing examiner, and ~~((to the))~~ school districts and shall post the report online.

10182           ~~((K.))~~ L. In accordance with K.C.C. 20.18.060 and 20.18.070 and based on  
10183 committee input, ~~((F))~~ the chair of the committee shall recommend to the executive, and

10184 the executive shall transmit to the council, a proposed Comprehensive Plan amendment  
10185 adopting the school district's capital facilities plan as part of the Comprehensive Plan, for  
10186 any plan (~~((which))~~) that the committee concludes accurately reflects the school district's  
10187 facilities status. The transmittal shall include the report required by subsection K. of this  
10188 section.

10189 ~~((L-))~~ M. In the event that after reviewing (~~((the))~~) a school district's capital  
10190 facilities plan and other documents, the committee is unable to recommend (~~((certifying~~  
10191 ~~concurrency in a))~~) adoption of the school district's capital facilities plan, the chair of the  
10192 committee shall submit a statement to the council, (~~((the))~~) director, (~~((and the))~~) hearing  
10193 examiner, and school district stating (~~((that))~~) the committee's (~~((is unable to recommend~~  
10194 ~~certifying concurrency in a specific school district))~~) findings. The committee shall then  
10195 recommend to the executive (~~((that)),~~) and the executive (~~((propose))~~) shall transmit to the  
10196 council consistent with the school capital facility plan timelines established in K.C.C.  
10197 20.18.060 and 20.18.070, either proposed amendments to the land use element of the  
10198 King County Comprehensive Plan or proposed amendments to the development  
10199 regulations implementing the plan, or both, to more closely conform county land use  
10200 plans and school district capital facilities plans, including, but not limited to, requiring  
10201 mandatory phasing of plats(~~((UPDs))~~) or (~~((multifamily))~~) multiunit development located  
10202 within the school district's boundary. (~~((The necessary draft amendments shall~~  
10203 ~~accompany such recommendations.))~~)

10204 SECTION 209. Ordinance 11621, Section 91, as amended, and K.C.C.  
10205 21A.28.156 are hereby amended to read as follows:

10206           A. On at least an annual basis in accordance with K.C.C. 20.18.060 and  
10207 20.18.070, the King County council shall ~~((certify))~~ adopt the school district's capital  
10208 facility plans. ~~((The review may occur in conjunction with any update of the Facilities~~  
10209 ~~and Services chapter of the King County Comprehensive Plan proposed by the school~~  
10210 ~~technical review committee.))~~

10211           B. The council shall review and consider any proposal or proposals submitted by  
10212 the school technical review committee for amending the land use policies of the King  
10213 County Comprehensive Plan, or the development regulations implementing the plan,  
10214 including but not limited to requiring mandatory phasing of plats~~((, UPDs))~~ or  
10215 ~~((multifamily))~~ multiunit development when the committee is unable to recommend ~~((a~~  
10216 ~~certification of concurrency in))~~ adoption for a specific school district in accordance with  
10217 K.C.C. 21A.28.154. Any proposed amendments to the ~~((e))~~Comprehensive ~~((p))~~Plan or  
10218 development regulations shall be subject to the public hearing and other procedural  
10219 requirements set out in K.C.C. Title 20 ~~((or 21A, as applicable))~~.

10220           C. The council may ~~((require the committee to submit proposed amendments or~~  
10221 ~~may itself))~~ initiate amendments to the land use policies of the King County  
10222 Comprehensive Plan, or amendments to the development regulations implementing the  
10223 plan, to more closely conform county land use plans and school district capital facilities  
10224 plans.

10225           SECTION 210. Ordinance 10870, Section 530, as amended, and K.C.C.  
10226 21A.30.020 are hereby amended to read as follows:

10227           The raising, keeping, breeding, or boarding of small animals are subject to K.C.C.  
10228 chapter 11.04, King County Board of Health Code chapter 8.03 and the following  
10229 requirements:

10230           A.1. Small animals that are kept as household pets in a dwelling unit in  
10231 aquariums, terrariums, cages, or similar containers shall not be limited in number, except  
10232 as otherwise provided in King County Board of Health Code chapter 8.03 or K.C.C. Title  
10233 11.

10234           2. Except as otherwise allowed for a facility licensed under King County Board  
10235 of Health Code chapter 8.03 or K.C.C. chapter 11.04, other small animals, excluding  
10236 altered cats, kept as household pets in a dwelling unit shall be limited to five.

10237           3. Altered cats kept as household pets in a dwelling unit shall not be limited in  
10238 numbers.

10239           B.1. Except as otherwise provided in subsection E. of this section, the number  
10240 of small animals kept outside a dwelling unit shall be limited as follows:

10241           a. for poultry, chicken, and squab, ten animals per lot on sites less than thirty-  
10242 five thousand square feet, with one additional animal allowed per additional half acre, up  
10243 to a maximum of twenty animals. Roosters are not allowed in the urban area.

10244           b. for all other small animals:

10245           (1) on sites of less than twenty thousand square feet, three per dwelling unit;

10246           (~~(b-)~~)(2) on sites of between twenty thousand and thirty-five thousand square  
10247 feet, five per dwelling unit; and

10248            ~~((e-))~~(3) on sites greater than thirty-five thousand square feet, one additional  
10249 small animal per dwelling unit for each one-half acre of site area over thirty-five  
10250 thousand square feet up to a maximum of twenty.

10251            2. Unaltered animals kept outdoors (~~(must)~~) shall be kept on a leash or in a  
10252 confined area, except as otherwise allowed under K.C.C. chapter 11.04 for a hobby  
10253 kennel, hobby cattery or under King County Board of Health Code chapter 8.03 for a  
10254 commercial kennel or commercial cattery.

10255            C. Unless otherwise allowed for a facility licensed under King County Board of  
10256 Health Code chapter 8.03 or K.C.C. chapter 11.04, the total number of unaltered adult  
10257 cats and dogs per dwelling unit shall not exceed three.

10258            D. Small animals considered to be household pets shall be treated as other small  
10259 animals under subsection E. of this section when they are kept for breeding, boarding or  
10260 training.

10261            E. Small animals kept outside the dwelling unit for breeding, boarding or training  
10262 as an accessory use of a resident the dwelling unit are allowed, subject to the following  
10263 limitations:

10264            1. Birds shall be kept in an aviary or loft that meets the following standards:

10265            a. The aviary or loft shall provide one-half square foot for each parakeet,  
10266 canary or similarly sized birds, one square foot for each pigeon, small parrot or similarly  
10267 sized bird and two square feet for each large parrot, macaw, or similarly sized bird;

10268            b. Aviaries or lofts shall not exceed two thousand square feet, provided this  
10269 limit shall not apply in rural, forestry or agricultural zones; and



10270 c. The aviary is set back at least ten feet from any property line, and twenty  
10271 feet from any dwelling unit.

10272 2. Small animals other than birds shall be kept according to the following  
10273 standards:

10274 a. The minimum site area shall be one-half acre if more than three small  
10275 animals are being kept;

10276 b. All animals shall be confined within a building, pen, aviary, or similar  
10277 structure;

10278 c. Any covered structure used to house or contain such animals shall maintain  
10279 a distance of not less than ten feet to any property line, except structures used to house  
10280 mink and fox shall be a distance of not less than one hundred fifty feet.

10281 d. Poultry, chicken, squab, and rabbits are limited to a maximum of one animal  
10282 per one square foot of structure used to house such animals, up to a maximum of two  
10283 thousand square feet. This maximum structure size limit shall not apply in (~~rural area,~~  
10284 ~~forestry, or agricultural~~) RA, F, or A zones;

10285 e. Hamsters, nutria, and chinchilla are limited to a maximum of one animal per  
10286 square foot of structure used to house such animals, up to a maximum of two thousand  
10287 square feet(~~( $\frac{1}{2}$ )~~). This maximum structure size limit shall not apply in (~~rural, forestry or~~  
10288 ~~agricultural~~) the RA, F, and A zones.

10289 f. Mink and fox are (~~permitted~~) allowed only on sites having a minimum area  
10290 of five acres.

10291 g. Beekeeping is limited as follows:

10292 (1) Beehives are limited to fifty on sites less than five acres;

10293 (2) The number of beehives shall not be limited on sites of five acres or  
10294 greater;

10295 (3) Colonies shall be maintained in movable-frame hives at all times;

10296 (4) Adequate space shall be provided in each hive to prevent overcrowding  
10297 and swarming;

10298 (5) Colonies shall be requeened following any swarming or aggressive  
10299 behavior;

10300 (6) All colonies shall be registered with the county extension agent before  
10301 April 1 of each year, on a state registration form acceptable to the county; and

10302 (7) Abandoned colonies, diseased bees, or bees living in trees, buildings, or  
10303 any other space except in movable-frame hives shall constitute a public nuisance, and  
10304 shall be abated as set forth in K.C.C. chapter 21A.50;

10305 3. Hobby kennels and hobby catteries are subject to the following requirements:

10306 a. For hobby kennels located on (~~resource rural area or residential~~) A, F, M,  
10307 RA, UR, or R zoned sites:

10308 (1) The minimum site area shall be five acres; and

10309 (2) Structures housing animals and outdoor animal runs shall be a minimum  
10310 distance of one hundred feet from property lines abutting (~~the resource, rural area or~~  
10311 ~~residential~~) A, F, M, RA, UR, or R zones;

10312 b. For hobby kennels located on nonresidential zoned sites, run areas shall be  
10313 completely surrounded by an eight foot solid wall or fence, and be subject to the  
10314 requirements in K.C.C. 11.04.060; and

10315 c. Hobby catteries shall be on sites of thirty-five thousand square feet or more,  
10316 and buildings used to house cats shall be a minimum distance of fifty feet from property  
10317 lines abutting the (~~rural area zone or residential~~) RA, UR, or R zones.

10318 F. Commercial kennels and commercial catteries are subject to the following  
10319 requirements:

10320 1. For commercial kennels located on (~~the resource, rural area or residential~~)  
10321 A, F, M, RA, UR, or R zoned sites:

10322 a. The minimum site area shall be five acres; and

10323 b. Structures housing animals and outdoor animal runs shall be a minimum  
10324 distance of one hundred feet from property lines abutting the resource, rural area or  
10325 residential zones;

10326 2. For commercial kennels located on nonresidential zoned sites, run areas shall  
10327 be completely surrounded by an eight foot solid wall or fence, and be subject to the  
10328 requirements in King County Board of Health Code chapter 8.03; and

10329 3. Commercial catteries shall be on sites of thirty-five thousand square feet or  
10330 more, and buildings used to house cats shall be a minimum distance of fifty feet from  
10331 property lines abutting (~~the rural area zone or residential~~) RA, UR, or R zones.

10332 SECTION 211. Ordinance 11168, Section 14, as amended, and K.C.C.  
10333 21A.30.075 are hereby amended to read as follows:

10334 In order to ensure that livestock standards and management plans are customized  
10335 as much as possible to the stream conditions in each of the various streams, the King  
10336 County agriculture commission will, in cooperation with (~~the Washington State~~  
10337 ~~Department of Fisheries and~~) the Muckleshoot Indian Tribe, the Snoqualmie Indian

10338 Tribe, ~~((and))~~ other affected Indian tribes, and the Washington State Department of  
10339 Fisheries, establish a livestock interdisciplinary team consisting of three members, with  
10340 expertise in fisheries, water quality, and animal husbandry, to make specific  
10341 recommendations to the Conservation District and livestock owners adjacent to the  
10342 streams with regard to buffer needs throughout the parts of each stream which have  
10343 livestock operations adjoining such streams. The team shall take into account ~~((the~~  
10344 ~~recommendations of the adopted Basin Plans and))~~ WRIA recommendations~~((;))~~ and  
10345 shall work with the department of natural resources and parks to develop the  
10346 recommendations. The findings of the interdisciplinary team shall be reported to the  
10347 King County agriculture commission, which shall assist in the dissemination of the  
10348 recommendations to owners in the basin. The team shall work initially on those stream  
10349 systems in which specific problems have been identified and are believed to be livestock  
10350 related.

10351 SECTION 212. Ordinance 10870, Section 536, as amended, and K.C.C.  
10352 21A.30.080 are hereby amended to read as follows:

10353 In the R, UR, NB, CB<sub>2</sub> and RB zones, residents of a dwelling unit may conduct  
10354 one or more home occupations as accessory activities, ~~((only if))~~ as follows:

10355 A. The total floor area of the dwelling unit devoted to all home occupations shall  
10356 not exceed twenty percent of the floor area of the dwelling unit~~((;))~~;

10357 B. Areas within garages and storage buildings shall not be considered part of the  
10358 dwelling unit and may be used for activities associated with the home occupation;

10359 C. All the activities of the home occupation or occupations shall be conducted  
10360 indoors, except for those related to growing or storing of plants used by the home  
10361 occupation or occupations;

10362 D. A home occupation or occupations is not limited in the number of employees  
10363 that remain off-site. No more than one nonresident employee shall be ~~((permitted))~~  
10364 allowed to work on-site for the home occupation or occupations;

10365 E. The following uses, by the nature of their operation or investment, tend to  
10366 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the  
10367 following shall not be ~~((permitted))~~ allowed as home occupations:

- 10368 1. Automobile, truck, and heavy equipment repair;
- 10369 2. Auto body work or painting;
- 10370 3. Parking and storage of heavy equipment;
- 10371 4. Storage of building materials for use on other properties;
- 10372 5. Hotels, motels, or organizational lodging;
- 10373 6. Dry cleaning;
- 10374 7. Towing services;
- 10375 8. Trucking, storage, or self service, except for parking or storage of one  
10376 commercial vehicle used in home occupation;
- 10377 9. Veterinary clinic;
- 10378 10. Recreational ~~((marijuana))~~ cannabis processor, recreational ~~((marijuana))~~  
10379 cannabis producer, or recreational ~~((marijuana))~~ cannabis retailer; and
- 10380 11. Winery, brewery, distillery facility I, II and III, and remote tasting room,  
10381 except that home occupation adult beverage businesses operating under an active

10382 Washington state Liquor and Cannabis Board production license issued for their current  
10383 location before December 31, 2019, and where King County did not object to the location  
10384 during the Washington state Liquor and Cannabis Board license application process, shall  
10385 be considered legally nonconforming and allowed to remain in their current location  
10386 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this  
10387 section as of December 31, 2019. Such nonconforming businesses shall remain subject  
10388 to all other requirements of this section and other applicable state and local regulations.

10389 The resident operator of a nonconforming winery, brewery or distillery home occupation  
10390 shall obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

10391 F. In addition to required parking for the dwelling unit, on-site parking is  
10392 provided as follows:

- 10393 1. One stall for each nonresident employed by the home occupations; and  
10394 2. One stall for patrons when services are rendered on-site;

10395 G. Sales are limited to:

- 10396 1. Mail order sales;  
10397 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;

10398 and

- 10399 3. Items accessory to a service provided to patrons who receive services on the  
10400 premises;

10401 H. On-site services to patrons are arranged by appointment;

10402 I. The home occupation or occupations use or store a vehicle for pickup of  
10403 materials used by the home occupation or occupations or the distribution of products  
10404 from the site, only if:

- 10405           1. No more than one such a vehicle is allowed; and
- 10406           2. The vehicle is not stored within any required setback areas of the lot or on
- 10407 adjacent streets; and
- 10408           3. The vehicle does not exceed an equivalent licensed gross vehicle weight of
- 10409 one ton;
- 10410           J. The home occupation or occupations do not:
- 10411           1. Use electrical or mechanical equipment that results in a change to the
- 10412 occupancy type of the structure or structures used for the home occupation or
- 10413 occupations; or
- 10414           2. Cause visual or audible interference in radio or television receivers, or
- 10415 electronic equipment located off-premises or fluctuations in line voltage off-premises;
- 10416           K. There shall be no exterior evidence of a home occupation, other than growing
- 10417 or storing of plants under subsection C. of this section or an ~~an~~ ~~((permitted))~~ allowed sign,
- 10418 that would cause the premises to differ from its residential character. Exterior evidence
- 10419 includes, but is not limited to, lighting~~((s))~~ and the generation or emission of noise,
- 10420 fumes, or vibrations as determined by using normal senses from any lot line or on
- 10421 average increase vehicular traffic by more than four additional vehicles at any given time;
- 10422           L. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to
- 10423 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends; and
- 10424           M. Uses not allowed as home occupations may be allowed as a home industry
- 10425 under K.C.C. 21A.30.090.
- 10426           SECTION 213. Ordinance 15606, Section 20, as amended, and K.C.C.
- 10427 21A.30.085 are hereby amended to read as follows:

10428 In the A, F<sub>2</sub> and RA zones, residents of a dwelling unit may conduct one or more  
10429 home occupations as accessory activities, ~~((under the following provisions))~~ as follows:

10430 A. The total floor area of the dwelling unit devoted to all home occupations shall  
10431 not exceed twenty percent of the dwelling unit~~((-))~~;

10432 B. Areas within garages and storage buildings shall not be considered part of the  
10433 dwelling unit and may be used for activities associated with the home occupation;

10434 C. Total outdoor area of all home occupations shall be ~~((permitted))~~ as follows:

10435 1. For any lot less than one acre: Four hundred forty square feet; and

10436 2. For lots one acre or greater: One percent of the area of the lot, up to a

10437 maximum of five thousand square feet~~((-))~~;

10438 D. Outdoor storage areas and parking areas related to home occupations shall be:

10439 1. No less than twenty-five feet from any property line; and

10440 2. Screened along the portions of such areas that can be seen from an adjacent

10441 parcel or roadway by the:

10442 a. planting of Type II landscape buffering; or

10443 b. use of existing vegetation that meets or can be augmented with additional

10444 plantings to meet the intent of Type II landscaping;

10445 E. A home occupation or occupations is not limited in the number of employees

10446 that remain off-site. Regardless of the number of home occupations, the number of

10447 nonresident employees is limited to no more than three who work on-site at the same

10448 time ~~((and no more than three who report to the site but primarily provide services off-~~

10449 ~~site))~~);



- 10450 F. In addition to required parking for the dwelling unit, on-site parking is  
10451 provided as follows:
- 10452 1. One stall for each nonresident employed on-site; and
  - 10453 2. One stall for patrons when services are rendered on-site;
- 10454 G. Sales are limited to:
- 10455 1. Mail order sales;
  - 10456 2. Telephone, Internet, or other electronic commerce sales with off-site delivery;
  - 10457 3. Items accessory to a service provided to patrons who receive services on the  
10458 premises;
  - 10459 4. Items grown, produced, or fabricated on-site; and
  - 10460 5. On sites five acres or larger, items that support agriculture, equestrian, or  
10461 forestry uses except for the following:
    - 10462 a. motor vehicles and parts (~~(((North American Industrial Classification System~~  
10463 ~~("NAICS" Code 441)))~~ SIC Major Group 55);
    - 10464 b. electronics and appliances (~~(((NAICS Code 443)))~~ SIC Industry Groups and  
10465 Industries 504, 506, 5731, 5734, 5722, and 5946); and
    - 10466 c. building material and garden equipment((s)) and supplies (~~(((NAICS Code~~  
10467 ~~444)))~~ SIC Major Group 52);
- 10468 H. The home occupation or occupations do not:
- 10469 1. Use electrical or mechanical equipment that results in a change to the  
10470 occupancy type of the structure or structures used for the home occupation or  
10471 occupations;

10472           2. Cause visual or audible interference in radio or television receivers, or  
10473 electronic equipment located off-premises or fluctuations in line voltage off-premises; or  
10474           3. Increase average vehicular traffic by more than four additional vehicles at any  
10475 given time;

10476           I. Customer visits and deliveries shall be limited to ~~((the hours of))~~ 8:00 a.m. to  
10477 7:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on weekends;

10478           J. The following uses, by the nature of their operation or investment, tend to  
10479 increase beyond the limits ~~((permitted))~~ allowed for home occupations. Therefore, the  
10480 following shall not be ~~((permitted))~~ allowed as home occupations:

10481           1. Hotels, motels, or organizational lodging;  
10482           2. Dry cleaning;  
10483           3. Automotive towing services, automotive wrecking services, and tow-in  
10484 parking lots;  
10485           4. Recreational ~~((marijuana))~~ cannabis processor, recreational ~~((marijuana))~~  
10486 cannabis producer, or recreational ~~((marijuana))~~ cannabis retailer; and  
10487           5. Winery, brewery, distillery facility I, II and III, and remote tasting rooms,  
10488 except that home occupation adult beverage businesses operating under an active  
10489 Washington state Liquor and Cannabis Board production license issued for their current  
10490 location before December 31, 2019, and where King County did not object to the location  
10491 during the Washington state Liquor and Cannabis Board license application process, shall  
10492 be considered legally nonconforming and allowed to remain in their current location  
10493 subject to K.C.C. 21A.32.020 through 21A.32.075 if the use is in compliance with this  
10494 section as of December 31, 2019. Such nonconforming businesses shall remain subject

10495 to all other requirements of this section and all applicable state and local regulations. The  
10496 resident operator of a nonconforming home occupation winery, brewery or distillery shall  
10497 obtain an adult beverage business license in accordance with K.C.C. chapter 6.74;

10498 K. Uses not allowed as home occupation may be allowed as a home industry  
10499 under K.C.C. chapter 21A.30; and

10500 L. The home occupation or occupations may use or store vehicles, as follows:

10501 1. The total number of vehicles for all home occupations shall be:

10502 a. for any lot five acres or less: two;

10503 b. for lots greater than five acres: three; and

10504 c. for lots greater than ten acres: four;

10505 2. The vehicles are not stored within any required setback areas of the lot or on  
10506 adjacent streets; and

10507 3. The parking area for the vehicles shall not be considered part of the outdoor  
10508 storage area provided for in subsection C. of this section.

10509 SECTION 214. Ordinance 10870, Section 537, as amended, and K.C.C.

10510 21A.30.090 are hereby amended to read as follows:

10511 A resident may establish a home industry as an accessory activity, as follows:

10512 A. The site area is one acre or greater;

10513 B. The area of the dwelling unit used for the home industry does not exceed fifty  
10514 percent of the floor area of the dwelling unit((-));

10515 C. Areas within attached garages and storage buildings shall not be considered  
10516 part of the dwelling unit for purposes of calculating allowable home industry area but  
10517 may be used for storage of goods associated with the home industry;

- 10518 D. No more than six nonresidents who work on-site at the time;
- 10519 E. In addition to required parking for the dwelling unit, on-site parking is
- 10520 provided as follows:
- 10521 1. One stall for each nonresident employee of the home industry; and
- 10522 2. One stall for customer parking;
- 10523 F. Additional customer parking shall be calculated for areas devoted to the home
- 10524 industry at the rate of one stall per:
- 10525 1. One thousand square feet of building floor area; and
- 10526 2. Two thousand square feet of outdoor work or storage area;
- 10527 G. Sales are limited to items produced on-site, except for items collected, traded,
- 10528 and occasionally sold by hobbyists, such as coins, stamps, and antiques;
- 10529 H. Ten feet of Type I landscaping are provided around portions of parking and
- 10530 outside storage areas that are otherwise visible from adjacent properties or public rights-
- 10531 of-way;
- 10532 I. The department ensures compatibility of the home industry by:
- 10533 1. Limiting the type and size of equipment used by the home industry to those
- 10534 that are compatible with the surrounding neighborhood;
- 10535 2. Providing for setbacks or screening as needed to protect adjacent residential
- 10536 properties;
- 10537 3. Specifying hours of operation;
- 10538 4. Determining acceptable levels of outdoor lighting; and
- 10539 5. Requiring sound level tests for activities determined to produce sound levels
- 10540 that may be in excess of those in K.C.C. chapter 12.88;

10541 J. Recreational ((~~marijuana~~)) cannabis processors, recreational ((~~marijuana~~))  
10542 cannabis producers, and recreational ((~~marijuana~~)) cannabis retailers shall not be allowed  
10543 as home industry; and

10544 K. Winery, brewery, distillery facility I, II and III, and remote tasting room shall  
10545 not be allowed as home industry, except that home industry adult beverage businesses  
10546 that have, in accordance with K.C.C. 20.20.070, a vested conditional use permit  
10547 application before December 31, 2019, shall be considered legally nonconforming and  
10548 allowed to remain in their current location subject to K.C.C. 21A.32.020 through  
10549 21A.32.075. Such nonconforming businesses remain subject to all other requirements of  
10550 this section and all applicable state and local regulations. The resident operator of a  
10551 nonconforming winery, brewery or distillery home industry shall obtain an adult  
10552 beverage business license in accordance with K.C.C. chapter 6.74.

10553 SECTION 215. Ordinance 10870, Section 547, as amended, and K.C.C.  
10554 21A.32.100 are hereby amended to read as follows:

10555 Except as provided by K.C.C. 21A.32.110, a temporary use permit shall be  
10556 required for any of the following:

10557 A. A use not otherwise permitted in the zone that can be made compatible for a  
10558 period of up to ((~~sixty~~)) twenty-four days a year, subject to K.C.C. 21A.32.120;

10559 B. The expansion of an established use that:

- 10560 1. Is otherwise allowed in the zone;
- 10561 2. Is not inconsistent with the original land use approval;
- 10562 3. Exceeds the scope of the original land use approval; and

10563 4. Can be made compatible with the zone for a period of up to ~~((sixty))~~ twenty-  
10564 four days a year, subject to K.C.C. 21A.32.120; or

10565 C. Events at a winery, brewery, distillery facility or remote tasting room that  
10566 include one or more of the following activities:

10567 1. Exceeds the permitted building occupancy;

10568 2. Utilizes portable toilets;

10569 3. Utilizes parking that exceeds the maximum number of spaces allowed by this  
10570 title on-site or utilizes off-site parking;

10571 4. Utilizes temporary stages;

10572 5. Utilizes temporary tents or canopies that require a permit;

10573 6. Requires traffic control for public rights-of-way; or

10574 7. Extends beyond allowed hours of operation.

10575 SECTION 216. Ordinance 10870, Section 548, as amended, and K.C.C.

10576 21A.32.110 are hereby amended to read as follows:

10577 A. The following uses shall be exempt from requirements for a temporary use  
10578 permit when located in the RB, CB, NB, O<sub>2</sub> or I zones for the time period specified  
10579 below:

10580 1. Uses not to exceed a total of thirty days each calendar year:

10581 a. Christmas tree lots; and

10582 b. Produce stands.

10583 2. Uses not to exceed a total of fourteen days each calendar year:

10584 a. Amusement rides, carnivals, or circuses;

10585 b. Community festivals; and

10586 c. Parking lot sales.

10587 B. Any use not exceeding a cumulative total of two days each calendar year and  
10588 five hundred attendees and employees per day shall be exempt from requirements for a  
10589 temporary use permit.

10590 C. Any community event held in a park and not exceeding a period of seven days  
10591 shall be exempt from requirements for a temporary use permit.

10592 D. Christmas tree sales not exceeding a total of thirty days each calendar year  
10593 when located on Rural Area (RA) zoned property with legally established (~~non-~~  
10594 ~~residential~~) nonresidential uses shall be exempt from requirements for a temporary use  
10595 permit.

10596 E.1. Events at a winery, brewery, distillery facility II or III shall not require a  
10597 temporary use permit if:

10598 a. The business is operating under an active Washington state Liquor and  
10599 Cannabis Board production license issued for their current location before December 31,  
10600 2019, and where King County did not object to the location during the Washington state  
10601 Liquor and Cannabis Board license application process;

10602 b. The parcel is at least eight acres in size;

10603 c. The structures used for the event maintain a setback of at least one hundred  
10604 fifty feet from interior property lines;

10605 d. The parcel is located in the RA zone;

10606 e. The parcel has access directly from and to a principal arterial or state  
10607 highway;

10608 f. The event does not use amplified sound outdoors before 12:00 p.m. or after  
10609 8:00 p.m.

10610 2. Events that meet the provisions in this subsection E. shall not be subject to  
10611 ~~((the provisions of))~~ K.C.C. 21A.32.120, as long as the events occur no more frequently  
10612 than an annual average of eight days per month.

10613 SECTION 217. Ordinance 10870, Section 549, as amended, and K.C.C.  
10614 21A.32.120 are hereby amended to read as follows:

10615 Except as otherwise provided in this chapter or in K.C.C. chapter 21A.45,  
10616 temporary use permits shall be limited in duration and frequency as follows:

10617 A. The temporary use permit shall be effective for one year from the date of  
10618 issuance and may be renewed annually as provided in subsection D. of this section;

10619 B.1. The temporary use shall not:

10620 a. ~~((e))~~Exceed a total of ~~((sixty))~~ twenty-four days in any ~~((three hundred-~~  
10621 ~~sixty-five day))~~ three hundred sixty-five-day period~~((=))~~, four days in any month, and  
10622 three days in any week. If the total duration of the temporary use is no more than ten  
10623 days in a three hundred sixty-five-day period, those ten days may be consecutive in any  
10624 month or any week or both. This subsection B.1.a. applies only to the days that the event  
10625 or events actually take place~~((=))~~; and

10626 b. Occur in more than six consecutive or non-consecutive months out of the  
10627 year.

10628 2. For a winery, brewery, distillery facility II and III in the A zone, the  
10629 temporary use shall not exceed a total of two events per month and all event parking must  
10630 be accommodated on-site or managed through a parking management plan approved by



10631 the director. This subsection B.2. applies only to the days that the event or events  
10632 actually take place.

10633           3. For a winery, brewery, distillery facility II and III in the RA zone, the  
10634 temporary use shall not exceed a total of twenty-four days in any three-hundred-sixty-  
10635 five-day period and all event parking must be accommodated on-site or managed through  
10636 a parking management plan approved by the director. This subsection B.3. applies only  
10637 to the days that the event or events actually take place.

10638           4. For a winery, brewery, distillery facility II in the A or RA zones, in addition  
10639 to all other relevant facts, the department shall consider building occupancy and parking  
10640 limitations during permit review, and shall condition the number of guests allowed for a  
10641 temporary use based on those limitations. The department shall not authorize attendance  
10642 of more than one hundred fifty guests.

10643           5. For a winery, brewery, distillery facility III in the A or RA zones, in addition  
10644 to all other relevant facts, the department shall consider building occupancy and parking  
10645 limitations during permit review, and shall condition the number of guests allowed for a  
10646 temporary use based on those limitations. The department shall not authorize attendance  
10647 of more than two hundred fifty guests.

10648           6. Events for any winery, brewery, distillery facility I in the RA zone, any  
10649 nonconforming winery, brewery, distillery facility home occupation, or any  
10650 nonconforming winery, brewery, distillery facility home industry shall be limited to two  
10651 per year, and limited to a maximum of fifty guests. If the event complies with this  
10652 subsection B.6., a temporary use permit is not required for a special event for a winery,  
10653 brewery, distillery facility I in the RA zone, a nonconforming home occupation winery,

10654 brewery, distillery facility or a nonconforming home industry winery, brewery, distillery  
10655 facility.

10656 7. For a winery, brewery, distillery facility II and III in the RA zone, events  
10657 exempted under K.C.C 21A.32.110.E. from the requirement to obtain a temporary use  
10658 permit shall not be subject to (~~the provisions of~~) this section;

10659 C. The temporary use permit shall specify a date upon which the use shall be  
10660 allowed, terminated, and removed; and

10661 D. A temporary use permit may be renewed annually for up to a total of (~~five~~)  
10662 four consecutive years as follows:

10663 1. The applicant shall make a written request and pay the applicable permit  
10664 extension fees for renewal of the temporary use permit at least seventy days before the  
10665 end of the permit period;

10666 2. The department must determine that the temporary use is being conducted in  
10667 compliance with the conditions of the temporary use permit;

10668 3. The department must determine that site conditions have not changed since  
10669 the original temporary permit was issued; (~~and~~)

10670 4. The temporary use must demonstrate compliance with current development  
10671 regulations; and

10672 5. At least forty-five days before the end of the permit period, the department  
10673 shall notify property owners within five hundred feet of the property boundaries that a  
10674 temporary use permit extension has been requested and contact information to request  
10675 additional information or to provide comments on the proposed extension.

10676            NEW SECTION. SECTION 218. There is hereby added to K.C.C. chapter  
10677 21A.32 a new section to read as follows:

10678            A. The size of a temporary use shall be scaled based upon building occupancies,  
10679 site area, access, and environmental considerations and be limited to no more than two  
10680 hundred fifty guests.

10681            B. Areas used for temporary uses shall comply with building setback  
10682 requirements for the zone in which they are located.

10683            C. Temporary use shall adequately provide the following, as approved by the  
10684 county and commensurate with the size and scale of the temporary use, including for  
10685 customers, guests, and workers associated with the temporary use:

10686            1. Temporary sanitary facilities;

10687            2. Potable water;

10688            3. Safe vehicle parking, access, and traffic control, as specified by the sheriff's  
10689 office or department of local services, roads division, or both;

10690            4. Accessibility for persons with disabilities; and

10691            5. Noise compliance consistent with K.C.C. chapter 12.86.

10692            SECTION 219. Ordinance 10870, Section 555, as amended, and K.C.C.  
10693 21A.32.180 are hereby amended to read as follows:

10694            One temporary real estate office may be located on any new residential  
10695 development, provided that activities are limited to the initial sale or rental of property or  
10696 units within the development. The office use shall be discontinued within one year of  
10697 recording of a ~~((short subdivision))~~ final short plat or issuance of a final certificate of

10698 occupancy for a~~((n))~~ duplex, houseplex, apartment, or townhouse development, and  
10699 within two years of the recording of a ~~((formal subdivision))~~ final plat.

10700 SECTION 220. Ordinance 10870, Section 559, and K.C.C. 21A.32.220 are  
10701 hereby amended to read as follows:

10702 In order to ~~((insure))~~ ensure that significant features of the property are protected  
10703 ~~((pursuant to))~~ under K.C.C. chapter 20.62, the following standards shall apply to  
10704 conversion of historic buildings:

10705 A. Gross floor area of building additions or new buildings required for the  
10706 conversion shall not exceed ~~((20))~~ twenty percent of the gross floor area of the historic  
10707 building, unless otherwise allowed by ~~((the zone))~~ K.C.C. chapter 21A.12;

10708 B. Conversions to duplexes, houseplex, apartments, or townhouses shall not  
10709 exceed one dwelling unit for each ~~((3,600))~~ three thousand six hundred square feet of lot  
10710 area, unless allowed by the zone; and

10711 C. Any construction required for the conversion shall require certification of  
10712 appropriateness from the King County Landmark Commission.

10713 SECTION 221. Ordinance 17710, Section 14, as amended, and K.C.C.  
10714 21A.32.250 are hereby amended to read as follows:

10715 For those recreational ~~((marijuana))~~ cannabis production and processing facilities  
10716 requiring a conditional use permit under this title, as part of the permit review process,  
10717 the department may require the applicant to submit an odor management plan for any  
10718 areas of indoor processing or ventilation of any structure used to produce or process  
10719 ~~((marijuana))~~ cannabis. The purpose of such a plan is to minimize odors and fumes from

10720 chemicals or products used in or resulting from either production or processing, or both,  
10721 of ~~((marijuana))~~ cannabis.

10722 SECTION 222. Ordinance 13274, Section 1, as amended, and K.C.C.  
10723 21A.37.010 are hereby amended to read as follows:

10724 A. The purpose of the transfer of development rights ("TDR") program is to  
10725 transfer residential density from eligible sending sites to eligible receiving sites through a  
10726 voluntary process that permanently preserves urban, rural, and resource lands that  
10727 provide a public benefit. The TDR provisions are intended to supplement land use  
10728 regulations, resource protection efforts, and open space acquisition programs and to  
10729 encourage increased residential development density or increased commercial square  
10730 footage, especially inside cities, where it can best be accommodated with the least  
10731 impacts on the natural environment and public services by:

10732 1. Providing an effective and predictable incentive process for property owners  
10733 of rural, resource ~~((and))~~, urban separator, and other eligible urban land to preserve lands  
10734 with a public benefit as described in K.C.C. 21A.37.020; and

10735 2. Providing an efficient and streamlined administrative review system to ensure  
10736 that transfers of development rights to receiving sites are evaluated in a timely way and  
10737 balanced with other county goals and policies, and are adjusted to the specific conditions  
10738 of each receiving site.

10739 B. The TDR provisions in this chapter shall only apply to TDR receiving site  
10740 development proposals:

10741 1. Submitted on or after September 17, 2001, and applications for approval of  
10742 TDR sending sites submitted on or after September 17, 2001; and

10743           2. For properties within the Skyway-West Hill or North Highline (~~community~~  
10744 ~~service area~~) subarea geographies, only as provided in K.C.C. chapter 21A.48.

10745           C. For the purposes of this chapter, "conservation easement" includes other  
10746 similar encumbrances.

10747           SECTION 223. Ordinance 13274, Section 3, as amended, and K.C.C.  
10748 21A.37.020 are hereby amended to read as follows:

10749           A. For the purpose of this chapter, sending site means the entire tax lot or lots  
10750 qualified under this subsection. Sending sites shall:

10751           1. Contain a public benefit such that preservation of that benefit by transferring  
10752 residential development rights to another site is in the public interest;

10753           2. Meet at least one of the following criteria:

10754           a. designation in the King County Comprehensive Plan or a functional plan as an  
10755 agricultural production district or zoned A;

10756           b. designation in the King County Comprehensive Plan or a functional plan as  
10757 forest production district or zoned F;

10758           c. designation in the King County Comprehensive Plan as ~~((R))~~rural ~~((A))~~area,  
10759 zoned RA-2.5, RA-5 or RA-10, and meeting the definition in RCW 84.34.020 of open  
10760 space or farm and agricultural land;

10761           d. designation in the King County Comprehensive Plan or a functional plan as a  
10762 proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land regional trail or  
10763 ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource ~~((L))~~land open space site, through  
10764 either:

10765           (1) designation of a specific site; or

10766 (2) identification of proposed ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural ~~((R))~~resource  
10767 ~~((L))~~land regional trail or ~~((Rural Area or Natural Resource Land))~~ open space sites  
10768 which meet adopted standards and criteria, and for ~~((R))~~rural ~~((A))~~area or ~~((N))~~natural  
10769 ~~((R))~~resource ~~((L))~~land open space sites, meet the definition of open space land, as  
10770 defined in RCW 84.34.020;

10771 e. identification as habitat for federally listed endangered or threatened species in  
10772 a written determination by the King County department of natural resources and parks,  
10773 Washington state Department of Fish and Wildlife, United States Fish and Wildlife  
10774 Services or a federally recognized tribe that the sending site is appropriate for  
10775 preservation or acquisition;

10776 f. designation in the King County Comprehensive Plan as urban separator ~~((and))~~  
10777 or zoned R-1; or

10778 g.(1) designation in the King County Comprehensive Plan as urban residential  
10779 medium or urban residential high;

10780 (2) zoned R-4, R-6, R-8, R-12, R-18, R-24<sub>2</sub> or R-48; and

10781 (3) approved for conservation futures tax funding by the King County council;

10782 3. Consist of one or more contiguous lots that have a combined area that meets or  
10783 exceeds the minimum lot area for construction requirements in K.C.C. 21A.12.100 for  
10784 the zone in which the sending site is located. For purposes of this subsection, lots divided  
10785 by a street are considered contiguous if the lots would share a common lot line if the  
10786 street was removed. This provision may be waived by the interagency committee if the  
10787 total acreage of a rural or resource sending site application exceeds one hundred acres;  
10788 and

- 10789 4. Not be in public ownership, except:
- 10790 a. as provided in K.C.C. 21A.37.110.C.;
- 10791 b. for lands zoned RA that are managed by the Washington state Department
- 10792 of Natural Resources as state grant or state forest lands; ~~((or))~~
- 10793 c. for lands that are managed by King County for purposes of residential or
- 10794 commercial development; or
- 10795 d. for lands participating in the county's forest carbon program established by
- 10796 K.C.C. chapter 18.35.
- 10797 B. For the purposes of the TDR program, acquisition means obtaining fee simple
- 10798 rights in real property or a property right in a form that preserves in perpetuity the public
- 10799 benefit supporting the designation or qualification of the property as a sending site. A
- 10800 sending site shall be maintained in a condition that is consistent with the criteria in this
- 10801 section under which the sending was qualified.
- 10802 C. If a sending site has any outstanding code violations, the person responsible
- 10803 for code compliance should resolve these violations, including any required abatement,
- 10804 restoration, or payment of civil penalties, before a TDR sending site may be qualified by
- 10805 the interagency review committee created under K.C.C. 21A.37.070. However, the
- 10806 interagency may qualify and certify a TDR sending site with outstanding code violations
- 10807 if the person responsible for code compliance has made a good faith effort to resolve the
- 10808 violations and the proposal is in the public interest.
- 10809 D. For lots on which the entire lot or a portion of the lot has been cleared or
- 10810 graded in accordance with a Class II, III or IV special forest practice as defined in chapter
- 10811 76.09 RCW within the six years before application as a TDR sending site, the applicant



10812 ~~((must))~~ shall provide an affidavit of compliance with the reforestation requirements of  
10813 the Forest Practices Act, and any additional reforestation conditions of their forest  
10814 practice permit. Lots on which the entire lot or a portion of the lot has been cleared or  
10815 graded without any required forest practices or county authorization, shall be not  
10816 qualified or certified as a TDR sending site for six years unless the six-year moratorium  
10817 on development applications has been lifted or waived or the landowner has a  
10818 reforestation plan approved by the Washington state Department of Natural Resources  
10819 and King County.

10820 SECTION 224. Ordinance 13274, Section 5, as amended, and K.C.C.

10821 21A.37.030 are hereby amended to read as follows:

10822 A. Receiving sites shall be:

10823 1. King County unincorporated urban sites, except as limited in subsection D. of  
10824 this section, zoned R-4 through R-48, NB, CB, RB<sub>2</sub> or O(~~(, or any combination thereof)~~).

10825 The sites may also be within potential annexation areas established under the

10826 ~~((e))~~Countywide ~~((p))~~Planning ~~((p))~~Policies; ~~((e))~~

10827 2. Sites in rural towns, when in accordance with the inclusionary housing  
10828 program in K.C.C. chapter 21A.48, the TDR maximum density standards in K.C.C.  
10829 21A.12.030, or the duplex allowances in K.C.C. 21A.08.030, and except as limited in  
10830 subsection E. of this section;

10831 3. Cities where new growth is or will be encouraged under the Growth  
10832 Management Act and the countywide planning policies and where facilities and services  
10833 exist or where public investments in facilities and services will be made, or

10834           ~~((3))~~4. RA-2.5 zoned parcels, except as limited in subsection E. of this section,  
10835 that meet the criteria listed in this subsection A.3. may receive development rights  
10836 transferred from rural forest focus areas, and accordingly may be subdivided and  
10837 developed at a maximum density of one dwelling per two and one-half acres. Increased  
10838 density allowed through the designation of rural receiving areas shall:

10839           a. ~~((must))~~ be eligible to be served by domestic Group A public water service;  
10840           b. ~~((must))~~ be located within one-quarter mile of an existing predominant  
10841 pattern of rural lots smaller than five acres in size;  
10842           c. ~~((must))~~ not adversely impact regionally or locally significant resource areas  
10843 or critical areas;  
10844           d. ~~((must))~~ not require public services and facilities to be extended to create or  
10845 encourage a new pattern of smaller lots;  
10846           e. ~~((must))~~ not be located within rural forest focus areas; and  
10847           f. ~~((must))~~ not be located on Vashon~~((Island or))~~ Maury Island.

10848           B. Except as provided in this chapter, development of an unincorporated King  
10849 County receiving site shall remain subject to all zoning code provisions for the base zone,  
10850 except TDR receiving site developments shall comply with dimensional standards of the  
10851 zone with a base density most closely comparable to the total approved density of the  
10852 TDR receiving site development.

10853           C. Except as otherwise provided in this title, ~~((A))~~an unincorporated King County  
10854 receiving site may accept development rights from one or more sending sites, as follows:

10855           1. ~~((For short subdivisions, u))~~Up to the maximum density ~~((permitted))~~ allowed  
10856 under K.C.C. 21A.12.030 and 21A.12.040; and

10857           2. For ~~((formal))~~ subdivisions, only ~~((as authorized in a subarea study that~~  
10858 ~~includes a comprehensive analysis of the impacts of receiving development rights))~~ if the  
10859 hearing examiner finds that the additional density from use of TDRs at the proposed  
10860 subdivision does not create unmitigated impacts beyond those created by development at  
10861 base density.

10862           D. Property located within the outer boundaries of the Noise Remedy Areas as  
10863 identified by the Seattle-Tacoma International Airport may not accept development  
10864 rights.

10865           E. Property located within the shoreline jurisdiction or located on Vashon-Maur  
10866 Island ~~((or Maury Island may))~~ shall not accept development rights.

10867           SECTION 225. Ordinance 13274, Section 6, as amended, and K.C.C.  
10868 21A.37.040 are hereby amended to read as follows:

10869           A. The number of residential development rights that an unincorporated sending  
10870 site is eligible to send to a receiving site shall be determined by applying the TDR  
10871 sending site base density established in subsection D. of this section to the area of the  
10872 sending site, after deducting the area associated with any existing development allowed  
10873 to remain under the terms of the conservation easement conserving the site, any retained  
10874 development rights, and any portion of the sending site already in a conservation  
10875 easement ~~((or other similar encumbrance))~~. For each existing dwelling unit or retained  
10876 development right, the sending site area shall be reduced by an area equivalent to the base  
10877 density for that zone under K.C.C. 21A.12.030.

10878           B. Any fractions of development rights that result from the calculations in  
10879 subsection A. of this section shall ~~((not be included in the final determination of total~~

10880 ~~development rights available for transfer))~~ be rounded up to the next largest whole  
10881 number if the calculation results in a fraction of 0.5 or greater, or shall be rounded down  
10882 to the next smallest whole number if the calculation results in a fraction less than 0.5.

10883 C. For purposes of calculating the amount of development rights a sending site  
10884 can transfer, the amount of land contained within a sending site shall be determined as  
10885 follows:

10886 1. If the sending site is an entire tax lot, the square footage or acreage shall be  
10887 determined by:

10888 a. ~~((by))~~ the King County department of assessments records; ~~((or))~~

10889 b. ~~((by))~~ geographic information system mapping confirmed by King County;

10890 or

10891 c. a survey funded by the applicant that has been prepared and stamped by a  
10892 surveyor licensed in the state of Washington; and

10893 2. If the sending site consists of a lot that is divided by a zoning boundary, the  
10894 square footage or acreage shall be calculated separately for each zoning classification.

10895 The square footage or acreage within each zoning classification shall be determined by

10896 the King County record of the action that established the zoning and property lines, such

10897 as an approved lot line adjustment. When such records are not available or are not

10898 adequate to determine the square footage or acreage within each zoning classification,

10899 TDR program staff shall calculate, and the department of local services, permitting

10900 division, shall ~~((calculate))~~ confirm, the square footage or acreage through the geographic

10901 information system ~~((GIS))~~ mapping system.

10902 D. For the purposes of the ~~((transfer of development rights-))TDR((+))~~ program  
10903 only, the following TDR sending site base densities apply:

10904 1. Sending sites designated in the King County Comprehensive Plan as urban  
10905 separator ~~((and))~~ or zoned R-1 shall have a base density of four dwelling units per acre;

10906 2. Sending sites zoned RA-2.5 shall have a base density of one unit for each two  
10907 and one-half acres. Sending sites zoned RA-2.5 that are vacant and are smaller than 1.25  
10908 acres shall be allocated one additional TDR for each vacant lot that is smaller than 1.25  
10909 acres;

10910 3. Sending sites zoned RA-5 or RA-10 shall have a base density of one dwelling  
10911 unit per five acres. Vacant sending sites that are zone RA-5 and are smaller than two and  
10912 one-half acres or that are zoned RA-10 and are smaller than five acres shall be allocated  
10913 one additional TDR for each vacant lot that is smaller than two and one-half acres or five  
10914 acres, respectively;

10915 4. Sending sites zoned RA and that have a designation under the King County  
10916 Shoreline Master Program of conservancy or natural environment shall be allocated one  
10917 additional TDR per legal lot;

10918 5. Sending sites zoned A-10 and A-35 shall have a base density of one dwelling  
10919 unit per five acres for transfer purposes only;

10920 6. Sending sites zoned F within the forest production district shall have a base  
10921 density of one dwelling unit per eighty-acres or one dwelling unit per each lot that is  
10922 between fifteen and eighty acres in size. A TDR sending site zoned F that is awarded  
10923 certified TDRs under K.C.C. 21A.37.070 may be qualified for one additional TDR for  
10924 each legal lot that is eligible to create a verified carbon credits under K.C.C. chapter

10925 18.35. Certification of any additional TDRs qualified under this subsection D.6. of this  
10926 section is contingent upon applicant enrolling in a verified carbon program under K.C.C.  
10927 chapter 18.35, which shall occur within five years of initial sending site certification,  
10928 subject to interagency committee review and approval; ((or.))

10929           7. Vacant marine shoreline sending sites without any hard shoreline stabilization  
10930 shall be allocated one additional TDR per legal lot; and

10931           8. Sending sites in the urban unincorporated area that meet the criteria in K.C.C.  
10932 21A.37.020.A.2.g. shall be allocated TDRs that are equivalent to the zoning base density  
10933 established in K.C.C. 21A.12.030 for every one acre of gross land area.

10934           E. A sending site zoned RA, A<sub>2</sub> or F may send one development right for every  
10935 legal lot larger than five thousand square feet that was created on or before September 17,  
10936 2001, with no retained development rights, if that number is greater than the number of  
10937 development rights determined under subsection A. of this section. A sending site zoned  
10938 R-1 may send one development right for every legal lot larger than two thousand five  
10939 hundred square feet that was created on or before September 17, 2001, with no retained  
10940 development rights, if that number is greater than the number of development rights  
10941 determined under subsection A. of this section.

10942           F. The number of development rights that a ~~((King County unincorporated))~~ rural  
10943 area or natural resources land sending site is eligible to send to a ~~((King County))~~  
10944 incorporated urban area receiving site shall be determined through the application of a  
10945 conversion ratio established by King County and the ~~((incorporated municipal~~  
10946 jurisdiction)) city or town. The conversion ratio will be applied to the number of

10947 available sending site development rights determined under subsection A. or E. of this  
10948 section.

10949 G. Development rights from one sending site may be allocated to more than one  
10950 receiving site and one receiving site may accept development rights from more than one  
10951 sending site.

10952 H. The determination of the number of residential development rights a sending  
10953 site has available for transfer to a receiving site shall be valid for transfer purposes only,  
10954 shall be documented in a TDR qualification report prepared by the department of natural  
10955 resources and parks and sent to the applicant. The qualification report (~~and~~) shall be  
10956 considered a final determination, not to be revised due to changes to the sending site's  
10957 zoning, and shall be valid unless conditions on the sending site property that would affect  
10958 the number of development rights the sending site has available for transfer have  
10959 changed.

10960 I. Each residential (~~(transferable development right)~~) TDR that originates from a  
10961 sending site zoned RA, A<sub>2</sub> or F shall be designated "Rural" and is equivalent to two  
10962 additional units above base density in eligible receiving sites located in unincorporated  
10963 urban King County. Each residential (~~(transferable development right)~~) TDR that  
10964 originates from a sending site zoned R-1 or designated as urban separator shall be  
10965 designated "Urban" and is equivalent to one additional unit above base density. Each  
10966 residential (~~(transferable development right)~~) TDR that originates from a sending site in  
10967 urban unincorporated area lands meeting the criteria in K.C.C. 21A.37.020.A.2.g. shall be  
10968 designated "Urban" and is equivalent to one additional unit above the base density.

10969            SECTION 226. Ordinance 14190, Section 7, as amended, and K.C.C.

10970    21A.37.050 are hereby amended to read as follows:

10971            A. Following the transfer of residential development rights, a sending site may  
10972    subsequently accommodate remaining residential dwelling units, if any, on the buildable  
10973    portion of the parcel or parcels or be subdivided, consistent with the zoned base density  
10974    ~~((provisions of the density and dimensions tables))~~ in K.C.C. 21A.12.030 and  
10975    21A.12.040, the allowable dwelling unit calculations in K.C.C. 21A.12.070, and other  
10976    King County development regulations. Any remaining residential dwelling units and  
10977    associated accessory units shall be located in a single and contiguous reserved residential  
10978    area that shall be adjacent to any existing development or roadways on the property. The  
10979    reserved residential area shall ~~((be equal to))~~ not exceed the acreage associated with the  
10980    minimum lot size of the zone for each remaining residential dwelling unit. For sending  
10981    sites zoned RA, the subdivision potential remaining after a density transfer may only be  
10982    actualized through ~~((a clustered subdivision, short subdivision or binding site plan))~~  
10983    clustering that creates a permanent preservation tract as large or larger than the portion of  
10984    the subdivision set aside as lots. Within rural forest focus areas, resource use tracts shall  
10985    be at least fifteen acres of contiguous forest land.

10986            B. Only those nonresidential uses directly related to, and supportive of the  
10987    criteria under which the site qualified are allowed on a sending site.

10988            C. The applicable limitations in this section shall be included in the sending site  
10989    conservation easement.

10990            SECTION 227. Ordinance 14190, Section 8, as amended, and K.C.C.

10991    21A.37.060 are hereby amended to read as follows:



10992 A. ~~((Prior to))~~ Before issuing a certificate for ~~((transferable development rights~~  
10993 ~~to))~~ TDRs for a sending site, the department of natural resources and parks, or its  
10994 successor, shall record deed restrictions in the form of a conservation easement  
10995 documenting the development rights that have been removed from the property ~~((and~~  
10996 ~~shall place a notice on the title of the sending site))~~. The department of local services,  
10997 permitting division, or its successor, shall establish and maintain an internal tracking  
10998 system that identifies all certified ~~((transfer of developments rights))~~ TDR sending sites.

10999 B. A conservation easement granted to the county or other appropriate land  
11000 management agency and that meets the requirements of K.C.C. 21A.37.050 shall be  
11001 required for land contained in the sending site. The conservation easement shall be  
11002 documented by a map. The conservation easement shall be placed on the entire lot or  
11003 lots. The conservation easement shall identify limitations in perpetuity on future  
11004 residential and nonresidential development consistent with this chapter, as follows:

11005 1. A conservation easement~~((, which))~~ that contains the easement map~~((,))~~ shall  
11006 be recorded on the entire sending site to indicate development limitations on the sending  
11007 site;

11008 2. For a sending site zoned A-10 or A-35, the conservation easement shall be  
11009 consistent in form and substance with the purchase agreements used in the agricultural  
11010 land development rights purchase program. The conservation easement shall preclude  
11011 subdivision of the subject property but may permit not more than one dwelling per  
11012 sending site, and shall permit agricultural uses as provided in the A-10 or A-35 zone;

11013 3. For a rural sending site, the conservation easement shall allow for restoration,  
11014 maintenance, or enhancement of native vegetation. A present conditions report shall be

11015 required to document the location of existing structures and existing native vegetation  
11016 and the baseline conservation values of protected property at the time the conservation  
11017 easement is put in place. If residential development will be allowed on the site under the  
11018 conservation easement, the present conditions report shall be used to guide the location of  
11019 residential development;

11020           4. For a sending site qualifying as habitat for federal listed endangered or  
11021 threatened species, the conservation easement shall protect habitat and allow for  
11022 restoration, maintenance, or enhancement of native vegetation. A present conditions  
11023 report shall be required to document the location of existing structures. If existing or  
11024 future residential development will be allowed on the site under the conservation  
11025 easement, the present conditions report shall be used by the owner to guide the location  
11026 of residential development; and

11027           5.a. For a sending site zoned F, the conservation easement shall encumber the  
11028 entire sending site. ~~((Lots between fifteen acres and eighty acres in size are not eligible  
11029 to participate in the TDR program if they include any existing dwelling units intended to  
11030 be retained, or if a new dwelling unit is proposed.))~~ For eligible lots between fifteen  
11031 acres and eighty acres in size, the sending site ~~((must))~~ shall include the entire lot. For  
11032 lots greater than eighty acres in size, the sending site shall be a minimum of eighty acres.

11033           b. The conservation easement shall permit forestry uses subject to a forest  
11034 stewardship plan prepared by the applicant and approved by the county for ongoing forest  
11035 management practices. The ~~((F))~~forest ~~((S))~~stewardship ~~((P))~~plan shall serve as a present  
11036 conditions report documenting the baseline conditions of the property and shall include a

11037 description of the site's forest resources and the long term forest management objectives  
11038 of the property owner(~~(, and shall not impose standards that exceed Title 222 WAC)~~).

11039 c. Lots between fifteen acres and eighty acres in size are not eligible to  
11040 participate in the TDR program if they include any existing dwelling units intended to be  
11041 retained, or if a new dwelling unit is proposed.

11042 SECTION 228. Ordinance 13274, Section 7, as amended, and K.C.C.

11043 21A.37.070 are hereby amended to read as follows:

11044 A. (~~An interagency review committee, chaired by the department of local~~  
11045 ~~services permitting division manager and the director of the department of natural~~  
11046 ~~resources and parks, or designees, shall be responsible for qualification of sending sites.~~  
11047 ~~Determinations on sending site certifications made by the committee are appealable to the~~  
11048 ~~examiner under K.C.C. 20.22.040. The department of natural resources and parks shall~~  
11049 ~~be responsible for preparing a TDR qualification report, which shall be signed by the~~  
11050 ~~director of the department of natural resources and parks or designee, documenting the~~  
11051 ~~review and decision of the committee. The qualification report shall:~~

11052 1. ~~Specify all deficiencies of an application, if the decision of the committee is~~  
11053 ~~to disqualify the application;~~

11054 2. ~~For all qualifying applications, provide a determination as to whether or not~~  
11055 ~~additional residential dwelling units and associated accessory units may be~~  
11056 ~~accommodated in accordance with K.C.C. 21A.37.050.A.; and~~

11057 3. ~~Be issued a TDR certification letter within sixty days of the date of submittal~~  
11058 ~~of a completed sending site certification application.~~

- 11059           B)). Responsibility for preparing a completed application rests exclusively with  
11060 the applicant. Application for sending site certification shall include:
- 11061           1. A legal description of the site;
- 11062           2. A title report;
- 11063           3. A brief description of the site resources and public benefit to be preserved;
- 11064           4. A site plan showing the existing and proposed dwelling units, nonresidential  
11065 structures, driveways, submerged lands, and any area already subject to a conservation  
11066 easement (~~(or other similar encumbrance)~~);
- 11067           5. Assessors map or maps of the lot or lots;
- 11068           6. A statement of intent indicating whether the property ownership, after TDR  
11069 certification, will be retained in private ownership or dedicated to King County or another  
11070 public or private nonprofit agency;
- 11071           7. Any or all of the following written in conformance with criteria established  
11072 through a public rule consistent with K.C.C. chapter 2.98, if the site is qualifying as  
11073 habitat for a threatened or endangered species:
- 11074           a. a wildlife habitat conservation plan;
- 11075           b. a wildlife habitat restoration plan; or
- 11076           c. a wildlife present conditions report;
- 11077           8. If the site qualifies as an urban unincorporated area sending site meeting the  
11078 criteria in K.C.C. 21A.37.020.A.2.g.;
- 11079           9. A forest stewardship plan, written in conformance with criteria established  
11080 through a public rule consistent with K.C.C. chapter 2.98, if required under K.C.C.  
11081 21A.37.060.B.3. and 6.;

11082           10. An affidavit of compliance with the reforestation requirements of the Forest  
11083 Practices Act and any additional reforestation conditions of the forest practices permit for  
11084 the site, if required under K.C.C. 21A.37.020.D.;

11085           11. A completed density calculation worksheet for estimating the number of  
11086 available development rights; and

11087           12. The application fee consistent with K.C.C. 27.10.170.

11088           NEW SECTION. SECTION 229. There is hereby added to K.C.C. chapter  
11089 21A.37 a new section to read as follows:

11090           A. An interagency review committee, chaired by the department of local services  
11091 permitting division manager and the director of the department of natural resources and  
11092 parks, or designees, shall be responsible for qualification of sending sites.

11093 Determinations on sending site certifications made by the committee are appealable to the  
11094 examiner under K.C.C. 20.22.040. The department of natural resources and parks shall  
11095 be responsible for preparing a TDR qualification report, which shall be signed by the  
11096 director of the department of natural resources and parks or designee, documenting the  
11097 review and decision of the committee. The qualification report shall:

11098           1. Specify all deficiencies of an application, if the decision of the committee is  
11099 to disqualify the application;

11100           2. For all qualifying applications, provide a determination as to whether  
11101 additional residential dwelling units and associated accessory units may be  
11102 accommodated in accordance with K.C.C. 21A.37.050.A.; and

11103           3. Be issued a TDR certification letter within sixty days of the date of submittal  
11104 of a completed sending site certification application.

11105            SECTION 230. Ordinance 13274, Section 8, as amended, and K.C.C.

11106    21A.37.080 are hereby amended to read as follows:

11107            A. ~~((TDR development rights w))~~Where both the proposed sending and receiving  
11108 sites would be within unincorporated King County, development rights shall be  
11109 transferred using the following process:

11110            1. Following interagency review committee review and approval of the sending  
11111 site application as described in K.C.C. 21A.37.070, the interagency review committee  
11112 shall issue a TDR qualification report~~((;))~~ agreeing to issue a TDR certificate in exchange  
11113 for the proposed sending site conservation easement. After signing and notarizing the  
11114 conservation easement and receiving the TDR certificate from the county, the sending  
11115 site owner may market the TDR~~s~~ ~~((sending site development rights))~~ to potential  
11116 purchasers. The TDR certificate shall be in the name of the property owner and separate  
11117 from the land title. If a TDR sending site that has been reviewed and approved by the  
11118 interagency review committee changes ownership, the TDR qualification report may be  
11119 transferred to the new owner if requested in writing to the department of natural resources  
11120 and parks by the person or persons that owned the property when the TDR qualification  
11121 report was issued, if documents evidencing the transfer of ownership are also provided to  
11122 the department of natural resources and parks;

11123            2. In applying for receiving site approval, the applicant shall provide the  
11124 department of local services, permitting division, with one of the following:

11125            a. a TDR qualification report issued in the name of the applicant~~((;))~~;

11126           b. a TDR qualification report issued in the name of another person or persons  
11127 and a copy of a signed option to purchase those TDRs ~~((sending site development~~  
11128 ~~rights,))~~;

11129           c. a TDR certificate issued in the name of the applicant~~((,))~~; or

11130           d. a TDR certificate issued in the name of another person or persons and a  
11131 copy of a signed option to purchase those TDRs ~~((sending site development rights))~~;

11132           3. Following building permit approval, but before building permit issuance by  
11133 the department of local services, permitting division, or following preliminary plat  
11134 approval or preliminary short plat approval, but before final plat or short plat recording of  
11135 a receiving site development proposal ~~((which))~~ that includes the use of TDRs  
11136 ~~((development rights))~~, the receiving site applicant shall deliver the TDR certificate  
11137 issued in the applicant's name for the number of TDRs ~~((development rights))~~ being used  
11138 and the TDR extinguishment document to the county;

11139           4. When the receiving site development proposal requires a public hearing  
11140 under this title or K.C.C. Title 19A ~~((or its successor))~~, that public hearing shall also  
11141 serve as ~~((the))~~ a hearing on the TDR proposal. The reviewing authority shall make a  
11142 consolidated decision on the proposed development and use of TDRs ~~((development~~  
11143 ~~rights))~~ and consider any appeals of the TDR proposal under the same appeal procedures  
11144 ~~((set forth))~~ for the development proposal; ~~((and))~~

11145           5. When the development proposal does not require a public hearing under this  
11146 title or K.C.C. Title 19A, the TDR proposal shall be considered along with the  
11147 development proposal, and any appeals of the TDR proposal shall be considered under  
11148 the same appeal procedures ~~((set forth))~~ for the development proposal~~((,))~~; and

11149           6. Development rights from a sending site shall be considered transferred to a  
11150 receiving site when a final decision is made on the TDR receiving area development  
11151 proposal, the sending site is permanently protected by a completed and recorded (~~land~~  
11152 ~~dedication or~~) conservation easement, notification has been provided to the King County  
11153 assessor's office and a TDR extinguishment document has been provided to the  
11154 department of natural resources and parks, or its successor.

11155           B. (~~TDR development rights w~~)Where the proposed receiving site would be  
11156 within ((an incorporated King County municipal jurisdiction)) a city or town, the  
11157 development proposal shall be reviewed and transferred using that jurisdiction's  
11158 development application review process.

11159           SECTION 231. Ordinance 13733, Section 8, as amended, and K.C.C.  
11160 21A.37.100 are hereby amended to read as follows:

11161           The purpose of the TDR bank is to assist in the implementation of the (~~transfer of~~  
11162 ~~development rights (TDR))~~)TDR(~~(TDR))~~) program by bridging the time gap between willing sellers  
11163 and buyers of development rights by purchasing and selling development rights,  
11164 purchasing conservation easements, and facilitating interlocal TDR agreements with  
11165 cities in King County through the provision of amenity funds. The TDR bank may  
11166 acquire development rights and conservation easements only from sending sites (~~located~~  
11167 ~~in the rural area or in an agricultural or forest land use designation in the King County~~  
11168 ~~Comprehensive Plan, or in the urban unincorporated area only from sites meeting the~~  
11169 ~~criteria in K.C.C. 21A.37.020.A.2.g))~~ allowed in K.C.C. 21A.37.020. Except for  
11170 development rights purchased for use in affordable housing developments in accordance  
11171 with K.C.C. 21A.37.130, ((D))development rights purchased from the TDR bank may

---



11172 only be used for receiving sites in cities, in Snoqualmie Pass Rural Town as provided in  
11173 this title, or in the urban unincorporated area as designated in the King County  
11174 Comprehensive Plan.

11175 SECTION 232. Ordinance 13733, Section 10, as amended, and K.C.C.  
11176 21A.37.110 are hereby amended to read as follows:

11177 A. The TDR bank may purchase development rights from qualified sending sites  
11178 at prices not to exceed fair market value and ~~((to))~~ sell development rights at prices not  
11179 less than fair market value, except as allowed in K.C.C. 21A.37.130. The TDR bank may  
11180 accept donations of development rights from qualified TDR sending sites.

11181 B. The TDR bank may purchase a conservation easement only if the property  
11182 subject to the conservation easement is qualified as a sending site as evidenced by a TDR  
11183 qualification report, the conservation easement restricts development of the sending site  
11184 in the manner required by K.C.C. 21A.37.060<sub>2</sub> and the development rights generated by  
11185 encumbering the sending site with the conservation easement are issued to the TDR bank  
11186 at no additional cost.

11187 C. Any development rights, generated by encumbering property with a  
11188 conservation easement, may be issued to the TDR bank if:

11189 1.a. The conservation easement is acquired through a county park, open space,  
11190 trail, agricultural, forestry<sub>2</sub> or other natural resource acquisition program for a property  
11191 that is qualified as a TDR sending site as evidenced by a TDR qualification report; or

11192 b. the property is acquired by the county with the intent of conveying the  
11193 property encumbered by a reserved conservation easement. The number of development

11194 rights generated by this reserved conservation easement shall be determined by the TDR  
11195 qualification report; and

11196           2. Under either subsection C.1.a. or b. of this section, there will be no additional  
11197 cost to the county for acquiring the development rights.

11198           D. The TDR bank may use funds to facilitate development rights transfers.  
11199 These expenditures may include, but are not limited to, establishing and maintaining  
11200 ~~((internet web pages))~~ websites, marketing TDR receiving sites, procuring title reports  
11201 and appraisals, and reimbursing the costs incurred by the department of natural resources  
11202 and parks, water and land resources division, or its successor, for administering the TDR  
11203 bank fund and executing development rights purchases and sales.

11204           E. The TDR bank fund may be used to cover the cost of providing staff support  
11205 for identifying and qualifying sending and receiving sites, and the costs of providing staff  
11206 support for the TDR interagency review committee.

11207           F. Upon approval of the TDR executive board, proceeds from the sale of TDR  
11208 bank development rights shall be available for acquisition of additional development  
11209 rights and as amenity funds to facilitate interlocal TDR agreements with cities in King  
11210 County and for projects in receiving areas located in urban unincorporated King County.  
11211 Amenity funds provided to a city from the sale of TDR bank development rights to that  
11212 city are limited to one-third of the proceeds from the sale.

11213           SECTION 233. Ordinance 13733, Section 11, as amended, and K.C.C.  
11214 21A.37.120 are hereby amended to read as follows:

11215           A. The department of natural resources and parks, water and land resources  
11216 division, or its successor, shall administer the TDR bank fund and execute purchases of

11217 development rights and conservation easements and sales of development rights in a  
11218 timely manner consistent with policy set by the TDR executive board. These  
11219 responsibilities include, but are not limited to:

- 11220 1. Managing the TDR bank fund;
- 11221 2. Authorizing and monitoring expenditures;
- 11222 3. Keeping records of the dates, amounts, and locations of development rights  
11223 purchases and sales, and conservation easement purchases;
- 11224 4. Executing development rights purchases, sales, and conservation easements;  
11225 and
- 11226 5. Providing periodic summary reports of TDR bank activity for TDR executive  
11227 board consideration.

11228 B. The department of natural resources and parks, water and land resources  
11229 division, or its successor, in executing purchase and sale agreements for acquisition of  
11230 development rights and conservation easements shall ensure sufficient values are being  
11231 obtained and that all transactions ~~((;))~~ or conservation easements ~~((or fee simple  
11232 acquisitions))~~ are consistent with public land acquisition guidelines.

11233 SECTION 234. Ordinance 13733, Section 12, as amended, and K.C.C.  
11234 21A.37.130 are hereby amended to read as follows:

11235 A.1. The sale of ~~((development rights))~~ TDRs by the TDR bank shall be at a price  
11236 that equals or exceeds the fair market value of the ~~((development rights))~~ TDRs, except  
11237 as provided in subsection A.2. of this section. The fair market value of the ~~((development  
11238 rights))~~ TDRs shall be established by the department of natural resources and parks and  
11239 shall be based on the amount the county paid for the development rights and the

11240 prevailing market conditions.

11241           2.a. The department of natural resources and parks shall undertake a "TDR for  
11242 affordable housing" pilot program, in which ~~((transferrable development rights necessary  
11243 to construct up to one hundred total units))~~ TDRs sold to build up to one hundred total  
11244 units of affordable housing in accordance with K.C.C. 21A.48.020 and K.C.C  
11245 21A.08.030 shall be ~~((sold))~~ priced at the administrative cost incurred by the county or  
11246 fifteen percent of the fair market value of the development rights, whichever is less.

11247           b. In order to qualify for this program, all units built using the development  
11248 rights ~~((must))~~ shall be either:

11249           (1) rental housing permanently priced to serve households with a total  
11250 household income at or below sixty percent of AMI. A covenant on the property that  
11251 specifies the income level being served, rent levels, and requirements for reporting to  
11252 King County shall be recorded at final approval; or

11253           (2) housing reserved for income- and asset-qualified home buyers with total  
11254 household income at or below sixty percent of AMI. The units shall be limited to owner-  
11255 occupied housing with prices restricted based on typical underwriting ratios and other  
11256 lending standards, and with no restriction placed on resale. Final approval conditions  
11257 shall specify requirements for reporting to King County on both buyer eligibility and  
11258 housing prices.

11259           c.~~((1))~~ ~~In areas where the inclusionary housing regulations adopted in K.C.C.~~  
11260 ~~chapter apply, development rights to build units through this pilot program shall only be~~  
11261 ~~sold for units in accordance with K.C.C. 21A.48.020 or K.C.C. 21.48.030.~~

11262           ~~(2) For all other areas in unincorporated King County, in the R-4 through R-~~

11263 ~~48 zones, development rights to build units through this pilot program shall only be sold~~  
11264 ~~for units between one hundred fifty percent and two hundred percent of the receiving~~  
11265 ~~site's base density as set forth in K.C.C. 21A.12.030.~~

11266           ~~d.))~~(1) The department of natural resources and parks shall track the sale of  
11267 development rights and completion of units constructed through this program. When the  
11268 one hundred unit threshold is reached, the department shall, within six months of that  
11269 date, transmit a report to the council that includes, but is not limited to:

11270                   (a) the location of the receiving sites where development rights under this  
11271 pilot program were used;

11272                   (b) lessons learned from the pilot program, including feedback from  
11273 developers who purchased development rights through the program; and

11274                   (c) a recommendation on whether to make the pilot program permanent,  
11275 repeal the program, or modify the program.

11276           (2) the report shall be accompanied by a proposed ordinance effectuating the  
11277 recommendation in subsection ~~((A.2.d.(1)(e)))~~ A.2.c.(1)(c) of this section.

11278           (3) the report and proposed ordinance shall be electronically filed ~~((in the~~  
11279 ~~form of a paper original and an electronic copy))~~ with the clerk of the council, who shall  
11280 retain the original and provide an electronic copy to all councilmembers, the council chief  
11281 of staff, and the lead staff to the ~~((mobility))~~ transportation, economy, and environment  
11282 committee, or its successor.

11283           B. When selling development rights, the TDR bank may select prospective  
11284 purchasers based on the price offered for the development rights, the number of  
11285 development rights offered to be purchased, and the potential for the sale to achieve the

11286 purposes of the TDR program.

11287 C. The TDR bank may sell development rights only in whole or half increments  
11288 ~~((to incorporated receiving sites through an interlocal agreement or, after the county~~  
11289 ~~enacts legislation that complies with chapter 365-198 WAC, to incorporated receiving~~  
11290 ~~sites in a city that has enacted legislation that complies with chapter 365-198 WAC. The~~  
11291 ~~TDR bank may sell development rights only in whole increments to unincorporated King~~  
11292 ~~County receiving sites))~~.

11293 D. All offers to purchase ~~((development rights))~~ TDRs from the TDR bank shall  
11294 be in writing, shall include a certification that the ~~((development rights))~~ TDRs, if used,  
11295 shall be used only inside an identified city or within the urban unincorporated area,  
11296 ~~((include a minimum ten percent down payment with purchase option,))~~ shall include the  
11297 number of ~~((development rights))~~ TDRs to be purchased, location of the receiving site,  
11298 proposed purchase price, and the required date or dates for completion of the sale, not  
11299 later than three years after the date of receipt by King County of the purchase offer.

11300 E. Payment for purchase of ~~((development rights))~~ TDRs from the TDR bank  
11301 shall be in full at the time the ~~((development rights))~~ TDRs are transferred unless  
11302 otherwise authorized by the department of natural resources and parks.

11303 SECTION 235. Ordinance 13733, Section 13, as amended, and K.C.C.  
11304 21A.37.140 are hereby amended to read as follows:

11305 A. For development rights sold by the TDR bank to be used in incorporated  
11306 receiving site areas, the county and the affected city or cities ~~((must))~~ shall either have  
11307 executed an interlocal agreement and the city or cities ~~((must))~~ shall have enacted  
11308 appropriate legislation to implement the program for the receiving area or the county and

11309 the affected city or cities (~~(must)~~) shall each have enacted legislation that complies with  
11310 chapter 365-198 WAC.

11311 B.1. At a minimum, each interlocal agreement shall:

11312 a. (~~(shall)~~) describe the legislation that the receiving jurisdiction adopted or  
11313 will adopt to allow the use of (~~(development rights)~~) TDR;

11314 b. (~~(shall)~~) identify the receiving area;

11315 c. (~~(shall)~~) require the execution of a TDR extinguishment document in  
11316 conformance with K.C.C. 21A.37.080; and

11317 d. (~~(shall)~~) address the conversion ratio to be used in the receiving site area.

11318 2. If the city is to receive any amenity funds, the interlocal agreement shall (~~(set~~  
11319 ~~forth)~~) establish the amount of funding and the amenities to be provided in accordance  
11320 with K.C.C. 21A.37.150\_I. Such an interlocal agreement may also indicate that a priority  
11321 should be given by the county to acquiring (~~(development rights)~~) TDRs from sending  
11322 sites in specified geographic areas. If a city has a particular interest in the preservation of  
11323 land in a rural or resource area or in the specific conditions on which it will be preserved,  
11324 then the interlocal agreement may provide for periodic inspection or special terms in the  
11325 conservation easement to be recorded against the sending site as a preacquisition  
11326 condition to purchases of (~~(development rights)~~) TDRs within specified areas by the TDR  
11327 bank.

11328 C. A TDR conversion ratio for development rights purchased from a sending site  
11329 and transferred to an incorporated receiving site area may express the amount of  
11330 additional (~~(development rights)~~) TDRs in terms of any combination of units, floor area,

11331 height, or other applicable development standards that may be modified by the city to  
11332 provide incentives for the purchase of (~~development rights~~) TDRs.

11333 NEW SECTION. SECTION 236. There is hereby added to K.C.C. chapter  
11334 21A.37 a new section to read as follows:

11335 A. The TDR bank may establish in-lieu fee TDRs by collecting a fee-in-lieu of  
11336 selling TDRs from the TDR bank when TDR inventory is unavailable.

11337 1. TDR executive board shall determine when in-lieu fee TDRs may be made  
11338 available by considering the following:

11339 a. inventory of TDR bank and privately-owned TDRs;

11340 b. type of TDR needed by receiving site;

11341 c. price of available privately-owned TDRs; and

11342 d. opportunities to obtain new TDRs from eligible sending sites.

11343 2. In-lieu fee TDRs may be designated as rural or urban.

11344 3. The TDR bank shall sell in-lieu fee TDRs in accordance with K.C.C.

11345 21A.37.130 and 21A.37.140.

11346 4. In-lieu fee TDRs shall not be used for rural receiving sites.

11347 B. The TDR bank shall establish and maintain an internal tracking system that  
11348 identifies all funds collected through the sale of in-lieu fee TDRs, the quantity of in-lieu  
11349 fee TDRs purchased through the TDR bank, and all TDRs purchased using funds  
11350 collected from the sale of in-lieu fee TDRs.

11351 C. The TDR bank shall use funds collected from the sale of in-lieu fee TDRs to  
11352 purchase TDRs from qualified sending sites in a type and amount that is appropriate for  
11353 the development use and in accordance with K.C.C. 21A.37.110. Funds collected from



11354 the sale of in-lieu fee TDRs that were designated as rural shall be used to purchase TDRs  
11355 from rural or resource lands.

11356 NEW SECTION. SECTION 237. There is hereby added to K.C.C. chapter  
11357 21A.37 a new section to read as follows:

11358 By May 1, 2026, and every two years thereafter, the executive shall electronically  
11359 file a TDR program report with the clerk of the council, who shall retain the original and  
11360 provide an electronic copy to all councilmembers, the council chief of staff, and the lead  
11361 staff for the transportation, economy, and environment committee, or its successor. The  
11362 TDR program report should address the following:

- 11363 A. Information on sending site enrollments;
- 11364 B. Information on uses of TDRs at receiving sites;
- 11365 C. An accounting of revenues received and expenditures made through the TDR  
11366 bank; and
- 11367 D. The status of amenity funding for receiving areas.

11368 SECTION 238. Ordinance 10870, Section 579, as amended, and K.C.C.  
11369 21A.38.030 are hereby amended to read as follows:

- 11370 A. Property-specific development standards, denoted by the zoning map symbol -  
11371 P after the zone's map symbol or a notation in the geographic information system data  
11372 layers, shall be established on individual properties through either reclassifications or  
11373 area zoning. All property-specific development standards are contained in Appendix  
11374 ~~((ef))~~ A to Ordinance 12824 ~~((as currently in effect or hereinafter amended))~~, as  
11375 amended, and shall be maintained by the department of local services, permitting  
11376 division, in the Property Specific Development Conditions notebook. Upon the effective

11377 date of reclassification of a property to a zone with a "-P" suffix, the property-specific  
11378 development standards adopted thereby shall apply to any development proposal on the  
11379 subject property subject to county review, including, but not limited to, a building permit,  
11380 grading permit, subdivision, short subdivision, subsequent reclassification to a potential  
11381 zone, (~~urban-planned development~~) conditional use permit, variance, and special use  
11382 permit.

11383 B. Property-specific development standards shall address problems unique to  
11384 individual properties or a limited number of neighboring properties that are not addressed  
11385 or anticipated by general minimum requirements of this title or other regulations.

11386 C. Property-specific development standards shall cite the provisions of this title,  
11387 if any, that are to be augmented, limited, or increased, shall be supported by  
11388 documentation that addresses the need for such a condition or conditions, and shall  
11389 include street addresses, tax lot numbers, or other clear means of identifying the  
11390 properties subject to the additional standards. Property-specific development standards  
11391 are limited to:

- 11392 1. Limiting the range of (~~permitted~~) allowed land uses;
- 11393 2. Requiring special development standards for property with physical  
11394 constraints (~~(e.g.)~~, such as environmental hazards(~~(s)~~) or view corridors(~~(s)~~);
- 11395 3. Requiring specific site design features (~~(e.g.)~~, such as building orientation,  
11396 lot layout, clustering, trails, or access location(~~(s)~~);
- 11397 4. Specifying the phasing of the development of a site;
- 11398 5. Requiring public facility site dedications or improvements (~~(e.g.)~~, such as  
11399 roads, utilities, parks, open space, trails, or school sites(~~(s)~~); or

11400 6. Designating sending and receiving sites for transferring density credits as  
11401 provided in K.C.C. chapter ~~((21A.36))~~ 21A.37.

11402 D. Property-specific development standards shall not be used to expand  
11403 ~~((permitted))~~ allowed uses or reduce minimum requirements of this title.

11404 SECTION 239. Ordinance 10870, Section 578, as amended, and K.C.C.  
11405 21A.38.050 are hereby amended to read as follows:

11406 A. The purpose of the pedestrian-oriented commercial development special  
11407 district overlay is to provide for high-density, pedestrian-oriented retail and employment  
11408 uses. The pedestrian-oriented commercial districts shall only be established in areas  
11409 designated as a center on the adopted Urban Centers map of the King County  
11410 Comprehensive Plan and zoned CB, RB<sub>2</sub> or O.

11411 B. ~~((Permitted))~~ Allowed uses shall be those uses ~~((permitted))~~ allowed in the  
11412 underlying zone, excluding the following:

- 11413 1. Motor vehicle, boat<sub>2</sub> and ~~((mobile))~~ manufactured home dealer;
- 11414 2. Gasoline service station;
- 11415 3. Uses with drive-through facilities, except SIC Industry ~~((Number))~~ 5812  
11416 (Eating places) in buildings existing before July 2017;
- 11417 4. SIC Industry Group 598 (Fuel dealers);
- 11418 5. Uses with outside storage, ~~((e.g.))~~ such as lumber yards, miscellaneous  
11419 equipment rental<sub>2</sub> or machinery sales;
- 11420 6. Bulk retail;
- 11421 7. ~~((Recreation/))~~ Recreational and cultural uses ~~((as set forth))~~ in K.C.C.  
11422 21A.08.040, except parks, sports clubs, theaters, libraries<sub>2</sub> and museums;

- 11423           8. SIC Major Group 75 (Automotive repair, services, and parking) except 7521  
11424 (automobile parking; but excluding tow-in parking lots);
- 11425           9. SIC Major Group 76 (Miscellaneous repair services), except 7631 (Watch,  
11426 clock and jewelry repair);
- 11427           10. SIC Major Group 78 (Motion pictures);
- 11428           11. SIC Major Group 80 (Health services), except offices and outpatient clinics  
11429 (801-804);
- 11430           12. SIC Industry Group 421 (Trucking and courier service);
- 11431           13. Public agency archive;
- 11432           14. Self-service storage;
- 11433           15. Manufacturing land uses (~~(as set forth)~~) in K.C.C. 21A.08.080, except SIC  
11434 Industry (~~(Code)~~) 2759 (Commercial printing);
- 11435           16. Resource land uses (~~(as set forth)~~) in K.C.C. 21A.08.090;
- 11436           17. SIC Industry (~~(Code)~~) 7261 (Funeral home/crematory);
- 11437           18. Cemetery, columbarium, or mausoleum;
- 11438           19. Interim recycling facility;
- 11439           20. Utility facility, except underground water, gas, or wastewater pipelines; and  
11440           21. Vector waste receiving facility.
- 11441           C. The following development standards shall apply to development located in  
11442 pedestrian-oriented commercial overlay districts:
- 11443           1. For properties that have frontage on a public street, the following conditions  
11444 shall apply:
- 11445           a. main building entrances shall be oriented to the public street;

11446           b. at the ground floor (at grade), buildings shall be located no more than five  
11447 feet from the sidewalk or sidewalk improvement, but shall not encroach on the public  
11448 right-of-way. For buildings existing before August 20, 2020, with setbacks greater than  
11449 five feet and that have substantial improvements made to them after August 20, 2020, a  
11450 minimum five-foot-wide pedestrian walkway shall be constructed that connects the main  
11451 building entrance to the public sidewalk or sidewalk improvement;

11452           c. building facades shall comprise at least seventy-five percent of the total  
11453 street frontage for a property and if applicable, at least seventy-five percent of the total  
11454 pedestrian route frontage for a property;

11455           d. minimum setbacks of the underlying zoning are waived;

11456           e. building facades that front onto a street shall incorporate windows into at  
11457 least thirty percent of the building facade surface area and overhead protection above all  
11458 building entrances and along at least fifty percent of length of the building facade, which  
11459 may extend over the sidewalk if it does not impede use of the sidewalk by the public;

11460           f. ground floor building facades shall include ornamentation such as decorative  
11461 architectural treatments or finishes, pedestrian scale lighting, and window and door trim;  
11462 and

11463           g. buildings facades shall not be comprised of uninterrupted glass curtain walls or  
11464 mirrored glass;

11465           2. vehicle access shall be limited to the rear access alley or rear access street  
11466 where such an alley or street exists;

11467           3. Floor-to-lot area ratio shall not exceed 5:1 for nonresidential structures, not  
11468 including parking structures;

11469           4. The landscaping requirements of K.C.C. chapter 21A.16 shall apply to all  
11470 new development and buildings existing before August 20, 2020, that have substantial  
11471 improvements made to them after August 20, 2020; and

11472           5. Off-street parking requirements K.C.C. 21A.18.110 and K.C.C. 21A.48.050  
11473 shall apply, except that the relief from K.C.C. 21A.18.110.A.4. that may be granted by  
11474 the director shall only allow use of on-street parallel parking in front of or adjacent to the  
11475 subject parcel for the parking spaces that cannot be accommodated to the rear or sides of  
11476 buildings.

11477           SECTION 240. Ordinance 11567, Section 1, as amended, and K.C.C.  
11478 21A.38.100 are hereby amended to read as follows:

11479           A. The purpose of the North Highline commercial and industrial special district  
11480 overlay is to accommodate and support existing commercial and industrial areas by  
11481 permitting a range of appropriate uses consistent with nearby residential areas.

11482           B. The special district overlay shall be designated only through the area zoning  
11483 process and applied to areas substantially developed with a mix of commercial and light  
11484 industrial uses and zoned CB, RB, O<sub>2</sub> or I.

11485           C. The standards of this title and other county codes shall be applicable to  
11486 development within the special district overlay except as follows:

11487           1. Legally established commercial or industrial uses that exist within an area as  
11488 of November 28, 1994, but that are not otherwise (~~permitted~~) allowed by the zoning,  
11489 shall be considered permitted uses upon only the lots that they occupied as of that date.

11490           2. Permitted uses shall include those of the base zone and I zone, except that the  
11491 following are not allowed:

- 11492 a. any use ((permitted)) allowed in the I zone requiring a conditional use  
11493 permit;
- 11494 b. auction houses;
- 11495 c. livestock sales;
- 11496 d. motor vehicle and boat dealers;
- 11497 e. SIC Major Group 24 (lumber and wood products, except furniture) except  
11498 2431 (millwork) and 2434 (wood kitchen cabinets);
- 11499 f. SIC Major Group 32 (stone, clay, glass and concrete products);
- 11500 g. SIC Industry 7534 (tire retreading);
- 11501 h. SIC Major Group 02 (raising livestock and small animals);
- 11502 i. SIC Industry 2951 (asphalt paving mixtures and blocks);
- 11503 j. resource accessory uses;
- 11504 k. outdoor storage of equipment or materials occupying more than twenty-five  
11505 percent of the site associated with SIC Industry 7312 (outdoor advertising services); and
- 11506 l. interim recycling facilities on lots that directly abut properties outside of the  
11507 special district overlay.
- 11508 3. Use limitations of the base zone shall not apply to commercial/industrial  
11509 accessory uses.
- 11510 4. For nonresidential development, off-street parking shall be no less than  
11511 twenty-five percent and no more than seventy-five percent of the minimum required in  
11512 K.C.C. chapter 21A.18.
- 11513 ~~((D. For properties that have frontage on a pedestrian street or streets or route or  
11514 routes as designated in an applicable plan or area zoning process, except for gasoline~~

11515 ~~service stations (SIC 5541) and grocery stores (SIC 5411) that also sell gasoline, the~~  
11516 ~~following conditions shall apply:~~

11517 ~~1. Main building entrances shall be oriented to the pedestrian street;~~

11518 ~~2. At the ground floor (at grade), buildings shall be located no more than five~~  
11519 ~~feet from the sidewalk or sidewalk improvement, but in no instance shall encroach on the~~  
11520 ~~public right of way;~~

11521 ~~3. Building facades shall comprise at least seventy five percent of the total~~  
11522 ~~pedestrian street frontage for a property, and if applicable, at least seventy five percent of~~  
11523 ~~the total pedestrian route frontage for a property;~~

11524 ~~4. Minimum side setbacks of the underlying zoning are waived;~~

11525 ~~5. Building facades of ground floor retail, general business service and~~  
11526 ~~professional office land uses, that front onto a pedestrian street or route shall include~~  
11527 ~~windows and overhead protection;~~

11528 ~~6. Building facades, along a pedestrian street or route, that are without~~  
11529 ~~ornamentation or are comprised of uninterrupted glass curtain walls or mirrored glass are~~  
11530 ~~not permitted; and~~

11531 ~~7. Vehicle access shall be limited to the rear access alley or rear access street~~  
11532 ~~where such an alley or street exists.))~~

11533 SECTION 241. Ordinance 12809, Section 5, as amended, and K.C.C.

11534 21A.38.120 are hereby amended to read as follows:

11535 A. The purpose of the wetland management area special overlay district is to  
11536 provide a means to designate certain unique and outstanding wetlands when necessary to



11537 protect their functions and values from the impacts created from geographic and  
11538 hydrologic isolation and impervious surface.

11539 B. the following development standards shall be applied in addition to all  
11540 applicable requirements of K.C.C. chapter 21A.24 to development proposals located  
11541 within a wetland management area district overlay:

11542 1. All subdivisions and short subdivisions on residentially zoned (~~properties~~  
11543 ~~that are identified in an adopted basin plan for impervious surface limitations,)) lands  
11544 located within the wetland management area shall have a maximum impervious surface  
11545 area of eight percent of the gross acreage of the plat. (~~For areas that are not covered by~~  
11546 ~~an adopted basin plan, this limit shall apply to all residentially zoned lands located within~~  
11547 ~~the wetland management area.)) Distribution of the allowable impervious area among the  
11548 platted lots shall be recorded on the face of the plat. Impervious surface of existing roads  
11549 (~~need~~) shall not be counted towards the allowable impervious area. This condition may  
11550 be modified by the director for the minimum necessary to accommodate unusual site  
11551 access conditions; and~~~~

11552 2. All (~~subdivisions and short subdivisions on properties identified in an~~  
11553 ~~adopted basin plan for clustering and setback requirements)) development shall be  
11554 (~~required to cluster~~) sited away from wetlands or the axis of corridors along stream  
11555 tributaries and identified swales connecting wetlands in order to minimize land  
11556 disturbance and maximize distance from (~~these sensitive features~~) critical areas. At  
11557 least sixty-five percent of affected portions of RA-zoned properties and at least fifty  
11558 percent of all other affected portions of the property shall be left in native vegetation,  
11559 preferably forest, and placed in a permanent open space tract. (~~In the absence of a basin~~~~

11560 plan, these requirements shall apply to all lands containing or adjacent to a wetland, a  
11561 stream tributary corridor or a swale connecting wetlands; and

11562 3. ~~Clearing and grading activity from October 1 through March 31 shall meet~~  
11563 ~~the provisions of K.C.C. 16.82.150D wherever not already applicable.))~~

11564 SECTION 242. Ordinance 12823, Section 10, and K.C.C. 21A.38.150 are hereby  
11565 amended to read as follows:

11566 A. The purpose of the ~~((ground water))~~ groundwater protection special district  
11567 overlay is to limit land uses that have the potential to severely contaminate groundwater  
11568 supplies and to provide increased areas of permeable surface to allow for infiltration of  
11569 surface water into ground resources.

11570 B. For all commercial and industrial development proposals, at least ~~((40))~~ forty  
11571 percent of the site shall remain in natural vegetation or planted with landscaping, which  
11572 area shall be used to maintain predevelopment infiltration rates for the entire site. For  
11573 purposes of this special district overlay, the following shall be considered commercial  
11574 and industrial land uses:

11575 1. ~~((amusement/entertainment))~~ Recreational and cultural land uses as defined  
11576 by K.C.C. 21A.08.040, except trails, golf facilities, and arboretums;

11577 2. ~~((g))~~ General services land uses as defined by K.C.C. 21A.08.050, except  
11578 health ~~((and educational))~~ services land uses, education services land uses, daycare ((+))

11579 I, ((churches, synagogues, and temples)) and religious facilities;

11580 3. ~~((g))~~ Government/business services land uses as defined by K.C.C.

11581 21A.08.060, except government services land uses;

11582 4. ~~((#))Retail((/wholesale))~~ land uses as defined by K.C.C. 21A.08.070<sub>2</sub> except  
11583 forest product sales and agricultural product sales;

11584 5. ~~((m))Manufacturing~~ land uses as defined by K.C.C. 21A.08.080; and~~((r))~~

11585 6. ~~((mineral extraction and processing))~~ Resource land uses as defined by  
11586 K.C.C. 21A.08.090, except agriculture land uses, forestry and uses, fish and wildlife  
11587 management land uses, and accessory uses.

11588 C. ~~((Permitted))~~ Allowed uses within the area of the ground water protection  
11589 special district overlay shall be those ~~((permitted))~~ allowed in the underlying zone,  
11590 excluding the following ~~((as defined by Standard Industrial Classification number and~~  
11591 ~~type))~~:

11592 1. ~~((SIC 4581, airports, flying fields, and airport terminal services;~~

11593 2. ~~SIC 4953, refuse systems, (including landfills and garbage transfer stations~~  
11594 ~~operated by a public agency);~~

11595 3. ~~SIC 4952, sewerage systems (including wastewater treatment facilities); and~~

11596 4. ~~SIC 7996, amusement parks; SIC 7948, racing, including track operation; or~~  
11597 ~~other commercial establishments or enterprises involving large assemblages of people or~~  
11598 ~~automobiles except where excluded by section B above;~~

11599 5. ~~SIC 0752, animal boarding and kennel services;~~

11600 6. ~~SIC 1721, building painting services;~~

11601 7. ~~SIC 3260, pottery and related products manufacturing;~~

11602 8. ~~SIC 3599, machine shop services;~~

11603 9. ~~SIC 3732,))~~ Aircraft, ship, and boat building and repairing;

11604 ~~((10. SIC 3993, electric and neon sign manufacturing;~~

- 11605            ~~11. SIC 4226, automobile storage services;~~
- 11606            ~~12. SIC 7334, blueprinting and photocopying services;~~
- 11607            ~~13.)) 2. Warehousing and wholesale trade;~~
- 11608            ~~3. SIC Industry 7534, tire retreading ((and repair services));~~
- 11609            ~~((14. SIC 7542, car washes;~~
- 11610            ~~15. SIC 8731, commercial, physical and biological research laboratory services;~~
- 11611            ~~16. SIC 02, interim agricultural crop production and livestock quarters or~~
- 11612 ~~grazing on properties 5 acres or larger in size;~~
- 11613            ~~17. SIC 0752, public agency animal control facility;~~
- 11614            ~~18. SIC 2230, 2260, textile dyeing;~~
- 11615            ~~19. SIC 2269, 2299, textile and textile goods finishing;~~
- 11616            ~~20. SIC 2700, printing and publishing industries;~~
- 11617            ~~21. SIC 2834, pharmaceuticals manufacturing;~~
- 11618            ~~22. SIC 2844, cosmetics, perfumes and toiletries manufacturing;~~
- 11619            ~~23. SIC 2893, printing ink manufacturing;~~
- 11620            ~~24. SIC 3000, rubber products fabrication;~~
- 11621            ~~25. SIC 3111, leather tanning and finishing;~~
- 11622            ~~26. SIC 3400, metal products manufacturing and fabrication;~~
- 11623            ~~27. SIC 3471, metal electroplating;~~
- 11624            ~~28. SIC 3691, 3692, battery rebuilding and manufacturing;~~
- 11625            ~~29. SIC 3711, automobile manufacturing; and~~
- 11626            ~~30. SIC 4600, petroleum pipeline operations)) 4. SIC Group 754, automotive~~
- 11627 ~~service; and~~
-

11628            5. SIC Major Group 36, electronic and other electric equipment.

11629            SECTION 243. Ordinance 17485, Section 43, as amended, and K.C.C.

11630            21A.38.260 are hereby amended to read as follows:

11631            A. The purpose of the Fall City business district special district overlay is to  
11632            allow commercial development in Fall City ~~((to occur with on-site septic systems until~~  
11633            ~~such time as an alternative wastewater system is available))~~ that is consistent with the  
11634            design and operation of the Fall City business district's large on-site sewage system and  
11635            that is compatible with rural character. The special district overlay shall only be  
11636            established in areas of Fall City Rural Town zoned CB ~~((and shall be evaluated to~~  
11637            ~~determine if it is applicable to other rural commercial centers))~~.

11638            B. The standards of this title and other county codes shall be applicable to  
11639            development within the ~~((Fall City business district))~~ special district overlay except as  
11640            follows:

11641            1. The ~~((permitted))~~ allowed uses in K.C.C. ~~((C))~~chapter 21A.08 ~~((do not apply~~  
11642            ~~and))~~ are replaced with the following~~((s))~~ uses. Where one or more development  
11643            conditions is identified in a land use table in K.C.C. chapter 21A.08 for a specific use in  
11644            the CB zone, they shall also apply to the following uses.

11645            a. Residential land uses ~~((as set forth in K.C.C. 21A.08.030))~~:

11646            i. As a permitted use:

11647            (A) ~~((Multifamily residential units shall only be allowed))~~ Mixed-use  
11648            development provided residential units are limited only to ~~((en))~~ the upper floors of a  
11649            building~~((s))~~;

- 11650                    (B) Senior assisted housing, up to eleven units, and limited only to the upper  
11651 floors of a building; and
- 11652                    ~~((B))~~ (C) Home occupations under K.C.C. chapter 21A.30;  
11653                    ~~((ii. As a conditional use:~~  
11654                    ~~(A) Bed and Breakfast (five rooms maximum); and~~  
11655                    ~~(B) Hotel/Motel.))~~
- 11656                    b. Recreational~~((/))~~ and cultural land uses ~~((as set forth in K.C.C.~~  
11657 ~~21A.08.040))~~:
- 11658                    i. As a permitted use:
- 11659                    (A) Library;  
11660                    (B) Museum;  
11661                    (C) Arboretum; ~~((and))~~  
11662                    (D) Park;  
11663                    (E) Trails; and  
11664                    (F) Theater; and
- 11665                    ii. As a conditional use:
- 11666                    (A) Sports Club~~((/Fitness Center))~~;  
11667                    (B) Amusement~~((/))~~ and Recreation Services~~((/Arcades (Indoor))~~, indoor  
11668 only; and
- 11669                    (C) Bowling Center;
- 11670                    c. General services land uses ~~((as set forth in K.C.C. 21A.08.050))~~:
- 11671                    i. As a permitted use:
- 11672                    (A) General Personal Services, except escort services;

- 11673 (B) Funeral Home/Crematory;
- 11674 (C) (~~(Appliance/Equipment)~~) Miscellaneous Repair;
- 11675 (D) (~~(Medical or Dental Office/Outpatient Clinic~~;
- 11676 ~~(E) Medical or Dental Lab~~;
- 11677 ~~(F) Day Care~~) Daycare I;
- 11678 (~~(G) Day Care~~) (E) Daycare II;
- 11679 (~~(H)~~) (F) Veterinary Clinic;
- 11680 (~~(I) Social Services~~;
- 11681 ~~(J)~~) (G) Animal Specialty Services;
- 11682 (~~(K)~~) (H) Artist Studios;
- 11683 (~~(L) Nursing and Personal Care Facilities~~);
- 11684 (I) Specialized Instruction School; and
- 11685 (J) Religious Facilities; and
- 11686 ii. As a conditional use:
  - 11687 (A) Bed and Breakfast Guesthouse (five rooms maximum);
  - 11688 (B) Hotel/Motel;
  - 11689 (C) Automotive Repair; and
  - 11690 (~~((A) Theater (Movie or Live Performance)~~;
  - 11691 ~~(B) Religious Use~~) (D) Automotive Service;
- 11692 d. Health care services and residential care services land uses:
  - 11693 i. As a permitted use:
    - 11694 (A) Doctor's Office/Outpatient Clinic;
    - 11695 (B) Nursing and Personal Care Facilities;

- 11696            (C) Medical/Dental Lab;
- 11697            (D) Miscellaneous Health;
- 11698            (E) Social Services; and
- 11699            (F) Residential Care Services;
- 11700            ~~((e-))~~ e. Government/Business services land uses ((as set forth in K.C.C.
- 11701            ~~21A.08.060))~~);
- 11702            i. As a permitted use:
- 11703            (A) General Business Service;
- 11704            (B) Professional Office(~~(= Bank, Credit Union, Insurance Office.)~~);
- 11705            (C) Private stormwater management facilities;
- 11706            (D) Passenger Transportation Service;
- 11707            (E) Communication Offices; and
- 11708            (F) Off-street Required Parking Lot;
- 11709            ii. As a conditional use:
- 11710            (A) Public Agency or Utility Office;
- 11711            (B) Police (~~(Substation))~~ Facility;
- 11712            (C) Fire (~~(Station))~~ Facility;
- 11713            (D) Utility Facility; and
- 11714            (E) (~~(Self Service Storage))~~ Farm Product Warehousing, Refrigeration, and
- 11715            Storage;
- 11716            ~~((e-))~~ f. Retail(~~(=commercial))~~ land uses ((as set forth in K.C.C. 21A.08.070)));
- 11717            i. As a permitted use on the ground floor:
- 11718            (A) Food Stores;



- 11719 (B) Drug Stores~~((Pharmacy))~~;
- 11720 (C) ~~((Retail Store: includes f))~~ Florist shops~~((s))~~;
- 11721 ~~(D) ((b))~~ Book, Stationary, Video and Art Supply ~~((s))~~ Stores~~((s))~~;
- 11722 ~~(E) ((a))~~ Apparel and ~~((accessories))~~ Accessory ~~((s))~~ Stores~~((s))~~;
- 11723 ~~(F) ((f))~~ Furniture~~((/))~~ and ~~((h))~~ Home ~~((f))~~ Furnishings stores~~((s))~~;
- 11724 ~~(G) Used goods: ((a))~~ Antiques~~((reecycled goods store))~~ Secondhand
- 11725 Shops~~((s))~~;
- 11726 ~~(H) ((s))~~ Sporting goods and Related ~~((s))~~ Stores~~((s))~~; ~~((video store, art supply~~
- 11727 ~~store,))~~
- 11728 ~~(I) ((h))~~ Hobby ~~((store))~~, Toy, Game Shops~~((s))~~;
- 11729 ~~(J) ((j))~~ Jewelry ~~((s))~~ Stores~~((s))~~; ~~((toy store, game store, photo store,~~
- 11730 ~~electronic/appliance store,))~~
- 11731 ~~(K) Photographic and Electronic Shops;~~
- 11732 ~~(L) ((f))~~ Fabric ~~((s))~~ Shops~~((s))~~;
- 11733 ~~(M) ((p))~~ Pet ~~((s))~~ Shops~~((, and other retail stores (excluding adult only~~
- 11734 ~~retail)))~~;
- 11735 ~~((D))~~ ~~(N)~~ Eating and Drinking Places~~((, including coffee shops and~~
- 11736 ~~bakeries)))~~;
- 11737 ~~((E))~~ ~~(O)~~ Remote tasting rooms~~((s))~~; and
- 11738 ~~(P) Auto Supply Store; and~~
- 11739 ii. As a conditional use:
- 11740 (A) Liquor Store or any ~~((R))~~ retail ~~((S))~~ store ~~((Selling))~~ otherwise allowed
- 11741 as a permitted use in this section and that sells ~~((A))~~ alcohol;
-

- 11742 (B) (~~Hardware/Building Supply~~) Building Materials and Hardware Stores;
- 11743 (C) Retail Nursery(~~(A) Garden Center and Farm Supply Stores~~);
- 11744 (D) Department and Variety Stores; and
- 11745 (E) (~~(Auto Dealers (indoor sales rooms only))~~) Cannabis Retailer;
- 11746 ~~f. Manufacturing land uses as set forth in K.C.C. 21A.08.080 are not allowed.~~)
- 11747 g. Resource land uses (~~(as set forth in K.C.C. 21A.08.090)~~):
- 11748 i. As an (~~(permitted)~~) accessory use:
- 11749 (A) (~~(Solar photovoltaic/solar thermal energy systems~~;
- 11750 ~~(B) Private storm water management facilities~~;
- 11751 ~~(C)) Growing and Harvesting Crops (~~(within rear/internal side yards or~~~~
- 11752 ~~roof gardens, and with organic methods only)~~);
- 11753 ~~(D) Raising Livestock and Small Animals (per the requirements of Section~~
- 11754 ~~21A.30 of the Zoning Code)~~
- 11755 ~~ii. As a conditional use: Wind Turbines)~~
- 11756 h. Regional land uses (~~(as set forth in K.C.C. 21A.08.100 with)~~): as a
- 11757 ~~(special)~~ permitted use (~~(permit)~~): (~~(Communication)~~) Transit Comfort Facility.
- 11758 2. In new buildings, recreational and cultural land uses, general services land
- 11759 uses, health care and residential care services land uses, government/business land uses,
- 11760 retail land uses, resource land uses, and regional land uses shall only be allowed on the
- 11761 ground floor.
- 11762 3. The densities and dimensions (~~(set forth)~~) in K.C.C. chapter 21A.12 apply,
- 11763 except as follows:

- 11764 a. Residential density is limited to ~~((six))~~ four dwelling units per acre~~((-))~~,  
11765 except that the density may be increased to six dwelling units per acre if ((For any  
11766 building with more than ten dwelling units,)) at least ten percent of the dwelling units  
11767 ~~((shall be classified as))~~ are affordable to households at or below eighty percent area  
11768 median income for ownership or sixty percent area median income for rental ((under  
11769 21A.34.040F.1)));
- 11770 b. Buildings are limited to two floors, plus an optional basement;
- 11771 c. The elevation of the ground floor may be elevated a maximum of six feet  
11772 above the average grade of the site along the front facade of the building;
- 11773 d. If the ground floor is designed to accommodate non((-))residential uses, the  
11774 elevation of the ground floor should be placed near the elevation of the sidewalk to  
11775 minimize the need for stairs and ~~((ADA))~~ ramps;
- 11776 e. If the ground floor is designed to accommodate non((-))residential space, the  
11777 height of the ceiling, as measured from finished floor, shall be no more than eighteen  
11778 feet; and
- 11779 f. Building height shall not exceed forty feet, as measured from the average  
11780 grade of the site along the front facade of the building.
- 11781 C.1. The business district's large on-site sewage system shall comply with the  
11782 requirements in K.C.C. 21A.28.xxx (the new section created in section 198 of this  
11783 ordinance); and
- 11784 2. Residential development in the business district using the large on-site  
11785 sewage system is limited to the densities in subsection B.3. of this section.

11786            SECTION 244. Ordinance 19146, Section 83, and K.C.C. 21A.38.265 are hereby  
11787 amended to read as follows:

11788            A. The purpose of the Martin Luther King Jr. Way South mixed-use special district  
11789 overlay is to facilitate linkages to the existing Martin Luther King Jr Way South  
11790 Neighborhood Business Center, incentivize commercial opportunities close to existing  
11791 high-density housing, incentivize commercial development by allowing more uses than  
11792 traditionally found in mixed-use developments and provide flexibility in current square  
11793 footage limitations.

11794            B. The following development standards shall be applied to all development  
11795 proposals within the Martin Luther King Jr. Way South mixed-use special district overlay:

11796            1. New buildings shall be limited to mixed-use as defined in K.C.C. 21A.06.753;  
11797 and

11798            2. A professional office as defined in K.C.C. 21A.06.910 is an allowed use as part  
11799 of a mixed-use building in subsection B.1. of this section(~~and~~

11800            3. ~~Any nonresidential component of the building that is personal services allowed~~  
11801 ~~in the zone under K.C.C. 21A.08.050 or retail use allowed in the zone under K.C.C.~~  
11802 ~~21A.08.070 shall comply with K.C.C. 21A.12.230, except that K.C.C. 21A.12.230.A., B.~~  
11803 ~~and C. do not apply to the development)).~~

11804            SECTION 245. Ordinance 19555, Section 20, and K.C.C. 21A.38.280 are  
11805 hereby amended to read as follows:

11806            A. The purpose of the North Highline pedestrian-oriented special district overlay  
11807 is to require pedestrian-oriented development that facilitates walkability and connectivity  
11808 between commercial areas and community amenities in North Highline's downtown core.

11809 B. ~~((In addition to the development standards in this title, the following~~  
11810 ~~development standards shall also apply to new and substantially improved development~~  
11811 ~~within the special district overlay. Where a conflict exists, the following standards shall~~  
11812 ~~apply:~~

11813 1. ~~Main building entrances shall be oriented to a public street;~~

11814 2. ~~At the ground floor, also known as "at grade," buildings shall be located no~~  
11815 ~~more than five feet from the sidewalk or sidewalk improvement, but shall not encroach~~  
11816 ~~on the public right of way;~~

11817 3. ~~Building facades shall comprise at least seventy five percent of the total street~~  
11818 ~~frontage for a property;~~

11819 4. ~~Building facades shall include windows and overhead protection;~~

11820 5. ~~Building facades that are without ornamentation or are comprised of~~  
11821 ~~uninterrupted glass curtain walls or mirrored glass are not permitted; and~~

11822 6. ~~Vehicle access shall be limited to the rear access alley where such an alley~~  
11823 ~~exists.~~

11824 ~~€.))~~ For nonresidential development, off-street parking shall be no less than  
11825 twenty-five percent and no more than seventy-five percent of the minimum required in  
11826 K.C.C. chapter 21A.18.

11827 ~~((D. Marijuana))~~ C. Cannabis processors and producers are ~~((not allowed uses))~~  
11828 prohibited.

11829 NEW SECTION. SECTION 246. There is hereby added to K.C.C. chapter  
11830 21A.38 a new section to read as follows:

11831           A. The purpose of the Vashon Rural Town Community Business special district  
11832 overlay is to allow compatible land uses in the Vashon Rural Town.

11833           B. The standards of this title and other county codes shall be applicable to  
11834 development within the Vashon Rural Town Community Business special district overlay  
11835 except as follows:

11836           1. The allowed uses in K.C.C. chapter 21A.08 are replaced with the following  
11837 uses. Where one or more development conditions is identified in a land use table in  
11838 K.C.C. chapter 21A.08 for a specific use and applicable zoning district, they shall also  
11839 apply to the following uses.

11840           a. Residential land uses:

11841           i. Townhouses;

11842           ii. Apartments;

11843           iii. Senior Assisted Housing; and

11844           iv. Home Occupations under K.C.C. chapter 21A.30;

11845           b. Recreational and cultural land uses:

11846           i. Park;

11847           ii. Theater;

11848           iii. Bowling center;

11849           iv. Sports Club;

11850           v. Library;

11851           vi. Museum;

11852           vii. Arboretum; and

11853           viii. Conference Center;

- 11854 c. General services land uses:
- 11855 i. General Personal Services;
- 11856 ii. Funeral Home/Crematory;
- 11857 iii. Daycare I;
- 11858 iv. Daycare II;
- 11859 v. Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;
- 11860 vi. Automotive Repair;
- 11861 vii. Miscellaneous Repair;
- 11862 viii. Religious Facility;
- 11863 ix. Commercial Kennel;
- 11864 x. Interim Recycling Facility;
- 11865 xi. Hotel/Motel;
- 11866 xii. Bed and Breakfast Guesthouse;
- 11867 xiii. Secondary or High School; and
- 11868 xiv. Specialized Instruction School;
- 11869 d. Health care services and residential care services land uses:
- 11870 i. Doctor's Office/Outpatient Clinic;
- 11871 ii. Medical or Dental Lab;
- 11872 iii. Social Services;
- 11873 iv. Nursing and Personal Care Facilities;
- 11874 v. Hospital; and
- 11875 vi. Community Residential Facility I and II;
- 11876 e. Government/Business services land uses:

- 11877 i. Public Agency or Utility Office;
- 11878 ii. Police Facility;
- 11879 iii. Utility Facility;
- 11880 iv. Private Stormwater Management Facility;
- 11881 v. Individual Transportation and Taxi;
- 11882 vi. Trucking and Courier Service;
- 11883 vii. Self-service Storage;
- 11884 viii. Passenger Transportation Service;
- 11885 ix. Telegraph and other Communications (excluding towers);
- 11886 x. General Business Service;
- 11887 xi. Professional Office;
- 11888 xii. Miscellaneous Equipment Rental;
- 11889 xiii. Automotive Parking; and
- 11890 xiv. Commercial/Industrial Accessory Uses (Administrative Offices,  
11891 employee exercise & food service facilities, storage of agricultural raw materials or  
11892 products manufactured on-site, owner/caretaker residence, grounds maintenance);
- 11893 f. Retail land uses:
  - 11894 i. Building Materials and Hardware Store and Garden Materials;
  - 11895 ii. Retail Nursery, Garden Center, and Farm Supply Stores;
  - 11896 iii. Department and Variety Store;
  - 11897 iv. Food Stores;
  - 11898 v. Farmers Market;
  - 11899 vi. Auto Supply Stores;



- 11900           vii. Apparel and Accessory Stores;
- 11901           viii. Furniture and Home Furnishings Stores;
- 11902           ix. Eating and Drinking Places;
- 11903           x. Remote Tasting Rooms;
- 11904           xi. Drug Stores;
- 11905           xii. Liquor Stores;
- 11906           xiii. Used Goods: Antiques/Secondhand Shops;
- 11907           xiv. Sporting Goods and Related Stores;
- 11908           xv. Book, Stationery, Video, and Art Supply Stores;
- 11909           xvi. Jewelry Stores;
- 11910           xvii. Hobby, Toy Game Shops;
- 11911           xviii. Photographic and Electronic Shops;
- 11912           xix. Photographic and Electronic Shops;
- 11913           xx. Fabric Shops;
- 11914           xxi. Florist Shops;
- 11915           xxii. Personal Medical Supply Stores;
- 11916           xxiii. Pet Shops; and
- 11917           xxiv. Cannabis Retailer, subject to K.C.C. 21A.08.070 and applicable state
- 11918 law;
- 11919           g. Manufacturing land uses:
- 11920           i. Cannabis Processor I, subject to K.C.C. 21A.08.080 and applicable state
- 11921 law;
- 11922           ii. Printing and Publishing; and

11923           iii. Wineries, Breweries and Distilleries, subject to K.C.C. 21A.08.080; and

11924           h. Regional land uses:

11925           i. Wastewater Treatment Facility; and

11926           ii. Commuter Parking Lot.

11927           2. The densities and dimensions in K.C.C. chapter 21A.12 apply, except the  
11928 maximum height limit is three stories, not to exceed forty feet. Floors above two stories  
11929 shall be set back an additional ten feet from the street property line.

11930           NEW SECTION. SECTION 247. There is hereby added to K.C.C. chapter  
11931 21A.38 a new section to read as follows:

11932           A. The purpose of the Vashon-Maury Island Industrial special district overlay is  
11933 to allow compatible land uses on industrially zoned properties on Vashon-Maury Island.

11934           B. The standards of this title and other county codes shall be applicable to  
11935 development within the Vashon-Maury Island Industrial special district overlay except as  
11936 follows:

11937           1. The allowed uses in K.C.C. chapter 21A.08 are replaced with the following  
11938 uses. Where one or more development conditions is identified in a land use table in  
11939 K.C.C. chapter 21A.08 for a specific use and applicable zoning district, they shall also  
11940 apply to the following uses.

11941           b. Recreational and cultural land uses:

11942           i. Park;

11943           ii. Trails;

11944           iii. Campgrounds;

11945           iv. Theater;

- 11946 v. Bowling Center;
- 11947 vi. Amusement and Recreation Services; and
- 11948 vii. Museum;
- 11949 c. General services land uses:
  - 11950 i. General Personal Services;
  - 11951 ii. Drycleaning Plants;
  - 11952 iii. Industrial Launderers;
  - 11953 iv. Daycare I;
  - 11954 v. Daycare II;
  - 11955 vi. Veterinary Clinic, subject to K.C.C. 21A.08.050.B.10.;
  - 11956 vii. Automotive Repair;
  - 11957 vii. Automotive Service;
  - 11958 viii. Miscellaneous Repair;
  - 11959 ix. Animal Specialty Services;
  - 11960 x. Artist Studios;
  - 11961 xi. Interim Recycling Facility;
  - 11962 xii. Dog Training Facilities;
  - 11963 xiii. Vocational School;
  - 11964 xiv. Specialized Instruction School; and
  - 11965 xv. School District Support Facility;
- 11966 d. Health care services and residential care services land uses:
  - 11967 i. Doctor's Office/Outpatient Clinic; and
  - 11968 ii. Medical or Dental Lab;

- 11969 e. Government/Business services land uses:
- 11970 i. Public Agency or Utility Office;
- 11971 ii. Public Agency or Utility Yard;
- 11972 iii. Public Agency Archives;
- 11973 iv. Police Facility;
- 11974 v. Fire Facility;
- 11975 vi. Utility Facility;
- 11976 vii. Commuter Parking Lot;
- 11977 viii. Private Stormwater Management Facility;
- 11978 ix. Vactor Waste Receiving Facility;
- 11979 x. Construction and Trade;
- 11980 xi. Individual Transportation and Taxi;
- 11981 xii. Trucking and Courier Service;
- 11982 xiii. Warehousing and Wholesale Trade;
- 11983 xiv. Self-service Storage;
- 11984 xv. Farm Product Warehousing, Refrigeration, and Storage;
- 11985 xvi. Log Storage;
- 11986 xvii. Transportation Service;
- 11987 xviii. Freight and Cargo Service;
- 11988 xix. Communication Offices;
- 11989 xx. Telegraph and other Communications;
- 11990 xxi. General Business Service;
- 11991 xxii. Professional Office;

- 11992            xxiii. Outdoor Advertising Service;
- 11993            xxiv. Miscellaneous Equipment Rental;
- 11994            xxv. Automotive Rental and Leasing;
- 11995            xxvi. Automotive Parking;
- 11996            xxvii. Off-Street Required Parking Lot;
- 11997            xxviii. Research, Development, and Testing;
- 11998            xxix. Heavy Equipment and Truck Repair;
- 11999            xxx. Commercial/Industrial Accessory Uses (Administrative Offices,
- 12000 employee exercise & food service facilities, storage of agricultural raw materials or
- 12001 products manufactured on-site, owner/caretaker residence, grounds maintenance); and
- 12002            xxxi. Helistop, as a conditional use;
- 12003            f. Retail land uses:
- 12004            i. Food Stores;
- 12005            ii. Agricultural Product Sales;
- 12006            iii. Farmers Market;
- 12007            iv. Motor Vehicles and Boat Dealers;
- 12008            v. Auto Supply Stores;
- 12009            vi. Gasoline Service Stations;
- 12010            vii. Eating and Drinking Places;
- 12011            viii. Sporting Goods and Related Stores;
- 12012            ix. Fuel Dealers;
- 12013            x. Auction Houses; and
- 12014            xi. Livestock Sales;

- 12015 g. Manufacturing land uses:
- 12016 i. Food and Kindred Products;
- 12017 ii. Winery/Brewery/Distillery Facility II;
- 12018 iii. Winery/Brewery/Distillery Facility III;
- 12019 iv. Materials Processing Facility;
- 12020 v. Textile Mill Products;
- 12021 vi. Apparel and other Textile Products;
- 12022 vii. Wood Products, except furniture;
- 12023 viii. Furniture and Fixtures;
- 12024 ix. Paper and Allied Products, limited to ten thousand square feet;
- 12025 x. Printing and Publishing;
- 12026 xi. Cannabis Processor II;
- 12027 xii. Leather and Leather Goods, limited to ten thousand square feet;;
- 12028 xiii. Stone, Clay, Glass, and Concrete Products, limited to ten thousand
- 12029 square feet;
- 12030 xiv. Fabricated Metal Products;
- 12031 xv. Industrial and Commercial Machinery;
- 12032 xvi. Computer and Office Equipment;
- 12033 xvii. Electronic and other Electric Equipment;
- 12034 xviii. Measuring and Controlling Instruments;
- 12035 xix. Miscellaneous Light Manufacturing;
- 12036 xx. Aircraft, Ship, and Boat Building, limited to small boats under 30 feet
- 12037 length; and

- 12038            xxi. Movie Production/Distribution;
- 12039            h. Resource land uses:
  - 12040            i. Growing and Harvesting Crops;
  - 12041            ii. Raising Livestock and Small Animals, excluding feed lots and auctions;
  - 12042            iii. Cannabis producer;
  - 12043            iv. Growing and Harvesting Forest Production;
  - 12044            v. Forest Research;
  - 12045            vi. Hatchery/Fish Preserve;
  - 12046            vii. Aquaculture; and
  - 12047            vii. Resource Accessory Uses;
- 12048            i. Regional land uses:
  - 12049            i. Public Agency Animal Control Facility;
  - 12050            ii. Public Agency Training Facility;
  - 12051            iii. Renewable Energy Generation Facility;
  - 12052            iv. Communication Facility;
  - 12053            v. Municipal Water Production;
  - 12054            vi. Airport/Heliport, limited to heliports only;
  - 12055            vii. Rural Public Infrastructure Maintenance Facility;
  - 12056            viii. Transit Bus Base;
  - 12057            ix. Transit Comfort Facility;
  - 12058            x. School Bus Base; and
  - 12059            xi. Fairground.

12060            NEW SECTION. SECTION 248. There is hereby added to K.C.C. chapter

12061 21A.38. a new section to read as follows:

12062            A. The purpose of the Green Energy special district overlay is to advance the  
12063 county's climate action goals by reducing barriers to generating renewable energy in King  
12064 County, on properties whose location within one thousand feet of utility corridors and  
12065 existing and historical waste management and mineral extraction sites makes them  
12066 uniquely situated for maximizing green and renewable energy production while reducing  
12067 transportation costs.

12068            B. The standards of this title and other county codes shall be applicable to  
12069 development within the special district overlay, except that the permit requirements and  
12070 conditions for the uses listed below shall replace those found for these uses in K.C.C.  
12071 chapter 21A.08:

12072            1. The following uses are allowed as permitted uses:

12073            a. non-hydroelectric generation facility, anaerobic digester, and production of  
12074 biogas from waste management processes on-site, regardless of whether electricity is  
12075 generated on-site from the gas; and

12076            b. local distribution gas storage tank, only to support the biogas use in  
12077 subsection B.1.a. of this section.

12078            2. The following uses are allowed as conditional uses:

12079            a. production of renewable hydrogen through electrolyzing water; and

12080            b. only when the use supports the regional solid waste or recycling system, or  
12081 the county's diversion efforts:

12082            (1) energy resource recovery facility;



- 12083 (2) transfer station;  
12084 (3) landfill; and  
12085 (4) interim recycling facility.

12086 C. Uses and development within the mineral extraction portion of the overlay  
12087 shall comply with state and county reclamation requirements.

12088 NEW SECTION. SECTION 249. There is hereby added to K.C.C. chapter  
12089 21A.38 a new section to read as follows:

12090 A. The purpose of the Fall City Rural Town Residential special district overlay is  
12091 to maintain the historic character and predominant development pattern in the residential  
12092 zone in Fall City Rural Town.

12093 B. The standards of this title and other county codes shall be applicable to  
12094 development within the special district overlay except as follows:

- 12095 1. The maximum density is four dwelling units per acre, except manufactured  
12096 home communities are allowed a maximum density of twelve dwelling units per acre;
- 12097 2. The minimum density shall not apply;
- 12098 3. The minimum lot area is twelve thousand five hundred square feet;
- 12099 4. The minimum lot width is sixty feet;
- 12100 5. The minimum street setback is fifteen feet;
- 12101 6. The minimum interior setback is ten feet, except for vehicle access points in  
12102 K.C.C. 21A.12.030.B.16;
- 12103 7. The maximum impervious surface is forty percent. An additional five percent  
12104 may be granted for driveway access to a detached garage set back further from the street  
12105 than the footprint of the residence;

12106 8. The base height is twenty-five feet; and

12107 9. The maximum height is thirty-five feet only for:

12108 a. buildings with pitched roofs with a minimum slope of six over twelve; or

12109 b. duplexes and houseplexes within two-hundred and fifty feet of the Fall City

12110 business district special district overlay in K.C.C. 21A.38.260.

12111 C. Development using a community on-site sewage system or large on-site

12112 sewage system shall comply with the requirements in K.C.C. 21A.28.xxx (the new

12113 section created in Section 198 of this ordinance).

12114 SECTION 250. Ordinance 11621, Section 112, as amended, and K.C.C.

12115 21A.43.030 are hereby amended to read as follows:

12116 A. The fee for each district shall be calculated based on the formula set out in

12117 Attachment A to Ordinance 11621.

12118 B. Separate fees shall be calculated for single ~~((family))~~ detached and ~~((multi-~~

12119 ~~family))~~ multiunit residential units and separate student generation rates ~~((must))~~ shall be

12120 determined by the district for each type of residential unit. For purposes of this chapter,

12121 "single ~~((family))~~ detached units" ~~((shall))~~ means single detached ~~((dwelling units))~~

12122 residences, and ~~((multi-family))~~ "multiunit units" ~~((shall))~~ means duplexes, houseplexes,

12123 cottage housing, townhouses, and apartments.

12124 C. The fee shall be calculated on a district-by-district basis using the appropriate

12125 factors and data to be supplied by the district, as indicated in Attachment A to Ordinance

12126 11621. The fee calculations shall be made on a district-wide basis to assure maximum

12127 utilization of all school facilities in the district used currently or within the last two years

12128 for instructional purposes.

12129 D. The formula in Attachment A to Ordinance 11621 also provides a credit for  
12130 the anticipated tax contributions that would be made by the development based on  
12131 historical levels of voter support for bond issues in the school district.

12132 E. The formula in Attachment A to Ordinance 11621 also provides for a credit  
12133 for school facilities or sites actually provided by a developer (~~(which)~~) that the school  
12134 district finds to be acceptable.

12135 SECTION 251. Ordinance 11621, Section 114, as amended, and K.C.C.  
12136 21A.43.050 are hereby amended to read as follows:

12137 A. In school districts where impact fees have been adopted by county ordinance  
12138 and except as provided in K.C.C. 21A.43.080, the county shall collect impact fees, based  
12139 on the schedules (~~(set forth)~~) in each ordinance establishing the fee to be collected for the  
12140 district, from any applicant seeking development approval from the county where such  
12141 development activity requires final plat(~~(, PUD or UPD)~~) approval or the issuance of a  
12142 residential building permit or a (~~(mobile)~~) manufactured home permit and the fee for the  
12143 lot or unit has not been previously paid. (~~(No a)~~)Approval shall not be granted and (~~(no)~~)  
12144 a permit shall not be issued until the required school impact fees (~~(set forth)~~) in the  
12145 district's impact fee schedule contained in K.C.C. Title 27 have been paid.

12146 B. For a plat(~~(, PUD or UPD)~~) applied for on or after the effective date of the  
12147 ordinance adopting the fee for the district in question receiving final approval, fifty  
12148 percent of the impact fees due on the plat(~~(, PUD or UPD)~~) shall be assessed and  
12149 collected from the applicant at the time of final approval, using the impact fee schedules  
12150 in effect when the plat(~~(, PUD or UPD)~~) was approved. The balance of the assessed fee  
12151 shall be allocated to the dwelling units in the project, and shall be collected when the

12152 building permits are issued. Residential developments proposed for short plats shall be  
12153 governed by subsection D<sub>2</sub> of this section.

12154 C. If<sub>2</sub> on the effective date of an ordinance adopting an impact fee for a district, a  
12155 plat(~~(, PUD or UPD)~~) has already received preliminary approval, such plat(~~(, PUD or~~  
12156 ~~UPD)~~) shall not be required to pay fifty percent of the impact fees at the time of final  
12157 approval, but the impact fees shall be assessed and collected from the lot owner at the  
12158 time the building permits are issued, using the impact fee schedules in effect at the time  
12159 of building permit application. If<sub>2</sub> on the effective date of a district's ordinance, an  
12160 applicant has applied for preliminary plat(~~(, PUD or UPD)~~) approval, but has not yet  
12161 received such an approval, the applicant shall follow the procedures (~~(set forth)~~) in  
12162 subsection B<sub>2</sub> of this section.

12163 D. For existing lots or lots not covered by subsection B<sub>2</sub> of this section,  
12164 application for (~~(single family)~~) single detached and (~~(multifamily)~~) multiunit residential  
12165 building permits, (~~(mobile)~~) manufactured home permits, and site plan approval for  
12166 (~~(mobile)~~) manufactured home (~~(parks)~~) communities, the total amount of the impact fees  
12167 shall be assessed and collected from the applicant when the building permit is issued,  
12168 using the impact fee schedules in effect at the time of permit application.

12169 E. Any application for preliminary plat(~~(, PUD or UPD)~~) approval or  
12170 (~~(multifamily zoning which)~~) rezone that has been approved subject to conditions  
12171 requiring the payment of impact fees established (~~(pursuant to)~~) in accordance with this  
12172 chapter, shall be required to pay the fee in accordance with the condition of approval.

12173 F. In lieu of impact fee payment (~~(pursuant to)~~) under subsections A. through E.  
12174 of this section, each applicant for a (~~(single family)~~) single detached residential

12175 construction permit may request deferral of impact fee collection for up to the first twenty  
12176 ~~((single-family))~~ single detached residential construction building permits per year.

12177 Applicants shall be identified by their contractor registration numbers. Deferred payment  
12178 of impact fees shall occur either at the time of final permit inspection by the department  
12179 of local services, permitting division, or eighteen months after the building permit is  
12180 issued, whichever is earlier.

12181 SECTION 252. Ordinance 11621, Section 116, as amended, and K.C.C.  
12182 21A.43.070 are hereby amended to read as follows:

12183 A. The following are excluded from the application of the impact fees:

12184 1. ~~((Any form of housing exclusively for the senior citizen, including nursing  
12185 homes and retirement centers, so long as these uses are maintained))~~ Senior assisted  
12186 housing;

12187 2. Reconstruction, remodeling, or replacement of existing dwelling units  
12188 ~~((which))~~ that does not result in additional new dwelling units. In the case of replacement  
12189 of a dwelling, a complete application for a building permit ~~((must))~~ shall be submitted  
12190 within three years after it has been removed or destroyed;

12191 3. ~~((Shelters for temporary placement, relocation facilities, transitional housing  
12192 facilities))~~ Uses identified in K.C.C. 21A.08.xxx (the new section created by section 148  
12193 of this ordinance) and ~~((€))~~community ~~((R))~~residential ~~((F))~~facilities as defined in K.C.C.  
12194 21A.06.220;

12195 4. Any development activity that is exempt from the payment of an impact fee  
12196 ~~((pursuant to))~~ under RCW 82.02.100, due to mitigation of the same system improvement  
12197 under ~~((the State Environmental Policy Act))~~ SEPA;

12198           5. Any development activity for which school impacts have been mitigated  
12199 ~~((pursuant to))~~ in accordance with a condition of plat~~((, PUD or UPD))~~ approval to pay  
12200 fees, dedicate land, or construct or improve school facilities, unless the condition of the  
12201 plat~~((, PUD or UPD))~~ approval provides otherwise; ~~((provided that))~~ but only if the  
12202 condition of the plat~~((, PUD or UPD))~~ approval predates the effective date of a school  
12203 district's fee implementing ordinance;

12204           6. Any development activity for which school impacts have been mitigated  
12205 ~~((pursuant to))~~ in accordance with a voluntary agreement entered into with a school  
12206 district to pay fees, dedicate land, or construct or improve school facilities, unless the  
12207 terms of the voluntary agreement provide otherwise; provided that the agreement  
12208 predates the effective date of a school district's fee implementing ordinance;

12209           7. Housing units ~~((which))~~ that fully qualify as housing for persons ~~((age 55))~~  
12210 aged fifty-five and over meeting the requirements of the Federal Housing Amendments  
12211 Act of 1988, 42 U.S.C. 3607(b)(2)(c) and (b)(3), as subsequently amended, and ~~((which))~~  
12212 that have recorded covenants or other legal arrangements precluding school-aged children  
12213 as residents in those units;

12214           8. ~~((Mobile))~~ Manufactured homes permitted as temporary dwellings ~~((pursuant~~  
12215 ~~to))~~ in accordance with K.C.C. 21A.32.170; and

12216           9. Accessory dwelling units as defined in K.C.C. 21A.06.350 and K.C.C.  
12217 21A.08.030.B.7.a.

12218           B. Arrangement may be made for later payment with the approval of the school  
12219 district only if the district determines that ~~((#))~~ the school district will be unable to use or  
12220 will not need the payment until a later time, provided that sufficient security, as defined

12221 by the district, is provided to assure payment. Security shall be made to and held by the  
12222 school district, which will be responsible for tracking and documenting the security  
12223 interest.

12224 C. The fee amount established in the schedule shall be reduced by the amount of  
12225 any payment previously made for the lot or development activity in question, either as a  
12226 condition of approval or ~~((pursuant to))~~ in accordance with a voluntary agreement with a  
12227 school district entered into after the effective date of a school district's fee implementing  
12228 ordinance.

12229 D. After the effective date of a school district's fee implementing ordinance,  
12230 whenever a development is granted approval subject to a condition that the developer  
12231 actually provide school sites, school facilities, or improvements to school facilities  
12232 acceptable to the district, or whenever the developer has agreed, ~~((pursuant to))~~ in  
12233 accordance with the terms of a voluntary agreement with the school district, to provide  
12234 land, provide school facilities, or make improvements to existing facilities, the developer  
12235 shall be entitled to a credit for the value of the land or actual cost of construction against  
12236 the fee that would be chargeable under the formula provided by this chapter. The land  
12237 value or cost of construction shall be estimated and documented at the time of approval  
12238 ~~((, but must be documented))~~. If construction costs are estimated, the documentation  
12239 shall be confirmed after the construction is completed to assure that an accurate credit  
12240 amount is provided. If the land value or construction costs are less than the calculated fee  
12241 amount, the difference remaining shall be chargeable as a school impact fee.

12242 E. Impact fees may be adjusted by the county, at the county's discretion, if one of  
12243 the following circumstances exist, ~~((provided that))~~ but only if the discount ~~((set forth))~~ in

12244 the fee formula fails to adjust for the error in the calculation or fails to ameliorate for the  
12245 unfairness of the fee:

12246 1. The developer demonstrates that an impact fee assessment was incorrectly  
12247 calculated; or

12248 2. Unusual circumstances identified by the developer demonstrate that if the  
12249 standard impact fee amount was applied to the development, it would be unfair or unjust.

12250 F. A developer may provide studies and data to demonstrate that any particular  
12251 factor used by the district may not be appropriately applied to the development proposal,  
12252 but the district's data shall be presumed valid unless clearly demonstrated to be otherwise  
12253 by the proponent.

12254 G. Any appeal of the decision of the director or the hearing examiner with regard  
12255 to imposition of an impact (~~fee~~) fee or fee amounts shall follow the appeal process for  
12256 the underlying permit and not be subject to a separate appeal process. Where no other  
12257 administrative appeal process is available, an appeal may be taken to the hearing  
12258 examiner using the appeal procedures for variances. Any errors in the formula identified  
12259 as a result of an appeal should be referred to the council for possible modification.

12260 H. Impact fees may be paid under protest in order to obtain a building permit or  
12261 other approval of development activity, when an appeal is filed.

12262 SECTION 253. Ordinance 11621, Section 117, and K.C.C. 21A.43.080 are  
12263 hereby amended to read as follows:

12264 A. Low(~~or moderate~~)-income housing projects, including permanent  
12265 supportive housing projects, ((being developed by public housing agencies or private  
12266 nonprofit housing developers)) shall be exempt from the payment of school impact fees.



12267 The amount of the school impact fees not collected from low(~~(-or moderate)~~)-income  
12268 household development shall be paid from public funds other than impact fee accounts.  
12269 The impact fees for these units shall be considered paid for by the district through its  
12270 other funding sources, without the district actually transferring funds from its other  
12271 funding sources into the impact fee account. The (~~(planning and community~~  
12272 ~~development)~~) housing, homelessness, and community development division shall review  
12273 proposed developments of low(~~(-or moderate)~~)-income housing (~~((by such public or~~  
12274 ~~nonprofit developers)~~) pursuant to criteria and procedures adopted by administrative rule,  
12275 and shall advise the department of local services, permitting division, as to whether the  
12276 project qualifies for the exemption.

12277 B. (~~(Private-d)~~)Developers who dedicate residential units for occupancy by low  
12278 (~~(or moderate)~~) income-households may apply to the housing, homelessness, and  
12279 community development division for reductions in school impact fees (~~((pursuant to the~~  
12280 ~~criteria established for public housing agencies and private non-profit housing developers~~  
12281 ~~pursuant to))~~ in accordance with subsection A. of this section(~~(, and subject to the~~  
12282 ~~provisions of subsection A. of this section)~~). The housing, homelessness, and community  
12283 development division shall review proposed developments of low(~~(-or moderate)~~)-income  
12284 housing by such private developers pursuant to criteria and procedures adopted by  
12285 administrative rule, and shall advise the department of local services, permitting division,  
12286 as to whether the project qualifies for the exemption. If the housing, homelessness, and  
12287 community development division recommends the exemption, the department of local  
12288 services, permitting division, shall reduce the calculated school impact fee for the

12289 development by an amount that is proportionate to the number of units in the  
12290 development that satisfy the adopted criteria.

12291 C. ~~((Individual))~~ Developments for low~~((or moderate))~~-income homeownership  
12292 ~~((purchasers))~~ units (as defined pursuant to the King County Comprehensive Housing  
12293 Affordability Strategy (CHAS)) who are purchasing homes at prices within their  
12294 eligibility limits based on standard lending criteria and meet other means tests established  
12295 by rule by the housing, homelessness, and community development division are  
12296 exempted from payment of the impact fee, provided that at such time as the property in  
12297 question is transferred to another owner who does not qualify for the exemption, at which  
12298 time the fee shall be due and payable.

12299 D. The housing, homelessness, and community development division is hereby  
12300 instructed and authorized to adopt, pursuant to K.C.C. chapter 2.98, administrative rules  
12301 to implement this section. Such rules shall provide for the administration of this program  
12302 and shall:

12303 1. Encourage the construction of housing for low~~((or moderate))~~-income  
12304 households ~~((by public housing agencies or private non-profit housing developers~~  
12305 ~~participating in publicly sponsored or subsidized housing programs))~~;

12306 2. Encourage the construction ~~((in private developments))~~ of housing units for  
12307 low~~((or moderate))~~-income households that are in addition to units required by another  
12308 housing program or development condition;

12309 3. Ensure that housing that qualifies as low~~((or moderate))~~ cost meets  
12310 appropriate standards regarding household income, rent levels or sale prices, location,  
12311 number of units and development size; and

12312           4. Ensure that developers who obtain an exemption from or reduction of school  
12313 impact fees will in fact build the proposed low ~~((or moderate))~~ cost housing and make it  
12314 available to low~~((or moderate))~~-income households ~~((for a minimum of fifteen years))~~.

12315           5. Ensure that individual low~~((or moderate))~~-income purchasers meet  
12316 appropriate eligibility standards based on income and other financial means tests.

12317           E. As a condition of receiving an exemption under subsection B. or C. of this  
12318 section, the ~~((owner must))~~ developer shall execute and record a ~~((county drafted lien,))~~  
12319 covenant~~((, and/or other contractual provision))~~ against the property ~~((for a period of ten~~  
12320 ~~years for individual owners, and fifteen years for private developers,))~~ guaranteeing that  
12321 the proposed development will continue to be used for low~~((or moderate))~~-income  
12322 housing. In the event that ~~((the pattern of development or))~~ the use of the development is  
12323 no longer for low~~((or moderate))~~-income housing, then the owner shall pay the impact  
12324 fee amount from which the owner or any prior owner was exempt. The ~~((lien,))~~  
12325 covenant~~((, or other contractual provision))~~ shall run with the land and apply to  
12326 subsequent owners.

12327           F. All school impact fee exemptions, reductions, or waivers shall be approved by  
12328 the school district that would collect the school impact fee, except for fee exemptions  
12329 allowed under K.C.C. 21A.43.070 and K.C.C. 21A.43.080, fee reductions based on  
12330 modifications to permits after issuance, or fee waivers for construction not begun.

12331           SECTION 254. Ordinance 19555, Section 22, and K.C.C. 21A.48.010 are hereby  
12332 amended to read as follows:

12333           A. The purpose of the inclusionary housing regulations is to provide for the creation  
12334 of new affordable dwelling units, particularly in areas where there is a high risk for  
12335 displacement.

12336           B. The regulations and incentives in this chapter shall apply only to the ~~((Skyway-~~  
12337 ~~West Hill and North Highline community service area subarea geographies, as follows))~~  
12338 following geographies:

12339           1. The standards in K.C.C. 21A.48.020 shall apply to areas with an unincorporated  
12340 activity center land use designation;

12341           2. The voluntary incentives in K.C.C. 21A.48.030 shall apply to:

12342           a. areas in the Skyway-West Hill and North Highline community service area  
12343 subarea geographies that do not have an unincorporated activity center land use designation;  
12344 and

12345           b. except as provided for in subsection B.1. and B.2. of this section, sites that are  
12346 served by public sewers and that are in the following zones in the urban area or rural towns:

12347           (1) the R-4 through R-48 zones; and

12348           (2) the NB, CB, RB, and O zones when part of a mixed-use development; and

12349           3. The standards in K.C.C. 21A.48.040, K.C.C. 21A.48.050, K.C.C. 21A.48.060,  
12350 K.C.C. 21A.48.070, K.C.C. 21A.48.080, and K.C.C. 21A.48.090 shall apply to any  
12351 inclusionary housing project.

12352           C. Development or substantial improvement of one dwelling unit, an accessory  
12353 dwelling unit, mobile home parks, cottage housing, or senior ~~((citizen))~~ assisted housing  
12354 shall not be subject to this chapter. Accessory dwelling units shall not be used to meet the  
12355 requirements of this section.

12356 NEW SECTION. SECTION 255. There is hereby added to K.C.C. chapter

12357 21A.48 a new section to read as follows:

12358 A. This section shall apply to the unincorporated activity center land use  
 12359 designation.

12360 B. New or substantially improved residential or mixed-use developments shall  
 12361 provide affordable dwelling units, and may exceed the base density, in accordance with  
 12362 the standards listed below.

<b>Mandatory Affordability Requirements</b>		<b>Maximum Density</b>	
<b>Occupancy Type and AMI</b>	<b>Minimum Percentage of Total Units Required to be Affordable</b>	<b>Maximum Density (as percentage of base density)</b>	<b>Additional Maximum Density Allowed with purchase of TDRs</b>
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%
<b>xxxxx at xx% AMI</b>	xx%	xx%	xx%

xxxxx at xx%	xx%	xx%	xx%
AMI			
xxxxx at xx%	xx%	xx%	xx%
AMI			
xxxxx at xx%	xx%	xx%	xx%
AMI			
xxxxx at xx%	xx%	xx%	xx%
AMI			
xxxxx at xx%	xx%	xx%	xx%
AMI			
xxxxx at xx%	xx%	xx%	xx%
AMI			

12363                    SECTION 256. Ordinance 19555, Section 24, and K.C.C. 21A.48.030 are hereby

12364 amended to read as follows:

12365                    A. This section shall apply:

12366                    1. ~~((w))~~Within the Skyway-West Hill and North Highline ~~((community service~~  
 12367 ~~area))~~ subarea geographies except for areas with an unincorporated activity center land  
 12368 use designation; and

12369                    2. Except as provided for in subsection A.1. of this section and K.C.C.  
 12370 21A.48.010, on sites that are served by public sewers and that are in the following zones  
 12371 in the urban area or rural towns:

- 12372 a. the R-4 through R-48 zones; and
- 12373 b. the NB, CB, RB, and O zones when part of a mixed-use development.
- 12374 B.1. New or substantially improved development may only exceed the base density
- 12375 allowed in the zoning classification in accordance with the standards listed (~~(below)~~) in the
- 12376 table in subsection B.2 of this section. Additional density is authorized with the use of
- 12377 transfers of development rights in accordance with K.C.C. chapter 21A.37, as shown in the
- 12378 table in this subsection. Additional units derived from TDRs shall conform with the
- 12379 percentages at the affordability levels listed in the table in this section. The price of the
- 12380 TDR shall be determined in accordance with K.C.C. 21A.37.130.
- 12381 2. Affordability requirements.

<b><u>Affordability Requirements</u></b>		<b><u>Maximum Density</u></b>	
<b><u>Occupancy Type and AMI</u></b>	<b><u>Minimum Percentage of Total Units Required to be Affordable</u></b>	<b><u>Maximum Density (as percentage of base density)</u></b>	<b><u>Additional Maximum Density Allowed with purchase of TDRs</u></b>
<b><u>xxxxx at xx% AMI</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>
<b><u>xxxxx at xx% AMI</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>
<b><u>xxxxx at xx% AMI</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>
<b><u>xxxxx at xx% AMI</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>
<b><u>xxxxx at xx% AMI</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>
<b><u>xxxxx at xx% AMI</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>	<b><u>xx%</u></b>

<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<u>xxxxx at xx% AMI</u>	<u>xx%</u>	<u>xx%</u>	<u>xx%</u>
<b>((Affordability Requirements</b>			<b>TDR Allowance</b>
<b>Occupancy Type and AMI</b>	<b>Minimum Percentage of Total Units Required to be Affordable</b>	<b>Maximum Density (as percentage of base density)</b>	<b>Additional Maximum Density Allowed with purchase of TDRs</b>
<b>Developments with 9 or fewer units</b>	0%	100%	Up to 150% base density
<b>Rental at 60% AMI</b>	100%	200%	None
	20%	150%	Additional 50%, up to 200% of base density
	10%	125%	Additional 50%, up to 175% of base density
<b>Rental at 50%</b>	100%	200%	None



<b>AMI</b>	15%	150%	Additional 50%, up to 200% of base density
	7%	125%	Additional 50%, up to 175% of base density
<b>Owner Occupied at 80% AMI</b>	100%	200%	None
	30%	150%	Additional 50%, up to 200% of base density
	15%	125%	Additional 50%, up to 175% of base density
<b>Any combination of 80% AMI (Owner) and 60% AMI (Rental)</b>	100%	200%	None
	25%	150%	Additional 50%, up to 200% of base density
	12%	125%	Additional 50%, up to 175% of base density))

12382                    SECTION 257. Ordinance 19555, Section 25, and K.C.C. 21A.48.040 are hereby  
 12383 amended to read as follows:

12384           A. The number of required affordable dwelling units shall be calculated by  
12385 multiplying the total number of dwelling units to be constructed by the applicable  
12386 percentages of affordable dwelling units as established in K.C.C. 21A.48.020 or K.C.C.  
12387 21A.48.030, and for purposes of providing an affordable dwelling unit, fractions shall be  
12388 rounded in accordance with K.C.C. 21A.12.070, except as follows:

12389           1. For fractions below 0.50, the applicant shall pay a fee based on the fraction  
12390 multiplied by the value of a single affordable dwelling unit. The fee and affordable  
12391 dwelling unit value shall be calculated using the same method as required for payment in  
12392 lieu of providing affordable dwelling units in K.C.C. 21A.48.080. The revenues  
12393 generated from the fee shall be dedicated to affordable housing projects in the same  
12394 ~~((community service area))~~ subarea geography where the development is occurring; and

12395           2. Affordable dwelling units in the development shall be calculated as follows:

12396           a. Studio dwelling units shall be counted as one-half of one affordable  
12397 dwelling unit;

12398           b. One-bedroom and two-bedroom dwelling units shall be counted as one  
12399 affordable dwelling unit;

12400           c. Three-bedroom dwelling units shall be counted as one and one-half  
12401 affordable dwelling units; and

12402           d. Dwelling units with four or more bedrooms shall be counted as two  
12403 affordable dwelling units.

12404           B. The total number of market-rate dwelling units and affordable dwelling units  
12405 shall not exceed the total allowed density as established in this chapter and K.C.C.  
12406 chapter 21A.12 or as established in property-specific development conditions or special

12407 district overlays, where applicable. In cases of conflict, the maximum density in the  
12408 property-specific development condition or special district overlay shall apply.

12409 SECTION 258. Ordinance 19555, Section 26, and K.C.C. 21A.48.050 are hereby  
12410 amended to read as follows:

12411 For developments subject to this chapter:

12412 A. The affordable dwelling units shall:

12413 1. Have a similar or larger unit size and bedroom composition as the market-rate  
12414 dwelling units in the development;

12415 2. Be integrated throughout the development;

12416 3. Be constructed with materials and finishes of comparable quality to the  
12417 market-rate dwelling units in the development;

12418 4. Meet accessibility standards at the same ratio as required by the development;

12419 and

12420 5. Have access equal to that of the market-rate dwelling units to on-site  
12421 amenities including, but not limited to, parks, outdoor play areas, pools, exercise facilities  
12422 and equipment, gathering spaces, bicycle repair facilities, shared work spaces, and similar  
12423 on-site amenities.

12424 B. All the dimensional standards of K.C.C. chapter 21A.12 and any applicable  
12425 property-specific development standards and special district overlays apply, except as  
12426 specifically prescribed by this chapter. The following modifications shall only be utilized  
12427 for developments that provide housing in conformance with K.C.C. 21A.48.020 or  
12428 K.C.C. 21A.48.030:

12429 1. The maximum height limits are as follows:

- 12430           a. In the R-18, R-24<sub>2</sub>, and R-48 zones, eighty feet;
- 12431           b. In the NB zone, sixty-five feet;
- 12432           c. In the CB zone, eighty feet;
- 12433           d. In the RB and O zones, eighty-five feet; ~~((and))~~
- 12434           e. For properties subject to P-Suffix ~~((NH PXX (the p suffix established in~~  
12435 ~~Map Amendment 17 of Attachment D to Ordinance 19555)))~~ NH-P04: the height limits  
12436 set in the P-Suffix;
- 12437           f. In the CB zone in Snoqualmie Pass Rural Town, sixty-five feet; and
- 12438           g. In Vashon Rural Town, forty feet;
- 12439           2. In the R-18, R-24<sub>2</sub>, and R-48 zones, any portion of a building that exceeds the  
12440 base height for the zone ~~((set forth))~~ in K.C.C. chapter 21A.12 shall be set back an  
12441 additional ten feet from the street property line and interior property line;
- 12442           3. In the NB, CB, RB<sub>2</sub>, and O zones, any portion of a building that exceeds the  
12443 maximum height allowed for the zone by K.C.C. 21A.12.040.B.6. shall be set back an  
12444 additional ten feet from the street property line and interior property line;
- 12445           4. The percentages of residential uses in mixed-use developments in K.C.C.  
12446 21A.14.110 do not apply. The percentages are as follows:
- 12447           a. a maximum of seventy-five percent of the total built floor area when located  
12448 in NB zones; and
- 12449           b. a maximum of eighty-five percent of the total built floor area when located  
12450 in CB, RB<sub>2</sub>, and O zones;
- 12451           5. The building floor area ratios in K.C.C. 21A.14.130 do not apply.
- 12452 Developments subject to this chapter shall not have a floor area ratio maximum; and

12453 6. The parking and circulation standards of K.C.C. chapter 21A.18 apply,  
12454 except:

12455 a. The minimum required parking spaces for ~~((apartments and townhouses))~~  
12456 the residential portion of inclusionary housing developments shall be one space per  
12457 dwelling unit;

12458 b. The minimum required parking spaces for nonresidential uses of the project  
12459 shall be the minimum required in K.C.C. 21A.18.020, or the minimum required in any  
12460 applicable property-specific development standard or special district overlay, whichever  
12461 is less; and

12462 c. The director may authorize a reduction of up to fifty percent of the minimum  
12463 required number of spaces for inclusionary housing projects without a required a parking  
12464 study. The director shall consider proximity to transit, bedroom composition, availability  
12465 of on-street parking, and proposed nonresidential uses when determining the size of the  
12466 reduction.

12467 SECTION 259. Ordinance 19555, Section 27, and K.C.C. 21A.48.060 are hereby  
12468 amended to read as follows:

12469 A. As a condition of development permit issuance, the department shall approve  
12470 the calculation of the number of required affordable dwelling units and allowed market-  
12471 rate dwelling units.

12472 B. Before issuance of the certificate of occupancy, the applicant shall record a  
12473 covenant or deed restriction on the property, in a form and substance acceptable to the  
12474 prosecuting attorney's office and department of community of human services, reflecting  
12475 the following:

- 12476           1. A statement that the length of the term of the affordability shall be for the life  
12477 of the development project for renter-occupied dwelling units or fifty years from the date  
12478 of initial occupancy for owner-occupied dwelling units;
- 12479           2. The total number of units;
- 12480           3. The number of market-rate dwelling units;
- 12481           4. The number and affordability of owner-occupied and rental affordable  
12482 dwelling units based on the standards of this chapter;
- 12483           5. A statement that for any owner-occupied dwelling units, the covenants or  
12484 declarations have been reviewed by the director and the terms ensure that the purposes of  
12485 this chapter are accomplished;
- 12486           6. Reporting requirements as required by the department of community and  
12487 human services, including subsequent community preference and affirmative marketing  
12488 reports after the certificate of occupancy is issued, where applicable under K.C.C.  
12489 21A.48.070; and
- 12490           7. Signatures of the property owner and the director.

12491           SECTION 260. Ordinance 19555, Section 28, and K.C.C. 21A.48.070 are hereby  
12492 amended to read as follows:

12493           For developments in the Skyway-West Hill and North Highline subarea  
12494 geographies subject to this chapter:

12495           A. As part of a complete permit application, the applicant shall submit a  
12496 community preference and affirmative marketing plan. The plan shall include:

- 12497           1. A tenant selection process for the affordable dwelling units that provides a  
12498 preference for housing applicants with a current or past connection to the respective

12499 subarea geography where the project is located. The plan should provide no more than  
12500 and aim to provide forty percent of the affordable dwelling units to tenants that meet the  
12501 requirements for community preference;

12502           2. An advertising and outreach plan designed to provide information to and  
12503 attract potential housing applicants who would otherwise be less likely to apply, without  
12504 regard to protected class status as established by federal, state, and local laws. An  
12505 affirmative advertising and outreach plan should generally help potential housing  
12506 applicants know about vacancies, feel welcome to apply, and have the opportunity to rent  
12507 units; and

12508           3. A process for housing applicants to file an appeal regarding the tenant  
12509 selection process and verification of eligibility for preference.

12510           B. Before issuance of the building permit or subdivision approval, the community  
12511 preference and affirmative marketing plan shall be reviewed and approved by the  
12512 department of community and human services.

12513           C.1. At least sixty days before issuance of certificate of occupancy, the applicant  
12514 shall submit a community preference and affirmative marketing initial report. The initial  
12515 report shall include:

12516           a. information describing the activities conducted to implement the community  
12517 preference and affirmative marketing plan; and

12518           b. information regarding the number of housing applicants:

12519               (1) that requested a preference;

12520               (2) deemed eligible under the preference criteria;

12521               (3) eligible for the preference that were selected for housing; and

12522 (4) that appealed the preference selection process and the outcome of each  
12523 appeal.

12524 2. Before issuance of the certificate of occupancy, the community preference  
12525 and affirmative marketing initial report shall be subject to review and approval by the  
12526 department of community and human services.

12527 D. The department of community and human services shall provide guidance and  
12528 technical assistance to the applicant to ensure the community preference and affirmative  
12529 marketing plan and community preference and affirmative marketing report complies  
12530 with federal, state, and local laws and regulations.

12531 SECTION 261. Ordinance 19555, Section 29, and K.C.C. 21A.48.080 are hereby  
12532 amended to read as follows:

12533 A. The director may, at their discretion, approve a request for alternative  
12534 compliance for the inclusionary housing requirements. Requests for such modifications  
12535 shall clearly ~~((set forth))~~ state the facts upon which the request for relief is sought.

12536 Alternative compliance may include:

12537 1. Providing affordable housing units off-site at another location within the  
12538 same ~~((community service area))~~ subarea geography where the project is proposed;

12539 2. For developments subject to K.C.C. 21A.48.020, ((P))payment to the county  
12540 in lieu of constructing affordable housing units to be used to create affordable housing  
12541 units within the same ~~((community services area))~~ subarea geography; or

12542 3. Such other means proposed by the applicant and approved at the discretion of  
12543 the director, consistent with the following criteria for alternative compliance.



12544           B. Alternative compliance requests may only be approved when all of the  
12545 following requirements are met:

12546           1. The applicant demonstrates that the proposed alternative compliance method  
12547 provides the same number and quality affordable housing units as those provided on-site;

12548           2. The affordable housing units provided through the alternative compliance  
12549 method will provide the same mix of rental or owner-occupied units as would have  
12550 otherwise been provided on-site; and

12551           3. In no case shall the director approve an alternative compliance request that  
12552 results in zero affordable housing units being constructed on-site.

12553           C. If an alternative compliance request is approved that includes off-site  
12554 affordable housing units, any building permits required for off-site affordable housing  
12555 units shall be submitted before issuance of building permits or final subdivision approval  
12556 for the subject property. Certificates of occupancy for off-site affordable housing units  
12557 shall be issued before issuance of the final certificate of occupancy for the subject  
12558 property.

12559           D. If an alternative compliance request is approved that includes payment in lieu  
12560 of constructing affordable housing units, the formula for payments shall be established by  
12561 department of community and human services through a public rule under K.C.C. chapter  
12562 2.98. The formula should be based on the cost to the county to construct and maintain an  
12563 affordable dwelling unit. The payment obligation shall be paid before issuance of any  
12564 building permits or final subdivision approval for the project.

12565           E. As part of the application review process for an inclusionary housing proposal,  
12566 the director may authorize modifications to the dimensional standards in K.C.C. Title

12567 21A. Approval of modifications may only be granted if the applicant demonstrates that  
12568 the subject property cannot otherwise reasonably achieve the minimum density.

12569 F.1. As part of the application review process for an inclusionary housing  
12570 proposal, the director may modify or waive the requirements for affordable dwelling  
12571 units under this chapter if the applicant demonstrates that the cost of complying with this  
12572 chapter would deprive the property owner of all economically beneficial use of the  
12573 property or would create severe economic impact that unduly burdens the property  
12574 owner.

12575 2. Requests for such modifications shall clearly ~~((set forth))~~ state the facts upon  
12576 which the request for relief is sought.

12577 3. Review of a modification or waiver of the requirements of this subsection F.  
12578 may include the director considering the following factors, at a minimum:

12579 a. The severity of the economic impact caused by the application of the  
12580 requirements of this chapter;

12581 b. A modification under subsection E. of this section is not sufficient to  
12582 alleviate the severity of economic impact caused by the application of the requirements of  
12583 this chapter;

12584 c. The extent to which alternative uses of the property or configurations of the  
12585 proposed development would alleviate the need for the requested waiver or modification;

12586 d. The extent to which any economic impact was due to decisions by the  
12587 applicant or property owner; and

12588 e. Other factors relevant to whether the burden should be borne by the property  
12589 owner.

12590           4. The waiver or modification may be approved only to the extent necessary to  
12591 grant relief from the deprivation of all economically beneficial use of the property or  
12592 severe economic impact.

12593           5. The following factors, on their own, shall not be a sufficient basis for the  
12594 director to grant a waiver or modification for the requirements of this chapter:

12595           a. decrease in property value;

12596           b. inability for a property owner to fully utilize the increase in residential  
12597 development capacity through implementation of this chapter; or

12598           c. the fact that any such increase in residential development capacity,  
12599 combined with the requirements of this chapter, did not leave the property owner in a  
12600 better financial position than would have been the case with no increase in residential  
12601 development capacity and no application of the requirements of this chapter.

12602           SECTION 262. Ordinance 16650, Section 1, as amended, and K.C.C.

12603 21A.55.101 are hereby amended to read as follows:

12604           A.1. The purpose of the sustainable communities and housing demonstration  
12605 projects is to provide affordable housing and workforce housing integrated into  
12606 developments containing market rate housing and maximize sustainable development,  
12607 which includes: bike, pedestrian, and transit connections; a mix of housing types;  
12608 and the use of recyclable materials. The demonstration projects will provide information  
12609 on the application of these techniques to urban infill redevelopment and ~~((urban single  
12610 family))~~ single detached residential development, some of which may ~~((include mixed  
12611 use))~~ be mixed-use. The demonstration projects will also assist the county in refining  
12612 regulations relating to zoning, subdivision, roads, and stormwater as they relate to

12613 sustainable development.

12614           2. The demonstration projects will also enable the county to evaluate whether  
12615 consolidated administrative approval of zoning and subdivision-related modifications or  
12616 waivers and any subsequent hearings, if required, effectively speeds the development  
12617 review process while maintaining land use coordination and environmental protection  
12618 and whether that leads to administrative costs savings for project applicants and King  
12619 County.

12620           B. The expected benefits from the demonstration projects include: the use of  
12621 innovative design and development techniques to promote sustainable communities((;));  
12622 reduced impervious surface areas for site infrastructure; a greater use of recycled-content  
12623 building materials and more efficient use of energy and natural resources; and the  
12624 opportunity to identify and evaluate potential substantive changes to land use  
12625 development regulations that support the development of sustainable and affordable  
12626 housing.

12627           C. A request by the applicant to modify or waive development standards for the  
12628 development proposals shall be evaluated by the department of local services, permitting  
12629 division, based on the criteria in subsection J. of this section. A request shall first be  
12630 either approved or denied administratively and may be further reviewed as described in  
12631 subsection H.3. of this section. Approval or denial of the proposed modification or  
12632 waiver shall not be construed as applying to any other development application either  
12633 within the demonstration project area or elsewhere in the county.

12634           D. A modification or waiver approved by the department of local services,  
12635 permitting division, in accordance with this section shall be in addition to those

12636 modifications or waivers that are currently allowed by this title. The proposed  
12637 modifications or waivers to development regulations that may be considered regarding  
12638 sustainable communities and housing demonstration projects shall include only the  
12639 following chapters and related public rules:

- 12640 1. Drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
12641 Design Manual;
- 12642 2. King County road standards: K.C.C. chapter 14.42 and the county road  
12643 standards(~~(, 2007 update)~~);
- 12644 3. Density and dimensions: K.C.C. chapter 21A.12;
- 12645 4. Design requirements: K.C.C. chapter 21A.14;
- 12646 5. Landscaping and water use: K.C.C. chapter 21A.16;
- 12647 6. Parking and circulation: K.C.C. chapter 21A.18;
- 12648 7. Signs: K.C.C. chapter 21A.20;
- 12649 8. Critical areas: K.C.C. chapter 21A.24, if the modification results in a net  
12650 improvement to the functions of the critical area; and
- 12651 9. Landscape installation timing: K.C.C. chapters 27A.30 and 27A.40.

12652 E. A demonstration project authorized by this section may contain residential and  
12653 limited nonresidential uses subject to the following:

- 12654 1. The demonstration project may include any residential uses as allowed as a  
12655 permitted use in the R-12 through R-48 zones, subject to any development conditions in  
12656 K.C.C. 21A.08.030, without the need to request a modification or waiver as described in  
12657 subsection H. of this section. The applicant may request a modification or waiver of any  
12658 of the development conditions for residential uses contained in K.C.C. 21A.08.030,

12659 subject to the review process described in subsection H. of this section and the criteria in  
12660 subsection J. of this section;

12661           2. The demonstration project may include, as part of a residential project, any  
12662 nonresidential use allowed as a permitted use in the NB zone under K.C.C. 21A.08.030,  
12663 21A.08.040, K.C.C. 21A.08.xxx (the new section created by section 148 of this  
12664 ordinance), 21A.08.050, 21A.08.060, and 21A.08.070, subject to any development  
12665 conditions contained in those sections without the need to request a modification or  
12666 waiver as described in subsection H. of this section, except the following uses are not  
12667 allowed:

12668           a. automotive parking;

12669           b. automotive repair(~~(-and)~~);

12670           c. automotive service(~~(, K.C.C. 21A.08.050)~~);

12671           ~~((e-))~~ d. commuter parking lot, (~~(K.C.C. 21A.08.060-)~~) unless as part of a  
12672 transit-oriented development. For the purposes of this subsection (~~(E.2.e-))~~ E.2.d.,  
12673 "transit-oriented development" means a development that is designated as a transit-  
12674 oriented development in an agreement with the county and that includes the construction  
12675 of new housing units at or within one quarter mile of a county transit center or park and  
12676 ride lot;

12677           ~~((d-))~~ e. gasoline service stations(~~(-as defined in K.C.C. 21A.08.070)~~);

12678           ~~((e-))~~ f. off-street required parking lot;

12679           g. commercial and industrial accessory uses;

12680           ~~((f-))~~ h. private stormwater management facility;

12681           ~~((g-))~~ i. self-service storage; and

12682            ~~((h-))~~ j. vector waste receiving facility.

12683            3. The nonresidential uses shall be no greater than three thousand square feet  
12684 per use, with a total maximum of all nonresidential uses not to exceed ten percent of the  
12685 area of the demonstration project site or twenty thousand square feet, whichever is  
12686 smaller. The applicant may request a modification or waiver of the development  
12687 conditions for nonresidential uses in K.C.C. 21A.08.030, 21A.08.040, K.C.C.  
12688 21A.08.xxx (the new section created by section 148 of this ordinance), 21A.08.050,  
12689 21A.08.060, and 21A.08.070, subject to the review process described in subsection H. of  
12690 this section and the criteria in subsection J. of this section.

12691            F. A demonstration project authorized by this section allows a residential basics  
12692 program for townhouse and apartment building types, consistent with the department of  
12693 local services public rules chapter 16-04: residential basics program.

12694            G. All related review processes such as subdivision, building permit, inspection,  
12695 and similar processes for a demonstration project shall be expedited if:

12696            1. Fifty percent or more of all residential units proposed for the demonstration  
12697 project are affordable to households at eighty percent of area median income, as defined  
12698 by Department of Housing and Urban Development income guidelines for King County  
12699 and below; or

12700            2. Seventy percent or more of all residential units for the demonstration project  
12701 are affordable to households at eighty to one hundred fifteen percent of area median  
12702 income, as defined by Department of Housing and Urban Development income  
12703 guidelines for King County.

12704            H.1. Requests for a modification or waiver made in accordance with this section

12705 may only be submitted in writing in relation to the following types of applications:

12706 a. a site development permit;

12707 b. a binding site plan;

12708 c. a building permit;

12709 d. a short subdivision; or

12710 e. a subdivision.

12711 2. Requests shall be submitted to the department in writing before or in

12712 conjunction with an application for one or more of the permits listed in subsection H.1. of

12713 this section, together with any supporting documentation. The supporting documentation

12714 ~~((must))~~ shall illustrate how the proposed modification meets the criteria in subsection J.

12715 of this section.

12716 3. Except for an applicant's request for a modification or waiver submitted in

12717 conjunction with an application for a subdivision, the notice of application, review and

12718 approval of a proposed modification or waiver shall be treated as a Type 2 land use

12719 decision in accordance with K.C.C. 20.20.020. The request for a modification or waiver

12720 submitted in conjunction with an application for a subdivision shall be treated as a Type 3

12721 land use decision in accordance with K.C.C. 20.20.020.

12722 4. A preapplication meeting with the applicant and the department of local

12723 services, permitting division, to determine the need for and the likely scope of a proposed

12724 modification or waiver is required before submittal of such a request. If a modification or

12725 waiver requires approval of the department of natural resources and parks or the

12726 department of local services, road services division, that department or division shall be

12727 invited to participate in the preapplication meeting.



12728           5. If the applicant requests an adjustment from the county drainage standards,  
12729 the director shall refer the request to the department of natural resources and parks for  
12730 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
12731 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
12732 natural resources and parks shall consider the purposes of this demonstration ordinance as  
12733 a factor relative to the public interest requirement for drainage adjustments described in  
12734 K.C.C.9.04.050.C.

12735           6. If the applicant requests a variance from the county road standards, the  
12736 director shall refer the request to the county road engineer for decision under K.C.C.  
12737 14.42.060, with the right to appeal within the department of local services, road services  
12738 division, as provided in K.C.C. 14.42.060 and the associated public rule. The department  
12739 of local services, road services division, shall consider the purposes of this demonstration  
12740 ordinance as a factor relative to the public interest requirement for road variances  
12741 described in K.C.C. 14.42.060.

12742           7. Administrative appeals of modifications or waivers approved by the director  
12743 shall be combined with any appeal of the underlying permit decision, if the underlying  
12744 permit is subject to appeal.

12745           I. An approved development proposal for any of the applications listed in  
12746 subsection H.1. of this section, including site plan elements or conditions of approval  
12747 may be amended or modified at the request of the applicant or the applicant's successor in  
12748 interest designated by the applicant in writing. The director may administratively  
12749 approve minor modifications to an approved development proposal. Modifications that  
12750 result in major changes as determined by the department or as defined by the approval

12751 conditions shall be treated as a new application for purposes of vesting and shall be  
12752 reviewed as applicable to the underlying application pursuant to K.C.C. 20.20.020. Any  
12753 increase in the total number of dwelling units above the maximum number set forth in the  
12754 development proposal permit or approval shall be deemed a major modification. The  
12755 county, through the applicable development proposal permit or approval conditions, may  
12756 specify additional criteria for determining whether proposed modifications are major or  
12757 minor. The modifications allowed under this section supersede other modification or  
12758 revision provisions of K.C.C. Title 16 and Title 19A and this title.

12759 J.1. To be eligible to use the provisions of this section, a demonstration project  
12760 ~~((must))~~ shall be located on a demonstration project site identified in ~~((Ordinance 16650,~~  
12761 ~~Section 2,))~~ Attachment I to this ordinance, and the applicant has accepted the site as a  
12762 King County sustainable communities and housing demonstration project.

12763 2. Proposals to modify or waive development regulations for a development  
12764 application ~~((must))~~ shall be consistent with general health, safety, and public welfare  
12765 standards, and ~~((must))~~ not violate state or federal law.

12766 3.a. Applications ~~((must))~~ shall demonstrate how the proposed project, when  
12767 considered as a whole with the proposed modifications or waivers to the code, will meet  
12768 all of the criteria in this subsection J., as compared to development without the  
12769 modification or waiver, and:

- 12770 (1) achieves higher quality urban development;
- 12771 (2) provides quality infill development;
- 12772 (3) optimizes site utilization; and
- 12773 (4) enhances pedestrian experiences and sense of place and community.

12774           b. Any individual request for a modification or waiver (~~(must)~~) shall meet two  
12775 or more of the following criteria:

12776           (1) contributes to the creation of a sustainable community, which includes  
12777 features such as a connected street network, a mix of housing types, pedestrian or bike  
12778 routes throughout the development, direct bus connections, no front garages, and front  
12779 porches.

12780           (2) uses the natural site characteristics to protect the natural systems;

12781           (3)(a) contributes to achievement of a three-star rating for the project site  
12782 under the Built Green Communities program administered by the Master Builders  
12783 Association of King and Snohomish Counties;

12784           (b) contributes to achievement of a four-star or higher rating for the single  
12785 (~~(family units)~~) detached residences under the Built Green program administered by the  
12786 Master Builders Association of King and Snohomish Counties or achieve a gold  
12787 certification under the U.S. Green Building Council, LEED program<sub>2</sub> or equivalent  
12788 program; or

12789           (c) contributes to achievement of a four-star or higher rating for (~~(the~~  
12790 ~~multifamily units)~~) multiunit developments under the Built Green program administered  
12791 by the Master Builders Association of King and Snohomish Counties or achieve a gold  
12792 certification under the U.S. Green Building Council, LEED program<sub>2</sub> or other equivalent  
12793 program; and

12794           (4) provides attractive, well-designed development that will assist in  
12795 improving safety and preventing crime in the development and surrounding area,  
12796 including: adequate outdoor lighting along walkways(~~(/)~~) and trails(~~(/)~~); walkways(~~(/)~~)

12797 and trails (~~(5')~~) five feet or wider; and low vegetation along walkways(~~(/)~~) and trails.

12798 4. The criteria in this subsection supersede other variance, modification, or

12799 waiver criteria and provisions of K.C.C. Title 21A.

12800 K. Regulatory modification and waiver applications, or both, authorized by this

12801 section shall be filed with the department of local services, permitting division, within

12802 three years of the approval of the development proposal, which includes issuance of a

12803 building permit or site development permit, recording of a plat, short plat, or binding site

12804 plan, or by such a later date as may be specified in the conditions of any development

12805 approval for any type of modification or waiver for which the opportunity for future

12806 application is expressly granted in those conditions. Modifications or waivers contained

12807 within an approved development proposal are valid as long as the underlying permit or

12808 development application approval is valid. If modifications or waivers are approved as

12809 separate applications, they (~~(must)~~) shall be incorporated into a valid permit or

12810 development application within three years of approval of the development proposal.

12811 The director may extend the date for filing the demonstration project permit and

12812 development applications for a maximum of twelve months. Any deadline in this

12813 subsection shall be adjusted to include the time for appeal of all or any portion of the

12814 project approval.

12815 SECTION 263. Ordinance 19119, Section 2, and K.C.C. 21A.55.125 are hereby

12816 amended to read as follows:

12817 A.1. The purpose of the alternative housing demonstration project is to:

12818 a. encourage private market development of housing options that are

12819 affordable to different segments of the county's population by testing removal of certain

12820 regulatory barriers to developing such housing;

12821           b. compare ~~((at least two))~~ alternative housing options and their accessibility  
12822 for populations who are otherwise unable to find suitable housing, such as lower-income  
12823 one-person households, low-income seniors, people with disabilities, veterans, and  
12824 persons experiencing homeless; and

12825           c. evaluate the public benefit of providing housing options with smaller living  
12826 spaces and shared facilities~~((; and~~

12827           ~~d. implement Phase I of King County Comprehensive Plan Workplan Action 6,~~  
12828 ~~as adopted in Ordinance 18427, and as amended by Ordinances 18427 and 18810)).~~

12829           2. The expected benefits from the alternative housing demonstration project  
12830 include:

12831           a. the use of innovative design and development techniques to promote  
12832 alternative housing options;

12833           b. the development of new affordable housing built to modern building  
12834 standards; and

12835           c. the opportunity to identify and evaluate potential substantive changes to land  
12836 use and development regulations that support the development of affordable housing  
12837 while maintaining community character.

12838           B. ~~((For purposes of this section:~~

12839           1. ~~"Congregate residence" means one or more buildings that contain either~~  
12840 ~~sleeping units or dwelling units, or both, and where residents share either sanitation~~  
12841 ~~facilities or kitchen facilities, or both.~~

12842           2. ~~"Sleeping unit" means a room or space in which people sleep, and can also~~

12843 ~~include permanent provisions for living, eating, and either sanitation or kitchen facilities~~  
12844 ~~but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping~~  
12845 ~~units.~~

12846        ~~C.)~~) The alternative housing demonstration project shall be implemented in North  
12847 Highline as described in Attachment A to Ordinance 19119, ~~((and))~~ in the Vashon Rural  
12848 Town as described in Attachment B to Ordinance 19119, and in the Snoqualmie Pass  
12849 Rural Town as described in Map Amendment 31 in Attachment I to this ordinance.

12850        ~~(D.)~~C. Applications shall demonstrate how the proposed project, when  
12851 considered as a whole with the proposed modifications or waivers to the code, will meet  
12852 the criteria in this section and, as compared to development without the modification or  
12853 waiver, the degree to which the project will:

- 12854           a. increase the range of affordable housing options, including providing
- 12855 housing types that meet the needs of the local community;
- 12856           b. provide housing options for low- to moderate-income households;
- 12857           c. provide for the development of lower rent housing options through
- 12858 construction of buildings with shared facilities;
- 12859           d. seek to prevent displacement of the local community's residents;
- 12860           e. for projects with public funding, meet or exceed the sustainable
- 12861 development standards adopted by Washington state Department of Commerce under
- 12862 RCW 39.35D.080;
- 12863           f. for projects without public funding, meet or exceed Master Builders
- 12864 Association of King and Snohomish Counties 4-star Built Green standard; and
- 12865           g. provide attractive and well-designed development.

12866            ~~((E-))~~D. The following apply to a demonstration project development proposal  
12867 under this section and supersede development regulations under this title that are in  
12868 conflict:

12869            1. A demonstration project development proposal for a congregate residence in  
12870 North Highline identified in Attachment A to Ordinance 19119, is a permitted use under  
12871 K.C.C. 21A.08.030 and the maximum residential density provisions and the base height  
12872 provisions of K.C.C. 21A.12.030 and of K.C.C. 21A.12.040 do not apply if:

12873            a. the proposal is for no more than a combined total of sixty dwelling units and  
12874 sleeping units;

12875            b. each sleeping unit or dwelling unit contains no more than two hundred  
12876 twenty square feet of floor area; ~~((and))~~

12877            c. the proposed development does not exceed sixty feet in height; and

12878            d. The proposed development does not use the provisions of K.C.C. chapter  
12879 21A.48.

12880            2. A demonstration project development proposal for a congregate residence, in  
12881 Vashon Rural Town as identified in Attachment B to Ordinance 19119 is a permitted use  
12882 under K.C.C. 21A.08.030 and the maximum residential density provisions of K.C.C.  
12883 21A.12.030 do not apply if:

12884            a. the development proposal is for no more than five buildings with each  
12885 building containing no more than a combined total of eight dwelling units and sleeping  
12886 units; and

12887            b. except for accessibility units designed to house persons with physical  
12888 disabilities, sleeping units and dwelling units shall not contain more than three hundred

12889 fifty square feet of floor area. Sleeping units and dwelling units designed as accessible  
12890 for persons with physical disabilities shall contain no more than three hundred eight five  
12891 feet of net floor area; and

12892 d. The proposed development does not use the provisions of K.C.C. chapter  
12893 21A.48.

12894 3. A demonstration project development proposal for a congregate residence in  
12895 the Snoqualmie Pass Rural Town as identified in Map Amendment 31 in Attachment I to  
12896 this ordinance, is a permitted use under K.C.C. 21A.08.030 and the maximum residential  
12897 density provisions and the base height provisions of K.C.C. 21A.12.030 and of K.C.C.  
12898 21A.12.040 do not apply if:

12899 a. the proposal is for no more than a combined total of forty dwelling units  
12900 and sleeping units;

12901 b. each sleeping unit or dwelling unit contains no more than two hundred  
12902 twenty square feet of floor area;

12903 c. the proposed development does not exceed sixty-five feet in height; and

12904 d. The proposed development does not use the provisions of K.C.C. chapter  
12905 21A.48.

12906 ~~((F-))~~ E. A congregate residence under this section shall meet the following  
12907 standards:

12908 1. A congregate residence shall include at least one common kitchen facility. In  
12909 a congregate residence with more than two floors, at least one common kitchen facility is  
12910 required on each floor with sleeping units. In a congregate residence consisting of more  
12911 than one building, at least one common kitchen facility is required in each building.



12912           2. A sleeping unit that does not include sanitation facilities in the sleeping unit  
12913 shall have access to shared sanitation facilities on the same floor as the sleeping unit.

12914           3. Communal areas, such as common kitchen facilities, lounges, recreation  
12915 rooms, dining rooms, living rooms, laundry rooms, foyers, and lobbies, shall be open to  
12916 all residents of the congregate residence and shall meet the following standards:

12917           a. The total floor area of communal areas shall be at least twelve percent of the  
12918 total floor area of all sleeping and dwelling units; and

12919           b. Service areas, including, but not limited to, hallways and corridors, supply  
12920 or janitorial storage areas, operations and maintenance areas, staff areas, and offices, may  
12921 not be counted toward the communal area total floor area requirement.

12922           ~~((G-))~~E.1. An application for a development permit or building permit under this  
12923 section shall include a proposed agreement with the department of local services,  
12924 permitting division, that addresses at least the following to be undertaken by the  
12925 applicant:

12926           a. measures to ensure that rents remain affordable, such as rent and income  
12927 restrictions or the inherent affordability of smaller units;

12928           b. measures to reduce displacement of the local community's residents, such as  
12929 affirmative marketing or maintaining wait lists;

12930           c. measures to ensure that residents have available transportation choices to  
12931 enable them reasonable access to retail and services, such as the Metro transit department  
12932 Access paratransit services, community service vans, bike storage rooms or carshare  
12933 services;

12934           d. for projects in the Vashon Rural Town, services that will be available to

12935 residents of the project, such as case management for vulnerable populations or social  
12936 connectivity programming;

12937 e. measures to incorporate housing needs of the local community into the  
12938 proposed development;

12939 f. measures to involve the local community in the proposed development; and

12940 g. what information the applicant will collect and when and how it will be  
12941 reported to the department of local services, permitting division, and the department of  
12942 community and human services to assist in evaluation of the demonstration project.

12943 2. The department shall not approve a development permit or building permit  
12944 application under this section until the proposed agreement under this subsection has  
12945 been approved by the department of local services, permitting division.

12946 ((H)) G.1. A modification or waiver approved by the department of local  
12947 services, permitting division, in accordance with this section shall be in addition to those  
12948 modifications or waivers that are currently allowed by this title, K.C.C. Title 9, K.C.C.  
12949 Title 14, and K.C.C. Title 16.

12950 2. An applicant under this section, in conjunction with an application for a site  
12951 development permit or a building permit, may request in writing a modification or waiver  
12952 of the development regulations under the following chapters and titles. Proposals to  
12953 modify or waive development regulations for a development application ((~~must~~)) shall be  
12954 consistent with general health, safety, and public welfare standards and ((~~must~~)) shall not  
12955 violate state or federal law:

12956 a. drainage review requirements: K.C.C. chapter 9.04 and the Surface Water  
12957 Design Manual;

12958            b. King County road standards: K.C.C. chapter 14.42 and the county road  
12959 standards, 2016 update;

12960            c. King County building code: K.C.C. Title 16;

12961            d. permitted uses: K.C.C. chapter 21A.08;

12962            e. density and dimensions: K.C.C. chapter 21A.12;

12963            f. design requirements: K.C.C. chapter 21A.14;

12964            g. landscaping and water use: K.C.C. chapter 21A.16;

12965            h. parking and circulation: K.C.C. chapter 21A.18; and

12966            i. school impact fees: K.C.C. chapter 21A.43.

12967            3. Requests for a waiver or modification made in accordance with this section  
12968 shall be submitted to the department of local services, permitting division, in writing  
12969 before or in conjunction with a development permit or building permit application  
12970 together with any supporting documentation. The supporting documentation (~~(must)~~)  
12971 shall illustrate how the proposed modification meets the criteria in this section.

12972            4. The notice of application, review, and approval of a proposed modification or  
12973 waiver under this section shall be treated as a Type 2 land use decision in accordance  
12974 with K.C.C. 20.20.020. Approval or denial of the proposed modification or waiver shall  
12975 not be construed as applying to any other development application either within a  
12976 demonstration project area or elsewhere in the county.

12977            5. A preapplication conference with the applicant and the department of local  
12978 services, permitting division, to determine the need for and the likely scope of a proposed  
12979 modification or waiver is required before submittal of such a request. If a modification or  
12980 waiver requires approval of the department of natural resources and parks or the

12981 department of local services, roads services division, that department or division shall be  
12982 invited to participate in the preapplication conference.

12983           6. If the applicant requests an adjustment from the county drainage standards,  
12984 the director shall refer the request to the department of natural resources and parks for  
12985 decision under K.C.C. chapter 9.04, with the right to appeal within the department of  
12986 natural resources and parks as provided in K.C.C. 9.04.050.C.6. The department of  
12987 natural resources and parks shall consider the purposes of this demonstration project as a  
12988 factor relative to the public interest requirement for drainage adjustments described in  
12989 K.C.C. 9.04.050.C.

12990           7. If the applicant requests a variance from the county road standards, the  
12991 director shall refer the request to the county road engineer for decision under K.C.C.  
12992 14.42.060, with the right to appeal to the department of local services, road services  
12993 division, as provided in K.C.C. 14.42.060 and the associated public rules. The  
12994 department of local services, road services division, shall consider the purposes of this  
12995 demonstration project as a factor relative to the public interest requirement for road  
12996 variances described in K.C.C. 14.42.060.

12997           8. Administrative appeals of modifications or waivers approved by the director  
12998 shall be combined with any appeal of the underlying permit decision.

12999           ~~((F))~~ H. An approved development permit or a building permit under this section,  
13000 including site plan elements or conditions of approval, may be amended or modified at  
13001 the request of the applicant or the applicant's successor in interest designated by the  
13002 applicant in writing. The director may administratively approve minor modifications to  
13003 an approved permit. Modifications that result in major changes as determined by the

13004 department of local services, permitting division, or as defined by the approval  
13005 conditions, shall be treated as a new application for purposes of vesting and shall be  
13006 reviewed as applicable to the underlying application in accordance with K.C.C.  
13007 20.20.020. Any increase in the total number of sleeping units and dwelling units above  
13008 the maximum number set forth in the development permit or building permit approval  
13009 shall be deemed a major modification. The county, through the applicable development  
13010 permit or building permit approval conditions, may specify additional criteria for  
13011 determining whether proposed modifications are major or minor. The modifications  
13012 allowed under this section supersede other modification or revision provisions of K.C.C.  
13013 Title 16 and this title.

13014 ~~((F.))~~ I. Demonstration project applications shall be accepted by the department of  
13015 local services, permitting division, for ~~((four))~~ ten years from ~~((July 19, 2020))~~ the  
13016 effective date of this ordinance. Complete applications submitted before the end of the  
13017 ~~((four))~~ ten years, shall be reviewed and decided on by the department of local services,  
13018 permitting division.

13019 ~~((K))~~ J.1. The executive shall electronically file the following reports ~~((in the~~  
13020 ~~form of a paper original and an electronic copy))~~ with the clerk of the council, who shall  
13021 retain the original and provide an electronic copy to all councilmembers, the council chief  
13022 of staff, and the lead staff to the local services~~((;))~~ and land use committee or its  
13023 successor ~~((and the lead staff to the community health and housing services committee or~~  
13024 ~~its successor))~~:

13025 a. A preliminary report within two years of the final certificate of occupancy  
13026 for the first project completed under the demonstration project, as adopted in either

13027 ordinance 19119 or this ordinance, that describes and evaluates the pertinent preliminary  
13028 results; and

13029           b. A final report within two years of the final certificate of occupancy for the  
13030 second project completed under the demonstration project, as adopted in either ordinance  
13031 19119 or this ordinance, that describes and evaluates the pertinent results and  
13032 recommends changes, if appropriate based on evaluation, that should be made to the  
13033 county processes and development regulations.

13034           2. If only insufficient or inconclusive data are available when the report required  
13035 under subsection ~~((K))~~J.1. of this section is due, the executive ~~((must))~~ shall  
13036 electronically file ~~((in the form of a paper original and an electronic copy))~~ with the clerk  
13037 of the council, who shall retain the original and provide an electronic copy to all  
13038 councilmembers, the council chief of staff, and the lead staff to the local services and  
13039 land use committee or its successor ~~((and the lead staff to the community health and~~  
13040 ~~housing services committee or its successor))~~ a report on the demonstration projects that  
13041 indicates the date a subsequent report or reports will be transmitted to fully evaluate  
13042 outcomes of the demonstration project sites and recommend changes, if appropriate,  
13043 based on the evaluation, that should be made to the county processes and development  
13044 regulations.

13045           SECTION 264. Ordinance 19687, Section 10, and K.C.C. 21A.60.020 are hereby  
13046 amended to read as follows:

13047           A. This chapter only applies to the North Highline ~~((community service~~  
13048 ~~area))~~ subarea geography as follows:

13049           1. All new or substantially improved development in the CB, NB, RB, O,

13050 R-12, R-18, R-24, and R-48 zones; and

13051           2. Modification to any structure that affects its exterior appearance in the  
13052 White Center unincorporated activity center land use designation, except for single  
13053 detached dwelling units.

13054           B. The following types of development are exempt from this chapter:

13055           1. New or substantially improved development with less than six dwelling  
13056 units ((is exempt from this chapter)); and

13057           2. Developments with a minimum of TBD percent of units are income-  
13058 restricted units at or below eighty percent AMI.

13059           C. Where a conflict exists between this chapter and other provisions in this title,  
13060 this chapter applies.

13061           SECTION 265. Ordinance 19687, Section 13, and K.C.C. 21A.60.050 are hereby  
13062 amended to read as follows:

13063           A. Parking shall be accessed from alleys, where an alley exists. If there is no alley,  
13064 parking entries shall prioritize pedestrians by limiting the maximum width to twenty feet  
13065 for two-way driveways.

13066           B. Developments with over two hundred linear feet on a single street frontage or  
13067 two hundred linear feet of total street frontage on properties that abut two parallel streets  
13068 shall provide a midblock connection. The route may be through the building interior if the  
13069 building is open to the public during business hours.

13070           C. Developments on corner lots shall either orient a building façade toward the  
13071 street corner within fifteen feet of the property line or provide pedestrian-oriented space at  
13072 the corner leading directly to a building entrance or entrances.

13073 D. Minimum interior setbacks of the underlying zone are waived.

13074 E. Service areas including loading docks, refuse containers, compactors, and  
13075 mechanical equipment shall be located and screened to avoid negative visual, auditory,  
13076 olfactory, or physical impacts on the property and adjacent street frontages. Service areas  
13077 shall be located within buildings or screened with acceptable materials including brick,  
13078 concrete block, stone, or wood. Chain-link fencing is not permitted as a screening material.

13079 SECTION 266. Ordinance 19687, Section 18, and K.C.C. 21A.60.100 are hereby  
13080 amended to read as follows:

13081 A. The director may waive or modify the application of the standards of this  
13082 chapter, if, as determined by a notarized letter from a landlord, leasing agreement, affidavit  
13083 of residency, real estate deed, tax return, or record of filing with the Washington Office of  
13084 the Secretary of State, the business:

13085 1. Has been located in North Highline for at least five years, excluding a franchise  
13086 with headquarters outside of North Highline;

13087 2. Is owned by a person who has lived in North Highline for at least five years,  
13088 excluding a franchise with headquarters outside of North Highline;

13089 3. Is a nonprofit organization that provides community and human services to  
13090 residents of North Highline; or

13091 4. Is located in a structure listed on the National Register of Historic Places as a  
13092 historic site or designated as a state or King County landmark subject to K.C.C. chapter  
13093 21A.32.

13094 B. ~~((The director may waive or modify the application of the standards of this~~  
13095 ~~chapter if the development provides affordable dwelling units in accordance with K.C.C.~~



13096 ~~chapter 21A.48 and the director determines that the waiver or modification would result in~~  
13097 ~~a development that better meets the intent of the design standards in K.C.C. 21A.60.010.~~

13098       ~~€.))~~ The director may waive or modify the application of a design standard in this  
13099 chapter to a development proposal if the director determines that waiver or modification  
13100 would result in a development that better meets the intent of the design standards in K.C.C.  
13101 21A.60.010.

13102       ~~((D.))~~ C. A waiver or modification request shall be submitted in writing by the  
13103 developer to the director. The request shall identify the proposed design standard requested  
13104 to be waived or modified, the rationale for why the waiver or modification should be  
13105 granted, and how the waiver or modification would result in a development that better  
13106 meets the intent of the design standards in K.C.C. 21A.60.010.

13107       SECTION 267. Ordinance 3269, Section 2, and K.C.C. 24.08.010 are hereby  
13108 amended to read as follows:

13109       ~~((For the purpose of this title, the following terms have the meanings ascribed to~~  
13110 ~~them in this chapter.))~~ The definitions in K.C.C. chapter 21A.06 and the definitions in  
13111 this chapter apply to this title.

13112       NEW SECTION. SECTION 268. There is hereby added to K.C.C. chapter 24.08  
13113 a new section to read as follows:

13114       Rotating shelter: an emergency shelter where the hosting organizations host  
13115 shelter operations on a temporary basis, rotating the shelter operations between its  
13116 participating host locations.

13117       SECTION 269. Sections 270 through 275 of this ordinance should constitute a  
13118 new chapter in K.C.C. Title 24.

13119            NEW SECTION. SECTION 270.

13120            The purpose of this chapter is to provide standards for certain residential care uses  
13121 and to address the potential impacts to neighborhoods.

13122            NEW SECTION. SECTION 271.

13123            Recuperative housing is subject to the following criteria:

13124            A. Prospective residents shall be referred to the facility by off-site providers of  
13125 housing and services for people experiencing homelessness;

13126            B. Recuperative housing facilities shall be staffed and in operation twenty-four  
13127 hours per day;

13128            C. Specific rooms or units shall be assigned to specific residents for the duration  
13129 of their stay;

13130            D. On-site services such as laundry, hygiene, meals, case management, and social  
13131 programs are limited to residents;

13132            E. All vehicles on-site shall be licensed and in operational condition; and

13133            F. A lease agreement for residents is allowed but not required.

13134            NEW SECTION. SECTION 272.

13135            A. Emergency shelters that operate twenty-four hours per day, seven days per  
13136 week, are subject to the following criteria:

13137            1. Facilities shall be staffed twenty-four hours per day; and

13138            2. Beds or rooms shall be assigned to specific residents for the duration of their  
13139 stay;

13140            B. Emergency shelters that operate only overnight and rotating shelters shall  
13141 provide on-site supervision while in operation; and

13142 C. A lease agreement for residents is allowed but not required.

13143 NEW SECTION. SECTION 273. Emergency supportive housing is subject to

13144 the following criteria:

13145 A. Facilities shall be staffed and in operation twenty-four hours per day;

13146 B. Specific rooms or units shall be assigned to specific residents for the duration

13147 of their stay;

13148 C. On-site services such as laundry, hygiene, meals, case management, and social

13149 programs shall be limited to residents;

13150 D. All vehicles on-site shall be licensed and in operational condition; and

13151 E. A lease agreement for residents is allowed but not required.

13152 NEW SECTION. SECTION 274. Microshelter villages are subject to the

13153 following criteria:

13154 A. On-site services such as laundry, hygiene, meals, case management, and social

13155 programs shall be limited to residents;

13156 B. Supervision shall be provided by on-site staff at all times, unless it can be

13157 demonstrated that this level of supervision is not warranted for the population being

13158 housed;

13159 C. The organization managing and operating the facility shall provide sanitation

13160 and basic safety measures;

13161 D. All vehicles on-site shall be licensed and in operational condition; and

13162 E. A lease agreement for residents is allowed but not required.

13163 NEW SECTION. SECTION 275. Safe parking sites are allowed subject to the

13164 following criteria:

---

- 13165           A. A six-foot clearance shall be provided around each recreational vehicle;
- 13166           B. All vehicles on-site shall be:
- 13167               1. Licensed and in operable condition; and
- 13168               2. Parked within the designated parking area;
- 13169           C. All personal property shall be stored inside the vehicles;
- 13170           D. All propane tanks shall be securely fastened to a recreational vehicle's propane
- 13171 tank mounting bracket;
- 13172           E. The following are prohibited:
- 13173               1. Tents, tarps, and other temporary structures, such as lean-tos;
- 13174               2. Vehicles that leak the following:
- 13175                   a. domestic sewage or other waste fluids or solids; or
- 13176                   b. gasoline, transmission or radiator fluid, engine oil, or other similar fluids,
- 13177 excluding potable water;
- 13178               3. Fires; and
- 13179               4. Audio, video, generator, or other amplified sound that is audible outside the
- 13180 vehicles; and
- 13181           F. The organization managing or operating the safe parking site shall comply and
- 13182 enforce compliance of applicable state statutes and regulations and local ordinances
- 13183 concerning, but not limited to, drinking water connections, solid waste disposal, human
- 13184 waste, outdoor fire burning, and electrical systems.

13185           SECTION 276. Ordinance 13332, Section 34, as amended, and K.C.C. 27.10.190

13186 are hereby amended to read as follows:

13187	Preliminary subdivision, short subdivision, ( <del>urban planned development</del> ) or	
13188	binding site plan applications shall be charged fees for planning, fire flow and access, site	
13189	engineering, critical area, survey <sub>2</sub> and state Environmental Policy Act review as follows:	
13190	A. Short plat - urban 2 to 4 lots, simple	\$22,944.00
13191	B. Short plat - urban 2 to 4 lots, complex	\$26,925.00
13192	C. Short plat - urban 5 to 9 lots	\$34,036.00
13193	D. Short plat - rural	\$26,925.00
13194	E. Subdivision( <del>(, urban planned development,)</del> ) or binding site plan -	
13195	base fee	\$42,174.00
13196	F. Subdivision - additional fee per lot	\$142.00
13197	G. <u>Lot split</u>	<u>\$500</u>
13198	<u>H.</u> Minor plan revisions before or after preliminary approval	
13199	1. Short plat	\$2,417.00
13200	2. Subdivision( <del>(, urban planned development)</del> ) or binding site plan	\$6,186.00
13201	<del>(H.)</del> <u>I.</u> Extension of plat approval	\$284.00

13202 SECTION 277. Ordinance 13332, Section 35, as amended, and K.C.C. 27.10.200  
 13203 are hereby amended to read as follows:

13204 Final subdivision, short subdivision, (~~urban planned development~~) binding site  
 13205 plan, subdivisional legal description<sub>2</sub> or title review, approval<sub>2</sub> and resubmittal shall be  
 13206 charged fees as follows:

13207	A. Final plan review and approval	
13208	1. Short plat - urban 2 to 4 lots, simple	\$7,223.00
13209	2. Short plat - urban 2 to 4 lots, complex	\$10,068.00

13210	3.	Short plat - urban 5 to 9 lots	\$15,471.00
13211	4.	Short plat - rural	\$10,068.00
13212	5.	Subdivision(( <del>5</del> )) <u>or</u> binding site plan( <del>(<del>5</del> or urban planned</del>	
13213		<del>development))</del>	\$15,471.00
13214	B.	Final plan resubmittal	
13215	1.	Short plat - urban 2 to 4 lots, simple	\$996.00
13216	2.	Short plat - urban 2 to 4 lots, complex	\$1,421.00
13217	3.	Short plat - urban 5 to 9 lots	\$2,845.00
13218	4.	Short plat - rural	\$1,421.00
13219	5.	Subdivision(( <del>5</del> )) <u>or</u> binding site plan( <del>(<del>5</del> or urban planned development)</del> )	\$2,845.00
13220	C.	Alteration after recordation	
13221	1.	Short plat - urban 2 to 4 lots, simple	\$4,835.00
13222	2.	Short plat - urban 2 to 4 lots, complex	\$6,825.00
13223	3.	Short plat - urban 5 to 9 lots	\$10,380.00
13224	4.	Short plat - rural	\$6,825.00
13225	5.	Subdivision(( <del>5</del> )) <u>or</u> binding site plan ( <del>(<del>5</del> or urban planned</del>	
13226		<del>development))</del>	\$12,372.00
13227	D.	Subdivisional legal description review	
13228	1.	1-50 lots - base fee	\$700.00
13229	2.	1-50 lots - per lot	\$168.00
13230	3.	51-100 lots - base fee	\$9,100.00
13231	4.	51-100 lots - per lot	\$68.00
13232	5.	More than 100 lots - base fee	\$12,500.00



- 13256 N. Ordinance 8380, Appendix B;
- 13257 O. Ordinance 10238, Section 1, as amended, and K.C.C. 20.14.020;
- 13258 P. Ordinance 10293, Attachment A, as amended;
- 13259 Q. Ordinance 10293, Sections 1, 2, 6, 7, and 9, as amended, and K.C.C.
- 13260 20.14.025;
- 13261 R. Ordinance 10293, Attachment A, as amended;
- 13262 S. Ordinance 10513, Section 1, as amended, and K.C.C. 20.14.030;
- 13263 T. Ordinance 10513, Attachment A, as amended;
- 13264 U. Ordinance 11087, Section 1, as amended, and K.C.C. 20.14.040;
- 13265 V. Ordinance 11087, Attachment A, as amended;
- 13266 W. Ordinance 11111, Section 1, as amended, and K.C.C. 20.14.050;
- 13267 X. Ordinance 11111, Attachment A, as amended;
- 13268 Y. Ordinance 11886, Sections 1 and 4, as amended, and K.C.C. 20.14.060;
- 13269 Z. Ordinance 11886, Attachment A, as amended;
- 13270 AA. Ordinance 12809, Section 1, as amended, and K.C.C. 20.14.070;
- 13271 BB. Ordinance 12809, Attachment A, as amended;
- 13272 CC. Ordinance 14091, Section 1, and K.C.C. 20.14.080;
- 13273 DD. Ordinance 14091, Attachment A;
- 13274 EE. Ordinance 13147, Section 28, as amended, and K.C.C. 20.18.120;
- 13275 FF. Ordinance 8998, Section 6, and K.C.C. 20.44.145;
- 13276 GG. Ordinance 17191, Section 20, and K.C.C. 21A.06.318;
- 13277 HH. Ordinance 10870, Section 106 and K.C.C. 21A.06.330;
- 13278 II. Ordinance 12171, Section 3, and K.C.C. 21A.06.533;



- 13279 JJ. Ordinance 10870, Section 196, and K.C.C. 21A.06.780;
- 13280 KK. Ordinance 10870, Section 239, and K.C.C. 21A.06.995;
- 13281 LL. Ordinance 10870, Section 255, and K.C.C. 21A.06.1075;
- 13282 MM. Ordinance 10870, Section 301, and K.C.C. 21A.06.1305;
- 13283 NN. Ordinance 10870, Section 308, and K.C.C. 21A.06.1340;
- 13284 OO. Ordinance 10870, Section 360, as amended, and K.C.C. 21A.12.230;
- 13285 PP. Ordinance 16267, Section 30, as amended, and K.C.C. 21A.12.250;
- 13286 QQ. Ordinance 10870, Section 368, as amended, and K.C.C. 21A.14.080;
- 13287 RR. Ordinance 10870, Section 369, as amended, and K.C.C. 21A.14.090;
- 13288 SS. Ordinance 10870, Section 379, as amended, and K.C.C. 21A.14.190;
- 13289 TT. Ordinance 10870, Section 410, as amended, and K.C.C. 21A.18.060;
- 13290 UU. Ordinance 10870, Section 550, and K.C.C. 21A.32.130;
- 13291 VV. Ordinance 10870, Section 140, and K.C.C. 21A.32.140;
- 13292 WW. Ordinance 10870, Section 560, and K.C.C. 21A.34.010;
- 13293 XX. Ordinance 10870, Section 561, as amended, and K.C.C. 21A.34.020;
- 13294 YY. Ordinance 10870, Section 562, as amended, and K.C.C. 21A.34.030;
- 13295 ZZ. Ordinance 10870, Section 563, as amended, and K.C.C. 21A.34.040;
- 13296 AAA. Ordinance 10870, Section 564, as amended, and K.C.C. 21A.34.050;
- 13297 BBB. Ordinance 10870, Section 565, as amended, and K.C.C. 21A.34.060;
- 13298 CCC. Ordinance 10870, Section 566, and K.C.C. 21A.34.070;
- 13299 DDD. Ordinance 10870, Section 567, and K.C.C. 21A.34.080;
- 13300 EEE. Ordinance 16267, Section 68, as amended, and K.C.C. 21A.37.055;
- 13301 FFF. Ordinance 10870, Section 581, as amended, and K.C.C. 21A.38.080;

- 13302 GGG. Ordinance 12823, Section 13, and K.C.C. 21A.38.180;
- 13303 HHH. Ordinance 18623, Section 9, and K.C.C. 21A.38.270;
- 13304 III. Ordinance 10870, Section 582, and K.C.C. 21A.39.010;
- 13305 JJJ. Ordinance 10870, Section 583, as amended, and K.C.C. 21A.39.020;
- 13306 KKK. Ordinance 10870, Section 584, as amended, and K.C.C. 21A.39.030;
- 13307 LLL. Ordinance 10870, Section 585, and K.C.C. 21A.39.040;
- 13308 MMM. Ordinance 10870, Section 586, as amended, and K.C.C. 21A.39.050;
- 13309 NNN. Ordinance 10870, Section 587, and K.C.C. 21A.39.060;
- 13310 OOO. Ordinance 10870, Section 588, and K.C.C. 21A.39.070;
- 13311 PPP. Ordinance 10870, Section 589, and K.C.C. 21A.39.080;
- 13312 QQQ. Ordinance 10870, Section 590, and K.C.C. 21A.39.090;
- 13313 RRR. Ordinance 10870, Section 591, and K.C.C. 21A.39.100;
- 13314 SSS. Ordinance 10870, Section 592, and K.C.C. 21A.39.110;
- 13315 TTT. Ordinance 10870, Section 593, and K.C.C. 21A.39.120;
- 13316 UUU. Ordinance 10870, Section 594, and K.C.C. 21A.39.130;
- 13317 VVV. Ordinance 12171, Section 8, and K.C.C. 21A.39.200;
- 13318 WWW. Ordinance 10870, Section 628, and K.C.C. 21A.44.070;
- 13319 XXX. Ordinance 12171, Section 9, and K.C.C. 21A.44.080;
- 13320 YYY. Ordinance 19555, Section 23, K.C.C. 21A.48.020;
- 13321 ZZZ. Ordinance 13275, Section 1, as amended, and K.C.C. 21A.55.050;
- 13322 AAAA. Ordinance 14662, Section 1, as amended, and K.C.C. 21A.55.060;
- 13323 BBBB. Ordinance 17877, Section 1;
- 13324 CCCC. Ordinance 17877, Section 2;

13325 DDDD. Ordinance 17877, Section 3;

13326 EEEE. Ordinance 17878, Section 1;

13327 FFFF. Ordinance 17878, Section 2;

13328 GGGG. Ordinance 17878, Section 3;

13329 HHHH. Ordinance 17950, Section 5;

13330 IIII. Ordinance 15170, Section 16, as amended;

13331 JJJJ. Ordinance 15170, Section 17, as amended;

13332 KKKK. Ordinance 15170, Section 18, and K.C.C. 21A.32.145;

13333 LLLL. Attachment A to Ordinance 13875, as amended; and

13334 MMMM. Ordinance 16650, Attachment B.

13335 SECTION 280. The executive shall submit sections 47, 186, 187, 188, 189, 190,

13336 191, 192, and 193 of this ordinance and amendments to King County Comprehensive

13337 Plan chapter six in Attachment A to this ordinance to the state Department of Ecology for

13338 its approval, as provided in RCW 90.58.090.

13339 SECTION 281. Sections 47, 186, 187, 188, 189, 190, 191, 192, and 193 of this

13340 ordinance and amendments to King County Comprehensive Plan chapter six in

13341 Attachment A to this ordinance take effect within the shoreline jurisdiction fourteen days

13342 after the state Department of Ecology provides written notice of final action stating that

13343 the proposal is approved, in accordance with RCW 90.58.090. The executive shall

13344 provide the written notice of final action to the clerk of the council.

13345 SECTION 282. The "Designated Mineral Resource Sites" table shown in Chapter

13346 3 of the King County Comprehensive Plan shall not take effect until the latter of the

13347 following:

13348           A. Sixty days after the date of publication of notice of adoption for this  
13349 ordinance; or

13350           B. If a petition for review to the growth management hearings board is timely  
13351 filed, upon issuance of the board's final order.

13352           SECTION 283. The executive is authorized to submit an application to the  
13353 Growth Management Planning Council to designate the Skyway and White Center  
13354 Unincorporated Activity Centers as countywide centers, as provided in Appendix 6 to the  
13355 2021 King County Countywide Planning Policies.

13356           SECTION 284. Severability. If any provision of this ordinance or its application

13357 to any person or circumstance is held invalid, the remainder of the ordinance or the  
13358 application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

---

Dave Upthegrove, Chair

ATTEST:

---

Melani Hay, Clerk of the Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

---

Dow Constantine, County Executive

**Attachments:** A. 2024 King County Comprehensive Plan, June 2024, B. Appendix A Capital Facilities and Utilities, June 2024, C. Appendix B Housing Needs Assessment, June 2024, D. Appendix C Transportation, June 2024, E. Appendix C1 Transportation Needs Report, June 2024, F. Appendix C2 Regional Trail Needs Report, June 2024, G Appendix D1 Growth Targets and the Urban Growth Area, June 2024, H. Amendments to Vashon-Maury Island Community Service Area Subarea Plan, As Amended, June 2024, I. Land Use and Zoning Map Amendments, June 2024, J. Snoqualmie Valley/Northeast King County Subarea Plan, June 2024